

GRAŻYNA FIRLIT-FESNAK
Warsaw

THE PLACE OF THE FAMILY IN THE PUBLIC ORDER IN MODERN EUROPE. OLD CONTEXTS, NEW CHALLENGES

INTRODUCTION

The topic of this paper is the relationships between the familial and public orders in Europe, in the light of the economic, political and socio-cultural transformations of the last half-century and in the light of modern challenges. What made me decide to take up this topic was my long experience in research on different contexts of family issues and my recognition of the need for a renaissance of public discourse on this matter. Today the symptoms of social crisis in European integration are growing, as are the negative consequences of labour globalisation and symptoms of cultural disorientation. Another important motivation was the complex demographic situation in Poland and the difficult beginning of a new public policy on the family in the last two years. It needs to be mentioned that after 1989 in Poland, the family was basically left alone to adapt to the economic and social effects of the state's transformation. At the time of that transformation – like in the hard times when Poland lost its independence, or in the difficult economic circumstances of the 1980s – the Polish family was not only a source of values and emotional bonds, but also a source of solidarity and resourcefulness, and was often critical to survival.

While writing this paper I was aware that I risked being judged biased in my perception of the place of the family in modern society. Thus, I have tried to support my arguments with studies by other researchers on issues directly relevant to or forming a background for my deliberations. In my opinion, in the last half-century, in the social systems of states and nations belonging to European culture the presence of the family, functioning as a community supporting the existence and development of Western civilisation, was always a part of European social thought. This way of thinking, however, was marginalised by the analyses and publications of researchers sympathising with liberal ideology, and the support given to “politically correct” empirical research. It suffices to look at the catalogues of university libraries in different countries. The titles of publications demonstrate that books and papers on the family as a community co-creating public systems in the so-called postmodern stage of Western civilisation are rare. Due to the scope of this paper, the analysis presented below is incomplete; however, I hope to inspire discussion and debate and to invigorate the discourse on the family as an institution bonding that which is private with that which is public.

INSECURITY OF THE FAMILY IN THE CIVILISATION OF CHANGE.
FACTORS DEINSTITUTIONALISING THE FAMILY IN THE LAST HALF-CENTURY

An analysis of transformations of the family in a 50-year perspective allows one to see the complexity and scale of the recent transformation of the familial community. The process of family creation, family growth, ways of realising its tasks and functions and mutual responsibilities in cases of dissolution of marriage were the most stable element of the social order for millennia. This, obviously, did not mean stagnation of norms, either in customs or laws. This concerns the controlling authority of a large family, rules of inheritance, and especially the power exercised by fathers and husbands. Nevertheless, until the middle of the 20th century, in most cultures and civilisations, the family preserved its primary status among other small social structures. Its creation, growth and lasting existence was based on fundamental norms that remained stable for millennia.¹ These included:

- a family based on formal and monogamous marriage;
- a patriarchal power system in family and marriage;
- a dual division of areas where gender roles were performed: woman in the private sphere of household and family, and man in the public sphere of labour, authority and citizenship;
- familial solidarity as the basis of the individual's economic and social security.

In the late 1950s and in the 1960s in Western European countries, a dynamic process of changes in the functioning of their economies and political systems began. This included industrialisation, urbanisation, secularisation, growth of democracy and social egalitarianism, popularisation of liberal values and pluralism of world-views, widening of the state's social functions and the development of social security policies. The dynamics and scale of the changes influenced many areas of the social and political order, including its institutional and normative systems and the perception of the family community. Similarly, secularisation of civil law, gender egalitarianism, the ideological appeal of the value of the worker, and, finally, a declared readiness of the state to provide social care and support to individuals were conducive to transformations of the family in the countries of the communist bloc. In the East and West of Europe, external conditions forced such transformations because "the interdependence between family and society is reflected in the fact that family functions and structure must at least not be contradictory with the standards of the society in which a family functions."²

When attempting to make a synthesis of the main factors which have transformed the family since the 1950s, it should be noted that it is difficult to identify clearly what

¹ According to Lewis H. Morgan, the monogamous family evolved for a long time from the 10th to the 3rd millennium BC. In the third millennium the monogamous family became an established pattern. Over time, it became the only norm in most ancient and modern societies. This changed in the 20th century. L. H. Morgan (1877), *Ancient Society*, Cambridge, MA, 1964.

² W. Warzywoda-Kruszyńska, *Rodzina w procesie przemian*, [in:] W. Warzywoda-Kruszyńska, P. Szukalski (eds.), *Rodzina w zmieniającym się społeczeństwie polskim*, Łódź, 2004, p. 13.

was a cause and what an outcome, and to what extent prevailing ideologies, social policy models and macroeconomics influenced the type and scope of the transformations. I consider macroeconomic, social policy and ideological factors to have played key roles in Europe. They co-created the relatively cohesive scenario for the modernisation of the family, which advanced at a different pace and in different economic and political circumstances in the East and West of Europe until the 1990s. Nevertheless, they led to a profound differentiation of family life patterns and deinstitutionalisation of the family in social and political systems in many European countries.

Macroeconomics and the family

The realisation of the family's economic function depends on the ways of earning the means to sustain a household. Family capital and the paid labour of men were still the main sources of means of supporting families in the first half of the 20th century in Europe. This changed profoundly after World War II. In the 1950s and 1960s, the deficit of labourers called for a solution to revive economies and enhance their growth. In many European countries population structures were out of balance. There was a shortage of men, of whom hundreds of thousands had died in the war. In this situation the most rational solution to meet the needs of post-war economies was to open labour markets to women. In order to do this, the old contract between the genders, in which the woman's place was in the home and the man's in the public sphere,³ had to be annulled, and the value of the family wage had to be depreciated. At the same time, it became necessary to justify ideologically the correctness of family life patterns based on both parents' working, and to re-orient social policy to include family benefits and care services for families with two working parents. It also became necessary to weaken and debase the mentality which valued the possession and inheritance of family capital. In communist countries this was done by nationalisation of private assets. The nationalisation was interpreted as socialisation, and sentiments regarding family assets were eradicated radically and abruptly. The principle "to each according to the quality and quantity of his work" forced all able citizens to take paid jobs. Hired labour became the main source of personal income. This income was coupled with a wide array of employee social benefits which were not available or hardly accessible outside the workplace. In countries with market economies, the concept of *homo faber* turned out to be useful. It promoted the model of the individual – man or woman – whose career was oriented towards self-realisation at work.

Gradually, the rising numbers of women pursuing professional careers became highly acceptable in Western Europe and in the communist bloc, despite the weakness of social policy instruments supporting maternity and the parental roles of working parents. The old gender contract eroded gradually as regards the winning of means to

³ See Jean-Jacques Rousseau's classic *Emile* (1750) in which women and men belong to separate but complementary spheres of life. J.-J. Rousseau, *Emile, or On Education*. Trans. Allan Bloom. New York, 1979.

support the household; families whose living was based on the income of one parent were no longer the norm. In 1999 Gøsta Esping-Andersen wrote: “The stable one-earner family is no longer standard but atypical.”⁴

The demand for women’s labour was not the only economic justification for the instrumental treatment of the family by European post-war economies. Another equally important objective – although deeply masked with the ideology of gender equality – was to weaken the household micro economy in favour of the increasingly desired development of the services sector, which was to replace the shrinking industrial sector. To become established, the post-industrial economy had a strong need for a fast growing female labour force, and for households to become less dependent on unpaid housework done by women, and instead to become consumers of commercialised services.

The family in social policy models: from subsidiarity to replacement

After World War II, European countries adjusted the scope and manner of implementation of social tasks to current political and economic developments and to national traditions and historical experience in solving social issues. This process did not eliminate other players such as the market, the family, and non-governmental sectors.⁵ However, their significance and share in creating welfare and social security changed. In the newly established models of social policy, the roles of the market, the family and the state in social risk management were perceived differently.

The presence of the state in family life is determined by doctrines of national social policy which provide scenarios for normative regulations, tools and social benefits. In a synthetic view, modern ideological trends in state social policies can be reduced to two categories: anti-collectivist and collectivist.⁶ The first trend covers approaches that are extremely liberal, neoliberal and neoconservative. They assume that a free market is essential to meet people’s needs, social problems are seen as individually conditioned, and social policy interventions to reduce possible stratification should be minimal or absent altogether. The collectivist trend assumes that the state should intervene to lessen the scale and results of social risks. The scope and objectives of state interventionism differ in different doctrines. Socio-liberals allow for state interventionism as long as it does not affect the basic principles of the free market. Social democrats, Marxists and Neo-Marxists postulate income redistribution by a democratic process of social planning based on recognised needs.⁷

⁴ G. Esping-Andersen, *Social Foundations of Post-industrial Economies*. Oxford, 1999, p.49.

⁵ Cf. M. Powell (ed.), *Understanding the Mixed Economy of Welfare*, Policy Press/Social Policy Association, 2007.

⁶ M. Księżopolski, *Polityka społeczna w różnych krajach i modele polityki społecznej*, [in:] G. Firlit-Fesnak, M. Szyłko-Skoczny (eds.), *Polityka społeczna. Podręcznik akademicki*, Warsaw, 2007, pp. 148-149.

⁷ *Ibid.*, p. 149.

European models of social policy reflect the aforementioned ideological trends to differing extents. It is not rare that in political practice solutions and instruments of more than one doctrine are used. According to the classical typology of Richard Titmuss and Gøsta Esping-Andersen, in countries with highly developed free markets, three main models of social policy (welfare state regimes) can be distinguished: liberal (residual), achievement-performance (corporate) and institutional redistributive.⁸

In the liberal (marginal) model, everyone is equally condemned to market-based ways of securing existence, everyone is equal and free in the choice between doing paid work and living in poverty.⁹ In liberal social policy “provisions typical of care giving, modest universal transfers or moderate social insurance programmes”¹⁰ prevail. In liberal doctrine, the family belongs to the individual’s private sphere, and therefore the individual is responsible for its livelihood and prosperity, ensured by paid work, and insurance systems related to it. Social policies take only marginal account of the fact that familial situations cause inequality of prospects on the labour market. An exception is the approach to incomplete families, whose share in the population of families with children is rising in all European countries. The population of children at high risk of poverty is growing because single parents have limited chances to earn income from paid work. A good example is the UK, whose social policy is closest to the liberal regime. There, in comparison with other European countries, social transfers (benefits) to incomplete families are the most effective at reducing poverty among single-parent households.¹¹

The achievement-performance model of social policy (Continental Europe) assumes that welfare programmes should not disturb the market economy and “human needs should be satisfied [...] in accordance with the criterion of work experience (seniority), achievements and efficiency.”¹² The entitlement to social aid and assistance is strongly dependent on the individual’s status on the labour market. Insurance provisions are mainly for employees. They are obligatory and cover all employees and their families, insuring against typical random events which may cause loss of income as well as situations in which new needs emerge. This model supports the family functions of procreation and care and socialisation of the young, as the level of insurance provisions in the case of maternity and parenthood is relatively high, and taxation policy is responsive to the situation of the breadwinner’s family. On the other hand, the infrastructure of public child care is less developed.

⁸ Cf. G. Esping-Andersen, *The Three Worlds of Welfare Capitalism*, Princeton, New Jersey, 1990.

⁹ M. Langan, J. Ostner, *Geschlechterpolitik im Wohlfahrtsstaat: Aspekte im internationalen Vergleich*, [in:] K. Braun, G. Fuchs, C. Lemke, K. Toens (eds.), *Feministische Perspektiven der Politikwissenschaft*, Vienna, 2000, p. 231.

¹⁰ M. Książkowski, *Polityka społeczna; wybrane problemy porównań międzynarodowych*, Katowice 1999, p. 89.

¹¹ Cf. G. Firlit-Fesnak, *Bieda i pleć. Sfery podziału kreujące ubóstwo kobiet w krajach Unii Europejskiej*, Warsaw, 2015, p. 273.

¹² M. Książkowski, *Polityka społeczna w różnych krajach i modele polityki społecznej*, [in:] *Polityka społeczna...*, op. cit., pp.151-152.

In the institutional redistributive model of social policy (Scandinavian countries):

it is mainly the society which bears the responsibility for the wellbeing and social security of citizens because neither a family nor the private sector are able to meet everybody's needs to a satisfactory degree. This is why to satisfy the needs, market instruments must be replaced by planned actions of the state. Social entitlements (rights) arise from citizenship [...], a huge role is played by social provisions, i.e. provisions and services of universal character, unconditionally accessible to all citizens.¹³

Legal regulations on parental leave apply to both parents. Public forms of child care are widely available, and this facilitates combining paid work and familial duties in the case of both two-parent and single-parent families. A high number of universal provisions independent of one's status in the labour market equalises the social status of individuals and families.

In South European countries the social policy model is based on subsidiarity. In this model, the family, local communities, and also the Catholic Church and NGOs are responsible for caring for basic needs.

What an individual and social groups (a bottom-up approach) can do themselves and out of their free will should not be taken away from them by institutions of higher rank – the state and organisations [...] an intervention of the state is justified only if it does not inhibit individuals' freedom to act.¹⁴

The level of welfare provisions for poor households is low. Provisions for single-parent families are insignificant and institutional forms of child care are poorly developed.¹⁵

The East European model of welfare policy (former communist states of Central and Eastern Europe) is far from uniform. In the last 25 years every country in this region has undergone profound changes of both an *ad hoc* and a structural nature. Common elements of their transformations include a departure from the so-called communist warranty of social security (full employment, job security, numerous social services for enterprise employees), reduction of universal welfare provisions in favour of selective benefits, reduction of the level of social benefits, and creation of conditions for a market in private insurance and social services.¹⁶ Except for the Czech Republic and Slovenia, in all other countries of the region the relative poverty indicator is high. Social provisions vary to a high degree, and thus their actual impact on the poverty risk varies too. In no country does income per capita reach the EU

¹³ Ibid., p. 153.

¹⁴ J. Auleytner, *Spory wokół socjalnej funkcji państwa*, [in:] *Polityka społeczna...*, op. cit., pp. 344-345.

¹⁵ Cf. G. Firlit-Fesnak, *Bieda i pleć...*, op. cit., pp. 260-274.

¹⁶ Cf. M. Książopolski, *Polska polityka społeczna na tle modeli występujących w Europie*, [in:] W. Anioł, M. Duszczyk, P. W. Zawadzki (eds.), *Europa socjalna. Iluzja czy rzeczywistość*, Warsaw, 2011, p. 266.

average. Welfare expenditure as a percentage of GDP is also lower than the EU average. Family benefits are low and, in most countries, depend on income. Provisions for single-parent families are modest. Public child care services are underdeveloped and housing assistance is negligible.¹⁷ It needs to be underlined that in Central and Eastern Europe birth rates have declined significantly in the last twenty years, and this has an impact on the political discourse on welfare provisions for families. The prevailing approach is family-friendly (pro-family). It opts for increasing the role of social policies of the state and local governments in supporting the family's functions of procreation and care giving, as well as its economic function.

Considering the relationships between social policy systems and the family, it can be observed that provisions and services for families are either oriented towards supporting the family in the realisation of its tasks and functions (familial systems of social policy) or towards defamilialisation, which decreases individuals' dependence on their family, maximises their control of their economic resources, and frees them from mutual familial or marital obligations.¹⁸

Ideologies: the rights of the individual and women's rights versus the familial community

An analysis of the ideological thought influencing the endogamic and exogamic approaches to family transformations in the last half-century would require a separate publication. In this paper, I will limit my reflections to the ideologies which were of crucial importance to the privatisation of the family and to the now various models of familial life. I believe that liberal ideology has had the greatest impact on the weakening of the family as an institution. This follows from analyses of liberal fundamentals – liberal philosophy, anthropology, social thought and axiology. In 1859 John Stuart Mill wrote: “The only freedom which deserves the name, is that of pursuing our own good in our own way.”¹⁹ This classic liberal thinker identified the liberal fundamentals plainly as liberty and individualism. In liberal philosophy liberty is given priority over all else, and it is the condition for the individual's self-realisation. Thus, individuals should live a life free from state intervention in their private lives and economic activities and from limitations imposed by social groups, including the familial community. What limits the individual's liberty and one's individualism includes parents' authority, subordination of individual interests to the community well-being, respect for moral and religious norms and traditions, and models of marital relationships, relationships between parents and their children and other intergenerational relationships. However, there were liberal thinkers who respected the role of the family. Going back

¹⁷ G. Firlit-Fesnak, *Bieda i pleć...*, op. cit., pp. 240-280.

¹⁸ G. Esping-Andersen, *Social Foundations of Postindustrial Economies*, Oxford, 1999.

¹⁹ J. S. Mill (1859) 2001, *On Liberty*, <https://socialsciences.mcmaster.ca/econ/ugcm/3ll3/mill/liberty.pdf>, p.16.

to the roots of liberalism, J. J. Rousseau²⁰ underlined the importance of the family in a person's life. Much more recently Michael Novak²¹ wrote about the economic, political and socio-cultural functions of the family. Extreme forms of liberalism reject the idea of common good, social well-being and the ontological fundamentals of social life. Today,

community has no ontological fundamentals which are relatively stable and universal [...] community is an intentional being [...] a sum of individuals' undertakings, interests and objectives, anonymous processes and private and legal institutions. Social life is based on rivalry between individuals' interests [...]. This approach leads to destruction of human brotherhood and solidarity without which no social community can exist.²²

In considering family transformations in the last half-century, the impact of egalitarianism has to be mentioned. This idea of the Enlightenment materialised in the concept of human rights. It became the principle of the democratic social order in Europe, guaranteeing equal rights for everyone regardless of social standing and other differences amongst people. The concept of equality is primarily a concept of formal equality, emphasising humans' equality before the law and in the application of law. This means that in a given situation everybody is treated in the same way, and any individual characteristics determined by nationality, ethnicity, religion, views, gender, age, health condition, material standing or sexual orientation cannot influence the understanding of and access to basic rights.

Gender equality has been treated much more extensively and reflected in the EU policy fostering equality between women and men.

Equality between women and men is a fundamental principle, under Article 2 and Article 3(2) of the EC Treaty and the case-law of the Court of Justice. These Treaty provisions proclaim equality between women and men as a "task" and an "aim" of the Community and impose a positive obligation to "promote" it in all its activities.²³

In the 1970s the main issue in the EU legislation on equal treatment of women and men was the enactment and harmonisation of rules to bring about the same terms of employment and equal remuneration for work of equal value. In the 1980s the community understanding of gender equality was enlarged to encompass actual equality, meaning equal opportunities for women, whose access to labour markets and chances of a career and balanced participation in decision-making in the economy, politics and

²⁰ J.-J. Rousseau, *Emile...*, op. cit., p. 216.

²¹ M. Novak, *The Spirit of Democratic Capitalism*, 1982, Simon & Schuster.

²² S. Kowalczyk, *Liberalizm i jego filozofia*, Katowice, 1995, pp. 121, 128, 129.

²³ Directive 2002/73/EC of the European Parliament and of the Council of 23 September 2002 amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (OJ L 269, 5 October 2002).

public life were limited. This included an "equal start" and equal access to many EU programmes and initiatives funded by the Structural Funds.²⁴

Feminist ideologies should also be mentioned, together with various viewpoints²⁵ on sources of "oppression" of women in their families, society and the state, as well as various methods to eliminate such oppression and liberate women. A thorough discussion of this vast issue is beyond the scope of this paper; however, I would like to draw attention to the highly significant impact of liberal feminism in advocating women's taking paid work. In the 1960s this feminist thought propagated gender equality on the assumption that women and men's rights were identical. The popularisation of professional careers among women was seen as the main instrument for weakening cultural gender differences and the inequality stemming from them, and an opportunity for women's self-realisation in the extra-familial and extra-marital spheres.²⁶

The structural and doctrinal conditions discussed above changed attitudes to marriage, having children, gender roles and the scope and realisation of family functions. The prescriptive norm to enter into marriage, remain married, have children and respect traditional male and female roles has been weakened.²⁷ The traditional family, understood as a familial relationship based on marriage and biological parenthood, has become a family model, and alternative forms of familial life have emerged, amongst them cohabitation, married couples choosing not to have children, single-parent families, surrogacy arrangements, patchwork families, registered partnerships and homosexual partnerships. Alternative forms of familial life are not new. Many of them were known in various cultures long ago. In the past, however, *quasi* familial communities alternative to the traditional family model were rare and at best tolerated exceptions to the norm, whereas now they are generally accepted and approved by law as an element of the rights of the individual, part of a wider set of human liberties.²⁸

Statistical data on family life in Europe demonstrates that Europeans are less willing to enter into marriage, they marry later in life, children are more often born to informal partnerships, and single-parenting out of choice is more frequent. The modern family has a less stable structure and its lifespan is shorter. In the light of changes in the statistics for divorces, remarriages and cohabitating partnerships it seems justified to repeat²⁹ that in European culture the concept of family has started to vacillate, and this refers to marriage and permanence of the family as well as the high acceptance of circumstances making marriage dissolution and family deconstruction possible.

²⁴ Cf. G. Firlit-Fesnak, *Wspólnotowa polityka na rzecz równości kobiet i mężczyzn. Ewolucja celów i instrumentów działania*, Warsaw, 2005, pp. 110-130.

²⁵ In feminist thought one can distinguish liberal, radical, Marxist-Socialist, psychoanalytic, care-focused, postmodern, multicultural, global and ecofeminism. Cf. R. Tong, *Feminist Thought. A More Comprehensive Introduction*. University of West Carolina, 2009.

²⁶ B. Friedan, *The Feminine Mystique*, Harmondsworth, 1965.

²⁷ A. Thornton, Changing Attitudes Towards Family Issues in the United States, *Journal of Marriage and the Family*, 1989, no. 51, pp. 873-993.

²⁸ Cf. G. Firlit-Fesnak, *Rodziny polskie i polityka rodzinna; stan i kierunki przemian*, [in:] *Polityka społeczna...*, op. cit., p. 188.

²⁹ G. Firlit-Fesnak, *Bieda i płęć...*, op. cit., pp. 107-108.

Freedom of choice and self-fulfilment effectively compete with familial responsibility and family perseverance for the sake of children and other family members. The vocabulary used to describe events which violate the family structure has also changed. *Family break-up* or disorganisation have been replaced by the euphemistic concept of *family transformation*. Numerous publications have strengthened the feeling of insecurity about long-lasting personal relationships, suggesting that personal trauma and crisis are a normal part of life in the modern liquid society.

Suddenly everything becomes uncertain, including the ways of living together, who does what, how and where, or the views of sexuality and love and their connection to marriage and the family. The institution of parenthood splits up into a clash between motherhood and fatherhood [...]³⁰

This potent projection unfolds the inevitable disaster striking marital and familial lives, reflecting the tone of many sociological analyses. But this is not the only scenario for family development, and it is not true that all families in Europe are destined for oblivion.

In my opinion, recent presentations of the various dimensions of family life are not balanced. In particular, a positive approach to the uneasy but socially highly relevant path to solving conflicts and marital and familial crises is missing. The easier path, widely approved in popular culture and the media, is a strategy of exchange or replacement, and not one of repair. It seems that the market model of replacing a still reasonably working but old product has permeated the mind of the average European so thoroughly that such a solution is applied more and more often in the sphere of interpersonal relations. Replacement instead of repair is the predominant approach to the difficulties experienced by the individual and the family in the modern *liquid* civilisation.³¹

ON THE INCONSISTENT UNDERSTANDING OF FAMILY IN EUROPEAN COUNTRIES,
THE ABSENCE OF THE FAMILY IN EU POLICIES AND THE DEFENCE OF FAMILY
VALUES IN THE TEACHING OF THE CATHOLIC CHURCH

Ambivalent positions on the institution of marriage as the formal basis for establishing a family have changed the definitions of the family. In international documents, national constitutions and family law as well as in legislation on social rights, a wider definition is more frequent. It recognises variant rules of family establishment, development and duration.

Article 16 of the *Universal Declaration of Human Rights* adopted by the United Nations General Assembly in 1948 stated that

³⁰ U. Beck, *Risk Society. Towards a New Modernity*, London, 1992, p.109.

³¹ G. Firlit-Fesnak, *Bieda i pleć...*, op. cit., p. 108.

(1) Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family. They are entitled to equal rights as to marriage, during marriage and at its dissolution.

[...]

(3) The family is the natural and fundamental group unit of society and is entitled to protection by society and the State.³²

Also, the *International Covenant on Economic, Social and Cultural Rights* adopted in 1966 recognised the family to be “the natural and fundamental group unit of society” and obliged all parties to accord it “the widest possible protection and assistance, particularly for its establishment and while it is responsible for the care and education of dependent children.”³³ In these two key UN documents on human rights the concept of *family* was not defined; however, a plausible interpretation is that marriage was assumed to be a natural institution on the basis of which a man and a woman established a family.

However, already in the *Recommendations for the 2000 censuses of population and housing in the Europe region jointly prepared by the United Nations Economic Commission for Europe and the Statistical Office of the European Communities* published in 1998:

A family nucleus is defined in the narrow sense as two or more persons within a private or institutional household who are related as husband and wife, as cohabiting partners, or as parent and child. (Article 191)

and it is recommended that

The term “couple” should include married couples and couples who report that they are living in consensual unions, and where feasible, a separate count of consensual unions and of legally married couples should be given. Two persons are understood as partners in a consensual union when they have usual residence in the same household, are not married to each other, and report to have a marriage-like relationship to each other. (Article 193)³⁴

The wordings of European national constitutions are an informative source and cause for thought regarding attitudes to the family.³⁵ The constitutions of Austria, Denmark and the Netherlands and the uncodified constitution of the United Kingdom

³² *The Universal Declaration of Human Rights*, General Assembly resolution 217 A, <http://www.un.org/en/universal-declaration-human-rights/>

³³ *International Covenant on Economic, Social and Cultural Rights*, Article 10, <http://www.ref-world.org/docid/3ae6b36c0.html>

³⁴ *Recommendations for the 2000 censuses of population and housing in the Europe region jointly prepared by the United Nations Economic Commission for Europe and the Statistical Office of the European Communities*, Statistical standards and studies – no. 49, United Nations Publication Sales no. 98.ii.e.5. https://www.unece.org/fileadmin/DAM/stats/documents/statistical_standards_&_studies/49.e.pdf

³⁵ W. Staśkiewicz (ed.), *Konstytucje państw UE*, Warsaw, 2011.

do not contain the term *family*. Fundamental rights apply exclusively to the individual. The constitutions of most countries guarantee everyone the right to respect for his family life, understood as part of one's private life (Belgium, Bulgaria, Cyprus, Luxembourg, the Czech Republic, Estonia, Hungary, Ireland, Italy, Lithuania, Latvia, Malta, Portugal, Romania, Spain, Sweden) and contain provisions for the care of children and respect for their rights, as well as the rights of mothers and families (Bulgaria, the Czech Republic, Estonia, Finland, France, Greece, Germany, Hungary, Italy, Ireland, Lithuania, Poland, Portugal, Slovakia, Slovenia, Spain). Only six national constitutions (Estonia, Greece, Hungary, Ireland, Lithuania and Portugal) recognise the family as the fundamental unit of society and as indispensable to the welfare of the nation and the state. Marriage as a union between a man and a woman is recognised only in the constitutions of Bulgaria, Hungary, Lithuania, Latvia and Poland. Special rights of protection for large families are guaranteed by the constitutions of Estonia, Greece, Italy and Poland. The constitution of Poland guarantees the protection of single-parent families. Parenthood as a special value is recognised only in the constitutions of Hungary and Portugal. The constitutions of Ireland and Italy recognise marriage as fundamental to the foundation of a family. The constitution of Ireland is unique in recognising the importance of women's life within the home, without which the common good could not be achieved.

This brief review of the constitutions of EU member states reflects different understandings of the role of the family in the state, in society and in an individual's life. These differences determine the kind and scope of the state's provisions for the family, its involvement in supporting the family, and appreciation of the roles of marriage, motherhood and fatherhood. The recognition of the family as an important and fundamental social unit is characteristic of countries in which familial bonds and solidarity are traditionally strong. These are mostly countries of Southern, Central and Eastern Europe. There the family is still the guarantor of social security and the individual's emotional balance. In most of these countries, public social policies offer selective and modest support for citizens.

At no stage of the building of the European Communities and the European Union has the family been a direct addressee of community policy. It is true that in 1989 the European Observatory on National Family Policies was established. The aims of the Observatory are to monitor relevant data and developments, analyse policy and evaluate the impact of family policies, advise the European Commission and consult public institutions and social organisations about family policies. This body, however, does not influence the political discourse on practical solutions important to families in Europe. EU gender equality policy corresponds with the family transformations linked to the growth of women's professional activity on a mass scale. This policy concentrates on the impact of parental duties on women's and men's professional activity and careers, and on the role of social benefits related to motherhood and childcare in creating a level playing field in the labour market.³⁶ Actions taken have been relatively inef-

³⁶ G. Firlit-Fesnak, *Wspólnotowa polityka...*, op. cit., p. 175.

fective and have reflected the priorities of the European employment strategy. For example, the process of adopting the *Council Directive on the framework agreement on parental leave* (presented in 1983) took 13 years³⁷ and the directive's standards were modest in comparison with regulations adopted earlier in many member states. As late as 2002, at the Barcelona Summit, the European Council set targets for childcare provision.³⁸ Moreover, the set target was more like a tool or instrument supporting the Lisbon strategy to increase the labour market participation of women.³⁹

The Treaty establishing the European Community did not mention *family* as an addressee of EC social actions. Article 136 defined the objectives of the Community and the member states in the area of social policy as

the promotion of employment, improved living and working conditions, so as to make possible their harmonisation while the improvement is being maintained, proper social protection, dialogue between management and labour, the development of human resources with a view to lasting high employment and the combating of exclusion.⁴⁰

Family was first mentioned in *The Charter of Fundamental Rights of the European Union* (2007). Its Article 9 states that "The right to marry and the right to found a family shall be guaranteed in accordance with the national laws governing the exercise of these rights" and Article 33.1 states that "The family shall enjoy legal, economic and social protection". In the context of the growing number of families in Europe with two parents doing paid work, the later part of Article 33 (33.2) was essential: "To reconcile family and professional life, everyone shall have the right to protection from dismissal for a reason connected with maternity and the right to paid maternity leave and to parental leave following the birth or adoption of a child."⁴¹

An operational definition of *family* was provided in Directive 2004/38/EC of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. Its Article 2.2 states the following:

"Family member" means:

- (a) the spouse;
- (b) the partner with whom the Union citizen has contracted a registered partnership, on the basis of the legislation of a Member State, if the legislation of the host Member State treats registered

³⁷ Council Directive 96/34/EC of 3 June 1996 on the framework agreement on parental leave concluded by UNICE, CEEP and the ETUC, <https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A31996L0034>.

³⁸ *The employment policy guidelines (2003–2005)*, <https://eur-lex.europa.eu/legal-content/LT/ALL/?uri=URISERV:c11319>.

³⁹ Lisbon European Council 23 and 24 March 2000. Presidency conclusions, http://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/ec/00100-r1.en0.htm.

⁴⁰ *Treaty establishing the European Community* (Nice consolidated version), <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:12002E/TXT&from=EN>.

⁴¹ *The Charter of Fundamental Rights of the European Union*, http://www.europarl.europa.eu/charter/pdf/text_en.pdf.

partnerships as equivalent to marriage and in accordance with the conditions laid down in the relevant legislation of the host Member State;

(c) the direct descendants who are under the age of 21 or are dependants and those of the spouse or partner as defined in point (b);

(d) the dependent direct relatives in the ascending line and those of the spouse or partner as defined in point (b).⁴²

This definition is close to the one in *Recommendations for the 2000 censuses of population and housing in the Europe region jointly prepared by the United Nations Economic Commission for Europe and the Statistical Office of the European Communities*, where the concept of family was widened to include partners in a consensual union. Thus, in the EU, families based on registered marriage and families based on partnership have the same rights.

The *Opinion of the European Economic and Social Committee on the family and demographic change* (2007/C 161/19)⁴³ was an attempt to give a reminder about the universal role and duties of the family. This document summarises developments which contributed to family transformations in the 20th century and underlines the universal values of the family in the life of the individual:

Despite economic change, urbanisation, and the primacy of the individual over the community, the family has survived, and adapted, despite being undermined. Indeed, it corresponds to a natural and fundamental human aspiration for affection, love, mutual assistance, and solidarity. (4.6)

It states explicitly that the family is “a reality the European Union has already recognised and proclaimed in its human, economic and social aspects”(5). Moreover, the document recalls the basic functions of the family, which are emotional, economic and social, as the family is “a source of economic prosperity, social solidarity and emotional stability” (6). It also draws attention to certain flaws of post-industrial civilisation. The state and the free market are incapable of meeting numerous human needs, while the family promotes economic development and social balance. The family is “a hub of emotional, economic and social solidarity” which “makes it easier to deal with the vicissitudes of economic life”. It is also a source of what economists call *human capital*. Parents provide support and stimulus for their children through education and values. “Qualities that will be crucial to professional as well as social life are acquired in the family: respect for others, making an effort, team spirit, tolerance, social behaviour, responsible independence, etc.” (6.4).

This document was the first in the history of the EC/EU in which the role of the family as a social institution was emphasised. In terms of both its language and con-

⁴² Directive 2004/38/EC of the European Parliament and of the Council on the right of citizens of the Union and their family members to move and reside freely within the territory of the Member States. <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32004L0038>.

⁴³ Opinion of the European Economic and Social Committee on the family and demographic change (2007/C 161/19), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.C_.2007.61.01.0066.01.ENG&toc=OJ.C:2007:161:TOC.

tent this was new to the technocratic language of the Brussels administration and its operational approach to the family. The document was the first considered reflection on the illusion of a growth of Europe in which economic objectives and material values dominated. It drew attention to the deficits which impede the personal and social growth of individuals deprived of traditional familial upbringing and solidarity. The timing of this document's publication was symptomatic. The 2010s was a time when the negative outcomes of demographic changes in Europe were in focus. Awareness of the risks of poverty, marginalisation and social exclusion and of the insufficiency of social policies was growing. The threats to the development of the population, both quantitative and qualitative, were coming to be recognised. In that situation a shift towards the family, which has been the most stable source of individuals' social and emotional security and the basic socialising institution in human history, was the most rational move.

At this point it is worth recalling that the Catholic Church is an institution which has always called for recognition of the value of family in social and political systems. In its teaching in the last half-century the Church regularly expressed its concern about the preservation of marriage and family as values. It objected to the equalisation of spiritual values with material ones, depersonalisation, and the individual's entanglement in the web of consumptionism. It also criticised dehumanised working conditions and the primacy of the individual's will over the wellbeing of the familial community. The time of the papacy of John Paul II was a period when the Catholic Church was extraordinarily involved in the protection of women's dignity, life conceived, and the social order based on the Catholic doctrine of marriage and family. Responding to the 1980 recommendations of the Synod of Bishops on the family, Pope John Paul II issued his apostolic exhortation *Familiaris consortio*⁴⁴ in which he obliged the Holy See to prepare a *Charter of Rights of the Family*⁴⁵. This was to be presented to "all persons, institutions and authorities concerned with the mission of the family in today's world". The *Charter* (1983) in its preamble states that

B. the family is based on marriage, that intimate union of life in complementarity between a man and a woman which is constituted in the freely contracted and publicly expressed indissoluble bond of matrimony and is open to the transmission of life;

C. marriage is the natural institution to which the mission of transmitting life is exclusively entrusted;

D. the family, a natural society, exists prior to the State or any other community, and possesses inherent rights which are inalienable;

E. the family constitutes, much more than a mere juridical, social and economic unit, a community of love and solidarity, which is uniquely suited to teach and transmit cultural, ethical, social, spiritual and religious values, essential for the development and well-being of its own members and of society.

⁴⁴ *Familiaris Consortio*, the Apostolic Exhortation of Pope John Paul II promulgated following the 1980 Synod of Bishops, http://w2.vatican.va/content/john-paul-ii/en/apost_exhortations/documents/hf_jp-ii_exh_19811122_familiaris-consortio.html.

⁴⁵ *Charter of Rights of the Family*, http://www.vatican.va/roman_curia/pontifical_councils/family/documents/rc_pc_family_doc_19831022_family-rights_en.html.

Highly relevant is also the last report of the Synod of Bishops on *The Vocation and Mission of the Family in the Church and in the Contemporary World* (24 October 2015).⁴⁶ In this document the Catholic Church expresses its deep concern with modern socio-economic and cultural realities which are not friendly to the family. Noticing that “individuals, in their emotional life and life as a family, receive increasingly less support from social structures than in the past”, the final report also draws attention to the negative outcomes of “an exaggerated individualism which distorts family ties, giving precedence to the idea that one can make oneself according to one’s own wishes, and thus weakens every family tie” (Chapter 5.1). The global labour market is not favourable to the family either, as “work-mobility, migration, disasters and fleeing one’s native land compromise the stability of every family relationship” (Chapter II.11).

In today’s socio-cultural crisis, the family, the basic human community, is painfully being weakened and is exhibiting signs of its fragile nature. [...] Therefore, a proper appreciation of the resilience of the family is particularly necessary in order to be able to strengthen its fragile character. (Chapter I.10)

Thus, the state, society, the Church and the Christian community should cooperate to support the family, which is a fundamental social good. “Families foster the solid bonds of unity on which human coexistence is based, and, through the bearing and education of children, they ensure the future and the renewal of society” (Chapter II.12; also spoken by Pope Francis in his 2015 address at El Alto, Bolivia).⁴⁷

FAMILIAL ORDER AND PUBLIC ORDER: THE NEED FOR A BALANCED RELATIONSHIP

It is not easy to determine the relationships between a family system or familial order and the public one. The reason is that the analyses made are both numerous and diversified, and are incoherent because of their contexts. Nevertheless, it seems justified to point to at least three areas of co-dependence in which references are made to various views on the value and role of the family in society and in the state and on parallel obligations on the state and society towards the individual and familial communities.

The relationship between the family and the public order which has the longest history is based on the idea that the family is the basic human community and the basic unit of society. To quote Aristotle:

⁴⁶ *The vocation and mission of the family in the church and in the contemporary world*, http://www.vatican.va/roman_curia/synod/documents/rc_synod_doc_20151026_relazione-finale-xiv-assemblea_en.html.

⁴⁷ Pope Francis’ address at the airport of El Alto, Bolivia, 8 July 2015, <https://www.romereports.com/en/2015/07/09/read-pope-francis-s-welcoming-speech-to-bolivia/>.

The family is the association established by nature for the supply of men's everyday wants, and the members of it are called by Charondas 'companions of the cupboard,' and by Epimenides the Cretan, 'companions of the manger.' But when several families are united, and the association aims at something more than the supply of daily needs, the first society to be formed is the village. [...] When several villages are united in a single complete community, large enough to be nearly or quite self-sufficing, the state comes into existence, originating in the bare needs of life, and continuing in existence for the sake of a good life.⁴⁸

According to Aristotle "the state is by nature clearly prior to the family and to the individual, since the whole is of necessity prior to the part", but there is no state without its parts because "the individual, when isolated, is not self-sufficing".

In Europe before the 1950s, registered marriage and having children were a social norm and a duty towards the extended family and society. The primacy of marriage and familial community interests was safeguarded by law against the particular interests of an individual. Divorces were rarely accepted. Strong control by the immediate social environment determined the family model, acceptable gender roles, duties of husband and wife, models of child upbringing, and intergenerational relations. In this traditional approach the relationship between the family system and the public one was clearly defined. This was done through defined tasks and functions of the family which constituted the material and spiritual capital of the individual, society and the state. This was possible because of the support of the state and its legislation laying down norms for family creation, growth and sustainability, as well as regulations on interventions and sanctions in situations where home life was threatened.

In the second half of the 20th century the family transformations discussed above caused differentiation in forms of familial life and modified the scope and patterns of family tasks and functions. They led to the instability of the thus far primary model of the familial community. In Western Europe in particular, the philosophy of instability and impermanence of the family dominated the discourse on the family.⁴⁹ Often this led to the conclusion that the so-called crisis of the family is a feature of the post-modern society in a social order where reliance on the family is decreasing. This is not, however, a universal viewpoint. Countries of Southern, Central and Eastern Europe still have a more pro-family orientation. There, approval of the traditional family is higher than that of alternative forms of living together. What is valued there is the autonomy of the family in matters of childcare and upbringing, its constructive input into the constructive functioning of the social order and its service role in society. It should also be noticed that when it comes to the family as a value, "married-with-children" is the preferred lifestyle for an overwhelming majority, as opinion polls in many countries confirm. In the *Well-being* report published in September 2011 by Eu-

⁴⁸ Aristotle, *Politics*, translated by Benjamin Jowett, <http://classics.mit.edu/Aristotle/politics.1.one.html>.

⁴⁹ Cf. A. Toffler, *The Third Wave*, New York, 1980, and U. Beck, E. Beck-Gernsheim, *The Normal Chaos of Love*, Cambridge, 1995.

robarometer (Qualitative Studies) the family ranked second after health among factors essential for one's well-being.⁵⁰

The second form of the relationship between the familial order and the public one has its roots in the neoliberal concept of the individual's liberation from familial dependencies which limit the individual's freedom. Individual liberation from the family is one of the conditions for the implementation of a social philosophy where individual rights are primary in society. This school of thought marginalises the role and importance of the family in social systems, as the family appears to be one of many social worlds potentially useful to the individual. What has contributed to the privatisation of the family includes the weakened influence of religion on individual attitudes and conduct in relations with the family, the neutrality of the public domain to new developments in social attitudes, and the cultural relativism (models and values) of mass media. Privatisation of the family has accelerated along with the growing aspirations of the individual.

The concept of *family* has become more polysemous, which justifies talking about specific types of families and thus the departure from assigning to the family its exceptional and universal characteristics amongst human communities. Developments in the last quarter of the 20th century and at the beginning of the 21st century were favourable to the depreciation of the political society based on the family. Instead, processes essential to civic society based on individual emancipation from various limitations within the traditional familial system were strengthened. In this political scenario, the relationship between the family and public order are reduced to supporting the individual in his aspirations to build and organise his private life in accordance with the idea of the primacy of human rights, provided that democratic principles are respected. Anthony Giddens called this approach *positive individualism*, noticing that it has an impact on other persons in close relationships and on politics too. This is so because it reinforces the value of political democracy, whose principles determine the framework of the democratisation of family life: for instance, the same rights and obligations of family members, equality in partnership and the same right to self-determination.⁵¹

The third form of relationship actually concerns the dependence of the family on public institutions (national and local) in social crisis and other threatening situations which destabilise the family and limit its capacity to fulfil its basic functions. Its history is not long. It began with the pioneering initiative of France, which introduced family benefits financed with public money in 1854.⁵² This relationship has become a permanent element of political systems in Europe, along with the growth of the social function of the state since the 1950s and with the protection of human

⁵⁰ *Well-being*, Eurobarometer Qualitative Studies, European Commission, September 2011, p. 69.

⁵¹ A. Giddens, *The Transformation of Intimacy, Sexuality, Love and Eroticism in Modern Societies*, Cambridge, 1992.

⁵² J.-F. Montes, *Le mythe originel des allocations familiales*, [in:] M. Chauvière, M. Sassier, B. Bouquet, R. Allard, B. Ribes (eds.), *Les implicites de la politique familiale: approches historiques, juridiques et politiques*. Paris, 2000, pp. 38-46.

rights. Family assistance is now a public obligation. The minimal standards of social security, social care and protection against domestic violence elaborated by the ILO, EU and the Council of Europe have become part of national legislation in European countries.⁵³ However, the perception of the role of public institutions in aiding and supporting families varies greatly.

The above three basic forms of relationships between family and the public order are present to varying degrees in modern Europe. It seems that the different public policies are most similar in their reliance on the third form of the said relationships, although the scope of the aid and support given to families does differ. The importance of a state which cares about providing its citizens with minimum social security – that is, one whose policy is socially oriented – does not diminish. The general growth of affluence “does not eliminate social inequalities. Disproportions in personal income do not decrease but grow higher fast. The quality and value of paid labour has become a significant factor in social stratification. Protection of employment rights is weakening [...]”⁵⁴

In the public discourse, however, there is no coherent position on the old and new contexts of relationships between private family life and public order. This issue is a topic of political discourse only rarely, and not to such an extent to allow it to be recognised as a social issue relevant to Western civilisation today. On the other hand, it is present in academic discourse, in the social teaching of the Catholic Church, and in the activities of pro-family organisations. The recognition of this issue also depends on the changing political, economic and cultural situation in Europe.

It seems that the pursuit of a balance between the modern highly diversified familial order and the public one derives from the functionality of a balanced relationship between the two for the individual, society and the state, both today and in the past. This functionality relates to the universal and mutual benefits and obligations and also to opportunities, challenges and threats of living in the *here and now*. Moreover, progress in the privatisation of the family reveal many negative developments which jeopardise the stability of the social order. It seems that there are no limits on the escalation of individual demands related to the protection of personal rights (limitless egoism). These demands quite often affect fundamental principles of ethics and morality, which so far have been unquestionable values of the humanistic vision of the development of civilisation. Advanced relativism concerning values destabilises the life of the individual, the familial community and society. Some years ago, Leszek Kołakowski wrote that :

[...] every negotiation of values in my culture is an onerous task; it requires constant recollection of their multiplicity, diversity and indecomposability on a single-quality scale; it requires the incautious weighing of phenomena for which we have no weight, and the taking of decisions based on an uncertain intuition.⁵⁵

⁵³ Cf. G. Firlit-Fesnak, *Bieda i pleć...*, op. cit., pp. 221-253.

⁵⁴ *Ibid.*, p. 232.

⁵⁵ L. Kołakowski, *Kultura i fetysze*, Warsaw, 2000, p. 181.

It should also be noticed that the exclusion of the family from the social order reinforces social stratification processes. This is because families have different material assets, and if social benefits are not provided, the unequal access to opportunities will be reproduced from generation to generation. Moreover, a sufficient family income from paid labour is a myth. Paid work should not be treated as a fetish. At present it does not guarantee a stable economic situation for a household, especially if the family is affected by unemployment and precarious working conditions. The limitations of social policies are easily noticed. They relate to citizens' social security, the state's lack of control over the global labour market, exclusion of a large part of the young generation from access to decent work, and the uncertainty of social insurance systems. All this calls for a reminder of the significance of the family's input to the life of an individual and to the good functioning of society and the state. In academic discourse, increasingly often the complementarity of principles and conditions of social solidarity and familial solidarity is discussed. This refers especially to the situation of the elderly, the unemployed and the young, who are now dependent on the family for longer because of longer periods spent in education and difficulties in entering the labour market. The importance of family support and structure to such individuals has been also underlined. The family is the best ally of public institutions in organising aid and integrational activities. The new dimension of this discourse was commented upon by French sociologist Michael Messu.⁵⁶ To put it plainly, the family, recognised for some time as the last bastion of the "non-modern" society, now serves not only as "the only place where you can feel good", but also as an indispensable element of social cohesion. This is supported by Gøsta Esping-Andersen, who notes that "Family instability implies, on the one hand, that the household's traditional caring capacities are eroding and on the other hand, poverty risks are mounting – all the while that families are asked to absorb the new risks that come from the labour market."⁵⁷

The renaissance of familial solidarity appears to be not only pragmatic or a reaction to the increasingly insecure external situation of the individual's economic life. It also relates to people's feeling of being threatened and the loss of a sense of existence in the *risk society*.⁵⁸ Anthony Giddens writes that "The notion of risk is central in a society which is taking leave of the past, of traditional ways of doing things, and which is opening itself up to a problematic future."⁵⁹ Maybe the growing awareness of the insecure future in various areas of personal and social lives points towards the family. Whatever the situation of an individual, the family combines tradition with modernity. It is a bridge between the past and today. The family provides the experience of past generations and by procreation it ensures inter-generational continuity. Moreover, in

⁵⁶ M. Messu, *Famille et société: quelles solidarités?*, [in:] M. Chauvière, M. Sassier, B. Bouquet, R. Allard, B. Ribes (eds.), *Les implicites des politiques familiales*, Paris, 2000, pp. 123-132.

⁵⁷ G. Esping-Andersen, *Social Foundations of Postindustrial Economies*, Oxford, 1999, p. 3.

⁵⁸ The term *risk society* was coined by Ulrich Beck, *Risikogesellschaft. Auf dem Weg in eine andere Moderne*, Frankfurt, 1986.

⁵⁹ A. Giddens, *Modernity and Self-Identity: Self and Society in the Late Modern Age*, Stanford University Press, Stanford, 1991, p. 111.

unpredictable crisis situations in the so-called *liquid life*,⁶⁰ the family is ready to provide limitless forms of aid and support to its members. This makes society aware again that familial solidarity substantially differs from standardised public solidarity, which, in essence, is not prepared for the endless new developments that increasingly surprise the individual in times of uncertainty. It is worthwhile once again to include deliberations on the priceless attributes of familial solidarity in the public discourse. These attributes are goodwill, compassion, empathy, protectiveness, responsibility, timelessness and discretion. Messu⁶¹ wrote that familial mutual assistance and support are given as a voluntary gesture free of normative coercion. Consequently, this gesture is not ostentatious and accepted as a gift, so maintaining family ties appears to be more important than the gift. Since the European population is ageing, familial inter-generational solidarity acquires a new dimension. This solidarity ensures dignified and collaborative ageing and prevents people from dying alone.

The high value that Europeans assign to the family – if only declaratively – in rankings of life goals proves that the *mass man* created by the global post-industrial world is *the lonely mass man*,⁶² though his need to bond with others has not vanished. Living in a world where ethical and normative principles and perceptions of marriage and family are a mess, the mass man persistently looks for ways to adjust familial life to cultural and economic reality. Alternatives to the traditional family model are attempts at compromise between individuals' desire for freedom and satisfaction of the natural need to have stable and lasting relationships with other people.⁶³ This problem calls for a redefining of the exceptionality of family bonds, the price of familial identity and features which make the familial space special in the social space today. Such an analysis is beyond the scope of this paper. Nevertheless, I want to draw attention to what is missing in the modern discourse on the family.

The separation of the familial and social orders blurs the dependencies between the disorganisation of familial life and the inefficiency of the labour market and public institutions, the liquidity and multitude of cultural models, and the pressure of insatiable consumerism. The domestic environment has become a space for conflicts caused by the need to compromise between familial life and paid labour, weakened parental authority, caused discrepancies between personal objectives and community interests, and blurred gender roles. The causes of conflicts are external to the family. Hidden contradictions, dilemmas in making choices, and necessary coercion are among the reasons why family life is disorganised. The social environment usually attributes the fault to the family and its members and ignores the original macroeconomic and macro social causes of many crises. Ulrich Beck⁶⁴ rightly wrote that:

⁶⁰ Z. Baumann, *Liquid Life*, Wiley, 2005.

⁶¹ M. Messu, *op. cit.*

⁶² H. Arendt, *The Human Condition*, The University of Chicago Press, 2nd ed. 1998, https://archive.org/stream/ArendtHannahTheHumanCondition2nd1998/Arendt_Hannah_The_Human_Condition_2nd_1998_djvu.txt, p. 256.

⁶³ A. Giddens, *Sociology: a Brief but Critical Introduction*. London, 1982, Chapter 10.

⁶⁴ U. Beck, *Risk Society: Towards a New Modernity*. London, 1992 (English translation), p. 119.

It is not that people bring in many of these problems into the family, as they may believe or accuse themselves. Almost all the issues of conflict have also an institutional side [...] everything that strikes the family from outside – the labour market, the employment system or the law – is distorted and foreshortened with a certain inevitability into the personal sphere. [...] Those who demand mobility in the labour market in this sense without regard to private interests are pursuing the dissolution of the family – precisely in their capacity as apostles of the market.

The last issue which requires a framework of cooperation for the family, society and public policies (the state) is healthy procreation. Advances in medicine, biology and pharmacology facilitate fertility control and planned procreation, which are unquestionably achievements of the 20th century. They facilitate responsible parenthood. However, replacing the laws of nature by some new and less controllable reproductive procedures separates fatherhood from motherhood and parenthood from childcare. It is important to reintroduce an informed debate on the value of life conceived, respect for old age and natural death. In my opinion, no age group and no ideology should be allowed – for the sake of their own comfort, egoism, or individual or social benefits – to decide about the life span of another generation, and this refers to both the coming generation and that which is passing away.

CONCLUSIONS

In 1994 a conference titled *Europa im Umbruch – wo steht die Familie?* was held in Dresden. This conference was to conclude the research project titled *International co-operative research on family policy and family development in Eastern and Western Europe*.⁶⁵ At the end of a long debate it was proposed that European countries workout a common ground and take action to restore a balance between the familial and public orders, responding to changes in the creation, growth and permanence of the family, changes in the labour market, and the limits of the welfare state. Family mainstreaming as a strategy proposed that the family issue be included in all public policies of the state and local governments, enterprises, NGOs and other forms of civic activity. In other words, referring to issues raised in the debate on European family, an alternative idea to the privatisation of the family was born. This included taking into consideration all forms of the family, different needs, capabilities and preferences in all their forms and trajectories of familial life organisation, in which all institutions and bodies in the European public sphere would be involved.

The last twenty years did not favour the development of this idea in academic and political discourse, not to mention a new strategy of public policy. We have witnessed further defragmentation of family issues, and separation of gender equality, protection of child rights, procreation and senior citizens policies from the functions and tasks of the family. The language used to describe familial reality, especially in the mass media

⁶⁵ Cf. G. Firlit-Fesnak, *Rodzina polska w warunkach zmiany systemowej na tle krajów europejskich*, Warsaw, 1996.

and generally in mass culture, was usually almost apocalyptic. The messages suggested the inevitability of crises in marriage and familial life, and dysfunctional emotional and interpersonal relationships in marriage or partnership, between parents and children and between generations. The picture painted was usually one-sided. This negative image was consistent with the neoliberal doctrine of the family, especially the traditional family as a community not fitting the postmodern social (dis)order. In spite or maybe because of this, most Europeans do not want to view the family as the “lost community”.

A pro-family orientation is as needed today as it was in the beginnings of the Roman Empire when Augustus reformed matrimonial and family law.⁶⁶ Obviously, we live in different times and our civilisation is different, but the threats borne by the marginalisation of the family as a community bridging private and public orders are surprisingly similar. Europe is suffering from a demographic crisis, an unstable economy, growing poverty and social exclusion, disorganisation of social bonds, alienation of individuals from their families and society, and cultural disorientation – and also from threats to internal security, the fragile political order and social peace. All this points to the value of the family as a community which is care giving, solidarity-based, bonding, standard-setting and functional for both the individual and society.

This conclusion does not in any way idealise the role of the family in solving many problems which Western civilisation faces. It is an attempt to draw attention to the fact that the modern family, willingly or not, is a party to those problems, and cannot be treated instrumentally or ignored. The agency of the family in the realisation of functions and tasks essential to creating the private and public spheres has not lost its relevance, although its dimensions and scope have changed along with the political, economic and cultural transformations in the last half-century.

Grażyna Firlit-Fesnak, Institute of Social Policy (IPS), Faculty of Political Science and International Studies, Warsaw University

Keywords: family, familial order, public order

ABSTRACT

This article provides an analysis of the European family as a community that links the private and public orders. The analysis focuses on the last fifty years and shows the relationships between the two orders in a process of continuity and change. The first part presents the exogenous conditions of family change: macroeconomics, social policy systems in European countries, and selected ideologies. Their impact on patterns of family formation, models of family organisation, division of roles and the character of familial bonds, and attitudes of Europeans to the relevance, breakup and reconstruction of the family are discussed. The perception of family as a community that co-creates public order has changed, and this change of paradigm has led to privatisation of the family. The next part concentrates on the nature of changes in the way the family is defined in Europe. An analysis of the basic laws in the EU member states is made from the perspective of different contexts in which the family is treated in the normative order. This

⁶⁶ Cf. P. Grimal, *L'amour à Rome*, Belles Lettres, 1979; P. Southern, *Augustus*, Routledge, 2001.

analysis is complemented by a review of basic normative acts of the EU, indicating a lack of reference to the family in EU policies. The stance of the Catholic Church is also discussed, as this remains the institution most consistently protecting the traditional family system and its presence in the public and political order of the state. The third part presents types of relationships between the family and the public sphere in the political order of states in contemporary Europe. Areas of the tasks and functions of the family which are co-responsible for the current social and political order are identified vis-à-vis the changing labour market, effectiveness of the social state and transformations of mass culture.