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Edited by PIERPAOLO DONATI

THE FAMILY AS A RELATIONAL GOOD: THE CHALLENGE OF LOVE

The 2022 Plenary Session of the Pontifical Academy of Social Sciences on “The family as a relational good: the challenge of love” was inspired by the perspective suggested by Pope Francis: “The welfare of the family is decisive for the future of the world and that of the Church (...) We do well to focus on concrete realities, since the ‘call and the demands of the Spirit resound in the events of history’, and through these ‘the Church can also be guided to a more profound understanding of the inexhaustible mystery of marriage and the family’” (*Amoris Laetitia*, 31).

The participants first took into consideration the substantial, fast-paced changes that families are having to face all over the world, and then pondered the fundamentals of the family and the reasons for its existence in today’s society and in the near future: “Why the family, and what for?”. What are the roots of the family as a natural society and to what extent can culture change them? What are the reasons behind the need for and the goodness of the family? This volume collects the answers of the Plenary Session participants whose task was to analyze the situation and collectively suggest lines of action to understand how the family can humanize the person in today’s not always family-friendly society. The target is to allow the family to flourish as the primary relational good of society. Defining the family as a relational good means affirming that people’s destiny and happiness depend on the fact that they consider family relationships as a fundamental common good. This common good is created by family members through love, but it is not particularistic and does not remain closed within the private sphere. It benefits the community at large by sharing positive externalities that constitute the human and social asset of larger social networks.

THE FAMILY AS A RELATIONAL GOOD:
THE CHALLENGE OF LOVE



The Proceedings of the 23rd Plenary Session
27-29 April 2022

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The Family as a Relational Good: the Challenge of Love



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Edited by

Pierpaolo Donati



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The opinions expressed with absolute freedom during the presentation of the papers of this meeting, although published by the Academy, represent only the points of view of the participants and not those of the Academy.

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The welfare of the family is decisive for the future of the world and that of the Church. Countless studies have been made of marriage and the family, their current problems and challenges. We do well to focus on concrete realities, since “the call and the demands of the Spirit resound in the events of history”, and through these “the Church can also be guided to a more profound understanding of the inexhaustible mystery of marriage and the family”.

(Pope Francis, *Amoris Laetitia*, 31)

The ability of the family to initiate its members to human fraternity can be considered a hidden treasure that can aid that general rethinking of social policies and human rights whose need is so urgently felt today.

(Pope Francis, *Humana Communitas*, 2019)







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Address of His Holiness Pope Francis to Participants in the Plenary Session of the Pontifical Academy of Social Sciences

*Consistory Hall
Friday, 29 April 2022*

Dear Ladies and Gentlemen!

I welcome you and I wish you well in your work in this Plenary Session of the Pontifical Academy of Social Sciences. And I thank Professor Zamagni for his kind and insightful words.

You have focused your attention on the reality of the family. I appreciate this choice and also the perspective from which you consider it, namely as a “relational asset”. We know that social changes are altering the living conditions of marriage and families all over the world. Moreover, the current context of prolonged and multiple crises is putting a strain on the projects of stable and happy families. This state of affairs can be responded to by rediscovering the value of the family as the source and origin of the social order, as the vital cell of a fraternal society capable of caring for the common home.

The family is almost always at the top of the ladder of values of different peoples, because it is inscribed in the very nature of woman and man. In this sense, marriage and the family are not purely human institutions, despite the many changes they have undergone over the centuries and the cultural and spiritual differences among various peoples. Beyond all the differences, there are common and permanent traits that reveal the greatness and value of marriage and the family. However, if this value is lived out in an individualistic and private way, as is partly the case in the West, the family can be isolated and fragmented in the context of society. The social functions that the family performs among individuals and in the community, especially in relation to the weakest, such as children, people with disabilities and the dependent elderly, are thus lost.

It is a question, then, of understanding that the family is an asset for society, not insofar as it is a mere aggregation of individuals, but insofar as it is a relationship founded in a “bond of mutual perfection”, to use an expression of Saint Paul (cf. Col 3:12-14). Indeed, the human being is created in the

image and likeness of God, who is love (cf. 1 Jn 4:8, 16). The mutual love between man and woman is a reflection of the absolute and unfailing love with which God loves the human being, destined to be fruitful and to be fulfilled in the common work of the social order and the care of creation.

The asset of the family is not aggregative, that is, it does not consist in aggregating the resources of individuals to increase the utility of each, but it is a relational bond of perfection, which consists in sharing relationships of faithful love, trust, cooperation, reciprocity, from which the goods of the individual members of the family derive and, therefore, their happiness. Understood in this way, the family, which is a relational asset in itself, also becomes the source of many assets and relationships for the community, such as a good relationship with the State and the other associations in society, solidarity among families, the welcoming of those in difficulty, caring for the least, combating the processes of impoverishment, and so on.

This perfective bond, which we might call its specific “social genome”, consists in loving action motivated by gift, by living according to the rule of generous reciprocity and generativity. The family humanizes people through the relationship of “us” and at the same time promotes the legitimate differences of each one. This – take heed – is really important in order to understand what is meant by a family, which is not just an aggregation of people.

The social thought of the Church helps to understand this relational love proper to the family, as the Apostolic Exhortation *Amoris Laetitia* attempted to do, following in a great tradition, but with that tradition, also taking a step forward.

One aspect I would like to highlight is that the family is the place of acceptance. We don’t talk about it much, but it is important. Its qualities manifest themselves in a special way in families where there are frail or disabled members. These families develop special virtues, which enhance the capacity for love and patient endurance in the face of life’s difficulties. Let us think of the rehabilitation of the sick, the reception of migrants, and in general the social inclusion of those who are victims of marginalization, in all social spheres, especially in the world of work. Integrated home care for the severely disabled sets in motion a caring capacity in family members that is able to respond to the specific needs of each individual. Let us also think of families that generate benefits for society as a whole, including adoptive and foster families. The family – as we know – is the main antidote to poverty, both material and spiritual, as it is also to the problem of the demographic winter or irresponsible motherhood and fatherhood.

These two things should be stressed. The demographic winter is a serious matter. Here in Italy, it is a serious matter compared to other countries in Europe. It cannot be ignored – it is a serious matter. And irresponsible motherhood and fatherhood is another serious matter that must be taken into account to help prevent it from happening.

The family becomes a bond of perfection and a relational asset to the extent that it allows its own nature to flourish, both by itself and with the help of other people and institutions, including governmental ones. Family-friendly social, economic and cultural policies need to be promoted in all countries. These include, for example, policies that make it possible to harmonize family and work; tax policies that acknowledge family burdens and support the educational functions of families by adopting appropriate instruments of fiscal equity; policies that welcome life; and social, psychological and health services that focus on supporting couple and parental relationships.

A “family-friendly” society is possible, because society is born and evolves with the family. Not everything is contractual, nor can everything be imposed by command. In reality, when a civilization uproots the tree of gift as gratuitousness from its soil, its decline becomes unstoppable. The family is the primary planter of the tree of gratuitousness. The relationality that is practised in the family is not based on the axis of convenience or interest, but on that of being, which is preserved even when relationships deteriorate. I would like to emphasize this aspect of gratuitousness, because it is not given much thought; it is very important to include it in the reflection on the family. Gratuity in the family: the gift, giving and receiving the gift gratuitously.

I believe that to rediscover the beauty of the family there are certain conditions. The first is to remove from the mind’s eye the “cataract” of ideologies that prevent us from seeing reality. This is the pedagogy of the inner teacher – that of Socrates and Saint Augustine – and not one that simply seeks consensus. The second condition is the rediscovery of the correspondence between natural marriage and sacramental marriage. In fact, the separation between the two ends up, on the one hand, by making people think of sacramentality as something added, something extrinsic, and on the other hand, risks abandoning the institution of the family to the tyranny of the artificial. The third condition is, as is recalled in *Amoris Laetitia*, the awareness that the grace of the sacrament of Matrimony – which is the quintessential “social” sacrament – heals and elevates the whole of human society and is a leaven of fraternity. “The common life of

husband and wife, the entire network of relations that they build with their children and the world around them, will be steeped in and strengthened by the grace of the sacrament. For the sacrament of marriage flows from the incarnation and the paschal mystery, whereby God showed the fullness of his love for humanity by becoming one with us” (74).

Dear friends, as I leave you with these reflections, once again I assure you of my gratitude, my appreciation for the activities of this Pontifical Academy, and also my prayer for you and your families. I bless you with all my heart. And you too, please do not forget to pray for me. Thank you!

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Address of President Stefano Zamagni to the Holy Father Pope Francis

Holy Father,

The Pontifical Academy of Social Sciences has devoted its Plenary Session to the major theme of the *Family as a relational good*. The challenge of love, fully accepting the heartfelt invitation contained in your 2016 apostolic exhortation *Amoris Laetitia*.

Virgil's famous verse "Rari nantes in gurgite vasto" (lone swimmers in the vast sea) portrays the condition of the family in today's society very well. The edifice of the family has not been destroyed; it has been deconstructed, taken apart piece by piece. We still have all the pieces, but the building is no longer there. All the categories that make up the family institution and define its genome continue to exist. That is, the relationship between two relationships: the relationship of reciprocity (conjuality) and the intergenerational relationship (parenting). However, these categories no longer have a univocal meaning, rendering the discourse on the family incomprehensible.

One of the goals of this Plenary is to understand how this deconstruction has come about. Nevertheless, there is certainly the influence of the Platonic and Neoplatonic vision of man, which ended up taking precedence over that of Aquinas. The most disturbing consequence of this deconstruction is the reduction of the family to a private emotion, without much public relevance. Yet the family is not a private matter, as it is very clearly explained in *Amoris Laetitia*, because it has to do with the common good of the human consortium and not with its total good.

This Plenary Session also aims to highlight the most serious problems for family ontology that arise from the vast diffusion of the cultural condition conveyed by the transhumanist project, whose ambition is both to merge man with machine to amplify his potential and, above all, to show that consciousness is not an exclusively human characteristic. Transhumanism is the apology for a human body and brain "augmented" by artificial intelligence, the use of which would allow a separation between mind and body, so the mind, in order to function, would not need to have a body. "Playing God" in this way hides a desire to take over the reins of evolution.

However, there is light at the end of the tunnel. Since it is a question of deconstruction of the family, it is possible, if desired, to plan its recon-

struction. Upon one condition: not falling into the trap of catastrophism and so-called catacomb thinking. It is unreasonable to think that today's crisis can be overcome by returning to past family models, which confuse a particular form of being a family with family (and marriage) as such.

We must always remember that the family is not a self-sufficient cell. It never was, but today this is even more evident. The family only exists within an ecosystem that recognizes it as a subject endowed with its own agency and not as a mere object of public or private benevolence. Consequently, there is a need, first of all, to move from policies *for the* family to policies *of the* family, fully recovering the principle of subsidiarity. Secondly, there is the need to move from gender mainstreaming to family mainstreaming in the design of a new institutional architecture.

As stated in *Amoris Laetitia*, the family is in harmony, it is a happy place, when gender diversity becomes an opportunity for mutual enrichment and not a justification for discrimination. Therefore, announcing the family as a relational good, that is, as a community of life centered on gift, reciprocity, generativity, and sexuality is the ultimate goal of this Plenary. As a *seminarium civitatis*, we must never forget that the family's mission is also to make the State more *civitas* and less *polis*. And since *civitas* generates *civilitas*, we understand why today, more than ever, there is a great need for the family, a family which must always strive to cultivate the virtue of aspiration, without resigning itself to enduring passing difficulties and uncertainties.

And now, Holy Father, we are ready to welcome your word with open minds and grateful hearts.

Concept Note

All surveys conducted at national and international levels show that the family is at the top of the scale of people's values under every latitude. People claim that the family is the most important thing in their lives. However, when one tries to clarify what is meant by 'family', one enters a field of great uncertainties and contingencies as to the affective, cognitive and symbolic references that the idea and the experience of the family brings with it. In all cases, the challenge is how to think and live the love between family members. It is therefore a question of specifying, understanding and evaluating the different answers to this challenge that emerge today in people's life-worlds. What is the ideal of the family? And what is its reality? In the gap between everyday experience and the desired ideal of a beautiful family lies the challenge of love.

We are all aware that the family is undergoing profound social and cultural transformations that must be understood and valued in their scope and in their consequences. If we consider the deep and rapid changes that the family faces today all over the world, due to the processes of modernization and globalization, it seems necessary to ask ourselves some basic questions that push us to rethink the fundamentals of the family and its reasons for existence in the present society and in the near future: "why the family, and what for?". What are the roots of the family as a natural society and to what extent can culture change them? What reasons support the necessity and the goodness of the family beyond the changes in its social functions?

The Plenary aims to answer these questions. It is intended to assess the phenomenology of the family in the contemporary world from the point of view of the social sciences and social policies, in order to offer the Catholic social doctrine in-depth elements of knowledge about the current situation and, as far as possible, the near future on a global level.

By referring to the analysis of social facts, the conference will reflect on the family on the horizon of its ontological being and in the perspective of exercising its primary tasks. It is a question of understanding how the family can today humanize the person in a society that is not always friendly with the family. The purpose of the Plenary is not to draw up a general descriptive report (there are plenty of them, at national and international level), but to focus on the lines of thought and action that

can best support the family in the world of tomorrow. On the one hand, we need to clarify the deeper meaning of the family's existence – family ontology, from the social, philosophical and theological viewpoints – and, on the other, to evaluate the practical implications for a better family promotion – social legislation, policies, and good practices in family services – in the perspective of an integral human ecology. In order to survive, our society needs 'family friendly' policies. It is still a question of implementing article 16 of the Universal Declaration of Human Rights ("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. Marriage shall be entered into only with the free and full consent of the intending spouses. The family is the natural and fundamental group unit of society and is entitled to protection by society and the State"). To implement these human rights concerning the family, it seems appropriate to deepen the meaning of family relationships, couple dynamics and intergenerational relationships in present societies, taking into account the fact that they are necessary for the humanization of people, but also strongly contingent on the life course of people. The target is to make the family flourish as the primary relational good of society. To say that the family is a relational good means to affirm that the destiny and happiness of people depend on the fact that they share their family relationships as their fundamental common good.

Modern social sciences have shown that family changes decide the most profound and significant changes in society. Every new society is the fruit of new family models. In the Apostolic Exhortation *Amoris Laetitia* (AL), Pope Francis proposes a realistic approach to the theme of the family. He invites us to see the family not as an abstract ideal, but as a "craft" task (AL 16) which must be approached with tenderness (AL 28), considering that the Word of God "is not shown as a sequence of abstract theses, but as a traveling companion also for families who are in crisis or experiencing some pain, and indicate the destination of the journey" (AL 22). He writes: "anthropological-cultural change, that today influences all aspects of life and requires an analytic and diversified approach, does not permit us to limit ourselves to practices in pastoral ministry and mission that reflect forms and models of the past. We must be informed and impassioned interpreters of the wisdom of faith in a context in which individuals are less well supported than in the past by social structures, and in their emotional and

family life. With the clear purpose of remaining faithful to the teaching of Christ, we must therefore look, with the intellect of love and with wise realism, at the reality of the family today in all its complexity, with its lights and its shadows” (AL 32).

Thinking the family as a relational good, and practicing it as such, can be a way to build a new ‘good society’.

Word of Welcome

Good morning everybody and welcome to this Plenary Session of the Pontifical Academy of Social Sciences.

As you know already, this is a special Plenary Session addressing the issue of the family as a relational good.

Let me express the gratitude of the Academy to Professor Pierpaolo Donati, member of the Academy's Council, for the energy and passion spent on the preparation of our Symposium.

Let me also thank in a strong way our Chancellor, Monsignor Sánchez Sorondo, and the Secretariat for their organizational effort.

We are gathering in a very tragic moment of our history. War is organized human violence that has an enormous cost to life, freedom and prosperity. It is not sufficient merely to call for peace and to denounce war. It is necessary to consider which political and economic institutions foster peace and discourage war and to investigate the social and cultural conditions of peace.

If the heart is to be engaged on behalf of peace, it should be engaged through the mind. "Si vis pacem, para civitatem": this could be the motto that should be applied if we want to make peace not a utopian fantasy.

The understanding of the family as a relational good is blurred today by the spreading of libertarian individualism as a culture characterizing the present epoch. Proclaiming the family as a community of life based on gift, reciprocity, generativity and sexuality implies superseding both the individualistic and the patriarchal models of the family.

Indeed, if the former model fails to make room for the logic of gift as gratuitousness, the latter model does not recognize the concerns of conjugal love, since it subjugates love to values deemed of a higher order, such as the value of generation dependency.

In this conference we attempt to identify emerging insights from a variety of disciplines and expertise in order to provide plausible answers to the basic question, "why the family, and what for?" and it is written in the concept note that this session intends to answer questions such as, what are the roots of the family as a natural society and to what extent can culture change them. Again, what reasons support the necessity and the goodness of the family beyond the changes of its social function.

In the Apostolic Exhortation *Amoris Laetitia*, Pope Francis wisely underlines the theological dimension of the family. Indeed, that of the family

is the only sacrament of social order as such. The strong invitation coming from the Pope is to find new ways to make everybody conscious of this fact in order to move ahead towards a new good society.

To conclude: in his apology of Socrates, Plato writes that Socrates told his accusers that he knew he was right, but he did realize he had not succeeded in convincing them because he and they had not lived together, which is to say that, in order to convince – a word which literally means winning together – it is necessary to live together and this is exactly what ultimately characterizes family life.

So thank you again for your participation in the Symposium that we are going to start now and for the important – I'm sure – contributions that you will certainly offer.

Now I am happy to give the floor to the Chancellor, Monsignor Marcelo Sánchez Sorondo, for his word of welcome. Thank you very much.

STEFANO ZAMAGNI

President of the Pontifical Academy of Social Sciences

Word of Welcome

I would like to repeat the President's welcome to what I consider to be a very important meeting, because its subject is of great interest, and it is also the first time that the Pontifical Academy of Social Sciences, founded in 1994 by Pope John Paul II, studies the question of the family, which is really central in the vision of the Church and in the vision of Christ.

I don't want to use up the time to express my idea, but in relation to what the President has just said, my study is founded on two very important texts. Perhaps, if we have time, I can expose it in clearer way. The first is by Pope Benedict, the theologian Pope, who says that the essence, the substance of the social order is to communicate the grace of Christ to each other. The second is by Pope Francis, who says concretely in *Amoris Laetitia* that the common life of husband and wife, the entire network of relations they build with their children and with the world, is a sort of extension of the grace of the sacrament. For me this is the great news that we have in *Amoris Laetitia*, which, however, also contains sentences by Pope Benedict.

Concretely, the social order that we have today, especially, for example, with globalization, is completely different from the social order that we had in Medieval times, when we had the structure of the sacrament that we have today. So, if we need to sanctify the family, that is, the cell of the social order, we also need to sanctify all of the social order, and to sanctify this we need the grace of Christ, because the grace of Christ has the power to heal the original sin and all the other sins, and it has the power to elevate to a new life so that, with the grace of Christ, we become children of God.

Therefore, what could be the way to elevate the social order in our time? Is it by an extension of the sacrament of matrimony? Perhaps the Pope can declare this, because St Thomas Aquinas said that the Church has the power to build the sacrament – and history proves this – or maybe we need a new sacrament, a new extension of the grace of Christ to all the social law. This is my argument. Thank you very much. If there is time later, I can elaborate further.

H.E. MSGR. MARCELO SÁNCHEZ SORONDO

Chancellor of the Pontifical Academy of Social Sciences

Programme

► WEDNESDAY, 27 APRIL 2022

SESSION 1. Family Structures and Dynamics in Contemporary Societies

Chair: Stefano Zamagni

- 9:00 *Word of Welcome*
Stefano Zamagni
H.E. Msgr. Marcelo Sánchez Sorondo
- 9:15 *Opening Speech*
H.Em. Card. Pietro Parolin
- 9:45 *The Demographic Dynamics of Family Structures: A World View*
Gérard-François Dumont
- 10:15 Discussion
- 10:30 *The Gift of Life: The New Challenges of the Transition to Parenthood*
Raffaella Iafrate
- 11:00 Discussion
- 11:15 Coffee Break
- 11:45 *Where Is the Family Going? An American Perspective*
Robert Putnam
- 12:15 Discussion
- 12:30 General Discussion
- 13:00 Lunch at the Casina Pio IV

SESSION 2. The Societal Role of the Family

Chair: Ana Marta González

- 14:30 *The Family in the History of Philosophy*
Vittorio Hösle
- 15:00 Discussion
- 15:15 *The Family, the Common Good and Citizenship. The Case of India*
Niraja Gopal Jayal (by Zoom)
- 16:00 Coffee Break

- 16:30 *The Family: Love and Work in the Great Migrations of the 21st Century*
Marcelo Suárez-Orozco
- 17:00 Discussion
- 17:15 *Family and Culture in Africa: Disjuncture and Continuity in South Africa*
Paulus M. Zulu
- 17:45 Discussion
- 18:00 *Family, Education, and the Care Economy*
Jeffrey D. Sachs
- 18:30 Discussion
- 18:45 General Discussion
- 19:00 Dinner at the Casina Pio IV

► **THURSDAY, 28 APRIL 2022**

SESSION 3. Emerging Issues

Chair: Paolo Carozza

- 9:00 *Preserving and Supporting the Vocation of Women in Families*
Elizabeth Rose Schiltz
- 9:30 Discussion
- 9:45 *Coping With Stress in Times Crisis: An Opportunity for Strengthening Family Bonds*
Mariana Karin Falconier
- 10:15 Discussion
- 10:30 *Facing Family Morphogenesis: When Families Become Relational Goods*
Pierpaolo Donati
- 11:00 Discussion
- 11:15 Coffee Break
- 11:45 *United, but Not Uniform. Experimental Evidence About Risk Taking in the Family*
Christoph Engel (by Zoom)
- 12:15 Discussion
- 12:30 General Discussion
- 13:00 Lunch at the Casina Pio IV

SESSION 4. The Meaning of the Family: Theological and Philosophical Perspective

Chair: Gregory M. Reichberg

14:30 *A Relational Reading of Family and Love*
Rocco Buttiglione

15:00 Discussion

15:15 *Families in the Light of God's Project*
H.E. Msgr. Roland Minnerath

15:45 Discussion

16:00 Coffee Break

16:30 *The Family as Source of Meaning and Responsibility: the Psychological Perspective*
Alexander Batthyány

17:00 Discussion

17:15 *On the Manifold Dimensions of Human Love*
Ana Marta González

17:45 Discussion

18:00 General Discussion

19:00 Dinner at the Casina Pio IV

► **FRIDAY, 29 APRIL 2022**

SESSION 5. The Family as a Good Per Se and for All Nations

Chair: Vittorio Hösle

9:00 *Fundamental Rights and Fundamental Relationships: The Family in Comparative Constitutional Law*
Paolo G. Carozza

9:30 Discussion

9:35 *From the Nuclear Family to the Family of Nations: Exploring the Analogy*
Gregory M. Reichberg

10:05 Discussion

-
- 10:10 Address by Mario Draghi, PASS Academician and Prime Minister of Italy
10:30 Coffee Break
11:30 Papal Audience
13:00 Lunch at the Casina Pio IV

SESSION 6. Family Legislation

Chair: Allen D. Hertzke

- 14:30 *Family and Policy-Making in Post-Modern Society*
Stefano Zamagni
15:00 Discussion
15:15 *When is Legislation Ever Family Friendly? The UK Experience*
John F. McEldowney
15:45 Discussion
16:00 Coffee Break
16:30 *Family Associations and their Societal Role*
Vincenzo Bassi
17:00 Discussion
17:15 General Discussion
18:00 End of the Plenary
18:10 Closed Session for Academicians
19:30 Dinner at the Casina Pio IV

List of Participants

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Msgr. Dario Edoardo VIGANÒ
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PASS Academician
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Durban, South Africa

▶ SESSION 1.

FAMILY STRUCTURES AND DYNAMICS
IN CONTEMPORARY SOCIETIES

DISCORSO DI APERTURA

S.E.R. CARDINALE PIETRO PAROLIN

Segretario di Stato

Eminenza,

Eccellenze,

Signore e Signori partecipanti alla sessione plenaria della Pontificia Accademia delle Scienze Sociali,

in un momento drammatico come quello che stiamo vivendo a causa della guerra, in cui la dimensione conflittuale tra gli uomini ha preso il sopravvento in contesti geografici a noi così prossimi, è importante soffermarsi a riflettere sui fondamenti della relazionalità umana, meglio ancora, su quel “luogo” antropologico dove ogni essere umano nasce, cresce e impara ad entrare in relazione con gli altri: la famiglia, cellula fondamentale della società (cf. EG 66). In essa si strutturano le condizioni della pace, dentro di noi e fuori di noi, e si impara a convivere nella differenza.

La famiglia, infatti, è il primo fattore di *umanizzazione* delle persone e della vita sociale, ma le evidenti difficoltà in cui versano oggi le relazioni familiari, il matrimonio e l’idea stessa dell’amore da cui si genera la famiglia, ci impongono considerazioni nuove per capire come rimettere al centro della riflessione accademica, culturale ed ecclesiale quelle dimensioni fondanti della famiglia che possano farla percepire per ciò che è: un *bene* per i singoli e per la società.

In tal senso, la scelta che avete compiuto di impostare la riflessione di questa Assemblea plenaria sulla realtà familiare a partire dal suo essere un *bene relazionale*, in cui è in gioco il bisogno fondamentale di amore di ogni essere umano, non è solo opportuna, ma *decisiva* per il futuro del mondo e della Chiesa (AL 31).

La famiglia è di per sé una “intima comunità di vita e di amore” (GS 48), ma il *gap* che le generazioni contemporanee stanno vivendo tra l’ideale cristiano della famiglia e la concreta e spesso faticosa esperienza quotidiana delle relazioni affettive e familiari è costituito proprio dalla sfida dell’amore.

Pur senza entrare nel merito di una disamina specifica delle modalità con cui si manifesta la vita di coppia nella post-modernità, non possiamo trascurare un rapido sguardo su quanto sta accadendo nelle società e negli

ordinamenti contemporanei in relazione al tema degli affetti nel matrimonio e nella famiglia.

In gran parte dei Paesi del mondo, soprattutto a partire dagli anni Settanta del secolo scorso, in seguito al diffondersi delle leggi sul divorzio e delle unioni libere, si è verificata una vera e propria ridefinizione della coppia, che ha portato con sé una ritematizzazione del concetto di famiglia.

I dibattiti che hanno accompagnato il riconoscimento dei legami inter-individuali diversi dall'unione stabile tra uomo e donna hanno condotto alla rappresentazione della coniugalità e del rapporto di coppia in genere come un legame fondato sulla "conversazione" intimistica tra due soggetti – nella duplice dimensione amorosa e amicale – che avrebbe senso in sé stessa, indipendentemente dalle identità sessuate delle persone e dalla dimensione procreativa, cioè, da una progettualità familiare.

Il vincolo tra uomo e donna, in altre parole, non sembrerebbe più servire la dialettica tra i sessi nel suo farsi generativa, bensì dinamiche inter-soggettive sessualmente neutre, interessate solo a gestire le condizioni affettive e materiali della convivenza. In tal senso, le nuove modalità di accedere alla vita di coppia riflettono una profonda ristrutturazione della vita intima, tipica della post-modernità. L'uso ormai consueto del termine "relazione" per designare un vincolo sentimentale stretto e continuativo con un altro soggetto esprime queste trasformazioni, in cui la relazione viene costituita in virtù dei vantaggi che ciascuna delle parti può trarre dal rapporto con l'altro, mantenendosi stabile fin tanto che entrambe le parti ritengono di trarne sufficienti benefici a giustificarne la continuità.

La scissione tra sessualità, matrimonio e famiglia tende poi a legittimare nel pensiero più diffuso l'idea per cui la vita di coppia sia pensabile solo nel quadro della soggettività e della privatezza individuale, secondo esigenze funzionalistiche dei rapporti umani. La difficoltà maggiore, cioè, sta nel non riuscire a cogliere del vincolo coniugale la profonda ed essenziale dimensione relazionale unitaria, stabile ed indissolubile.¹

Certamente, gli effetti di questi cambiamenti non possono rimanere circoscritti alle dinamiche della coppia. È indubbio che in termini antropologico-giuridici, il vincolo uomo-donna non possa essere pensato solo in relazione alla coppia, poiché da esso si genera la famiglia, ragion per cui ogni cambiamento nella comprensione della vita di coppia non può che

¹ "Non si avverte più con chiarezza che solo l'unione esclusiva e indissolubile tra un uomo e una donna svolge una funzione sociale piena, essendo un impegno stabile e rendendo possibile la fecondità" (AL 52).

tradursi in un cambiamento nella comprensione della realtà familiare. Ciò è tanto più vero se si pensa alle nuove legislazioni che, ritematizzando il concetto di generazione della vita e di filiazione, hanno introdotto nuove modalità artificiali e legali per dare a ciascun individuo il figlio desiderato, a prescindere dalla sessualità dei soggetti, dall'esistenza di una relazione e, tanto più, di un vincolo coniugale.

Alla radice di tutto ciò, come illustrato da autorevoli studiosi, vi sono alcune disfunzioni nella comprensione dell'*amore* di coppia, che viene alternativamente pensato come "amore libero" o come "amore romantico". In particolare, in quest'ultimo caso, l'amore assume la veste di un vero e proprio ideale, per cui *ci si sposa per amore e si divorzia per amore*, orientando il proprio desiderio non all'altro e al suo bene, ma al bisogno che si ha dell'altro, in una prospettiva autoreferenziale.

Il riduzionismo che ha intaccato la dimensione ontologica dell'amore nella comprensione sociale, richiede, pertanto, il recupero di una riflessione che, da un lato sappia andare al di là della mera dimensione utilitaristica dell'amore contemporaneo, in cui il vincolo coniugale è visto come strumento di contenimento delle spinte egoistiche ed individualistiche dei singoli: ragion per cui viene sempre più spesso messo da parte, facendo optare la maggior parte dei giovani d'oggi per una convivenza più libera, in cui le regole dell'amore si fanno più elastiche, continuamente ricontrattabili, e il legame così debole da non poter essere percepito nello spazio pubblico.

Dall'altro è auspicabile che la riflessione possa aiutare soprattutto la Chiesa ad accompagnare i giovani e le famiglie oltre la *cultura del provvisorio*, che si sostanzia in una fragilità affettiva profonda e che conduce a relazioni brevi, abbandonate «alla precarietà volubile dei desideri e delle circostanze [...], come se al di là degli individui non ci fossero verità, valori, principi che ci orientino, come se tutto fosse uguale e si dovesse permettere qualsiasi cosa» (AL 34).

Ciò premesso, desidero ora tratteggiare con voi alcune brevi riflessioni sul secondo termine del titolo di questa Plenaria, ossia il significato ontologico relazionale dell'amore tra uomo e donna. Metterne a fuoco alcuni aspetti fondamentali ci consentirà poi di comprendere perché la famiglia fondata sull'autentico amore donativo nel rapporto tra i sessi e le generazioni può mostrare il suo vero volto di bene relazionale personale e sociale. Come, infatti, si legge in *Amoris laetitia* 53, «per quanto ferita possa essere una famiglia, essa può sempre crescere a partire dall'amore».

Esiste un rapporto circolare tra la persona, il suo essere-in-relazione e l'amore. «L'uomo è relazione e ha la propria vita e sé stesso solo nel modo

della relazione. Da solo – spiega Joseph Ratzinger – io non sono affatto me stesso, ma lo sono soltanto nel tu e mediante il tu».²

L'archetipo del rapporto umano fra l'io e il tu si trova, in ultima analisi, nella stessa Trinità. Nella teologia, le persone divine vengono definite proprio come “relazioni sussistenti” ad indicare che le relazioni di paternità, di figliolanza e di eterna comunione d'amore non sono qualcosa di accidentale, che si aggiunge in un secondo momento a dei soggetti preesistenti, ma queste relazioni sono proprio ciò che costituisce le persone divine. In Dio l'essere in relazione all'altro (*esse ad*) coincide con l'esistere e con l'essere in sé (*esse in*): l'essere più profondo di ciascuna persona divina è il suo essere relazione all'altro.³ Ora, se pensiamo che l'uomo è creato “a immagine di Dio” e che in questa affermazione la Rivelazione non fa riferimento ad un dio generico ma a Dio Trinità, capiremo quanto è radicata nell'essenza stessa della persona umana la dimensione relazionale e quanto essa contribuisca in modo decisivo affinché ognuno diventi ciò che è chiamato ad essere.

Ciò che, in particolare, consente alla persona di realizzarsi in pienezza non è la relazione generica, ma la *relazione donativa*, il dono di sé e di accoglienza dell'altro, ossia la relazione d'amore.

La forma d'amore che in maniera più specifica realizza l'amore come dono totale della persona è *l'amore sponsale*, che differisce da ogni altra manifestazione dell'amore umano, proprio per il carattere totalizzante di questo dono, che avvolge le dimensioni più profonde e il *valore* stesso della persona in una dinamica di riconoscimento reciproco e di benevolenza tra i soggetti che si amano, non secondo la formula “tu sei un bene per me”, ma piuttosto “desidero ciò che è bene per te”.

Lo spiega chiaramente Karol Wojtyła: «In un soggetto individuale l'amore si forma passando attraverso l'attrazione, la concupiscenza e la benevolenza. Tuttavia trova la propria pienezza non in un solo soggetto, bensì in un rapporto tra soggetti, tra le persone».⁴ È il dono del proprio “io”. È più che voler bene. Fa nascere il dono reciproco delle persone.

² J. Ratzinger, *In principio Dio creò il cielo e la terra. Riflessioni sulla creazione e il peccato*, Lindau, 2006, 98-100.

³ Cfr *Summa Theologiae* I-I, q. 28 art. 2.

⁴ K. Wojtyła, *Amore e responsabilità*, in G. Reale e T. Styczeń (a cura di), K. Wojtyła, *Metafisica della persona. Tutte le opere filosofiche e saggi integrativi*, Bompiani, 2003, 552-553.

L'amore, infatti, non è solo un *rapporto reciproco di persone*, ed ha quindi un carattere inter-personale – dunque relazionale – ma è l'atto e la condizione *che realizza nel modo più completo l'esistenza della persona* mediante il dono di sé. «L'uomo – si legge nella *Redemptor hominis*, 10 – non può vivere senza amore. Egli rimane per sé stesso un essere incomprensibile, la sua vita è priva di senso, se non gli viene rivelato l'amore, se non si incontra con l'amore, se non lo sperimenta [...]».

In particolare, nel rapporto tra uomo e donna, *l'amore vero perfeziona l'essere della persona e ne sviluppa l'esistenza*.⁵ Per essere in pienezza persone, dunque, bisogna poter stare nella relazione dell'amore sponsale. In particolare, nella famiglia, la differenza sessuale inscritta nei corpi dell'uomo e della donna è lo spazio nel quale si esprime e si realizza l'amore vissuto come *eros* e *agape*, *pathos* e *logos*, in una continua ricerca di senso e di significati di quell'incompiutezza a cui rinvia la differenza, che è costitutiva, relazionale e generativa.

La persona, dunque, ha una dimensione sponsale, è ontologicamente relazionale. La considerazione della differenza è inscindibile da quella dell'essenza della persona. La radice metafisica della differenza sessuale, d'altronde, è stata ribadita di recente dalla Congregazione per l'educazione cattolica: «uomo e donna sono le due modalità in cui si esprime e realizza la realtà ontologica della persona umana».⁶

La riflessione più recente sull'antropologia relazionale di coppia ha evidenziato, peraltro, come la *differenza* non sia una mancanza da riempire con un rapporto fatto di contrattazioni bilaterali o di rinunce – come nella vita concreta viene sovente oggi percepita la relazione uomo-donna – ma è piuttosto l'orizzonte, lo spazio dove l'Altro è atteso, riconosciuto, accolto, a cui aprirsi e da cui si genera ogni possibilità di vita.

Riconoscendo la differenza, se ne riconoscono la complementarità, la reciprocità, ma anche l'asimmetria. Una asimmetria uomo-donna che, tra l'altro non si manifesta in famiglia solo nei rapporti all'interno della coppia, dove l'altro è sempre altro-da-me e per questo irriducibile, ma in qualsiasi rapporto familiare: paternità, maternità, fraternità, ed in ogni rapporto inter-generazionale e intra-generazionale. In tal senso, la famiglia, a partire dal dono sponsale, si fa luogo di alleanza e di reciproca dipendenza tra i ruoli che istituisce, sublimando così non solo bisogni biologico-ri-

⁵ K. Wojtyła, *Amore e responsabilità*, cit., 539.

⁶ Congregazione per l'educazione cattolica, *Maschio e femmina li creò*, 2 febbraio 2019, n. 34.

produttivi, ma bisogni umani: far sì che ciascuno dei soggetti familiari sia riconosciuto e amato in sé e per sé nella totalità della sua persona.

In particolare, – come ha messo in evidenza una parte della riflessione filosofica femminile della fine del XX secolo – nel rapporto di coppia uomo-donna, i corpi differenti attestano una verità antropologica ricca di senso, ossia che, nella differenza, il *due* è già da sempre aperto al *tre*, che non è solo il figlio che nasce dalla relazione, ma *in primis* la relazione stessa, come *bene in sé e altro rispetto alla donna e all'uomo*. Infatti, a differenza di quanto tende a pensare, l'approccio dell'amore romantico, l'amore *vero e reciproco* non va inteso solo come l'amore dell'uno *per* l'altro, come se fosse solo *nell'uomo* e solo *nella donna*, poiché come spiega Karol Wojtyła, in definitiva così si avrebbero due amori, uno di fronte all'altro; piuttosto l'amore vero è quella relazione che esiste *tra* loro e che li lega. È quel fattore inter-personale che unisce e che li rende un "noi".⁷ E che può realizzarsi solo nell'amore sponsale, che a sua volta si realizza in pienezza nel vincolo stabile e definitivo.

In altre parole, la relazione d'amore sponsale, da cui scaturiscono poi le relazioni d'amore familiare, è quella *dimensione oggettiva*, che esiste tra i soggetti, che si pone come *terza* tra loro e che non è la somma dei suoi termini, ma è una realtà in sé stessa che esprime l'originario bisogno di relazione.

Richiamandosi ancora al paradigma trinitario, è utile considerare che, nella vita intima di Dio, accanto all'amore del Padre verso il Figlio e all'amore del Figlio verso il Padre, esiste anche il loro reciproco amore "fatto ipostasi", lo Spirito Santo. La terza persona della Trinità, infatti, può essere concepita come l'eterna relazione d'amore fra il Padre e il Figlio "fatta persona".⁸ È dunque una relazione che da sempre si "oggettivizza" al punto da costituire una ipostasi a sé stante.

Per tornare all'ambito umano, è in questa terzietà della relazione d'amore e nel suo manifestarsi nella forma più piena nel principio della generatività, che si struttura la famiglia come comunione di vita e di amore, e prima ancora, sul piano antropologico, come *communitas*, dove il termine *cum munus* significa proprio la condivisione di un *dono* (il dono di sé nella relazione d'amore) e la cooperazione ad un *compito generativo* che da esso deriva. Così la comunità familiare si costruisce intorno al suo *munus*, che

⁷ K. Wojtyła, *Amore e responsabilità*, cit., 541-545.

⁸ Cfr S. Agostino, *De Trinitate* VI,5,7; XV,19,37; S. Tommaso, *Summa Theologiae* I-I, q. 36 art. 1.

è la stessa relazione, patrimonio e valore, che trascende interessi e obiettivi particolari, bene comune che non è di proprietà di nessuno, ma condiviso e vincolante per tutti.⁹

Tutto ciò oggi, per quanto a noi noto, non è affatto scontato e andrebbe seriamente rielaborato con argomentazioni e un linguaggio, tali da far comprendere ai giovani l'unicità privilegiata della famiglia stabile quale veicolo di certezze, di senso e di felicità. Valori questi che si generano solo all'interno di legami familiari forti.

È qui che si gioca nelle società post-moderne la sfida dell'amore: che cosa significa, infatti, amare in maniera *sponsale*, in un mondo in cui i legami personali e familiari – e in particolar modo il matrimonio – è stato ridotto dalla cultura, dal costume e dal diritto a mero strumento di gratificazione affettiva, che può costituirsi in qualsiasi modo e modificarsi secondo la sensibilità di ognuno (cf. EG 66)? Come aiutare il pensiero e la cultura a rivalutare le relazioni familiari e a percepirne la capacità virtuosa in tutti gli aspetti della vita sociale? Come accompagnare le coppie e le famiglie che ancora non hanno scoperto le potenzialità del loro amore sponsale ad abbracciare con gradualità la scelta del matrimonio cristiano? La risposta a queste domande richiede di tenere separati i piani di azione.

Sul piano giuridico, la privatizzazione degli affetti e dei desideri individuali rischia di svuotare la famiglia dei suoi compiti primari, riducendola a “luogo dell'affettività”. In tal senso, il termine *privatizzare* va realmente ricondotto alla propria origine etimologica, ossia *privare*: ha svuotato di qualche cosa una realtà che era portatrice di caratteristiche e requisiti intrinseci, che ora rischia di non avere più. Centrato sulla soddisfazione dei bisogni individuali, il diritto sta dando forma a diritti individuali auto-referenziali,¹⁰ secondo la formula *Voglio, dunque ho dei diritti*, che sta trovando applicazione soprattutto in relazione alla coppia e alla filiazione. Un *diritto-pretesa* considerato come quanto di più connaturato vi sia al soggetto, perché di sua spontanea e immediata percezione.

In tal senso, è necessario riflettere su come restituire ai diritti individuali, applicati all'ambito familiare, quella dimensione relazionale, essenziale

⁹ F. Botturi, Soggettività sociale della famiglia: una prospettiva genetica, in A. Neri, I. Lloréns, *I fondamenti relazionali...*, cit. 41-51.

¹⁰ Cricenti G., *Il sé e l'altro. Bioetica del diritto civile*, Roma, Aracne, 2012; Violini L., *I diritti fondamentali e il loro futuro: il banco di prova del biodiritto*, in Andrea Pin (a cura di), *I nuovi diritti dell'uomo. Le sfide della società plurale*, Venezia, Marcianum Press, 2012, pp. 121-142.

per salvaguardarne la giustizia. Ogni vincolo familiare, infatti, ha un carattere intrinsecamente giuridico, che l'individualismo tende a snaturare: così la maternità, la fraternità o la sponsalità, a cui non vanno riconosciute solo spettanze esterne, ma contenuti antropologici fondanti, propri di queste relazioni. Dunque, pensare in termini di *diritti familiari relazionali* può essere decisivo.

Sul piano della riflessione ecclesiale e pastorale, poi, è quantomeno necessario prendere sul serio quanto segnalato in *Amoris laetitia*, e cioè che tutto quanto detto finora sul significato dell'amore sponsale e la sua necessità di essere stabile, certo e definitivo, non esclude che l'amore quotidiano non solo sia sempre e inevitabilmente *perfettibile*, ma debba accettare di *convivere con l'imperfezione* (AL 113). La dinamica dell'amore familiare attiene alla dimensione dell'*essere*, non del *dover essere*. Non è un ideale da realizzare, ma una realtà dinamica mediante la quale si realizza il bene umano, in una duplice dimensione: come bisogno di completamento dell'individuo nella relazione con l'altro e come luogo di dono e accoglienza in virtù della naturale dipendenza reciproca degli esseri umani.

Il Santo Padre Francesco, con grande lucidità, elabora in tal senso nell'esortazione apostolica *Amoris laetitia*, una psicologia e una teologia dell'*amore familiare* non idilliaca e astorica, ma consapevole del fatto che uomini e donne siamo una complessa combinazione di luci e ombre, per cui nella realtà «non esistono le famiglie perfette» (AL 135) ed ogni famiglia richiede sempre un graduale sviluppo della propria capacità di amare (AL 325). Il fine ultimo, ma concreto, per ogni relazione d'amore, è che quell'amore sappia generare vincoli, coltivare legami (AL 100), perché sono i legami che strutturano l'uomo e lo rendono ciò che è: soggetto-in relazione.

Prendendo, dunque, le mosse dalla considerazione delle relazioni familiari fondamentali: coniugalità, paternità/maternità e filiazione, e fraternità, l'espressione *amore familiare* si riferirà all'intreccio e all'insieme dell'amore coniugale, dell'amore paterno/materno/filiale e dell'amore fraterno. Ciascuno di quegli amori andrà curato e salvaguardato, pena la sofferenza dell'amore familiare e di ogni relazione al suo interno.

Ciò che oggi, infatti, è urgente recuperare è la capacità di *prendersi cura di queste relazioni*. Se la relazione è sempre un terzo rispetto ai soggetti che la vivono, di questo terzo è davvero indispensabile avere cura.

A tal fine, come Chiesa abbiamo bisogno di dotarci di nuove *competenze relazionali*, che sappiano accompagnare i giovani, gli sposi, ma anche e in special modo tutte quelle famiglie che ancora non vivono nella realtà sacramentale del matrimonio, per camminare con loro verso la pienezza

dell'amore cristiano.

Rivedere la metodologia e il nostro modo di proporre i contenuti della preparazione al matrimonio, ad esempio, nella prospettiva di un vero e proprio *catecumenato matrimoniale*, è ciò che auspica il Santo Padre Francesco. Un catecumenato inteso come “itinerario indispensabile dei giovani e delle coppie destinato a far rivivere la loro coscienza cristiana” a partire dal Battesimo, che “diventi parte integrante di tutta la procedura sacramentale del matrimonio”¹¹ e non solo abbia inizio con una preparazione molto remota ai ragazzi più giovani, perché venga loro proposta l'idea del matrimonio come una vocazione cristiana, fin da quando sono bambini; ma prosegua per tutta la vita coniugale, proprio perché il catecumenato “nella vita necessita del carattere permanente, essendo permanente la grazia del sacramento matrimoniale”.¹²

In tal senso, abbiamo di fronte a noi una vera e propria emergenza pastorale, che ci richiede uno sforzo notevole per abbandonare schemi ormai vecchi e inadeguati, che si accontentano di accompagnare con incontri “lampo” le coppie che si preparano al matrimonio, prendendo invece sul serio l'esigenza del grande Popolo di Dio, formato da laici, uomini e donne, che desiderano costruirsi una famiglia, sentendosi parte della Chiesa.

Con coraggio è pure necessario raggiungere e abbracciare tutte quelle famiglie, fondate solo sulla convivenza, che, non avendo ancora compiuto il passo del matrimonio cristiano, si avvicinano timidamente alla Chiesa. Avere cura dei loro beni relazionali può condurle alla scoperta di un amore davvero sponsale. “In queste situazioni potranno essere valorizzati quei segni di amore che in qualche modo riflettono l'amore di Dio” (AL 294), avviando *processi* (EG 223) che, con gradualità, possano condurre le coppie a scoprire la bellezza cristiana del loro legame. Ciò sarà di aiuto non solo a queste coppie, ma anche alla Chiesa: «è sano prestare attenzione alla realtà concreta», perché «le richieste e gli appelli dello Spirito risuonano in essa e «la Chiesa [così] può essere guidata ad una intelligenza più profonda dell'inesauribile mistero del matrimonio e della famiglia» (AL 31).

Sarà, dunque, necessario far sì che tra formatori e accompagnatori si sviluppino nuove *competenze relazionali*. Ma è indispensabile anche far emergere una *nuova categoria teologico-pastorale*: la *relazione*, declinata nella

¹¹ Francesco, Discorso in occasione dell'Inaugurazione dell'Anno Giudiziario del tribunale della Rota Romana, 21 gennaio 2017. Cfr. anche *Amoris laetitia* 205-211.

¹² Francesco, Discorso in occasione dell'Inaugurazione dell'Anno Giudiziario del tribunale della Rota Romana, 29 gennaio 2018.

duplice veste di relazione sponsale e di relazione familiare.¹³ Il “noi” coniugale è un bene relazionale, è il primo “figlio” della coppia da allevare con tenerezza, dedizione e pazienza, pena l’incapacità di vivere relazioni lunghe, in grado di portare alla pienezza dell’amore familiare. Allo stesso modo, ogni “noi” familiare va curato con tenerezza e dedizione: così la relazione materno/filiale, fin dalla gravidanza, che ha bisogno di una speciale cura da parte della Chiesa: accompagnare le madri con una spiritualità attenta al tempo e al “mistero” della gravidanza può essere decisivo per accompagnare tante situazioni complesse, in cui l’accoglienza della vita è a rischio; così come bisogna aver più cura della relazione padre/figlio; delle relazioni tra fratelli e tra nonni e nipoti.

È responsabilità della Chiesa rendere le famiglie consapevoli che le relazioni che le uniscono sono “cammini dinamici di crescita”, che richiedono di lottare, di rinascere, di reinventarsi e ricominciare sempre di nuovo (AL 124).

Il nostro agire pastorale, perciò, deve mostrare ancor meglio che la relazione con Dio Padre esige e incoraggia una comunione che guarisca, promuova e rafforzi i legami interpersonali. La famiglia è lo snodo di questi legami, dei beni relazionali, ma dobbiamo rimetterla al centro dei nostri discorsi pastorali con chiarezza e decisione. Mentre nel mondo riappaiono guerre e scontri, abbiamo il dovere di insistere nella proposta di riconoscere l’altro, di sanare le ferite, di costruire ponti¹⁴ a partire dalla famiglia, dove si può imparare la pace.

¹³ Cfr. C. Rocchetta, *Una chiesa della tenerezza. Le coordinate teologiche dell’Amoris laetitia*, Bologna, 2017, 47.

¹⁴ Cf. *Evangelii gaudium*, 67.

THE DEMOGRAPHIC DYNAMICS OF FAMILY STRUCTURES: A WORLD VIEW

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Abstract

The Demographic Dynamics of Family Structures: A World View

The major changes made in the evolution of populations of the world in the twenty-first century are: demographic transition and fertility decline, very few families in some countries as “demographic winter”, urbanization changing the exercise of family solidarity, effect of migrations on families, aging posing the question of solidarity between generations. It is important to explain why the marriage rate decreases in the world as cohabitation increases. Yet the family remains the basic institution for the education of children around the world. We must therefore ask what policies would foster families.

Résumé

Les dynamiques démographiques des structures familiales : une vue mondiale

Les changements majeurs enregistrés dans l'évolution des populations du monde au XXI^e siècle sont les suivants : transition démographique et baisse de la fécondité, familles très peu nombreuses dans certains pays en « hiver démographique », urbanisation modifiant l'exercice des solidarités familiales, effet des migrations sur les familles, vieillissement posant la question des solidarités entre les générations. Il importe d'expliquer pourquoi le taux de nuptialité diminue dans le monde alors que la cohabitation augmente. Pourtant, la famille demeure, dans le monde entier, l'institution de base pour l'éducation des enfants. Il faut donc se demander quelles politiques familiales sont souhaitables.

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In the twenty-first century, the great demographic current born of the unprecedented scientific, medical, pharmaceutical and economic development of the last two centuries has swept families around the world along. The countries of the North were the first to see a decrease in mortality and a considerable increase in the survival rate of newborns, children and adolescents; then their families progressively adapted their fertility accordingly, generally starting at the end of the 19th century: less infant mortality, less infant-teenage mortality, and therefore less fertility and a lower birth rate. In the countries of the South, the fight against mortality was or remains later and, therefore, the adaptation by families to the decline in their fertility more recent.

In total, on a global scale, the most striking movement is the reduction in family size, which is well illustrated by the decline in fertility from 5 children per woman in the early 1950s to 2.3 in 2021 (Figure 1), a decline that predates the probable, but limited, downward effects of the Covid-19 pandemic. This comparable decline is the result of a number of factors, including the fact that the number of children per woman has declined since

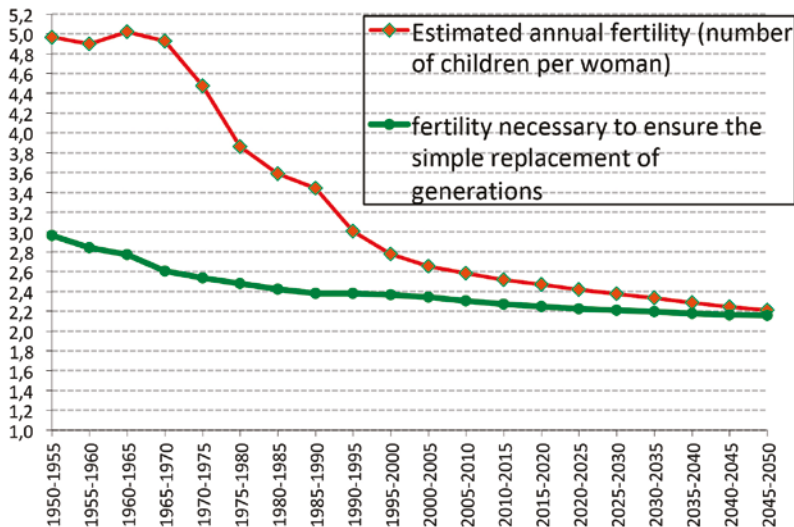


Figure 1. Fertility and population replacement level in the world. © Gérard-François Dumont - Chiffres WPP, 2019, données puis projection moyenne.

the 1950s. This likely decline is the result of two very different processes: the advancement of the demographic transition in the countries of the South; and the entry into the “demographic winter” in many countries of the North.

Reduction in family size as a result of the demographic transition

Demographic transition requires a rigorous definition.⁴ It designates a period of variable duration (between 50 and 150 years, depending on the country) and intensity (it multiplies the population by two to more than seven), during which a population passes from a demographic regime of high mortality and birth rate to regime of low mortality and low birth rate.

The demographic transition includes two stages. The first is the period during which economic, health and hygienic progress makes it possible to record a very significant reduction in the mortality of newborns (infant mortality – Figure 2), children and adolescents (infant-teenage mortality) and women in childbirth or as a result of childbirth (maternal mortality). This results in an increase in life expectancy at birth from, for example, 30 years to 60 years. In this case, this means, *ceteris paribus*, at least a doubling of the population since, if each human remains twice as long a tenant on Earth, this multiplies the population by two. During this first stage of the demographic transition, where the decrease in the mortality rate is important, the birth rate remains high, equivalent to that of the period before the demographic transition. As a result, the difference between the death rate and the birth rate increases, which has the mathematical consequence of increasing the natural growth rate of the population. This first stage can therefore be referred to as the increase in the natural growth rate, with the effect of a sharp rise in the number of inhabitants.

The second stage of the demographic transition is different in nature. It also involves a reduction in mortality, but its intensity is much lower than in the first stage. In fact, once progress, particularly in the areas of medicine, hygiene and behavior, has made it possible to reduce infant, child and maternal mortality by two-thirds, it is possible to make further progress. However, their proportion in relation to the initial situation is necessarily lower.

In this second stage of the demographic transition, the essential change comes from the birth rate. The birth rate starts to fall because couples have realized the considerable improvement in survival rates. There is therefore

⁴ Dumont, Gérard-François, *Géographie des populations. Concepts, dynamiques, perspectives*, Paris, Armand Colin, 2018. <https://doi.org/10.3917/arco.dumon.2018.02>

no longer a need for as many births to satisfy the offspring that couples expect, since the chances of survival of newborns and children have increased considerably. This is why couples adjust their fertility downwards, which eventually leads to a more intense decrease in the birth rate than in the death rate. Consequently, the second stage is characterized by a decrease in the natural growth rate, since the gap between the birth rate and the death rate is narrowing. The second stage is thus one of deceleration, with a kind of brake on the rate of natural increase that leads to its continuous reduction.

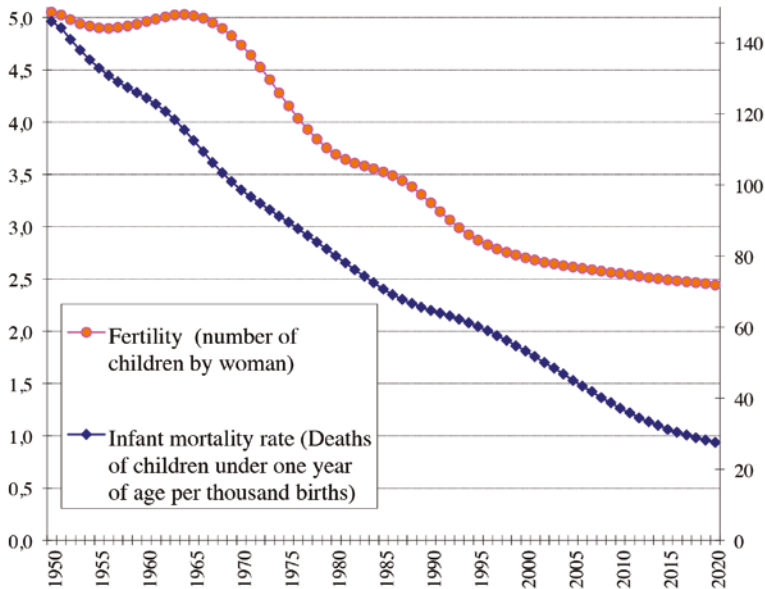


Figure 2. Fertility and infant mortality rate in the world (World). © Gérard-François Dumont - Chiffres WPP, 2019, données puis projection moyenne.

This mechanism of demographic transition is essential because it explains the unprecedented demographic growth in the world over the last two centuries and, for example, the increase from 1.6 billion inhabitants in 1900 to an estimated 7.8 billion by mid-2021.⁵ It belies a common be-

⁵ Sardon, Jean-Paul, « La population des continents et des pays. Quels effets de la pandémie Covid-19 ? », *Population & Avenir*, n° 755, novembre-décembre 2021, <https://doi.org/10.3917/popav.755.0014>

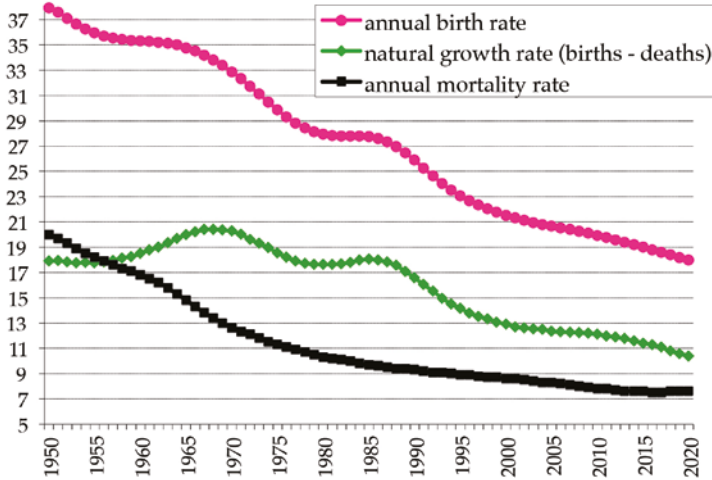


Figure 3. Natural movement in the World. © Gérard-François Dumont - chiffres WPP 2019.

lie that the nearly fivefold increase in the world's population during the 120-year period cited is due to a tendency of couples to have high fertility. In fact, the growth of the world population is not due to a high birth rate, which would have increased for two centuries, but to a mortality rate that has collapsed, considerably widening the gaps between mortality and birth rate that is nevertheless decreasing.

The world's population growth is therefore mainly due to the progress that has allowed mortality to decline, not to an excessive birth rate in absolute terms. Indeed, between 1950 and 2021, the average birth rate in the world, which was 37.9 births in 1950, is estimated to be 18‰ in 2021, a 52% decline in seventy years. Let us examine the difference between the average birth and death rates in the world (Figure 3). This difference shows, again as a world average, that the natural growth rate has been generally upwardly mobile from the beginning of the demographic transition, in the last decades of the eighteenth century,⁶ at the end of the 1960s, with a historical maximum of 2.04 additional inhabitants per year per hundred

⁶ Period when the demographic transition begins only in a few European countries while the rest of the world is still in what Adolphe Landry called the "primitive" regime, i.e. very high mortality and birth rates. Cf. Landry, Adolphe, *La révolution démographique*, Paris, 1934, réédition Ined, 1982.

inhabitants. Then the world entered the second stage of the transition, that of deceleration: the natural growth rate dropped to 1.04% in 2021, a reduction of half in fifty years.

The demographic transition is characterized by a driving force, the decline in mortality, which leads to a decrease in fertility.⁷ This is the first factor in the reduction of family size. But the latter is explained, in the second place, by a very low fertility rate in certain regions of the world.

“Demographic winter” and strong reduction in family size

In fact, for countries that have completed their demographic transition, i.e., are in a post-transitional period, fertility has often fallen significantly and durably below the threshold of simple generation replacement;⁸ the number of young people is decreasing in absolute and relative terms. To denote this situation, I proposed, at the end of the 1970s, the expression “demographic winter”,⁹ condition in which Europe (Figure 4) as a whole finds itself, but also several countries in other regions of the world, such as Japan¹⁰ or South Korea. Several countries whose demographic winter had been limited for a period of time have just experienced a decline in their fertility in the 2010s, including France¹¹ and the United States: this would be the “end of the American exception”.¹²

Fertility is therefore lower, often well below the replacement level. Countries in “demographic winter” are experiencing a sharp decline

⁷ Of course, in relation to the world average, fertility can vary greatly from one country to another due to various factors; cf. Sardon, Jean-Paul, Calot, Gérard, « Les incroyables variations historiques de la fécondité dans les pays européens. Des leçons essentielles pour la prospective », *Les analyses de Population & Avenir*, n° 4, décembre 2018. <https://doi.org/10.3917/lap.004.0001>

⁸ The fertility required for the women of one generation to be replaced number for number in the next generation, i.e., some thirty years later; a population of one hundred women is therefore replaced by a similar population of one hundred women. This threshold is 2.1 children by woman in countries with a high level of health and hygiene.

⁹ Formulation then used for example in: Dumont, Gérard-François *et alii*, *La France ridée*, Paris, Hachette, seconde édition, 1986.

¹⁰ Dumont, Gérard-François, « Japon : le dépeuplement et ses conséquences », *Géo-confluences*, ENS Lyon, 18 octobre 2017.

¹¹ Dumont, Gérard-François, « France : comment expliquer quatre années de baisse de la fécondité ? », *Population & Avenir*, n° 742, mars-avril 2019. <https://doi.org/10.3917/popav.742.0017>

¹² May, John F., « Géopolitique et évolution des populations aux Etats-Unis », *Population & Avenir*, n° 757, mars-avril 2022. <https://doi.org/10.3917/popav.757.0014>

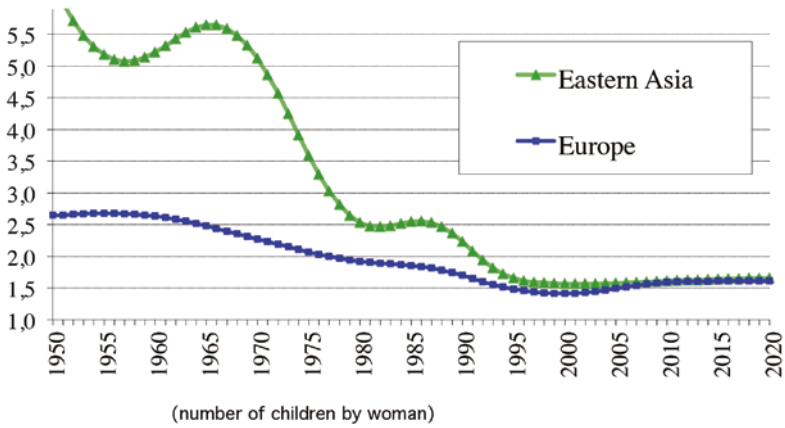


Figure 4. Fertility in East Asia and Europe: the “demographic winter”. © Gérard-François Dumont - Chiffres WPP 2019.

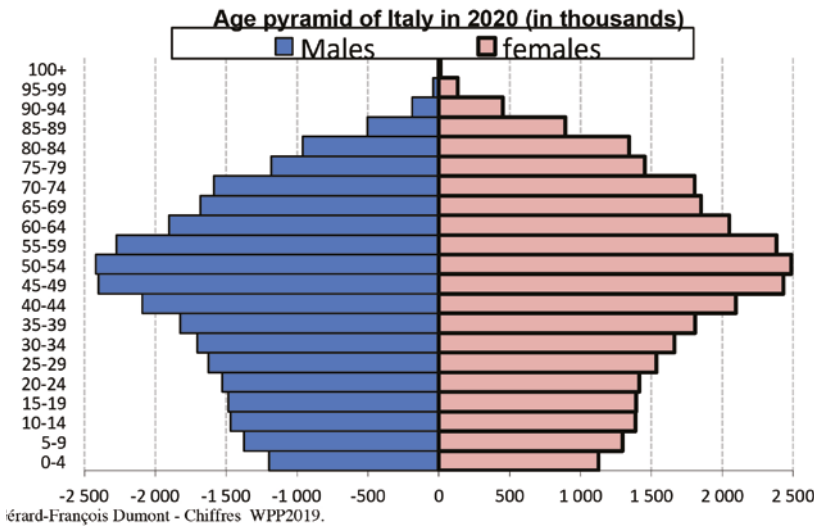


Figure 5. The age pyramid of Italy. © Gérard-François Dumont - Chiffres WPP2019.

in large families (three or more children) and an increased percentage of childless couples or singles, or one-child households. If this situation persists, 100 women in one generation will be replaced in the next generation by only 70 women, which means that there is already an ageing population

“from below” and the risk of depopulation, unless there are considerable migratory inflows.

In this context, the economic, social and political consequences can be considerable. Already, we cannot understand certain decisions and attitudes of European populations without considering this demographic contraction of the younger generations. One of the questions raised by this situation concerns the transmission of culture. Let us consider, for example, the age pyramid of Italy (Figure 5). The number of young people is much lower than that of previous generations. How can so many values, skills and knowledge be passed on from one generation to the next when the latter is far fewer in number? If life can be likened to a relay race between generations, when the arrivals are much less numerous than the previous ones, the handover can only be partial.

The contraction of family size is the result of the demographic transition and especially, in post-transitional countries, of the demographic winter. A second major demographic process, urbanization, is changing family structures.

Urban attraction and the distancing of generations from the family

Before the demographic transition, the only determinant of urbanization was migration. Indeed, given the high urban mortality rate, the urban natural balance was negative and the population of cities was maintained only by the arrival of new populations. Since the demographic transition, the growing concentration of the world’s population in cities is a global phenomenon. The estimates of urbanization in the world, proposed by the UN Population Division, underline the importance of this process. Indeed, from 1950 to 2020, the UN indicates a world population growth of 207%, from 2,536 to 7,837 million inhabitants. But within this total, the rural population would have increased by only 91%, while the urban population would have grown from 751 to 4,379 million, a progression of 383% (Figure 6). Urbanization is the result of a process that has been driven for two centuries by multiple determinants.

The so-called “proximate” determinants, those that are easily quantifiable, are the most obvious. This is the demographic transition, which also increases the life expectancy of urban populations and thus increases the number of urban dwellers. Thus, when the life expectancy of a city’s population doubles, its number of inhabitants, *ceteris paribus*, also doubles. The “proximate” determinant of urbanization is therefore simply the surplus of births over deaths, as in the world population as a whole, within the perimeters of cities, whether old or extended.

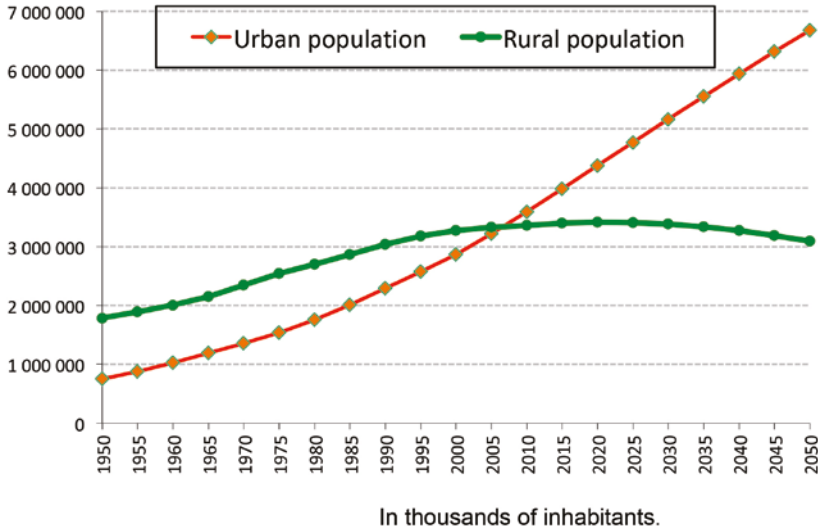


Figure 6. Urban and rural populations in the World (estimates then average projection). © Gérard-François Dumont - Chiffres WUP, 2018.

To understand urbanization, two other demographic factors must be put forward. First, cities have received or are receiving rural emigration of an essentially economic nature, through various mechanisms: departure of rural workers to cities where industrial sites are being developed, departure of rural populations with little hope of agricultural employment given the increase in productivity in the primary sector, economic and fiscal policies that discourage farming and reduce the profitability of agriculture, absence or inadequacy of agrarian reforms that could have given hope of promotion to agricultural workers, development of tertiary employment that is essentially established in cities and especially in large towns, etc. In most cases, this rural emigration distances the generations of young workers, who move to the city, from their ancestors who remain in the rural world. The result is different family structures, a geographical distance that modifies the exercise of family solidarity.

Another factor in urbanization is emigration to cities of a political nature, as a result of military or civil conflicts, which have often had an accentuating effect on the growth of certain large cities.¹³ This second factor

¹³ Like Athens, Lima, Bogotá, Amman or Algiers.

is also likely to separate the generations within the family, when the older ones do not feel the strength to escape the risks of a conflict.

Behind the quantitative, demographic elements measuring the importance of urbanization, we must not forget the “distant” determinants, i.e. various qualitative, political, geographical or multiple explanatory factors.¹⁴ Let us limit ourselves here to certain political factors.

Here, it is a country that chooses a new capital, as in the past, Japan with Tokyo, Russia with St. Petersburg or the United States with Washington and, more recently, Brazil with Brasilia or Nigeria with Abuja. There, a centralist vision of political power favors the political capital. Elsewhere, it is a political power that changes its land-use policy. Thus, China, after having restricted the growth of its cities under Mao, then applied new regulations to some of its territories, which stimulated rural emigration and, as a result, urban demographic growth¹⁵ and, therefore, the separation of generations within families. In addition, China’s *hukou* (residence permit) system, which deprives hundreds of millions of urban immigrants of the right to have their children attend schools in the cities where they live and work (without permission), has led to the tragedy of children being “left behind” in the countryside while their parents work in the city. As a result, this country has a tragedy of “children left behind”, i.e. left in the countryside while their parents work in the city. This is why many Chinese children are, for the most part, raised by their grandparents in the countryside, living without their parents by their side or seeing them only rarely, often not even once a year.

The lives of many families are changed by another demographic process, that of international migration.

International migration and family removal

Indeed, the number of international immigrants has increased significantly in recent decades. The UN defines an immigrant as a person living in a country other than the country of his or her birth, for a period of at least one year. According to UN estimates, in 1980 there were 100 million immigrants in the world. Ten years later, in 1990, the figure rose to 155

¹⁴ Dumont, Gérard-François, *Urban demographic transition*, Urban development issues (UDI), scientific quarterly, vol. 56, 2018. DOI: 10.2478/udi-2018-0009

¹⁵ Dumont, Gérard-François, Yiliminuer, Tuerxun, « Les migrations internes accentuent l’inégalité historique du peuplement de la Chine », *Informations sociales*, n° 185, septembre-octobre 2014.

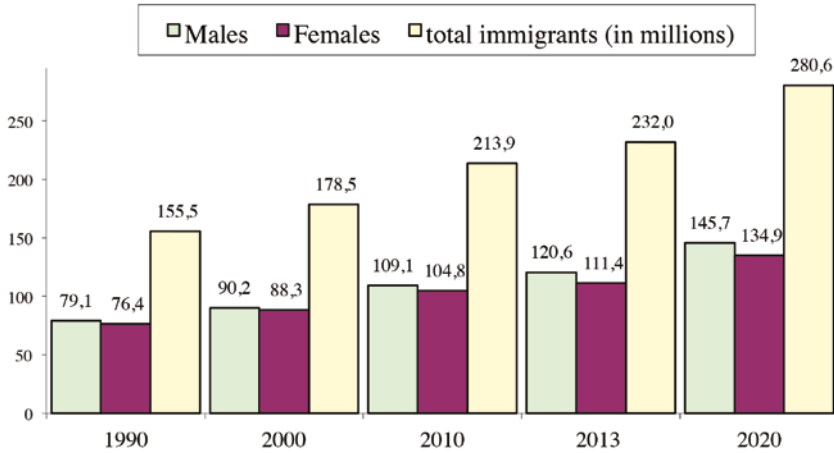


Figure 7. The number of immigrants in the World. © Gérard-François Dumont - Chiffres ONU 2019.

million, then to 178 million in 2000, 214 million in 2010, 232 million in 2013 and 280 million in 2020 (Figure 7). This increase can be explained both by a combination of traditional migration factors, essentially political or economic in nature, and by the context of globalization, which is helping to stimulate international migration.

Insofar as migration is concentrated in the age group of young workers, 18 to 34, who often migrate alone,¹⁶ migration inevitably results in a geographical distance between the generations of a family in this age group and the ascendants, or even the descendants, when the children of migrants remain in the territory of origin of their parent(s) who migrated. This distance is more or less important according to the distance separating the place of origin from the place of residence of the immigrant, the importance of the transport networks and the greater or lesser ease of crossing borders. The northern Italian who has migrated to Bavaria, to Munich, can quite easily join his family on a regular basis, benefiting both from a satisfactory transport network and from Italy's, Switzerland's and Germany's membership of the Schengen area. Although the United Kingdom

¹⁶ This is less the case for exoduses due to war or civil conflict, which are more often accompanied by family migration, as has unfortunately been observed in Syria and Iraq in recent years.

is not part of the Schengen area,¹⁷ the migration of a Frenchman to London represents a limited distance due to the existence of a fast train, the Eurostar, which uses the Channel Tunnel, which has been available since 1994. In West Africa, the possibility for migrants to return periodically to their place of residence, where the rest of their family lives, is easier in the regional grouping formed by the Economic Community of West African States (ECOWAS), which has introduced a common passport.

On the other hand, family separation is generally more important in the case of intercontinental migration, for example of Chinese to the United States or Europe, Africans to North America, or Filipinos to the United States. In the second half of the twentieth century and even more so in the twenty-first, the effects of family estrangement due to migration are obviously of a different nature¹⁸ than in previous centuries, when slower transportation and non-existent communication technologies often made intercontinental migration a definitive break with the rest of the family back home. In the 21st century, the Web, e-mail, mobile telephony or Skype are likely to be able to preserve, albeit at a distance, family ties and, therefore, to reduce the effects of geographical distance. However, in addition to geographical distance, we must not forget the other concrete dimension of a migrant's life: time and, more specifically, the effects of time difference, which impose constraints on exchanges with family members living in the country of origin.

However, for the life of the families, two types of situations may arise depending on the country of residence of the immigrant. In some countries, such as those of the Arabian Peninsula (Saudi Arabia, Bahrain, United Arab Emirates, Kuwait, Oman, Qatar), family migration is impossible for almost all immigrants. These countries admit as immigrants essentially only single persons, therefore unaccompanied by their families, male or female, depending on the tasks to be performed. Thus, the countries of the Arabian Peninsula have about 18 million immigrants who live far from their families in their countries of origin (India, Pakistan, Bangladesh, Ethiopia...). Only a minority of immigrants (from North America or Europe), belonging to the upper social categories and working in highly skilled jobs, can bring their families over.

¹⁷ Dumont, Gérard-François, Verluise, Pierre, *Géopolitique de l'Europe : de l'Atlantique à l'Oural*, Paris, PUF, 2015.

¹⁸ Dumont, Gérard-François, « Immigration : la question de l'intégration dans un contexte fondamentalement nouveau », *Les analyses de Population & Avenir*, n° 21, février 2020. <https://doi.org/10.3917/lap.021.0001>

On the other hand, some countries give legal immigrants the right to bring their families. This is the case, for example, of European countries that have ratified the Convention for the Protection of Human Rights and Fundamental Freedoms, better known as the European Convention on Human Rights, which was opened for signature in Rome on November 4, 1950 and came into force in 1953. It was the first instrument to concretize and make binding some of the rights set forth in the Universal Declaration of Human Rights. Among these rights, its article 8 states a “Right to respect for private and family life”, specified in § 1 as follows: “Everyone has the right to respect for his private and family life, his home and his correspondence”. In application of this recognized right, the signatory countries of the European Convention on Human Rights implement it and accept the migration of the members of the immigrant’s family. This right has important effects since, for example in France, the main immigration flow of the last decades has been the arrival of families, often of new spouses, coming to join one of their members already residing on the French territory. This right must be considered as being really exercised insofar as it is controlled by a court of justice, the European Court of Human Rights, which can be seized directly of individual and state applications alleging violations of the civil and political rights set forth in the Convention.

Thus, with regard to family life, migration presents two types. First, it disrupts family life because it leads to separation for long periods. On the other hand, in countries where family reunification is practiced, the effect of family separation due to migration is much less marked.

Then, a fourth process, population ageing, is unfolding worldwide in the twenty-first century, a process unprecedented in human history. In previous centuries, humanity has never recorded such high absolute and relative numbers of elderly people. In order to understand this process, it is first necessary to specify its nature.

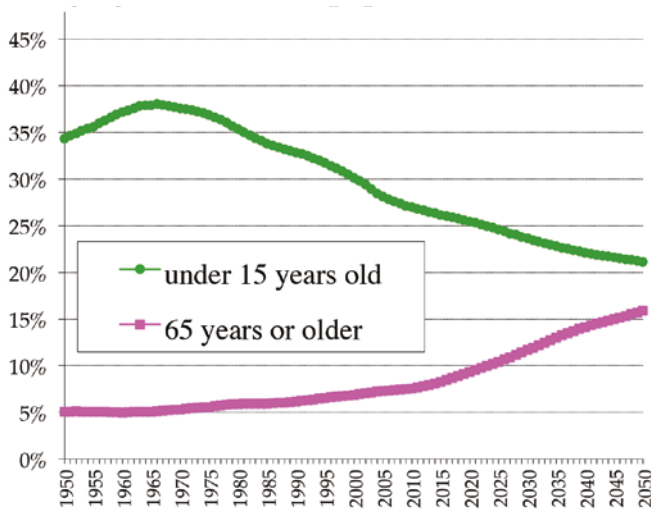
Aging of the population, “geronto-growth”...

Under the term aging,¹⁹ two different elements must be distinguished, each of which is new. The first is the result of a structural effect, i.e., a change

¹⁹ Concerning young people, cf. Dumont, Gérard-François, « Les évolutions démographiques de la jeunesse dans le monde », dans : The Pontifical Academy of Social Sciences, *Vanishing Youth? Solidarity with children and young people in an age of turbulence*, Acta 12, Vatican City, 2006.

in the age composition of a population: this is aging in the strict sense, i.e., the increase in the proportion of elderly people in the total population. The second element being a flow, I have proposed a neologism to distinguish it because its intensity can, according to the territories and according to the periods, be similar or opposite to the aging itself. Thus, the term “geronto-growth”²⁰ refers to an increase in the number of elderly people.

The fact that the world’s population is aging is indisputable. In 1950, the percentage of people aged 65 or more in the world was 5%. It began to rise in the 1970s and by 2015 the proportion had risen to 8.2%. According to the average projection,²¹ this increase is expected to become more pronounced as the 21st century progresses, with 10% being reached before 2025 and the year 2035 reaching 12.8%. Aging has specific causes that result, on a global scale, from the combination of three factors.



Proportion of the age group in the total population.

Figure 8. Aging of the World’s population. © Gérard-François Dumont - chiffres WPP 2019 évalués puis projection moyenne.

²⁰ “Geronto-growth” and “geronto-degrowth” are words formed from the Greek *gerôn* or *gerontos*. They have entered the *Dictionnaire de Géographie*, Paris, Ellipses, 2005. Cf. également Dumont, Gérard-François et alii, *Les territoires face au vieillissement en France et en Europe*, Paris, Ellipses, 2006.

²¹ WPP, The 2019 Revision.

The first is the lower fertility, explained above, which results in what is called “ageing from below”. Indeed, as a result of the decline in fertility worldwide, and despite the decline in infant and child mortality, the number of young people in the world is lower than it would be if fertility had not declined. Correlatively, this increases the proportion of older people.

The second factor in the aging of the population is the decline in age-specific mortality rates of the elderly, which has led to an increase in their life expectancy, resulting in what is known as “top-down” aging. The latter can be explained first of all by the fact that gains in mortality, but also in morbidity, at young ages are also translated into gains at later ages for the same generations, by a somewhat mechanical effect. But the essential reason is elsewhere. Aging “from above” only really became intense, essentially in the countries of the North, in the 1970s, when health policies, having achieved remarkable results in reducing infant, child and maternal mortality, focused more on improving the survival rates of the elderly.

The legacy of past developments, i.e., the effects of the demographic history of the last few decades, is the third explanatory factor for ageing, a factor that will play a major role in the future. Indeed, the generations of older people reaching the age of 65 or more in the 2030s will be the result of the number of births that occurred 65 years earlier. Since the number of births worldwide increased from the 1950s to the 1980s and then remained in the range of 130 to 140 million depending on the year, the increase from the 1950s to the 1980s will be reflected in the number of older persons in the 2020s and 2050s, especially as survival rates before age 65 have improved.²²

In addition to ageing in the strict sense of the term, it is important to consider the flow of elderly people, which is reflected on a global scale by “geronto-growth”. The latter has been high over the last few decades. In 1950, there were 128 million people aged 65 or more in the world. A first doubling occurred in 35 years, from 1950 to 1985, and then a second

²² A fourth factor affects the intensity of aging. It is not operational on a global scale but only on the various scales of the different territories of the planet: this is migratory exchanges and, more precisely, the age composition of immigration and emigration specific to each territory. Territories that attract young populations and see older populations emigrate slow down or even reverse their ageing process, which is often the case for inner cities. On the other hand, areas that see young people leave and/or receive older people accentuate their own aging.

doubling between 1985 and 2010, when the number of people aged 65 or more reached 477 million, the result of a quadrupling in 60 years. According to the medium projection, the number could exceed 1 billion between 2030 and 2035, reaching 1.1 billion in 2035.

This considerable change is due to two of the factors mentioned above: on the one hand, the increase in life expectancy of the elderly; on the other hand, the arrival at age 65 of more numerous generations, due to the double effect of more births 65 years earlier and the improvement in the survival rate of these generations. In contrast, fertility has no effect on geronto-growth, or only for a period longer than six decades.

Population aging, in the two forms analyzed above, is thus a global process. However, its intensity varies greatly from country to country and from territory to territory.

... and intergenerational family solidarity

In some countries, mainly in sub-Saharan Africa, the elderly are still a phenomenon of scarcity because the high mortality that affected their generations when they were young and the relatively low life expectancy of the elderly. As “what is rare is expensive”, this scarcity can contribute to a better respect and listening to the elderly, well highlighted by this African saying: “an old man who disappears, is a library that burns”. This saying means that the elderly are the equivalent of libraries because they have their own experience, an experience of life that younger people do not necessarily have and that the elderly can transmit orally while they are still alive.

Conversely, in other countries, the high percentage and number of elderly people do not make them rare. In some regions, such as China, rapid ageing even represents a challenge for states that must set up systems of intergenerational solidarity that are still largely insufficient.

In countries in the North, where generalized pension and health insurance systems already exist, they require relatively high contributions from the working population to finance them. There is a risk that this situation will lead to a lesser consideration for the elderly. This may result²³ in less pension payments, limitations on health insurance, withholding treatment for certain illnesses when the person reaches a high age, or even legislating euthanasia, as has already been done in some countries. While the legalization of euthanasia may appear to be the result of compassionate attitudes,

²³ Parant, Alain, « La protection sociale face au vieillissement », *Population & Avenir*, n° 700, novembre-décembre 2010.

in reality it is more a reflection of society's refusal to fund palliative care or medical research that could improve gerontological medicine.

On the contrary, the presence of many elderly people calls for a new organization of society that knows how to value this age group in social and family life, for example by allowing it to play a very useful role in everything that concerns the common good or for the family, particularly by contributing to education.

This dynamic of ageing "from above" is changing the composition of families with, essentially in the countries of the North, the coexistence of four generations; this can result in sometimes delicate choices, when the generation of grandparents has to balance its solidarity with that of great-grandparents and with that of their adult children and grandchildren. Family solidarity must indeed be exercised towards the oldest as well as the youngest.

This family solidarity may be facilitated when the homes of the different generations are close together, but it may be more difficult in the opposite case: there may then be a risk of family jealousy between those who live close to the previous generation and consequently benefit from fairly frequent emotional ties or, for example, regular investment by the grandparents in looking after the grandchildren, educating them and helping them with their homework, whereas the grandchildren who are geographically further away may have less frequent ties.

Among the demographic dynamics affecting the family, the fifth category is countries where the sex ratio is abnormally high.

Masculinity rate and family life

First example: in China,²⁴ official population policy has had perverse effects, with particularly high sex ratios at birth of up to 122 for births of rank two,²⁵ and significant excess mortality of girls before the age of five.

Indeed, the Chinese adage *yang'er fang lao*, "raising a son to prepare for old age" is explained by the fact that there is hardly any retirement for peasants, the custom being that the daughter goes to her husband's family. If it is necessary to reduce one's descendants, one tries to have fewer daughters. In the whole world, about 105 boys are born for every 100

²⁴ Dumont, Gérard-François, « Le déficit des filles en Chine : vers un nouvel enlèvement des Sabines ? », *Monde chinois*, n° 15, automne 2008.

²⁵ That is, the births corresponding to the second children of the same mothers.

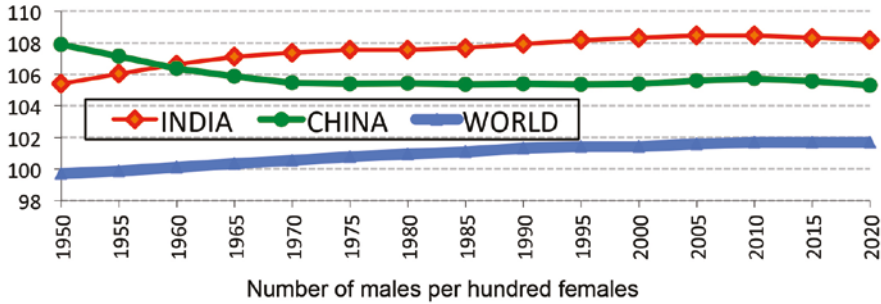


Figure 9. The rate of masculinity in the World, China and India. © Gérard-François Dumont - Chiffres WPP, 2018.

girls,²⁶ and this same sex ratio at birth was found in China in the 1960s and 1970s. But in the 1980s, it rose to 113.8 and reached 115.6 in 1995. In the 2000s and 2010s, it is mainly due to selective abortions following ultrasound scans or amniotic fluid analyses, which were prohibited by law in 1991. It reaches 132 boys for every 100 girls for births of rank 3 – last attempts to have a son. Infanticide, which is severely punished, appears to be rare. However, the mortality rate of young female children is worryingly high, while worldwide there is still an excess of male infant mortality. All in all, China's age and gender composition is particularly clashed with many families without gender diversity in the younger generation, with the only child being a boy. Admittedly, since 2016, China has ended the one-child policy and even allowed for a third child. But, to date, this has not had any effect on the birth rate, and economic problems are usually cited as the reason. This overlooks the negative effects on family formation of the shortage of women and the high level of urbanization, in a country where a male cannot marry unless he has acquired home ownership.

Another example: in India,²⁷ women feel obliged to have a son, therefore to get rid of the girls. If female infanticide has not disappeared, especially in the North, it is in sharp decline, supplanted by selective abortion after research into the sex of the fetus. Most castes and regions use trans-

²⁶ Amazed by the regularities he noticed in his demographic studies, Johann Peter Süssmilch published a demographic study in Prussia in 1741, which he entitled *L'ordre divin*, réédition Paris, Ined, 1984.

²⁷ Brigitte Dumortier, Philippe Cadene (direction), *Inde : une géographie*, Paris, Armand Colin, 2015.

vaginal ultrasound or amniotic fluid analysis in specialized clinics, which are expanding rapidly despite government efforts to ban them (in 1978 and again in 1983). In 1992 in Bombay, a forum of doctors and women could strongly criticize the government for not yet having implemented its policy against sexual pre-selection. Yet, gender equality is enshrined in the Indian Constitution and many laws prohibit discrimination on the basis of sex and try to help the advancement of women in all fields. But the girl child is unwelcome in families; she is said to be *nakusha* (unwanted) in Rajasthan, *chevalu* (expenditure) in Tamil Nadu and *vangal* (bad) in Marathi language. “Raising a daughter is like watering a plant in the neighbor’s garden”. Brides are wished “to have a hundred sons!”

The result of these attitudes and behaviors is that in the whole of the Indian Union, for the period 2010–2015, there are 111 boys for every 100 girls at birth, compared to 106 in the 1960s. This gap is even greater in Haryana, where a sort of shortage of wives is emerging, which may make them more valuable. Having sons is a crucial issue for Indian families, who are expected to have sons who will last and prosper, while daughters who leave for their in-laws must be endowed.

The necessary adaptation of family policies

It would therefore seem logical that family policies in each region of the world should adapt their resources to demographic changes and, above all, anticipate future problems (which is what population science allows) by doing everything possible to mitigate the foreseeable negative consequences of certain demographic changes, in particular through education and the promotion of women, while better ensuring the future of elderly parents. In some parts of the world, families, strongly shaped by tradition, remain strong and cohesive, still fulfilling, on a small scale, various social functions that have been theirs since time immemorial – feeding, caring for, and educating children, and caring for elderly parents until they die – duties for which women carry out the largest share. But demographic dynamics threaten this system. They are leading some countries to adopt welfare state policies, but at the risk of breaking down family solidarity, a precious asset.

Elsewhere, these solidarities have often been broken and policies must, as far as possible, seek to make up for the shortcomings observed in incomplete or broken families. In areas that are or have been under communist influence, even if the distribution of rights and duties between families and the state has fluctuated considerably, this care has left deep traces and families, now left in the uncertainty of competition, are often in great distress.

In many Western democracies, the socialization of risks (illness, old age and unemployment) and the generalization of the education of children and young people by the community have caused the family to lose its ancient role of all-risk insurance. It remains, however, the place of shared affectivity, necessary for the development of children – provided, however, that it remains united. However, since the last third of the twentieth century, these same democracies have experienced the push of an unprecedented individualistic mentality that has largely affected families, with everyone demanding sexual freedom, freedom of conception, autonomy, equality between the sexes and equality between generations. This individualistic mentality now advocates gender “freedom”, which is already legally established in countries such as Switzerland. Policies have taken into account these demands, although sometimes essentially expressed by minorities, and the ruptures they have provoked.

Let us recall the original definition of the family, even though, especially since the beginning of the 21st century, many countries, such as France in April 2013 or the United States in June 2015 (Constitutional Court decision), have given homosexual couples a status identical to that of heterosexual couples: any family is a specific structure linking beings of different sexes and different generations. The family is the place where life is transmitted, and it is a mesh of natural ties that unite the beings that make it up: sexual ties between a man and a woman who become the father and mother of one or more children; filiation ties between the father and the child and between the mother and the child; sibling ties between children born of the same parents; generational ties between ascendants and descendants; and ties of kinship by marriage. In all societies, roles are assigned to these ties, roles of education, transmission and solidarity, often prescribed as duties.

Family policies should respect the private life choices of couples, seek to support established families, and especially large families, which are often discriminated against, while continuing to mitigate, through various compensations, certain inequalities of income or situation.

Moreover, in developed countries, more and more children have to live through the separation of their parents and then adapt to a single-parent or reconstituted home. A relatively large number of children feel the effects of this for a long time. Their health, their balance, their schooling and their socialization are affected.

This observation should be taken into account. Family law and family policy should take into account the suffering and difficulties experienced

by the children of broken couples and seek to alleviate them as much as possible. The relationship of the children with their parents and the quality of life and education of the children should become a political priority.

Glossary²⁸

Age pyramid: representation of a population classified by sex and age at a given time.

Aging of a population: modification of the age composition of a population giving a smaller proportion to the young ages and, correlatively, a higher proportion to the elderly. A distinction is made between aging “from below”, resulting from a fertility rate that reduces the number of new generations, and aging “from above”, resulting solely from an increase in the number of elderly people.

Birth rate: the ratio of the number of live births in a period (usually the year) to the average population of the period (considered the midpoint population); usually expressed per thousand population.

Demographic transition: a period of variable duration (between 50 and 150 years, depending on the case) and intensity (it multiplies the population by two to more than seven), during which a population moves from a demographic regime of high mortality and high birth rate to one of low mortality and low birth rate.

Family: a setting that can accommodate one or more children. It is made up of at least two people, including at least one adult. When it refers to two adult parents and their minor children, it is called a “nuclear” family. But its appellation can extend to a set including in addition ascendants, even to a set of persons belonging to the same initial filiation.

Family policy: all measures taken by the public authorities that have an impact on the composition and life of families.

Generation replacement: the level of fertility that allows the average number of generations of fertile age to be replaced one-for-one by the new-born generation; this level varies according to the mortality conditions of the populations; it is lowered to 2.1 children by woman in the most advanced countries, with 0.1 corresponding to the higher rate of masculinity of births and the mortality rate of women up to the average age of childbearing

²⁸ Definitions taken from publications by Gérard-François Dumont.

Geronto-growth: neologism meaning an upward change in the number of elderly people, knowing that words relating to old age are formed from the Greek *gérón* or *gérontos*.

Household: a group of persons, regardless of their relationship to each other, occupying the same dwelling as their principal residence (definition used in France). The number of persons in a household may be reduced to the unit (household composed of a student, a single person, a widow or widower).

Infant-Adolescent Mortality: mortality of children or adolescents between the age of 1 year and early adulthood.

Infant mortality rate: the number of children who died during a given period, usually the year, before reaching the age of one year, expressed as a ratio of one thousand live births during the same period.

Life expectancy at birth: the average length of life of a generation, expressed in years, that would be subject to the mortality rates of that same year since the year of its birth. A distinction is generally made between male and female life expectancy.

Male-to-female birth ratio: The ratio of male to female newborns in a population.

Maternal mortality ratio: number of women who die as a result of pregnancy, childbirth or its aftermath, per 100,000 live births in a given year.

Natural change: the difference between births and deaths during a given period, usually the year; this increase may be positive, in which case there is an excess of births over deaths, or negative, in the opposite case.

Population growth rate: the sum of the natural growth rate and the migratory growth rate for a given period, usually the year, usually expressed as a percentage of the population; it may be positive or negative.

Rate of natural increase: the difference between the number of births and the number of deaths in a given year, expressed as a percentage of the average population; it is generally expressed as a percentage of the average population to distinguish it from birth and death rates; it can be positive or negative. It can be measured as the difference between the birth and death rates.

Survival rate: the proportion of a generation that is still alive at the end of the period considered.

Total fertility (children by woman): the sum of the age-specific fertility rates for a given year; it indicates the average number of children that would be born during a woman's fertile life if her age-specific rates were the same as those observed in the year in question.

THE GIFT OF LIFE: THE NEW CHALLENGES OF THE TRANSITION TO PARENTHOOD

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1. Life as a gift in family ties

Talking about the gift of life implies, first of all, affirming that what is given is what we have not constructed, and for that reason is out of our control. Accepting life as a gift is not the same thing as manufacturing a product. As stated by Fabrice Hadjadj,¹ the product is manufactured outside oneself, according to a logic of control that allows to make a product without defects. A child, on the other hand, is hosted inside the mother's body, which is deformed to make room for him/her and which is not in a logic of control, but in a logic of trust.

Moreover, the one who generates gives birth, gives life, but is in turn a child who has received it as a gift from his/her parents.

Birth, therefore, becomes part of the exchange between giving-receiving-returning that characterizes the family bond, overcoming the economic logic of social exchange (considered as the search for a balance between costs and benefits) and introducing the idea that the gift is always a “surplus” and is at the same time a debt that is shared by all generations, parents and children, who have received and who indirectly “give life back” by generating in turn. This dynamic appears as a central characteristic of the human condition.²

In the gift-debit polarity, we can find the original co-presence of the affective quality and the ethical quality, the “*matris-munus*” and the “*patris-munus*”, that is, the maternal gift and the paternal gift that are at the origin of the human being. The gift, in fact, is a characteristic of the family bond that is at its origin free, trustful and affective in nature. When this element of gratuitousness is absent, there is relational pathology in which people are incapable of affection, and the other is used and exploited.

¹ Fabrice Hadjadj, “Famiglia, alle radici della generazione. Prospettive dopo il Sinodo”, talk at the Centro Culturale di Milano, 26 October 2015.

² Scabini, E. & Iafrate, R. [2019], *Psicologia dei legami familiari*. Bologna, Il Mulino.

But the gift coexists also with the other side of the coin, that is the debt and obligation, the ethical urgency to give back what has been received. Gratuitousness is a gift without a deadline, but not without expectations.

In a long multigenerational perspective, these components of trustful gift and owing debt are strongly interconnected, especially in the exchange between generations that accompanies a new birth. The role play that rigidly attributes to parents the component of the gift and to children the component of the debt is therefore false or at least partial. As we have said, in fact, parents, being themselves children, have also received life as a gift; thus, parents and children share both the gift and the debt. This reality of generational facts can, however, be psychologically distorted in favour of only one of the two aspects. For example, children may feel heavily indebted, crushed, and blamed with respect to their parents who gave them life, and the latter may consider themselves as those who have given and give without considering what they have received and receive from their children.

In healthy families, people reciprocate not only for a moral obligation, but because they are moved by the desire to give back/return. In these cases, one identifies with the source of the gift and is driven to give in turn.

From a psychic point of view, therefore, the process of identification is crucial. Thus, young parents, in order to pass on physical and psychic life to a new generation, should have had the opportunity to identify themselves, as children, with good, that is, donative sources. When such sources are not present, family members should be helped to forgive, thus recovering, through a self-reflective work that is the heart of a therapeutic experience, the ethical-affective substance that lies at the heart of the human being.

The symbolic exchange, typical of family relationships, consists in giving to the other what he/she needs: it is moved by the trust that the other will reciprocate with a similar coin when he/she can. One does not necessarily reap the fruits of what he/she has sown during one's lifetime: rather, restitution occurs over generations. In order to capture the depth of family ties, one must be able to go beyond the present and one's own life. This is the meaning of life as a gift.³

³ Mauss, M. [1992], *Essai sur le don. Forme et raison de l'échange dans les sociétés archaïques*. Flammarion.

Godbout, J.T. [1992], *L'esprit du don*, Paris, La Decouverte.

Boszormenyi-Nagy, I. & Spark, G. [1973], *Invisible loyalties*, New York, Harper Row.

Boszormenyi-Nagy, I. & Krasner, B.R. [1986], *Between give and take: a clinical guide to contextual therapy*, New York, Bruner/Mazel.

2. The child as a “choice” and as a “right”

However, this conception of life as a gift appears to be challenged by today’s culture. Today, rather than considering the child as a gift, we consider the child as a “choice” or as a “right” and we forget the intergenerational scope of generativity, adopting an individual perspective limited to the “here and now”. Such a perspective reflects only the position of the present generation (the choice and the right of parents) and does not consider the intergenerational chain in which the free gift received from previous generations is inserted, calling for taking responsibility for subsequent generations.

Today people choose whether, when and how to have a child and this, although advantageous from the point of view of the responsibility that accompanies the choice as opposed to the fatalism that accompanies destiny, also brings with it a series of critical consequences, which we can observe, for example, at the demographic level: the transition from a conception of childbirth experienced as a natural occurrence out of personal control, to an idea of birth as a rational planning of the timing and modalities of conception, has certainly contributed – at least in Italy – to the phenomenon of the progressive and unstoppable decline in births, to the raising of the age of primigravidae with a postponement of motherhood close to the threshold of 35 years and the consequent spread of the family model of the single child. People have children only when they believe there are all the conditions to raise them and only when they desire to have children.

The other dominant trend, which in turn derives from this idea of the child as a choice, is the increasing social acceptance of the conception of the child as a “right” or the “right to parenthood”. In this perspective, parenthood is no longer regarded as the adult’s possibility or willingness to accept a child as a gift, but as an option subject only to the adult’s desire (or claim), to such an extent that the impossibility of procreation is not tolerated and people are willing to use any means (from the exasperated medicalization of procreative intervention with medically assisted procreation, to ethically critical or legally borderline forms in the field of heterologous fertilization, as well as in the field of adoptions) to realize their desire of the child whose presence, at some point in their adult life, they claim the right.

In order to understand the challenges that these conceptions of parenthood imply from a psychological, educational and social point of view, it is necessary first of all to develop a reflection on the meaning of being a child and, therefore, conversely on the meaning of being a parent. In other

words, we need to move from a descriptive level of the roles and functions of parents and children in the family to a reflection on parental and filial identity that starts from the existential question of who is a child, thus intercepting a question that concerns all of us, since the condition of a child is a human condition that is common to all of us.

3. Filial Identity

We could briefly say that the person, every person, is originally a child. But what does it mean to be a child? What are the characteristics of filial identity? We can affirm that filial identity implies different dimensions of the human being.⁴

First of all, in the experience of filiation there is the biological dimension represented by being generated and traceable through the concrete signs of physical resemblance, the inheritance of genetic traits, etc. In other words, being children is a matter of body.

The second dimension deals with the caregiving-educational domain: the survival and growth of the child depend on maternal care and protection, on the one hand, and on paternal norms, sense of limits and emancipatory drives, on the other. Being a child is therefore a matter of care and education.

A third component is what we might call the intergenerational dimension, which has to do with the family history of the child, the ties with parental networks, the transmission of family values, and allows the child to develop a “sense of We”, i.e., to develop a sense of belonging to a “lineage” by sharing the family history, traditions, customs and habits that derive from the encounter between two lineages, the maternal and paternal ones. In other words, being a child is a matter of lineages.

Finally, being children also has a social dimension. In fact, the child is not only the biological and educational “product” of a couple or a family lineage, but is a person who is “given to the world”, that is, made available to the world and to the social reality in which he or she is inserted. In our society, unfortunately, we are losing this broader meaning of this beautiful expression. Yet, being a child is also a matter of society and culture.

We could therefore say that the objective of those who generate is the protection of “being children” to all intents and purposes, that is, the pro-

⁴ Iafrate, R. & Bertoni, A. [2013], *Figli dati al mondo*, Roma, AVE; Saviane Kane-klin, L. & Comelli, I. [2013], *Affido familiare: Sguardi e orizzonti dell'accoglienza*, Milano, Vita e Pensiero.

tection of a condition of identity, constitutive and common to all human beings, which presupposes the presence of the different dimensions mentioned above. In fact, one is a child insofar as he/she is biologically conceived and generated by a parental couple (biological dimension); insofar as one is nurtured, cared for and helped to grow through responsible care (caregiving-educational dimension); insofar as one is made a member of a lineage and included in an intergenerational history (historical-intergenerational dimension); one is a child, finally, insofar as he/she is recognized in one's own civil, social, ethnic and cultural belonging (cultural-social dimension).

When one or more of these dimensions is missing, the person runs the risk of not being able to fully realize his or her identity, which is constitutive of his or her very existence. It could be said that "one does not exist except than as a child, as a generated person". For this reason, the social context takes charge and tries to compensate for any shortcomings in one or more of these dimensions (for example, with tools for protection and defence such as adoption and foster care), implicitly recognizing the value of the anthropological category of the child as "generated by a father and a mother within an intergenerational and social history".

In other words, it might not be sufficient for a child to be cared for with regard to his or her purely biological needs, if his or her need to be guided or recognized as part of a family genealogy or supported in his or her social dimension is not respected.

The coexistence of these four "dimensions", which define the deepest identity of being a child, must be guaranteed throughout the life path through the different transitions that the parent-child relationship goes through (from birth, early childhood, school age, adolescence, youth and adulthood): these dimensions can be transformed into concrete choices and behaviours in different ways, but the fundamental aspects will remain inalienable.

4. The child as a choice and the challenges to the caregiving-educational dimension

If we reflect on the current tendency to conceive the child as a "choice" and as a "right", we can understand the consequences that derive from such a conception from the point of view of the parents' duty to protect the filial identity and the complexity of the needs of each child as a person.

The child considered as a mere "choice" challenges, above all, the dimension of caregiving and education.

The decrease in the number of births and its character of a chosen and strongly desired event means that birth takes on the characteristics of a “high emotional concentration”. Parents end up investing too much in the few children they bring into the world.⁵ By considering parenthood as a mere choice, they need their child to conform not only to the image of the “desired child”, but also to confirm their own parental identity: the child is at the centre, but is often experienced as an extension of themselves, as confirmation of their own parenthood and not as a unique, unrepeatable and irreducibly “other” person, with aspects of mystery and “unexpectedness”, typical of the gift and not of a voluntary choice. The current representation of childhood therefore sees the child as the “sovereign” or “idol” of the family. If such a conception may lead to a new sensitivity towards the child, his/her cognitive and affective world, it can also become a problem for children because they feel they have to respond to high expectations and a challenging self-image through which they unconsciously embody the need for realization of the parents from which it will be more difficult to detach themselves (see the phenomenon of the so-called “long family”: young-adult children “never leave” home) and which will also have consequences at the level of the educational style practiced, which, as stated by Daniel Marcelli⁶ (2004), often risks to be aimed more at seducing (se-ducere), to please the child, to saturate and prevent his/her every need rather than oriented to the task of educating (ex-ducere). In this regard, we speak of “narcissistic puerocentrism”.

What is strongly challenged in this cultural climate is the parent-child asymmetry. The parental relationship should be traced back to a concept of the family as an encounter of differences. Only the encounter with the other (different from oneself) helps one to recognize oneself, to distinguish oneself and thus to grow. In particular, the parent-child relationship is, by definition, asymmetrical and “hierarchical” and not equal and “democratic”; therefore, it implies a clear assumption of educational responsibility by the adult towards the younger generations, a position that avoids the risks of indifferentiation and egalitarianism at all costs. The concept of “responsibility” is inscribed into the parent-child relationship: it is the preceding adult generations that must take responsibility for the younger ones. How-

⁵ Théry, I. [1998], *Couple, filiation, et parenté aujourd’hui. Le droit face aux mutations de la famille et de la vie privée*, Paris, Editions Odile Jacob.

⁶ Marcelli, D. [2004], *Il bambino sovrano. Un nuovo capo in famiglia?* Milano, Raffaello Cortina Editore.

ever, the risks of “parentification” and “adultization”, according to a veritable inversion of roles, are increasingly frequent in our culture of fragile and disoriented adults, often inclined to support themselves rather than their children on their journey. Also, at the core of this position there is a non-recognition of the “otherness” of the other and of his/her difference.⁷

The massive affective and cognitive investment into the child also leads, as a consequence, to a slowdown and difficulty in the process of detachment from the parent, which seems to be the salient characteristic of adolescence today, which is increasingly prolonged. Therefore, an indirect consequence of the narcissistic puerocentrism and the lack of intergenerational asymmetry that characterizes our social reality can be identified in the phenomenon of the so-called “long family”: young-adult children “never leave” home and the process of release and emancipation of the new generations from parental dependence seems to be increasingly slowed down, with all the psychological and social consequences that such a slowdown inevitably brings with it.

5. The child as a “right” and the challenge to the biological, intergenerational and social dimension

If the child as a choice mainly affects the dimension of caregiving and education, the child as a right, and especially its direct consequence of the search for the “child at all costs”, with the use of heterologous medically assisted procreation techniques, threatens instead the other dimensions of filiation, namely the biological, intergenerational and social dimension: in other words, the right to parenthood at all costs threatens the right of the child to have access to its origins and to fully develop its filial identity.

In fact, MAP techniques, especially heterologous ones, presuppose the inclusion of a “third party” within the parental couple of origin. And the issue is not insignificant from the point of view of the identity-related topic of the origin.

The increasingly frequent use of various medically assisted procreation techniques in order to have a child undoubtedly has also a positive side because it allows us to deal with the phenomenon of infertility with greater chances of success, but it also has many negative implications when the

⁷ Greco, O. & Rosnati, R. [2006], *La cura genitoriale*, in *Nuovo lessico familiare*, a cura di P. Donati & E. Scabini, Studi Interdisciplinari sulla Famiglia, n. 14, Milano, Vita e Pensiero, pp.117-127.

child is sought “at all costs”. In this regard, Simona Argentieri⁸ (2014) accurately observes that too often “desire turns into obsession”. The child becomes a peremptory need for confirmation of identity and meaning of life in the service of which all vital energies are spent, in precise collusion with the “omnipotence of doctors”.⁹ With respect to procreation, we have therefore moved from a situation of powerlessness and suffered destiny to a situation of control and defiance of destiny. Reproductive technologies push to give shape to hybris, to go beyond the limit that has always attracted humanity, with the risk of colluding with the omnipotent economy of the unconscious.

The procreative desire, in fact, is rooted in the unconscious, which is by its very nature intolerant of limits, and in order for it to fully realize its task of humanization, it must be associated with that shared responsibility that provides it with the right measure. It is impossible, therefore, with regard to this issue, to avoid the ethical component: “the desire is such only if combined with responsibility towards themselves and others, otherwise it is configured as a form of arbitrariness”.¹⁰

From the 1970s, the phenomenon of medically assisted procreation (MAP) has spread exponentially for different reasons: for the increase in infertility, for the right to parenthood claimed by homosexual couples, and for the emergence of an economic business of medical clinics and banks for the donation of gametes used by both homosexual and heterosexual couples.

There are many interventions available, among which we can distinguish homologous reproductive techniques, which consist in the artificial union of semen and egg belonging to the couple that will raise the child (in this case the unborn child will have the same genetic heritage of the parents), from heterologous reproductive techniques, which consist in the use of a gamete outside the couple (semen, egg, or embryo – in the best case the unborn child will have the genetic heritage of only one of the two parents). The practice of surrogacy is even more radical, as it involves a financial contract with a woman who agrees to carry a pregnancy to term on commission.

⁸ Argentieri, S. [2014], Nuove genitorialità?, in *Quaderni degli Argonauti*, n. 27, pp. 49-59.

⁹ Argentieri, S. [2014], Nuove genitorialità?, in *Quaderni degli Argonauti*, n. 27, pp. 49-59, p. 56.

¹⁰ Vegetti Finzi, S. [2017], *L'ospite più atteso. Vivere e rivivere le emozioni della maternità*, Torino, Einaudi.

The use of MAP raises several legal, ethical and psychological issues and undoubtedly represents one of the most significant revolutions in parenting and filiation.¹¹

Beyond the many problematic aspects that affect the relationship of the couple (eg. the intervention of a third party between the partners, the issue of procreative inequality, the invasiveness of the technique on the intimacy of the partners...) and especially the position of the woman (the risk of being dispossessed of her own motherhood, technologized, outsourced, instrumentalized and even commercialized, as in the case of the uterus for rent,¹² which are not the subject of this reflection, I would like to bring attention above all to the challenges for the children of MAP.

A fundamental problem concerns the couple's choice of whether or not to reveal to the child the truth about the story of his/her conception. The psychological costs of family secrecy and, on the other hand, the advantages of knowing as soon as possible the truth about one's own origins, in accordance with the child's age, are considerable, especially on the sense of continuity in one's identity.

In this regard, a special attention should be paid to those cases in which the couple makes use of an external donor, which is a necessity for the homosexual couple and sometimes also an option for sterile heterosexual couples. In these cases, the biological, intergenerational and social dimension are threatened by the secrecy on the donor's identity and/or by the impossibility to trace one's own origin to which the child is condemned. Such a threat has well-known negative consequences, as highlighted by research on adopted children. But let's go a bit deeper into these topics.

In the available research on this issue,¹³ the issue of the origins is confined to the topics of parents' sincerity or secrecy on the type of conception, the child's willingness to know the identity of the donor, and the frequency and type of contacts with him or her.

Unlike the past, nowadays the need to reveal the truth to children born from donation is widely recognized, so that many countries, in Europe

¹¹ Scabini, E. & Rossi, G. (a cura di) [2017], *La natura dell'umana generazione*, Studi Interdisciplinari sulla Famiglia n. 27, Milano, Vita e Pensiero.

¹² Palazzani, L. [2017], *Donne e tecnologie riproduttive*, in *La natura dell'umana generazione*, a cura di E. Scabini & G. Rossi, Studi Interdisciplinari sulla Famiglia n. 29. Milano, Vita e Pensiero, pp. 111-127.

¹³ Canzi, E. [2017]. *Omogenitorialità, filiazione e dintorni. Un'analisi critica delle ricerche*. Quaderno del Centro Studi e Ricerche sulla Famiglia, n. 29. Milano, Vita e Pensiero.

and around the world, provided legal protection to the right of knowing the identity of the donor, generally upon coming of age. However, it is still possible for the couple to choose an anonymous donor. This choice is certainly less problematic for parents, as it removes the problems related to the involvement of the donor in family dynamics and to possible legal issues about the custody of the child, especially if a separation occurs. In this case, there is a potential conflict between the right of the couple and the right of the child to know his or her origins.

Research has shown that the child's need for knowing is not only a matter of curiosity, but also a search for meaning about the child's own history and an intense need to re-establish a bond with the parent who gave them life. In these children's accounts we often find a search for physical similarity with the donor, his or her temperament and interests, as well as his or her family history and genetic inheritance (for example in terms of potential health problems). On a symbolic level, the genetic link immediately activates the genealogical dimension, that is the connection with previous generations. This, moreover, is the inherently human characteristic of the procreative act, in which the biological and mental levels are inextricably linked. This is why desires, motivations, expectations, fears and wounds circulate between parents (the "generators") and children (the "generated"). It is therefore necessary to understand what dynamics these different pathways to parenthood create and leave as heritage, at least in parents' and children's imagination. This will help to recognize the challenges the new generations will face.

In this regard, the clinical and research tradition of adoption studies can provide useful insights on this issue.

Indeed, today's research and clinical intervention on adoptive families have shown that the origins of the adoptive child need to be preserved (rather than cancelled) and that the "birth family" occupies a meaningful place in the minds and hearts of adopted children throughout their lives. Adoptive parents do not substitute the child's family of origin, but rather take on the pain of the child's origin, often wounded by traumatic experiences, and help repair it, by including the child into a new family history and genealogy. In adoption, the birth parent never disappears, his or her absence always generates suffering, to the point that adopted children often decide to return to their country of origin (in cases of international adoption) and search for their family members, birth parents and siblings. Adoption professionals know very well that this is a long and painful process that requires constant support.

Thus, children's search for their identity ("who am I?", "who do I look like?", "where do I come from?", "what are my origins?") cannot be reduced to a matter of open and sincere communication, because it has a much deeper meaning. Knowing the truth *per se* does not resolve the search for meaning.

What about the children of donation, then? They definitely share numerous similarities with adopted children, for example the fact that they have limited or no access to their birth parent(s), their past and therefore their origins, but also specific elements of complexity, especially in the cases of children of homosexual parents. Consider, in fact, how the position of the adoptive couple and that of the couple who uses heterologous MPA are very different: in the first case, adoptive parents help the child to elaborate a traumatic origin for which he or she is not responsible, in the second case the parents willingly choose to give birth to a child with a "wounded" origin (because partly unknown), a choice they will be held responsible for.

Therefore, some fundamental questions arise: can we reduce the search for the meaning of one's origins to the search for the donor's identity? Even when he or she has a name or a face, who does the person who finds him or her actually meet? A father or a mother or a person who provided their sperm or their egg? Can we avoid talking about the origins? Can we reduce the question of filiation to the affective quality of the parent-child relationship, without considering the relevance of the transmission of the genetic and symbolic heritage that passes between generations? And can we consider the psychological risks of choosing to give birth to a new human being at the cost of silencing his or her genealogical and cultural history?

Again, the need to reflect on what it means to generate and to be generated is even more urgent. The answer to this question allows us to make an innovative and thoughtful contribution even to issues that, without such a broader framework, risk being poorly posed, such as, for example, the much-debated question of the well-being of children of same-sex couples.¹⁴ Does generating coincide with nurturing or educating? Is it only a matter of giving affection, norms, containment, support, fostering good psychosocial adjustment (i.e., is it enough to respond to the child's caregiving-educational needs according to the caregiving-educational dimension)? If the answer is positive, the diatribe falls: in fact, why shouldn't homosexual couples be able to provide all this, and perhaps quite successfully, given

¹⁴ Giacobbi, S. [2018], Omogenitorialità. Problemi e interrogativi, in *Rivista Minotauro*, I, n. 6, pp. 60-69.

their high investment? The problem appears to be more complex, if we give to the process of generation a different importance and a specificity that goes beyond all this. Generating does not mean giving birth to a child, an infant, but to a son or daughter, what we can call a “generated” being. The child cannot acquire a complete identity unless he or she is included in a generational and social relationship, that takes him or her back to those who gave him/her birth and to the histories of the maternal and paternal family branches. From this point of view, being a son/daughter can be considered a “right”, certainly not being a parent. If anything, parenthood is configured as an ethical duty (rather than a right), calling parents to respect and recognize the right of their own children to be sons and daughters. Generating, therefore, brings to the forefront the theme of the origins, that necessarily involves the couple, but goes beyond it and its desire.

Silencing this aspect means reducing the process of humanization to the educational ability of the couple, configured in narcissistic terms, and overshadowing its inherent and “original” symbolic anchorage.

6. Reproduced child or generated child?

The issues we have just addressed, and in particular the theme of biotechnologies applied to reproduction, open up an issue I’d like to raise in concluding my talk.

Is the child a product, the outcome of a reproductive process, or is he/she a new human generation, the outcome of a generative process?

The question is, first of all, anthropological and urges us to reflect on our understanding of the human being, understood as an object or as a person. An object is produced, a person is generated.

The production-reproduction pair is typical of the world of objects or animals and evokes the idea of a product, a photocopy we could say, or of mass production. The purpose of reproduction in the animal world is in fact the continuity of the species and its survival. The rigid rhythms of mating that we observe in mammals, with their rituals, the fights among males to ensure the continuation of their genetic heritage and the variety of protective behaviours towards the young are all aimed at this supreme and unique purpose. The “little one” of the animal world is subordinate to the purpose of the species and loses its singularity, it is one of a “series”, anonymous or impersonal.

Moreover, the attachment bond, even with the female who gave birth to it, continues for a limited time, as long as the cub is autonomous and then disappears. Recognition is at term. In any case, reproduction has its

insurmountable perimeter within the circle constituted by the male, the female and their cub, and does not refer to other protagonists. As the first family therapists already observed, the animal world (even in those species providing forms of social life and protection of the herd) has no knowledge of its ancestors. This fact is fundamental, even if rarely highlighted, even by evolutionary psychology.

And what about human generation? Human generation itself is underpinned by the “biblical” mandate to continue the human species, but that mandate has peculiar characteristics. The mating between male and female is not under the banner of a rigid law that dominates and obligates, but relies on a sexuality that cannot be confined to fixed periods and is – to some extent – governable. The generation process has some degrees of freedom, that can be used for good or evil. The human child born from the encounter between a male and a female does more than simply continue the human species, it renovates it. He or she is in fact unique and not replaceable. No son/daughter is replaceable with another. Hanna Arendt¹⁵ (1958) wrote memorable pages on the “novelty” represented by a birth.

The human child is a generated one, bound not temporarily but forever, to its generators who recognize him/her and are recognized by him/her. Recognition is an essential process for the human species. Naming is the act that seals recognition, and studying how “naming” takes place allows us, on the one hand, to note its universality and, on the other, to admire the different ways in which the generational bond is signified across different cultures and societies. Thus, there were times in which it was customary to give a son or daughter the name of an ancestor, especially if the ancestor had passed away, or the name of a saint, and other times, like today, when it is more frequent to give a name that parents simply like. Not to mention certain African cultures in which the attribution of a name implies a “negotiation” with the ancestors that requires quite a long time.¹⁶ We can say that, for the human son/daughter, recognition from the very beginning relies on a network of pre-existing meanings that come to him/her along with genetic heritage. Giving a name is a way in which you give a destiny, it seals the uniqueness of a person: you are you with all of your essence and cannot be replaced.

¹⁵ Arendt, H. [1958], *Vita activa. La conoscenza umana*; trad. it., Milano, Bompiani, 1989.

¹⁶ Moro, M.R., Neuman, D. & Real, I. [2008], *Maternità in esilio. Bambini e migrazioni*; trad. it. Milano, Raffaello Cortina, 2010.

But here is an essential point: recognition goes beyond the relationship between who generates and who is generated, because the human generators know in turn that they are generated. They are referred to their ancestors and progenitors, even if, as it happens today, they disregard them or at least illusorily think that they do not need them.

Human generation not only pushes forward, but also backward: it refers to a genealogy. After all, the same etymological root, “gen-”, associates the terms generating, gender, generation, genealogy. The theme of the origins and the reference to a “generational chain”, as Freud mentioned, is fundamental. The biological and symbolic-cultural dimensions are intimately connected and inseparable in human life at its origin and in its development.

Therefore, generating means giving life to a unique human being, the result of the bond between generators (with their gender difference, essential for procreation), which in turn are generated and refer to the dual, paternal and maternal genealogy. If you know where you come from, if you are “generated”, you can be a “generator”, that is, someone who in turn will put in place this complex process of generation.

Generativity, not reproduction, is therefore the fundamental human code, the fulfilment and deepest realization of the person.

Moreover, being generated and generating are gifts both for the person and for the society. Biological and intergenerational generativity are in fact at the basis of social generativity.

Erikson¹⁷ (1982) emphasized how, from a psychological point of view, “generativity” represents a fundamental goal of development, the tendency that marks adulthood. This tendency indicates the ability to leave behind the narcissistic concern for oneself in order to take care of new generations, not necessarily in terms of biological procreativity.

Overcoming an individualistic perspective is the condition that makes it possible to move from a conception of generativity that is entirely confined within the family to a conception of authentic social generativity. St. Aubin, McAdams, and Kim¹⁸ (2003) describe social generativity as a commitment to go beyond oneself in order to promote future generations. Taking care of young people contributes to the strengthening and conti-

¹⁷ Erikson, E.H. [1982], *I cicli della vita. Continuità e mutamenti*; trad. it. Roma, Armando, 1984.

¹⁸ de St. Aubin, E., McAdams D.P. & Kim, T.C. [2003], *The Generative Society. Caring for Future Generations*, Washington, American Psychological Association Press.

nunity of generations because it means to feel responsible not only for the growth and well-being of one's own children, but also of the youth more generally. As Eugenia Scabini¹⁹ states, it is a matter of "raising the children of others as if they were one's own children". The failure of generativity is stagnation, which threatens the future not only of the family, but of society as a whole.

The person is therefore always generated and his/her growth is a generative and re-generative process.

But, as Vittorio Cigoli states, "generating puts the person at risk, it exposes him/her":²⁰ in fact, human beings not only reproduce themselves, but generate minds by crossing genders and generations and building history and culture. And in this crossing, the risk, the exposure to pain, loss and mourning that the generative leap entails, has its own weight. It is a rule of the generative bond: in order for a generation to grow, you have to make room for another generation, you have to "die" to yourself.

Even within the dynamics of the couple, the child is a third party, he/she is a hope but also someone who "breaks" somehow the unity of the couple, who must make room for another. Generating puts the relationship at risk. Philosopher Martha Nussbaum²¹ (2001) states that generating "exposes the person" and that it is, above all, by generating that the "Fragility of Goodness" is measured. It is no coincidence that psychosocial research on the transition to parenthood shows declines in "satisfaction" of the couple, crises and openness to unpredictable risks. The concept of generativity is therefore associated with that of limit.

On the other hand, several scholars after Erikson have highlighted the relationship between generativity and the awareness of mortality. It is the awareness of the end and the acceptance of one's own mortal condition that pushes the person to be generative. The paradox is – as Eugenia Scabini states – that only the acceptance of death makes love for life mature. It is therefore dramatic when a society is no longer generative, because paradoxically it is telling us that it is a society that is unable to face the most

¹⁹ Cigoli, V. & Scabini, E. [2017], Generatività: la natura del familiare, in *La natura dell'umana generazione*, a cura di E. Scabini & G. Rossi, Milano, Vita e Pensiero, pp. 47-84.

²⁰ Cigoli, V., Scabini, E., Gennari M.L., Tamanza, G. (2018), *Legami generazionali. Strumenti di assessment clinico*, Edra.

²¹ Nussbaum, M.C. [2001], *Upheavals of Thought: The Intelligence of Emotions*. Cambridge: Cambridge University Press.

important and inescapable challenge for the human being. The omnipotent temptation of an individual without limits and closed in on himself, with only reproductive goals and no longer generative ones (so present in our cultural context), perhaps speaks to us of this unattainable fear, which is fundamentally a lack of hope.

The real cultural challenge of today, therefore, lies in recovering and re-launching the meaning, the goal of human life, its most intrinsic function, namely, generativity.

Generating bonds is therefore giving life, looking after, but also letting go and therefore always involves a share of pain, just as it happens in child-birth. Generativity is therefore deeply connected to the limit and to the symbolic separation that the human being always faces in his/her growth.

Relaunching the theme of life as a gift and of generativity as the origin and intrinsic goal of existence is therefore a concrete way to approach the mystery of humanity by admitting our limitation, but also to recognize in this limit a breath of hope and a possibility of full completion of the human experience.

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WHERE IS THE FAMILY GOING? AN AMERICAN PERSPECTIVE

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The central thesis of this essay is that a large and growing “opportunity gap” separates rich kids and poor kids in the Americas, most clearly in the United States but also in Latin America, largely because of increasing class divergence in family structure. This trend, I argue, poses grave social, economic, political, and (above all) moral questions.¹

A word first about my approach to this topic. I use the term “social capital” to refer to social networks within which all of us are embedded and which contribute value to our lives in many ways. Of all those networks (from church congregations to social clubs to neighborhoods), the most fundamental is the family.² In this sense I agree completely with the premise of this conference that family is a relational good. Similarly, my essay with its foundation in empirical description is deeply in accord with the Pope’s admonition to “look at the reality of the family today in all its complexity, with its lights and its shadows”,³ though like the Holy Father, I will in the end move beyond empirical description to moral reflection.

Next, a prefatory word about my methods. My own research and expertise have focused almost entirely on the United States, and hard data about families are more widely available for the United States, so my conclusions about North American families rest on much firmer footing. On

¹ The primary sources for this essay include Robert D. Putnam, *Our Kids: The American Dream in Crisis* (New York: Simon & Schuster, 2015); Albert and Elizabeth Florez-Paredes, “Families in Latin America: Dimensions, Diverging Trends, and Paradoxes”, in *Unequal Family Lives: Causes and Consequences in Europe and the Americas* (Cambridge University Press, 2018), Naomi R. Cahn (Editor), June Carbone (Editor), Laurie Fields DeRose (Editor), W. Bradford Wilcox (Editor), 40-65; and “Marriage Trends in Latin America: A Fact Sheet”, National Healthy Marriage Resource Center (www.healthymarriageinfo.org, 2022). All those sources in turn include abundant and comprehensive notes that show the underlying scientific evidence.

² For deeper analysis of my concept of “social capital”, see my *Bowling Alone: The Collapse and Revival of American Community*, 20th anniversary edition (New York: Simon & Schuster, 2021).

³ *Amoris Laetitia* 32.

the other hand, in this essay I've been asked to include evidence from Latin America, and to a striking extent the core trend that I describe appears throughout the Americas. Of course, this pattern is a "first cut" judgment, with much complexity both within and between the two continents. For example, in some parts of both North and South America black slavery has had a supremely important impact on family patterns, but in other parts of the two continents slavery was less important. But while that complex and controversial topic itself deserves much more attention, time and space constraints here preclude me from delving into it.

In short, I here seek to simplify broad empirical trends rather than digging deeply into the details. I beg your pardon for that simplification, of which I am deeply conscious. I do so for three reasons: (1) time; (2) the search for common themes in this setting; (3) most important, the central empirical trend I focus on has profound moral significance – and that is the focus of this conference.

The essay is divided, roughly speaking, into four parts. I begin by focusing on marital patterns in the United States, and then in Latin America. The second section of the essay adds children to the marriage, so to speak, by focusing on parenting. The third session widens the scope to encompass the broader community, such as friends and neighbors, mentors, and last but not least, religious institutions. Fourth and finally, I reflect briefly on the larger questions of "why?" and "so what?".⁴

My most important conclusion will turn out to be surprisingly simple: a fundamentally similar pattern of growing class divergence in family structure – what I will call a "two tier" family pattern – appears throughout the Americas. That trend toward a two-tier family structure is part of a larger and unfortunate economic, social, and moral trajectory, as I will describe later. Against that common backdrop, there are obviously

⁴ To simplify my discussion of social class, I generally compare the top third of the population in terms of socioeconomic status with the bottom two thirds. That distinction turns out to be empirically virtually identical with the one third of parents who have completed college versus the two thirds of parents with no more than a secondary education. Fortunately, we are able to use that same educational break in both the United States and Latin American analyses. Other measures, like family income or family wealth, are so closely correlated with education that that basic one-third/two-thirds comparison is essentially the same, no matter what empirical measure of socioeconomic status we use. None of my generalizations turn on this specific operationalization of social class, and in fact, if I used more stringent measures, the evidence for my generalizations would be even stronger.

differences within and across national boundaries. In fact, before turning to the evidence of commonalities, I begin with what is probably the most important single difference between North and South American marital patterns – the relative frequency of marriage, divorce, and cohabitation.

Marriage has been very common throughout much of North American history. Divorce briefly became somewhat more common in the years immediately after World War II, but sixty years ago most United States families consisted of a breadwinner dad, a homemaker mom, and kids: a stable, Ozzie-and-Harriet-style union.⁵ Divorce was uncommon, and births outside of marriage were rare in all social strata – 4 percent overall in 1950, although the rate was slightly higher among the economically disadvantaged.⁶ Although today this family structure is often considered “traditional”, historians of the family have demonstrated that in fact it did not predominate throughout United States history.⁷

Two social norms helped make the Ozzie-and-Harriet family possible: (1) a strongly patriarchal division of labor, coupled with widely shared prosperity that allowed most families to get by on one male income, and (2) a strong norm against out-of-wedlock births, so that pre-marital pregnancy was typically followed by “shotgun” marriage.⁸ As a result, most

⁵ “The Adventures of Ozzie and Harriet” was a very popular TV sit-com in the United States in the 1950s and 1960s, in which Ozzie was a stereotypical father who worked outside the home, leaving the children to Harriet, a stereotypical stay-at-home housekeeper. “Ozzie and Harriet” has since become a common term among family sociologists to describe this traditional division of labor.

⁶ Andrew J. Cherlin, “Demographic Trends in the United States: A Review of Research in the 2000s”, *Journal of Marriage and Family* 72 (June 2010): 406; <https://ifstudies.org/blog/the-us-divorce-rate-has-hit-a-50-year-low#:~:text=Divorce%20in%20America%20has%20been,have%20seen%20in%2050%20years>

⁷ Representative critics of this traditional marriage, especially from a feminist point of view, include Judith Stacey, *Unhitched: Love, Marriage, and Family Values from West Hollywood to Western China* (New York: New York University Press, 2011); Stephanie Coontz, *The Way We Never Were: American Families and the Nostalgia Trap* (New York: Basic Books, 2000); Nancy Chodorow, *The Reproduction of Mothering* (Berkeley, CA: University of California Press, 1978); Arlie Hochschild, *The Second Shift: Working Parents and the Revolution* (New York: Avon Books, 1990); John R. Gillis, *A World of Their Own Making: Myth, Ritual, and the Quest for Family Values* (Cambridge, MA: Harvard University Press, 1996).

⁸ “Shotgun marriage” in American vernacular refers to a marriage that occurs after conception, but before birth, as the pregnant girl’s father forces the boy to marry the girl before the child appears. In the 1950s and 1960s, 52–60% of pre-marital pregnancies were resolved by a shotgun marriage, but by the early 1990s that had fallen to 23%.

baby-boomers in the United States were raised by both biological parents.

In the 1970s, however, as the boomers themselves were coming of age, that family structure suddenly collapsed, in what demographers agree was the most dramatic change in family structure in United States history. Pre-marital sex lost its stigma almost overnight; shotgun marriages sharply diminished, and then virtually disappeared; divorce became epidemic; and the number of kids living in single-parent families began a long, steady ascent.⁹

Those who have studied this change in family structure don't agree on exactly what caused it, but most agree that these factors contributed:

according to U.S. Census Bureau, "Trends in Premarital Childbearing, 1930 to 1994", by Amara Bachu, *Current Population Reports* (Washington, DC, 1999), 23-197. For careful analysis of rates of pre-marital conception and shotgun marriage from (roughly speaking) the 1940s to the late 1970s, see Paula England, Emily Shafer and Lawrence Wu, "Premarital Conceptions, Postconception ('Shotgun') Marriages, and Premarital First Births: Educational Gradients in U.S. Cohorts of White and Black Women Born 1925-1959". *Demographic Research* 27 (2012): 153-166. From roughly the late 1950s to the late 1970s, pre-marital conception among less-educated white women rose from about 20% to about 30%, while the rate among white college grads remained steady at about 10%. Among black women, the equivalent changes were from about 50% to about 70% for less educated black women and from about 25% to about 35% for black college graduates. Among women who conceived before marriage, the rate of shotgun marriages fell over this period from about 65% to about 45-50% for white women and from about 30% to about 5-10% among black women.

⁹ Statistics for these claims:

- Pre-marital sex: The fraction of Americans who believed that premarital sex was "not wrong" doubled from 24% to 47% in the four years between 1969 and 1973 and then drifted upward through the 1970s to 62% in 1982. Robert D. Putnam and David E. Campbell, *American Grace* (New York: Simon and Schuster, 2010), 92-93.
- Shotgun marriages: In the 1960s roughly half (52 percent) of all brides were pregnant, whereas 20 years later, only one quarter (27 percent) were. Patricia H. Shiono and Linda Sandham Quinn, "Epidemiology of Divorce", *Future of Children: Children and Divorce* 4 (1994): 17.
- Divorce: The annual divorce rate for married women aged 15-44 more than doubled between 1965 and 1980. Shiono and Quinn, "Epidemiology of Divorce", 17.
- Single-parent families: In the first half of the 20th century most single-parent families were such because of the death of a parent, but that fraction sharply declined from the 1930s to the 1970s. Leaving orphans aside, the fraction of 16-year-olds living with two biological parents declined from 85% in the 1960s to 59% in the 1990s. David T. Ellwood and Christopher Jencks, "The Spread of Single-Parent Families in the United States Since 1960", in *The Future of the Family*, eds. Daniel Patrick Moynihan, Timothy M. Smeeding, and Lee Rainwater (New York: Russell Sage Foundation, 2004), 25-65.

- Sex and marriage were delinked with the advent of the birth-control pill.¹⁰
- The feminist revolution transformed gender and marital norms.
- Millions of women, in part freed from patriarchal norms, in part driven by economic necessity, and in part responding to new opportunities, headed off to work.
- The end of the long post-war boom began to reduce economic security for young working-class men.
- An individualist swing of the cultural pendulum produced more emphasis on “self-fulfillment”.¹¹

The collapse of the traditional family hit the black community earliest and hardest, in part because that community was already clustered at the bottom of the economic hierarchy. That led observers to frame the initial discussion of the phenomenon in racial terms, as Daniel Patrick Moynihan did in his controversial 1965 report, “The Negro Family: The Case for National Action”.¹² But it would turn out that white families were not immune to the changes, and with the benefit of hindsight it’s clear that from about 1965 to 1980, both white and black families underwent a massive transformation.

During this period of seemingly anarchic change, it was possible to imagine that marriage and family were on their way to extinction. But the upheaval in family structure in the 1970s produced a different and unexpected outcome – a bifurcation into two very distinct family patterns. In the 1950s all social classes had largely followed the Ozzie-and-Harriet model, but the two family types that appeared after the 1970s were closely

¹⁰ George A. Akerlof, Janet L. Yellen and Michael L. Katz, “An Analysis of Out-Of-Wedlock Births in the United States”, *Quarterly Journal of Economics* 11 (1996): 277-317.

¹¹ Cherlin, *The Marriage-Go-Round*; David Popenoe, *War Over the Family* (New Brunswick, NJ: Transaction Publishers, 2005); Paul R. Amato, “Institutional, Companionate, and Individualistic Marriages: Change over Time and Implications for Marital Quality” in *Marriage at the Crossroads: Law, Policy, and the Brave New World of Twenty-First-Century Families*, eds. Marsha Garrison and Elizabeth S. Scott (Cambridge, UK: Cambridge University Press, 2012), 107-125; Robert N. Bellah, Richard Madsen, William M. Sullivan, Ann Swidler and Steven M. Tipton, *Habits of the Heart: Individualism and Commitment in American Life* (Berkeley, CA: University of California Press, 1985).

¹² U.S. Department of Labor. Office of Policy Planning and Research, *The Negro Family: The Case for National Action*, by Daniel P. Moynihan (Washington, DC, 1965).

correlated with class. The result was a novel, two-tier pattern of family structure that is still with us today.¹³

In the college-educated, upper third of United States society, a “neo-traditional” marriage pattern has emerged. It mirrors the 1950s family in many respects, except that both partners now typically work outside of the home, they delay marriage and childbearing until their careers are underway, and they divide domestic duties more evenly. The result is something like Ozzie-and-Harriet – except that Harriet is now a lawyer or a social worker, Ozzie spends more time with the kids, and on two incomes, they can afford a few more luxuries. These neo-traditional marriages are more egalitarian in the gender division of labor, and they have become nearly as durable as the 1950s model, as divorce rates among this upper third have retreated from the peaks of the 1970s.¹⁴ For the children of these families the news is good, as we shall see: the way they are being raised leads to many positive outcomes.¹⁵

In the high school-educated, lower two thirds of the population, by contrast, a new, more kaleidoscopic pattern began to emerge in which childbearing became increasingly disconnected from marriage, and sexual partnerships became less durable. In this model, dubbed “fragile families” by the sociologist Sara McLanahan and her collaborators, a child’s parents may never have been married or even stably connected to each other.¹⁶

¹³ Landmark scholarly recognition was McLanahan, “Diverging Destinies: How Children Are Faring under the Second Demographic Transition”.

¹⁴ Steven P. Martin, “Growing Evidence for a ‘Divorce Divide’? Education and Marital Dissolution Rates in the U.S. since the 1970s”, working paper (University of Maryland-College Park, 2005), accessed May 12, 2014, https://www.russellsage.org/sites/all/files/u4/Martin_Growing%20Evidence%20for%20a%20Divorce%20Divide.pdf; Steven P. Martin, “Trends in Marital Dissolution by Women’s Education in the United States”, *Demographic Research* 15 (2006): 552; Frank F. Furstenberg, “Fifty Years of Family Change: From Consensus to Complexity”, *ANNALS of the American Academy of Political and Social Science* 654 (July 2014): 12-30.

¹⁵ For a careful summary of these studies, see Sara McLanahan and Christine Percheski, “Family Structure and the Reproduction of Inequalities”, *Annual Review of Sociology* 34 (August 2008): 257-276.

¹⁶ An entire issue of the journal *Future of Children* is devoted to the issue of fragile families: “Fragile Families”, *Future of Children* 20 (Fall 2010): 3-230. Also see Sara McLanahan, “Family Instability and Complexity after a Nonmarital Birth: Outcomes for Children in Fragile Families”, in *Social Class and Changing Families in an Unequal America*, eds. Marcia J. Carlson and Paula England (Stanford, CA: Stanford University Press, 2011), 108-133; Sara McLanahan and Irwin Garfinkel, “Fragile Families: Debates, Facts, and Solutions” in *Marriage at the Crossroads: Law, Policy, and the Brave New World*

Even if the parents were married at the time of the child's birth, that marriage was frail, as divorce rates in this social stratum continued to rise. Because both parents likely moved on to other partners, with whom they also had children, even family units with two adults often included step-parents and step-siblings. More common, of course, were single-parent families, when one parent jumped or got pushed off the marital merry-go-round.¹⁷

A mother's age at first birth has historically been relatively low in the United States, compared to other countries, but relatively high compared to Latin America. Age at first birth rose steadily and substantially in the United States from about 21 in 1970 to about 25 in 2000, but this aggregate number is misleading, because it hides a sharply growing class disparity. College-educated women in the United States now typically delay childbearing and marriage until their late twenties or early thirties, about six years later, on average, than their counterparts a half century ago. High school-educated mothers, by contrast, typically have their first children in their late teens or early twenties, slightly earlier than their counterparts in the 1960s, and ten years earlier than college-educated moms today. See Figure 1, the first in a series of "scissors charts" that will appear in this essay, each showing a statistically significant divergence in trends between upper and lower class parents and children.¹⁸ Delayed parenting helps kids, because older parents are generally better equipped to support their kids, both materially and emotionally, giving a significant boost to children from better-off families.

of Twenty-First-Century Families, eds. Marsha Garrison and Elizabeth S. Scott (Cambridge, UK: Cambridge University Press, 2012), 142-169; McLanahan and Percheski, "Family Structure and the Reproduction of Inequalities", 257-276; Marcia J. Carlson, Sara S. McLanahan, and Jeanne Brooks-Gunn, "Coparenting and Nonresident Fathers' Involvement with Young Children After a Nonmarital Birth", *Demography* 45 (May 2008): 461-488; and Sara McLanahan, Laura Tach and Daniel Schneider, "The Causal Effects of Father Absence", *Annual Review of Sociology* 39 (July 2013): 399-427.

¹⁷ Cherlin, *The Marriage-Go-Round*.

¹⁸ Figure 1 is drawn from McLanahan and Jacobsen, "Diverging Destinies Revisited". "High" education represents mothers in the top quartile of the education distribution; "low" education category represents mothers in the bottom quartile. Greg J. Duncan, Ariel Kalil, and Kathleen M. Ziol-Guest (unpub. ms., October 2014) have recently shown that the class gap in maternal age at any birth has grown even more rapidly than the class gap in maternal age at first birth, so that Figure 1 understates the aggregate growth of the class gap in maternal age for all children. Moreover, they find that this class gap in maternal age at birth now contributes roughly as much to the overall opportunity gap as the class gap in family structure.

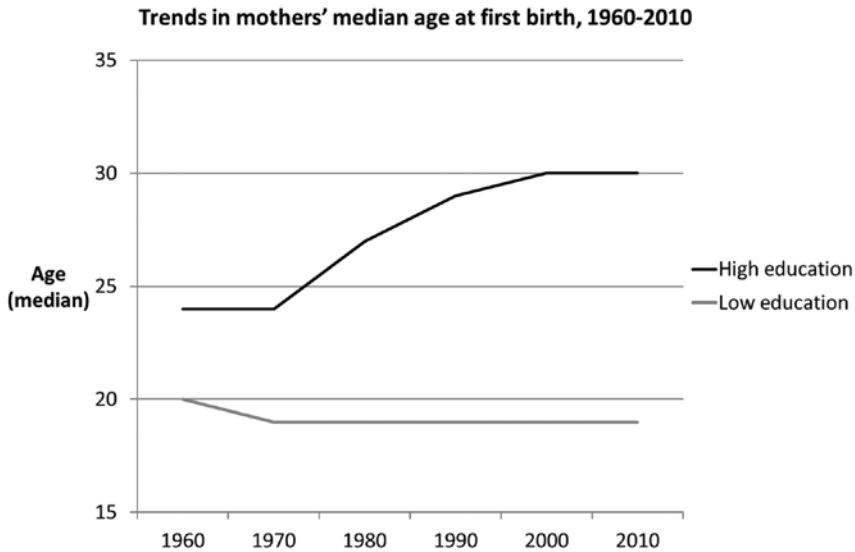


Figure 1. Source: IPUMS/ACS data, as reported by McLanahan and Jacobsen, “Diverging Destinies Revisited”.

Unintended births: High school-educated women don’t aspire to have more children than college-educated women, but research shows that the former typically start having sex earlier, use contraception and abortion less often, and have more unintended or semi-intended pregnancies.¹⁹ These class-linked differences are widening. According to the sociologist Kelly Musick and her colleagues, the most plausible explanations for this class discrepancy include the mothers’ ambivalence about pregnancy, the erosion of their self-confidence by low education and economic distress,

¹⁹ Karen Guzzo and Krista K. Payne, “Intentions and Planning Status of Births: 2000–2010”, *National Center for Family & Marriage Research*, FP-12-24 (Bowling Green State University, 2012). See also S. Philip Morgan, “Thinking about Demographic Family Difference: Fertility Differentials in an Unequal Society” in *Social Class and Changing Families in an Unequal America*, eds. Marcia J. Carlson and Paula England (Stanford, CA: Stanford University Press, 2011), 50–67. Recent data show large and increasing differences by education and income in unintended fertility: Heather Boonstra et al., *Abortion in Women’s Lives* (New York: Guttmacher Institute, 2006); Laurence B. Finer and Stanley K. Henshaw, “Disparities in Rates of Unintended Pregnancy in the United States, 1994 and 2001”, *Perspectives on Sexual and Reproductive Health* 38 (2006): 90–96.

and perhaps differential access or attitudes to abortion. Access to contraception doesn't seem to explain the pattern.²⁰

Whatever the reasons, children of less-educated parents are increasingly entering the world as an unplanned surprise (complete or not, pleasant or not), while children of more educated parents are increasingly entering the world as a long-planned objective. That difference is very likely to affect both the financial and the socioemotional resources available for raising those kids.

Today, non-marital births to college-educated women remain low (about 7 percent) and have risen only slightly since the 1970s. Among high

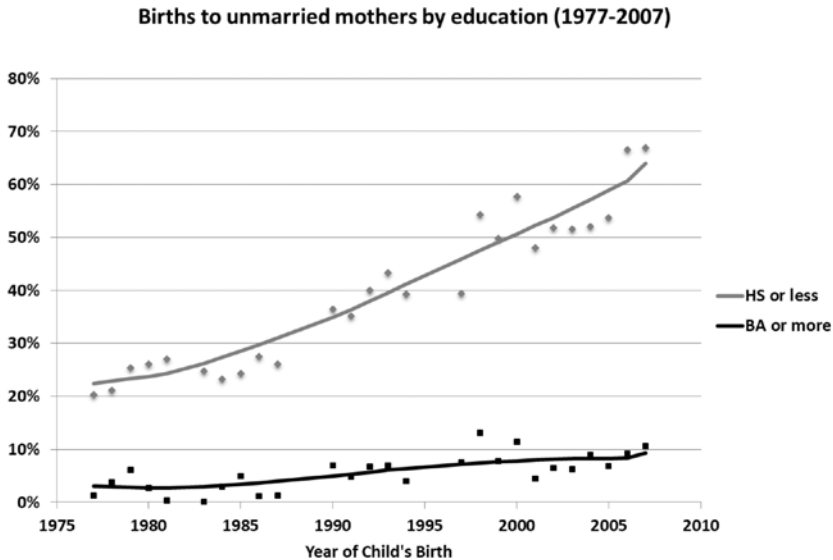


Figure 2. Source: National Surveys of Family Growth, Centers for Disease Control.

²⁰ Kelly Musick et al., “Education Differences in Intended and Unintended Fertility”, *Social Forces* 88 (2009): 543-572; finer and Henshaw, “Disparities in Rates of Unintended Pregnancy in the United States, 1994 and 2001”, 90-96; Paula England, Elizabeth Aura McClintock and Emily Fitzgibbons Shafer, “Birth Control Use and Early, Unintended Births: Evidence for a Class Gradient”, in *Social Class and Changing Families in an Unequal America*, eds. Marcia J. Carlson and Paula England (Stanford, CA: Stanford University Press, 2011), 21-49; and Sara McLanahan, “Family Instability and Complexity after a Nonmarital Birth”, 108-133.

school-educated women, however, they have risen sharply over the last thirty years and now make up more than half of all the births (57 percent in 2007) in this group.²¹ (See Figure 2, another scissors chart).

Divorce: The divorce rate in the United States, having more than doubled in the 1960s and 1970s, peaked around 1980 and then began to taper off. That broad national pattern, however, concealed another significant class divergence, for the divorce rate among college-educated North Americans fell significantly after 1980, whereas it continued to rise among their high school-educated counterparts, even as marriage itself was becoming less common in that stratum of society.²² By 2000 in the United States the ratio of divorced to married people was nearly twice as great among high school-educated people (roughly 24 per hundred) as among college graduates (14 per hundred), and by 2008–2010 the gap had grown further (roughly 28 per hundred to 14 per hundred).²³

Cohabitation: At all levels of contemporary United States society, as throughout the West, cohabitation (an unmarried couple living together) has become common in recent decades. But unlike Western Europe, among younger North Americans it rarely amounts to “marriage without a license”. Although about two thirds of all marriages in the United States nowadays follow a period of cohabitation, the average cohabitation in the United States lasts about 14 months and generally does not end in marriage.²⁴ Cohabitation patterns also increasingly differ according to class. The percentage of high school-educated women who had ever cohabited doubled in the two decades after 1987, from about 35 percent to about 70 percent, while the percentage among college-educated women during that same period rose only from 31 percent to 47 percent.²⁵

²¹ More detailed research shows that the racial gap within classes has narrowed, while the class gap within races has widened.

²² Martin, “Growing Evidence for a ‘Divorce Divide?’”

²³ Zhenchao Qian, “Divergent Paths of American Families”, in *Diversity and Disparities: America Enters a New Century*, ed. John Logan (New York: Russell Sage Foundation 2014).

²⁴ Cherlin, “Demographic Trends in the United States: A Review of Research in the 2000s”, 408.

²⁵ Wendy D. Manning, “Trends in Cohabitation: Twenty Years of Change, 1972–2008”, *National Center for Family & Marriage Research* FP 10-07 (2010), accessed April 18, 2014, <http://www.bgsu.edu/content/dam/BGSU/college-of-arts-and-sciences/NCFMR/documents/FP/FP-10-07.pdf>

College-educated, cohabiting couples in the United States seldom have children, but when pregnancy does occur, it tends to derive from a stable relationship, and a stable marriage is the likely outcome.²⁶ Among their high school-educated counterparts, by contrast, cohabitation is generally *not* a way station to permanent partnership. Children are often born to less educated cohabiting couples, but such cohabitation does not typically lead to marriage, nor do the partnerships generally last. Low-income men and women have children *while* searching for a long-term partner, not after they have found one. Nowadays, in short, most high school-educated women cohabit; most college-educated women don't, and those who do, rarely have children.

Demographers use the term *multi-partner fertility* to describe the emergence of the complex, impermanent structure characteristic of less-educated United States families today – “blended families”, as family counselors describe them.²⁷ In such situations many different adults live in a single household, sometimes coupling, sometimes not, with impermanent partnerships and children from many different parental pairings, often with little or no contact with their biological fathers. Most commonly, children of multiple men with one wife are all living together. This residential pattern is pathological, at least from the point of view of children. It is much more common among less educated families in the US, and it is rapidly growing.

From this complex confusion at least one pattern emerges clearly: Many kids, especially from less-affluent, less-educated backgrounds, live without their fathers, and poorly educated men are less likely to be part of the lives of their children. Figure 3 portrays this aspect of the two-tier system, showing how many men of fathering age (15–44) have *any* biological children with whom they do *not* live, and of those non-resident fathers, how many have essentially no contact with their children. Compared to college graduates, high school-educated men are four times more likely to father

²⁶ Kathryn Edin and Timothy Nelson, *Doing the Best I Can: Fathering in the Inner City* (Berkeley, CA: University of California Press, 2013), 40.

²⁷ McLanahan, “Family Instability and Complexity after a Nonmarital Birth”; Edin and Nelson, *Doing the Best I Can*; Kathryn Edin, Timothy Nelson and Joanna Reed, “Daddy, Baby; Momma Maybe: Low-Income Urban Fathers and the ‘Package Deal’ of Family Life”, in *Social Class and Changing Families in an Unequal America*, eds. Marcia J. Carlson and Paula England (Stanford, CA: Stanford University Press, 2011), 85–107; Karen Benjamin Guzzo, “New Partner, More Kids: Multiple-Partner Fertility in the United States”, *ANNALS of the American Academy of Political and Social Science* 654 (July 2014): 66–86.

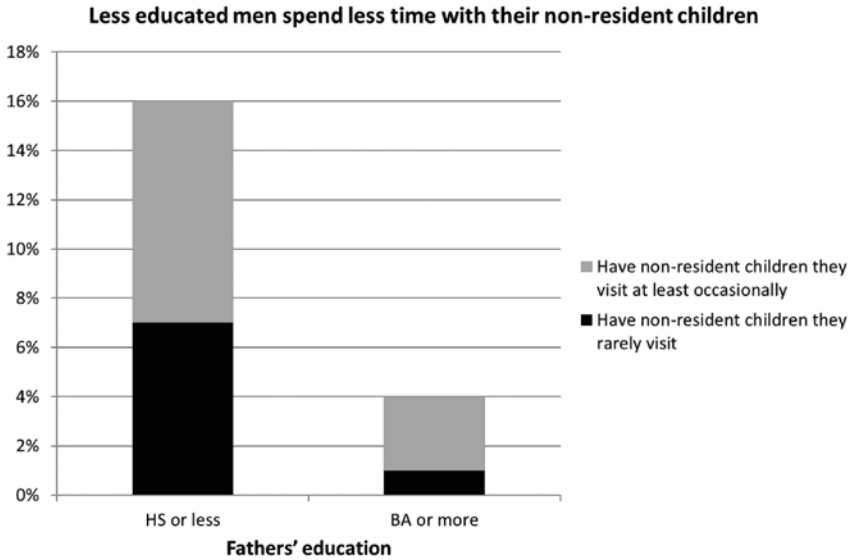


Figure 3. Source: National Survey of Family Growth, 2006-2010, men aged 15-44 (NCFMR FP12-02 and NCFMR FP12-08).

children with whom they do not live, and only half as likely to visit those children.²⁸ In short, less educated men are far more likely to be absent dads.

All these changes in family structure have produced a massive, class-biased decline in the number of children raised in two-parent families during the past half century or so. As Sara McLanahan and Christine Percheski summarize, “In 1960, only 6 percent of children in the United States lived with a single parent. Today over half of all children are expected to spend some time in a single-parent family before reaching 18 ... Children with mothers in the bottom educational quartile are almost twice as likely to live with a single mother at some point during childhood as children with a mother in the top quartile”.²⁹ Figure 4 summarizes the growth of this

²⁸ Laura Tach, Kathryn Edin, Hope Harvey, and Brielle Bryan, “The Family-Go-Round: Family Complexity and Father Involvement from a Father’s Perspective”, *ANNALS of the American Academy of Political and Social Science* July 2014 654: 169-184.

²⁹ McLanahan and Percheski, “Family Structure and the Reproduction of Inequalities”, 258-59.

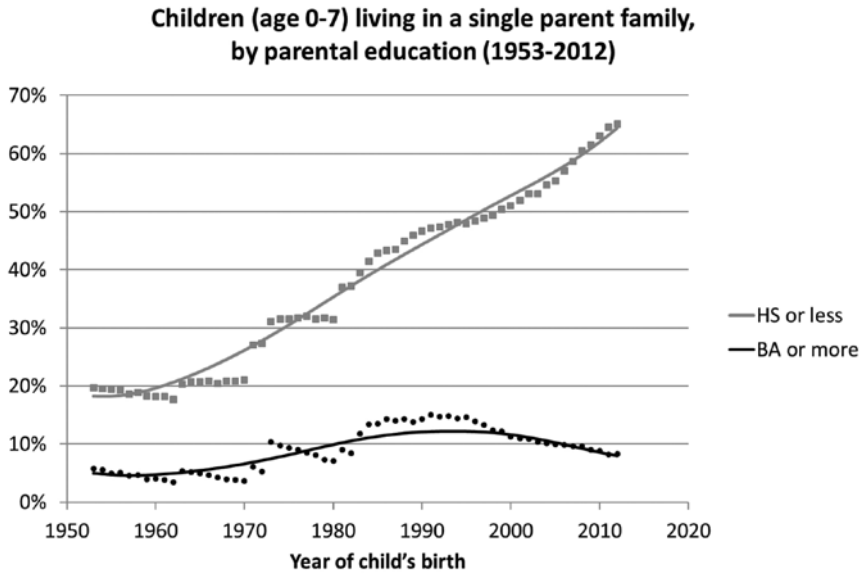


Figure 4. Source: IPUMS (Census 1970, 1980, 1990, 2000) and ACS 2001-2012.

remarkable gap, from 13 percent points in 1953 to 57 percentage points in 2012.³⁰ The growth in unplanned pregnancies and non-marital births that I

³⁰ Contrary to much popular commentary in America, these recent trends have little or nothing to do with an increase in teen pregnancy, which, in fact, has been steadily and sharply declining among all races for more than twenty years, with very little effect on rates of non-marital births or child poverty or social mobility. Of all unwed births in America nowadays, more than three quarters are to post-teen adults, and that share is growing. “Children having children” may be a significant problem, but it is not the central challenge facing the working-class family in America. Finer and Henshaw, “Disparities in Rates of Unintended Pregnancy in the United States, 1994 and 2001”; Federal Interagency Forum on Child and Family Statistics, *America’s Children: Key National Indicators of Well-Being, 2013*, “Births to Unmarried Women”, accessed April 23, 2014, <http://www.childstats.gov/americaschildren/famsoc2.asp> “Trends in Teen Pregnancy and Childbearing”, Office of Adolescent Health, U.S. Department of Health & Human Services, November 21, 2014, <http://www.hhs.gov/ash/oah/adolescent-health-topics/reproductive-health/teen-pregnancy/trends.html>, as consulted December 1, 2014, citing H Hamilton, B.E., Martin, J.A., Osterman, M.J.K., & Curtin, S.C. (2014). Births: Preliminary Data for 2013. Hyattsville, MD: National Center for Health Statistics. Retrieved November 14, 2014, from http://www.cdc.gov/nchs/data/nvsr/nvsr63/nvsr63_02.pdf Pamela J. Smock and Fiona Rose Greenland, “Di-

have described is concentrated among women aged 25–34, so this trend is mostly *not* about teen pregnancy. Of all unwed births in the United States nowadays, more than three quarters are to post-teen adults, and that share is growing.

Most important for our present purposes, then, marital and parental stability is high and rising for the upper third of United States society, but low and falling for the lower two thirds. The class gap embodied in the two-tiered United States family structure is not merely large, but has been steadily growing for nearly half a century.

Let us now turn to a necessarily more cursory look at family trends in Latin America.

Historically, both marriage and divorce have been rarer in Latin America than in the US. The most important reason for the low divorce rate, in fact, is the low marriage rate, since by definition, a union that never existed cannot be dissolved. Moreover, unlike in the US, married couples in Latin America are likely to be Catholic and thus to be constrained by the Church's strictures on divorce. So comparing divorce rates between the two continents is less meaningful (or at least much more complicated) sociologically. That said, the low divorce rate is modestly rising in Latin America. As in the United States, class and ethnic differences in family structure are likely to be important in Latin America, as illustrated in the prize-winning Mexican film *Roma*. Unfortunately, I have found no good continent-wide data on class differences in marriage and divorce, so I am unable to pursue this important theme here.

Cohabitation has long been much more common in Latin America, for many complicated economic and cultural reasons that I am unable to explore here. Today cohabitation is already 4–5 times more common than in the United States.³¹ Moreover, cohabitation is rising very rapidly throughout Latin America, and marriage (already less common than in the US) is declining. Furthermore, the class gap in cohabitation in Latin America is both high and rising, just as in the US.³² As in the US, well-educated wom-

versity in *Pathways to Parenthood: Patterns, Implications, and Emerging Research Directions*, *Journal of Marriage and Family* 72 (June 2010): 579; Furstenberg, "Fifty Years of Family Change".

³¹ "Marriage Trends in Latin America: A Fact Sheet", 5.

³² "Women with high levels of education are not only choosing cohabiting unions over marital unions but they are also postponing union formation and childbearing, whereas the least-educated women are choosing cohabitation more, but without postponement". Esteve and Florez-Paredes, 48–49.

en in Latin America are increasingly treating cohabitation as a precursor to marriage rather than as an alternative.³³

Unmarried single mothers and non-marital births have historically been much more common in Latin America than elsewhere in the West (including the United States), because marriage never became a universal institution in Latin America. As two leading Latin American demographers emphasize, “a significant *majority* of men have had a weak sense of commitment to their children and wives”.³⁴ In recent decades, non-marital births in Latin America have increased yet more. Moreover, the class gap in the rate of unmarried motherhood has been rising, at least in the countries for which we have good data.³⁵

In short, even though the frequency of unmarried motherhood is higher in Latin America than in the United States, the fundamental trends in the class disparity of non-marital births are very similar. Among non-college-educated Latin American women, birth and child-rearing are increasingly taking place outside formal marriage, while this is less true among their college-educated counterparts. The growing class divergence in the context within which children are raised is essentially identical in the United States and Latin America.

The age at which women in Latin America have their first children has historically been relatively low compared to North America – roughly speaking, in the mother’s early twenties or even younger.³⁶ On average, age at first birth has been relatively stable over time in Latin America.³⁷ On the other hand, just as in the United States, that stability is misleading, because the education gap for age at first birth is very large, and that gap is sharply growing.³⁸ Just as in the United States, poorer, less educated Latin American women still have children at a very young age, while their university-educated counterparts (like their counterparts in the US) increasingly have their children much later in life. Once again, surface differences in family patterns (in this case, age at first birth) between the United States

³³ “Marriage Trends in Latin America: A Fact Sheet”, 4.

³⁴ Esteve and Florez-Paredes, 60, emphasis added. Of course, this general judgment does not deny that many Latin American men have been and are devoted husbands and fathers.

³⁵ Mexico, Colombia, and Brazil.

³⁶ https://www.huffingtonpost.co.uk/2016/03/09/pregnancy-around-the-world-age-of-new-mums_n_9416064.html

³⁷ Esteve and Florez-Paredes, 47.

³⁸ Esteve and Florez-Paredes, 51-52.

and Latin America turn out to hide a more fundamental similarity – a widening class divergence that leaves working class kids at a growing disadvantage compared to their counterparts from upper-middle class families.

I earlier described the complex family pattern that North American demographers term “multi-partner fertility”. Latin American demographers use a somewhat similar concept, “household complexity”, to refer to a household with a high proportion of members, especially young children, who are not directly related to the head of household. As in the United States, that phenomenon is growing in Latin America. However, this measure has a different sociological meaning south of the Rio Grande, partly because so many more men there are entirely detached from their families, and partly because other members of the extended family (grandmothers, adult daughters, aunts, and cousins) are often included in the household as a kind of social safety net for family members coping with homelessness and poverty. To be sure, that latter pattern is not unknown in the US, but it is qualitatively much more important in Latin America. So we cannot assume that the social pathology associated with North American “multi-partner fertility” is necessarily characteristic of Latin American “household complexity”.

To summarize our argument to this point, despite many differences within and between the two American continents, the available evidence clearly suggests the emergence of a two-tier family structure in recent years, most clearly in the United States but also in Latin America, as upper-class families become stronger and more stable, whereas working class families become weaker and less stable. It is important to acknowledge that because formal structures are not deterministic, parental love can blossom in the most adverse circumstances. Nevertheless, as we shall now see, this two-tier structure increasingly constrains the opportunities available to poor kids.

Parenting practices mediate between family structure and what happens to children, so it’s important for our purposes to examine trends in parenting. Unfortunately, in the time available to me I’ve been unable to discover systematic evidence on how parenting practices have evolved in Latin American in recent decades, still less on how those trends might have differed across the social hierarchy. So unfortunately this section of my essay must rely almost exclusively on evidence from the United States.

In what follows, I will review the best evidence of these national patterns in parenting, and I will explore what difference these patterns make for children’s prospects. I begin with a close focus on the latest scientific

research on brain development in young children – research that clarifies exactly what aspects of parenting help and hurt most in terms of a child’s cognitive and socio-emotional development. I then zoom back to a wide-angle view of class differences in parenting practices nationwide over the last several decades, and will explore how and why those class differences have grown, to the relative disadvantage of poor kids.

Recent research has greatly expanded our understanding of how young children’s early experiences and socioeconomic environment influence their neurobiological development, and how, in turn, early neurobiological development influences their later lives. These effects turn out to be powerful and long-lasting. “Virtually every aspect of early human development”, write the authors of a landmark study by the National Academy of Sciences, “from the brain’s evolving circuitry to the child’s capacity for empathy, is affected by the environments and experiences that are encountered in a cumulative fashion, beginning in the prenatal period and extending throughout the early childhood years”.³⁹ The bottom line: early life experiences get under your skin in a most powerful way.

Healthy infant-brain development requires connecting with caring, consistent adults. The key mechanism of this give-and-take learning is termed by specialists in child development “contingent reciprocity” (or

³⁹ Institute of Medicine, *From Neurons to Neighborhoods: The Science of Early Child Development*, ed. Jack P. Shonkoff and Deborah A. Phillips (Washington, D.C.: National Academies Press, 2000). This section relies heavily on the excellent selection of working papers and issue briefs compiled at the Center on Developing Child at Harvard University, <http://developingchild.harvard.edu/> I am grateful to the Center’s founding director, Professor Jack P. Shonkoff, M.D., for guidance and encouragement, though I remain solely responsible for this summary of the field. Other key citations include Paul Tough, *How Children Succeed: Grit, Curiosity, and the Hidden Power of Character* (New York: Houghton Mifflin Harcourt, 2012); Gary W. Evans and Michelle A. Schamberg, “Childhood poverty, chronic stress, and adult working memory”, *The Proceedings of the National Academy of Sciences* 106 (April 21, 2009): 6545–6549; James J. Heckman, “Skill Formation and the Economics of Investing in Disadvantaged Children”, *Science* 30 (June 2006): 1900–1902; James J. Heckman, “An Effective Strategy for Promoting Social Mobility”, *Boston Review* (September/October 2012); Eric I. Knudsen, James J. Heckman, Judy L. Cameron and Jack P. Shonkoff, “Economic, Neurobiological, and Behavioral Perspectives on Building America’s Future Workforce”, *The Proceedings of the National Academy of Sciences* 103 (July 5, 2006): 10155–10162; Jack P. Shonkoff, Andrew S. Garner, The Committee on Psychosocial Aspects of Child and Family Health, Committee on Early Childhood, Adoption, and Dependent Care, and Section on Developmental and Behavioral Pediatrics, “The lifelong effects of early childhood adversity and toxic stress”, *Pediatrics* 129 (January 1, 2012): e232–246.

more simply, “serve-and-return” interaction).⁴⁰ This interaction is classically illustrated when a parent, while reading to a toddler, points at pictures and names them and the child is encouraged to respond. The brain, in short, develops as a social organ, not an isolated computer.

Intellectual and socio-emotional development are inextricably intertwined from an early age. Research has shown that so-called “non-cognitive” skills (grit, social sensitivity, optimism, self-control, conscientiousness, emotional stability) are very important for life success. They can lead to greater physical health, school success, college attendance, employment, and lifetime earnings, and can keep people out of trouble and out of prison.⁴¹

So on the positive side of the ledger, the child’s interaction with caring, responsive adults is an essential ingredient in successful development. On the other side of the ledger, neglect and stress, including what is now called “toxic stress”, can impede successful development.⁴² Summarizing the results of many studies, the Nobel Prize-winning economist James Heckman writes, “Early adverse experiences correlate with poor adult health, high medical care costs, increased depression and suicide rates, alcoholism, drug use, poor job performance and social function, disability, and impaired performance of subsequent generations”.⁴³ Kids at any socio-economic level can encounter such adverse experiences, of course, but those who grow up in low-income, less-educated families are at considerably greater risk.⁴⁴ The fundamental social significance of the neurobio-

⁴⁰ National Scientific Council on the Developing Child, “Young Children Develop in an Environment of Relationships”, *Center on the Developing Child Working Paper No. 1* (2004).

⁴¹ Tough, *How Children Succeed*; Walter Mischel, Yuichi Shoda and Monica Larrea Rodriguez, “Delay of Gratification in Children”, *Science* 244 (May 26, 1989): 933-938; Angela L. Duckworth and Martin E.P. Seligman, “Self-discipline Outdoes IQ in Predicting Academic Performance of Adolescents”, *Psychological Science* 16 (December 2005): 939-944; James J. Heckman, Jora Stixrud and Sergio Urzua, “The Effects of Cognitive and Noncognitive Abilities on Labor Market Outcomes and Social Behavior”, *Journal of Labor Economics* 24 (July 2006): 411-482; Flavio Cunha and James Heckman, “The Technology of Skill Formation”, *American Economic Review* 97 (May 2007): 31-47.

⁴² Center on the Developing Child, “Science of Neglect”, InBrief Series, Harvard University, 1, accessed May 7, 2014, http://developingchild.harvard.edu/index.php/download_file/-/view/1340/

⁴³ Heckman, “An Effective Strategy for Promoting Social Mobility”.

⁴⁴ Poor kids (<200% FPL): 4% parent death; 11% parent imprisoned; 10% saw parental physical abuse; 12% saw neighborhood violence; 10% mentally ill family member; 13% alcohol/drug problem family member. Not-poor kids (>400% FPL): 2%; 2%; 3%; 4%; 6%; 6%. Data from “National Survey of Children’s Health”, Data Resource

logical discoveries that I've just summarized is that healthy brain development in American children turns out to be closely correlated with parental education, income, and social class.⁴⁵ Class-based differences in parenting style are well established and powerfully consequential. The ubiquitous correlation between poverty and child development (both cognitive and socioemotional) is, in fact, largely explained by differences in parenting styles, including cognitive stimulation (such as frequency of reading) and social engagement (such as involvement in extracurricular activities).⁴⁶

But what about trends in parenting over time? Reliable indicators are hard to find, because persuasive measurement requires repeated, identical surveys over many years. But there is one exception: family dinners. Whether or not a family breaks bread together at the end of the day may seem a trivial issue of pop sociology, but in fact, trends in family dining turn out to tell a revealing story. Jane Waldfogel has shown that (even after controlling for many other factors) family dining is a powerful predictor of how children will fare as they develop.⁴⁷

From the mid-1970s to the early 1990s, as Figure 5 shows, family dinners became rarer in all social echelons, as families struggled to manage the new scheduling complexities of having two working parents. In the mid-1990s that steady waning of opportunities for family conversation was suddenly halted among college-educated parents, but it continued uninterrupted among high school-educated families.⁴⁸ The result is another of

Center for Child and Adolescent Health, Child and Adolescent Health Measurement Initiative (2011/12).

⁴⁵ Gary W. Evans, "The Environment of Childhood Poverty", *American Psychologist* 59 (February-March 2004): 77-92 and works cited there; Jamie L. Hanson et al., "Family Poverty Affects the Rate of Human Infant Brain Growth", *PLOS ONE* 8 (December 2013) report that directly increasing the income of poor parents has measurable positive effects on children's cognitive performance and social behavior, strongly suggesting that the link between social class and child development is causal, not spurious.

⁴⁶ Jane Waldfogel and Elizabeth Washbrook, "Income-Related Gaps in School Readiness in the United States and the United Kingdom" in *Persistence, Privilege, and Parenting: The Comparative Study of Intergenerational Mobility*, eds. Timothy M. Smeeding, Robert Erikson and Markus Jantti (New York: Russell Sage Foundation, 2011). Extracurricular involvement is discussed in Chapter 4.

⁴⁷ Jane Waldfogel, *What Children Need* (Cambridge: Harvard University Press, 2006), 161

⁴⁸ This chart is based on the annual DDB Needham Life Style surveys described in Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon and Schuster, 2000), 420-424. The question was simply agree or disagree: "Our whole family usually eats dinner together". Questions on family din-

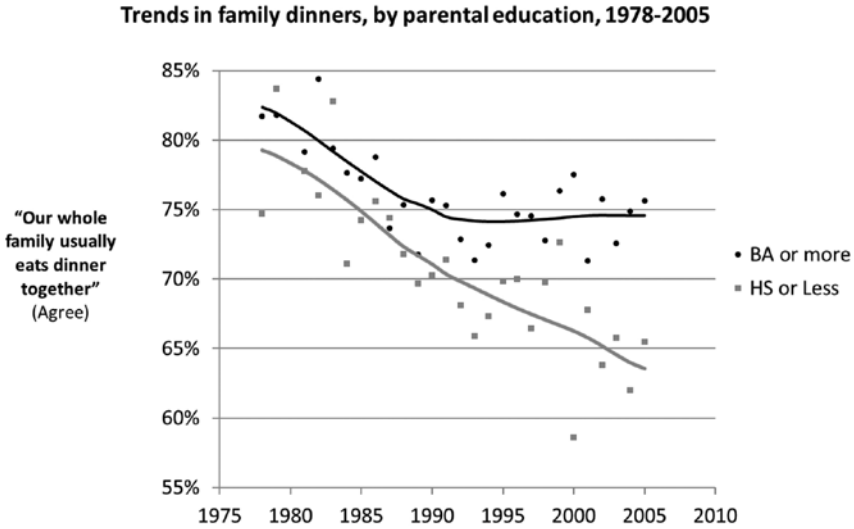


Figure 5. Source: DDB Needham Life Style surveys.

the scissors charts that appear throughout this essay – a growing gap in childhood experience between kids from well-educated, affluent backgrounds and kids from less-educated, impoverished backgrounds. Family dining is no panacea for child development, but it is one indicator of the subtle, but powerful investments that parents make in their kids (or fail to make). And it’s worth pairing investments of time with that other powerful form of investment – investments of money.

Parents from all social backgrounds nowadays invest both more money and more time in raising their kids than was true a generation ago. However, college-educated parents have increased their investments of both money and time much more rapidly than less affluent parents – and not just at the dinner table. Because affluent, educated families have not only more money but also more time (because they typically split childcare

ners have occasionally been asked in other surveys, such as the 2003 and 2007 National Surveys of Children’s Health, but only in a few years and only since 2000, so they are much less useful in detecting long-term trends. Figure 5 is limited to parents with children under 18 at home and weighted to account for differences in single-parent and two-parent families.

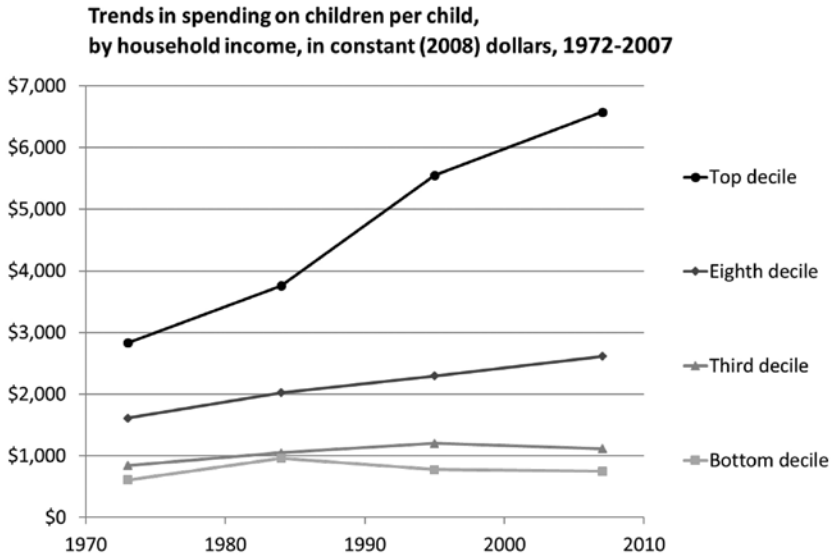


Figure 6. Source: Sabino Kornrich and Frank Furstenberg, “Investing in Children: Changes in Parental Spending on Children, 1972-2007”, *Demography* 50 (2013): 1-23.

between two parents), they have been able to increase their investments much faster than poor parents (usually single moms). As a result, the class gap in investments in kids has become wider and wider.

On average, parents from all socioeconomic strata have increased their spending on childcare and education over the past five decades. But that spending, always somewhat unequal, has become steadily even more unequal over the decades. (See Figure 6.) The increasing gap is concentrated in spending on private education and childcare, but a class gap in spending is also visible for music lessons, summer camp, travel, school supplies, books, computers, extracurricular activities, recreation, and leisure.⁴⁹ These dif-

⁴⁹ Sabino Kornrich and Frank Furstenberg, “Investing in Children: Changes in Parental Spending on Children, 1972-2007”, *Demography* 50 (February 2013): 1-23; Neeraj Kaushal, Katherine Magnuson and Jane Waldfogel, “How is Family Income Related to Investments in Children’s Learning?” in *Whither Opportunity? Rising Inequality, Schools and Children’s Life Chances*, eds. Greg J. Duncan and Richard J. Murnane (New York: Russell Sage Foundation, 2011), 187-206.

ferences in parental investment, in turn, are strong predictors of children's cognitive development.⁵⁰

Parents at all educational and income levels are spending more time with their kids nowadays than their counterparts did a half-century ago. However, as we saw above with money, the increase is much greater among college-educated parents than among high school-educated parents. Figure 7 (like Figure 6, yet another scissors chart) shows trends in the time that parents from different educational backgrounds have spent on developmental care for infants aged 0-4.⁵¹ By 2013, however, the average infant or toddler

⁵⁰ Rand D. Conger, Katherine J. Conger and Monica J. Martin, "Socioeconomic Status, Family Processes, and Individual Development", *Journal of Marriage and Family* 72 (June 2010): 685-704, esp. 695.

⁵¹ Evrim Altintas, "Inequality in Mothers' Time Investments in Children in the U.S. (1965-2013)", (Nuffield College, 2014) is the source of Figure 7. Unlike prior work on this topic, the data in Figure 7 have been adjusted to account for the very low time investment in childcare by non-residential fathers; since a large and growing fraction of kids in lower-education households are being raised by single mothers, this adjustment has a substantial effect on the size and growth of the class gap. For earlier work on this topic, see Garey Ramey and Valerie A. Ramey, "The Rug Rat Race", *Brookings Papers on Economic Activity Spring* (Economic Studies Program, The Brookings Institution, 2010): 129-99; Meredith Phillips, "Parenting, Time Use, and Disparities in Academic Outcomes", in *Whither Opportunity? Rising Inequality, Schools and Children's Life Chances*, eds. Greg J. Duncan and Richard J. Murnane (New York: Russell Sage Foundation, 2011), 207-228; and Ariel Kalil, Rebecca Ryan and Michael Corey, "Diverging Destinies: Maternal Education and the Developmental Gradient in Time with Children", *Demography* 49 (November 2012): 1361-1383. The latter show that the education gap is largest in childcare activities that are specifically important for child's development at a particular age (play and basic care between age 0-2, teaching/talking/reading between age 3-5 and management/organizational activities between age 6-13). "Specifically, we found (as have others before us) an 'education gradient' in mothers' use of time: in almost all cases, highly educated mothers spend more time than less-educated mothers in the broad categories of child time investments that promote development. However, we also identified a 'developmental gradient', such that highly educated mothers shift the composition of their time in ways that specifically promote children's development at different developmental stages. Specifically, the education gradient in basic care and play is greatest when youngest children are infants and toddlers (0 to 2), which is precisely when children most require parents' time on such basic activities as bathing and feeding and also precisely the age when parent-child play is at its most developmentally appropriate. The education gradient for teaching is greatest when youngest children are preschool aged (3 to 5), which is precisely when time spent in learning activities (such as reading and problem solving) best prepare children for school entry. Conversely, the education gradient in management is greatest when youngest children are between the ages of 6 and 13 - precisely the ages when parental management is a key, developmentally appropriate input".

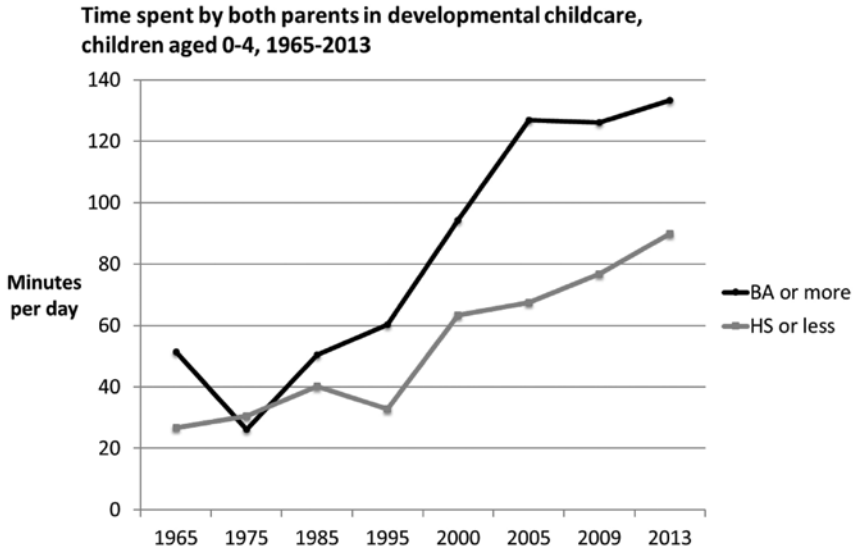


Figure 7. Source: Evrim Altintas, “Inequality in Mothers’ Time Investments in Children in the U.S. (1965-2013)”, (unpublished manuscript, Nuffield College, 2014).

of college-educated parents was getting half again as much quality time every day as the average infant or toddler of high school-educated parents.

What are kids from less-educated homes doing when they are not getting personal attention from their parents? The answer, overwhelmingly, is TV and the internet. In short, rich kids get more face time, while poor kids get more screen time. So kids from affluent, educated homes get the best of both worlds – more monetary investment (because their parents can afford it) and more time investment (because their two parents are able to make it a priority) – whereas kids from lower class homes get the worst of both worlds.

The everyday hassles of parenting are stressful: cleaning up after the kids, managing multiple schedules, whining, lack of privacy, and lack of time for self and partner. Everyday stress levels vary across families, of course, but a vast body of research links parental stress with less sensitive, less responsive parenting, and thus with bad outcomes for kids. Stressed parents are both harsher and less attentive parents.⁵² As Laura Bush once observed

⁵² Crnic and Low, “Everyday Stresses and Parenting”, 243-268; Deater-Deckard, *Parenting Stress*, and sources cited there.

in a 2007 White House discussion of the growing class gaps among American kids, “If you don’t know how long you’re going to keep your job, or how long you’re going to keep your house, you have less energy to invest in the kids”.⁵³ The widening economic cleavage in America exacerbates the parenting gap both directly and indirectly (via the effects on family structure we discussed earlier in this essay). The disadvantages facing poor kids begin early and run deep, and are firmly established before the kids get to school.

This growing class gap is only enhanced by what happens to kids once they enter school, because *whom you go to school with* matters a lot. Regardless of their own family background, kids do better in schools where the other kids come from affluent, educated homes. This pattern appears to be nearly universal across the developed world.⁵⁴ “The social composition of the student body is more highly related to achievement, independent of the student’s own social background, than is any other school factor”, wrote sociologist James Coleman. In fact, Coleman coined the term “social capital” to describe this effect of school-based social networks on student achievement.⁵⁵

⁵³ This observation was made during a private meeting between the author, President and Mrs. Bush, and the President’s senior advisors in March 2007.

⁵⁴ Jaap Dronkers and Rolf van der Velden, “Positive but also Negative Effects of Ethnic Diversity in Schools on Educational Performance? An Empirical Test Using PISA data”, in *Integration and Inequality in Educational Institutions*, ed. Michael Windzio (Dordrecht: Springer, 2013): 71-98 and the works cited there.

⁵⁵ Useful entryways to the massive literature on this topic include James S. Coleman et al., *Equality of Educational Opportunity* (Washington, DC: U.S. Department of Health, Education & Welfare, Office of Education, OE-38001 and supplement, 1966), 325; Gary Orfield and Susan E. Eaton, *Dismantling Desegregation* (New York: The New Press, 1996); Claude S. Fischer et al., *Inequality by Design: Cracking the Bell Curve Myth* (Princeton, NJ: Princeton University Press, 1996); Richard D. Kahlenberg, “Economic School Integration”, in *The End of Desegregation*, eds. Stephen J. Caldas and Carl L. Bankston III (Hauppauge, NY: Nova Science, 2003), esp. 153-155; Russell W. Rumberger and Gregory J. Palardy, “Does Segregation Still Matter? The Impact of Student Composition on Academic Achievement in High School”, *The Teachers College Record* 107 (September 2005): 1999-2045; John R. Logan, Elisabeta Minca and Sinem Adar, “The Geography of Inequality: Why Separate Means Unequal in American Public Schools”, *Sociology of Education* 85 (July 2012): 287-301; and for a comprehensive recent overview, Gregory J. Palardy, “High School Socioeconomic Segregation and Student Attainment”, *American Educational Research Journal* 50 (August 2013): 714-754. Reyn van Ewijk and Peter Sleegers, “The Effect of Peer Socioeconomic Status on Student Achievement: A Meta-Analysis”, *Educational Research Review* 5 (June 2010):

What kids from affluent homes and neighborhoods bring to school encourages higher achievement among all students at those schools. But the opposite is also true: the disorder and violence that kids from impoverished homes and neighborhoods bring to their schools discourages achievement for all students at those schools. The American public school today is a kind of echo chamber in which the advantages or disadvantages that children bring with them to school have effects on other kids.

A second fundamental fact in the United States is that rich and poor parents (and children) are increasingly living in separate neighborhoods, and there is some reason to believe that the same is true in Latin America and Europe.⁵⁶ This residential sorting by income over the last 30-40 years has shunted high-income and low-income students into separate schools. The growing class segregation of our neighborhoods and thus of our schools means that middle-class kids hear mostly encouraging and beneficial echoes at school, whereas lower-class kids hear mostly discouraging and harmful echoes.

Since the growth of neighborhood segregation appears to be nearly universal in today's world, and since the "spillover" effects of that segregation also seem to be universal, there is reason to believe that these factors combined are fostering greater inequality of opportunity in both the United States and Latin America.

In turn, at least in the United States, the combination of growing residential segregation and the growing effects of that segregation on school-based social networks means that the class gap in college completion,

134-150 found that the effect of the socioeconomic composition of a child's classroom on his or her test scores is twice as large as the effect of the socioeconomic composition of his or her school. This entire line of research was stimulated in the 1960s by concerns about the effects of racial segregation, and in that era class segregation heavily overlapped with racial segregation. During the past half century, however, class segregation has grown, while racial segregation has diminished, and it is now possible to compare the adverse effects of racial and class segregation. While racial segregation continues to be a major national problem, virtually all relevant studies have concluded that class segregation is at least as pernicious in its effects on student achievement. See Richard D. Kahlenberg, "Socioeconomic School Integration", *North Carolina Law Review* 85 (June 2007): 1545-1594.

⁵⁶ Sean F. Reardon and Kendra Bischoff, "Growth in the Residential Segregation of Families by Income, 1970-2009", Technical report for US2010 Project (Russell Sage Foundation and American Communities Project of Brown University, 2011); <https://urban.jrc.ec.europa.eu/thefutureofcities/social-segregation#the-chapter>; <https://www.lincolnst.edu/publications/articles/urban-spatial-segregation>

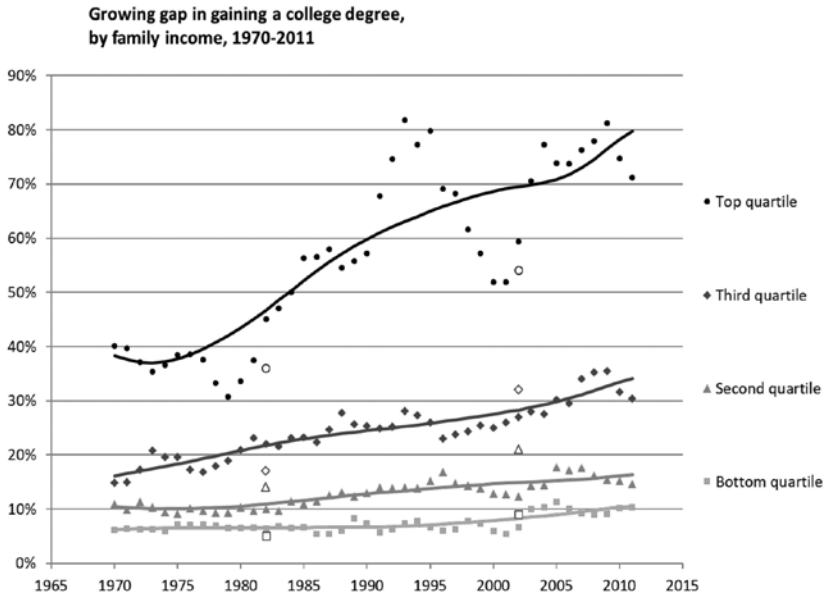


Figure 8. Source: “Family Income and Unequal Educational Opportunity”, *Postsecondary Education Opportunity* 245 (November 2012).

which was already substantial 30–40 years ago, has steadily expanded. This matters hugely, because completing college is increasingly important for socioeconomic success, physical and mental health, longevity, life satisfaction, and more. Figure 8 estimates the big picture over the past 40 years.⁵⁷ On the measure of post-secondary education that matters most – graduat-

⁵⁷ Estimates in this chart are drawn from “Family Income and Unequal Educational Opportunity, 1970 to 2011”, *Postsecondary Education Opportunity* 245 (November 2012). The basic trends shown in Figure 8 are broadly consistent with the results in Bailey and Dynarski, “Gains and Gaps: Changing Inequality in U.S. College Entry and Completion”, which are methodologically more reliable, but limited to two points in time (roughly 1982 and 2003). The estimates in Figure 8 probably overstate the level of college graduation among the kids from the richest quartile by about 10 percentage points, I use this chart because it gives a more continuous picture of the trends over time. (The chart also shows the equivalent Bailey/Dynarski data points as “open” dots). See also Patrick Wightman and Sheldon Danziger, “Poverty, Intergenerational Mobility, and Young Adult Educational Attainment”, in *Investing in Children: Work, Education, and Social Policy in Two Rich Countries*, eds. Ariel Kalil, Ron Haskins and Jenny Chesters (Washington, DC: Brookings Institution Press, 2012), 208–236.

ing from college – kids from affluent backgrounds are pulling further and further ahead, yet one more of the dispiriting scissors charts in this essay.

We North Americans like to think of ourselves as “rugged individualists” – in the image of the lone cowboy riding toward the setting sun, opening the frontier. But at least as accurate a symbol of the U.S. national story is the wagon train, with its mutual aid among a community of pioneers. Throughout our history, a pendulum has slowly swung between the poles of individualism and community, both in our public philosophy and in our daily lives.⁵⁸ In the past half century we have witnessed, for better or worse, a giant swing toward the individualist (or libertarian) pole in our culture, society, and politics. At the same time, researchers have steadily piled up evidence of how important social context, social institutions, and social networks – in short, our communities – remain for our well-being and our kids’ opportunities.

Community networks have powerful effects on health, happiness, educational success, economic success, public safety, and (especially) child welfare.⁵⁹ However, like financial capital and human capital, social capital is distributed unevenly, and differences in social connections contribute to the youth opportunity gap. Many studies have shown that better-educated Americans have wider and deeper social networks, both within their closest circle of family and friends and in the wider society.⁶⁰ By contrast, less-educated Americans have sparser social networks, concentrated within

⁵⁸ For recent accounts of these pendulum swings, see Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000); E.J. Dionne, Jr., *Our Divided Political Heart: The Battle for the American Idea in an Age of Discontent* (New York: Bloomsbury USA, 2012); and Robert D. Putnam, with Shaylyn Romney Garrett, *The Upswing: How America Came Together a Century Ago and How We Can Do It Again* (Simon & Schuster, 2021).

⁵⁹ For an introductory overview of this massive literature, see Putnam, *Bowling Alone*, 287–363.

⁶⁰ Peter V. Marsden, “Core Discussion Networks of Americans”, *American Sociological Review* 52 (February 1987): 122–131; Claude S. Fischer, *To Dwell among Friends: Personal Networks in Town and City* (Chicago: University of Chicago Press, 1982); Karen E. Campbell, Peter V. Marsden and Jeanne S. Hurlbert, “Social Resources and Socioeconomic Status”, *Social Networks* 8 (March 1986): 97–117; Marjolein I. Broese Van Groenou and Theo Van Tilburg, “Network Size and Support in Old Age: Differentials by Socio-Economic Status in Childhood and Adulthood”, *Ageing and Society* 23 (September 2003): 625–645; Ivaylo D. Petev, “The Association of Social Class and Lifestyles: Persistence in American Sociability, 1974 to 2010”, *American Sociological Review* 78 (August 2013): 633, 651.

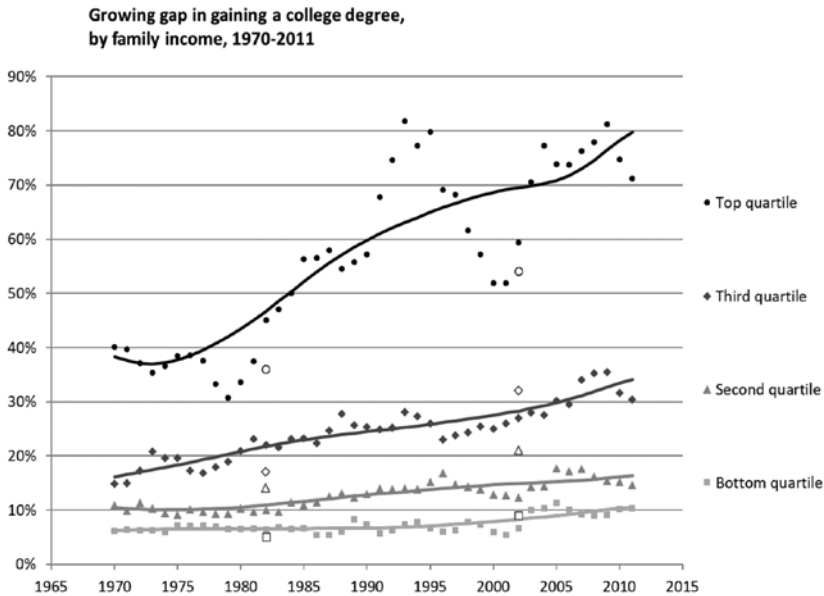


Figure 9. Source: Social Capital Community Benchmark Survey, 2000.

their own family. Figure 9 shows that both race and class matter for the density of “close” friendship – the sort of “strong ties” that can provide socio-emotional and (in a pinch) material support.⁶¹ Contrary to romanticized images of close-knit communal life among the poor, lower-class Americans today, especially if they are non-white, tend to be socially isolated, even from their own neighbors.

Perhaps more important, more educated Americans also have many more “weak ties”, that is, connections to wider, more diverse networks. The reach and diversity of these social ties is especially valuable for social mobility and educational and economic advancement, because such ties

⁶¹ The specific question in the Benchmark survey was “About how many close friends do you have these days? These are people you feel at ease with, can talk to about private matters, or call on for help”. This national survey included 30,000 respondents in 2000; for more details and access to the raw data, see <http://www.hks.harvard.edu/saguaro/communitysurvey/> and http://www.ropercenter.uconn.edu/data_access/data/datasets/social_capital_community_survey.html See also Campbell, Marsden and Hurlbert, “Social Resources and Socioeconomic Status”, 97-117.

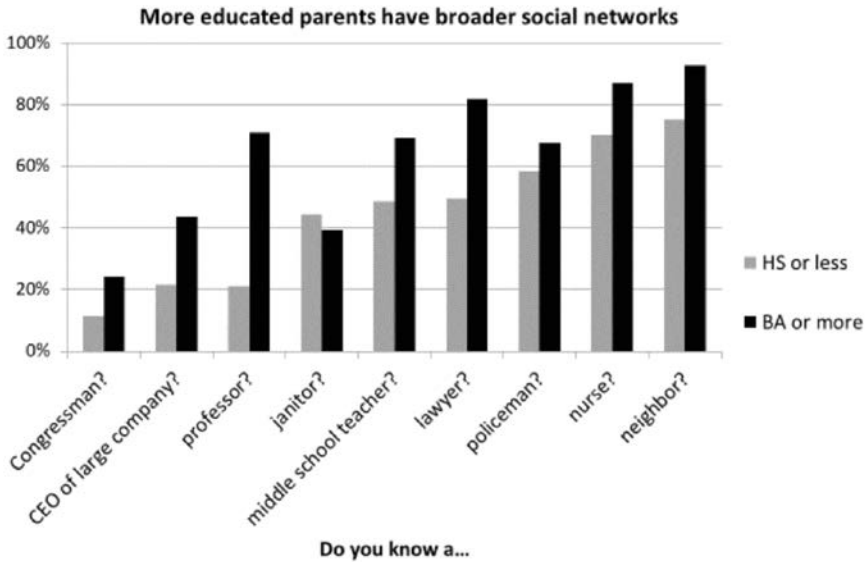


Figure 10. Source: Pew Research Center, November 2010 survey.

allow educated, affluent parents and their children to tap a wealth of expertise and support that is simply inaccessible to parents and children who are less well-off.

As Figure 10 shows, college-educated parents are more likely to know all sorts of people. This weak-tie advantage is especially great when it comes to occupations that are most valuable for their kids' advancement – professors, teachers, lawyers, medical personnel, business leaders – but it is visible even among more traditional working class connections, like police officers and neighbors. In short, the social networks of more affluent, educated families amplify their other assets in helping to assure that their kids have a richer set of opportunities.

Have these class differences in social networks changed in recent years? One recent study has shown a steady decline in such networks over the last 50 years, while another concludes that “Americans’ disengagement and their retreat to the relative social isolation of the homebody and communal patterns constitute a trend that, even if common to individuals of all classes, affects members of the lower classes disproportionately, ultimately

reinforcing differences between social classes”.⁶² While hard evidence is still too limited for a final verdict, there is reason to believe that class differences in social ties – especially weak ties that are important for upward mobility – are not only great, but may be growing.

But what about the internet? Does it help to close the networking gap between rich kids and poor kids, or does it widen that gap? Research shows that compared to their poorer counterparts, young people from upper-class backgrounds (and their parents) are more likely to use the internet for jobs, education, political and social engagement, health, and news-gathering, and less for entertainment or recreation.⁶³ Even though lower-class kids by now have virtually equal physical access to the internet, they lack the digital savvy to exploit that access in ways that enhance their opportunities. The internet seems more likely to widen the opportunity gap than to close it.⁶⁴

Adults outside the family often play a critical role in helping a child develop his or her full potential via natural mentoring relationships that spring up with teachers, pastors, coaches, family friends, and so forth. Measurably, mentoring matters.⁶⁵ And here, too, there are substantial class

⁶² Putnam and Garrett, *The Upswing*, chap. 4; Petev, “The Association of Social Class and Lifestyles”, 633, 651.

⁶³ Eszter Hargittai and Amanda Hinnant, “Digital Inequality: Differences in Young Adults’ Use of the Internet”, *Communication Research* 35 (October 2008): 602-621; Fred Rothbaum, Nancy Martland, Joanne Beswick Janssen, “Parents’ Reliance on the Web to Find Information about Children and Families: Socio-Economic Differences in Use, Skills and Satisfaction”, *Journal of Applied Developmental Psychology* 29 (March-April 2008): 118-128; Eszter Hargittai and Yuli Patrick Hsieh, “Digital Inequality”, in *The Oxford Handbook of Internet Studies*, ed. William H. Dutton (Oxford, UK: Oxford University Press, 2013), 129-150.

⁶⁴ Eszter Hargittai, “The Digital Reproduction of Inequality”, in *Social Stratification*, ed. David Grusky (Boulder, CO: Westview Press, forthcoming), 936-944.

⁶⁵ Evidence of the effects of mentoring can be found in Jean Baldwin Grossman and Joseph P. Tierney, “Does Mentoring Work?: An Impact Study of the Big Brothers Big Sisters Program”, *Evaluation Review* 22 (June 1998): 403-426; David L. DuBois, Bruce E. Holloway, Jeffrey C. Valentine and Harris Cooper, “Effectiveness of Mentoring Programs for Youth: A Meta-Analytic Review”, *American Journal of Community Psychology* 30 (April 2002): 157-197; David L. DuBois et al., “How Effective Are Mentoring Programs for Youth? A Systematic Assessment of the Evidence”, *Psychological Science in the Public Interest* 12 (August 2011): 57-91; Lance D. Erickson, Steve McDonald and Glen H. Elder, Jr., “Informal Mentors and Education: Complementary or Compensatory Resources?” *Sociology of Education* 82 (October 2009): 344-367. David L. DuBois and Naida Silverthorn, “Characteristics of Natural Mentoring Relationships and Adoles-

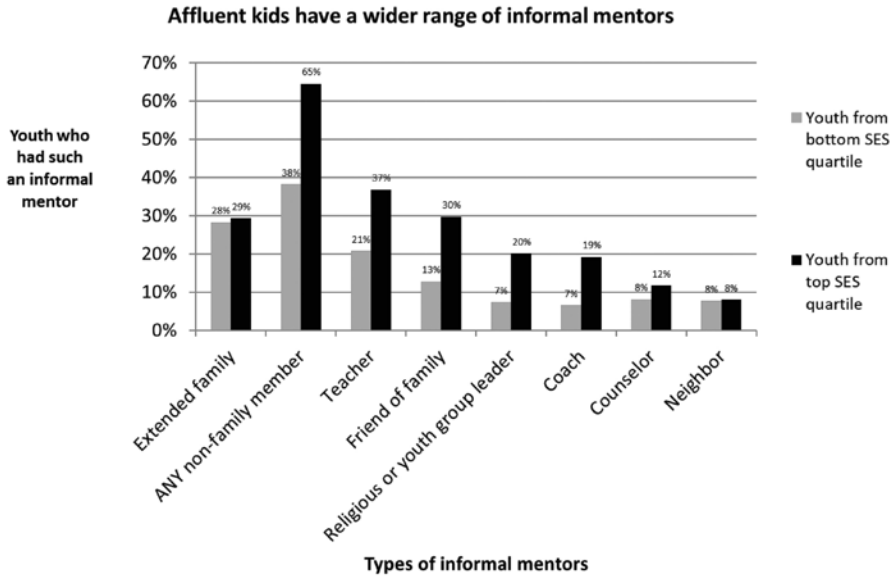


Figure 11. Source: The Mentoring Effect survey, 2013.

differences. Figure 11 summarizes the pattern, showing that kids from affluent, educated homes benefit from a much wider and deeper pool of mentors. Kids from affluent families are two to three times more likely to have mentors from virtually all categories outside the family – teachers, family friends, religious and youth leaders, coaches. Poor kids, by contrast, are less likely to have any mentoring support at all, and if they do, it is mostly limited to their extended family, and thus not so likely to reach beyond the family’s own resources. Nearly two thirds of affluent kids (64 percent) have some mentoring beyond their extended family, while nearly two thirds of poor kids (62 percent) do *not*. This stunning disparity

cent Adjustment: Evidence from a National Study”, *Journal of Primary Prevention* 26 (2005): 69–92 report that informal mentoring led to improvements in a broad array of positive and negative adolescent behavior: completion of high school, college attendance, working 10+ hours a week, binge drinking, using drugs, smoking, gang memberships, fighting, risk-taking, self-esteem, life satisfaction, depression, suicidal thoughts, general health, general physical activity, having an STD, using birth control, and using condoms.

in turn widens the opportunity gap, because kids from more privileged backgrounds are generally savvier about how to climb the ladder of opportunity.

As we observed earlier, residential segregation by social class across America has been growing for decades, so fewer affluent kids live in poor neighborhoods, and fewer poor kids live in rich neighborhoods. Growing up in a poor family and going to school with poor kids both constrain opportunity, as we have seen. Here the question is whether growing up in a poor neighborhood imposes any additional, synergistic handicaps, and the answer is yes.

North America's leading expert on neighborhoods, Robert J. Sampson, has shown that United States neighborhoods are deeply unequal and that that inequality has powerful effects on their residents. Pervasive neighborhood inequality, he writes, has consequences "across a wide range of how Americans experience life ... crime, poverty, child health, public protest, the density of elite networks, civic engagement, teen births, altruism, perceived disorder, collective efficacy, [and] immigration". He concludes, "*What is truly American is not so much individual [inequality] but neighborhood inequality*".⁶⁶

⁶⁶ Robert J. Sampson, *Great American City: Chicago and the Enduring Neighborhood Effect* (Chicago: University of Chicago Press, 2012), 356, emphasis in original. The study of neighborhood effects has been tormented by complicated methodological concerns, especially what is termed "selection bias". Since people generally choose where to live, if people in a given neighborhood have distinctive characteristics, it is possible that they brought those traits with them to the neighborhood, rather than those traits being "caused" by the neighborhood context. The best contemporary studies, however, have been attuned to that risk, and our discussion here is based on findings that seem robust in the face of that methodological issue. In fact, cross-sectional studies may actually underestimate true neighborhood effects, by ignoring the impact of long-term effects. On these methodological issues, see Sampson, *Great American City*, especially chapters 12 and 15; Robert J. Sampson and Patrick Sharkey, "Neighborhood Selection and the Social Reproduction of Concentrated Racial Inequality", *Demography* 45 (February 2008): 1-29; and Tama Leventhal, Véronique Dupéré and Elizabeth Shuey, "Children in Neighborhoods", in *Handbook of Child Psychology and Developmental Science*, 7th edition, volume 4, eds. Richard M. Lerner, Marc H. Bornstein and Tama Leventhal (Hoboken, NJ: Wiley, forthcoming 2015). At the center of these debates is the so-called "Moving to Opportunity" experiment of the 1990s that followed a randomly selected group of poor families who were enabled to move to low poverty neighborhoods and then carefully compared to a control group of similar families who did not so move. For an overview of the complex and mixed results, see Jens Ludwig et al., "Neighborhood Effects on the Long-Term Well-Being of Low-Income Adults", *Science* 337

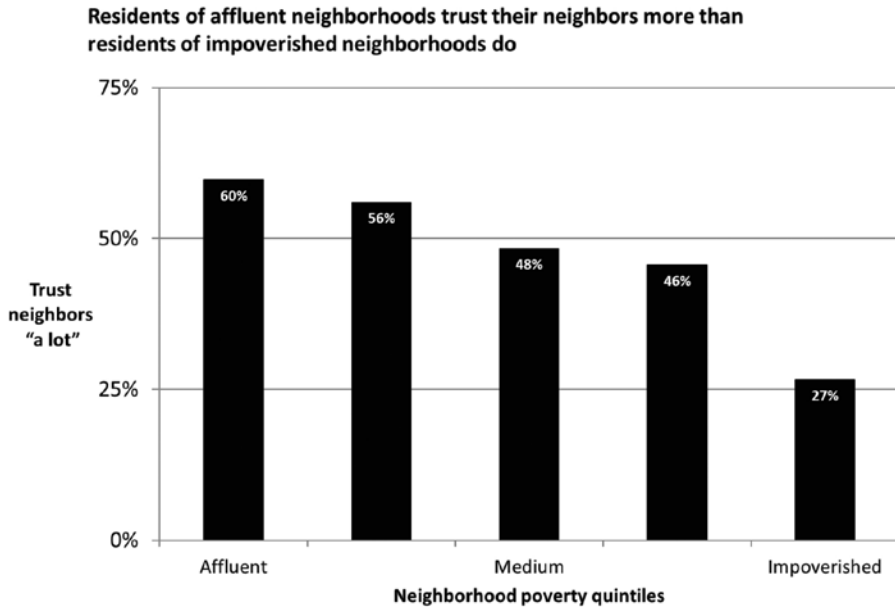


Figure 12. Source: Social Capital Community Benchmark Survey, 2000.

Affluent neighborhoods boost academic outcomes in part because youth-serving institutions, like quality childcare, libraries, parks, athletic leagues, and youth organizations, are more common there than in poor neighborhoods. Conversely, careful studies have documented that poor neighborhoods foster behavioral problems, poor mental and physical health, delinquency, crime, violence, and risky sexual behavior.⁶⁷ Most neighborhood studies have focused on cities, but recent research has shown depressingly similar effects in rural areas.⁶⁸

One consequence of these neighborhood differences is that trust in neighbors is higher in richer, more educated neighborhoods, and that

(2012): 1505–1510, and Lisa Sanbonmatsu et al., *Moving to Opportunity for Fair Housing Demonstration Program – Final Impacts Evaluation* (Washington, DC: U.S. Department of Housing and Urban Development, 2011).

⁶⁷ A recent, comprehensive overview of neighborhood effects on children is Leventhal, Dupéré and Shuey, “Children in Neighborhoods”.

⁶⁸ Cynthia M. Duncan, *Worlds Apart: Poverty and Politics in Rural America*, 2nd ed. (New Haven: Yale University Press, 2014).

trust in turn helps *all* the young people in the neighborhood, regardless of their family resources. The close association of neighborhood trust and neighborhood poverty is illustrated in Figure 12.⁶⁹ Regardless of your own characteristics, if you live in an affluent neighborhood, you are much more likely to know and trust your neighbors. As we have seen, more poor kids are living in poor neighborhoods, while more rich kids are living in rich neighborhoods, so the benefits of collective efficacy and trust are increasingly concentrated on rich kids. It does indeed take a village to raise a child, but poor kids in the United States (and many other countries) are increasingly concentrated in derelict villages.

Around the world, social trust is almost always higher among haves than have-nots, and that pattern has long held true for American youth.⁷⁰ Trust has fallen among youth of all social backgrounds during the past half century.⁷¹ However, as Figure 13 shows, during the past several decades the long-standing class gap in social trust among American adolescents has significantly widened, producing yet another scissors chart. By the 21st century barely one out of every seven poor kids say that “most people can be trusted”. This deep personal isolation is one of the most troubling consequences of the broader societal changes that I have explored in this essay.

Participants in this conference may be forgiven for wondering why religion has played such a small role up to now in my analysis of family,

⁶⁹ Figure 12 depicts the simple correlation between trust and poverty, but the correlation remains robust and substantial with controls for personal finances, education, citizenship, ethnicity, crime rates, income inequality, ethnic diversity, language, commuting time, residential mobility, homeownership, gender, region, and age. See Robert D. Putnam, “*E Pluribus Unum: Diversity and Community in the 21st Century: The 2006 Johan Skytte Prize Lecture*”, *Scandinavian Political Studies* 30 (June 2007): 137-174, especially Table 3. The same pattern also applies to how often neighbors speak with one another.

⁷⁰ See Putnam, *Bowling Alone*, 138; and Orlando Patterson, “Liberty Against the Democratic State: On the Historical and Contemporary Sources of American Distrust”, in *Democracy and Trust*, ed. Mark E. Warren (Cambridge, UK: Cambridge University Press, 1999), 187-191.

⁷¹ Putnam, *Bowling Alone*; Wendy M. Rahn and John E. Transue, “Social Trust and Value Change: The Decline of Social Capital in American Youth, 1976-1995”, *Political Psychology* 19 (September 1998): 545-565; April K. Clark, Michael Clark and Daniel Monzin, “Explaining Changing Trust Trends in America”, *International Research Journal of Social Sciences* 2 (January 2013): 7-13; Jean M. Twenge, W. Keith Campbell, and Nathan T. Carter, “Declines in Trust in Others and Confidence in Institutions Among American Adults and Late Adolescents, 1972-2012”, *Psychological Science* (October 2014) vol. 25 no. 10 1914-1923.

Social trust, by parents' education, 12th graders, 1976-2011

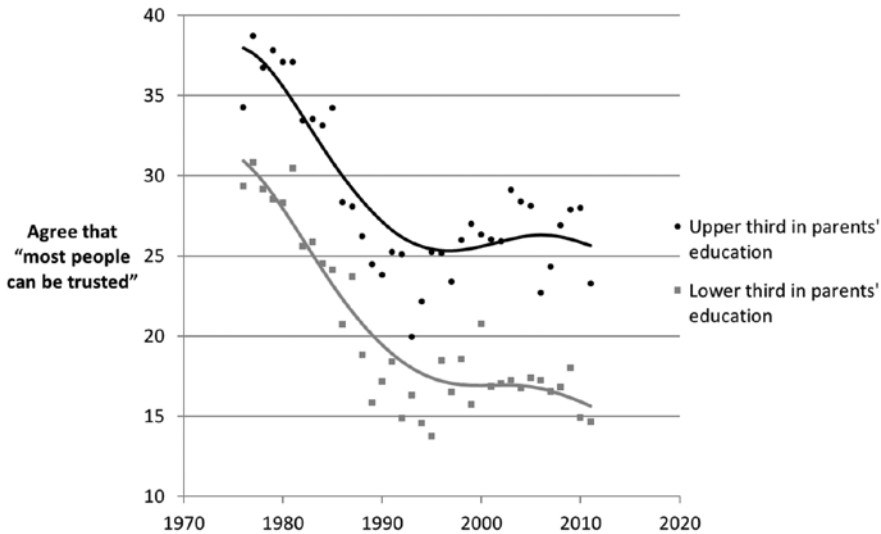


Figure 13. Source: Monitoring the Future annual surveys.

parenting, and community. In fact, I end my essay now with a discussion of religion precisely because *religious institutions are central and indeed archetypal as a backdrop to the long trend toward a two-tier opportunity structure.*

I begin with the fact that religious institutions are central to youth wellbeing.⁷² Religious communities in the United States are important service-providers for young people and the poor. Weekly churchgoers are two to three times more likely to volunteer to help the poor and young people than are non-churchgoers, and are much more likely to contribute financially to those causes. This religious edge applies both to volunteering and giving through religious organizations, and (more surprising) to volunteering and giving through secular organizations. The crucial ingredient seems not to be theology but rather involvement in a religious congrega-

⁷² For present purposes I do not distinguish among different denominations since the generalizations at the center of my argument apply more or less equally to Catholics, Protestants, Jews, and other faith traditions, as we showed in Robert D. Putnam and David E. Campbell, *American Grace: How Religion Divides and Unites Us* (New York: Simon & Schuster, 2010).

tion. As I wrote in an earlier book, loosely speaking, religious people seem to be nicer than non-religious people, other things being equal.⁷³

In addition to good works, religious involvement by youth themselves is associated with a wide range of positive outcomes, both academic and non-academic.⁷⁴ Compared to their unchurched peers, youth who are involved in a religious organization take tougher courses, get higher grades and test scores, and are less likely to drop out of high school. A child whose parents attend church regularly is 40 to 50 percent more likely to go on to college than a matched child of non-attenders.

Churchgoing kids have better relations with their parents and other adults, have more friendships with their peers, are more involved in extra-curricular activities, and are less prone to substance abuse (drugs, alcohol, and smoking), risky behavior (like not wearing seat belts), and delinquency (shoplifting, misbehaving in school, and being suspended or expelled).

⁷³ Putnam and Campbell, *American Grace* (2010), especially Chapter 13. Statistics in this paragraph come from the 2006 Faith Matters national survey, described in that book. All these correlations persist when controlling for self-selection, as well as other demographic factors.

⁷⁴ John M. Wallace and Tyrone A. Forman, "Religion's Role in Promoting Health and Reducing Risk among American Youth", *Health Education and Behavior* 25 (December 1998): 721-741; Mark D. Regnerus and Glen H. Elder, Jr., "Staying on Track in School: Religious Influences in High and Low-Risk Settings" (paper presented at the annual meeting of the American Sociological Association, Anaheim, CA, August 2001); Chandra Muller and Christopher G. Ellison, "Religious Involvement, Social Capital, and Adolescents' Academic Progress: Evidence from the National Education Longitudinal Study of 1988", *Sociological Focus* 34 (May 2001): 155-183; Christian Smith and Robert Faris, "Religion and American Adolescent Delinquency, Risk Behaviors, and Constructive Social Activities", research report of the National Study of Youth and Religion (Chapel Hill, NC, 2002), accessed August 21, 2014, <http://eric.ed.gov/?id=ED473128>; Jonathan K. Zaff, Kristin A. Moore, Angela Romano Papillo and Stephanie Williams, "Implications of Extracurricular Activity Participation during Adolescence on Positive Outcomes", *Journal of Adolescent Research* 18 (November 2003): 614; Jennifer L. Glanville, David Sikkink and Edwin I. Hernandez, "Religious Involvement and Educational Outcomes: The Role of Social Capital and Extracurricular Participation" *Sociological Quarterly* 49 (Winter 2008): 105-137. These studies control for many other factors that might make the correlations spurious. The best studies of selection bias in the case of religious engagement conclude that, if anything, this bias tends to obscure, not exaggerate, the effects of religion: Mark D. Regnerus and Christian Smith, "Selection Effects in Studies of Religious Influence", *Review of Religious Research* 47 (September 2005): 23-50; Jonathan H. Gruber, "Religious Market Structure, Religious Participation, and Outcomes: Is Religion Good for You?" *Advances in Economic Analysis & Policy* 5 (December 2005).

As with mentoring, religious involvement – when it happens – makes a bigger difference in the lives of poor kids than rich kids, in part because affluent youth are more exposed to other positive influences. In short, *ceteris paribus*, religious engagement is good for kids. All the generalizations in these paragraphs, I emphasize, are based on careful statistical controls.

Religious engagement has traditionally been less class-biased than virtually any other sort of community activity in the United States.⁷⁵ But very importantly, *that is no longer true*. Nowadays, poor families are generally less involved in religious communities than affluent families, and this class gap, too, is growing. Throughout the ups and downs of American religiosity during the past several decades, religious observance has tended to rise faster, or fall more slowly, among better-educated Americans than among their less well-off counterparts. Moreover, this growing class gap in church attendance appears among both blacks and whites. If you listen carefully today, hymns in American houses of worship are increasingly sung in upper-class accents.⁷⁶ Many religious leaders seem to be unaware of this essential truth about religion in 21st century America.

Not surprisingly, this same trend shows up among adolescents. Young people's church attendance has fallen in all classes in recent decades, but has fallen twice as fast among kids from the lower third of the socioeconomic hierarchy as among kids from the upper third. The now-familiar scissors gap is shown in Figure 14. At least in the United States, but probably elsewhere, the Church has been unable to withstand the ever-widening gap

⁷⁵ Eric Dearing et al., "Do Neighborhood and Home Contexts Help Explain Why Low-Income Children Miss Opportunities to Participate in Activities Outside of School?" *Developmental Psychology* 45 (November 2009):1545-1562. Author's analysis of Social Capital Community Benchmark Survey (2000); out of seventeen different types of organizations, only self-help, veterans, and seniors groups are less class biased in their membership than religious groups.

⁷⁶ Putnam and Campbell, *American Grace*, 252-253. The same generational trend of increasing class bias in church attendance appears in the General Social Survey, the National Educational Studies, and in the Roper Political and Social Trends archive, with either education (relative or absolute) or income as a measure of socioeconomic status, though more clearly with education. Attendance measures differ from archive to archive, but the trends by education are similar. The growth of the class gap is sharper for men than for women, and if anything, sharper among blacks than among whites and among evangelical Protestants than among other traditions. If all races are analyzed together, this trend is masked, because nonwhites are poorer, less educated, and more religious, but the growing class gap appears in each race, considered separately.

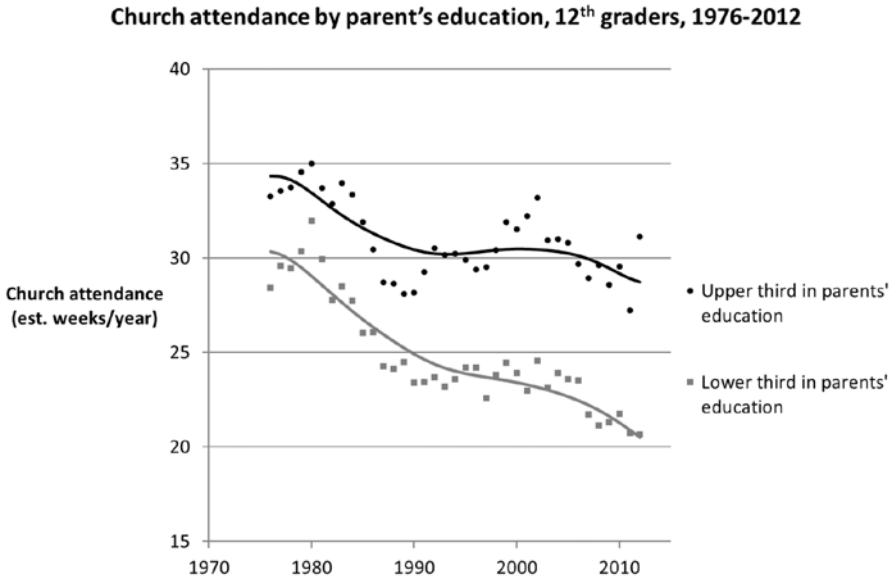


Figure 14. Source: Monitoring the Future annual surveys.

between young people from “have” and “have not” family backgrounds. For this audience, that may perhaps be my most important conclusion.

Why? And So What?

If I had more time and space, I should have spent much time analyzing *why* this two-tiered society, with its fading of equal opportunity for all God’s children, has occurred now. I must here be brief.

Marriage has not lost its allure. An overwhelming majority of Americans from all classes want to marry, and most expect to marry. So why has the two-tier class divergence in actual behavior become so marked in the last three or four decades?

Economic inequality is clearly a primary villain. The greatly reduced economic prospects experienced by poorer, less-educated Americans over these decades (greater job instability and declining relative earnings) have made it far more difficult for them to attain and sustain the traditional pattern of marriage, while the upper tier of Americans have steadily gained more resources to maintain a family.

Culture is another important part of the story. Gender and sexual norms have changed, in particular, as have the roles of less-educated men

and more-educated women.⁷⁷ For poor men, the disappearance of the stigma against premarital sex and non-marital birth, and the evaporation of the norm of “shotgun marriages”, broke the link between procreation and marriage. For educated women, the combination of birth control and greatly enhanced professional opportunity made delayed childbearing both more possible and more desirable.

Scholars debate the relative importance of “structural” (or economic) and “cultural” explanations for the emergence of the two-tier system. The most reasonable view is that both are important. Moreover, cause and effect are entangled here: poverty produces family instability, and family instability in turn produces poverty.

“Family values” conservatives have sometimes argued that liberalism and secularism cause family disintegration. But unwed births and single-parent families are widely distributed across America, and are concentrated neither in secular areas nor in “blue” states, which presumably have pursued more progressive policies. If anything, the opposite seems to be true: divorce and single-parent families are especially common in the southeastern, heavily Republican, socially conservative Bible belt.⁷⁸ Changing personal values are an important part of the story, but only in conjunction with adverse economic trends, and as an empirical matter, theology and ideology seem to have very little to do with it (I recognize that this empirical judgment will probably not win universal approval in this setting).

But in the end, I believe, the key explanation has been a moral decay – *not* as defined by our incessant culture wars, but in the even deeper sense of self-centeredness: America’s shriveled sense of “us” and of who count as “our kids”. Family breakup can often be better for the adults involved, but it is rarely good for the children. Moreover, caring for kids was once a responsibility not merely of a child’s biological parents, but a shared community responsibility, but that ethic has withered in recent decades. Half a century ago when adults spoke of “our kids”, they meant all the kids in town, even the kids “from the wrong side of the tracks”; but now “our kids” means “my own children”, not others’ children. That narrowing of the effective scope of

⁷⁷ England, McClintock and Shafer, “Birth Control Use and Early, Unintended Births: Evidence for a Class Gradient”.

⁷⁸ Jennifer Glass and Philip Levchak, “Red States, Blue States, and Divorce: Understanding the Impact of Conservative Protestantism on Regional Variation in Divorce Rates”, *American Journal of Sociology* 119 (January 2014): 1002-1046.

“our kids” has had dramatically different effects on privileged and impoverished children, producing our tragically two-tiered societies.

This transformation of United States society into a two-tier society has very broad and deleterious consequences, not merely for our children, but for all of us.

- It is bad for our economy, because we simply cannot afford to discard talent, no matter where it might be found. Opportunity is not a zero-sum game; investing in poor kids will help everyone, including rich kids.
- It is bad for our democracy, because as they grow up, throw-away kids become ready tinder for demagogues.
- But above all, it is simply and deeply wrong. Ignoring kids simply because they are not our own children is morally indefensible by any standard.

▶ SESSION 2.

THE SOCIETAL ROLE OF THE FAMILY

THE FAMILY IN THE HISTORY OF PHILOSOPHY

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The family is, like other social institutions (economy, politics), based on biological needs. Organisms need to reproduce, if their species is to last, since individuals are mortal. In the case of humans, however, it is not simply physical but cultural reproduction that is involved. Humans' physiological vulnerability is increased by their long dependence on education to become familiar with culture, beginning with language. Furthermore, human sexual needs are detached from seasonal cycles and thus render long-term commitment to a partner more likely. "Genetic egoism" – as the only way in which altruism could develop¹ – also explains the importance of family relationships among humans.

However, the definition of kinship always involves cultural practices, such as matrilinear and patrilinear descent rules. The long relationship between the parents in raising the children creates a special, personal bond, which is usually expected to survive the common task of the education of the children. This bond and its sexual root explain why families rely on emotions more than other social institutions – a fact that renders their legal regulation considerably more difficult and precarious than in the case of, say, a limited company. In most cultures the family needs strong moral, legal, and sometimes even religious sanctions.

The natural basis of the family does not exclude the historical evolution of the institution. With the evolution of modern society, particularly thanks to increased mobility of location and social standing, individualization, and integration of women into the workforce, the extended and multigenerational family has been reduced since the age of the bourgeoisie to the nuclear family. Doubtless, this too is now endangered.² Some of the

¹ See my analysis in: *Morals and Politics*, Notre Dame 1997, 197 ff. The book also offers my own systematic ideas on the family (693 ff.).

² In his important macro-sociological study, *Family and Civilization* (New York 1947), Carle C. Zimmermann coined the terms of trustee, domestic, and atomistic family, describing families with maximum strength, middle strength, and maximum weakness. The trustee family considers individuals, and even nuclear families, as nothing more than trustees and vehicles of a structure that surpasses individual generations and is potentially eternal.

main factors that led to changes in family law are the question of who has the right of entering into marriage (the spouses or their families of origin, which remain crucial even after marriage, unlike in the animal world), the rights and duties of the spouses within the marriage (and, in the case of divorce, against each other after the marriage), the duties toward children, and the rights and duties of the latter.³ Not being a historian, however, I will not speak of the social and legal history of the family. I will focus on the four theories of the family developed by philosophers who are arguably the greatest – namely, Plato, Aristotle, Kant, and Hegel – and then discuss the changes in our understanding of gender roles that began to emerge in the nineteenth century and that have had an enormous impact on the contemporary reality of family life.

Since there are many other theories of family, the jump from the 4th century BC to the 18th century is too abrupt. I will therefore quickly mention some of the most relevant changes that occurred between Aristotle and Kant, not least the Christian transformation of the concept of the family even if it is connected to theological ideas, which transcend my philosophical competence. But I will spend more time with my four authors not only because of their insightfulness but also because they represent four paradigmatic views: Plato in the *Republic* the negation of family, Aristotle a biologically-rooted doctrine of social institutions, Kant a contractualist understanding of marriage based on an absolute sense of obligation, and Hegel the attempt of a reconciliation of the ancients and the moderns.

Whoever studies philosophical thought on the family cannot help being struck by the fact that most who developed theories about it were not simply men (which, given the educational system of the time, can easily be explained) but bachelors. This holds obviously for the Church Fathers and the scholastics but also for Hobbes, Locke, Hume, and Kant. It is impossible to gainsay that the contrasts between Plato and Aristotle on the one hand and between Kant and Hegel on the other are connected to the psychological fact that Plato and Kant, unlike Aristotle and Hegel, never lived a married life. Only bachelors could devise theories so distant from experience. Yet they remain fascinating from an intellectual point of view.

³ A good overview of the legal and philosophical controversies concerning modern families can be found in: Laurence D. Houlgate, *Family and State. The Philosophy of Family Law*, Totowa 1988.

I.

The first great philosophical theory of the family originates as a critique of the family in its normal understanding – I mean Plato’s conception of the communism of wives in the *Republic*. In Book IV, Socrates mentions that education and reproduction (in this order, which is obviously axiological, not chronological) are the most important thing in the establishment of an ideal commonwealth, compared with which all other matters pale (423e), and only vaguely alludes to the communist ideal (which he also defends for material goods). But in the fifth book, when he tries to shift to a new subject, Adeimantus forces him to return to that topic, the centrality of which he reiterates (449e), while Adeimantus’ brother Glaucon insists on the fact that early childhood education is the most demanding one (450c). Socrates begins his reflections with a defense of the fundamental equality of men and women – while the latter are weaker, they are not in principle different (455d f.). Therefore, the education of men and women should be the same, which is not only feasible but also desirable (457a).

Note that Socrates does not speak about the whole society but only about male and female guardians, a subset of which are the philosopher kings (457b). This condition holds of course also for the further thesis that all wives should be in common so that no father could know his child, nor the latter his father (457c f.). Socrates wants to discuss first the desirability and only later the feasibility of the plan. He starts with the necessity of a eugenic organization of reproduction – what breeders do with their animals, humans should do a fortiori with their own species. First of all, the number of the population should be kept as constant as possible (460a). The best males should mate with the best women and the worst with the worst. Yet the descendants of the latter should not be raised (459d, 461c). This, however, must be organized in such a way that the mating couples are not able to understand that the concrete intercourses granted to them by lot are not the result of chance but in fact manipulated by the rulers (459c; on “noble lies” see 382c ff. and 414b ff.).

The rulers, by the way, may be both male and female (460b). It is crucial that generating and bearing occur for the city-state (460e). The age span in which men and women can reproduce is strictly determined (460d ff.); every single intercourse must be permitted by the rulers but only as long as there is the possibility of reproduction; afterwards there are no limits, as long as there is no risk of incest (461b f.). Babies have to be quickly taken away from their mothers and delegated to wetnurses (460c f.). The

decisive argument for this model is the unity of the state. It is supposed to be endangered when “mine” and “not mine”, as expressed by different people, do not refer to the same objects. Like the pain of one organ is felt by the soul of the whole organism, so the pain of one citizen should be felt by all (462c f., 464b). Precisely this will be achieved by the communism of wives, for every citizen could now be a sibling, parent, or descendant (463 c). This will increase reciprocal help and decrease inner strife (464d ff.).

While one can understand why the Platonic conception might appear appealing in a world in which conflicts between different γένη, φροατρία, and φυλαί could endanger political peace and limit the sense for the common good of the city-state, it is not now. First, our modern concept of individual rights finds the idea of some rulers manipulatively organizing the breeding of the people repulsive. Against the argument that one should treat humans no less carefully than animals, it is easy to object that because humans are not simply animals their reproductive decisions have to be left to themselves. Their manipulation is perhaps even more morally heinous than physical enforcement would be, and its public defense in a book means that Plato’s *Republic* would be forbidden in the ideal state. The explicit defense of the elimination of children not regarded as worthy to live is incompatible with the later Christian concept of human dignity, even if the exposing of children corresponded to a widespread social reality in the ancient world.

Second, even if one subordinates individual rights to the common good, as the ancients did, it is absurd to assume that the elimination of concrete family relations would lead to some universal brotherhood within the city. Brotherhood can only be expanded if one has experienced it. This means the concrete relationship of intense affection and reciprocal responsibility that can only be built up among members of a small group who come to know each other in an intense way from their childhood on. The result of the Platonic education system would not at all be universal brotherhood but universal indifference. As the important neo-Confucian philosopher Tongdong Bai has recently written in an astute comparison of Confucianism and Plato’s political philosophy: “Without family, ‘father and mother’ and ‘brothers and sisters’ carry no significance, and they only gain significance when filial affection for family members is cultivated in a family environment. Or, using the metaphor in 1.2 of the *Analects*, the big family in the *Republic* is like a rootless tree”.⁴

⁴ “The Private and the Public in the *Republic* and in the *Analects*”, in: *Confucius and Cicero*, ed. Andrea Balbo/Jaewon Ahn, Berlin/Boston 2019, 29–42, 39.

Still, one can recognize that some of the Platonic ideas have become reality in later human history. The strict difference between the reproductive behavior of the elites and the masses also characterizes the distinction between hierocracy and ordinary faithful people in the Catholic Church. While of course Plato's guardians do not live a celibate life but function rather as selected stallions for a new breed of men, their renunciation of a normal family life somehow anticipates the celibacy of the Catholic clergy. The clergy, however, has the explicit task to grant sacramental status to marriage and thus legitimize normal family life, which in the *Republic* is not dealt with at all but looked at with suspicion and contempt. But in the *Laws*, where the function of the philosopher kings is reduced, normal, non-communist family relations based on an individual commitment of the spouses are an explicit topic; indeed, marriage laws are regarded as the basic laws (721a). The state is conceived as a collection of households, not, as in modernity, of independent individuals. Therefore, it is explicitly stated that the choice of the spouse should aim not at what is agreeable for oneself but good for the state (773b). Even if it is more tiresome to live together with someone with a different character, such a bond prevents a polarization of society into different groups homogenous in themselves but incompatible with each other (see already *Statesman* 310b ff.). Plato recognizes that a legal obligation cannot work in such a case, but he hopes for what today would be called moral suasion (773d). However, there is a legal duty to marry in general, and after the age of 35 men are fined and deprived of honors if they refuse to do so (774a ff.).⁵ This is explicitly understood as a religious duty – one has to partake in the eternal essence and preserve new servants, who can replace oneself, for the god (773e, cp. 721 b ff. and *Symposium* 207c f.).

In many aspects, the *Laws* continue the “proto-feminist” program of the *Republic*. Certainly, neither work teaches an equality between man and woman but both demand far more rights for women than existed in any Greek state. Women are entitled to political offices and subject to military service, even if the age limits are different (785 b). Women should neither be treated as slaves, as among the Thracians and other barbarians, nor restricted to the home, as in Athens, but be able to defend their country (805 d ff.). For violations of sexual norms, the punishments are the same

⁵ Punishments for bachelors after a certain age were customary in Sparta, whose idealized institutions inspire much of what Plato recommends. See W.K. Lacey, *The Family in Classical Greece*, Ithaca 1968, 177 ff., esp. 197.

for men and women (784 d f.) – an impressive deviation from the double standard that was valid even in several legal systems of Western Europe until after World War II.⁶ Still, the similar position concerning public law is not matched at all by the rules of civil law. Women cannot inherit or own property and are under the tutelage of a male relative. Even when a father has only daughters, he has to bequeath his property to the son-in-law (923 e). Normally, it is the male relatives who choose a woman's husband (774e). Only unmarried women are permitted to bring civil actions (937b f.). Thanassis Samaras rightly asks: "How can women be reduced to such a subordinate role within their family and at the same time become the warriors and active citizens that Plato wants them to be? The psychological implausibility of this expectation indicates that the philosopher never asked himself this question".⁷

II.

Aristotle's approach to the family is, as is well known, radically different from Plato's. Not only does he reject communism of wives and property with excellent arguments in the second book of the *Politics*, in its first book he develops his own theory of the *qualitative* differences between the various social institutions. His central idea is that οἰκία and πόλις, household and city-state, do not only differ quantitatively; for if their difference were only in the number of members of the social institution, then there would be no difference between a big household and a small city-state. But in reality

⁶ Think of art. 559 of the Italian *Codice Penale*, which was declared unconstitutional only in 1968 and 1969. It limited the legal concept of adultery to the woman; the husband could only be punished if he held a concubine in the house of the spouses or "notoriously" somewhere else (art. 560). This cavalier attitude toward male adultery can be found, for example, in the 18th century in such an explicitly Christian author as Samuel Johnson: "I would not receive home a daughter who had run away from her husband on that account. ... a man will not, once in a hundred instances, leave his wife and go to a harlot, if his wife has not been negligent of pleasing" (James Boswell, *Life of Johnson*, Oxford/New York 1998, 394). David Hume also defends the double standard (*Treatise of Human Nature*, Book III, Part II, Section 12), and, of course, so does Louis de Bonald, *Du divorce, considéré au XIXe siècle, relativement à l'état domestique et à l'état publique de société*, Paris 3rd ed. 1818, 307 f. On the other hand, in antiquity, in addition to Plato, the Stoics Musonius Rufus (*Discourses* 12) and Seneca (*Epistles to Lucilius* 94.26) rejected it.

⁷ Family and the question of women in the *Laws*, in: *Plato's Laws. A Critical Guide*, ed. Christopher Bobonich, Cambridge 2010, 172-196, 196.

their difference is based not on size but εἶδει, on their essence (1252a20). Certainly the introduction of an intermediate social institution, κώμη, the village, between οἰκία and πόλις (1252b15 ff.), somehow obfuscates his argument; for this seems to be a necessary step only in order to account for the *genesis* of the city-state, since the village does not play any role in the actual workings of the already existing city-state.⁸ One can imagine a city-state without surrounding villages, even if they certainly did exist in most ancient city-states. But according to Aristotle, one cannot conceive a city-state without households – and one cannot imagine households in which people live well without the surrounding frame of the city-state. The basis of the οἰκία is the biological need for reproduction. It would be, however, misleading to interpret συνδυάζεσθαι (1252a26) in the context of the *Politics* as mere mating, a meaning which it has in the biological writings (for example *Generation of Animals* 746b12). The use of the term in the great treatise on friendship in the *Nicomachean Ethics* 1162a15 ff. shows that a bonding of friendship is meant that transcends the mating act and forges a relationship of particular intensity.

Still, this relation is deeply asymmetrical. This is partly rooted in Aristotle's developmental biology,⁹ and in the *Politics* it becomes manifest when the inequality between man and woman is compared with that between master and slave (1252a30 ff.). Certainly, the two inequalities are not the same; for nature does not use the same object for different purposes, and it is only barbarians who treat women and slaves in the same way, thus giving the Greeks the right to treat barbarians as slaves (1252b1 ff.). But the specific difference between the two inequalities does not change the fact that the household, unlike the city-state (1255b16 ff.), is the realm of asymmetric relations, albeit in very different degrees. (And Aristotle does not contemplate female activities in the *polis*). This holds for all the three relations that constitute it – the one between husband and wife, the one between parents and children, and the one between master and slaves, without which the household would not be complete (1253b4 ff.). Certainly the relation between master and slave, which Aristotle discusses most extensively, defending the doctrine that there are slaves by nature, is the most asymmetric – it is a form of despotic rule (δεσποτική, 1259a38).

⁸ Cfr. Aristoteles, *Politik*, Buch 1, ... übersetzt und erläutert von Eckart Schtrumpf, Darmstadt 1991, 200.

⁹ For a balanced view, see Devin Henry, "How Sexist Is Aristotle's Developmental Biology?", in: *Phronesis* 52 (2007), 251-269.

The rule of the father over the children, on the other hand, is called “royal” (βασιλική, 1259b11); for the father rules like the king with friendship and based on the authority of age. But does not the characterization of the relation between the spouses as “political” (πολιτικῶς, 1259a41) point to symmetry between husband and wife? Not really, for even if Aristotle clearly conceives it as the least asymmetric relation within the household, he still calls the form of rule in a household monarchical (1255b18 f.), he asserts the superiority of the man over the woman, whenever their relation is not against nature (1259b1 f.), and he insists on the fact that, unlike in the alternation of rulers and ruled citizens in a polity, the superiority of the husband always holds (1259b9 f.).

The asymmetry of the relations within the household does not challenge its natural place among social institutions. In fact, the critique of Plato’s communism in the second book of the *Politics* also contains a sharp rejection of the communism of wives. First of all, Aristotle rightly teaches that the unity of the state is not the supreme goal; for in this case, the city state should become a household, and the household an individual (1261a17 ff.). A maximal unity of the city-state would thus abolish itself as a city-state. Furthermore, a city-state does not only presuppose a plurality of subjects, but also their being different, because only by division of labor can a city-state achieve self-sufficiency. But even if we granted the goal, the communism of wives would not be the right means to achieve it. The abrogation of the family would not increase the identification with the state. The meaning of “mine” would change; instead of extending the normal love for one’s own children to others, the love granted to the thousands who would now be called “one’s own children” in a collective, not a separate sense, would be completely diluted (1261b16 ff., 1262b17 ff.). It is better to be one’s private nephew than a son in this collectivist sense (1262a13). The heterosexual Aristotle uses the occasion to reproach Plato for his condoning homoerotic love, which would be particularly inappropriate between brothers and fathers and sons (1262a32 ff.). (Aristotle seems to ignore the late Plato’s condemnation and prohibition of homosexual acts in the *Laws* 636b ff., 836a ff., 838e, 841d). Since the community of wives could not prevent people from trying to find out who really is their child, it would create only animosities; and it should be favored only among the lower classes, if the purpose were to dominate them more easily due to their quarrels among themselves (1262a40 ff.). Aristotle, however, considers it a political error to stoke conflicts in some parts of the population. And he foresees many conflicts in the transfer of children from one class to the other, as planned by Plato.

III.

The most important event in the evolution of the Western doctrines of marriage is the rise of Christianity. On the one hand, unlike the pagan religions, early Christianity, inspired by the evangelical counsels,¹⁰ subordinated married life to celibacy. The defense of marriage as an equally legitimate form of life became increasingly a minority position – think of Jerome’s ferocious attacks against such a position, upheld by Jovinian, in *Against Jovinianus* (*Adversus Jovinianum*). On the other hand, the Church never condemned marriage, as Montanus and later Priscillianus, who at the same time defended an equality of the sexes, did. On the contrary, she bestowed a particular dignity on marriage, beginning with Paul’s comparison of husband and wife with Christ and the Church (Eph. 5:23 ff.) – a comparison, which still excluded symmetry between the spouses, since Christ and the Church cannot be considered equal partners. Based on this Pauline passage, Augustine ascribes sacramental character to marriage and justifies thereby its indissolubility.¹¹ Marriage remained among the sacraments, when they were limited to seven in the *Sentences* by Peter Lombard and this was confirmed by the Fourth Council of the Lateran in 1213.

The Christian restriction of legitimate sexuality to marriage slowly¹² contributed to a revolution in sexual mores, which would be reversed on a general theoretical level only in the course of the 20th century. The new ideas were revolutionary particularly if compared with the form of life that the upper classes of Rome, including the women, had begun to adopt in the 1st century BC (suffice it to mention Ovid’s *Ars amatoria*). But even in relation to Antiquity as a whole, some norms of Christian sexual ethics were quite innovative. The consensus among the synoptics makes it obvious that the prohibition on divorce, which is permitted in Judaism and had become frequent in the Roman Empire, goes back to Jesus himself (Mk 10:2 ff., Mt 19:3 ff., Lk. 16:18); it is reiterated by Paul (1 Cor 7:10 f.), who appeals explicitly to the Lord and distinguishes from his teachings

¹⁰ See, concerning chastity, Mt 19:10 ff. and 1 Cor 7.

¹¹ *De nuptiis et concupiscentia* (*On Marriage and Concupiscence*) I 10.11.

¹² The slowness of the social and, even more, the legal changes demanded by the Christian doctrine is convincingly demonstrated by Geoffrey Nathan, *The Family in Late Antiquity. The rise of Christianity and the Endurance of Tradition*, London/New York 2000. He rightly points out as a limit of the Christian doctrine that it did not extend “its notions of husband–wife equality past the realm of fidelity” (186).

his own additions. In the vice list of the *Didache* (2.2), fornication, adultery, pederasty, abortion, and infanticide, the latter quite widespread in the pagan world,¹³ are mentioned among the things belonging to the way of death (the first three are also found in Paul's analogous lists, 1 Cor 6:9 f., Gal 5:19 ff., 1 Tim. 1:9 f.).

Religious texts express and shape moral sensibilities but rarely argue. The later patristic-scholastic tradition, however, tried to give rational arguments for the specific Christian understanding of the indissolubility of marriage. Aquinas is important because he not only mirrors the canon law of his time but also combines a defense of the sacramental nature of marriage with an appreciation of the institution as natural that owes much to Aristotle. The two main natural ends of marriage are the reproduction of the species and the reciprocal help of the spouses. Aquinas explains the lifelong nature of the commitment with the length of the time needed for the raising of a child, i.e., with what today we call the altriciality of humans. He even gives some examples from the animal world: Mating is sufficient as an interaction between the parents when the newborn animal can feed itself or can be fed by the mother alone; but when the cooperation of both parents is needed, we see, as in some species of birds, a cooperation of both parents (*Summa theologiae* Supp. q. 41 a. 1 c.). The diverse forms that marriage finds in different cultures do not change the fact that it is an institution rooted in nature, since natural law can be differentiated according to external circumstances (Supp. q. 41 a. 1 ad 3, q. 42 a. 2 ad 1). Marriage was instituted before the Fall by God, but Moses added the prohibition of incest (Lev 18:6) – a prohibition that was earlier cleverly justified by Augustine with the argument that the obligation to marry outside of the family increases the number of bonds of friendship that connect people.¹⁴ The third institution of marriage occurred within the New

¹³ I include exposure under infanticide since the fate of exposed children was not always but very often death (see Judith Evans Grubbs, *Infant Exposure and Infanticide*, in: *The Oxford Handbook of Childhood and Education in the Classical World*, ed. Judith Evans Parks/Tim Parkin/Rosalynne Bell, Oxford 2013, 83-107). This does not mean that there were not pagan critics of the institution. I mention Musonius Rufus, *Discourses* XV and XV a, who in fact is quoted by the Fathers.

¹⁴ *De civitate Dei* (*City of God*) XV 16. It has been recently argued that one of the reasons for the peculiar success of Western cultures was the Catholic Church's strict taboo on marriages between even quite distant relatives; for it prevented the formation of family clans, which have rendered the formation of a meritocratic society and polity so difficult for example in the Arab world. See Joseph Henry, *The WEIRDest people in*

Covenant, with the sacramental interpretation of marriage as pointing to the commitment of Christ and the Church.

Finally, there is also an institution by civil law, motivated by the mutual services of the spouses. Marriage is thus a natural, civil, and sacramental institution (Supp. q. 42 a. 2 c.). The efficient cause of marriage is the consent of the spouses (and thus a form of contract), which has to be expressed verbally, even if words without accompanying consent are not sufficient to constitute marriage. Aquinas anticipates John Langshaw Austin's theory of speech acts when he states that the words of the spouses during the wedding ceremony both signify and effect marriage (Supp. q. 45 a. 3 c.). A public ceremony is not necessary for the validity of marriage, even if it is usually sinful to marry in secret (Supp. q. 45 a. 5 c.). Forced consent invalidates a marriage; even parents cannot force their children to consent to marriage (Supp. q. 47 a.6). On the other hand, slaves do not need their master's consent to undergo a valid marriage; even positive law cannot change this, since positive law cannot break natural law (Supp. q. 52 a. 2 c.). The sacramental dimension of marriage sanctifies the institution by granting it indissolubility and is, as already in Augustine, the highest of the three goods of marriage, descendants and mutual faithfulness being the two other ones (Suppl. q. 49 a. 3 c.).¹⁵ The divorce of the spouses in the case of adultery is permitted – though not mandated – since faithfulness has been violated; yet this does not entail a right to remarry. Aquinas' evaluation of adultery from the side of the husband and the wife respectively is interesting. From the point of faithfulness, both forms of adultery are equally sinful; but from the point of view of the descendants, the woman sins more (Supp. q. 62 a. 4 c.). Aquinas seems to have in mind that only the adulterous wife obliges her husband to raise children not his own – an argument often used in the tradition to justify the double standard. But it is still remarkable that Aquinas insists on equal treatment concerning the violation of faithfulness. From a sociological point of view, there is little doubt that for many centuries the belief in the sacramental nature of marriage strengthened the sense of commitment of the spouses. A failed marriage would symbolize the loss of Christ's unity with the Church and thus of one's own salvation.

the world: how the West became psychologically peculiar and particularly prosperous, New York 2020, 193 ff.

¹⁵The doctrine of these three goods of marriage still inspires the Encyclical of Pope Pius XI *Casti connubii* of 1930.

What led to the decline of the Catholic conception of marriage and the rise of a new one? The most decisive force was certainly the rise of liberalism as a political philosophy, focusing on the rights of individuals who engage with each other according to their needs and desires in the form of contracts. But without Protestantism, the liberal revolution would have hardly occurred. Luther denied the sacramental nature of marriage, which for him is a social estate, and Calvinism followed suit, even if the late Calvin offered a covenant theology of marriage.¹⁶ An important consequence of this desacramentalization is drawn by John Milton in his four tracts defending divorce, which challenged the Anglican Church, which continued to follow Canon law. Milton's central claim in the first edition of *The Doctrine and Discipline of Divorce* is “*That indisposition, unfitness, or contrariety of mind, arising from a cause in nature unchangeable, hindering and ever likely to hinder the main benefits of conjugal society, which are solace and peace, is a greater reason of divorce than natural frigidity, especially if there be no children, and that there be mutual consent*”.¹⁷ His argument is based on the principle of Christian charity, which should not condemn people to unhappiness. He furthermore uses the argument that even more than sexual impotence (which Aquinas recognizes as a legitimate reason for declaring a marriage invalid, as long as it preexisted matrimony and the wife had not been informed¹⁸), incompatibility of characters justifies the dissolution of marriage and should not prevent a second marriage. Otherwise, sexual intercourse is considered more essential to marriage than the community of minds, while in fact the main purpose of marriage is not intercourse but a happy conversation that overcomes loneliness. Milton goes even so far as to downplay the responsibility for the children from a loveless marriage since they are “children of wrath” and almost like bastards (52). He rejects the natural objection that the compatibility of characters should be studied before marrying by saying, probably correctly in his time, that before marriage the betrothed could not freely spend time together and therefore the more serious and timid characters are more likely to err than womanizers (47).

¹⁶ On this process see the excellent study by John Witte Jr., *From Sacrament to Contract. Marriage, Religion, and Law in the Western tradition*, Louisville 2nd ed. 2012, especially 113 ff. I owe much to this book.

¹⁷ John Milton, *The Divorce Tracts*, ed. Sara J. van den Berg/W. Scott Howard, Pittsburgh 2010, 44.

¹⁸ *Summa theologica*, Supp. q. 58 a. 1 ad 4.

Milton is rightly regarded as a “proto-liberal”: His ideas concerning the separation of state and church, the freedom of the press, the right to resistance against the government are no less innovative than his defense of divorce. It does therefore not come as a surprise that the father of modern liberalism, John Locke, expands the Miltonian idea. The family is important in the *Two Treatises of Government*, because the first, directed against Robert Filmer’s *Patriarcha: or the Natural Power of Kings* (which was published posthumously in 1680), completely rejects any attempt to conceive of political power according to the model of a patriarchally ruled family.¹⁹ But the second *Treatise* tries to show that Filmer’s concept of family is wrong even if we abstract from its purported political relevance. The power of the husband is not that of an absolute monarch, even if the last determination in cases of conflict “naturally falls to the Man’s share, as the abler and the stronger”. Yet the wife retains the right to separate from him and sometimes even to take the children with her. This may depend on the customs or laws of the country or on a contract made between the spouses; for Locke explicitly recognizes the possibility of marriage contracts as flexible as any other voluntary compact. They need not be always for life. Though the long phase of dependence of children necessitates that human marriage be more lasting than the bonds of other creatures, Locke suggests to inquire “why this *Compact*, where Procreation and Education are secured, and Inheritance taken care of, may not be made determinable, either by consent, or at a certain time, or upon certain Conditions, as well as any other voluntary Compacts, there being no necessity in the nature of the thing, nor to the ends of it, that is should always be for Life”.²⁰

Locke goes farther than Milton towards contractualism. What is missing in him, however, is the proto-romantic element that is so powerful

¹⁹ Thomas Hobbes, too, rejects the idea that the paternal power is derived from the generation of the children as such; the children’s consent, although not necessarily explicit, is needed, and they will give it to those who protect them. Since there are two parents, in the state of nature it depends on their agreement who will have the dominion over the children; if the parents do not agree it is naturally with the mother, for without matrimonial laws only she knows who the father is (*Leviathan*, ed. C.B. Macpherson, London/Harmondsworth 1981, Ch. 20, 253 f.). Hobbes’s rejection of a natural basis of family evidently is connected to his rejection of a natural sociability of humans and his reduction of social relations to contracts based on fear. See Justine Roulin, *Autorité, sociabilité et passions. La philosophie de la famille de Thomas Hobbes à John Millar*, Basel 2022, 107 f.

²⁰ John Locke, *Two Treatises of Government*, ed. Peter Laslett, Cambridge 1967, 321.

in the poet of the love of Adam and Eve in *Paradise Lost*. The bachelor Locke has no sensibility for the specific erotic dimension of marriage, the desire to find a kindred soul, which for Milton antecedes the sexual need and the wish to reproduce. This desire is probably not an anthropological constant but developed slowly in the Western tradition. The discovery of an autonomous erotic realm in the Roman poetry of the 1st century BC and the new evaluation of women's role brought forth by Christianity led in the 12th century, initially in France, to a new romantic ideal of the love between man and woman. This ideal both inspired and endangered the traditional institution of marriage, for it led to expectations that are rarely fulfilled. But the new ideal of courtly love was limited to the elites. Only in the 18th century did it spread to the bourgeoisie. Rousseau's *Julie, ou la nouvelle Héloïse* forcefully expresses the idea that marriages should be based on love, not on economic or class considerations.

Despite their deviation from traditional Christianity in the question of divorce, Locke and obviously Milton are sincere Christians. It is worth noting that the strongest defense of the indissolubility of marriage in the British Enlightenment stems from an author who is certainly not a Christian. I refer to David Hume and his essay "Of Polygamy and Divorces" of 1742. On the one hand, Hume is much better informed of the varieties of reproductive arrangements that humankind has brought forth in its history than the authors whom I have mentioned up to now. (Hume also considers ecological factors in order to explain the different behavior of various animal species). He writes at a time in which both historical and geographical knowledge had increased prodigiously, and sociology had begun to rise as a discipline no longer dependent on ethics and normative political philosophy. In 1744 Giambattista Vico published the last edition of his *Scienza nuova* (*New Science*), in which he develops the foundations of a general theory of human culture. In the fourth chapter of the second book, "On poetic economy", he gives an extremely realistic account of the brutality of archaic family life. Four years later, Montesquieu's *De l'esprit des lois* (*The Spirit of Law*) follows suit, whose 23rd book deals with family law and demography in a comparatist spirit. But all his ethnographic and historic erudition does not change Hume's commitment to life-long monogamy. He intelligently states the arguments both for polygamy and divorce but staunchly rejects them. Polygyny destroys the equality between the sexes and renders both romantic love and friendship impossible. "Barbarism, therefore, appears

... to be the inseparable attendant of polygamy”.²¹ With regard to divorce, it seems cruel to deny to hearts not made for each other another chance; the insecurity of marriage, furthermore, forces the partners to exert themselves to keep the institution alive. Hume does not contest the partial validity of these two arguments but thinks that they are trumped by the following considerations: first, the fate of the children upon the separation of the parents; second, the stabilization by institutional constraint of friendship, which should be the basis of marriage, not volatile erotic attraction; third, the natural connection of an unlimited temporal horizon with a union as total as that of marriage.

IV.

The liberal, contractualist transformation of marriage achieved its peak, perhaps surprisingly, in the German tradition, when in 1791–92 Wilhelm von Humboldt wrote his *Ideen zu einem Versuch die Grenzen der Wirksamkeit des Staats zu bestimmen* (*Ideas for an Essay to Determine the Limits of State Action*). The work, which influenced John Stuart Mill’s *On Liberty*, was published in its entirety only posthumously in 1851, but the exposition of Humboldt’s ideas on marriage can be already found in the chapters printed in 1792 in Schiller’s *Neue Thalia*. Humboldt’s whole work is committed to the principle of fostering the forces of the individual, and he considers the state usually harmful to this aim. He thus defends a position similar to those of the later libertarians, who want to reduce the state to the function of safeguarding internal and external security. In this context, Humboldt refuses to concede to the state any business in the regulation of marriage. While he eloquently defends the difference and complementarity of man and woman, he insists that the individual desires and needs among partners are so varied that a *numerus clausus* of types of right is inappropriate. The partners should be allowed to form and modify contracts at their will, not subjected to a few prescribed forms. The roots of his conception are romantic – the essence of marriage is the relation between the spouses, children only a consequence of it, and the essence, not the consequences are crucial. He furthermore trusts that individual inclinations and customs will substitute for laws.²² While Humboldt is certainly right that there a lot

²¹ *Essays Moral, Political, and Literary*, ed. Eugene F. Miller, Indianapolis 1987, 185.

²² Wilhelm von Humboldt, *Werke*, ed. Albert Leitzmann, Vol. 1: 1785–1795, Berlin 1903, 119–122.

of things in a marriage that cannot be enforced by legal mechanisms, his cavalier attitude with regard to the rights of the children and those of the parent who has invested most time with the child, renouncing a career, is quite unsettling. And, of course, the reader wonders whether Humboldt would also accept a temporal limitation of a marriage contract and even a ménage à trois (or more).

The importance of Kant's doctrine of marriage consists in the fact that, on the one hand, it continues the individualistic tradition, while on the other hand it remains committed to the principle of the indissolubility of marriage. He does this somehow in accordance with his ethics, whose concrete contents mostly correspond to liberal convictions, but which are based on a categorical imperative that transcends our inclinations. Every hint to erotic romanticism is absent from his theory of marriage, which is unfolded only in the first part of the *Metaphysik der Sitten* (*Metaphysics of Morals*), the "Rechtslehre" ("Doctrine of Right"), not in the second part, the "Tugendlehre" ("Doctrine of Virtue"), even if the latter culminates in a doctrine of friendship. Unlike Aristotle, Kant deals with the family exclusively within a doctrine of natural law, not within a moral theory or a theory of social institutions. The doctrine of marriage, parenthood, and of the head of the household belongs to the part on private right, which is followed by a part on public right, dealing with the state, international, and cosmopolitan law. The second chapter on private right is subdivided into "Vom Sachenrecht" ("On property right"), "Vom persönlichen Recht" ("On personal right", dealing mainly with forms of contractual obligations) and "Von dem auf dingliche Art persönlichen Recht" ("On Rights to Persons Akin to Rights to Things"). Reminiscences of the triadic subdivision of Roman law in *personae*, *res*, *actiones*, listed, for example, in the *Institutiones* of Gaius, probably play a role in Kant's subdivision but he clearly wants to conceive the third stage as a synthesis of the two earlier ones. Why? The household according to Kant is still characterized by the three relations ascribed to it by Aristotle, even if the slaves have now been replaced by servants. The spouse, the parents, and the master can retrieve the spouse, the children, and the servants that have eloped and bring them back as if they were physical objects (AB 108, 115, 116).²³

²³ I quote according to Immanuel Kant, *Werkausgabe VIII: Die Metaphysik der Sitten*, hg. von W. Weischedel, Frankfurt 1979 but give the original pagination of the first two editions.

What is marriage? Kant's notorious definition in § 24 conceives it as "union of two people of different sex for the lifelong reciprocal use of their sexual properties" (AB 107). Reproduction is not considered a necessary part of the marriage contract, for otherwise the marriage would dissolve with the loss of the capacity of reproduction. It is not at all clear why on the basis of this definition an analogous contract between people of the same sex should not be allowed, even if Kant utterly condemns homosexuality and bestiality as unnatural (AB 106 f.). Kant's main interest is to show that such a contract can only be legitimate if it is lifelong (§ 25). The central argument is that the person who offers himself or herself to another as an object of sexual enjoyment objectifies himself or herself; and that this can only be prevented if he or she can do the same thing with the partner. Since, however, in an organism every limb is connected with the whole person, such a use of the sexual parts leads to the reciprocal acquisition of the whole person. Needless to say, it is not clear why reciprocal instrumentalization should eliminate the morally questionable nature of instrumentalization, even if one can agree that asymmetry added to instrumentalization makes it worse. Kant conceives marriage primarily from the sexual act and then tries to limit the latter to marriage, instead of conceiving marriage as the appropriate institutional frame for reciprocal love within which sexual intercourse then loses the character of objectification.

What is progressive in Kant is something different, namely, first, the strong insistence on the symmetry of the relation between the spouses.²⁴ Only monogamy is supposed to fulfill this condition (in fact, the latter excludes only polygyny and polyandry but not necessarily a marriage between two men and two women; here an additional argument from the totality of the relation is required). Kant rejects not only concubines, but also morganatic marriages. Still, the symmetry between the spouses is compatible with the economic prerogatives of the husband, if his natural superiority is better fitted to the administration of the common aims of the household (AB 110), and it is undeniable that Kant's reflections on the differences of the sexes in the second section of the second part of the *Anthropologie in pragmatischer Hinsicht* (*Anthropology from a Pragmatic*

²⁴ This is rightly stressed in an intelligent defense of crucial parts of Kant's theory by Allan Beever, Kant on the Law of Marriage, in: *Kantian Review* 18 (2013), 339–362, 340: Despite his use of terms from Roman law, Kant challenges "received notions by portraying the relevant relationships as ones of equality and interdependence rather than domination under a paterfamilias or dominant male".

Point of View) express a deeply ingrained misogyny (an objection that can only be tempered by the reflection that Kant's view of humanity in general is bleak). Like in the doctrine of the Catholic Church, in Kant's theory of marriage too the latter becomes valid not simply through the marriage contract but through its consummation (§ 27). The procreation of children (which according to Kant occurs with conception) engenders, secondly, an absolute duty to raise and educate them, both pragmatically and morally, until their emancipation. No infant exposure, infanticide, or abortion is permitted, whatever social utility may be expected from such an act. Since, however, there can be no contract between parents and children, the latter only have a moral, not a duty according to natural law to return the benefits they enjoyed from their parents (AB 114).

Concerning servants, Kant, thirdly, insists that their status cannot be that of slaves, not even if they had sold themselves by a free contract into slavery. Such a contract would be invalid because it would deprive a person of personhood and thus of the duty to respect the contract (AB 116 f.). Neither are serfdom nor an explicit lifelong commitment permissible forms of service. Even if slavery were justified in certain cases as a form of punishment, the children of slaves would be born as free persons, and the duty to raise them would devolve from their incapacitated father to his owner.

V.

Hegel's doctrine of the family is in my eyes the richest and philosophically most complex one among the classical theories. Even if Johann Gottlieb Fichte, to whom I will return, follows Kant's bipartition of practical philosophy into philosophy of natural law and ethics, he insists in the *Grundlage des Naturrechts nach Principien der Wissenschaftslehre* (*Foundations of Natural Law according to the Principles of the Doctrine of Science*) that marriage is not simply a juridical society like the state; it is a natural and moral society as well.²⁵ Hegel, however, goes much farther. The complex architectonics of the *Grundlinien der Philosophie des Rechts* (*Elements of the Philosophy of Right*) distinguishes the three levels of "abstraktes Recht" ("Abstract Right"), "Moralität" ("Morality"), and "Sittlichkeit" ("Ethical Life").²⁶

²⁵ Cfr. Fichtes *Werke*, hg. von Immanuel Hermann Fichte, Reprint Berlin 1971, III 304.

²⁶ I quote the work according to: Georg Wilhelm Friedrich Hegel, *Werke 7: Grundlinien der Philosophie des Rechts oder Naturrecht und Staatswissenschaft im Grundrisse*,

The crucial third part deals with the main social institutions of family, civil society, and state (the second one being a modern innovation compared with Aristotle).

The position of these institutions on the level of ethical life presupposes that they are not simply legal entities, that is, structures enforceable by legal mechanisms. They are, so to speak, composed of a legal part and a spirit that transcends abstract law because it appeals to an inner dimension that cannot be enforced. While in Kant morality is the inner dimension opposed to legality, Hegel insists that this inner dimension has to externalize itself too, albeit in a way that cannot be prescribed by law alone. This constitutes the “ethical” nature of all three social institutions. The difference between them is conceived in accordance with the general dialectical scheme of Hegel’s philosophy. Family is permeated by a strong altruistic feeling, which is both limited in its range and subjects the members of the family to considerable restrictions of their individuality. In civil society, a universal egoism that allows the satisfaction of particular needs through prudent behavior is dominant, although within important limits determined by the legal system. While the rejection of immediate altruism constitutes a loss, the expansion of the horizon is positive – it connects much more people, even beyond the borders of one’s own state. The state aims at a synthesis: It can only subsist if citizens have a commitment to the common good that transcends their individual interests; at the same time, the state is no longer built on emotional bonds within a small group, but on rational analysis.

The family is the ethical spirit as natural or immediate (306, § 157). Its basis is love, a unity of the spirit that feels itself. The self-consciousness of individuality subsists in this unity as a member, no longer as an independent person (307, § 158); thus, the category of right appears in it mainly in the stage of its dissolution (308, § 159). Hegel subdivides the family into marriage, care for common property, and the education of children. In the first step, the family is taken as an intersubjective unity; in the second, it relates to an exterior object; in the third, it creates new subjects. Note that not only Aristotle’s slaves but also Kant’s servants have disappeared; Hegel’s family is the nuclear one, ultimately a result of the Romantic revolution disliked by him. The central task of the marriage is the transformation of the natural sexual attraction into a self-conscious unit. The starting point is the free consent of two persons to form *one* person, that is, to limit the

Frankfurt 1979, but give after the page number the paragraph number so that the passages may be found also in other editions and in translations as well.

own personality in the new unit, which is at the same time a liberation. Therefore, marriage cannot be conceived as a contract, as Kant did in an ignominious way (157, § 75; 313 f; § 163).

With this position (which, however, does not entail a general indissolubility of marriage) Hegel breaks with the modern development characterized above as from sacrament to contract. While Hegel does not deny that the general decision to marry can be triggered by falling in love, according to him partners may also be chosen by parents, and he prefers a prior general resolution to marry to the marriage being merely a result of inclination, which is fleeting (310 f., § 162). Still, the ethical nature of marriage consists in the love and trust that underlie the common existence and the reduction of the sexual aspect to a mere moment, whose presence is not necessary for the validity of a marriage, which does not have a single defining end (313 ff., §§ 163 f.). However, Hegel insists on the necessity of a public expression of the commitment to each other, which constitutes the marriage and raises it above the transitory subjectivity of inclination. Three features of Hegel's concept of marriage are crucial: first, the complementarity of the sexes (which in his eyes probably explains the exclusion of same-sex marriages), second, the monogamic nature of marriage (deduced from the totality of the commitment), third, the prohibition of marrying within the family of origin, which would deprive marriage of its being an act of freedom. Most problematic is Hegel's doctrine of the complementarity of the sexes, since it is on its basis that he denies, for example, the inclusion of women in the workforce and their political rights. But it is correct that without this doctrine there are hardly any arguments against the exclusion of same-sex marriages, once one recognizes that reproduction is not the only legitimate purpose of marriage.

Based on his concept of the union of the persons, Hegel favors joint property of the spouses, even if he allows for reservations in the case of the dissolution of the marriage through death or divorce (323 ff., §§ 170 ff.). Analogously, he strongly supports limitations of testamentary freedom, for example in form of the legitime. For the marriage ideally continues in the children, in whom the unity of the marriage becomes as it were an object, in which the parents behold their own love (325 f., § 173). As in Kant, and unlike in Roman law, children have the right to be fed and raised; they are not their parents' property. On the one hand, children should experience the ground of ethical life, love, trust, and obedience; on the other hand, they must be prepared for life in civil society and raised above their merely childish level (327 f., § 175). They have to leave the family – this is its

ethical dissolution. Its natural one is the death of the spouses, its unnatural one their divorce, which Hegel acknowledges as an institution, even if it can only be decreed by a court (329, § 176).

VI.

Even the increasing insistence on symmetry between spouses in the new contractualist model did not yet lead to equal rights for women in the economic and political sphere. It is Fichte's merit to have realized as one of the first thinkers that this inequality needed a justification, particularly since he shares Kant's commitment to a universalist ethics based on equal freedom and sees in action the essence of self-consciousness. That women must have all the human and civil rights of men can only be gainsaid if they are denied their humanity – this is a principle that Fichte explicitly endorses (§ 33, III 344), and he obviously does not reject the humanity of women. Nevertheless, he claims that they cannot *want* to exert their rights. When unmarried, they are, like young men, under the authority of their fathers; and when married they have their dignity in being subjected to their husbands. Why? Fichte's argument is based on the fact that women's sexuality is passive and not active like the male one. This is incompatible with the active nature of self-consciousness, and a woman can only tolerate this humiliating contrast if she lives her sexuality in the form of a complete dedication to her husband. While a man can proudly satisfy his sexuality, a woman must be ashamed of it if she does not accept her husband with complete love (§ 3, III 306 f.). And this means that she cannot, for example, have any political rights but only try to influence her husband. I will not comment on these claims and ignore Fichte's horrific denial of children having any rights by natural law, even the right to sustenance, with regard to their parents (§ 48, III 361 f.). What is progressive is something else. Based on his principle of the equal rights of the sexes and his theory that the *married* woman cannot want to claim them, Fichte recognizes that one must not deprive *single* women – whether unmarried, widowed, or divorced – of the economic and political rights that men have. However, since they cannot renounce the desire to marry (again) in the future, they cannot become public officials, for the future possible submission to their husbands would disqualify them from public duties.²⁷ And since higher ed-

²⁷ In Germany, female teachers who were public officials could be dismissed until after the Second World War if they married (*Deutsches Beamtenengesetz* § 63).

ucation should prepare for public work, women should not be allowed to access it (§§ 36 ff., 348 ff.). One sees that Fichte's solution is very far from our modern sensibilities; but he has the merit to have raised the question more clearly than almost all of his male contemporaries.

The fight for the same economic and political rights for women is certainly one of the most important struggles of the 19th century. It was completed only in the 20th century in some – by far not all – countries of the world. It deeply impacted the nature of family, for in the moment in which the woman became economically independent, divorce became more feasible and the state had less interest in preventing it. Greater equality, even if not strictly incompatible with it, furthermore corroded the doctrine of the complementarity of the sexes. Perhaps the two most original works that pressed for legal equality are Mary Wollstonecraft's *A Vindication of the Rights of Woman* of 1792 and John Stuart Mill's *The Subjection of Women* of 1869.²⁸

Wollstonecraft's monograph, dedicated to the former bishop Charles Maurice Talleyrand, is a foundational work in the history of feminism for at least two reasons. First, it is a woman herself who addresses the question. Before her, the matter was usually left to the deliberations of men. Second, Wollstonecraft's touching demand for female rights is inspired by a deep and sincere religiosity and a strong sense of both justice and the moral duties of women. While raised as an Anglican, her religion in this phase of life is close to that of the Unitarian Rational Dissenters, also due to her friendship with Richard Price. Her rationalist, anti-voluntarist understanding of God, her rejection of a literal interpretation of the Bible, her claim that ethics is grounded in reason and not in sentiments, her belief in historical progress (19) are surprisingly similar to Kant's, even if she did not know him and was ignored by him too: She did not read German, nor Kant English. Wollstonecraft upholds as her central idea the moral and legal equality of both sexes (thereby creating one strand of feminist philosophy, quite distinct from the other one that focuses on their radical difference). Again and again, Wollstonecraft maintains as strenuously that there is only one standard of virtue as that there is a God (31) and that one must not give "a sex to morals" (41). And her ultimate aim is to enable women to come as close as possible to the virtues traditionally associated with men and to gain respect even if she knows that society does not love

²⁸ I quote both books according to: Mary Wollstonecraft, *A Vindication of the Rights of Woman*/John Stuart Mill, *The Subjection of Women*, London/Rutland 1985.

masculine women (39). She detests features often connected with women, such as cunning, coquettishness, and the inability to control one's passions and aims at reforming the world by reforming women (51).

But despite her hatred of this female degradation, she is convinced that it inevitably results from social structures that open only one avenue for the rise of women: marriage. This means that women are "legally prostituted" by their families (66) and taught to please and thus exert power over men, while it would be preferable if they learnt to have power over themselves. The root of this deportment is the false doctrine of the complementarity of the sexes, so powerful in Rousseau's *Emile*: "Man was made to reason, woman to feel: and that together, flesh and spirit, they make the most perfect whole" (69). Women must get a chance to become intelligent and transcend the mere love for men (75). While at least Europe rejects polygamy, men who seduce and impregnate women do not have to fear legal sanctions, and while the unfortunate women and children may meet some charity, it is justice that is wanting (79). "The two sexes mutually corrupt and improve each other" (153). In order to have self-respect and gain "emancipation" (194), women must be allowed to gain their own subsistence and thus independence (94). Women's characters are a result of early association of ideas in their minds, and the inequality in the treatment of the sexes explains why they are so obsessed with modesty or better, a show of modesty, as their main virtue. Wollstonecraft's book also contains a sharp attack against social and political injustices, such as the slave-trade and wars that are not defensive (158 f.), and it is in this context that she demands comprehensive legal reforms concerning women.²⁹ They must own property independently of their husbands and even have political representation, they must be allowed to study, for example, medicine (160 ff.), and the state must offer national public education besides, while not excluding private educational institutions. In both types of schools, coeducation of the sexes and the different classes should prevail (182 ff.). "For rights and duties are inseparable" (215).

What are the most important innovations in John Stuart Mill's similar approach to the question? First, his methodological reflection on whether there are natural differences between the sexes is remarkably subtle. Mill

²⁹ See Eileen Hunt Botting, *Family Feuds: Wollstonecraft, Burke, and Rousseau on the Transformation of the Family*, Albany 2006, 131 f.: "her understanding of patriarchy encompassed all the sex-based and class-based hierarchies that perpetuated the male dominated social order".

considers “the nature of women ... an eminently artificial thing”, since it is partially the result of repression and stimulation (238), and declares the question of what are the unalterable traits of women unanswerable in the present state of society: “Those only could be inferred to be natural which could not possibly be artificial” (240). We will only be able to answer this question when we will have changed the educational and the legal system as a whole in its connection to women. Mill describes the British laws of his time as almost enslaving women, even if their consequences are tempered by the chivalric tradition. “We have had the morality of submission, and the morality of chivalry and generosity; the time is now come for the morality of justice” (259). And justice will not permeate society at large if it is not lived within the family (261). Servitude in marriage is an archaic remnant, contradicting all the principles of the modern world (295). But not only justice, the common good also demands that women be granted the same right as men, both in civil and in public law (268, 296). The economy will flourish if women are integrated into the workforce; and the number of qualified politicians can only increase if women are allowed to run for office too. Mill hopes, for example, that women in politics will diminish violence (300). And marriages will become both more stable and happier if the spouses have enjoyed a similar education (307 ff.).

VII.

Gustav Radbruch’s classic philosophy of law, one of the few composed in the 20th century, no longer tries to offer an answer to the traditional questions concerning property, contract, marriage, inheritance, punishment etc. Instead, it limits itself to describing different stances by which these problems could be approached, inevitably with very different results. The two main stances are the individualist and the supra-individualist one (sometimes supplemented by a third one, the transpersonal). In the case of marriage, the supra-individualist position is represented in paradigmatic way by the Catholic Church, the individualist in its most radical form by Soviet law.³⁰ Radbruch ultimately does not believe that there are rational arguments for choosing one or the other but he recognizes that social changes drive marriage more and more in an individualistic direction. The traditional domestic community in an own house with garden, dedicated

³⁰ Gustav Radbruch, *Rechtsphilosophie*, ed. Erik Wolf/Hans-Peter Schneider, Stuttgart 8th ed. 1973, 244 ff.

to the satisfaction of most economic needs by the activities of the various family members, has been replaced in capitalism by disconnected jobs that family members practice in very different economic sectors, without any connection to each other, often living in condos door to door with neighbors that remain alien to them. But of course, one may argue that just because of these social forces that endanger traditional marriage a spiritual justification of the institution is even more necessary than before.

What can our time learn from the four most important theories of the family, which stood in the focus of this essay? I think, first, that Aristotle's critique of Plato has convincingly shown that the replacement of the family by the state is an absurd and nightmarish ideal. While Plato is right that a spirit of tribalism may prevent the emergence of a public consciousness, the abrogation of the family will certainly not increase universal altruism but eradicate altruism already in its beginning. A complex society needs more than the love that holds family members together, but this more must grow out of it, as Hegel very well understood. Against Hegel, however, I would claim that we also need more than responsibility for our own state and have to learn to develop a "public sense" for the whole planet, a planetary consciousness supported by the cooperation of the universal religions.

Second, against both Plato and Aristotle we have to recognize the inalienable individual *rights* that children have, and that must have consequences for the legal regulation of reproduction. They are not the property of their parents, nor a tool for the demographic ambitions of the state. When parents do not fulfill their duties or even violate children's welfare, the state must step in. It is the merit of Kant and Hegel to have elaborated this point, which was alien to antiquity, which did not yet recognize universal individual rights. For these became the basis concept of modern natural law only in a slow process starting with the Late Spanish Scholastics.

Hegel is also right that, third, among the many features of a successful marriage the crucial one is the commitment to a common life with shared responsibilities for each other. The obsession with the sexual act so characteristic of Kant is eliminated in Hegel's grand philosophy of the social institutions as manifestations of the freedom of the spirit. Probably the weakest part of his theory is, however, the doctrine of the complementarity of the sexes – at least as long as it is not disconnected from the traditional understanding that the ideal realm for women is the household, while civil society and the state are the arenas of men.

For there is, fourth, little doubt that the crisis of the nuclear family that we have witnessed since at least the second half of the 20th century in the

Western world is driven, not only, but to a considerable part, by the utterly legitimate desire of women to be on a par with men. Paradoxically, of the four greatest philosophers the one most understanding of the female desire for an education comparable to that of men was our first, Plato. Will it be possible to unite Plato's (and Wollstonecraft's and Mill's) sensitivity to the intellectual needs of women with Aristotle's and Hegel's recognition of the necessity of various levels of social institutions and corresponding moral attitudes as well as with Kant's commitment to equal rights for everybody? In all likelihood, the future of the family depends on a positive answer to this question.

THE FAMILY, THE COMMON GOOD AND CITIZENSHIP. THE CASE OF INDIA

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This paper attempts to relate the material and ideological features of the institution of the family with their possible implications for the advancement of the common good in the Indian context. It begins with a theoretical discussion of the respects in which the common good at the levels of family and society may or may not be related. The second section briefly describes two contending conceptions of the common good in contemporary India. The third section attempts a culturally specific description of the Indian family and its core features – caste endogamy, marriage, and the ways in which the family is propagated and governed, including the division of labour and the representation of gender roles, attributes and expectations within the family. The final section draws upon survey data to speculate on ways in which we might think about the Indian family in relation to the common good in the present, and the relationship between private virtues and public virtues.

Conceptions of the Common Good

Philosophical discussions of the common good generally entail a focus on the individual citizen to justify the relational obligations of individual members of a community to care for and participate in the furtherance of the common interest. This justificatory exercise is premised on the assumption that individual citizens stand in a civic relationship with each other, and that it is this relationship that both requires and predisposes them to work towards the common interest, whether through the establishment of common facilities (like schools, hospitals and public libraries) or through laws and policies.¹ In political theory, it is the determination of the principles that underlie the sharing of the benefits and burdens of

¹ Waheed Hussain, “The Common Good”, *The Stanford Encyclopedia of Philosophy* (Spring 2018 Edition), Edward N. Zalta (ed.) URL <https://plato.stanford.edu/archives/spr2018/entries/common-good/>

social cooperation² and of the shared life through claims on common resources, and facilities that constitute the common good, that define the ways in which we think about responsible membership in a community. The defining of the common good is therefore a task typically assigned to individual citizens in a civic and political community that is democratically organized.

The family rarely enters into such discussions which are typically constructed in a bipolar fashion, with the individual representing one pole, and society or the political community representing the other. It is therefore challenging to think about the family – usually a small multi-member community – in terms of both the relational obligations that people bear and discharge (or not) within the family and towards other members of that unit, but also in terms of the relational obligations they bear and discharge (or not) outside the family and towards other members of the community, more broadly defined as society or polity. This necessarily entails a discussion about whether the common good at the level of the family may be different from, and sometimes perhaps even stand in contradiction to, the common good at the broader level of society or polity. This topic can be broken down into multiple questions:

- Are the *mechanisms* for arriving at a definition of what constitutes the common good different in the context of the family vis-à-vis that of society/polity? In a democratic polity, citizens would ideally participate as equals in the determining of the common good. The idea of the common good of the family is frequently shaped by custom, tradition, as well as inequalities of age and gender.
- Are the *principles* of the common good different at these distinct levels? Must they be or should they be different? For instance, at the societal level, when citizens act as jurors or legislators, they are expected to put their private interests aside as they participate in the making of decisions about the collective common good. At the familial level, the personal interests of individual members of the family – such as the desire to pursue a sport or be a vegan – may be legitimately articulated and accommodated.

² Cf. John Rawls (1971) *A Theory of Justice*. Cambridge, Mass.: Harvard University Press.

- Are the *demands of practical reasoning* that apply at the level of the family different from those that apply at the level of society? For instance, infants and children cannot participate in family decision-making and must entrust their parents to do it for them. In a democratic political community, on the other hand, there is a presumption that all citizens who qualify to be enfranchised enjoy potentially equal standing in the determination of the common good.

- Are the *demands of morality* different at these two levels? The demands of morality in a family are generally related to private virtues, while the demands of political morality require citizens to “think and act from the standpoint of a shared concern for common interests”. Political philosophers argue that a lack of concern for the common good is “a moral defect in a political community” (Hussain, 2018). A lack of concern for the welfare of family members is, similarly, often seen as a moral defect while the desire to sacrifice one’s own welfare or income or time for a family member in need finds approval and applause. While some sense of a shared concern and even sacrifice for the common good finds approbation in both familial and social contexts, the well-springs are quite different. At the familial level, such concern springs from bonds of blood or affinal ties that are experienced through intimate and affective relationships. At the societal level, however, such shared concern is a morally significant but personally ‘disinterested’ virtue.

- Are the *relational obligations* fostered in families restricted to other family members (however restrictively or expansively family is interpreted in different cultural contexts) or can they be extended to social groups to which they belong or to society as a whole, encompassing the entire civic community? Invoking Robert Putnam’s influential distinction between bonding and bridging types of social capital³ here, it could plausibly be the case that strong ties and thick networks of trust (in family, caste or clan) act in ways that inhibit the type of weak ties and thin trust that are more likely to be generative of a generalised commitment to the common good.

³ Robert Putnam (2000) Chapter 1 in *Bowling Alone: The Collapse and Revival of American Community*. New York: Simon and Schuster.

- Could attitudes and practices in the family have negative externalities for the common good at a broader level, and conversely, what are the values inculcated and fostered in the family that can have positive externalities for the broader common good? It could, for instance, be argued that experience of domestic abuse may make people tolerant of violence in society. Conversely, habits of mutuality and considerateness could predispose people to civic behaviour. The latter is what Pierpaolo Donati⁴ refers to as the transformation of personal virtues into social virtues, gesturing towards a substantive elaboration and even perhaps – given the insertion of the category of the family between the individual and society – a re-definition of the relationship between the public and the private, as well as the relationship between the public virtues and the private virtues.

Contestations over Conceptions of the Common Good

If the common good consists in the ordering of society – including social and economic organization, but also the normative order – there could be several rival conceptions of the common good that compete, socially, politically, and ideologically, for supremacy. In contemporary India, one can identify at least two important contending conceptions of the common good. The first is a conception of a society marked by diversity, pluralism, tolerance and the possibility of harmonious co-existence between groups professing different faiths. This conception found articulation in the Constitution of India (1950) as well as in the liberal and inclusive political values on which the independent Indian nation was built. Contesting this is the conception of a society which normatively privileges a numerically dominant religious community, and correspondingly views the social practices – customs, traditions of worship, clothing, culinary preferences – of other religious groups as illegitimate and unacceptable in the public sphere. This conception is advanced by those who have latterly come to hold political power, not just the BJP as a political party but also its ideological parent, the RSS, with over fifty affiliated organizations. Their form of religious majoritarianism seeks to make lesser citizens of the ‘despised’⁵ minorities, legitimises intolerance, hate speech and violence, which are frequently backed and sustained by fake news and propaganda.

⁴ Pierpaolo Donati (2022) “Facing Family Morphogenesis: When Families Become Relational Goods”. Draft Paper for the PASS Plenary Session, April 2022. p. 19.

⁵ Adapting a term used by Nancy Fraser (1995) “From Redistribution to Recognition? Dilemmas of Justice in a ‘Post-Socialist’ Age” in *New Left Review*. 1/212. July-August. pp. 68-93.

To describe this contest as one between a civic and a cultural communitarian view of the polity would be to render anodyne what is actually a menacing and dangerous tendency, especially as the contest is rarely mounted at the level of ideational or ideological disagreement, but often asserted and achieved by a combination of state repression and vigilante violence backed by the promise of legal impunity.

What might our observation of such corrosive societal tendencies lead us to infer about the social ontology of the family? What role does or could the family as an institution play in negotiating this crisis of competing – and often violently expressed – rival conceptions of the common good in the public sphere? The social science literature on the family in India does not provide us with evidence or insights on this question, so my attempt to answer it will be necessarily speculative.

As a preliminary, a delineation of the broad contours of the social and cultural specificity of the family as an institution in Indian society is warranted, with the caveat that the term ‘the Indian family’ is an overly homogenising descriptor because family and kinship structures vary enormously across India, and are inflected by the practices of particular regions, religions, caste groups, classes, and so forth.

In India, as everywhere else in the world, the family is the primary unit of human society as also the primary site of nurture and socialisation, where moral values and emotional qualities are inculcated, and cultural learning takes place. However, as an institution, in its origins, its structure and its cultural particularity, the family in India does not lend itself to easy comparisons with the family in western societies. Its specificity cannot be understood without an appreciation of the embeddedness of the family in the institution of caste.

The Indian Family

Notwithstanding the transformation in the mores of the Indian family as a result of modernization, urbanization and globalization, some features of it – often referred to, in unsatisfactorily general terms, as tradition – remain anchored in the phenomenon of a caste society organized around the core principle of endogamy. Caste endogamy – the practice of marrying within one’s caste – shapes fundamentally the way the family is structured and experienced; it also determines the extent to which the family can be or may not be a force for the common good (leaving aside for the present the question of multiple and rival definitions of the common good).

Defining Family in the Indian Context

As long back as three decades ago, India's leading sociologist of the family, Patricia Uberoi, made an acute and prescient observation as she commented that the study of the family is considered

a rather 'soft' area within sociology proper...Everyone has experience of family life, and everyone has opinions – and feelings – on it. It is very hard to pinpoint where common sense leaves off and academic sociology begins. In this case one feels that the reluctance to address the subject of the Indian family stems not from the unimportance and marginality of the field, but rather from its importance and sensitivity. It is as though critical interrogation of the family might constitute an intrusion into that private domain where the nation's most cherished cultural values are nurtured and reproduced, as though the very fabric of society would be undone if the family were in any way questioned or reshaped. In fact, the family and its values are very much at the centre of fundamentalist religious discourses, in this region as elsewhere.⁶

Before essaying a description of the family in India, two clarifications are necessary. The first pertains to the specificity of the term family, which is treated as distinct from household both by sociologists and government policy. There are multiple usages of the word family when translated into the Hindi language, spoken in large parts of north India. Almost all of them – gharana, vansh, khandaan, kul, kutumb – invoke variously the idea of blood, descent and genealogy, while only one of them invokes the idea of the household. In official usage, too, it is the household rather than the family that is the basic unit for welfare provisioning. All welfare measures, such as ration cards, are assigned to households and at a specific address. This means that migrants who have left their villages to find work in the cities are not entitled to claim free or subsidised food in the city, despite the fact that they are members of a family which has a per capita entitlement to such rations.

To start with, therefore, what 'family' means in India may be somewhat different from the west. In fact, the kinship-oriented term 'family' is more encompassing than the residence-oriented category of 'household'. Family may not cohabit within the same household – it could extend across

⁶ Patricia Uberoi (1993) "Introduction" in Uberoi, ed. *Family, Kinship and Marriage in India*. Oxford in India Readings in Sociology and Social Anthropology. New Delhi: Oxford University Press. p. 2.

cities and even continents, with the ties of family remaining strong. This is reflected in Indian languages which have words that indicate precisely what sort of cousin a person is, with the word brother/sister suffixed to that relationship. In English, a paternal cousin could be the child (any gender) of a paternal uncle or paternal aunt. In Hindi, the phrase *chachera bhai* describes the son of your father's brother, who is like a brother to you, or *mauseri behen*, the daughter of your mother's sister, who is like a sister to you. In Indian-English, as a result, odd terms like "cousin brother" or "cousin sister" abound.

Sociologists of the family in India have distinguished the Indian family from the conjugal/nuclear family of the West that emerged after the Industrial Revolution, consisting of wife, husband and their offspring, increasingly distanced from their extended kin networks, and characterised by individuation and autonomy. The Indian family, by contrast, is seen as enduringly connected with extended kin networks despite becoming structurally nuclear. On this view of the Indian family, represented particularly in the work of the sociologist I.P. Desai, it is more than the residents of a household; it is "a system of relationships, rights, and duties and the norms that the members try to live up to".⁷ Desai objected to the official classification of households as nuclear or joint, depending on the kinship pattern of the residents. In his view, the nuclear household of one married couple and their unmarried children had a tendency to evolve into a household consisting of several married couples, as the sons married and continued to live in the same household. But both the nuclear household as well as the joint family had similar patterns of rights and obligations, which was why Desai

...emphasized that what constitutes the family in India is not necessarily the kinship structure of the household, or its commensal character, but the normative pattern of behaviour among the different kin-types, whether they live together or separately. Therefore, in order to determine whether a household consisting of husband, wife and children is nuclear or joint, one has to ascertain whether or not the relationships of obligation existing within members of the household also exist with relatives living outside the household.

⁷ B. Devi Prasad (2020) "Family Studies in India: historical development, debates, and future directions" in B. Devi Prasad, Srilatha Juva and Mahima Nayar, eds. *The Contemporary Indian Family: Transitions and Diversity*. Abingdon, Oxon and New York: Routledge. pp. 47-48.

If yes, a household that is nuclear in kinship structure is, in fact, joint in its family-orientation. It is the particular rights and obligations implied in the relationships that give content to the pattern of interaction in the family, rather than the fact of living together.⁸ (emphasis added)

One final clarification. There has long been a presumption that, under the influence of modernization and urbanization, the Indian family has moved away from the joint to the nuclear model of family structure. Studies have shown this to be an exaggeration. The decadal Census figures show the average household size going up from 4.98 persons in 1951 to 5.3 persons in 2001 and to 4.9 persons in 2011. The difficulty of a sharp distinction between nuclear and joint families arises from the fact that every residentially nuclear household not only contains the potential to expand into a joint household in the future but also retains multiple connections – emotional as well as economic – with extended family across villages, cities, and even continents. Also, the ‘psychology of “jointness”’ persists, with households often hosting members of extended kin networks in their homes for a few months or even years, if they happen to be in the city for education or employment.⁹ This is especially the case when urban households provide a home for members from their extended family based in rural areas. Sometimes, even a nuclear household is split between breadwinners living in the city for work, while children and elders remain in the village.

As far as the influence of industrialization and urbanization is concerned, studies have shown that the joint family form remains significant in occupations like farming and business, and even modern professions like medicine and the law. In business, in particular, patterns of ownership, forms of taxation, and the resources at stake can make joint-ness an imperative, even if it entails fractious cohabitation.

Marriage

Marriage, the foundational institution of the family, is embedded in caste. Even today, caste structures marriage choices to an inordinate degree. Let me illustrate this, first with a matrimonial advertisement from a newspaper and then with data.

⁸ Victor S. D’Souza (2001) “Indian Family at the Crossroads”. I.P. Desai Memorial Lecture: 13. Centre for Social Studies, Surat.

⁹ Tulsi Patel (2020) “New faces of the Indian family in the 21st century: Some explorations” in B. Devi Prasad et al. *q.v.* p. 26.

Matrimonial advertisements, even in English language newspapers, are classified by caste and religion. This particular advertisement is for a bride for a Brahmin groom belonging to a particular sub-caste or lineage called a 'gotra'. The date and time of his birth are specified for the astrological validation of compatibility. In other words, it is essential not only that the bride and groom belong to the same caste group but also that their horoscopes match. As the last line of the advertisement states, "the entire horoscope and the 36 gunas in it must match". The gunas indicate astrological compatibility of various types – mental, attitudinal, sexual, etc. – and if about half the gunas match, the marriage can go ahead.¹⁰ In this advertisement, the groom's family asks for all 36 gunas to match. Thus, the parents of prospective brides are here provided with what are considered the absolutely essential preliminary conditions placed by the groom's family regarding caste, sub-caste and horoscope. Without the preliminary requirements of caste and astrological compatibility being met, as the last two lines in capital letters show, no proposal can be taken forward. The other requirements could of course be dismissed as amusing and idiosyncratic, though a lighter skin colour is almost a staple requirement in such advertisements. Apart from the presumption of the bride's virginity, there is also the expected but unstated requirement of dowry which can be an important factor in the final negotiations between the families.

The very fact that matrimonial advertisements are couched in a vocabulary of requirements, and that further negotiations are conducted in terms of demands for dowry, makes it clear that the foundational institution of the family, marriage, is anchored entirely in considerations of caste identity, astrologically validated compatibility, and income/class. Marriage for love is relatively rare, and the restrictions on young women freely meeting men preclude such possibilities anyway. This is borne out by the survey data on marriage choices which shows the predominance of arranged marriages. A survey conducted in January 2018 showed that 93% of married Indians said they had an arranged marriage, 3% had what in India is called a "love marriage" and 2% said they had a "love-cum-arranged marriage".¹¹ This last category refers to relationships that are set up by parents or relatives, the

¹⁰ Dr. A. Sathya Narayanan, "What are 36 Gunas in Hindu Marriage?" *The Times of India*, January 15, 2018. <https://timesofindia.indiatimes.com/astrology/relationships-marriage/what-are-36-gunas-in-hindu-marriage/articleshow/68205861.cms>

¹¹ Rukmini S. (2021) *Whole Numbers and Half Truths: What Data Can and Cannot Tell Us About Modern India*. Chennai: Context/Westland. p. 109.

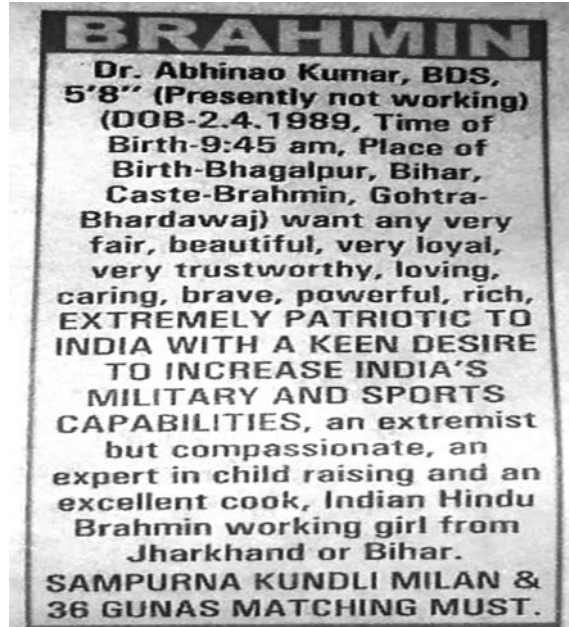


Figure 1.

couple are allowed to meet a few times and figure out their compatibility, with love hopefully growing along the way. What is interesting is that while 94% of people in their 80s said they had arranged marriages, the figure for young couples in their twenties remains over 90%, indicating that not much has changed on this score in half a century. There is a greater likelihood of love marriages occurring in wealthier and better educated classes, and also a greater likelihood of these occurring in Christian and Muslim families than in Hindu ones (ibid.: 110). As such, it is not surprising that 41% of women report having had no say in their marriage, and only 18% knew their husbands before marriage (ibid.: 117). As a respondent in Snigdha Poonam's study of millennials said, "Love marriages are candles that burn brightly for a short period of time. Parents have more experience of life than us, and they'll choose the best partner for us".¹²

¹² Snigdha Poonam (2018) *Dreamers: How Young Indians Are Changing Their World*. Gurgaon: Penguin Viking, p. 50.

Caste remains the single most important feature of marriage. A 2014 survey found that less than 10% of urban respondents said that anyone in their family had married outside their caste, only slightly more outside the sub-caste, and only 5% of the respondents said that anyone in their family had married outside their religion. A slightly older survey from 2011-12 found that only 5% of urban respondents had had an inter-caste marriage themselves and that this had hardly changed over time (ibid: 110). Another study, conducted in 2016, found that while 55% of young people were accepting of inter-caste marriage, only 4% said that their own spouse was not from the same caste as themselves. Unsurprisingly, the same study showed a convergence between love marriages and inter-caste marriages: of the 6% of those who said they had had a love marriage, one-third were inter-caste marriages. 97% of arranged marriages were within caste (ibid: 111).

The prevalence of caste endogamy transcends the urban-rural divide, such that the probability of more inter-caste marriages in urban households is low, and curiously lowest in the metropolitan areas. Nor is this influenced by the levels of development or industrialization of a region: the rate of caste endogamy is 97% both in the more industrialised state of Tamil Nadu as well as in the less developed state of Rajasthan.¹³ Levels of education of the spouses have also been found to have no association with the probability of inter-caste marriages.¹⁴

Inter-religious marriages are even rarer than inter-caste marriages and face greater impediments, both from within the family and lately also from vigilante groups calling such marriages ‘love jihad’. Under the Special Marriage Act, 1954, civil marriages between people of different faiths can be registered, with the couple being required to give one month’s public notice that is displayed at the office of the Marriage Officer. To further discourage interfaith marriages, the government of the state of Uttar Pradesh (presently governed by a Hindu fundamentalist regime) enacted an ordinance, the Prohibition of Unlawful Conversion of Religion Ordinance, 2020, requiring a period of two months’ notice if one party wished to

¹³ Kumudini Das, Kailash Chandra Das, Tarun Kumar Roy, Pradeep Kumar Tripathy, “Inter-caste Marriages in India: Has it really changed over time?” Paper presented at the European Population Conference 2010. <https://epc2010.princeton.edu/papers/100157>

¹⁴ Tridip Ray, Arka Roy Chaudhuri and Komal Sahai, “Whose Education Matters? An Analysis of Inter-Caste Marriages in India”. Indian Statistical Institute, Delhi. Discussion Paper 17-05, September 2017.

convert to the other's religion for purposes of marriage. Interfaith couples are frequently targeted by vigilante Hindu fundamentalists who threaten such couples and their families with violence. The Allahabad High Court in November 2021 delivered a judgment on petitions by 17 interfaith couples, waiving the requirement¹⁵ to protect couples intending to marry from harassment by such groups who would exploit this provision to hound interfaith couples, sending dire threats of violence to their families.¹⁶ Since threats of this kind have sometimes been carried out by the killing of the prospective groom, such couples often escape to the safety and anonymity of cities far from their homes, living like fugitives, when all they have done is marry for love.

Prejudice against interfaith marriages runs deep in society. A recent Pew Research Center survey on religion in India¹⁷ showed that two-thirds of Hindus and 80% of Muslims in India see the prevention of religious intermarriage as a high priority. This is also reflected in the data on friendships which show that young Indians of all faiths mostly have friends from their own religious community. Friendships that cut across castes tend to be less common, especially friendships between young upper caste Hindus and Dalits or Adivasis. In the presence of such social barriers, the possibilities of relationships – whether friendly or romantic – between young people belonging to different social groups and classes are minimal.

Propagating and Governing the Family

Though family size in India is decreasing, with two or three children being the current norm, the preference for a male heir continues to be an abiding feature. The overall decline in fertility – faster than expected – hides the fact that it is the rate of growth in the birth of girl children that is slowing down rather than that of boy children. Between the Censuses

¹⁵ <https://theprint.in/judiciary/compels-conversion-violates-liberty-why-allahabad-hc-ripped-into-special-marriage-act/769980/>

¹⁶ Tanishka Sodhi, "How Hindu vigilantes are exploiting a Special Marriage Act clause to target interfaith couples". NewsLaundry, July 26, 2021. <https://www.news-laundry.com/2021/07/26/how-hindu-vigilantes-are-exploiting-a-special-marriage-act-clause-to-target-interfaith-couples> See also Namita Bhandare and Surbhi Karwa, "How the Special Marriage Act is Killing Love". Article-14, October 19, 2020. <https://www.article-14.com/post/how-the-special-marriage-act-is-killing-love>

¹⁷ Pew Research Center, June 29, 2021, "Religion in India: Tolerance and Segregation". <https://www.pewresearch.org/religion/2021/06/29/religion-in-india-tolerance-and-segregation/>

of 2001 and 2011, the growth in the number of male children was 5.44% while that of female children was 4.69%. Gender-biased prenatal sex-selective abortions – abortion of female foetuses – account for the gap, the poor sex ratio, as well as the decline in fertility rates. As family size has decreased, the number of boys in families with one to four children is higher. Half of families with two children have one boy and one girl, one-third have two boys, and only one-sixth of such families have two girls. As such, girls are more likely to be part of larger families, and boys more likely to be in single-child or smaller families.¹⁸ Along with China and Pakistan, India registers excess female mortality rates below the age of 5 years, which is attributed to neglect and gender-biased postnatal sex selection practices.¹⁹

The National Family Health Survey-5 (NFHS-5) released in November 2021 paints a sorry picture of gender-based violence, child marriage and gender-based sex-selection. It does record marginal improvements on some indicators, notably that 88.7% married women participate in household decisions; 43.3% own a house or land alone or jointly; 78.6% have a bank account that they operate themselves; and 54% have mobile phones that they use themselves.²⁰ However, it also shows that while the percentage of child marriages has dropped from 26.8% (NFHS-4, 2016) to 23.3%, every fourth woman between the age of 20–24 years was married below the legal age of 18. Predictably, this statistic is higher in rural areas (27%) than in urban (14.7%), and indicates also that more women undergo early pregnancies.²¹ The report also shows that three out of every ten women aged 18–49 years experiences domestic violence. Discriminatory social norms are drivers not only of such practices, they also drive the low workforce participation rate of women, with only 25.6% of women engaging in paid work.

The low rate of women's participation in the workforce – 25.6% in India compared to a global rate of over 50% and rates of 43% and 63% respectively for China and Bangladesh – is of course partly due to the demands of unpaid care work that they perform, spending much of their time looking after the family, especially children and the elderly. A small

¹⁸ Rukmini, *op. cit.* p. 211.

¹⁹ World Economic Forum (2021) Global Gender Gap Report, 2021. p. 13.

²⁰ <https://www.tribuneindia.com/news/nation/3-in-10-women-report-violence-by-spouse-survey-343934>

²¹ <https://www.edxlive.com/news/2021/nov/25/nfhs-5-every-fourth-woman-aged-20-24-fell-prey-to-child-marriage-even-as-percentage-drops-25844.html>

survey in the state of Rajasthan in 2017 showed that the respondents spent 9.4 hours a day doing unpaid work – such as caring for children, cooking, cleaning, working on the family-owned fields and tending to animals – compared to 17 minutes per day doing paid work. The 2016 Global Gender Gap Report showed that Indian women spent an average of 350 minutes per day doing unpaid work, compared to 50 minutes spent by men on such work.

Unpaid care work is of course only one of the reasons why women's labour force participation rates are low. Others – which also point to discriminatory social norms – are the lack of skills needed for paid work or patriarchal attitudes preventing women from going out to work because it lowers the family's prestige.²² The gendered nature of the household division of labour indicates that relationships within the household are inequalitarian. The burden of reproductive and care-giving work of course falls entirely on women. Among the women in the household, daughters-in-law are more disprivileged than wives and unmarried daughters. In the households of the labouring and/or landless poor, child labour persists. Boys may work in the fields, while small girls do the child-rearing of younger siblings.

In the daily life of the family, the bias towards sons results in gender inequality within the family from the earliest age, with boys being favoured in the intra-household distribution of food, especially in less well-off homes. There is evidence to show that male babies are breast-fed for longer than female babies. Indeed, “a male child in a landed household is likely to be breast-fed for ten months longer than a female child in an agricultural labouring household”²³ and in some regions, daughters are weaned on to a vegetarian diet and sons to a non-vegetarian diet. Little wonder then that the NFHS-5 shows a substantial gender gap in the occurrence of anaemia: 57% of women between 15-49 years of age have anaemia, compared to 25% of men in the same age group.²⁴ Barbara Harriss, citing Arjun Appadurai, states that “the gastropolitical socialization of children into roles of

²² <https://www.indiaspend.com/more-indian-women-could-opt-for-paid-work-if-they-found-reliable-caregivers-19547/m>

²³ Barbara Harriss (2007) “The Intrafamily Distribution of Hunger in South Asia” in Jean Dreze and Amartya Sen, eds. *The Political Economy of Hunger*. Volume 1: Entitlement and Well-Being. Oxford: Clarendon Press. p. 357.

²⁴ Ashwini Deshpande and Ankur Bharadwaj, “Here is what NFHS-5 tells us about India” Centre for Economic Data and Analysis, Ashoka University. December 3, 2021. <https://ceda.ashoka.edu.in/here-is-what-nfhs-5-tells-us-about-india/>

demand, aggression, and authority (boys) and deference, meekness, stoicism, and self-preservation (girls) proceeds from the age of about 5” (ibid.: 358). The distinction between boys and girls thus starts early, with female children being socialized at a very young age into the subordinate roles that they will occupy in their future as daughters-in-law.²⁵

Family expenditure on boys’ education is also higher than it is for girls. This discrimination is seen in the choice of school, with a higher percentage of boys attending private schools than girls. Private schools are more expensive, have greater prestige value, more infrastructural facilities and provide teaching in the English medium – all features that guarantee greater opportunities and better life-chances.²⁶

Better nutrition standards and educational opportunities, and greater freedom of movement, provide boys with an early advantage. But when it comes to the exercise of agency in educational, career and marriage choices, boys and girls are equally expected to render unquestioning obedience to patriarchal authority. Even in the more prosperous classes, their choice of subjects of study is guided or directed by parents, mostly the father, with a view to predetermined career choices (engineering and medicine having been strong middle-class preferences for decades). In marriage, as we have already seen, it is caste and parental decision-making that count.

Despite legal and policy measures to check some of the more reprehensible practices, many persist. For instance, the law prohibiting dowry (enacted in 1961 and amended several times since) was intended to combat the spate of dowry-related cruelty, suicides and dowry deaths, but the practice persists. Similarly, while there is a law against domestic violence, the legality of marital rape is still under debate today, with courts unwilling to pronounce it as an offence. Does economic empowerment for women reduce these forms of abuse? Bina Agarwal’s work suggests that the multiple factors that lend bargaining strength to a person/woman in rural India, include ownership and control of assets, especially arable land; access to employment and other means of earning income. Losing assets or losing a job worsens a woman’s position within the household, and can even

²⁵ Arjun Appadurai (1981) “Gastro-politics in Hindu South Asia” in *American Ethnologist*, 8. p. 498.

²⁶ Mridusmita Bordoloi and Rukmini Bhugra, “Boys Still Preferred in Families’ Education Spending Decisions”. Accountability Initiative, September 11, 2020. <https://accountabilityindia.in/blog/boys-still-preferred-in-families-education-spending-decisions/>

lead to the dissolution of marriage and abandonment by family in times of acute crisis.²⁷ The ability to earn (even if paid less for the same work as men) can certainly improve the position of the woman within the household, but we have already noted the low workforce participation rate of women. Women's ownership of land and other assets is rare, though laws of inheritance are facilitative in this respect but social norms are less supportive. As Agarwal writes, "women in South Asia usually forfeit their inheritance claims in land in favour of brothers; ... peasant women in north India and Bangladesh often eat last and least while feeding the best food to their sons and husbands".²⁸

To sum up this section of the paper, it is clear that gender-bias strongly inflects every aspect of the family. The birth of a girl child is unwelcome and sometimes prevented by pre-natal sex-selective interventions; the girl child is treated unequally vis-à-vis her brother(s) in terms of both nutrition and education; the opportunities available for her to work or to acquire skills/education for work are typically fewer than for her male siblings; she is trained from an early age to be accepting of a subordinate status, a virtue that is presumed will stand her in good stead in her future life as a married woman; and of course she seldom has any agency in the choice of a partner, within or outside of the family's caste group. As a married woman, she participates in the reproduction of these gender inequalities as she caters to the appetites of her husband, strives to produce a male heir, and looks after her in-laws and children, with male children receiving the same priority as she has experienced in her natal household. She also accepts, if she is not herself earning an income, that control over and decision-making about the allocation of resources is entirely the prerogative of her husband.

Any basic textbook of Indian sociology affirms the fact that the worth of a man is measured by his success in providing for his family by earning an income. The worth of a woman, by contrast, lies in her dedicated performance of her role as wife, mother and daughter-in-law. To this end, a woman is socialised from an early age into thinking about roles and work as male and female; into accepting that her identity will be defined in relationship to others, mostly male relatives; and into learning to be self-sacrificing in nature and accomplished in the performance of household duties.

These attributes, both material and ideological, are offset by some pos-

²⁷ Bina Agarwal (1997) "'Bargaining' and Gender Relations: Within and Beyond the Household" in *Feminist Economics*. 3(1). pp. 8-9.

²⁸ *Ibid.*, p. 25.

itive features that, in an exaggerated form, find expression in Indian popular culture, especially the cinema. Emotional support is probably the most important of these features. It does not end when children grow up and leave the household. Traditionally, a woman goes to her natal home for childbirth and stays there till she has recovered sufficiently to return to her duties of care and housework in her married home. This has taken a slightly different turn among the more prosperous classes, whose children are living in the west. In anticipation of childbirth, parents of the young mother travel to those countries to take care of the babies and the housework. This reinforces the point made earlier that while the household may be depleted by movement and relocation for work, the bonds of family remain strong. It is not uncommon to find aged parents living in villages being dependent upon remittances sent by their children earning livelihoods in the city. If married couples leave the village in search of work – domestic or otherwise precarious work – parents in the village take care of children. Even in the same city, it is parents who provide the equivalent of day-care and baby-sitting facilities, since there is little infrastructure of this kind provided by the state.

The picture of the Indian family that emerges is thus one of deep and unjust gender inequalities, on the one hand, and deeply felt and assiduously practised duties of love and obligation, on the other. For women and children alike, the dominant values in the family are those of conformity to patriarchal authority and obedience and submission to considerations of what is projected as the collective interest of the family or its honour or standing. The exercise of agency and autonomy, both highly individualistic qualities, is discouraged. But, even when they are asserted – such as when a child wishes to pursue a vocation that elicits parental disapproval or wishes to marry a person of their own choice, possibly even outside of their caste/religious group – they are likely to be claimed in partial or modified form, and in ways that garner parental acceptance, without questioning the patriarchal authority that is the fundamental defining feature of the family structure.

Such family values – of hierarchy and deference to authority – can of course conflict with the demands of an increasingly individualistic and materialistic modern capitalist society. But such discomforts have been negotiated even in decades past. Writing about westernization in the 1960s, the legendary sociologist M.N. Srinivas used the telling metaphor of the shirt (a western-style garment) that a man wears to the office but the moment he enters his home after work, he takes it off and hangs it up. With that

action, he turns his back on the world of modernity and westernization outside the home, and reverts to being the traditional caste patriarch of the family. The separation between the public and the private spheres may of course be less rigid today, with a greater inter-penetration between them.

How might we think about the Indian Family and the Common Good?

To address the question of the Indian family and its relationship to the common good, I propose to pick an example of an important challenge presently confronting contemporary Indian society and, drawing upon the insights of survey data, tease out possible connections between family relationships and social relationships that illuminate the issue. What might be the relationship between the qualities and virtues encouraged within the family in the private sphere, and the qualities and virtues of civic citizenship in the public sphere? The issue I pick up to frame this discussion is the inter-religious hatred and violence that threatens today to tear apart the social fabric of Indian society, and in the achievement of which there is a substantial involvement of young people, especially young men.

For close to a decade now, India has witnessed a rupturing of its secular social and political fabric as a result of a political agenda of Hindu triumphalism, backed by political authority. This has resulted not just in laws and policies that threaten minorities, but also in hate speech, vigilante violence and lynching that target minorities, especially Muslims but also Christians, as objects of attack. There is a sophisticated propaganda machinery that cultivates hate on social media, and the mobs of young men that typically carry out such violence are empowered by the promise of legal impunity, to the extent that their victims often end up being charged with committing legal offences. Violence is visited upon minorities for their religious practices, their clothing (such as the hijab), their food choices (such as beef), and their choice of partner (especially if it happens to be a Hindu). We do not yet have a satisfactory answer to the question of why these mobs behave in the way they do, but there is enough evidence to show that the violence and hate are politically manufactured through the astute use of emotive triggers that construct wholly fantastical and imaginary narratives of history in which the Hindu has been the oppressed victim of centuries of Muslim rule, which it is now time to avenge.

School and university textbooks, based on decades of robust historical research, are rubbished as partisan and part of a liberal elite conspiracy to delude. Correcting the imagined wrongs of history takes the unedifying form of revenge history-writing, through invented or distorted information amplified as tit-bits on social media like WhatsApp and Twitter. This phe-

nomenon has given rise to the term “WhatsApp University” coined by the leading journalist, Ravish Kumar. It is verily an alternate university, the site of fake and manufactured news, misinformation and menacingly suggestive commentary, that circulates relentlessly and is unquestioningly believed.

These forms of misinformation are uniformly and explicitly animated by a hatred of not just secular but also liberal values. This is manifested in an intolerance of dissenting opinion, even the denial of the right to freedom of speech and expression to those who disagree; in a disrespect for the rule of law, and indeed the assertion of the prerogative of the empowered mob to take the law into its own hands and execute illegal retribution for eating or wearing something that does not meet with the mob’s approval; and in the denial of equality to all citizens, especially to those belonging to religious minorities and the lowest caste groups. Civilised disagreement and dialogue between citizens as equals are anathema to this way of thinking and acting.

The propensity to be triggered to anger, outrage and even violence, by such narratives can be attributed to the poor quality of education and to the acute frustration about the lack of employment opportunities. In Snigdha Poonam’s interviews with several young men and women over a period of time, anger and anxiety combine to produce a sense of hopelessness about the future, and the turn to Hindu supremacist politics as an outlet.²⁹ I would submit that this may also, at least partially, be attributable to the failure of the family to provide young people with the moral resources that could enable them to negotiate the world of broader social relationships as civic-minded citizens. I will illustrate this argument by drawing upon recent survey data from four reports, published between 2017 and 2021, on different aspects of society and politics. All four surveys have been conducted by the most credible researchers from the Centre for the Study of Developing Societies, Delhi and the Lokniti Network it hosts, in collaboration with, variously, the Azim Premji University, Bangalore and the Konrad Adenauer Stiftung, Delhi.

The survey of youth aspirations and visions for the future³⁰ showed that over 60% of young people live with their parents, and another 16% live with their parents along with their spouse. Only 18% said they lived sepa-

²⁹ Poonam, *op. cit.*, pp.111-14.

³⁰ Lokniti–Centre for the Study of Developing Societies & the Konrad Adenauer Stiftung (2021) *Indian Youth: Aspirations and Vision for the Future*. This was a sample survey of 6277 respondents between 15-34 years of age, across 18 major states of India.

rately with their spouse. All affirmed strong and strengthening bonds with their families. In fact, 45% of the respondents said that they prioritised their families over their friendships and careers. On being asked about the reasons for choosing their subject of study, about 40% said they had chosen it out of interest, and 17% said it was because their parents and other relatives had advised them to pick those subjects.

Another survey³¹ put the following statements on the ‘role of women’ to respondents:

Family	<i>A woman should prioritise managing home over outside work. Women and men should have equal responsibility for child rearing.</i>
Marriage	<i>It is up to women to decide whom to get married to. Women should have the right to decide to get married or not.</i>
Education and Work	<i>Educating boys is more important than educating girls. Men should be paid more than women even if it's the same job. Women should have 50% reservations in all jobs</i>

The results of the survey showed that 35% of the male as well as female respondents said that women should prioritise home over paid work; less than half (44%) said that women have the right to decide whether to marry and 42% that they have a right to decide who to marry. While these are reasonably high percentages, the fact remains that more than half the respondents were not in complete agreement. 12% were emphatic that women should not have the right to decide whom to marry and 11% that they should not have the right to decide whether or not to marry. Women respondents supported more strongly their right to choose their own partner. Interestingly, 63% of male and 66% of female respondents agreed strongly that men and women should have equal responsibility for child rearing.

On education and work, 30% of the respondents agreed (strongly or somewhat) that educating boys is more important than educating girls, and only 44% felt that men and women should be paid the same wage for the same job. 38% of female respondents felt that it was valid for them to have a 50% quota in jobs, but surprisingly as many as 30% of male respondents

³¹ The Centre for Regional Political Economy, Azim Premji University, Bengaluru with Lokniti-CSDS (2018) *Politics and Society Between Elections 2019*. The survey was conducted among 24,092 respondents in 12 states of India.

thought so too.³² Another interesting finding to emerge from this study was on the question of who citizens approach to resolve various disputes relating to property, marriage or domestic violence. The majority of respondents said they would approach family members or other village elders, in preference to the police or the courts (ibid.: Chapter 4.B, pp. 178-80). These survey findings are indicative of the substantial acceptability of traditional gender roles and respect for familial authority.

Another two surveys³³ – of different sets of states – surveyed attitudes towards members of other religious and caste communities, throwing up disturbing findings. They found that almost three-quarters of the respondents supported majoritarian nationalism. Only 6% avowed a strong liberal nationalism, and another 17% a weak liberal nationalist position. But the overwhelming majority was clearly in favour of the majoritarian nationalism promoted by the ruling Hindu nationalist party. Surprisingly, majoritarian sentiments were expressed by all social groups from the bottom to the top of the caste hierarchy, though the highest percentage of support for this ideology came from 84% of upper caste Hindus. Interestingly, those educated to college level and above had the strongest (76%) majoritarian attitudes. The support for religious majoritarianism found articulation in views such as that the state should punish those who eat beef or do not respect the cow as also those who do not stand for the national anthem.³⁴

In the 2018 survey of 8 states, more than half the respondents in four large states freely expressed a preference for dictatorship over democracy. Upper caste Hindus tended to support majoritarian nationalism more than others, with four out of every five Hindus again saying that the state should punish those who do not stand for the national anthem, those who eat beef and those who engage in religious conversion. Over a third of respondents disapproved of the statement that people should be allowed to make fun of religious communities other than their own. In seven out of the eight states polled, between 30 and 40% of the respondents disagreed with the proposition that people should be allowed to freely promote vi-

³² Ibid.: Chapter 2.C, pp. 70-9.

³³ CSDS and Azim Premji University (2017) *Society and Politics Between Elections: A Report*. Delhi. This survey had a sample size of 7,770 in four large states of India, Odisha, Karnataka, Haryana and Gujarat; and Azim Premji University and CSDS-Lokniti (2018) *Politics and Society Between Elections 2018*. Bengaluru. The latter survey had a sample size of 16,680 respondents in 8 Indian states.

³⁴ CSDS, 2017: Chapter 3.

olence against other communities. However, the percentage of those who agreed partially or fully with the proposition was not insignificant, varying between 22 and 47%, with Bihar showing support to the tune of 61%. It is also telling that rural respondents agreed either fully or partially with the view that persons promoting violence against other communities should be allowed to express this view openly.

To sum up, the survey data in these four reports shows that the vast majority of young people not only have close ties to their parents, but continue to live with them. The bonds of love, though admirable, are not always unconditional, being finely balanced against the burdens of obligations. This rootedness also explains the acceptance of the caste hierarchy, and supports the findings of widespread acceptability for the customary definition of gender roles and the lack of autonomy for women. The legitimacy of patriarchal authority is reflected in the survey finding of the preference for dictatorship over democracy, which in turn coheres with electoral support for populist rule by a strong and decisive leader. The support for majoritarian religious nationalism indicates not only the power of political propaganda but also the tendency to accept narratives emanating from authority instead of subjecting them to rational interrogation.

The family admittedly promotes the practice of many private virtues – among them love, respect, and mutual obligation. But the practice of these virtues is arguably limited to a circumscribed circle, in a way that not only excludes those who belong to different caste groups and different faiths, but encourages intolerance of and permits hatred towards those who are different. Filial respect for, and obedience to, the wishes of elders in the family, translates easily into unquestioning obedience to authority figures in the polity. Similarly, the recipients of love are typically relations by blood or marriage, but such affection does not easily transcend the boundaries of the family or the extended kin group. Despite the avowal and often dutiful performance of relational obligations and a fairly highly developed sense of reciprocity in the family, these qualities are also restricted to members of the family, however expansively family is defined.

Let me then return to the question of how conceptions of the common good at the level of the family relate to those at the level of society and polity. Traditional family values would tend to support the idea that the determination of what constitutes the common good is the prerogative of patriarchal authority which, defined by age and gender, itself derives legitimacy as the bearer and upholder of custom, tradition and stability. They could also be accepting of the idea that it is not altogether illegiti-

mate for private interests to inform the actions of individuals in the public sphere – the oft-remarked propensity for nepotism being an example. The family is characterised by strong and thick ties that render solidarity with anonymous fellow-citizens difficult, especially in the context of a society marked by caste and religious differences. As such, family values, and the caste and gender biases implicit in them, are not particularly conducive to a more generalised sense of the common good.

When the private virtues do not translate into public virtues, the contribution of the family as a social institution to the larger common good is at best ephemeral and at worst detrimental. When people are not habituated to act in accordance with egalitarian principles of mutual respect in the private sphere, the family does not generate positive externalities for society. Family may not be responsible for the creation of a society in which hatred and violence are applauded, but it does arguably fail to provide its young with the moral compass to appreciate why such a society does not represent a desirable normative form of collective life. The experience of socialisation in the family appears not to equip India's youth with an appreciation of the values of pluralism, diversity, tolerance, inclusion and social harmony. At a time of grave crisis such as the present, it is not at all clear where we may find the moral resources that could foster practices of citizenship and civic solidarity.

THE FAMILY: LOVE AND WORK IN THE GREAT MIGRATIONS OF THE 21ST CENTURY

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Migration is a shared condition of humanity.¹ Migrations are written in our genome and encoded in our bodies: in our bipedalism, in our stereoscopic vision, in our central nervous system.² Modern humans are the children of immigration. Migrations are complex, multi-determined, and not easily reduced to deterministic algorithms. They elude simple mechanistic models of causality because they unfold in complex ecologies involving demographic factors, economic variables, social practices, political processes, historical relationships, and, the environment itself.³

¹ “According to the genetic and paleontological record, we only started to leave Africa between 60,000 and 70,000 years ago. What set this in motion is uncertain, but we think it has something to do with major climatic shifts that were happening around that time – a sudden cooling in the Earth’s climate driven by the onset of one of the worst parts of the last Ice Age”. When humans first migrated “out of Africa they left genetic footprints still visible today” (Map of Human Migration, see <https://genographic.nationalgeographic.com/human-journey/> accessed January 2, 2017).

² “Diverse species have emerged over the course of human evolution, and a suite of adaptations have accumulated over time, including upright walking, the capacity to make tools, enlargement of the brain, prolonged maturation, the emergence of complex mental and social behavior, and dependence on technology to alter the surroundings”. (Climate Effects on Human Evolution <http://humanorigins.si.edu/research/climate-and-human-evolution/climate-effects-human-evolution> Accessed, January 3, 2017). Indeed, migration is a precursor of modern humans, “the open-country suite of features inferred for *Homo erectus* had evolved together and provided the adaptations for dispersal beyond Africa. These features foreshadowed those of more recent *Homo sapiens* and included large, linear bodies, elongated legs, large brain sizes, reduced sexual dimorphism, increased carnivory, and unique life history traits (e.g., extended ontogeny and longevity) as well as toolmaking and increased social cooperation” (Antón, Potts, and Aiello, 2014 <http://science.sciencemag.org/content/345/6192/1236828>).

³ Forman and Ramanathan (2019). Editor, Marcelo Suárez-Orozco, *In Humanitarianism & Mass Migration: Confronting a World Crisis*. UC Press. <https://bit.ly/3v7N3ZG>

Global migrations are transforming the shape of families the world over. While there are many motivations and pathways for migration, large-scale migration is not random. It follows predictable corridors. At the proximate level migration is a household matter. Distinct patterns of kinship, family, and social organization carve the pathways for worldwide migratory journeys. The fundamental unit of migration is the family – variously defined in different parts of the world and structured by culturally coded legislative, economic, reproductive, religious and symbolic forms. At the distal level, immigration is multiply-determined by labor markets, demographic imbalances, wage differentials, technological change, and environmental factors, however, on the ground, it is the family that makes migration work.

The broad features of large-scale migration over the last four generations can be analytically divided into three distinct chapters: (1) the rise of labor migration which (2) begat family re-unification, which (3) begat the rise of the immigrant second generation. During the war and post-war there were concentrated efforts to bring temporary guest workers into the high-income countries of Europe and the United States – industry and agriculture got the much-needed field hands and, for the immigrants, family remittances were a central motivation for these flows. In the U.S. a war-effort program was created by executive order called the “Mexican Farm Labor Program” in 1942. This so-called “bracero” guest-worker program ignited the largest migration flow in U.S. history as Mexicans responded to the call for braceros in US field and farms. In due time, as migrant workers settled, the rise to family reunification gave kinetic momentum to new migration flows around the world. Third and most recently, the rise of the second generation came to define the immigration landscape in many high-income countries as migrant workers, newly re-unified with family members, begat the immigrant origin second-generation.

Familyhood Across Borders: Immigrant Family Relations in Transnational Perspective

Immigration typically starts with the family and family bonds sustain it. “Love and work”, Freud’s words on the well-lived life, are useful to think about migration as an adaptation of and for the family: it is initiated for the family and the family is deeply transformed by immigration. One family starts the migration process and another, reconstituted family, completes the process.

Increasingly “familyhood” is experienced and conducted by hundreds of millions of families across national borders as international migration

has grown significantly since the turn of the millennium. According to the most recent United Nations data, the number of international migrants worldwide reached 281 million in 2020, up from 220 million in 2010 and 173 million in 2000.⁴ “The percentage of migrants in the global population increased from 2.8% in 2000 to 3.6% in the present”.⁵ In 2020, two-thirds of all international migrants were living in ten high-income countries. “The majority of all international migrants live in the United States of America (50.6 million, or 18.1% of the world’s total), followed by Germany (15.8 m), Saudi Arabia with 13.5 million migrants, the Russian Federation (11.6 m), the United Kingdom (9.4 m), the United Arab Emirates (8.7 m), France (8.5 m), Canada (8.1 m), Australia (7.7 m), and Italy with 6.4 million migrants”.⁶

The largest international corridors of human migration are in Asia, Europe, and the Americas. In 2020, “India was the largest country of origin of international migrants (18 million emigrants), followed by Mexico (11 million). Other countries of origin with large emigrant populations include the Russian Federation (over 10 million), China (10 million), Bangladesh (7 million)”.

COVID-19 impacted global migrations with geologic force. According to UN estimates, pandemic restrictions and border-closing likely reduced the total number of immigrants “may have reduced the growth in the stock of international migrants by around two million. In other words, had there not been COVID-19, the number of international migrants in 2020 would have likely been around 283 million”.⁷

Over the last two generations, internal migration has been on the rise: “The estimated number of internal migrants (migrants inside of their

⁴ World Migration Report, 2022 <https://bit.ly/3v9KCpz>

⁵ International Organization for Migration, Migration in the World <https://bit.ly/3NWJ8Y5>

⁶ See <https://bit.ly/3NXMIkN>

⁷ Notably, migrant families have been particularly affected by the COVID-19 pandemic in a number of ways – many have lost their employment in the destination country and have been unable to return to their home. Some of them ended up in an irregular status in destination countries. Others have been forced to stay in inadequate accommodation with limited COVID-19 safety measures in place. The families of migrants have also suffered through the loss of much needed remittances. Survey and interview respondents highlighted the plight, in particular, of migrant domestic workers who have been confined to private homes and exploited by abusive employers. <https://bit.ly/3spMPvp>

country of origin) is 763 million”.⁸ These internal migrations reshape the families in many similar ways as international migrations given the time and distance that families spend apart.

The Family (Re)Shaped by Migration

While scholarship on immigration has tended to focus on labor, demographic, and economic factors, an underappreciated enduring propellant, the migrant family, has been under-studied.

Shortly after losing her husband to cancer, a Filipina nurse makes the migratory journey to the outskirts of San Diego, working long shifts to support her four young children who have stayed behind in the care of her mother. A Haitian accountant from Port-au-Prince reluctantly leaves his family to find work as a taxi driver in Boston to save for his youngest daughter’s costly medical treatment. The oldest Salvadorian brother in a family of 5 siblings takes the trek north to work to support his siblings’ educational aspirations. Countless such sacrifices constitute the ethical logic of family migration all over the world.⁹ Ja Immigration is, most often, an ethical act of and for the family. For well over a billion people (international and inter migrants and the family members left behind), “familyhood” today is experienced across long distances and across borders.

Immigration – often framed as a sacrificial act made by some members for the greater good – unsettles and irrevocably changes the very fabric of the family. Even under the best of circumstances, the family is never the same after migration. Migrations often begin tentatively as target-earning sojourn, with a plan of eventually returning home; yet most migrations result in protracted family separations that deeply threaten the identity and cohesion of the family, transforming well-established roles, creating new loyalties and bonds, and destabilizing cultural scripts of authority, reciprocity, and responsibility.

In this paper, we locate the family at the center of global migrant journeys, revealing just how dislocating immigration becomes to its form and coherence. We review the prominence of transnational familyhood and its implications for the meaning of family life in an age of mass migration. We consider what it means to be a parent, a child, or even a “family unit” in transnational circumstances. We examine the reverberations of transnational parenting on children, parents, and extended family dynamics. Is the

⁸ International Organization for Migration, 2018 <https://bit.ly/2OB5CQh>

⁹ <https://bit.ly/3vaRY>

biological far-away parent who sends remittances more, or less, a parent than the grandparent or aunt and uncle or fictive kin who cares for the child's daily needs across most of their childhood? Is the child's attachment to the everyday caretaking parental figure of a different sort than the attachment to the biological long-distance parent? Upon reunification, how are the legislative, social, and symbolic functions of family life negotiated among members who had lived familyhood at a distance? Finally, we suggest that migration policies should be more attentive to the family – in its enormous diversity and plasticity the world over – as the fundamental unit of migration.

Family Separations

Global migrations are transforming the shape, essence, and definition of the family.¹⁰ While across immigrant communities, cultural norms typically place the parent-child relationship at the center of the family, the lived realities of migration create new patterns of caretaking which come to transform and expand notions of just what and who is family. Migrations create extended family separations which result in biological parents providing long-distance financial care while caretakers (often provided by extended or fictive kin like *comadres* and *compadres*) provide the daily experience-near care of the children left behind. Extended separations lead to complex attachments to both the symbolic parents (daily caretakers) and biological parents who may become abstractions over time. Reunifications lead to complex and poignant adjustments for all parties in the caretaking arrangement. This long-distance familyhood – while still kin-based – complicate the paradigm of mother/father/children integrative family life.

Historically, male target-earners left first, establishing a beachhead in a new land while sending vital remittances home. Over time, when financially and legally possible, the process of bringing relatives – wife, children, and others – left behind, began. In recent decades, however, immigration has achieved more of a gender balance. Today, men represent 51.9% of the

¹⁰ Nancy Foner, "Introduction: Intergenerational Relations in Immigrant Families: in *Across Generations: Immigrant Families in America*, ed. Nancy Foner (New York: NYU Press, 2009), 1-20; Ramaswami Mahalingam, Sundari Balan, and Kristine M. Molina, "Transnational Intersectionality: A Critical Framework for Theorizing Motherhood" in *Handbook of Feminist Family Studies*, ed. Sally A. Lloyd, April L. Few, and Katherine R. Allen (Thousand Oaks, CA: Sage, 2009), 69-80; United Nations Development Programme, *Human Development Report 2009 – Overcoming Barriers: Human Mobility and Development* (Basingstoke, UK: Palgrave Macmillan, 2009).

global migrant population; women represent 48.0%.¹¹ In the high-income countries, there has been a voracious appetite for service workers drawing women from a variety of developing countries to care for “other people’s children’s”. In rapidly aging countries, these immigrant workers are also summoned to care for “other people’s aging parents”.¹² Large sectors of the “pink-collar” occupations and other labor niches requiring emotional labor have also attracted immigrant women. When migrating mothers leave their children behind, extended family members, such as grandparents or aunts, often become the primary caretakers with the help of the father (if he remains local and is still part of the family). In many other cases, both parents go ahead, leaving the children in the care of extended family.¹³

As migrant households gain a firmer foot in the new country, new-borns begin the growth of the immigrant second-generation. Thus, new complex-blended families incorporate a range of settled migrants, newly arrived children left behind, and citizen children, born in the new land.¹⁴

Unauthorized status further challenges the immigrant family. In the United States some 10.5 million undocumented immigrants face extraordinary challenges. According to the Pew Research Center, over half of immigrant Latinos in the US “worry a lot or some that they or someone they know could be deported – a higher share than among U.S.-born Latinos, 28% of whom say they have the same concerns”.¹⁵ Families with undoc-

¹¹ International Organization for Migration, *Migration in the World* <https://bit.ly/3NWJ8Y5>

¹² Hondagneu-Sotelo and Avila, “I’m Here, But I’m There” 548; Hondagneu-Sotelo, “Gender and US. Immigration”; Brian Gratton, “Ecuadorians in the United States and Spain: History, Gender and Niche Formation” *Journal of Ethnic Migration Studies* 33 (2007):581.

¹³ Judith K Bernhard, Patricia Landolt, and Luin Goldring, “Transnational, Multi-local Motherhood: Experiences of Separation and Reunification among Latin American Families in Canada” CERJS, *Policy Matters* 24 (Jan. 2006), http://ceris.metropolis.net/wp-content/uploads/pdf/research_publication/policy_matters/pm24.pdf; Foner, “Introduction”:1-20; Scalabrini Migration Center and Overseas Workers Welfare Administration, *Hearts Apart: Migration in the Eyes of Filipino Children* (Manila: Episcopal Commission for the Pastoral Care of Migrants and Itinerant People-CBCP, 2003).

¹⁴ In the United States the Fourteenth Amendment grants citizenship automatically at birth to all born in the country, irrespective of the citizenship or legal status of parents. Citizenship is not automatically granted at birth in other countries of immigration where children born in the new land typically must wait until they reach legal adulthood before being able to petition for citizenship. Rogers Brubaker, *Citizenship and Nationhood in France and Germany* (Cambridge: Harvard University Press, 1992).

¹⁵ <https://pewsr.ch/3uqY9K0>

umented heads-of-household have been involuntarily wrenched apart by workplace as well as in-home raids conducted by immigration authorities. This leaves citizen children behind, sometimes in the care of relatives, sometimes in the care of foster homes, and sometimes forced to relocate to a country they have never known.¹⁶

Seemingly in perpetual motion, the immigrant family is destined for separations and, with luck, reunifications. Here, then, is immigration's bittersweet paradox: while it is motivated by the well-being of the family, in reality it wrenches the family apart.

The United Nations Human Development Report suggests that family separations are widespread and have lasting repercussions. In a nationally representative survey of documented immigrants within North America, nearly a third of the six-to eighteen-year-olds had been separated from at least one parent for two or more years. Notably, the rates of separation were highest for children of Latin American origin, who account for more than half of all migrants to the United States.¹⁷

In a U.S. bicoastal study conducted with 400 recently arrived immigrant youth from China, the Dominican Republic, various countries in Central America, Haiti, and Mexico attending public schools, we found that the majority of the immigrant children had been separated from one or both parents for protracted periods of time – from six months to ten years.¹⁸ Nearly three-quarters of the youth were separated from one or both of their parents during the migration process. We found significant differences between groups in regard to family separations: Chinese families were least likely to be separated over the course of migration (52%), while the vast majority of Central American (88%) and Haitian children (85%) were

¹⁶ Randy Capps et al., *Paying the Price: “The Impact of Immigration Raids on America’s Children”* (Washington, DC: Urban Institute, 2007), http://www.urban.org/UploadedPDF/411566_immigration_raids.pdf (accessed Dec. 14, 2011); Ajay Chaudry et al., *Facing Our Future: Children in the Aftermath of Immigration Enforcement* (Washington, DC: Urban Institute, 2010), http://www.urban.org/uploadedpdf/412020_FacingOurFuture_final.pdf (accessed Dec. 14, 2011).

¹⁷ Tim H. Gindling and Sara Poggio, “Family Separation and the Educational Success of Immigrant Children” *Policy Brief* No. 7 (Mar. 2009).

¹⁸ For details about the sample and the methodology used in the study, see Carola Suárez-Orozco, Marcelo M. Suárez-Orozco, and Irina Todorova, *Learning a New Land* (Harvard University Press, 2010). Carola Suárez-Orozco, Hee Jin Bang, and Ha Yeon Kim, “I Felt Like My Heart Was Staying Behind: Psychological Implications of Immigrant Family Separations and Reunifications”: *Journal of Adolescent Research* 26 (Mar. 2011): 222.

separated from either one or both of their parents during the course of migration.¹⁹ Approximately 26% of children in the study were separated from both parents, for some period of time, a pattern most often occurring in Central American families (54%). Separations from mothers only occurred most frequently in Dominican families (40%), and separations from fathers only were most frequently found in Mexican families (33%).²⁰

The length of separation from parents was unexpectedly long, with some children reporting separation from one or both parents for nearly their entire childhood. The length of separation varied widely across regions of origin. Of the youth who were separated only from their mothers, Central American children endured separations lasting four or more years, as did approximately one-third of both the Dominican and the Haitian families. Chinese and Mexican children underwent fewer and shorter separations from their mothers.²¹ When separations from the fathers occurred during migration, they were often very lengthy or permanent ones.²² For those families who were separated, 28% had separations from fathers that lasted more than four years. This was the case for 44% of the Haitian, 42% of the Central American, and 28% of the Dominican families.²³

What are the psychological effects of the separations? When comparing youth who had not undergone family separations with youth who had, we found that those who arrived as a family unit were less likely to report symptoms of depression or anxiety.²⁴ Those who had undergone the longest separations from their mothers reported the highest levels of mood disorders. Generally, we found that the highest levels of distress were reported by youth who had undergone medium- and long-term separations. Not surprisingly, we found the lowest rates of psychological distress among youth who had not been separated from their mothers or who had undergone separations of less than two years from their fathers. Youth who had undergone separations of four or more years from their mothers reported the greatest distress. Many of these children had stayed behind with their

¹⁹ Ibid.

²⁰ Ibid.

²¹ Ibid.

²² Ibid.

²³ Ibid. Carola Suarez-Orozco, Irina Todorova, and Josephine Louie, "‘Making Up for Lost Time’: The Experience of Separation and Reunification among Immigrant Families": *Family Process* 41 (Dec. 2002):625.

²⁴ Suarez-Orozco et al., "I Felt Like My Heart Was Staying Behind"; 222. Unless otherwise indicated, all quoted statements from participants appear in this same article.

fathers rather than with grandparents or with aunts and uncles. We learned that two-caretaker (both grandparents or aunt-uncle) homes had afforded more stable care as well as better, extended supports.

The poignancy of separations became clear to us as we listened to teachers, parents, and above all, immigrant youth. Insightful school personnel often spontaneously brought up the issue of family separations and subsequent reunifications as a challenge facing their immigrant students. The director of an international center in a Boston area high school summed up the challenge:

I feel like I need to give [students] a great deal of personal and emotional support in the transition they are making. You know, the whole issue of family separations. There are a lot of emotional issues, which come into this. We have people here from China, from Brazil, from Haiti, from Central America, and what is interesting is that they are all talking about the same issues – “I don’t know how to live with my parent”.

Few topics were more difficult to broach with immigrant families than their time apart. Many of our otherwise talkative informants became monosyllabic when we posed questions about this topic, and many youths admitted that their family simply never discussed their time apart.²⁵

The act of separation was often described as one of the hardest things about coming to the United States. Jamisa,²⁶ a fourteen-year-old Dominican girl, said, “The day I left my mother I felt like my heart was staying behind. Because she was the only person I trusted – she was my life. I felt as if a light had extinguished. I still have not been able to get used to living without her”.

In many cases, parents left their children when they were infants and toddlers. While the parents told us that they had hoped to reunite quickly with their children, the separations turned out to be much more protracted than anticipated. A host of other challenges associated with migration often exacerbated family separations. These included barriers due to language and cultural differences, long working hours typically at low wages, displacement from familiar settings, cultural disorientation, and a limited social support system for the family. Lack of documentation and concerns

²⁵ For details about the sources of, and coding of, the qualitative data here, see Suarez-Orozco et al., *Learning a New Land*.

²⁶ All names used throughout this chapter are pseudonyms to protect the identity of participants.

about security exponentially added to the distress of having the family torn apart.

Rosario, a Salvadoran mother of three, told us:

I never thought it would be so long. But I had no choice. My husband had been killed and my children had no one else. I had to make the journey to El Norte. I left them with my mother, hoping I could send for them in a few months, but life here is so expensive. I sent money back every month to take care of them and saved every dollar I could. I spent nothing on myself. My life was better in El Salvador. Here I had no friends. I was always lonely. I missed my children desperately and my family. I worked all the time. But a safe crossing was so expensive for three children.

Parents, especially mothers, maintained contact with their children through a series of strategies that included regular remittances, weekly phone calls, the exchange of letters, sending photos and gifts, email and Skype, and occasionally return visits, when finances and documentation status allowed. Over time, these contacts played an ever more important role in nurturing the memory of the absent parent in the child's mind.

The capacity to send remittances to support children and family members is the core motivation behind the majority of the parental absences in our study. Few children, however, seem to have a clear sense of why their parents are away. A fifteen-year-old Guatemalan girl, Amparo, was an exception: "I remember that my grandparents would tell me that my parents had to go to work so they could send money for us to live on".

Children recalled gifts that were sent, sometimes on special occasions, in the form of money so they could buy what they liked, but also in the form of lovingly selected items sent with visitors. Lupita, a twelve-year-old Mexican girl, recounted, "My parents would send dolls, necklaces, clothes, and perfume. Things they thought I would like". For some, the gifts served to salve the absence of the parent. Leandro, a twelve-year-old Mexican boy, explained, "[My grandparents] would say to me, 'Son, do you miss your mother?' I would say, *Yes*: and then go and play. With the video games she sent I would forget everything".

Staying in touch by sending gifts was a tangible means of maintaining contact. Nevertheless, a few children reported that no amount of material goods could provide what they wanted: a parent's presence and active involvement in their daily life. For example, fourteen-year-old Bao Yu said "Even though he kept sending me new beautiful clothes – so what? I felt that he is my father, he should stay with me, and see how I grow up".

While some children had memories of their parents, for others, memories began to fade. For instance, Araceli, a sixteen-year-old Guatemalan girl whose mother left when she was two (and did not see her until eight years later when her asylum papers were finally granted), told us, “I would look at the pictures of my mother, and I would think that I would like to meet her because I could not remember her. I would say, ‘What a pretty mom – I would like to meet her’”. For a number of immigrant youth, the parents in the picture were parents in name only – long-distance benevolent figures ambiguously present but with whom the children had little first-hand experience.

Over time, many families found it difficult to maintain meaningful steady long-distance communication – especially those enduring long-term separations. Communication was hardest for parents who had left children behind when they were very young; as the children grew up, the parent became an abstraction. As the mother of a 12-year-old Salvadoran boy, Manuel, explained: “They lived with my mother in El Salvador. I left when they were babies. I spoke to the eldest once a month by phone. As the little one grew, I spoke to him, too. But since he didn’t know me, our communication was quite short. I really had to pull the words out of him”.

In listening to parents, it was evident that the absent child remained a daily sustaining presence in their lives. For children, however, the story was different. Especially in cases of long-term absences, for many youths it was a case of out of sight, out of mind. Often, the day-to-day caretakers took on the parenting function along with the psychological role of being the symbolic “mother” and “father”.

Family Perspectives: During the Reunification Phase

We might expect that after so many sacrifices, family reunification would be joyful. Indeed, many children, especially those whose separations were short-term or from only one parent, described the moment of reunification with the word *happy*. A thirteen-year-old Guatemalan girl said that on the day she got together with her mother, “[I was] so happy. It was my dream”.

Yet for many children who had endured protected separations, the reunification was quite complicated. In almost all cases, the children recalled that their parents welcomed them in a highly emotional and tearful manner. For parents the reunification signified the joyful conclusion of a painful period of sacrifice and struggle to bring the family together. For the children, however, the reunification was the beginning of a new

and emotionally laden phase. For them, it meant entering a new life in a new land to be raised by a new set of adults. They reported intense feelings of disorientation. As 13-year-old Celeste from Haiti confided, “I didn’t know who I was going to live with or how my life was going to be. I knew of my father, but I did not know him”. Even under optimal circumstances, migrating to a different country and adopting a new way of life is disorienting. Yet for many youths in our study, the process was complicated by uncertainty about whether they would feel comfortable in their own homes, how they would get along with the people they would be living with, and what their everyday routines would be. These children were experiencing two migrations – one to a new country and another to a new family.

Araceli, a cautious thirteen-year-old from Guatemala whose father left before her birth and whose mother left when she was a year old, not reuniting with her until nine years later, told us:

I felt very strange, and since I didn’t know my mother. I saw a lot of women [at the airport] but didn’t know who my mom was. And when she came to hug me, I said to her, “Are you my mom?” I didn’t hug her very hard because I didn’t know her or anything. I didn’t have that much trust or didn’t feel that comfortable with her.

Youth display a range of emotions from a short-term sense of disorientation to sadness to anger. For some, the extended absence led to a sustained rejection of the parent they believe abandoned them. In such cases, the damage of the long absence led to rifts that seemed challenging to traverse. Some were unforgiving, and by the time parents re-entered their life, it was too late. These youth had grown accustomed to living without the missing parent; they were ready to assert greater independence and were unwilling to submit to the parents’ authority after an extended separation. A 14-year-old Chinese girl, An, confided that after a nine-year absence, “Suddenly I had another creature in my life called ‘father’ ... I was too old by then and I could no longer accept him into my life”.

Some parents perceived the socio-emotional ruptures and patiently worked to rebuild a bridge across the emotional chasm. The mother of a fourteen-year-old Honduran, Felipe, told us: “It was really hard at the beginning because we had been separated for five years [H]e barely trusted me, but now, little by little we are building something”. But other parents were less patient; hurt, and indeed enraged that their children did not appreciate the sacrifices made on their behalf. A Haitian father, who had worked years to bring over his daughter, said between clenched teeth,

“She barely looks at me. All she does is complain that she wants to be back with her aunt, and she just treats me like a bank ATM”.

Parents and adolescents shared with us that reunifications were especially complicated when youth had to adapt to entirely new family members, particularly new stepparents (or partners) or new siblings (or stepsiblings). For example, twelve-year-old Inez from Mexico admitted that she had not wanted to migrate because “I did not know anybody and I was going to live with a man [a new stepfather] I did not like”. Many admitted outright jealousy. The mother of thirteen-year-old Nicaraguan Enrique disclosed: “We are getting used to each other. We are both beginning a different life together ... [T]he kids are jealous of each other and my husband is jealous of them. ... Jealousy exists between those who were born here and those who were not”. It was not unusual for the youth to envy attention lavished on new siblings (or stepsiblings). As 14-year-old Bao Yu articulately stated, “Now whenever I see how my father spends time playing with my younger sister, I always get mad that he never gave me fatherly love. Now I think he is trying to make up to my younger sister”. This pattern of envy often led to tension and conflict between family members.

The moment of reunification was thus interlaced with contradictory emotions, as children had to leave the caretakers who became their *de facto* parents during the absence of the immigrant parent. A 16-year-old Guatemalan, Marisol, explained, “I loved living with them [the grandparents] because they were really sweet people. They were wonderful parents. For me they are not like grandparents, they are like my parents because they understand me [and] they love me I did not want to leave them”.

Understandably, many adolescents describe bittersweet feelings upon reunification because of this loss of the caretakers with whom they had daily contact. Marisol told us: “I was sad because I had left my grandparents behind but happy to be together with my mother”. Similarly, eleven-year-old Honduran Juan told us: “I was crying because I was leaving my grandfather. I had conflicting feelings. On the one hand I wanted to see my mother, but on the other I did not want to leave my grandfather”. Such double separations and losses are major disruptions in these youngsters’ lives. In these families, the grandparents also endured two sets of major separations. The elderly had said good-byes to their own children when the family migration began, and then had to bid farewell to their grand-children whom they had raised as their own children.

Many parents expressed guilt for being away from their children while recognizing that their sacrifice was necessary for the good of the family.

The longer the parent and child were apart, the harder it was for the child to make sense of the situation, and the more parental authority and credibility were undermined. Graciela, the insightful mother of a thirteen-year-old Central American girl, reflected that since the reunification:

Our relationship has not been that good. We were apart for eleven years and communicated by letters. Now, we have to deal with that separation. It's been difficult for her and for me. It's different for my son because I've been with him since he was born. If I scold him, he understands where I'm coming from. He does not get angry or hurt when I discipline him, but if I discipline [my daughter] she takes a completely different attitude. I think this is a normal way to feel given the circumstances.

Disruptions in Normative Parenting in Transnational Families

All societies define parenting along shared scripts of safety, security, and emotional care in the ethical formation of children.²⁷ The idea of “home” connotes familiarity and the sense of being at ease, feeling safe, and being cared for. Providing for the physical security of the child is but the most fundamental of parental responsibilities. The work of protecting children involves a range of domains: providing the basic financial resources needed for feeding and clothing, sending them to school, and meeting their health needs. Parents must also provide the protections afforded to citizens living as members of a larger community.

For immigrants these basic securities may prove elusive. While immigrants are renowned for their work ethic and for struggling to provide for their families, this may not be enough. Poverty among working-class immigrant families remains a protracted problem for newcomers from many countries.²⁸ Financial security remains a distant mirage for millions of immigrant families.

²⁷ Robert A. LeVine, “A Cross-Cultural Perspective on Parenting” in *Worlds of Childhood*, ed. Robert H. Wozniak, Mary T. Rourke, and Berit I. Haahr (New York: Harper-Collins, 1993).

²⁸ Donald J. Hernandez, Nancy A. Denton, and Suzanne E. Macartney, “Family Circumstances of Children in Immigrant Families: Looking to the Future of America” in Lansford et al., *Immigrant Families in Contemporary Society*, Urban Institute; Young Children of Immigrants in Two-Parent Families Have Triple the Poverty Rate of Children with US.-Born Parents, Feb. 8, 2005, <http://www.urban.org/publications/900779.html> (accessed Dec. 15, 2011).

Millions of immigrant families face a more formidable threat to their basic security as they are living with unauthorized status. The ethos of safety and security essential to foster healthy family dynamics is unattainable to families who live in a culture of fear – driven by the constant threat of being hunted and at risk of apprehension. In the United States, approximately 1.1 million children are unauthorized, and an additional 4.4 million are citizen children growing up with at least one parent who is an unauthorized immigrant.²⁹

Beyond the fundamental physical, social, and economic security parents should provide, there are parental socio-emotional and ethical cultural scripts that are essential for optimal child development and well-being.³⁰ For a variety of reasons, immigrant parents are often robbed of the psychological, social, and cultural resources to engage meaningfully with their children in the new society.

Immigrant parenthood is often defined by an ambiguous presence, when parents have gone ahead and left their children behind. Upon reunifications the children will experience a new ambiguity. They need to get to know, in new intimate proximity, the rhythms, moods, and expectations of their parents in an entirely new cultural context.

Parents, now physically present, may continue to be only ambiguously there.³¹ Making ends meet while learning a new language and the ways of a new culture drains parents of their time and energy. Many work multiple jobs for long hours. Others find the stresses of learning a new language while performing on the job overwhelming. Most are mourning the losses of loved ones left behind. Many immigrant parents, with the best of intentions, find themselves unable to provide the physical presence, time, and energy required to meaningfully parent their children. Further, the cumulative stresses and losses of migrations, while tempered by economic gains, leave many parents emotionally exhausted, anxious, depressed, and

²⁹ American Immigration Council. U.S. Citizen Children Impacted by Immigration Enforcement (2021). <https://www.americanimmigrationcouncil.org/research/us-citizen-children-impacted-immigration-enforcement>

³⁰ Eleanor E. Maccoby, “The Role of Parents in the Socialization of Children: A Historical Overview” *Developmental Psychology* 28 (Nov. 1992):1006; Suárez-Orozco, C., Abo-Zena, M.M., & Marks, A.K. (Eds.). (2015). *Transitions: The development of children of immigrants*. NYU Press.

³¹ Pauline Boss, *Ambiguous Loss: Learning to Live with Unresolved Grief* (Cambridge: Harvard University Press, 1999).

distracted. They may be physically present but psychologically elsewhere and unavailable to meet their children's emotional day-to-day needs.

Immigration is particularly stressful to parents when they are unable to draw on their usual resources and coping skills, especially when much is at stake for the balance and well-being of the family. Immigration removes many parents from many of the supports that are linked to community ties, jobs, and the main institutions of the new society. Stripped of many of their significant supports (extended family members, best friends, and neighbors), immigrant parents may never fully develop the social maps needed to find their way in a foreign land. A lack of a sense of basic competence, control, and belonging leaves many immigrant parents feeling marginalized. A new paradox becomes evident. Even as immigrant parents become more empowered economically by the opportunities in their new homeland, they experience a keen sense of inadequacy in their ability to effectively exercise their parenting authority. At a time when immigrant children and youth need extra guidance in navigating the difficult currents of the new country, many immigrant parents find themselves at a loss in guiding their children.

Further, a loss of parental status is amplified by the multiple social demotions parents experience as immigrants in the new society. The sources of these demotions are many, and the consequences are profound. Some start with taking a job beneath their qualifications and skills. The field of immigration is littered with examples of wasted talent: the doctor from China now working as a nurse; the nurse from El Salvador working as a cleaning lady; the engineer from Ghana working as a taxi driver. Even with a better salary, these social demotions are a hard pill to swallow. A Mexican immigrant remembers: "Nothing broke my father except the U.S. He couldn't find his footing here. He could not rise again and he knew it. He tried many jobs – bus boy, cannery worker, bakery truck driver. I often think that he settled on bowling alleys because he was the most erudite man there, even if he was a greaser".³²

While other immigrants may not suffer a drop in job status, they nonetheless find themselves toiling in the most stigmatized, dangerous, and demeaning work. Narratives of immigrant workers often reveal a deeply

³² Luis Alberto Urrea, *Nobody's Son: Notes from an American Life* (Tucson: University of Arizona Press, 1998), 41.

felt sense that they, and only they, can and will endure the harshest, most unforgiving working conditions the new land has to offer.³³

Demoralization, uncertainty, and stress at work are but part of the strain that worms its way into the heart of immigrant family life. Immigration reverses the natural order of parental authority. Typically, native parents know the basic rules of socialization and how to guide their children through the moral, social, and cultural etiquette required for membership and belonging.³⁴ They can wisely impart the basic rules for respectful interaction with others, how to complete school, and how to get a job. In a new society, the rules of engagement change, and immigrant parents are no longer masters (or even sometimes players) of the game. For immigrants, “relinquishing the parental function” is a painful and reluctant process. Some do so out of a sense of helplessness and entrust their children prematurely to responsibility beyond their years. Some youth cherish this role and feel like they are responsible and active contributors to the family.³⁵ Others, however, feel burdened or are left with a “worm that undermines basic certitude”. Eva Hoffman writes that her Polish migrant parents did “not try to exercise much influence over me. ‘In Poland, I would have known how to bring you up, I would have known what to *do*’, says my mother, but here she has lost her sureness, her authority”.³⁶

Parents find themselves turning to their children for help and guidance in the practical, cultural, and linguistic nuances of the new society. Asking children to take on this mature role comes at a cost. A Vietnamese refugee who arrived in the United States as a child recalls,

The dreadful truth was simply this: we were going through life in reverse and I was the one who would help my mother through the hard scrutiny of hard suburban life. I would have to forgo the luxury of adolescent experiments and temper tantrums, so that I could scoop my mother out of harm’s way and give her sanctuary. Now, when we stepped into the exterior world, I was the one who told my mother what was acceptable and unacceptable behavior...

³³ Peter Orner and Sandra Hernández, eds., *En las Sombras de los Estados Unidos: Narraciones de los Inmigrantes Indocumentados* (San Francisco: McSweeney’s Books, 2009), 30-31.

³⁴ Maccoby, “Role of Parents”.

³⁵ Marjorie Faulstich Orellana, *Translating Childhoods: Immigrant Youth, Language, and Culture* (New Brunswick, NJ: Rutgers University Press, 2009).

³⁶ Eva Hoffman, *Lost in Translation: A Life in a New Language* (New York: Penguin, 1990).

and even though I hesitated to take on the responsibility, I had no choice.³⁷

The inability of many immigrant parents to master the language of the new land contributes both to role reversals and to the undermining of parental authority. The complexity of understanding and making oneself understood will define the lives of new immigrants at work, in dealing with the institutions of the new society (including schools, health care, and the police and judicial system), and with the very essence of social membership. Language is an overwhelming preoccupation for immigrant parents in the new society because they see it as essential to advancing in a new land. An inevitable period of linguistic inadequacy compounds the difficulty of learning the social rules that smooth interactions in the new society. Some are blessed with the linguistic gifts, previous education, and social contexts that facilitate rapid acquisition of the new language, but many others find themselves linguistically challenged and never fully master its intricacies.

Immigrant children, by contrast, more readily come into more intimate contact with the language and culture of the new society. Schools immerse them in the new values and worldviews and, above all, introduce them to the systematic study of the new language. Other children who may not be immigrants will become the daily interlocutors with whom immigrant children will develop a new linguistic repartee. The children watch television, movies, listen to music, and are steeped in the media of their new land. Their parents, on the other hand, are more removed from these new cultural realities, particularly if they work long hours, in enclaves with other immigrants who tend to be of the same linguistic, ethnic, and national background. The children's deep immersion in the new culture will facilitate the acquisition of the new language and give them a course to chart in making their way in the new society.

As the children increasingly gain mastery of the new language and culture, many develop feelings ranging from vague to intense embarrassment as they recognize their parents' inability to help them manage what appear like simple tasks. Richard Rodriguez, the son of humble Mexican immigrants who grew to flourish as gifted author and National Public Radio commentator, found early success in school. When his teachers would comment, "Your parents must be proud of you ... shyly I would smile,

³⁷ Lan Cao, *Monkey Bridge* (New York: Penguin, 1998), 32.

never betraying my sense of irony: I was not proud of my parents”.³⁸ Instead, like other children of immigrants, he felt embarrassed by his parents’ accents, silent ways, and inability to help him understand homework even during the early years of elementary school.

Some immigrant parents rage against their loss of authority; overreaction is not uncommon. Hypervigilance, regimented routines, and policing peer influences, as well as those of the media, become preoccupations in many immigrant households. Parents feel threatened by the encroachment of new cultural values and behaviors in their children. They often respond by tightening the reins. Putting in place disciplinary sanctions from the “old country” will open a new cultural can of worms. While withholding a meal, pulling an ear, or forcing a child to kneel on rice are common practices found in many countries of origin, they may be dissonant with mainstream ideals of proper discipline in the new land. A “good spanking” in the old country can be a reportable offense in another. Children quickly become wise to the spirit and the letter of the law in the new land and threaten their parents with the I will call “911” Sword of Damocles.

If immigrant parents do not learn alternative sanctioning mechanisms, however, they will lose control of their offspring. This may have severe implications for the well-being of the children because it is essential for parents to maintain basic authoritative functions within the family.³⁹ Parents’ authority is not only symbolic but also critical for imposing limits around curfew, values around respectful behavior toward others, expectations for doing homework, and much more. When the voice of parental authority is undermined, and if the children lose respect for their parents, then the very foundation of safety and family coherence is compromised.

Many parents, thus, come to face the paradox of parenting in a promised land. The country that offers them the dream of a better tomorrow and provides them the opportunity to give their children greater economic security becomes a battlefield over the identity of the children and the coherence and cohesion of the family unit. The profound familial dislocations and the delegitimizing of parental authority can have destabilizing implications for the development of immigrant children, undermining the children’s educational and professional pathways in their new society.

³⁸ Richard Rodriguez, *Hunger for Memory: The Education of Richard Rodriguez* (New York: Bantam, 1982).

³⁹ Maccoby, “Role of Parents”.

Conclusion

Under the best of circumstances, immigration represents a significant challenge for the newly reconstituted family. As we have detailed, the very shape of the family as well as the dynamics between its members are forever changed by the process of migration.

Dysfunctional immigration policies compound these challenges, imposing unnecessary costs to the family. The status quo is in urgent need of repair. In the United States, for example, we must take seriously what we mean when we say that family reunification is at the heart of our immigration policy. We must strive to drain the bureaucratic swamp where millions of families suffer through protracted separations that can stretch more than half a childhood. Our research and other recent work suggest that lengthy family separations extract a serious toll. Indeed, some OECD member countries are encouraging policies to drastically minimize the length of separation or to simply do away with reunifications if they cannot be conducted in an orderly and timely manner.⁴⁰ The costs to families and society have been deemed to be that high.

Beyond the problem of protracted separations, we must once and for all develop a lawful, workable, and humane national plan to put an end to the deforming phenomenon of unauthorized parents raising citizen children.⁴¹ The logic for this is simple and has multiple interests in mind. A wealthy advanced democracy simply cannot afford to have millions of citizen children growing up in limbo with unauthorized parents. Why? At the most basic level, unauthorized immigration undermines the fundamental core functions of the nation-state. Countries come with borders and are in the business of enumerating and accounting for their citizens; millions human beings who are unidentifiable represent a tear in the fabric of the nation-state. The reality of unauthorized parents and their citizen children cheapens the value of citizenship for the children, erodes their fundamental protections, and works to create a permanent subcaste of children and youth who are *de jure* citizens but who *de facto* operate in the shadows of society.

⁴⁰ Georges Lemaitre, “International Student Assessments, PISA, and the Outcomes of the Children of Immigrants, with Some Implications for Policy” (presentation by representative of the International Migration Division of the OECD, State, School, and Diversity Conference, University of Lisbon. June 7, 2010).

⁴¹ Carola Suarez-Orozco et al., “Growing Up in the Shadows: The Developmental Implications of Unauthorized Status” *Harvard Educational Review* 81 (Fall 2011): 438; Suárez-Orozco, C., Abo-Zena, M.M., & Marks, A.K. (Eds.). (2015). *Transitions: The development of children of immigrants*. NYU Press.

Finally, a laissez-faire approach to immigration is anachronistic and out of touch. With the sink-or-swim approach, while some immigrants and their children will thrive, too many are left at risk of drowning. In the case of the United States, the country with the largest number of immigrants and the largest number of undocumented immigrants, it is time to do its homework and to learn from what other countries have been quietly and successfully putting in place to ease the transition of their new immigrants and their families. At the very least, we need a system of nationally coordinated local supports with beachheads in schools, in community centers, and in places of worship devised to intelligently support immigrant parents and to aid them during a difficult period of transition. Immigration is the human face of globalization – the sounds, colors, and aromas of a miniaturized, interconnected, and fragile world. The children of immigrants, the smallest actors in the global stage, are the fastest growing sector of the child population in a growing list of high-income countries. They are set to reshape the future character of an ever-growing list of destinations the world over. Their future is our future.

FAMILY AND CULTURE IN AFRICA: DISJUNCTURE AND CONTINUITY IN SOUTH AFRICA

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1. Introduction

Where does one draw the boundaries between family and culture on the one side, and family and existential realities on the other? In an attempt to answer this complex question, this paper examines the African family to explore tensions between existential circumstances brought about by the political economy of modernisation in Africa (colonialism, Christianity and industrialisation) and the resilience of cultural variables which have sustained African populations for centuries. The African family can be located within this dialectic between economic modernity where the political economy has, in the words of commentators, caused the disruption and fragmentation of the family on the one side; and African re-affirmation, where resilience in some of the cultural variables has sustained family stability on the other. Cynics have questioned if in 21st century Africa, one can still make reference to the African family mainly because of the vast diversity in family composition, the economic and socio-cultural location, and consequently of what the present family can and cannot do. However, notwithstanding this, empirically an institution called the family and belonging to a people known as Africans, in the conventional biological and socio-cultural senses, does exist. Nevertheless, not even among Africans themselves, if by African we refer to the descendants of the indigenous inhabitants of the continent, is there uniformity in family composition, material well-being and capability of the family to play its role as the primary source of relationality. And yet, notwithstanding these differences, sometimes subtle and sometimes glaring, differences which are critical in the circumstances responsible for the capabilities and life chances of individuals, both in the family and in society; there is both a disjuncture and continuity in the form of the family, both reflective of the existential and the cultural dynamics operating simultaneously as forces that shape and sustain the family.

The African value system is humanistic and relational, directed at interpersonal or intergroup relations, and not at some abstraction, and the family forms a cardinal pillar in this relationality. While conjugal relationships are important in marriage, Africans marry into families and not to start families. Because of this the extended family was, and to a certain extent still is, the norm. To an extent, a significant number of African families are spared divorce because of the strength of the extended family which performs both a counselling and a consoling function in times of conflict and strife. In Africa, the family is pivotal to both the living and the dead. Advocating for the restoration of the family as part of the healing process in the broken relationships in part of the African continent, de Haas writes:

Despite the myriad influences including those of the world major religions of Christianity and Islam, and countless regional differences in language and lifestyle, there is a distinct pan-African culture in the societies south of the Sahara. Common themes in this culture are the pivotal role of the family (which includes both living and dead members) in society, a holistic approach to healing individuals and communities, and an awareness of the interdependence of human beings and the natural environment. The values which underpin this worldview are manifest in a distinct philosophy which, in this corner of the continent is known as ubuntu (a person is a person through other persons).¹

An understanding of the philosophy of the African family necessitates and understanding of the African philosophy on human welfare, a value which sits on the pinnacle of the hierarchy in African values, “the hub of the axiological wheel”,² where human needs and interests constitute the fundamentals of life. This natural relationality of individuals to others and to society at large, that Africans uphold, prescribes an ethics of duty (responsibilities) rather than of rights. “A morality of duty is one that requires each individual to demonstrate concern for the interests of others. The ethical values of compassion, solidarity, reciprocity, co-operation, interdependence, and social well-being, which are counted among the principles of the communitarian morality, primarily impose duties on the individual with respect to the community and its members”.³ In African ethics, duties

¹ De Haas Mary, 2000, “Healing the Family”, Keynote Address at the International Conference on Family Therapy, Durban, South Africa.

² Kwame Gyekye, 2010, “African Ethics”, *The Stanford Encyclopedia of Philosophy*.

³ De Haas, 2000, Op Cit, page 18.

trump rights simply because duties address themselves to the needs of others, and individuals in African ethics fulfil these duties mainly because they are the right things to do. Therefore, in African ethics there is no distinction between morally obligatory and morally optional acts, since acts are not morally good in themselves but rather are morally good because of the consequences that they have on others. The individual, the family, both the living and the dead, live in a reciprocal relationality, each an extension of the other. And this has kept the family alive.

A few observations are necessary to put the African family in perspective. First, the African continent has become very cosmopolitan since colonization, and despite both colonization and political decolonisation, as mediating factors, Africa follows the trajectory taken by families internationally; a move towards smaller nuclear families, accompanied by an accent on individualism. Secondly, while economic developments tend to favour the direction of nuclear families, the same forces act in a contradictory direction, compelling families to expand but changing the composition or form, with an accent on the collective. The locus and function of the African family in Sub-Saharan Africa is mediated by a political economy which has attenuated the traditional cultural relevance of the family as the primary institution of socialization, a concept used to locate the family at the centre of human relationality, the building block in the functioning of society. Yet despite this, the tenacity of the cultural residual, i.e., those elements in the culture which are capable of withstanding the assaults of acculturation and enculturation, and in the case of the African family, the political economy of capitalist expansionism, has kept the family and some of its traditional functions alive notwithstanding the enormous challenges.

2. The Focus on South Africa

This paper discusses family and culture in South Africa, and in a way because of the similarities in the political economy and cultural outlook, as a determining force, the description could legitimately represent family and culture anywhere in Sub-Saharan Africa. Differences are in degree and not in kind. The conventional conception of family: marital heterosexual relationships of husband and wife responsible for the joint care of children, filial piety, reciprocity and solidarity among family members, and most of all the warmth of family life, have been severely compromised by the political economy of Sub-Saharan Africa. However, one cannot attribute changes in the African family solely to factors in the political economy; the incorporation of Africans into white colonial institutions, the school, the

church, the economy and the polity, also entailed enculturation of indigenous populations into western ways of life including Christianity, education, the economy and politics thus ushering in a new social normativity. Inevitably, this brought with it changes in the value system, changes which affected the cultural base including the traditional conception of family with the attendant values. And yet, there are those elements in the cultural fabric which have sustained the family, no matter how compromised, thus providing a bedrock for the continuity of community and society.

The choice of South Africa is that it has capacity to collect data on the family at determined periodic intervals. Statistics South Africa, the National Agency for data collection and analysis, uses the term household and not family to refer to what, in conventional parlance, would have constituted the family. "A household is all individuals who live together under the same roof and who share resources such as food or money to keep the household functioning. The definition is much more restrictive than the concept of a family which usually refers to individuals who are related by blood and who may live very far apart. Although household members are usually related, blood relations are not a prerequisite for the formation of a household".⁴ The definition has, therefore, significant sociological connotations, as conventional daily social intercourse takes place more in the household than in the family, as a significant number of families live in different locations and do not spend time together as family although they continue to hold kinship and emotional bonds. As a matter of fact, almost all household members have strong biological bonds, although there may be a few exceptions. What the definition omits, because of its accent on the economic dimension of the household, is the centrality of culture in maintaining continuity in the family.

The rationale for Statistics South Africa to use the household unit as an equivalent of the family unit lies in the circumstances of work and migration of family members away from home to live where they generate livelihoods. The definition also considers a child-rearing culture, mediated by a political economy, where children born out of wedlock live mostly with their mothers while fathers have other families and live in separate households. These conditions detract from the conventional where conjugal relationships are a prerequisite to the family and accordingly, children live with both parents.

⁴ Statistics South Africa: General Household Survey 2020.

3. The Disjuncture: Fragmentation of the Family

This paper approaches the subject of family and culture in two parts. The first part presents the empirical position of the African family and explains how economic and political variables in racial capitalism almost disintegrated African family life particularly in South Africa and, to an extent, in Southern Africa. The second part demonstrates how tenacious elements in the culture have sustained the family against the onslaught. First, the empirical section draws from various studies on the position of the African family in South Africa since political decolonisation in 1994 to the present. The present family structure in South Africa resulted from economic forces, particularly those of industrialisation. South Africa's industrial economy developed mainly from the mining industry (diamonds and gold), both of which depended on manual labour. In order to avoid the costs of reproduction (providing housing and care to the families of workers), mining magnates employed native men housed in single-sex hostels near the mining sites for labour. This labour was drawn across Southern Africa (Zimbabwe, Mozambique, Botswana, Lesotho) and mainly from what was referred to as the native reserves within South Africa. Walker attests:

A pervasive system of migrant labour played a fundamental part in shaping the past and present of South Africa's economy and society and has left indelible marks on the wider region. South Africa was long infamous for its entrenched system of racial discrimination. But it is also unique in the extent to which urbanization, industrialization, and rural transformation have been moulded by migrant labour. Migrancy and racism fed off each other for over a century, shaping the lives and deaths of millions of people.⁵

In the late 1930s, South Africa started to go beyond being an agrarian and mining economy and embarked on manufacturing as another sector of the economy. When the Second World War broke out, conscription of whites into the armed forces created vacancies in the mining and manufacturing sectors, thus necessitating an increase in the demand for labour and compelling the new industries to employ Africans. Moreover, for the first time, production in the manufacturing sector outstripped that of the mining and agricultural sectors. A combination of increased demand for labour and the absence of white workers as result of the war compelled

⁵ Walker Cheryl, 1990, "Gender and the Development of the Migrant Labor System: c1850-1930: An Overview" in C. Walker (Ed.) *Women and Gender in Southern Africa to 1945*, Cape Town, David Philip, 168-196.

industry to employ Africans in semi-skilled and skilled positions. With industrial expansion into manufacturing, the migrant labour system grew in magnitude as either industries or local authorities in which the industries were located undertook construction of more single-sex hostels to accommodate the growing workforce. Worse, increasing employment of women, first as domestic workers and also in other types of employment, was to complicate the disjuncture. The migrant labour system did not only fragment families by taking away men from their homes and locating them in single-sex hostels, it also encouraged cohabitation between migrant men and women working as domestics in the mining towns, precipitating the growth of shack settlements and naturally second families for the men who already had families back in their places of origin. It is this development which largely accounts for children living without their fathers. Men thus had two direct families, the family back in the rural home and the family in a shack next to the mining town, ushering in a new culture of a rural wife and a town wife coexisting as two distinct families united in their common relationship to the migrant father. Some men never returned home to their legal wives and children.

3.1 Presentation of Family Types in Statistical Form

3.1.1 The Context

Commentators on the position of the African family emphasise “fragmentation” (Hall and Posel), and “disruption” (Budlender and Lund), among others, because not only does the African family show a radical shift from its traditional self, it also shows a radical shift from conventional families elsewhere, observations which constitute the disjuncture.⁶ Budlender and Lund attest, “The nuclear family is not a norm in South Africa. Many households do not consist of two parents plus children, and a substantial number of children do not live with their biological parents”.⁷ The two authors continue, “Household surveys over the period 1996–99 suggest that only between 30 and 35 percent of women aged 15–49 years were married, while a further 4–6 percent were cohabiting with partners.

⁶ See: Katherine Hall and Dorrit Posel, 2019, *Fragmenting the Family? The Complexity of Household Migration Strategies in Post-Apartheid South Africa*; and Debbie Budlender and Francie Lund, 2011, *South Africa: A Legacy of Family Disruption*, Institute of Social Studies: The Hague.

⁷ Debbie Budlender and Francie Lund, *South Africa: A Legacy of Family Disruption*, Institute of Social Studies: The Hague, page 927.

Well over half – 58 to 60 percent of women in their prime productive (and caring) years (15–49 years) – had never been married. Yet according to Moultrie and Dorrington, (2004:9), in 1998, more than 30 percent of never married African women aged 45–49 years had more than three children”.⁸ This position continues into the present, as very little has changed since then. This reflects clearly on the problematic of locating the family as “representing the initial institutional expression of human relationality, where such relationality is first experienced as stable and natural, as freely guaranteed ...”.⁹

3.1.2 *The Data*

Tables 1 and 2 below are from the data collected by Statistics South Africa in 2019, and therefore, provide the most recent status of the family. The two tables provide an ample demonstration of how economic and political forces have conspired to undermine the family as a source of relationality, and how in turn the social fabric of African society has been torn apart by the same forces. The tables also demonstrate the complexity in human relationality engendered by the structure of families where living conditions negate the natural, assuming that the conventional location of family with the resultant expectations of conjugal love, represents the natural condition. Simultaneously, the tables reflect the dialectic between the politico-economic and the cultural, where the tenacity in the cultural sustains the family in spite of the politico-economic forces which fundamentally undermine it. This observation is pertinent because family life exists in all the forms reflected in the tables despite that this does not imply equality in family structures in terms of the capability of the family to render equal services to its constituent membership.

The tables represent all households/families in South Africa irrespective of race. However, when it comes to life chances in the social and market places, hence in the quality of life in Africa, race has been historically, and continues to be, a significant determinant of one’s location in life. As we have no access to the raw data that constitutes these figures, reprocessing the data to represent only African households/families, where African refers to descendants of the indigenous inhabitants, was not possible. This

⁸ Hall and Posel, 2019, Op Cit, page 930.

⁹ Ana Marta González, 2021, “Philosophical Insights on the Family in the Light of Contemporary Challenges: An Enlightening Contrast”, Pontifical Academy of Social Sciences, Vatican City.

only relates to the data from Statistics South Africa in Tables 1 and 2. Data from the rest of the tables represents only African families/households. Notwithstanding this shortcoming in the data on Tables 1 and 2, one can confidently take the data as reflective of the African family, mainly because Africans constitute 81 percent of the population in South Africa, and the figure is much higher in the rest of Sub-Saharan Africa. The contribution from Africans to the data sets is thus significantly high. We also wish to stress that the African family is the most affected by the political economy both historically and in the present. The regional disaggregation of the tables confirms our claim, and demonstrates the nuances resulting from the economic, racial and cultural peculiarities in the South African population. For instance, two provinces or regions, the Western Cape (WC) and Gauteng (GP) are atypical of the South African demographics. The Western Cape is predominantly urbanised and is a White and Coloured enclave, with Africans not a majority population, and Gauteng is predominantly an

Table 1. Family Composition in South Africa by Province and Rural/Urban Status in 2020

Family Type	RSA	Urban	Rural	WC	EC	NC	FS	KZN	NW	GP	MP	LP
Percentage Distribution of Household Composition												
Complex	1.5	1.8	1.0	2.3	0.9	1.3	0.4	1.9	1.5	1.8	1.0	0.9
Extended	36.0	30.4	48.9	28.1	44.0	40.0	33.4	42.5	36.2	27.8	43.6	44.9
Nuclear	43.0	47.4	33.1	54.3	36.2	42.0	48.8	35.8	35.9	49.7	37.1	36.4
Single	19.5	20.5	17.0	15.4	18.9	16.7	17.3	19.9	26.4	20.6	18.3	17.8
Percentage Distribution of Inter-Generational Households												
Unclear	2.7	2.6	2.7	1.9	2.7	2.1	1.9	3.6	4.3	2.5	2.6	1.4
Skip Generation	4.5	3.2	7.4	2.7	7.9	5.1	6.8	5.5	3.9	2.4	5.1	6.4
Triple Generation	14.9	11.9	21.8	11.4	17.9	19.6	14.3	16.8	14.7	11.1	20.0	20.1
Double Generation	45.1	46.6	41.4	50.6	39.3	49.2	48.1	42.0	39.2	47.5	44.0	45.2
Single Generation	13.5	15.1	9.7	18.1	13.3	7.3	11.6	12.3	11.5	15.9	10.1	9.1
Single person	19.5	20.1	17.0	15.4	18.9	16.7	17.3	19.9	26.4	20.6	18.3	17.8

urban region or province. Both provinces display nuclear family majorities, a characteristic not common in the rest of the country. In contrast, in Limpopo (LP) and the Eastern Cape, which are the most rural provinces and predominantly African in the population composition, the extended family is the dominant form. This is simply because urban families become more conscious of the economic costs of large families, while larger families might even be an asset in an economy that is dependent on labour for household production, which is a prerequisite in rural areas.

Data from the above table shows that just over two in five (43%) households in South Africa fall into the category of “nuclear”, where the household comprises both mother and father together with their children only; whereas almost an equal number (36%) are extended households. Extended households vary from triple generation where grandparents, parents and children live in one household, to skip generation where grandparents and grandchildren live in the same household while parents live elsewhere, most probably as economic migrants. A fifth (20%) of households are described as single, i.e., where only one person lives in the household. Extended households may also include other relatives such as uncles and aunts or even cousins who may fall into any of the three generations. There are regional or geographical variations in family or household composition, with rural areas showing more extended households (almost half or 49%), while urban areas show reverse features (47% of households are nuclear). Provincial figures reflect the urban-rural pictures as well as those provinces which are more urbanised such as the Western Cape and Gauteng, which show more nuclear families than those provinces which are predominantly rural such as Limpopo and the Eastern Cape for instance.

The extended family form would represent the traditional African family. However, the skip generation extended family is a new creation of the migrant labour system, which is a development of the political economy in South Africa and in the region where parents leave children in the care of grandparents while they migrate in search of economic opportunities. The single person family is a new phenomenon and purely a development from economic modernisation. Single generational families comprising couples only are more common in urban than in rural areas, while single-person families straddle both urban and rural areas.

The position of children displays features which have significant bearings on the family as a primary source of relationality. One would assume that in both nuclear and extended households, children live with both parents. However, a further look into the data presented in Table 2 shows

Table 2. Children's Living Arrangements in South Africa by Province and Rural/Urban Status: 2020

Family Type	RSA	Urban	Rural	WC	EC	NC	FS	KZN	NW	GP	MP	LP
Percentage of Children's Living Arrangements												
Lived with Neither Parent	19.7	14.7	27.3	14.1	32.7	16.4	24.2	24.2	22.2	10.6	15.4	19.7
Lived with both parents	34.2	42.9	20.0	55.1	23.5	39.0	32.2	20.5	31.3	47.6	30.2	31.8
Lived with Father	4.4	4.8	3.9	5.0	3.0	2.9	4.0	5.7	5.3	4.5	5.9	1.9
Lived with Mother	41.7	37.7	48.8	25.8	40.9	41.8	39.7	49.6	41.2	37.3	48.5	46.6
Percentage of Children Orphanhood Status												
Not Orphaned	87.7	-	-	93.8	84.4	87.9	86.5	85.1	84.6	88.7	87.6	91.1
Double Orphaned	2.6	-	-	0.8	3.2	2.1	2.7	2.5	3.4	3.2	2.2	2.2
Paternal Orphaned	7.1	-	-	3.7	10.1	4.1	7.4	8.7	8.1	6.3	7.6	5.4
Maternal Orphaned	2.6	-	-	1.8	2.3	6.0	3.4	3.7	3.9	1.8	2.6	1.4

a different picture. While almost nine in ten (88%) children are reported as not orphaned, only a third (34%) of children live with both parents, while two in three (42%) children live with their mothers only. Further, a fifth (20%) live with neither parent, ostensibly on their own, or with relatives or even with family friends. Finally, only 4 percent of children live only with their fathers. There are regional variations as well, with more urban children (42%) living with both their parents than is the case with their rural counterparts (20% only), while more rural children (27%) live with neither parent than is the case in their urban counterparts (15%). Finally, more rural children (48%) live with their mothers only, a position which reflects the state of male migration in South Africa mainly because of the historical features, first of the mining industry and consequently of almost all manufacturing industries particularly under apartheid. Secondly, children might live with their mothers without their fathers simply because of the large percentage of mothers who never married but may have a number of children. African family life has been at the bottom list of values in colonial and apartheid South Africa. Much of this in the sections that follow below.

There is not a greater single force that has mediated in the nature and quality of the African family in South Africa and the adjacent countries than the economic arrangements of colonialism and later apartheid and, most significantly, the migrant labour system. In a paper titled: “South Africa: A Legacy of Family Disruption”, Budlender and Lund write:

A foretaste of the starkness of the figures: in South Africa, only about 35 percent of children live with both their mother and father, while at least an equal number live only with their mother. The majority of women have children, but a large number of them do so outside of marriage and with different fathers for successive children. Almost one fifth of children have lost at least one parent. Only about a third of the 12,7 million households conform to the ‘nuclear norm’ of children and parents with about one fifth having three generations or more present in one household. Many grandmothers care for their grandchildren often in the absence of children’s parents. When family life is so disrupted and complex, is it necessary to use different approaches to the issue of care than those advanced in industrialised countries?¹⁰

Budlender and Lund were using the lens of care to examine the complex nature of African families in relation to the care of children. Katherine Hall and Dorrit Posel refer to “migration, family fragmentation and the fluidity of households”, and start their paper in startling reference stating, “The disruption of family life is one of the important legacies of South Africa’s colonial and apartheid history”.¹¹ They start by acknowledging that the migratory labour system to and within South Africa was common in the Southern African region since the colonial era, and proceed to say, “The deliberate disruption of households and families, by the apartheid regime ... is widely acknowledged to have had a massive and lasting effect on African household structure”.¹² While the figures given in Tables 1 and 2 are taken from the General Household Surveys carried out by Statistics South Africa, Hall and Posel used a different source, the National Income Dynamics Study carried out by the Southern African Labour and Development Research Unit (SALDRU) at the University of Cape Town, and generated the figures in Tables 3, 4 and 5 below.

¹⁰ Debbie Budlender and Francie Lund, Op Cit, page 926.

¹¹ Katherine Hall and Dorrit Posel, 2019, “Fragmenting the Family? The Complexity of Household Migration Strategies in Post-Apartheid South Africa”, *Journal of Development and Migration*.

¹² Ibid.

Table 3. Parental Co-residence with Children, 1993-2017

Child lives with	1993	2008	2017
Both parents	34.6 (1.06)	27.1 (1.37)	30.4 (0.60)
Mother, not father	43.4 (0.90)	44.7 (1.17)	45.4 (0.59)
Father, not mother	2.7 (0.23)	2.5 (0.31)	3.1 (0.18)
Neither parent	19.3 (0.72)	25.8 (0.99)	21.1 (0.45)

Notes: The sample includes African children under 15 years. Standard errors are in parentheses.

Table 3 provides a longitudinal statistical overview of parental co-residence with children between the years 1993 and 2017. What the table demonstrates is the fragmented nature of the African family on one side, and the critical position of women in the maintenance of family relationships with children on the other. Children living with both parents decreased from a high of 35 percent in 1993 at the end of apartheid, to a low of 28 percent in 2008, but again increased by 3 percentage points to 30 in 2017. Hall and Posel attribute the fluctuation in figures to the high prevalence of HIV/AIDS in the 1990s through to the first decade of the 21st century. During this period a significant number of children lost either or both parents to the AIDS pandemic. By the middle of the second decade, South Africa had contained the spread of HIV/AIDS relative to what the position was at the beginning of the millennium.

Table 3 also shows a significantly large proportion of children who live with mothers alone (45% in 2017), in contrast to the proportion of children who live with fathers alone (3%). Further, Table 3 also shows children who live with neither parent. That one in five (21%) children live with neither parent is not necessarily indicative of orphaned children; in most cases fully-parented children may live with extended relatives, most probably grandparents, but relatives might also include uncles and aunts. This might mainly be due to migration. However, cultural factors might also be at play. For instance, it is very common for more economically capable relatives to care for children of poorer kin, although with modernization and more dependence on the economy, the practice is on the decline. The extended family has always played an inordinately significant role in Africa, mainly because the African ethical system is relational and humanistic, primarily directed at interpersonal or intergroup relations, and not individualistic. While modern marriages might be legally and mostly

Table 4. Contribution of Orphaning to Parental Absence

	1993	2017
Number of children without a co-resident mother	2.6 million	3.4 million
Mother deceased (as a percentage of children without co-resident mother)	8%	18%
Number of children without a co-resident father	7.4 million	9.4 million
Father deceased (as a percentage of children without co-resident father)	11%	15%

Note: The sample includes African children under 15 years.

contractual conceptually, irrespective of the contractual status the family still has an important role to play essentially in the raising of children.

Table 4 could be interpreted as an extension of Table 3 and demonstrates the extent of separation between living parents and children, as a very significant number of parents who were separated from their children were alive. In other words, it was not death that separated children from their parents. For instance, of the 3.4 million who lived away from or without their mothers in 2017, only in 18 percent of the cases (612,000 children) were the mothers deceased. In comparison, far too many living fathers did not live with their children as the ratios show. Of the 9.4 million who lived without fathers, in 7.59 million cases the fathers were alive. Read together with the quote above where the authors maintain that a

Table 5 How Frequently does (Parent) See and Support the Child?

Mother	Father		Non-Resident Household Member	Absent: Lives Elsewhere
	Non-Resident Household Member	Absent: Lives Elsewhere		
Every day	0.4 (0.32)	4.3 (0.89)	0.0	5.4 (0.56)
Several times a week	9.9 (2.97)	13.8 (1.77)	16.5 (6.29)	13.0 (0.99)
Several times a month	55.3 (5.08)	39.4 (2.52)	49.5 (5.88)	24.8 (1.07)
Several times a year	32.1 (2.73)	34.6 (2.56)	32.7 (5.67)	26.2 (1.26)
Never	2.4 (1.06)	8.0 (1.05)	1.2 (0.71)	30.6 (1.05)
(Parent) supports the child financially	70.3 (5.03)	50.4 (2.33)	82.5 (3.99)	38.3 (1.44)

Notes: The sample includes African children under 15 years. Standard errors are in parentheses.

large number of women have up to three children outside of marriage, and in a significant number of cases with three different fathers, the position becomes clearer. While the figures do not explain the causes of the separation, one can infer a degree of emotional alienation particularly in the case of absentee fathers.

Table 5 reflects the emotional and financial ties between absentee parents and their children. Absent parents are identified as those parents who do not reside in the households or families where their children live, are not part of the child's household and live elsewhere. Non-resident parents are still part of the household but do not live in the same household where the children live. The former might include parents who did not marry the child's mother or father, or divorced parents who might have started new families elsewhere. Children are likely to have more contact with non-resident mothers than they do with non-resident fathers, although overall non-resident parents have more contact with their children than do absent parents, most probably because absent parents may have other families anyway. Also, non-resident parents (fathers and mothers) provide financial support in significant numbers compared to absent parents. This is understandable as they are still members of the household. Only in the case of absent fathers is there significant loss of contact between parent and child as is indicated in almost a third (31%) of cases where there is never any contact. The impact on family solidarity would be devastating in this case.

4. Discussion of Empirical Findings

Three salient observations can be drawn from the data together with observations made in the literature. The first observation is that marriage is not a central factor in the composition of the family, nor for that matter in the bearing and rearing of children. The second observation relates to the extent to which political and economic forces (the migrant labour system) have mediated in the structure and composition of the African family. The third observation relates to the disintegration or dismemberment of the African family in South Africa has to be understood within the context of the national question, i.e., the contestation for the ownership of the country; and in the process, the manifestations of racial capitalism as an instrument of controlling Africans in the struggle for hegemony.

4.1 Marriage and the Family

Observations, from Table 3 read together with Table 2 which provide a longitudinal snapshot of co-residence of parents with children, show

that just only about a third of all children live with both parents. The large number of children (on average almost half) who live with mothers only, together with a fifth of children who live with neither parent, confirms findings in the literature, that a significant number of mothers never married. Culturally, where parents do not marry, children belong to the mother's family, and when a woman with premarital children marries into another family, the children remain with her parents. We could, therefore, safely conclude that in a majority of cases, marriage does not constitute the main requirement in raising a family. This is attested to by the number of women-headed households. This is not to say that Africans do not value marriage; circumstances in the political economy have devalued marriage as the source of the family. We have pointed out how the migrant labour system has led to a dual family system, a town and a rural wife, each with children and family of its own. In most instances, the town woman periodically cohabits with the man, thus leading to the start of a woman-headed household, or an unmarried mother. A significant number of women referred to above would fall into the category of unmarried mothers.

4.2 The Interaction of Variables in Racial Capitalism

The migrant labour system lies at the heart of family disintegration in Southern Africa. In South Africa, in particular, the forces are political because in the first instance the migratory labour system was primarily a political and not necessarily an economic decision. Later, when developments in the economy such as the demand for more skilled labour which needed a permanent workforce with work schedules not compatible with the frequent breaks in the migrant contract system, the state intervened with more negative legislation entrenching the migrant labour system. The effects are empirically demonstrated in Tables 2, 3 and 4 showing co-residence between parents and children where an inordinate number (in millions) of children do not reside with their parents. We emphasise the issue of children in the family because the United Nations (UN) Convention on the Rights of the Child (CRC) states: “[T]he child, for the full and harmonious development of his or her personality, should grow up in a family environment, in an atmosphere of happiness, love and understanding”.¹³ It is difficult to estimate the damage to full development of the child's personality caused by the enforced separation of migrants from

¹³ UN Convention on the Rights of the Child, November 1989.

their families. A number of analyses, basing their observations from scientific studies, attribute the inordinately high and violent crime rate in South Africa to the destruction of the family unit under apartheid.

4.3 *The African Family and the National Question*

By the middle of the 19th century, African assimilation into the western economy was such that as a class, the African bourgeoisie had established itself. An African farming class had emerged in the Cape Colony and in Natal, producing agricultural goods and owning ox wagons that carried fresh produce to the markets in the cities and towns; and simultaneously, some of these farmers were also freight owners transporting goods between commercial and industrial centres. For instance, in 1860, the first African owned sugar mill came into existence in Natal. Colin Bundy documents extensively the emasculation of the African peasantry by white capital fearing competition and determined to exploit African labour.¹⁴ While the Act of Union of 1910 was the master legislation that sealed the fate of Africans and other blacks for decades to come, successive colonial regimes had already imposed a plethora of repressive and discriminatory laws such that by the time of Union in 1910, Africans and other blacks had been reduced to servility in all but name. For instance, a thriving African peasantry had been reduced to a semi-lumpen proletariat by various forms of taxation: the hut tax for instance, had forced Africans to seek work in the mines. Africans and other blacks were not part of the owners of the country's wealth and not by circumstance but by design. Successive pieces of legislation, such as the Miners and Works Act of 1911 and the Native Labour Relations Act of 1911, were simultaneously to debilitate African society and entrench white privilege over African semi servility. The Urban Areas Act of 1927 forbade Africans to work outside of their local areas except by permit, and even then, Africans had no rights of residence in towns except in accommodation provided by employers, which invariably turned to be single-sex hostels. A weakened family structure was both a convenient target and a powerful tool of control. Apartheid was to consolidate this position further during the last four and a half decades of white control. We would conclude that the political economy of colonialism and, later, apartheid caused untold damage to the composition and status of the African family. However, there is more to the family than the political and economic environment.

¹⁴ Colin Bundy, 1979, *The Rise and Fall of the South African Peasantry*, University of California Press, Berkeley and Los Angeles.

5. Continuity

While the disjuncture described above can be explained using the lens of the political economy, the continuity is a function of long-standing cultural values and practices which, although greatly affected materially by the political economy, have remained tenacious, thus giving rise to part of the form that show in the empirical data above. The disjuncture and continuity are pertinent in determining the nature and functioning of the family as the primary institution that moulds and prepares individuals for the tasks that lie ahead in life, particularly the capacity to harmonise one's life with the rest of society. Wiredu, a well-known African philosopher, amplifies this point, "The family is of unique importance to a child in that it provides a buffer and mediates between the child and the rest of the world".¹⁵ The continuity between self and others is expressed tersely in the African proverb "Umuntu ngumuntu ngabantu" in the Nguni language, meaning a person is a person because of other persons.

5.1 The African Family as Home

In his introductory remarks to the Colloquium on the Family held by the Pontifical Academy of Social Sciences in 2021, Stefano Zamagni, President of the Academy, referred to Aristotle's concept of *Oikos*, the Greek meaning of home, where home "is essentially the place where nature and culture cohabit and where interpersonal relations are based on the principle of reciprocity".¹⁶ Zamagni contrasts this conception of family with practices in mainstream economics, where "the family is seen as a tool or contract that partners use for wealth or welfare maximising purposes".¹⁷ After listing the consequences of this conception of the family, Zamagni feels that were it not because of weaknesses in government and market failures, the family becomes unnecessary. This makes a critique of the economic conception of the family inevitable or mandatory if we are to associate the family with source of relationality: a prime generator of human capital, relational capital and social capital".¹⁸ All these attributes locate the family within the home. This is where family and culture in Africa

¹⁵ Kwesi Wiredu, quoted by Rachel Mafumbane in "The Undiluted African Community: Values, The Family, Orphanage and Wellness in Traditional Africa", *Information and Knowledge Management*, Vol. 9, No 8, 2019.

¹⁶ Stefano Zamagni, 2021, "The Family and Integral Ecology: Opening Remarks", Pontifical Academy of Social Sciences, Vatican City.

¹⁷ Ibid.

¹⁸ Ibid.

fit, because notwithstanding the power of economic and political forces, to a certain extent the family has survived, albeit in a compromised form, mainly because economics has come to dominate the lives of individuals. The family is neither essentially a function of contractual arrangements, although they have a bearing in some instances, nor is it fully “a community of life based on gift, reciprocity, generativity, and sexuality”, although it may have the elements of all.

Political decolonisation across Africa brought in attempts at cultural decolonisation as well. While the former was relatively easy to accomplish in terms of institutional arrangements and control over the organs of the state, the latter has proved problematic and probably exists in name only. The traditional African family prior to the colonial onslaught was an equivalent of the Aristotelian *oikos* within the context of the prevalent culture and the limitations imposed by the economic and technological environment. Colonialism came with a technically advanced technology, an economic system that yielded immediate rewards and a Christian education predicated on a religion that transcended culture and technology. While indigenous nations resented and indeed, revolted against political subjugation, the economic, cultural and material artefacts of colonialism brought in immediate rewards particularly in terms of the quality of life. The church, the school and the hospital were undeniably beneficial institutions, and so was the shop, the factory, the ox wagon and later the train and the automobile. The impact of these colonial achievements on the culture of indigenous populations was enormous, hence acculturation and enculturation happened almost automatically. The undermining of indigenous cultures and value systems was thus both deliberate and autonomous by association, as indigenous inhabitants attributed all the visible achievements to the colonial culture. Where did this place the family?

While the political economy caused a disjuncture in family patterns, tenacity in the values, admittedly not at variance with some of the western values, particularly Christianity, kept the family as *oikos*. The extended family is not necessarily polygynous. Grandparents in particular, and extended relatives in general, continue to constitute the family despite the physical residential separation, thus continuing with reciprocal relationships and family solidarity. This is most visible in times of family crises, death and bereavement, poverty and other forms of suffering where the family rallies to the comfort and rescue of affected individuals. Research shows how the introduction of the old age security system, where South African citizens of over sixty years receive a state pension, resulted in significant numbers

of children from poor households going to school, as grandparents provided the financial and other material wherewithal. This is a demonstration of family solidarity, the *oikos*. The skip generation household shown on Table 1 is a typical representation of this form of family solidarity, where grandchildren live with and most probably are entirely cared for by grandparents. Family gatherings are extremely common among African families in South Africa. This is most demonstrable during long holiday and vacations, and also at family functions such as coming of age ceremonies, birthdays and other occasions where family members transcending the nuclear form gather to celebrate the occasion. The spirit of family lives on both sides of the marital unions and continues to preserve the memory of the brotherhood and sisterhood of kith and kin.

As part of the kinship system, the family extends into the clan and relationships among clan members may be as strong as if immediate consanguinity were the case. While statistics may describe phenomena in scientifically generalised and measurable ways, case studies provide closer insights into the nuances and lives of the subjects. A case study of two men, Charles and Paul, definitely not related by blood but sharing an identical surname, illustrates this point. In African family culture, sharing a surname is a sufficient condition for close kinship as surnames are derived from the same ancestry and indicate common descent. Charles and Paul met for the first time in 1965 in Durban. Charles came from the upper section of the Eastern Cape and Paul from just across the border in lower Kwa Zulu Natal. The two areas share a common border. From the very first meeting they felt and behaved like kinsmen. The surname was common among Nguni people from both regions and there was recorded history that members of this clan had migrated into the two regions from upper Kwa Zulu Natal adjacent to the Swaziland border in South Africa.

The relationship between Charles and Paul became stronger when they discovered that they were both studying for a BA degree at the University of South Africa, an institution that offered long-distance tuition. When Paul, who lived a distance away from Durban, had to sit for his final examinations in Durban, Charles invited him to stay at his house for the two-week duration of the examinations and, as a brother, at no cost. In the new home, Charles' children referred to Paul as *ubabomncane* (literally younger father in Zulu), as Paul was three years younger than Charles, while Charles' wife referred to Paul as *Bhuti* meaning brother. From then henceforth, the two men were emotionally siblings and Charles' house became Paul's second home. When Paul got married and

had children, his and Charles' children automatically became first cousins, or sisters in the cultural parlance. In 2015, 50 years from their first meeting, Charles died leaving an unemployed son aged 45 who needed rehabilitation from alcohol dependency. Paul took the son to a rehabilitation centre at huge financial cost. This was what Charles as father would have done, and this is what Paul as Charles' brother felt he had a paternal obligation to do.

This relationship was not only between the two brothers: children from both sides had developed strong family bonds. Charles' daughter, a nurse, underwent an abdominal operation and needed a comfortable place for recuperate. Paul's eldest daughter was a surgeon and took her sister to her house and looked after her while she recuperated from the operation. Such are the bonds of family and kin in Africa that the case study of Charles and Paul is no isolated incident in family relationships. It is inherent in the culture and where no adverse factors mediate the relationship, Charles and Paul's case can replicate several times without anybody raising eyebrows since such behaviour would be part of the normal. The two men, through strong beliefs in the vibrancy of family bonds, had demonstrated the existence of the family as *oikos* where relationality in the form of reciprocal relationships existed as a *communio personarum*, with each member of the family participating in the welfare of others. The family transcends physical beings or persons as individuals and embodies the spiritual domain which includes both the living and the dead in the form of ancestors. From an African perspective, children provide continuity in the family.

Conceptions of family transcend conjugal relationships hence traditionally, sexual relationships did not play a primary role in the conception of the family, though they were not unimportant. This was simply because they belong to the individual domain and the family is a communion and not an individualistic institution. As stated earlier, Africans marry into families and not to create families, which is what sexuality is about. For instance, by tradition, biologically childless couples were given children from the husband's brothers to bring up as their own, and such children would look after their new parents in old age as if they were their biological parents. The social value of the family exceeded the biological. Admittedly, with modernisation much of this belongs in the past, but some elements still exist. It is these cultural factors that have sustained the African family despite the onslaught from political and economic practices that sought to undermine the family and, consequently, the social fabric.

6. Conclusion

This paper has attempted to show both the fragility and the resilience of the family in Africa; on one side, a fragility caused by deliberate political machinations employing economic variables to undermine the family as the anchor of fundamental values that form the building blocks in a society's moral and ethical system. On the other side, there have been those elements in the culture which have shown a resilience supported by a deeply entrenched humanistic philosophy. This has resulted in a family system marked by both a disjuncture and continuity where, on the one side, the family is disrupted and fragmented, while on the other it continues performing the function of the family as *oikos*, a home, "essentially the place where nature and culture cohabit and where interpersonal relations are based on the principle of reciprocity". It is the continuity that causes strangers to the African kinship system often to wonder at the resilience of what appears to insignificant variables in family relationships. While it is accepted universally that economic circumstances determine family relationships, this is partially true in African societies, as cultural variables transcend economic and legal bounds and have a vibrancy of their own.

6.1 *The Family as a Source of Care for Children*

Data shows that despite high rates of migration by parents, four in five children live in a family setting (nuclear or extended). The absence of biological parents has not completely deprived children of parental care as, in the case of the extended family, mostly grandparents, and to an extent, other relatives fulfil this function. Admittedly, this might not be the best-case scenario; however, in the absence of researched facts regarding the quality in the alternative scenarios, we are not in a position to assess this in qualitative terms. In the qualitative case studies carried out by Catherine Hall and Dorrit Posel there seems to be no decline in the quality of care given to children by grandmothers. Assessing the impact of three-generational families on the development of cognitive abilities of children, Moller established that children from three-generational families performed better than children from nuclear families. This can be partly explained by the role that grandparents traditionally play in storytelling to young children. This might help in developing the children's attention spans and concentration abilities.¹⁹ In extended families evening time is when children gath-

¹⁹ Moller Valerie, 1994, "Intergenerational Relations in a Society in Transition: A South African Case Study", *Journal of Intergenerational Relationships*, Routledge, May 2010.

er around grandparents to be entertained in folklore and, in the absence of gadgets such as television and computers in poor households, this is a vital source of entertainment. The gatherings are not only for entertainment, it is here that grandparents impart lessons on appropriate behaviour and decorum, preparing children to participate as responsible citizens in society.

6.2 *The Family as the Primary Unit of Socialisation*

In line with the African holistic philosophy of life, the African family provides a holistic socialisation to the individual, introducing children into the world and enabling them to fit into different life roles. Writing in *L'Osservatore Romano* in 2015, Philomena N. Mwaura painted the African family in the following words:

The extended family provided the individual with a personal and corporeal identity. One was assigned to a particular community and was assigned distinct roles at various stages of life on the basis of age, gender and social status. The cultural, social and moral norms of the community that were applied within the extended family helped an individual to grow into a productive and respected member of the community. Those norms served as a blueprint for life. The extended family was, and continues to be, the first religious community to which an individual belongs. It was through parents, grandparents and other members that one learned about religious and spiritual heritage. It was possibly where one learned about God, spirits, ancestors and the afterlife. The extended family was and is also a means of mutual support. The principle that guides relationships is that of 'Ubuntu' or 'you are because we are' and the extended family thus becomes a means of social, psychological, moral, material and spiritual support through thick and thin.²⁰

Among Africans, the family is a microcosm of the world, a world of humans who interact on the basis of their humanity. This entails both duties and obligations for, in order to live harmoniously with others, one has obligations towards them; and it is in fulfilling these obligations that one expresses one's humanity.

6.3 *The Family in Reconciliation of Broken Relationships*

Starting with marital relationships, while traditionally divorce was almost unknown in African families, with modernisation this has changed.

²⁰ *L'Osservatore Romano*, Weekly Edition in English, 23 October 2015, page 15.

However, despite these changes, African divorces remain exceedingly low compared particularly with white families that divorce. For instance, in 2002, Stats South Africa recorded that 329.6 in 1000 marriages among white persons had ended in divorce, only 29.6 in 1000 marriages among African families had ended the same way. By 2020 the number of marriages had decreased among all racial groups and the number of divorces had decreased correspondingly. Reasons for the low rates of divorce among African families are both economic and cultural. On the economic side, relatively more African women are economically dependent on their spouses than is the case with white women. This exerts pressure on those dependent African women to bear with unsatisfactory conditions in marriage knowing that they have limited alternatives. However, much of the tenacity of African marriages has its origins in cultural practices, where marriage is partly a family affair and partly a contract between spouses. Families play a pivotal role in restoring broken relationships as practice is such that separation only takes place after families have failed to reconcile the couples. This offers breathing space allowing the couples to consider fully the consequences of separation, particularly on children. In this sense families play a significant therapeutic role in marital relationships.

Further, as De Haas pens: “In cases of divorce, the type of trauma which can accompany such a break up in a nuclear family setting is eased, as children have a variety of other ‘mothers’ and ‘fathers’. Similarly, when one or both parents die, or migrate to seek employment, close relatives or more distant kin take over parental functions. Migration from rural to urban areas, and within urban areas, is facilitated through kinship networks, and families displaced by violence often take refuge with kin”.²¹

In conclusion, the African family has survived the political and economic onslaught first of colonialism and secondly of apartheid because the cultural fabric had sufficient philosophical and religious basis to sustain resilience to foreign cultural incursions. The cultural resilience was also buttressed by the fact that although coming from a western and, therefore, colonial perspective, Christianity promoted the sanctity of the family. South Africa is predominantly a Christian country, and Christianity came to a society that was already highly religious. There was thus a convergence of faiths. Physically, the family changed both shape and form under pressure

²¹ De Haas, Mary, 2000, Op Cit.

from the political economy, but the spirit never changed as it continues to function as the building block in the social fabric, hence De Haas's call for the healing of the family.

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FAMILY, EDUCATION, AND THE CARE ECONOMY

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Family as core to human nature

The role of the family is core to human nature. Families are found in all societies throughout human history, and the origins of the family are evolutionarily deep. We must better understand the economic context in which the family operates and provides specific functions, as all aspects of society change over time and impinge on the family.

The ways that families operate have changed over time, as the ecology of the family changes. Change has been rapid and fundamental in the last two centuries. It has also been extraordinarily cruel at times, as in the case of colonial rule, which caused the extirpation of culture, language, and the capacity of the family to operate to fulfill its basic role in society. In this paper, we will discuss the basic role of the family for child raising.

Evolutionary development of the human family structure

Human families differ from those of other species, including higher primates. This is most likely due to the coevolution of brain size, family, and socialization. Evolutionary biology finds that family, specifically monogamous pair-bonding, is fundamental to human nature and human evolution, related to the rapid and distinctive development of human brain size, which is co-evolutionary with our core sociality.¹ Our human existence as social animals is deeply related to *encephalization*, or our large prefrontal cortexes and our capacity for language and interaction.²

Encephalization gives humans a distinctive life history. There is a very long period of maturation for human infants. This long period of maturation means that there is a remarkably heavy burden on parents to nurture

¹ See Robert J. Quinlan, “Human pair-bonds: Evolutionary functions, ecological variation, and adaptive development”, in *Evolutionary Anthropology* 17 (2008): 227–238; Hope Klug, “Why monogamy? A review of potential ultimate drivers”, in *Frontiers in Ecology and Evolution* 6, no. 30 (2018); and Garth J.O. Fletcher et al., “Pair-bonding, romantic love, and evolution: The curious case of *Homo sapiens*”, in *Perspectives on Psychological Science* 10, no. 1 (2014): 20–36.

² See C. Varea and C. Bernis, “Encephalization, reproduction, and life history”, in *Human Evolution* 28, no. 1–2 (2013): 1–16.

an offspring for a long period of time. The human brain is not fully developed at birth. Human brain maturation has very high energetic costs and requires very high commitment of parental energy in the first few years. It also means that during these years of intensive care, children and youth under adult supervision are highly vulnerable. Thereafter, the use of that large brain takes a lifetime.

There is a coevolution of encephalization with the need for intensive investments by parents in the success of the survival of the child. The fundamental function of the family is extended child raising to enable the child to grow and develop physical, cognitive, and social capacity. Parenting can be collective, not only between two biological or legal parents, but part of an extended alloparenting network, including grandparents and others in the community.

The economic functions of the family

From an evolutionary and human nature point of view, the most fundamental role and core purpose of the family is to raise healthy offspring. Parents actively participate in this extended period of child raising. In economic terms, there are also several fundamental functional roles of the family.

Families can be considered in terms of work to provision and maintain the household. The manners and means by which a household provisions itself and stays alive are very contextual: work can occur within the household, on a subsistence plot of land, or for the market, among others. For most of history, work was not done for the market or for monetary exchange; it was for self-provision, or for a small band of people. There have been fundamental changes in technology and the nature of the work environment across human history.

Households are multi-generational, with care given in two or more directions. Children often engage in elder care of aging parents. Grandparents help raise their grandchildren. Care is also given for kin, spouses, and siblings, for example, in periods of illness or disability. This is fundamental for all societies.

There is a tremendous amount of risk sharing within an extended household, including interpersonal risk sharing, economic and financial risk sharing, and intergenerational risk sharing. Intergenerational transfers such as inheritance play an important role in the life of the family, although economic context, inheritance laws, and culture change enormously both over time and space.

Finally, the family has an essential role of love, companionship, and psychosocial well-being. Support from our families ensures the transition from generation to generation.

Global variation in family structure

Policies that aim to support the family in the face of ongoing shifts in work, education, and the role of the state must keep in mind the variation in typical family structure around the world.

In a literature review of economic studies on family types, Baudin, de Rock, and Gobbi point out social and economic characteristics typically associated with the three broadly defined family organizing structures: Nuclear, stem, and complex (Table 1)³.

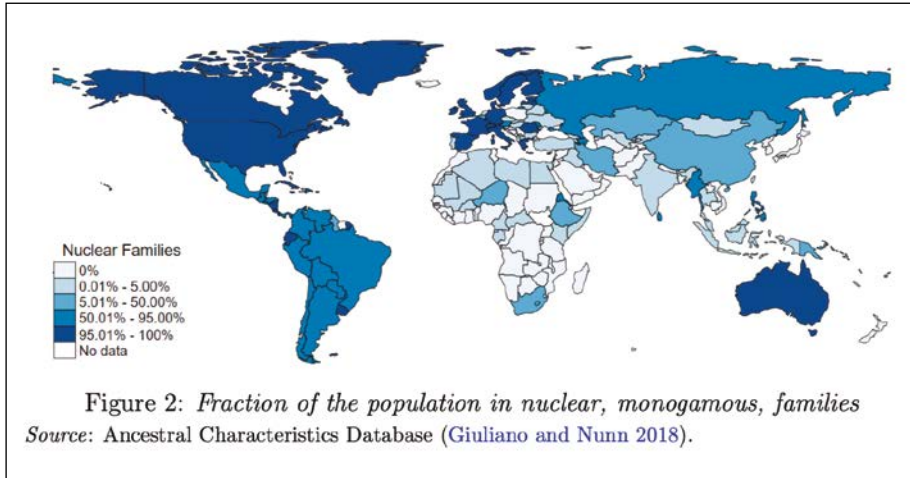
The authors suggest that nuclear households are associated with individualism, land scarcity, collective choice models, and Christianity; stem families are associated with old age support, agricultural economies, and dynastic preferences; and complex families are associated with traditionalism, high income uncertainty, and poor public goods provision and institution.

Family type	Associations	References
Nuclear	Individualism	Le Play (1884)
	Entrepreneurship	Le Play (1884)
	Corporations	Greif (2006)
	High education, GDP per capita and employment	Duranton, Rodríguez-Pose, and Sandall (2009)
	Land scarcity	Guirking and Platteau (2015)
	High female-to-male enrolment rate ratio in upper primary schools	Bertocchi and Bozzano (2015)
	Collective choice model	Baland and Ziparo (2018)
Stem	Christianity	Schulz et al. (2019)
	Old age support	Zink (1993)
	Frictions in the housing and construction market s	Zink (1993)
	Risk of unemployment	Kaplan (2012)
	Agricultural economy	Pensieroso and Sommacal (2019)
	Impartible inheritance	Tur-Prats (2019)
	Less domestic violence	Tur-Prats (2019)
Complex	Dynastic preferences	Gobbi and Goñi (2021)
	Traditionalism, perpetuation of customs	Le Play (1884)
	High income uncertainty	Foster and Rosenzweig (2002)
	Poor public good provisions	Cox and Fafchamps (2007)
	Poor institutions	Alesina and Giuliano (2015)
	Poor insurance and credit markets	Baland et al. (2017)
	Old age support	Galasso and Profeta (2018)
Pareto efficient allocation of resources	Rangel and Thomas (2019)	
Agricultural production	Rangel and Thomas (2019)	

Table 1. Family types and their associations (from Baudin, de Rock, and Gobbi 2021).

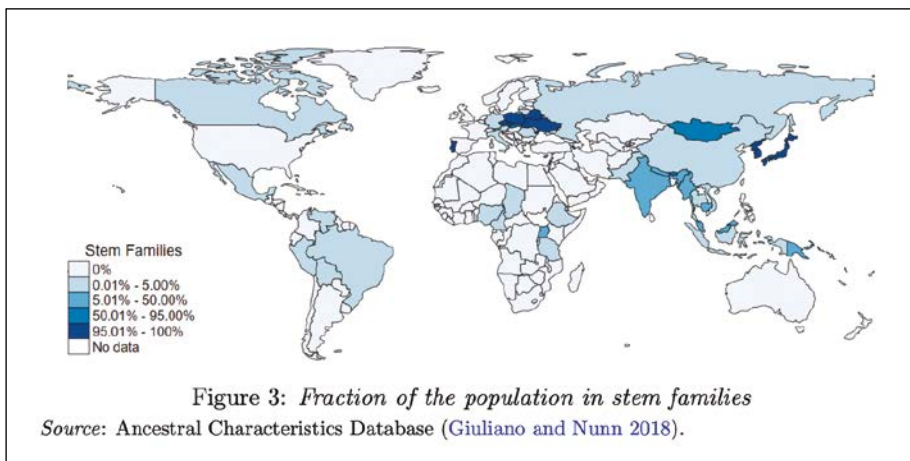
³ Thomas Baudin, Bram De Rock, and Paula E. Gobbi, “Economics and family structures”, ECARES working paper 2021-21 (September 2021), updated January 2022.

Figure 2 shows the fraction of the population by country in nuclear, monogamous families. The vast majorities of families are nuclear in the United States, Canada, Western Europe and Scandinavia, and Australia.



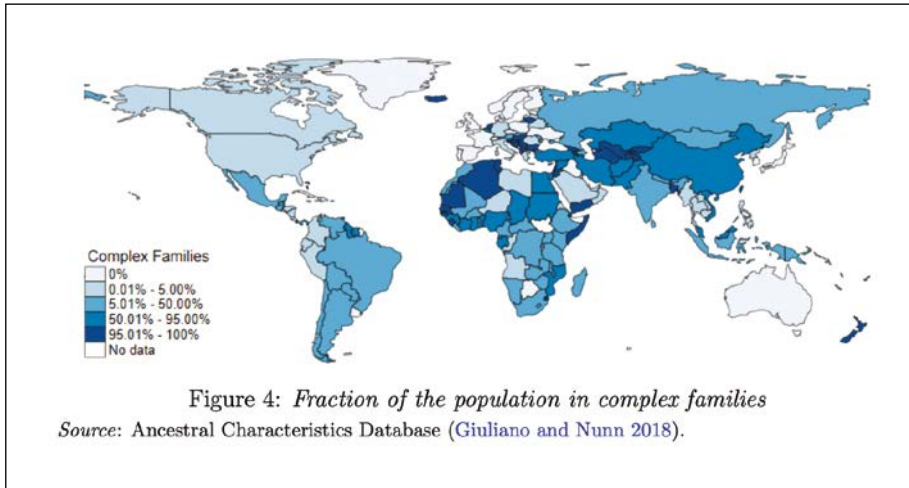
[From Baudin, de Rock, and Gobbi 2021].

Figure 3 shows the fraction of the population by country in stem families. Stem families are most prevalent in Central Europe, North and South Korea, and Japan.



[From Baudin, de Rock, and Gobbi 2021].

Finally, Figure 4 shows the fraction of the population by country in complex families. Complex family structures can be found across much of Latin America, Asia, and Africa, but are especially prevalent in, for instance, Algeria, Mauritania, Somalia, Yemen, the Balkan Region, and parts of Central Asia.



[From Baudin, de Rock, and Gobbi 2021].

Areas of change that impinge on family structure

Economists recognize that family functions depend on context: the state of technology, the available tools, and the nature of exchange and work. I note here seven areas of fundamental change that impinge on family structure. These include: 1) Changing role of education and skills in life-cycle, 2) Changing organization of work (home versus outside), 3) Mechanization and time use (agriculture, domestic work), 4) Role of state in education, 5) Role of state in child and old-age support, 6) Role of state in social protection, and 7) Role of the state in legal structures of family (inheritance, gender, eligibility for marriage, divorce, parental leave, polygyny, etc.).

In modern times, the changing role of education and skills is most fundamental. The skills needed for success today are wholly different than those needed two centuries ago, and this is true for most of humanity. Therefore, the role of education is fundamental. One of the cruelest parts of coloni-

alism was the denial of education in a systematic way to colonized populations. Education was seen as extremely dangerous, and the practice was to educate only a few of the colonial subjects so they could be local administrators. Literacy was dangerous, because then the colonized would “find out” about their subjugation and have means to counteract it. The failure of education in colonial societies is a profound cruelty in economic terms.

The second big change that confronts families is the change of the organization of work. Most work today occurs outside of the home, although with “work from home” and teleworking, this work may physically be coming back to the home. In the past, most work occurred within the household or on neighboring land, as people worked farms or foraged in their local areas. Women, who have worked harder than men throughout history, often performed domestic work of various kinds, making clothing, preparing food, raising children, and keeping the home organized and provisioned. Additionally, there may now be another fundamental change of work occurring, as we de-materialize work. The shift of work from inside to outside the home over the last 200 years has come with huge implications for the family. *Parenting requires a division of labor within the household, which depends on the economic context in which the parents engage in parenting.*

A third fundamental area of change is mechanization of work, which has changed time-use everywhere. The mechanization of agriculture has had fundamental implications: as one extreme example, while agriculture composed 90% of household principal employment three centuries ago worldwide, currently in the United States, just 1% of households feed the rest, plus net exports. It is not that there is necessarily more output per hectare, but industrialized farms have massive hectarage farmed by self-driving tractors, harvesters, and grain combines with almost with no farmers. Mechanization has fundamentally changed what people do, and where they live.

These changes have changed the role of the state in fundamental ways. The fourth major change I will consider is the first role of the modern state, other than warfare, which was education. Mass primary education for children – only white children – came early to the United States. I note that this education came along with mass slaughter, slavery, and genocide of African slave and Native American populations, but the mass education for white children was pervasive. Where there were large African slave populations, particularly in the US South, there were few public schools, as public education was complicated in a land of enslaved peoples. The role

of the state in education was a fundamental transformation, despite the disenfranchisement of large segments of the population.

Fifth, the role of the state in child and old age support and sixth, the role of the state in social protection developed in the 20th century. Finally, the state always has had a role in the legal structure of the family in terms of inheritance, including gender rights to own property or to marry; eligibility principles for marriage, like age or other kinds of eligibility; divorce law; parental leave, although that is a very specific modern phenomenon; reproductive rights; polygyny; and so forth. These are under state governance in the context of the modern nation state, and these rules are changing. The roles of family to educate children, maintain a division of labor for child raising, provide social support, and mitigate risk protection have been profoundly altered.

Implications of setting on family structure

Different family settings have different implications for how families operate (Table 2). Settings for families can be rural pre-industrial or urban industrial of the 19th and 20th centuries, the late post-industrial service economy of the late 20th century, or the digital urban age. Changes are seen in the left-hand column: child mortality, for example, has transformed in the last two hundred years from mortality rates of almost 50% of children dying before the age of five, to now far under 5% of children dying by the age of five in almost all societies of the world.

	Rural Pre-Industrial	Urban Industrial	Urban Post-Industrial (Late 20 th Century)	Urban Digital Age
Child Mortality	High	Moderate	Low	Very Low
Educational Investment	Near zero	Low (primary)	High	Very high and Continuing
Child Labor	High	Moderate	No	No
Home Work	High	Moderate	Low	Work from home
Home Childrearing	High	Moderate	Low	Low
Mother's Wage Labor	No	Moderate	High	Moderate
Old Age Security	Children	Children/State	Children/State/Private	Community/State/Private
Fertility	High	Moderate	Low	Low
Family Structure	Complex	Stem	Nuclear/Solitary	?
Decision-making	Patriarchal/familial	Male	Negotiated	?
Family formation	Arranged, contractual	Mixed	Individual	
Public Financial Support	Zero	Low	Moderate/High	High

Table 2. Economics and Family Structure (Some Examples).

Investment in education and economic implications for families

Two hundred years ago, investment in formal educational was basically non-existent; almost everyone was illiterate. Manual laborers, such as farmers, serfs, or slaves, were supposed to labor until they dropped dead of the burdens. However, during the urban industrialization of the 19th century in Europe, primary education was recognized as necessary. By the late 20th century, high school education at a universal level (if it could be afforded) was recognized as needed. These days, high school education is not enough to achieve the lives to which people aspire.

These have led to changing net economics of raising children. On a farm, children were a net economic asset because by the age of five, they could start to perform work and chores for the household. In an urban setting where children are supposed to go to school through the age of 18, children are now a cost center rather than a profit center for parents. Children are also likely to move away, so they do not provide guaranteed social security for parents. Education is very expensive, even if it is state provided, because it requires a tremendous amount of household investment and children do not work during this period. Rising education levels

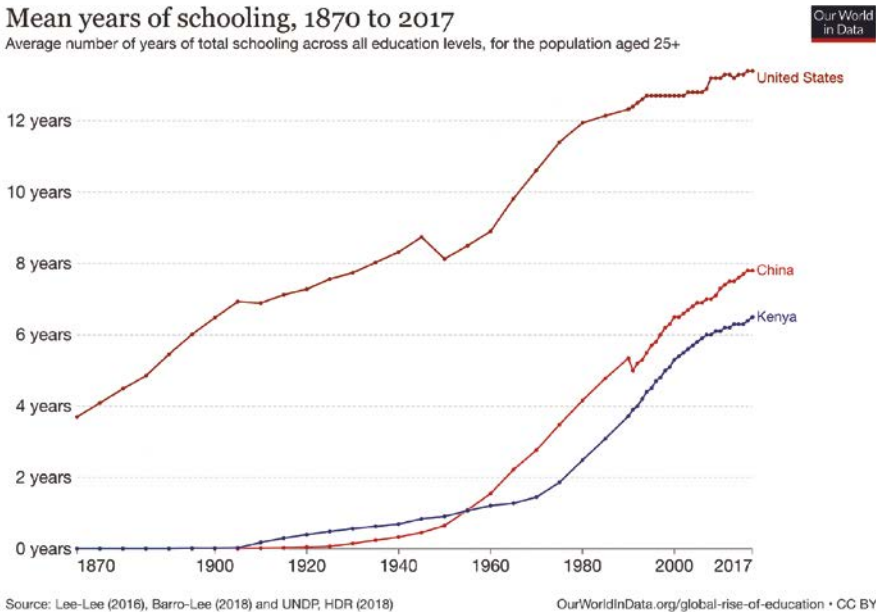


Figure 1. Rising Educational Needs (Capital-Skill Complementarity) Is a Key Driver of Modern Family Change. Chart from Our World in Data: Mean years of schooling, 1870 to 2017.

mean that that the number of children that a household can afford decreases considerably, which is known as the demographic transition.

Education of young children has also changed the nature of work, particularly for women. Children leave the home earlier for more formal educational settings, at age six or seven for primary education, or even at age three or four for pre-kindergarten education in economies that can afford to send these children to school. Children are increasingly out of the home in younger years, and mothers are also often out of the home. This is a mutual relationship that has created high levels of women's labor force participation in places that have made investments in high levels of institutional education of young children.

Old age security has changed fundamentally because it's been taken as a state function in most of the world. The result is a decisive change of family structure, from complex multi-generational families to nuclear families. This change comes into conflict with long-held, deep cultural norms, but is a widespread process.

Work that is basically repetitive and physical is replaced by new technologies, particularly machines. Work that is repetitive and cognitive is now being replaced by smart systems. Machines, rather than human beings, answer our phone calls for purchasing, ordering, and customer service: these are repetitive actions that machines can do. For human work activity, this means that a large and growing class of jobs has disappeared. Remunerative jobs are now those with higher and higher levels of education.

In the 19th century, one could still provision the household, having no education. By the mid-19th century in industrial economies, you needed basic literacy and numeracy. By the middle of the 20th century, in the United States, to get a decent job you needed a high school education. By the 1970s or 1980s, to get a decent job, you needed a bachelor's degree. This kind of escalation of educational needs is driven by technological change, and fundamentally changes what the family does. For an affluent family in the high-income world, the principal responsibility for a parent, in addition to love, protection, and providing a safe environment, is to ensure that your children have a university education. That's a long and expensive 25-year process. This very hard to do for most families.

I cannot emphasize enough the fundamentality of the economic transformation that is accelerating today. In the United States in 1900, only 4% of the jobs were classifiable as professional, and 36% were agricultural. Per Table 3, as of 2015, the makeup is 1% agricultural, 39% professional workers. Instead of 60% being production or agricultural workers in

	1900	2015
Agriculture Workers	36%	1%
Production Workers	24%	14%
Trade, Transport, Administrative	16%	28%
Other Service	19%	18%
Professional (including Government)	4%	39%

Table 3. Occupational Composition of the US Labor Force: Decline in Arduous Physical Work.

1900, as of 2015, only 15% are in production and that number continues to decline. Professional careers are 39% by 2015 and continuing to rise. Education is changing everything. It is dramatically raising the cost of child rearing. It is widening social and economic inequalities. It is contributing to ending child labor because children need to be in school. It is shifting child rearing increasingly outside of the family. It is giving rise to the need for large public budgets. It is leading to the demographic transition. It is shifting the participation of girls and women in school and the paid labor force. These are global transformations, shaped fundamentally by technology and by relative economic structure and culture.

The educational transformation imposes very high financial stress on most households. In the United States, an economy with \$60,000 per capita income, about 30% of households can cope, the ones with college educated parents; the rest of the households cannot. In poor countries, it is impossible to carry out the functions of educating children for a 21st century economy. This tremendous financial and familial stress results in poor nutrition, toxic stress, an epidemic of adolescent depression (as is underway in the United States, not to mention other places), and tremendous family instability (especially as a result of economic male migration). There are many difficulties that arise; for example, a lack of childcare disallows women equal participation in the labor force and makes effective child raising harder. Households that do not have adequate levels of education also have insufficient investments in education for their children and inter-generational transmission of poverty.

Public policy therefore plays a very special role in making sure that active government provides the financial means necessary for families to carry out their responsibilities. This can be in the form of direct social support to families; old age support; childcare support; educational, nutrition, and health care support; and social insurance.

21st century challenges for family policy include the socialization of costs of health care, nutrition, family leave, childcare, and education. There needs to be adequate financial support for families in need. Aging populations are rendering elder care more and more complex. Rising demands of education mean that we need to redesign education to be continuing education throughout a lifetime with micro-degrees or micro-certifications in skills along the way. There needs to be more work flexibility, including a lot more work from home, which is most likely a good thing in the end. Finally, there is a massive need to modernize our social benefits to align with what is still an unpaid care economy, largely in the responsibility of mothers who are caring for their parents, their children, and trying to keep the households together, while also trying to be part of the paid labor force.

▶ SESSION 3.

EMERGING ISSUES

PRESERVING AND SUPPORTING THE VOCATION OF WOMEN IN FAMILIES

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A major challenge for us at this Plenary Session, as expressed by Pierpaolo Donati in his presentation in last spring's preparatory webinar, is "to understand why, in what sense, and with what practical consequences 'the family' is a common good that should be at the heart of all men and women of good will". He posed this basic question: "What qualifies a family as a common good?" His exploration of that question precedes from a basic assumption, though, that I must challenge.

Donati supposes that there is basic consensus that the family is a common good. The problem that he poses for us is how to gain a clearer understanding of, or consensus on, what sort of a common good the family is. He says that "the majority of the population shares the attachment to something which is felt as a primary support in everyday life, as a source of deep feelings, as a 'private' space, whatever its form". This majority understands the family as a common good of an *aggregative* type, "which, as a general concept, consists of the sum of the well-being of the individuals belonging to a group or collectivity". But he argues the family should be seen as a common good of a *relational type*, "which consist in sharing the relationships from which derive both individual and community goods". I am very grateful for his entire body of work in developing this richer understanding of the true value and worth of the family, and agree that exploring this richer understanding of the family is crucial for supporting families in our changing world.

But what I would challenge is that there is a general consensus that the family is a common good – at least in my country, the United States, at this point in time. (And after listening to the presentations from last spring's webinar, I believe the observations that I share today from the American perspective will have application to much of the rest of the world). I am not challenging the truth that family is and remains at the top of what people value and treasure. However, American women, in particular,¹ have

¹ Although the arguments in this paper might apply equally to men, because of the reality that the caregiving on which I will focus is done predominantly by women, I will focus on women; I leave it to others to explore their application to men.

increasingly come to accept the notion that their love for their families is a private affair, a “hobby”, if you will. It’s a hobby that is tolerated only in so far as it does not interfere with the efficient operation of our workplaces, or place too many demands on social services provided by the State. It’s a hobby that you are perfectly free to continue to indulge in if you can afford to – if you can afford to pay others to do a good portion of the work of caring that having a family entails, and if you are willing to accept that this delegated work is an adequate substitute for the element of loving that you would incorporate into that work if you did it yourself. American women do not see any evidence that the family is considered to be a common good even of an aggregative type, let alone as a relational good.

I will argue that this notion of the family as a private hobby rather than a common good is not something that sits comfortably with women. Nor is it something that has evolved naturally out of the evolution of the nature of the family. Nor is it something that serves women – or men, or children, or families – well. Instead, it is a conviction that arises out of the lived experiences of women over the past decades. It is also a conviction that is inextricably intertwined with two significant cultural forces: 1) the evolution of American feminism and its enshrining of the availability of abortion as the single most important factor in achieving equality for women, and 2) the evolution of disability rights theory and its enshrining of autonomy as the single most important factor in achieving equality for people with disabilities. To empower women (and policy makers) to appreciate the families as a relational good, I think that we have to find a way to overcome those cultural forces that have become deeply embedded in the way women have come to think about the work of caregiving.

Accepting the notion of a family as a private hobby denigrates the work of loving and caring that are part of the particular vocation of women, regardless of whether women pursue this work at the same time they pursue paid work outside of the family as well, and regardless of whether women have family obligations or not. While individual circumstances vary, of course, decades of experience with women pursuing paid jobs demonstrates that most women do choose to embrace their vocation of caregivers, and obstacles to being able to adequately perform caregiving work in conjunction with paid work outside the family is a source of stress and of unhappiness.² The Church has long recognized that the “true advance-

² Elizabeth R. Schiltz, *Motherhood and the Mission: What Catholic Law Schools Could Learn from Harvard about Women*, 56 *Catholic University Law Review* 405, pp. 372-373 and sources cited therein.

ment of women requires that labor should be structured in such a way that women do not have to pay for their advancement by abandoning what is specific to them and at the expense of the family”.³ Recent studies support what is intuitively obvious – when asked about their preferences as to how to split household tasks, women prefer having more responsibility for childcare tasks than men, and men share the preference that women have that responsibility.⁴ In order to preserve and support the vocation of women in families, it is imperative that we empower women to understand this work as not a hobby, but as a vital contribution to the common good.

My argument will proceed in three steps. First, I will explore briefly what the concept of “common good” means for the average American layperson today. It is a concept with much currency, and with a lot of appeal to the popular imagination. But it is different from what we are probably meaning when we talk about the concept amongst ourselves at this Plenary. It is important to get some sense of what most people probably understand the term to mean for two reasons: first, to put the rest of my arguments into their current context; and, second, because I will argue that it might be possible to use that false understanding as a stepping stone toward developing a more fruitful and true understanding of the family as a relational good.

Second, I will describe the lived experiences of women with families today, demonstrating why their current situation belies any illusion that society values families as a ‘common good’. In this description, I will focus on how the past two years of the pandemic have exposed this situation to an alarming degree. In the words of Emily Marin of the National Women’s Law Center: “COVID set off a bomb in the middle of these jerry-rigged ways of getting by in this country that individual families have created”.⁵ The glare from that bomb blast has dramatically illuminated the gaps in the social structures that support caregivers of all kinds, who are predominantly women.

³ John Paul II, Encyclical Letter *Laborem Exercens* § 19 (1981). See also John Paul II, Apostolic Exhortation *Familiaris Consortio* § 23 (1981); John Paul II, Encyclical Letter *Evangelium Vitae*, § 90 (1995).

⁴ Bleske-Rechek, A., & Gunseor, M.M. (2021, January 14). Gendered Perspectives on Sharing the Load: Men’s and Women’s Attitudes Toward Family Roles and Household and Childcare Tasks. *Evolutionary Behavioral Sciences*. Advance online publication. <http://dx.doi.org/10.1037/ebs0000257>.

⁵ Eliana Dockterman, Women are Deciding Not to Have Babies Because of the Pandemic. That’s Bad for All of Us, *Time* (Oct. 15, 2020), <https://time.com/5892749/covid-19-baby-bust/>

Third, I will argue that the notion of the family as a private hobby, rather than a common good, is a consequence of the conscious strategic decisions made by two groups of activists who grounded their quest for civil rights on notions of autonomy: American feminists fighting for the equality of women, and disability rights advocates fighting for equality for people with disabilities. There is a lot at stake in both of these group's campaigns. The animating principles underlying both of these fights are appealing on their surface, because they are legitimate responses to histories of real oppression. This helps explain why they have gained such a hold on the minds of many women, regardless of how much the notion of the family that results from these principles might conflict with the natural intuitions of women as caregivers.

I will conclude by returning briefly to the contemporary popular notion of "common good", exploring how we might be able to capture the appeal and currency of that understanding to counter the idea of the family as a private hobby, perhaps laying the groundwork, for a richer understanding of the family as a relational good.

A. Contemporary Popular Understanding of "Common Good"

The term "common good" is becoming increasingly trendy in American discourse, but its meaning bears only the most superficial relation to the Church's understanding, as "the sum total of social conditions which allow people, either as groups or as individuals, to reach their fulfillment more fully and more easily".⁶ The popular understanding consistently fails to incorporate the full set of elements recognized by the Church, including respect for the person, the need for it to foster human and social development, and the peace and stability that is a precondition to development.⁷ As further developed by Donati and others, this multi-faceted understanding of the common good is coming to be understood as necessarily including a component that is a 'relational good', consisting not of material things or ideas or services, but instead of social relations. Donati writes: "... the concept of [relational good] arises from the observation that there are social spheres in which private subjects pursue interests that are not strictly their own, either directly or indirectly, but are shared with others

⁶ Second Vatican Ecumenical Council, *Gaudium et spes*, 26 (1966).

⁷ *Catechism of the Catholic Church* (2nd ed.). Washington, DC: [distributed by United States Catholic Conference] §§ 1907-1908 (2000).

and are motivated not by profit, but by the need for a common good”.⁸ It is, of course, this rich, complex understanding of the common good that we at this Plenary Session are attempting to apply to our understanding of the family.

In contrast, the concept of “common good” is increasingly used by a wide variety of American institutions to signal a commitment to something; what that something might be is not always clear, but it is certainly not imbued with the complexity and richness of the Church’s evolving conception of the common good.

For example, I teach at the University of St. Thomas, a Catholic university in Minneapolis, Minnesota, founded in 1885, and named for St. Thomas Aquinas. About 5 or 6 years ago, after years of debate and consultation, the University adopted a new motto that now appears on all of our promotional materials, websites, and at the top of the letterhead in our stationary: “All for the Common Good”. (It’s even a registered trademark – it always appears with the little TM symbol). In materials prepared by our Office for Mission, this slogan is described as “The Charism of the University of St. Thomas”. But it is not defined anywhere. The effects of this charism are described, as follows: “The University of St. Thomas community owns and lives out this charism. It is embedded in the Mission Statement, Vision Statement and Statement of Convictions that guide our work and life together. It is integrated into academic pursuits and student activities. It compels us to be a community of engaged service to change our world and with it, ourselves. We welcome those committed to searching for knowledge and to living *all for the common good*”. The closest to anything concrete in that quote is probably the sentence that says “It compels us to be a community of engaged service to change our world and with it, ourselves”. That tells us something about how ‘common good’ is understood – as engaged service to change the world. And if we look at the work of the University’s Center for the Common Good, we see that this sort of engaged service is the sole focus of its work. The Center “promotes collaborative curricular, co-curricular, and research initiatives that address civic and community challenges. We encourage and support students, staff, and faculty to be transformational partners who work tirelessly for social justice in our local, national, and global communities”. The Center’s work consists of connecting students with community partners for volunteer-

⁸ Pierpaolo Donati, *Discovering the Relational Goods: Their Nature, Genesis and Effects*, 29 *International Review of Sociology* 238, 241(2019).

ing opportunities, connecting faculty and students with community based “service-learning” opportunities, and connecting “the community with informed and collaborative solution-based initiatives addressing social and environmental challenges”.

Common Good is also the name adopted in 2002 by “a nonpartisan reform coalition” aimed at fixing what it perceives as a broken US government.⁹ Its platform consists of three parts:

- Liberating American Initiative
- Rebuilding Democracy
- Applying Moral Values to Public Choices.

What were the founders of this initiative trying to convey by choosing the term “common good” to attract adherents? What did they (or their marketing consultants) think this term meant to the public? When you look carefully at the specifics of their platform, the first two parts are essentially translatable into smaller government, decreased regulation and bureaucracy, and more power for local organizations. But it’s the last plank in their platform that seems to speak to the choice of name:

Principle 7: Restore the Moral Basis of Public Choices. Public trust is essential to a healthy culture. This requires officials to adhere to basic moral values – especially truthfulness, the golden rule and stewardship for the future. All laws, programs and rights must be justified for the common good. Every public dollar involves a moral choice. No one should have rights superior to anyone else.

Let’s look at one more example: a nonprofit founded in 2007 called The Common Good.¹⁰ Here’s how they describe themselves:

The Common Good is a non-profit, non-partisan membership organization that consists of professionals with an interest in public policy and politics. Debate and the free flow of ideas is fundamental to our democracy, and TCG encourages civil dialogue and good government and presents the highest caliber thought leaders, innovators, and trendsetters in politics, business, and culture for candid discussions on the pressing issues of the day.

⁹ Common Good. *About Us*. Available at: <https://www.commongood.org/our-people>

¹⁰ The Common Good. *What We Do*. Available at: <https://www.thecommongoodus.org/what-we-do>

This organization had its origins in the entertainment industry, when a group of executives, writers, directors, producers, actors, and agents got together in 1988 to involve those affiliated with the entertainment industry into political affairs and public policy. Their initiative was, according to them, “credited with playing a critical role in creating the Hollywood/Washington nexus of entertainment activism”. In its current form the group hosts forums for thought leaders across the political spectrum, creates strategic alliances with other organizations and bestows annual “American Spirit Awards” on those who “make a difference in public affairs and civic life”. They award scholarships to college students who have worked for “a cause you care about and believe is fundamental to societal progress” or “have made an impact in your local community and/or wider national community”.

So, what do all three of these uses of the term “common good” have in common? First, they have all deliberately chosen this term to market themselves to an audience they want to attract: students (the University of St. Thomas), citizens who share beliefs in a smaller government (Common Good), or citizens who share a set of generally progressive values (The Common Good). Second, they all portray their commitment to the concept of the “common good” as a call to activism. The direction or political leaning of that activism is varied, indicating that the concept is understood as an all-purpose term whose significance lies not in any particular end to be achieved. Instead, it conveys a process: like-minded people working together to affect some sort of social reform.¹¹

This more popular understanding of the common good clearly has little in common with what we are all talking about at this Plenary. But it does probably have more resonance with the general public than ours, and it offers some context for the task to which I now turn: describing the lived reality of women caregivers in the United States today, and exploring how we got to that reality.

¹¹ This understanding of the common good seems to have much in common with the conception of a relational good described by Donati as being held by Uhlener, which: “arises from the connection of individuals in a social context and is characterized by their desire to belong to a significant social group (or network) from which they derive some gratification. Their mutual relatedness has the character of an expressive attractiveness for them, beyond the strict instrumental utility”. Donati, *supra* n. 8, at 243.

B. How the COVID Pandemic Has Revealed the Inadequacy of Support for Caregivers in the United States

The World Economic Forum publishes an annual “Global Gender Gap Report”, analyzing gender gaps in countries around the world in various dimensions, including economic participation and opportunity. Their report for March 2021 documented the significant impact of the pandemic on women’s participation in the workforce, showing 5% of all employed women lost their jobs, compared with 3.9% of employed men.¹² It analyzed in detail the effects on productivity at jobs as a result of the childcare responsibilities assumed disproportionately by women upon the closures of schools and childcare facilities.¹³ While this report documents that the impact is a worldwide phenomenon, I will focus on the situation in the United States. The situation I will describe goes beyond childcare, extending to women with caregiving responsibilities for family members who are disabled or the elderly.

1. Childcare

Let us begin with childcare. “The position of women in the workplace in the United States, relative to the rest of the world, presents a curious paradox. On the one hand, we have some of the world’s most favorable laws and a relatively hospitable social climate for full and equal access to the workforce by women. On the other hand, though, we have some of the world’s *least* favorable laws and a relatively inhospitable social climate for full and equal access to the workforce by *women with children*”.¹⁴

The United States is one of only eight countries in the entire world that offers no federal paid childcare leave. (The other seven are Papua New Guinea, Suriname and five island nations in the Pacific: Micronesia, the Marshall Islands, Nauru, Palau and Tonga).¹⁵ The Family and Medical

¹² World Economic Forum, *Global Gender Gap Report 2021*, 6 (2021). A 2020 report by McKinsey Global Institute concluded, based on data from India and the United States, that “female job loss rates due to CoVID-19 are about 1.8 times higher than male job loss rates globally, at 5.7 percent versus 3.1 percent respectively”. Industry-mix and labor-market specifics were found to explain just ¼ of that gender gap; another important factor is the increased burden of unpaid care”. Anyu Madgavkar et al. McKinsey Global Institute. “COVID-19 and Gender Equality: Countering the Regressive Effects”. July 15, 2020.

¹³ World Economic Forum, *supra*, at 52-56.

¹⁴ Schiltz, *supra* note 2, at 410.

¹⁵ World Policy Center. “Is Paid Leave Available to Mothers and Fathers of Infants?”. 2022. Available at: <https://www.worldpolicycenter.org/policies/is-paid-leave-available-to-mothers-and-fathers-of-infants/is-paid-leave-available-for-mothers-of-infants>

Leave Act requires public employers and private employers with more than fifty workers to offer twelve weeks of *unpaid* leave to new mothers, and nine states guarantee some paid leave.¹⁶ But it is important to understand that, in contrast to many other countries, this paid leave comes through the employment market. It is an obligation imposed on employers, and is a form of support only available to the employed.

The United States is also “an outlier in its low levels of financial support for young children’s care. ... The US spends 0.2% of its GDP on childcare for children 2 and under – which amounts to about \$200 a year for most families. The other wealthy countries in the Organization for Economic Cooperation and Development spend an average of 0.7% of GDP on toddlers, mainly through heavily subsidized childcare. Denmark, for example, spends \$23,140 annually per child on care for children 2 and under”.¹⁷ Most of the money that the US spends on childcare includes the money provided by the federal government to the individual states to provide childcare financial assistance for low-income families to allow the families to work or attend school; the eligibility requirements are determined by each state. The federal government also funds some state-run programs for low-income families that help prepare children from birth to age 5 for school.¹⁸ In addition, some families with low to moderate incomes may qualify for some tax credits to help pay for childcare. (President Biden’s America Rescue Plan of 2021 provided a one-year increase in the tax credit for children and extended it to all, regardless of income, but that was a one-year bonus that has now expired).

So, think about that. The sum total of social support you are guaranteed by law for raising a child in the United States is the ability to take *unpaid* maternity leave for six weeks, and a possible tax credit. Now, of course, market forces pressure some employers into offering more than mandated by law, including paid childcare leave, but those benefits are typically most often available to the most highly skilled, highly paid, and already

¹⁶ Those states are California, Colorado, Connecticut, Massachusetts, New Jersey, New York, Oregon, Rhode Island, and Washington. The District of Columbia also provides for paid family leave. Investopedia. “Paid family and Medical Leave (PFML) by State”. (Jan. 21, 2022), available at: <https://www.investopedia.com/paid-family-and-medical-leave-by-state-5089907>

¹⁷ Claire Cain Miller, “How Other Nations Pay for Child Care. The U.S. Is an Outlier”. *The New York Times* (Oct. 6, 2021), available at: <https://www.nytimes.com/2021/10/06/upshot/child-care-biden.html?cam>

¹⁸ See: <https://childcare.gov/consumer-education/get-help-paying-for-child-care>

privileged workers. With respect to the cost of childcare, unless you are low-income, you are basically on your own.

In effect, the United States relies almost entirely on the employment market as the predominant support for caregiving work. A robust body of work by a school of American feminist scholars over the past decades has decried this strategy for supporting caregiving, arguing (without much success) for a social re-evaluation of the work of caregiving.¹⁹ One of these scholars, Joan Williams, demonstrates how employment in the US is structured to accommodate the “ideal worker” – namely, the person with no obligations for caring for other people, with the ability to devote themselves fully and totally to the demands of their jobs.²⁰ As long as this “ideal worker” continues to drive the workplace, women with caregiving responsibilities will suffer.

The pandemic-related economic collapse has vividly demonstrated the inadequacy of this model for caregiving support.²¹ “In contrast to typical recessions, women’s employment has been negatively impacted significantly more than men’s. Women have lost a net of 4.5 million jobs since February 2020; in April 2021, the Bureau of Labor Statistics reported women’s labor force participation rate of 57.2%, the lowest since 1988. The pace of recovery of women’s jobs is proving to be slower than that of men’s jobs. Since there is no precedent for such a mass exodus of women from the workforce, predictions of the course of recovery are difficult, but the long-term economic impact of women’s career pauses for childcare pre-pandemic does not augur well for women. The economic impact is not limited to wages lost during the period of unemployment; such job gaps also result in difficulty being rehired, lower future income growth, and reduced retirement benefits.

¹⁹ Some of the major works of these scholars include: Joan Williams, *Unbending Gender: Why Family and Work Conflict And What To Do About It* (2000); Eva Feder Kittay, *Love’s Labor* (1999); Robin L. West, *Caring for Justice* (1997); Joan C. Tronto, *Moral Boundaries: A Political Argument for an Ethic of Care* (1993). I have explored this work, and the ways in which much of this emerging feminist theory is compatible with the writings of the Catholic Church on the roles of women and family, in many of the articles cited in the footnotes of this paper.

²⁰ William’s classic book on this theme is *Unbending Gender: Why Family and Work Conflict and What to Do About It, Id.*

²¹ The following description of the effect of the pandemic on working mothers is taken from Elizabeth R. Schiltz, *Caregiving, COVID-19, and the Failed Promise of Abortion*, 11 *Journal of Christian Legal Thought* 25, 27-29 (2021) (footnotes omitted).

Some of the explanation for the disproportionate impact of the pandemic on women's employment is attributable to the fact that women are more likely to be employed in job sectors such as travel and hospitality, which were most directly affected by pandemic-related shut-downs, and are less likely to be amenable to telecommuting. An even more significant explanation, however, clearly lies in the disproportionate caregiving demands on women. The coronavirus shutdowns have closed schools and daycare centers around the country, keeping kids at home and making it even harder for parents (especially mothers who tend to provide the majority of childcare) to keep working. For the lowest paid women, the closure of the biggest source of free public childcare – schools – has been devastating. The dangers of COVID-19 eliminated many of the other most common sources of free or low-cost childcare – help from neighbors or grandparents or other family members”.

2. Care for Disabled (and Elderly) Family Members

The history of the evolution of disability rights in the United States over the past decades is a truly inspiring tale of liberation for people with disabilities: liberation from horrific lives confined in abusive, segregated institutions, to robust legal protections guaranteeing the right to live in desegregated community settings, not to be discriminated against in employment, and easy access to all public buildings and services, including the right to a free appropriate public education in our schools. One of the most powerful statements of that evolution was the Supreme Court's 1999 decision, *Olmstead v. LC*,²² which held that it was illegal discrimination for a state to keep people with disabilities in institutional settings if they had been judged competent to live in community settings. Public entities must administer all of their services, programs, and activities in the most integrated setting appropriate to the needs of these people – a setting that “enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible”. This was a very important case in disability rights. It is a really strong weapon in the arsenal of legal rights for people with disabilities, an important step in the gradual desegregation of a group of people who 100 years ago would have been locked up in institutions. But what it does is tell states that they cannot institutionalize people unless it is necessary; it does not provide, or do anything to actually create, the alternative, community-based settings to which these liberated people can move.

²² *Olmstead v. L.C.*, 527 U.S. 581, 597 (1999).

How do people with disabilities find these alternative living situations? Besides a place to live, people with disabilities often need support for what are commonly called the “activities of daily living”. These could range from bathing, dressing, and feeding oneself, to doing household chores, handling money, transportation, or shopping. In other words, they need caregiving. And some people with disabilities need that kind of caregiving for their entire lives, not just until they are 18 years old and move away from home. To get that help, they have to either be able to pay for it, or get support from the Medicaid program, or find a friend or family member to provide it for free.

Paying for it yourself requires an income. Even before the pandemic, fewer than one in 3 working-age people with disabilities had jobs, and the poverty rate for working-aged people with disabilities was nearly two and a half times higher than that for people without disabilities.²³ People with disabilities experienced a markedly larger decline in jobs at the beginning of the pandemic than people without, and are experiencing a slower bounce back to employment.²⁴ If you have a disability and you can prove you don’t have assets of over \$2000, you can qualify for social security assistance, currently \$794/month. That doesn’t pay a lot of rent, or buy a lot of personal care services.

So most people with disabilities rely on support from the federal Medicaid program, which is administered through the states. These programs have evolved over the past decades from merely paying for people to live in nursing homes or other institutional settings, to allowing people with disabilities to choose to receive the help they need in their own homes, from whomever they choose. Unfortunately, not every state allocates enough money in their budgets to be able to afford for everyone with disabilities to get the help they would choose. In fact, most states have notoriously long waiting lists for people who have technically qualified for such help to actually get it.²⁵

²³ Lisa Schur et al., *COVID-19 and Employment Losses for Workers with Disabilities: An Intersectional Approach*, at: https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3788319 (Feb. 16, 2021).

²⁴ Elizabeth Schiltz, *The Dangers of Being Disabled in the Time of Covid*, 38 *University of St. Thomas Law Journal* (forthcoming 2022).

²⁵ A study published in 2019 listed these sorts of waiting lists in various states: Minnesota, 237; Indiana, 1,404; Michigan, 3,223; Illinois, 19,354; Ohio, 68,644; Florida: 71,016; Texas: 281,381. MaryBeth Musumeci, Priya Chidambaram, and Molly O’Malley Watts, *Key Questions About Medicaid Home and Community-Based Services*

And even if a person with a disability gets off of a waiting list, they have to find (1) a place to live, and (2) people willing to do the personal assistance work that you need to get by in the activities of daily living. Although Medicaid lets a person with disabilities choose their personal, they control the wages that can be paid for this work. The Medicaid reimbursement rates for this work are notoriously low, and these jobs typically come without employment benefits. The lack of qualified careworkers has been acknowledged as a crisis for decades, and the crisis has gotten dramatically more serious through the upheavals of the Covid Pandemic.²⁶ The “Great Resignation” has led to stiff competition for workers in all sectors, and while the free market has begun to respond by significantly raising wages, the Medicaid restrictions on wages that can be paid for care work – and the budget constraints in the various states with the long waiting lists for services – persist.

So, where do people with disabilities end up finding the housing and the support they need? Who are the people willing to house them, and willing to do the care work needed to afford people with disabilities some level of independence for free or for the most minimal pay? Of course, it is their families. Most people with cognitive disabilities live with their families – and not just for the first 18 or 21 years of their lives. A nationwide survey in 2001 showed that about 60% of all persons with intellectual disabilities live with family caregivers.²⁷

And living at home is a proxy for having your family provide most – or all – of the support you need for your activities of daily living. A 2020 study trying to get a handle on the situation with the long waiting lists for the Medicaid support surveyed people on the waiting lists, and this is what they found:

When asked how individuals manage their needs while waiting for services, interviewees most frequently cited support provided by

Waiver Waiting Lists (2019), available at: <https://www.kff.org/report-section/key-questions-about-medicaid-home-and-community-based-services-waiver-waiting-lists-appendix-tables/>

²⁶ Schiltz, *supra* n. 24.

²⁷ (13% live in their own homes, 15% with a spouse, and 13% in formal supervised out-of-home residential settings). Braddock, D., Felce, D., Emerson, E., & Stancliffe, R.J. (2001). The living circumstances of children and adults with mental retardation or developmental disabilities in the United States, Canada, England and Wales, and Australia. *Mental Retardation and Developmental Disabilities Research Reviews* at 1. (19% in a supervised residential setting, and 16% alone or with a roommate). See: <https://stateofthestates.org/create-idd-chart/state-profiles/>

family caregivers. Many caregivers are unpaid, although some may be paid in waivers that allow for self-direction of services.²⁸

I have described above the increased caregiving responsibilities on parents as schools went online during the pandemic. Another thing that happened during the pandemic was the closure of facilities where many people with intellectual disabilities spend their days – often in therapeutic and supported work programs.²⁹ When these facilities shut down, too, families had to find ways to provide care during the day – often at the expense of their own jobs. And while the initial closures were related to the physical danger of COVID-19, some have been closed permanently, or are now operating at diminished capacity, because of severe staffing shortages.³⁰

Many people with intellectual disabilities who used to go to work every day have lost their jobs; according to the National Council on Disability, by the end of April 2020, nearly 1 million people with disabilities lost their jobs; that’s about 20% of working people with disabilities, compared to the 14% people without disabilities who lost their jobs. Many working people with developmental disabilities rely on the direct support of professionals and job coaches. The disability service agencies that support employment and hire these support people have had increasing difficulty finding staff and have been subject to budget cuts causing closures and cut-backs on services. Where do those people go during the day if they can no longer work? The families who care for them must find ways to keep them busy and sane, or at least safe. And some families have had to assume care and housing responsibilities for adults with disabilities whose group homes have had to close, due to the same staffing shortages. These families have had to scramble to find living arrangements for their loved ones.

Care for the elderly who cannot live by themselves follows the same general outlines as care for the disabled. More of the elderly population will have a history of employment that affords them the savings to pay for

²⁸ Medicaid and CHIP Payment and Access Commission, Issue Brief, *State Management of Home- and Community-Based Services Waiver Waiting Lists* (August 2020) at 9, available at: <https://www.macpac.gov/publication/state-management-of-home-and-community-based-services-waiver-waiting-lists/>

²⁹ <https://www.disabilitycoop.com/2021/09/10/disability-service-providers-shuttering-in-many-states/29480/> (In a survey in July of 2021, half of states reported that Medicaid home and community-based services providers have closed since the start of the pandemic. “Adult day programs were the most likely to have closed followed by in-home care providers, supported employment and group homes ...”).

³⁰ Schiltz, *supra* n. 24.

very good housing situations and good care. But those who are not so fortunate must depend on the housing and care offered by their families, or rely on the Medicaid system, which is bedeviled by much of the same economic and bureaucratic constraints as described above for the disabled, and is suffering the same severe staffing crisis. During the earliest days of the COVID pandemic, the papers were full of accounts of families scrambling to try to protect their loved ones when nursing homes became incubators for COVID-19 infections.³¹

Most of the caregiving responsibilities for disabled or elderly family members is assumed by women. This sort of caregiving is even more unrecognized and unsupported by the government or employers than care for children. The FMLA does extend its guarantee of 12 weeks of unpaid leave a year to employees who have to take care of an immediate family member (spouse, child, or parent) with a serious health condition, but that is not going to cover a lifetime of care for a disabled adult family member, or an elderly parent who needs long-term intensive care. Again, even that meager support is only available through the labor market, to women who hold the relatively privileged jobs to whom the FMLA.

In some states, family members are eligible to be paid as caregivers under the Medicaid program. But that option is not available to all, and even when it is available, the pay is suppressed by the restrictions of Medicaid regulations and state budget constraints.³² In the words of one woman who accepts pay of \$15 hour for 40 hours a week of work to care full-time for a loved one paralyzed from the neck down by an accident: “I make a choice to be his caregiver every day. It’s out of love. I have the ability to do it. I see caregiving as helping him maintain a quality of life that is worth living, that is accessible and happy for him”.³³

So this is the lived reality of women in the United States with significant family caregiving responsibilities. If you have employment, you might be lucky enough to have a job that guarantees twelve weeks of unpaid leave without losing your job. If you are really lucky, you may have an

³¹ A. Leggett et al. “Care Challenges Due to COVID-19 and Mental Health Among Caregivers of U.S. Adults with a Chronic or Disabling Condition”, *Innovation in Aging*. Vol. 5, 3, 2021. DOI: 10.1093/geroni/igab031

³² Amber Ferguson. “Unpaid Caregivers: How America Treats Women Caring for Paralyzed Partners”. *The Washington Post* (Aug. 6, 2021) available at: <https://www.washingtonpost.com/business/interactive/2021/caregiver-partner-paralyzed-marriage-pandemic/>

³³ *Id.*

employer that chooses to offer some paid leave. If you do not have a job, you get nothing, unless you are low-income, in which case you may get some federal support to pay for childcare while you look for work or go to school. If your caregiving responsibilities extend beyond caring for your children during their childhood, you are left pretty much on your own.

During the pandemic, when the fragile supports that women managed to cobble together to enable them to fulfill their caregiving responsibilities collapsed, they were confronted with the reality that they were basically on their own in pursuing their private “hobby” of caregiving. Their hobby was tolerated only in so far as it did not interfere with the efficient operation of their workplaces, or place too many demands on social services provided by the State. But the hobby was not given any meaningful social support. How did we get into this situation? Let us now turn to that question.

C. Role of Feminist and Disability Rights Theory in Propagating Idea of Family as Private Hobby

1. Feminist Theory³⁴

Legal scholar Julie Suk published an article in the *Columbia Law Review* in 2010 called “Are Gender Stereotypes Bad for Women? Rethinking Anti-discrimination Law and Work-Family Conflict”.³⁵ She contrasted the US’s pathetically feeble family leave with that of countries like France and Sweden, which guarantee months of paid maternity and paternity leave, with robust job protections. Suk analyzed the different commitments of feminist theory that led to the generosity of France and Sweden, but continue to make it impossible for laws mandating any paid maternity leave to get anywhere in the United States, despite decades of efforts.

Suk explained that, in Europe, the issue of maternity leave was historically considered entirely separately from the issue of general sick leave or disability leave. In those countries, legal schemes evolved that considered childbirth to be something unique – not a disability or an illness – and an endeavor in which the women who were primarily affected by it deserved the support of the entire social network. Maternity (or paternity) benefits

³⁴ This discussion is adapted from Schiltz, *supra* note 21, at 26–27 (footnotes omitted), and from Elizabeth R. Schiltz, A Contemporary Catholic Theory of Complementarity, in *Feminism, Law, and Religion* 1, 18–20 (eds. Marie Failing, Elizabeth R. Schiltz & Susan J. Stabile) (2013).

³⁵ 110 *Columbia Law Review* 1 (2010).

are not the responsibility of the employer – they are the responsibility of the state – provided in recognition of the social value of care work.

In contrast, in the United States, the issue of maternity leave has always been inseparably intertwined with employment law. Suk pointed out that the trajectory of the American approach was shaped primarily by feminists³⁶ in the 1960s and 1970s who argued for equality based on sameness; they worried that distinguishing between childbirth and any other medical condition, by requiring employers to offer maternity benefits, would perpetuate negative stereotypes about women’s ability to work, resulting in discrimination against women. Suk argued that family leave should be disaggregated from medical leave. And she also argued that “gender stereotypes are not necessarily bad for women”. She wrote, “The American stereotyping approach attempts to give women the same chance as men to prove their mettle, but fails miserably by ignoring the gendered barriers to their ability to do so”.

A careful look at that last quote reveals, I think, precisely why the American approach is so problematic with respect to the notion of the family as a relational good. Suk explains that the American approach “attempts to give women the same chance as men to prove their mettle”. If women can become like men, they have an equal chance to succeed. And the single most important protection for women’s equality by most feminists in the United States has come to be seen as abortion, which is woman’s ultimate tool for becoming just like men. It has come to be seen as a non-negotiable feature of the social and legal support that women need to succeed in the workplace, to achieve equality and autonomy, to escape poverty. This development has allowed abortion to become embedded into the institutional structure of employment in this country, which is, as discussed above, the only source of support for caregiving for women.

The supremacy of the right to abortion for mainstream American feminism is on vivid display currently in the Supreme Court’s deliberation over the case of *Dobbs v. Jackson Women’s Health Organization*.³⁷ This case chal-

³⁶ I recognize that this is a loaded and contested term, and that there are many people who consider themselves feminists (myself included) that do not hold these views, including the relational or care feminists identified above, whose work I have analyzed in many of the articles cited in the references to this paper. For sake of brevity, though, I will be referring to “feminists” in the remainder of this paper as the particular type of feminist who took this position in the 1960s and 1970s, and who continue to see abortion as the one vital prerequisite for achieving equality for women.

³⁷ 141 S. Ct. 2619 (2021) (cert granted).

lenges a law passed in Mississippi that prohibits nearly all abortions after 15 weeks' gestational age. It is generally thought to offer the Supreme Court the opportunity to overturn holdings in *Roe v. Wade*,³⁸ which held that the US Constitution's right to privacy included a woman's right to obtain an abortion, and in *Planned Parenthood v. Casey*,³⁹ which affirmed *Roe* based on "the premise that women had 'reliance interests' in the judicially-created right to abortion that ensured their capacity 'to participate equally in the economic and social life of the nation'".⁴⁰

The right to abortion – to escape from the responsibility of caregiving – has been prioritized over the right to care for children (or the elderly or people with disabilities) without suffering severe economic penalty. The fight for the right of women to become more like ideal male workers, has been prioritized over the fight to restructure the workplace to accommodate caregiving, or to institute social supports for caregivers outside of the structures of the workplace.

One would think that the extraordinary collapse of the female employment market during the COVID pandemic would be the occasion for serious examination of the existing edifice. Instead, the response has been a set of piecemeal, unimaginative patches to this creaky structure.⁴¹ The cataclysmic collapse of female employment because of the lack of support for caregiving has not moved policy-makers to embrace more radical restructuring of the labor market that might make work more compatible with caregiving responsibilities. There has been no concrete movement toward recognition of a social responsibility to care for the caregiver in the broader contexts in which caregiving is crucial to our society – not just for our children, but also for the elderly and disabled.

In a recent essay, Joan Williams argued that the recent pandemic has exposed many of the here-to-for hidden pressures of childraising that have up until now been the predominant burden of mothers. She wrote: "Before COVID, many parents quietly skulked off to attend the school play or coach a soccer game, workers nursed their babies in cars parked outside factories, and adult children slid away unobtrusively to take elders to the

³⁸ 410 U.S. 113 (1973).

³⁹ 505 U.S. 833 (1992).

⁴⁰ Amicus Brief of 240 Women Scholars and Professionals, and Pro-life Feminist Organizations in Support of Petitioners, *Dobbs v. Jackson Women's Health Organization*, No. 19-1392 (S. Ct. argued Dec. 1, 2021), at p. 5.

⁴¹ See Schiltz, *supra* note 21 for more detailed discussion of the legislative responses to the crisis in childcare.

doctor. Now there's a lot less of a taboo because you can't hide it".⁴² She notes that, to her astonishment:

With most of us working from home these days, Americans' work-day has increased by 40% – roughly 3 hours a day – the largest increase in the world. Yes, I fact-checked that. I couldn't believe it either. The problem with all this busyness and productivity is that it comes at a huge price. Many employees are now doing the work of three or more people. They're doing their own jobs, their childcare worker's jobs, and their children's teacher's jobs. Yet, many employers seem oblivious. I hear reports of companies cheerfully assuring their employees, and themselves, that everyone is working at, or close to, 100%. Why don't more managers see the problem here?⁴³

Her response: "It's because there's still a widespread reverence for the 'ideal worker'".⁴⁴

How are women reacting to what they are seeing and experiencing during these past two years? For one thing, according to The Brookings Institute, they have stopped having babies. "The data show a baby bust of 60,000 missing births between October 2020 and February 2021, roughly corresponding to conceptions that would have occurred between January and May 2020".⁴⁵ As the wave of Covid infections dropped in the summer of 2020, the baby bust receded, but it is not unrealistic to assume that the bust will reappear when we have data on conceptions during the ensuing months, when Covid infections rose again. In other words, many women are protecting themselves by retaining the flexibility to mold themselves into the ideal workers that our workplace structures demand. They are choosing the same result that access to abortion gives them, because it is the only rational option realistically available to them, faced with the institutional structures of our workplace that simply will not bend, will not yield to the demands of caregiving, and faced with the lack of any social support for caregiving outside of the workplace.

⁴² Williams, Joan C., *The Pandemic Has Exposed the Fallacy of the 'Ideal Worker'*, Harvard Business Review (May 11, 2020), available at: <https://hbr.org/2020/05/the-pandemic-has-exposed-the-fallacy-of-the-ideal-worker>

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Kearney, M. and Levine, P., *Early Evidence of Missing Births from the COVID-19 Baby Bust* (Dec. 13, 2021), available at: <https://www.brookings.edu/research/early-evidence-of-missing-births-from-the-covid-19-baby-bust/>

I believe that, unfortunately, what Joan Williams has identified as the “widespread reverence for the ‘ideal worker’” is not just held by employers, but also has come to be accepted by many women. I also believe that some of “reverence” is, in fact, facilitated and enabled by the enshrining of abortion – a highly efficient mechanism for ensuring a constant supply of ‘ideal workers’ – as the primary value in the quest of equality for women. Taking their lead from the leaders of the feminist movement, women have essentially been encouraged to rely on abortion as a ‘release valve’ for society’s devaluation of the work of caring for others. As long as abortion maintains its status as the single most important factor in ensuring women’s equality: 1) women who would prefer other options are made to feel as though they are not committed to the ideal of equality for women; 2) feminist activists have little incentive to fight for structural changes that might offer other options. As a result, women who choose to become parents and devote time to caregiving are left with the reality that this choice is a private one that they can indulge in if they want, but not to expect any social support for making that choice. Having a child is like taking up sailing – perfectly fine to do, if you can afford it, but not something that deserves social support.

2. Disability Rights Theory⁴⁶

Like the situation of working women described above, the position of people with disabilities in the United States presents a paradox. On the one hand, we have some of the world’s most favorable laws and a relatively hospitable social climate for full and equal access of people with disabilities to all aspects of society, including the workforce. On the other hand, though, these laws are largely aimed at benefitting those people with disabilities who can live relatively autonomously, and can essentially succeed in the workforce on equal terms with those who do not have those capabilities. Because of the disability rights community’s almost exclusive focus on enshrining autonomy as the ultimate value for which all should strive, people with disabilities who are truly dependent on caregivers, and their caregivers, are increasingly being left behind with no or inadequate social supports.

⁴⁶ Portions of this section are adapted from Elizabeth Schiltz, Hauerwas and Disability Law: Exposing the Cracks in the Foundations of Disability Law, 75 *Journal of Law and Contemporary Problems* 23, 30–33 (2012).

The decades of the 1970s and 1980s saw the emergence in the United States of the disability rights movement, in which people with disabilities modeled their struggles for freedom and equal treatment on the civil rights movements of the 1960s that saw the successful assertion of freedom and equality by racial minorities and women. Central to the ideology of the disability rights movement was the rejection of the “medical model” of disability in favor of a “social construction model” of disability. The medical model of disability assumes that a disability is a “deficient or flawed human condition, a bodily deviation due to a ‘loss’ of capacity in one way or another, which holds a person back from participation in society. Hence, disability represents an inability, abnormality, or disadvantage calling for management and correction in order to restore proper functioning”.⁴⁷ Axiomatic to this model is that it is the nondisabled who must do this management and correction, and that the management and correction is aimed at making those with disabilities more like the nondisabled. Disability rights advocates argued that this model deprives the disabled of their own voice – that is, the nondisabled determine what is best for the disabled based on their own views of “the normal” and impose those views on the disabled. This complaint is captured in the slogan: “Nothing About Us Without Us”.⁴⁸

The disability rights movement advocated an alternative model that views the disability as a social construct. Under the social construction model, a disability is more a function of the physical and social standards established by society as normal than a function of some defect in the body of the individual with the disability. It is society that disables a person who uses a wheelchair by constructing buildings with stairs, rather than elevators or ramps – not the paralysis of her legs. Under this model,

[g]enuine healing is more than a matter of an individual’s bodily adjustment to fit society’s definition of normalcy. It is instead a matter of society adjusting to the presence of diverse people with a range of impairments. And with this we enter the arena of civil rights and social justice.⁴⁹

Although the ideology of the disability rights movement described above has, indeed, been a powerful force for significant improvements in the

⁴⁷ Thomas E. Reynolds, *Vulnerable Communion: A Theology Of Disability And Hospitality* 25 (2008).

⁴⁸ James I. Charlton, *Nothing About Us Without Us* (1998).

⁴⁹ Reynolds, *supra* note 47, at 29.

civil rights and justice accorded people with disabilities, it is not immune from criticism. For one thing, it ignores the reality of physical conditions responsible for some physical and cognitive disabilities that are not the product of social construction. More significantly, though, it is based on a concept of human nature in which self-representation and the freedom to shape one's own identity are the paramount values. As Dutch philosopher Hans Reinders argues,

Underlying the [social construction model] is an anthropological claim about the nature of our being. As human beings, we are free to construe the nature of our own being in the act of self-identification. This freedom is shaped, and thus constrained, by numerous cultural, political, and economic contingencies, but as ontological freedom it is certain. Human beings are the kinds of beings who have their existence as a task, not a preordained destination. This anthropological claim reinforces the appearance of people with profound intellectual disability as problematic.⁵⁰

Furthermore, this model “espouses an ethics of political activism” from which the severely intellectually disabled are also excluded.

[T]he suggestion that acts of will are essential in overcoming ‘disability’ is indebted to a model of political rationality that presupposes a liberal notion of autonomy. ... It suggests that ‘emancipation from repression relies on the intellectual and emotional resources of the individual’. In this respect, it clearly does not represent people with intellectual disabilities, let alone people with profound intellectual disabilities.⁵¹

The focus on the values of autonomy and independence as the ultimate values to be served by disability law is evident in the most fundamental American disability law, the Americans with Disabilities Act (“ADA”).⁵² The ADA has three main parts. First, it requires the removal of architectural barriers, and prohibits discriminatory eligibility criteria, that would prevent anyone with a disability from accessing any public accommodations.⁵³ This is likely what people think of as the ‘core’ of the ADA. It has led to the widespread adoption of ‘universal design’ principles that have been revolutionary in opening access to public places to people with phys-

⁵⁰ Hans Reinders, *Receiving the Gift of Friendship: Profound Disability, Theological Anthropology, and Ethics* 86 (2008).

⁵¹ *Id.* at 67.

⁵² PL 101-336, July 26, 1990, 104 Stat 327, codified at 42 U.S.C. §§ 12101-12213.

⁵³ ADA, Title III, codified at 42 U.S.C. §§ 12181-12189.

ical disabilities. This most visible aspect of the ADA illustrates vividly the animating vision of the bulk of the advocates who pushed for its enactment – mostly college-educated students with physical disabilities. These brave and committed activists truly changed the world for the better for ALL people with any kind of disabilities – that is indisputable. But the law itself is clearly focused predominantly on helping those with disabilities who are realistically capable of achieving a productive, independent life do precisely that.

The second prong of the ADA prohibits discrimination against qualified individuals with disabilities in employment.⁵⁴ It requires employers to make reasonable accommodations for people with disabilities to allow them to use their abilities to perform jobs for which are otherwise qualified. This is a powerful and wonderful piece of civil rights legislation, but it has very limited application to the life of people with significant intellectual disabilities, because they are not likely to be able to meet the threshold standard of being “otherwise qualified” to hold most jobs. As interpreted, the ADA does not recognize as reasonable accommodations the sorts of support that many people with intellectual disabilities might need to hold a job, such as long term job coaching,⁵⁵ or permitting teams of people with cognitive disabilities to performing the same tasks normally performed by one person.⁵⁶

Third, the ADA prohibits excluding a qualified person with a disability from participation in the services, programs, or activities of any public entity.⁵⁷ This is the provision relied on by the Supreme Court in the landmark *Olmstead v. LC* case discussed above. But, as noted above, all the decision does is tell states that they can’t institutionalize people unless it’s necessary; it doesn’t provide, or do anything to actually create the alternative settings to which people with disabilities can move. As also described above, this has resulted in people with disabilities who are not capable of autonomous living having to rely on their families for caregiving. But because this sort of living is not compatible with the ideal of autonomy espoused by disability rights activists, they do not push for changes to laws or social

⁵⁴ ADA Title II, codified at 42 U.S.C. §§ 12131-12165.

⁵⁵ *EEOC v. Hertz*, 1998 WL 5694 (E.D. Mich 1998). See also *Miami Univ. v. Ohio Civ. Rights Comm.*, 726 N.E. 2d 1032 Ct. App. OH 1999) (finding that temporary job coaching at the beginning of employment might be a reasonable accommodation, particularly where the employee does not pay for the job coaches).

⁵⁶ *Gilbert v. Frank*, 949 F.2d 637, 644 (2nd Cir. 1991).

⁵⁷ ADA Title I, codified at 42 U.S.C. §§ 12111-12117.

structures that might support this kind of living. Indeed, for the most part, they actively oppose it.

There are two disability law reform initiatives that dramatically illustrate the continued hold of the autonomy ideal in disability rights activism, at the expense of those whose lives witness a very different vision of human dignity. One has to do with jobs, the other with housing.

a. Restricting employment options that do not conform to the ideal of autonomy. Over the past decades, there has been a push to close what are called “sheltered workshops”, that is settings where people with disabilities work together in some sort of a closed setting, doing work typically contracted for by companies, sometimes at less than minimum wage. There are two aspects to the “shelter” in that name. One is physical: these people are spending their days in segregated settings, apart from nondisabled people for the most part. The other is a figurative shelter – an exemption that lets employers be certified to pay less than legal minimum wages for people whose “earning or productive capacity is impaired by age, physical or mental deficiency, or injury”.⁵⁸ Both of these types of shelter are subject to pressure. There is constant pressure by the disability rights community to change the law to eliminate the exemption entirely.

I fully support a critical and careful look at situations where employees are playing less than minimum wage to any person with a disability who is capable of doing work at the same level as those without disabilities. And I fully support efforts to identify people who might be isolated in segregated work environments, but are capable of working in more integrated settings, and to support them in finding such settings. But not everyone with a disability is capable of that kind of work, or is safe or comfortable in the hullabaloo of the world of commerce. And the pressure to recognize only one kind of work as legitimate, noble, and enhancing of dignity, is having the effect of eliminating work arrangements centered around a different vision of work – a vision of work as the ongoing participation in the God’s creation, as having both an objective and subjective dimension, as something with an intrinsic social dimension, as well.⁵⁹

In 2014, the minimum wage exemption was amended to add a requirement that no one under the age of 25 could receive a subminimum wage

⁵⁸ 29 U.S.C. § 214(c).

⁵⁹ Pontifical Council for Justice and Peace, *Compendium of the Social Doctrine of the Church* §§ 270-275 (2003).

unless their state’s Vocational Rehabilitation office (“VR”) certified that they were ineligible or unsuccessful at achieving “competitive, integrated employment”.⁶⁰ The de facto result of this regulatory change has been the creation of two classes of people with disabilities in the employment market – those capable of, and those not capable of, competitive integrated employment. Those who fail at competitive integrated employment are increasingly being left with no options, as settings with the slightest resemblance to a sheltered work environments are closed, by state mandates or by regulatory obstacles and funding issues. In 2021, the Department of Education issued updated guidance on the criterion for an integrated employment location in this definition.⁶¹ It eliminated from that definition any employment setting that was formed for the specific purpose of employing individuals with disabilities. It also eliminated group employment settings, such as janitorial and landscaping crews, unless the employer could prove that this crew was not put together for the purpose of employing people with disabilities. The guidance does say that a person with disabilities has the right to choose not to seek “competitive integrated employment”. However, no state funding can be used to support that person. Instead, “the VR agency must refer the individual with a disability to other community resources that may be able to assist the individual”.⁶²

Realistically, there are no such other community resources. So in fact, the family caregivers who are responsible for the daily care of a significantly disabled person who is not capable of competitive integrated employment are increasingly being left on their own, without any social support, to find suitable work for their loved ones. In other words, the full resources of social support for employment for people with disabilities are only available to people with disabilities who fit the dominant narrative of the disability rights community – people for whom barriers to employment are social attitudes, rather than real limitations in functioning in the workplace; people for whom autonomy is an appropriate state of life.

⁶⁰ Workforce Innovation and Opportunity Act, Pub.L. 113-128, § 2, July 22, 2014, 128 Stat. 1428, codified at 29 USC § 3101 et. seq.

⁶¹ U.S. Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, FAQ 22-02, Criterion for an Integrated Employment Location in the Definition of “Competitive Integrated Employment” and Participant Choice (October 29, 2021).

⁶² *Id.* at Q.20.

b. Restricting housing options. The deinstitutionalization of people with disabilities has been the single most important move in the history of disability rights. But, as mentioned above, it's not enough to close the big institutions, you also have to find places for the released people to live. That mostly happens through the Medicaid waivers described above. The regulations governing these waivers over the last few years have been undergoing a move very similar to the work regulations discussed above. This has played out in the definition of what qualifies as a "home and community-based" setting ("HCB") that is eligible for waiver funding. In 2014, when the Department of Health and Human Services ("HHS") adopted new regulations defining what qualifies as an HCB, it was subject to a lot of pressure to place strict numerical limits on the number of people with disabilities who could live in a such a setting – to no more than 4 people with disabilities. It resisted that pressure, instead establishing a set of minimum qualities for an HCB setting.⁶³ However, the individual states that administer the Medicaid waivers are allowed to set a higher threshold for HCB settings than required by the regulation, and have the option of establishing size and occupancy limitations, and many states are doing so. And the pressure for national regulations to impose a 4-person limit on HCBs continues.⁶⁴

What is the practical consequence of this pressure? I serve on the Board of L'Arche USA, the American wing of the international movement founded by Jean Vanier, which establishes *"homes and workplaces where people with and without intellectual disabilities live and work together as peers, create inclusive communities of faith and friendship, and transform society through relationships that cross social boundaries"*. Many of these communities are finding it harder and harder to maintain these sorts of vibrant group housing en-

⁶³ 42 C.F.R. § 441.530. Such a setting cannot be segregated from the greater community; must protect the individual's rights of privacy, dignity and respect, and freedom from coercion and restraint; must optimize individual initiative, autonomy, and independence in making life choices, including but not limited to, daily activities, physical environment, and with whom to interact; and must ensure that residents have privacy, the right to lock doors, freedom and support to control own schedules, access to food at any time, and the ability to have visitors.

⁶⁴ See, e.g., Proposed Disability Integration Act (H.R. 555/ S. 117) would establish strong legal incentives toward community-based living even for individuals who require long-term services and supports for activities of daily living. This would be a tremendous leap forward in integration; it would standardize services in all 50 states, eliminate waiting lists. But it would define "community based" group home dwellings as those in which 4 or fewer persons with disabilities reside. See § 3(a)(3)(B)(iii).

vironments, in the face of these regulatory pressures that can make these homes economically unfeasible.

This move is also contrary to what other, nondisabled people are increasingly seeking out in their own living situations. The hottest trends in housing is the development of multi-generational housing supporting large family structures, shared housing, co-housing or co-living and cooperative housing. All of these movements recognize the value of mutual dependency, and stronger networks of common life. The isolation of the pandemic has given us all a greater appreciation for the value of these sorts of networks. How ironic that those who are most dependent should be being denied opportunities to live in the sorts of settings those without disabilities are seeking out.

The elimination of social support for people with disabilities who are choosing or seeking family-like housing arrangements is driven by the disability rights advocate's single-minded focus on autonomy as the ultimate value for people with disability. The ideal of living an independent, autonomous life has been prioritized over the need to support living arrangements that work for people with disabilities who are not capable of living autonomous lives. Social supports are directed more and more to the arrangements that serve people capable of autonomous living, leaving fewer options and supports for those who are not capable.

These two examples illustrate the practical consequences of the power of the autonomy ideal of disability rights to shape policies affecting the lives of people with disabilities and their caregivers. The caregivers who have responsibilities for those who are not capable of autonomous life, who are seeking work arrangements or housing situations that provide the caregiving support needed for their loved ones, are given less and less support in that search. Just like the women whose quest for alternatives to abortion calls into question their commitment to equality for women, parents or caregivers who question the wisdom of closing all sheltered work arrangements or congregate living arrangements are suspected of lack of commitment to the equality and potential of people with disability. As Tom Reynolds, a theologian and the parent of a son with intellectual disabilities, explains,

There is a two-sided charge that obligates parents of children with disabilities. ... First, there is a responsibility to affirm, nurture, and empower the unique person, helping to foster his or her own peculiar way of being. Second, there is a responsibility to encourage in-

dependence and capacity to live productively with others in society.

However, these two charges often run against one another.⁶⁵

Just like the feminist activists whose commitment to abortion diminishes their incentive to fight for structural changes to support caregiving, disability rights activists' commitment to autonomy diminishes their incentive to fight for support for the caregiving required for people with disabilities who are not capable of autonomous living. As a result, women who have caregiving responsibilities for people with significant disabilities live with the reality that this, too, is a private matter for which they should not expect social support. Although it is still the case that caregiving responsibility for people with significant disabilities is mostly not a choice, since many disabilities appear or develop after a child is born, the increase of the ability to prenatally diagnose many disabilities renders the assumption of such caregiving responsibility more and more vulnerable to be seen as a mother's "choice", even further diminishing the sense of social responsibility for the consequences.

D. Suggestions for Shifting the Conversation to a Healthier Understanding of the Family as a Common Good

It is, I hope, clear from the foregoing why I am skeptical that about being able to persuade American women caregivers (or policy makers) that they should shift their understanding of the family as a 'common good' of an aggregative type to a relational common good. I do not believe they perceive the family as a common good of any type, not even the shallow type of common good that I describe as predominating in American popular discourse. The lived experience of the total lack of support for caregiving that has been magnified by the COVID Pandemic is powerful evidence that caring for and maintaining families is not considered to be an endeavor contributing to any identifiable social goal about which there is enough consensus to justify social support. It is a hobby, a private matter, the cost for which women must shoulder on their own.

This reality reinforces the powerful rhetoric that women have come to believe about their family caregiving work. Feminists have succeeded in convincing women (and policy makers) that women's equality depends on their ability to renounce caregiving responsibilities; advocating for social support of childrearing amounts to a renunciation of commitment

⁶⁵ Reynolds, *supra* note 47 at 75.

to equality for women. Disability activists have succeeded in convincing women with caregiving responsibilities for significantly disabled family members (and policy makers) that respect for the rights of their disabled loved ones depends on an absolute commitment to enabling that loved one to live an autonomous life; advocating for support for a life of a significantly disabled loved one who cannot live autonomously amounts to a renunciation of commitment to equality for people with disabilities.

What is to be done? Might it perhaps be possible to try to introduce the concept that families should be considered a common good – any kind of common good – by using the general, popular notion of ‘common good’, to at least counter some of the powerful rhetoric described above? Recall that this general, popular understanding of ‘common good’ is code for a call to activism of some type – the direction of that activism seems to be irrelevant. It might be possible to characterize campaigns to introduce legislative or policy changes that are truly supportive of the work of caregiving as being in service of the common good in that way. Neither feminists nor disability activists, nor women who are influenced by the rhetoric of these movements, should be alienated by a campaign to work together for the common good of providing more support for the exceptionally vulnerable populations of children and severely disabled people. The use of this sort of rhetoric to characterize a campaign for structural reforms might be more palatable than more directly attacking the centrality of notions like equality and autonomy in support of such reforms.

At the same time, hearing the notion of “common good” in connection of such campaigns might acclimatize women to accepting their caregiving work as something that has more value than a private hobby, indeed, as something more like a “common good” in the sense that the Church has historically used the term. Indeed, intuitively, it seems to me that hearing this phrase in such a context (even if it is understood in its most shallow sense) will convey to women that caregiving work does have a broader social value, that, in fact, it does foster personal development, social well-being, and development of society (in other words, understanding “common good” in a more Catholic way). It might also pave the way for appreciating the value of caregiving work as fundamentally relational, rather than merely material or economic – leading to a more rich appreciation of the family as a relational good. In the words of Pierpaolo Donati, this might help give women the mental framework to reclaim their intuitive appreciation of the family as a common good from “a completely different configuration from what today is understood as the common good, which

is generally understood as the sum of individual goods acquired through individual opportunities: the common good would instead be the relation of reciprocity from which individual goods derive”.⁶⁶

⁶⁶ Donati, *supra* note 8, at 251.

COPING WITH STRESS IN TIMES OF CRISIS: AN OPPORTUNITY FOR STRENGTHENING FAMILY BONDS

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In this paper, I discuss how coping with stress in times of crisis can offer opportunities to strengthen family bonds. The main thesis of this paper is that crises and their concomitant stress can either have devastating effects on families or become opportunities for resilience and growth depending on the ways in which family members approach these events. On the one hand, stress can lead to greater dysfunction by constraining the ways in which family members spend time together, communicate with one another, or share positive experiences – all of which are essential resources for promoting close relationships. On the other hand, growth and resilience may come as a result of family members' commitment to protect and nurture their bonds and coping with stress in ways that prioritize not only the individual, but also their family relationships. In turn, strong and healthy family bonds can protect against the harmful effects of chronic stress on the individual's physical and emotional well-being.

I approach this discussion from a secular perspective that integrates three decades of clinical experience, my research on couples' stress and coping processes in the U.S. and in Argentina (including systematic reviews of the empirical and conceptual literature on stress and coping), collaborations with stress and coping researchers from various countries, as well as programs that I have developed and implemented to assist low-income couples cope with relationship and financial stress. Throughout the paper, I refer to *family* as all relationships that individuals choose to define as such (including family of origin and/or choice). Additionally, considering the infinite number of expected and unexpected internal and external challenges that families may encounter, the present discussion will only refer to *some* of the external stressors that families have commonly experienced in the last decade. As such, the discussion in the present paper will include: (a) definitions of stress and coping; (b) an account of the most significant chronic external stressors that families have been facing before and during the COVID-19 pandemic; (c) the harmful impact of stress on individuals'

physical and mental health and their relationships; (d) coping strategies that only focus on the individual and the limitations of such strategies; (e) relational coping approaches that protect and strengthen family relationships; (f) recommendations to help families strengthen their bonds when coping with stress; and (g) the description of a community program for couples whose goals and results are consistent with such recommendations.

Stress, Stressors, and Coping – Definitions

The origins of the word *stress* in English dates back to the 14th century as a shortening of the word *distress*. The Middle English *distress* derives from the word *estresse* (narrowness, oppression) in French, which in turn derives from the Latin word *strictus* (tight, compressed, drawn together) [1]. Before it was a precise scientific term in the 19th century, the term *stress* was already used as part of everyday language to denote “an external disturbing event or the perturbation resulting from it” [2]. In the early 1900s, the physiologist Walter Cannon defined stress as a process in which the somatic homeostasis is unsettled by external threats that lead to the mobilization of resources to cope with the situation [3]. In fact, Cannon also introduced the notion that organisms react to stress with a *fight-or-flight* response. Thus, it was not until recent history that stress was clearly recognized as an internal reaction to external events.

More recently, in the 1980s, psychologists Lazarus and Folkman [4] introduced a cognitive appraisal model that has prevailed in the field of psychology since then: Stress is not the stimulus (*stressor*), but rather the *perception* that the “demands of a situation exceed the personal and social resources the individual is able to mobilize”. In particular, primary appraisal refers to the way in which individuals evaluate the significance of the stressor to their well-being (e.g., “Is it a threat or a loss?”), whereas secondary appraisal involves an assessment of coping resources available to address the perceived threat/loss (e.g., “Can I cope with this situation?”). Resources can be physical (e.g., health, energy, food), social (e.g., social support), psychological (e.g., perceived control), or material (e.g., money). Stressors can be acute (short-term), episodic acute (frequent acute stress), chronic (long term), expected (e.g., beginning of school or new job) and/or unexpected (e.g., natural disaster, car accident). Lazarus and Folkman refer to coping as the use of “cognitive and behavioral efforts to master, reduce or tolerate the internal and/or external demands that are created by the stressful transaction” [4] In the present paper, I will follow Lazarus and Folkman’s definitions of stress, stressor, and coping.

External Stressors for Families Before the COVID-19 Outbreak

Before discussing the way that families can strengthen their bonds during times of crisis, it is important to describe the increasing number of external stressors that families have experienced even before the COVID-19 pandemic. Although I provide examples of chronic stressors that have affected U.S. families, families in other parts of the world also experience similar ones. At the outset, I need to underline that this review is necessarily brief; detailed discussions of every stressor is well beyond the scope of this paper.

Before the pandemic, individuals and families were already reporting *higher levels of chronic stress in their everyday lives*. In the U.S. this increase was followed closely by the annual *Stress in America* survey conducted by the American Psychological Association (APA). Since its initial implementation in 2007, between 60% and 80% of respondents have consistently reported that their major sources of stress are money, workload, family responsibilities, and healthcare and housing costs [5]. Clearly, finances have been a chronic source of stress for families due to the increasing costs of housing, food, education, and medical care, all of which have increased at a faster pace than wage growth [6] and have resulted in higher family debt (e.g., student loans, mortgage, personal loans, etc.) [7]. The higher cost of living has resulted in an increase in more households with two working parents [8]. These families experience the chronic stress that comes from balancing work and family life responsibilities and finding affordable informal or institutional child and adult care.

For some families the stress from financial and work-family balance struggles is exacerbated by the presence of other chronic stressors. Poor families may only afford to live in neighborhoods with high rates of crime and drug/alcohol use; this may result in additional concerns over safety and protection of family members [9]. Immigrant families experience daily stress from language barriers, limited information and understanding of norms and cultural values, lack of knowledge about medical/educational/legal systems, racial and/or ethnic discrimination, acculturation pressures, fears about their immigration status, and/or finding jobs [10]. And most importantly, several populations in the U.S. continue to experience chronic stress from systemic, institutional, and interpersonal discrimination based on aspects of their identity, including their race, country of origin/ethnicity, religion, income, education level, gender, sexual orientation, and/or disability status. A recent study demonstrated that various minority groups in the U.S. continue today to experience discrimination when interacting

with the police, applying for jobs, trying to rent a room/apartment or buying a house, or going to the doctor or health clinic [11].

In addition to these chronic stressors, families have also been coping more frequently with natural disasters such as floods, tornados, hurricanes, droughts, and fires caused by climate change. Families affected by these natural disasters as well as those living in war zones have dealt with the stress created by the disruption to all aspects of life, material and human losses, serious health issues, and the threat to their own existence [12]. The increasing levels of chronic stress endured by families in modern life beyond the stress caused by their own unique circumstances (e.g., healthy conditions, accidents, divorce, etc.) are concerning, and definitely alarming in the case of unprivileged populations. It is undeniable that families need to learn to cope with this chronic stress to protect their members and their relationships.

Additional External Stressors for Families Since the COVID-19 Outbreak

The COVID-19 pandemic has profoundly affected families around the world by adding stressors and/or exacerbating existing ones across virtually all domains of life [13, 14, 15, 17, 29]. School closures, lockdowns, social distancing, and other measures imposed by governments to contain the spread of the coronavirus deeply affected the economy and family life. Reductions in work hours, layoffs, and decreased productivity created or amplified financial problems for families, particularly those with lower incomes. Family lifestyle and routines were completely transformed overnight, as a large number of adults had to work from home with children receiving virtual instruction. Families had to juggle work and family responsibilities while negotiating time, space, and physical boundaries. For months, family members found themselves spending all time together or living in complete isolation. Lockdown measures and fear of contagion resulted in loss of social life, recreational activities, and support systems, along with disruption of medical treatments and important life events (e.g., weddings, graduations, funerals, etc.). Furthermore, for those with low digital literacy and limited access to a Wi-Fi connection and electronic devices, the isolation and inability to access services was even more dramatic. On top of family life disruptions, limited access to vaccines among adults, unavailability of vaccines for young age groups, and hypervigilance around contracting the virus have added another layer of stress, particularly for parents of young children and individuals with health conditions.

Undoubtedly, the magnitude of these transformations has been extraordinary and markedly stressful. As such, it is unsurprising that most people

believe the pandemic has changed our lives forever. Indeed, it remains a major source of stress for everyone worldwide [13, 14, 15, 17]. Importantly, some populations have been disproportionately affected by the pandemic than others. Essential workers, health care providers, and first responders have been at higher risk of becoming infected and passing the virus onto others. For health care workers in particular, long work hours and the traumatic circumstances of their work (e.g., difficult medical decisions, losing patients and colleagues, high risk of infection) have led to both physical and mental exhaustion [16, 29]. Similarly, COVID-related stress and trauma have been devastating for families that have lost loved ones, had seriously ill members, and/or been battling with long COVID symptoms [17, 29].

Nonetheless, the pandemic has not been the only additional source of stress since 2020. In the U.S., the pandemic has been accompanied by episodes of police brutality (e.g., the murders of George Floyd and Breonna Taylor), which have brought increased visibility to the systemic racism and discrimination that have long plagued the country and continue to create stress for minority populations [16]. Different parts of the world have also witnessed the irreversible consequences of climate change, military interventions, and political upheaval, which have created undeniable sources of stress. These stressors and the ones created by the pandemic have piled up on top of the ones that existed before the pandemic. Results from the 2021 and 2022 APA *Stress in America* surveys show the long list of sources of chronic stress that affect people's lives today [16, 17]. The majority of individuals continue to report worries about work (66%), money (61%), the economy (87%) and family responsibilities (57%), but they are also concerned about the supply chain issues created by pandemic-related disruptions (81%), global uncertainty (81%), Russian intervention of Ukraine (80%), and the potential retaliation from Russia in the form of cyberattacks and nuclear threats (80%), and [17]. Furthermore, the APA surveys also indicate that the various aforementioned stressors have created uncertainty about the future, particularly for young generations (Generation Z) who report the highest overall stress levels in the U.S. [17].

In short, the world has rarely seen a global event like the pandemic. To date, millions of individuals have died as a result of the virus, and even with measures to reduce its devastating impact, the evolution of COVID remains uncertain. Certainly, this has been an unprecedented phenomenon, the consequences of which we will fully understand in the years to come. In addition to the two-year long pandemic, political unrest, racism, and

the irreversible effects of global warming have created enormous threats to our existence. Taken together, these global crises and the extraordinary rise in stress in recent years challenge both the physical and mental health of individuals and families around the world.

The Impact of Stress on Physical Health

One of the greatest concerns about the sustained levels of stress that people have been experiencing in recent decades, particularly the past two years, is its potential harmful impact on physical health. When we perceive a situation as threatening, our sympathetic nervous system (SNS), which controls involuntary body functions (e.g., breathing, blood pressure, heartbeat, dilation/constriction of blood vessels), gets activated and prepares the body for a fight-or-flight stress response [18,19]. This activation gives the body a burst of energy and prepares it for action by releasing adrenaline (epinephrine) and then cortisol. The release of adrenaline increases heartbeat, breathing, and dilation of the blood vessels of the arms and legs, while cortisol (stress hormone) elevates glucose levels in the bloodstream [18, 19]. When the threat disappears and cortisol levels drop, the parasympathetic nervous system (PNS) helps the body return to the unstressed state (known as the “rest-and-digest” response). However, when experiencing stress over a prolonged period, the continuous activation of the autonomic nervous system may exhaust our bodies and contribute to the development of various serious conditions. Ongoing elevated heart rate, blood pressure, and stress hormone levels increase the risk for hypertension, heart attack, and stroke [19]. Sustained high levels of stress may also lead to impaired communication between the immune system and the hypothalamic-pituitary-adrenal (HPA) axis, all of which have been associated with the onset of diabetes, obesity, fatigue, and immune disorders [19]. They also increase the likelihood of developing serious gastrointestinal disorders and changes in appetite, which in turn may contribute to weight loss or gain [19]. Excessive release of cortisol can also disrupt sperm production and maturation, the menstrual cycle, and reduce sexual desire [18]. In the case of children, chronic stress can also affect brain development by altering neural connections involved in thinking and learning [20].

In addition to these direct effects, chronic stress can also affect our physical health indirectly. Stress can change one’s eating, activity levels (e.g., exercise), and sleep habits and lead to unhealthy behaviors (e.g., smoking, drinking, drug use), all of which can have well-known negative impacts on our health. Even though the development of any health conditions varies

across individuals depending on various biological factors, chronic stress can definitely increase this risk dramatically [18].

The Impact of Stress on Mental Health

The impact of stress on individual mental health has been studied extensively. In general, stress in adults has been associated with depression, anxiety, post-traumatic stress disorder (PTSD), increase in smoking, accidents, substance use, sleep difficulties, eating disorders, higher alcohol consumption, and self-medication [18, 24]. Importantly, the deterioration of mental health due to chronic stress has been observed across different types of stressors. For example, in my own research, economic stress was found to be associated with anxiety and depression [23] and immigration stress with problematic drinking in Latin American adults living in the U.S. [24]. Perceived discrimination has been associated with depression, low-self-esteem, and traumatic stress symptoms [26]. In children, chronic stress has been linked to academic, emotional and behavioral problems, including but not limited to school readiness, academic achievement, depression, anxiety, self-regulation, emotion regulation, among others. [20, 21, 25]. For example, children and adolescents experiencing stress from natural disasters or war have reported anxiety, depression, and PTSD [18].

As noted earlier, in the years prior to the pandemic, individuals and families have long reported experiencing increasingly stressful lives. As such, mental health disorders were on the rise during this time, with one in five U.S. adults reporting a mental illness or related symptoms [27,28]. The COVID-19 pandemic has only exacerbated these mental health challenges over time. In fact, the situation has become so critical that in the U.S., the 2020 APA “Stress in America” report spoke of “a national mental health crisis that could yield serious health and social consequences for years to come” [13]. More specifically, in 2020 75% of respondents reported sitting around and doing nothing, 74% felt very restless, 73% found it hard to think properly or concentrate, 73% felt lonely, and 71% felt miserable or unhappy [13]. Reports from 2021 in the U.S. indicated that one in three adults were so stressed about the coronavirus pandemic that they struggled to make basic decisions (e.g., what to wear or what to eat) as well as major life decisions [16]. A recent meta-analysis from studies on 68 samples across the world paints the same mental health picture related to the pandemic: Increases in anxiety and depressive disorders, insomnia, post-traumatic stress disorder, substance use, suicidal ideation, suicide, and drug overdose deaths [27].

Regarding the mental health effects of the pandemic on children, a national survey in the U.S. found that 71% of parents said the pandemic had taken a toll on their child's mental health, with 69% indicating that the pandemic was the worst thing to happen to their child. Data from the Center for Disease Control (CDC) in the U.S. showed that from March 2020 to October 2020, mental health-related emergency department visits increased 24% for children ages 5 to 11 and 31% for those ages 12 to 17 compared with 2019 emergency department visits. [28]. The situation in the U.S. is comparable with studies from other countries that also found an increase in various mental health disorders in children during the pandemic (e.g., attention deficit hyperactivity disorder, oppositional defiant disorder, depression, anxiety) [29].

It is important to note that even though the pandemic may have negatively affected mental health for a large majority of the population, this impact has been stronger for particular groups. First, adolescents and young adults (Generation Z) in the U.S. have reported worse overall mental health (including depression symptoms), more substance use, and more suicidal ideation than any other age group [16, 30], all of which has been attributed to an increase in uncertainty and hopelessness for the future [16]. Second, women with children report greater symptoms of anxiety and/or depression than men with children [30], which may be attributed to increased stress associated with school closures and lack of childcare. Third, Latinos and African Americans in the U.S., who have been disproportionately affected by the pandemic, are also more likely to report symptoms of anxiety and depression than other populations [30]. Finally, essential workers have reported increased substance use, suicidal ideation, and burnout [30] and have been more likely to be diagnosed with a mental health disorder during the pandemic [16].

Chronic Stress and Relationships

Chronic stressors can have a detrimental impact on family relationships (spouses/partners, children, and other significant family members). Chronic stressors external to a relationship can often negatively impact partners' relationship functioning and parent-child relationships, a phenomenon referred to as *stress spillover* [31]. In particular, chronic stress may render individuals less likely to respond to and interact with one another in adaptive, relationship-enhancing ways, in part due to the negative changes that stress has on our emotional well-being. When stressed, we become *preoccupied* with the stressor and the resources required to cope with it. We

may spend a considerable amount of time *ruminating* about the problem, which is associated with an increase in negative thinking (e.g., self-blame cognitions, catastrophizing). As stress persists, our self-esteem, sense of self-worth, and confidence in our ability to address challenges may deteriorate notably. As a result, we may experience negative emotions (e.g., frustration, anger, fear, guilt) with more intensity and struggle to manage these emotions effectively (i.e., emotional dysregulation). Put together, all of these changes – the psychological distress, emotional dysregulation, and associated consequences (e.g., concentration and sleep disturbances, depression, anxiety) – may make it challenging to engage in positive relationship behaviors with our spouses/partners and children because our cognitive and emotional resources are divided among several effortful acts [32]. Consequently, we may become more irritable, impatient, and hostile in our interactions with others. We may be more prone to engage in conflict and find it difficult to de-escalate heated arguments. Furthermore, the pre-occupation with the stressor may turn our attention away from others and more to our internal world. As we become more self-oriented rather than other-oriented, we are less likely to be present in our interactions and may withdraw from others. We become less empathic and understanding with our spouses/partners and children, which in turn may create conflict and/or distance, and eventually, dissatisfaction in relationships and parenting. In sum, stress leaves individuals in a state of resource depletion that simultaneously increases the likelihood of destructive behaviors and decreases overall satisfaction with our relationships and parenting (see Figure 1).

In addition to *spillover*, a family member's stress may affect their relationships with others through *cross-over* [33]. The defining feature of a family is *interdependence*, or the idea that one person's experiences have the capacity to influence the outcomes of other family members. Thus, stress cross-over suggests that stress experienced by one family member affects not only that individual, but also others within the family unit. This has been shown consistently across studies of couple functioning examining a variety of external stressors, including racial discrimination [34], immigration-related stress [35], illness, work-related stress, and job loss, among others [32]. Additionally, and most importantly, many of the stressors that family members experience affect more than one family member directly. This may be the case especially when both parents struggle to meet their full-time work and family responsibilities, when a child has a serious academic, social or neuro-developmental disorder (e.g., autism, learning disability), when there are financial, legal, or housing problems, when a

family member has a serious medical condition, or when facing pandemic related stressors.

When several family members become stressed either through crossover or spillover, the quality of their relationships are at risk of deteriorating [31, 32]. Findings from (a) my studies on the impact of economic stress on couple relationships during the 2001-2002 economic crisis in Argentina [23, 36] and (b) a meta-analysis from international studies of financial stress and [37] provide an excellent example of the process through which common stressors affect family relationships. Collectively, these studies indicate that partners' economic stress is associated with increased depression, anxiety, and irritability, which in turn are linked to increased negative interactions between partners (e.g., psychological aggression, hostility, conflict, demand/withdraw patterns) and eventually lead to declines in relationship satisfaction and stability [34]. In addition to the deterioration of couple satisfaction and stability, studies on parenting behavior and children's adjustment have demonstrated when economic stress affects the spouses' psychological well-being and increases conflict, the quality of the parenting declines (e.g., harsh parenting) and children develop emotional and behavioral problems [38, 39].

Studies of other chronic stressors, such as stress related to family and work responsibilities, discrimination, and immigration, have also shown that such stressors are associated with negative relationship functioning [32, 34, 35]. For example, in the U.S., racial discrimination experienced by African Americans and immigrant related stress (e.g., language barriers, feeling at a loss in the U.S., missing family) in Latin American couples have been linked to lower relationship satisfaction [35, 40]. Similarly, the pandemic has been reported to deteriorate the quality of parenting (e.g., more authoritarian, less autonomy support), increase parental conflict, and reduce family cohesion [41] along with the quality of couple relationships [42, 53] for many families.

In addition to deteriorating the quality of family interactions, chronic stressors can reduce the amount of time family members spend together. This may happen for two reasons. On the one hand, as noted above, stressed individuals may find it difficult to behave in a relationship-promoting manner if they do not possess the resources or energy to engage in those behaviors. As such, they may isolate themselves and withdraw from others, given that they have reduced capacity to manage relationship issues or engage in positive behavior (e.g., emotional support, physical affection) [43]. On the other hand, stressors often require time and attention to be

resolved; thus, family members may simply have limited opportunities to spend time as a unit [44]. Certainly, these patterns can be seen among families reporting greater stress within the past few years. For example, a report by the Pew Research Center in the U.S. noted that among those working full time, 86% of mothers and 81% of fathers said they felt “rushed” sometimes or all the time; 39% of mothers and 50% of fathers also said they spent too little time with their kids [8]. These reports are concerning considering that research shows that less parent-child time affects the parenting quality and children’s health [45]. Furthermore, previous work has found that couples experiencing external stressors are less likely to participate in end-of-the-day reunions (e.g., intimate exchanges of thoughts and feelings), spend less time engaging in leisure activities together, and engage in fewer expressions of affection or sexual intimacy [46, 47]. This deficit in shared positive experiences is noteworthy, as these are crucial to strengthen and maintain family bonds and individual well-being [46].

Individual Coping Strategies

Individuals cope with stress by trying to either resolve the situation causing their stress (also known as *problem-focused* coping strategies) or reduce the negative feelings associated with the situation (commonly referred to as *emotion-focused* coping strategies) [4, 48]. Problem-focused coping involves *accepting* the existence of the stressful situation and becoming *actively involved* in solving it by analyzing, planning, gathering information, consulting and/or seeking instrumental support from others, brainstorming and finding solutions, and/or gaining skills and abilities to better assess and address the situation [4, 48]. Problem-focused coping strategies are particularly effective when the person has direct or some indirect control over the source of stress. For example, in coping with financial stress, an individual may try to generate more income, reduce expenses, or ask for a loan. When stressed about meeting work and family life demands, a parent may try to find child care assistance, reduce their work hours, or prioritize tasks. If stressed about violence and crime rates in the neighborhood, a person may make some practical decisions, such as restricting times to go out, finding resources in the community to increase safety (e.g., police assistance), or becoming involved in initiatives to reduce gang and criminal activities. When stressed about becoming infected with the coronavirus, a person can take actions to reduce such a risk by getting vaccinated, using hand sanitizer, social distancing, and wearing masks. Individuals may also cope with stress related to discrimination, climate change, or mili-

tary interventions with problem-focused strategies by becoming involved in actions to reduce their occurrence (e.g., increasing environmentally friendly behaviors; engaging in organizations that promote social justice; protection of the environment, or peaceful conflict resolution; relocate to another geographic region). Although problem-focused strategies are viewed as effective, adaptive ways of coping with stress, they may not be possible for situations that are beyond the individual's control (e.g. death of a loved one), contextual restrictions (e.g., prohibition for women to participate in family, community, religious, and political decisions), personal circumstances and conditions (medical and mental health conditions, physical and/or cognitive disabilities), or being a dependent (e.g., children and adolescents that have no control over situations that generate stress such as inter-parental conflict).

In contrast, emotion-focused strategies are not geared toward reducing or eliminating the source of stress, but rather at feeling differently about it [4, 48]. This type of coping may involve reframing the situation in a way that looks more favorable and less threatening, which is referred to as *cognitive restructuring or reframing*. Cognitive restructuring can involve creating some positive meaning out of the stressor or putting the stressful experience into perspective to decrease its magnitude. Emotion-focused coping strategies may also include *venting* (letting out feelings), *using humor*, *relying on religion* and *spiritual resources*, and *seeking emotional support*, *wishful thinking*, and *distraction* [48]. Because emotion-focused strategies seek to reduce emotional distress, they are particularly beneficial when we need to *adapt* rather than resolve a stressful situation that is beyond our control or cannot be eliminated (e.g., death, pandemic). Nonetheless, individuals sometimes try to reduce the negative emotions associated with a stressor through *denial*, *cognitive avoidance*, or *numbing*. This is when individuals cope with a stressful situation in maladaptive ways by overeating, drinking excessively, oversleeping, using drugs, playing long hours of video-games, or binge-watching TV. In addition to the harmful consequences for our health, these coping mechanisms create relationship problems, impair our ability to share quality time with others, and do not often decrease or eliminate the negative feelings associated with the stressor.

As noted earlier, the adaptive function of individual coping strategies may vary depending on the type of stressor, the intensity, the controllability and other environmental factors. This is why coping flexibility may be critical in the coping process [49]. Coping flexibility refers to “being sensitive to contextual demands, drawing on a wide variety of coping strate-

gies, and monitoring and modifying strategies as needed” [49]. Research has found that coping flexibility is associated with fewer illnesses, greater longevity, and better quality of life [49]. The concept of coping flexibility also suggests that there are no universal ways of coping. In fact, the coping strategies that people use also depend on their personality traits, cultural background, and social identities. For example, requesting instrumental assistance may be an acceptable way of coping with a chronic stressor in some Western cultures but not in some Asian ones [50].

In addition to emotion- and problem-focused coping, individuals use a variety of psycho-physiological stress reduction strategies such as mindfulness, contemplation, meditation, progressive muscle relaxation, and deep breathing techniques [51]. These stress management tools aim at restoring the psycho-physiological balance that is upset in the stress response [51]. They are also considered to enhance overall mental and physical health by improving emotion regulation, preventing the development of negative thoughts and feelings, and allowing us to be more emotionally present to connect with ourselves and with others. These techniques have also been found to increase coping flexibility [46] and optimize the use of individual coping strategies. Other activities that have been recommended to reduce the negative effects and that can strengthen our physical, mental, and spiritual well-being include exercising, sleeping well, and engaging in recreational, pleasant activities (e.g., walking, painting, coloring, listening to music, praying, cooking, reading, dancing, etc.) and spiritual moments that connect us with ourselves in meaningful and fulfilling ways [52].

The Limitations of an Individual Focused Approach During Times of Crisis

The increase in chronic stressors for individuals and families has been accompanied by a proliferation of guidelines for coping and stress management available through websites, blogs, social media, books, and other printed and virtual outlets. However, these guidelines tend to focus primarily on the individual, that is, on their individual health, their needs, and well-being [53]. Despite the importance of promoting individual well-being, the relative absence of relationship-focused approaches to manage the effects of stress is concerning, considering the vital role of healthy, stable family relationships in general and during times of crisis in particular [54, 55].

During times of crisis, emotional support from spouses and extended family is critical to cope with external stressors, such as unemployment, medical and/or mental health conditions, discrimination, and COVID-19 related stressors, among others [54, 56, 57]. Emotional support (e.g., un-

derstanding, validation, acceptance, encouragement) from parents and extended family members is important also for children and adolescents to cope with expected and unexpected developmental and life challenges (e.g., adjustment to a new school, making friends, academic, behavioral, social) [54]. Extended family can also provide fundamental instrumental support to cope with stressful situations by providing financial resources, shelter, caring for children and members with medical and mental health conditions, or assisting with family tasks (e.g., doing the groceries, making appointments, preparing meals, taking children to school, helping children with schoolwork, etc.), among others. On top of providing support, family relationships can be a source of strength and meaning for people, even at times when society does not give time and space to strengthen family relationships [53]. Families give transcendence and meaning to our existence, as part of something greater than oneself. This may be the reason why today people still view family as the top source of meaning in life. A survey conducted in 2021 by the Pew Research Center showed that in 14 out of 17 industrialized nations [57] people considered family to be the top source of meaning and before occupation, friends, material well-being, society, hobbies, and health. Furthermore, respondents emphasized the meaning derived from relationships with parents, siblings, children, and grandchildren, the quality time spent with family members, and feeling proud of other family members' accomplishments. Also, and in support of the critically protective role of family relationships during stressful times, studies have shown that healthy, positive family relationships can reduce the risk of mental health issues when experiencing stress. A recent study in the early stages of the pandemic showed that positive family functioning was associated with lower stress and greater feelings of meaning in life attenuating the effects of stress on psychological distress whereas social support from friends and social participation did not [59]. Studies with children show that positive family functioning is a protective factor for coping with stressful situations such as natural disasters (e.g., hurricane, tsunami), the pandemic lockdown, and unexpected changes [51, 52, 60].

As earlier discussed, stress can take a toll on significant close relationships by reducing the time families spend together and negatively affecting the quality of their interactions. If strengthened, such relationships can offer a significant protective factor for all members' physical and emotional well-being. Approaches that only promote individual coping strategies for chronic stress are important but not enough to protect and strengthen family relationships during times of crisis. The next section will dis-

cuss the way in which family-focused coping strategies that encourage family members to support one another, cope with stress conjointly, and share time together, especially in meaningful ways, can help relationships strengthen and thrive during times of crisis.

Relational Coping: A Family-Focused Approach to Coping with Stress

Facing stressors in the context of family relationships means seeing ourselves as part of a network of relationships that, on the one hand, can give us meaning, love, care, and protection during stressful times but, on the other hand, we are responsible for nurturing and strengthening, particularly when all family members are experiencing stress. Crises related to financial problems, housing and food challenges, natural disasters, immigration issues, medical conditions, climate change, neighborhood safety, and the pandemic, among others, offer opportunities for family members to strengthen their bonds by helping each other cope with stress. I refer to this approach of coping with others as *relational coping*. This family-oriented type of coping can involve two or more family members. Coping relationally means being mindful of the impact of our own stress and individual coping strategies on others, counting on other family members for support to cope, appreciating the support given to us, being able to identify when other family members are stressed and provide support to them, and engaging in conjoint efforts to cope with stressors that affect all family members or that have become a shared concern. Above all, relational coping is about focusing on and strengthening relationships.

Most of what will be described about relational coping in this section is an extension of the concept of *dyadic coping* advanced by Bodenmann's systemic transactional model (STM) [61]. Dyadic coping refers to the process through which spouses/partners cope with stress in the context of their couple relationship. It is the most comprehensive model to understand relational coping between two individuals. However, the principles of dyadic coping can be extended to understand stress and coping processes in relationships of two or more family members that are not necessarily romantic partners.

The first step in relational coping is for family members to be able to identify signs of stress in others [62]. These may include changes in behaviors (e.g., withdrawing, isolating, increases in crying, watching TV, sleeping staying in bed, eating, biting nails, smoking, playing and video-games, etc.), topics of conversation (e.g., excessive focus on a particular issue such as finances, climate change, possibility of getting the virus, etc.), and the

emotions conveyed verbally and non-verbally during interactions (e.g., exasperation, irritation, anger, annoyance, frustration, etc.) [62]. The identification of signs of stress is particularly important to understand young children that may not be able to understand and communicate explicitly about their state of stress.

When family members are able to identify signs of stress in each other, they can explore each other's experiences of stress (stressor, emotions, etc.) through conversations in which listening is validating, empathic, and non-judgmental. Being purposeful about observing and understanding the experience of stress in each other, is already a first step toward strengthening family bonds and being able to assist each other. It is a step that shows compassion and care, both of which are critical for the development of positive family relationships.

Equally important is for family members to be able to communicate their stress to each other [62]. In the case of children, they should also be encouraged to express, in verbal and/or non-verbal ways, when they are stressed and when they require assistance to cope. Various studies have demonstrated the importance of stress communication in activating positive relational coping mechanisms and strengthening family relationships [64, 65]. For example, stress communication between romantic partners has been associated with better relationship satisfaction in Japanese, Latin American, and Western European and American couples [56, 63]. Furthermore, in a study across 24 different countries during the pandemic stress communication in couples predicted higher relationship quality [42].

Sometimes family members respond to each other's communication of stress in various ways: Choosing to ignore the implicit or explicit request for assistance or offering a negative or positive coping response [66]. Negative relational coping responses include criticizing, ridiculing, mocking, blaming, or hostile responses or providing support insincerely, superficially, or in an ambivalent way. Ignoring the implicit or explicit request for assistance or offering a negative dyadic coping response are likely to occur when people are more individual than others and/or when their commitment, and therefore, protection for the relationship is not a primary goal. Negative relational coping responses may also happen in relationships in which there has been a long period of unidirectional support with no rewarding feedback or when the support is demanded or coerced [66]. Negative relational coping is also likely when the family member has personal traits of egoism, dominance, or intolerance or when they are emotionally depleted and burnt out. Negative relational coping is harmful

for relationships as it is associated with lower levels of marital quality, romance, constructive conflict resolution, and marital satisfaction in couples in different parts of the world [56]. Furthermore, parents' use of negative relational coping also has an undesirable outcome in children. It increases their likelihood of using this form of coping in their adult romantic relationships [67].

Positive relational coping responses to other family members' communication of stress can be of three types: Supportive, delegated, and common [66]. *Supportive relational coping* can be emotion- or problem-focused, depending on whether the support provided to the family member(s) is aimed at helping them reduce the negative feelings related to the stressor (e.g., anger, frustration, sadness, etc.) or resolve the stressful situation. Showing empathy, understanding, and solidarity to the stressed family member(s) and helping them reframe the situation, calm down, believe in themselves, or relax (e.g., giving massages, holding hands) are all examples of *emotion-focused supportive relational coping*. Helping the stressed family member(s) seek information, search for a practical solution, or giving helpful advice are all *problem-focused supportive relational coping* strategies. However, family members can also respond to each other's communication of stress by taking tasks and duties that the stressed family member(s) would normally do in order to reduce their burden. This way of responding is known as *delegated relational coping*. Finally, and most importantly, family member(s) can respond to each other's stress by engaging in joint strategies to cope, which is referred to as *common relational coping*. This is a coping response unique to relationships as it happens only when two or more individuals consider that the stressor affects all of them. In other words, common relational coping is an option when there is a stressor that affects more than one person in the family, even if the stressor initially concerned one family member and has become a "we" problem. This type of relational coping can also be emotion-focused aiming at reducing all individuals' negative emotions (e.g., joint relaxation, joint reframing of the situation, joint spiritual coping, joint mindfulness, mutual self-disclosure and sharing of negative emotions, mutual massages and physical contact, etc.) or problem-focused aiming at resolving the common stressor (e.g., joint search for information, brainstorming solutions jointly, joint engagement in problem solving, etc.). When engaged in common relational coping, family members can use symmetrical (e.g., both provide solutions) or complementary (e.g., one/some brainstorm(s) solutions and other(s) evaluate them) coping strategies.

Strong, healthy family relationships in which members are emotionally connected to one another increase the chances of relying on relational coping during stressful times and protecting such relationships. For example, research shows that unhappy partners are less likely than partners satisfied with their relationship to communicate their stress, provide support to one another, and engage in conjoint coping strategies [68]. Developing and maintaining strong family bonds involves nurturing such relationships by spending quality time together, showing appreciation, love and care for each other, communicating constructively, trusting and respecting one another, being emotionally available and responsive to each other's needs, prioritizing shared goals and values, and providing a place of safety and comfort for all members [57]. The fast pace and increasing demands of modern life are a major threat for families to spend meaningful moments together. Nonetheless, the importance of such times to develop positive, strong family connections and protect people from the negative effects of stress could not be more emphasized. Sharing everyday routines (e.g., cooking, dining, walking the dog, doing groceries), celebrations, and spiritual moments, practicing mindfulness, meditation, or relaxation together, and/or engaging in recreational, stress-free activities conjointly (e.g., reading, singing, walking, writing, painting, visiting a museum, coloring, painting, playing sports and instruments, etc.) are all examples of ways in which families can connect and strengthen their relationships [53, 69]. Crises may also bring family members together to reflect on the purpose and meaning of their lives and reassess priorities and decisions. It has been emphasized that “in the face of an unpredictable, largely uncontrollable, existential, and pervasive crisis like COVID-19 ... couples and families need to reflect on their higher and broader values” [53]. These reflections may bring about significant changes in the family.

In summary, this section has described how families can support each other, cope conjointly, and increase the time they spend together during moments of stress and crisis. The next section discusses the way in which relational coping and meaningful shared times can help families turn stressful periods into opportunities to strengthen their bonds.

Individual and Relational Benefits of Positive Relational Coping and Family Time

Viewing relational coping during times of crises as critical for strengthening family bonds comes from the accumulated knowledge on the benefits of dyadic coping for couples and families around the world. Research

findings indicate that supportive, delegated, and common relational coping have positive effects for family relationships across a wide range of stressful situations (e.g., immigration stressors, medical conditions, loss of a child, children's neurodevelopmental disorders, post-traumatic stress disorder, financial stressors, discrimination, and pandemic-related challenges) [65] and that such effects are even stronger than the benefits of individual coping [69]. Studies across different continents, races, ages, and socio-economic groups provide evidence that all forms of positive relational coping predict greater relationship quality [56] and can also buffer the effects of stress on relationship functioning [58, 70]. Specific relationship benefits include increased intimacy, positive conflict management, improvement in communication and problem-solving skills, lower verbal aggression, higher shared meaning, and relationship stability [56, 71, 72]. As an example, a recent global study involving 24 countries showed that supportive coping provided by a spouse/partner improved relationship quality and attenuated the negative effects of COVID-19 related psychological distress on relationship quality [42]. One interesting aspect of the research on dyadic coping is the finding that even though there are cultural variations regarding how individuals communicate their stress, relational coping is still beneficial for all relationships across different cultures [72]. Parents' relational coping is also positive for children as it reduces co-parenting conflict [73], which in turn increases warmer parenting and reduces children's externalizing behaviors [74].

Interestingly, and important for its implications for families, is the fact that among all forms of positive relational coping, conjoint strategies (common relational coping) are the ones providing the strongest and largest benefits for adult relationships [56, 71, 72]. In other words, when adult family members view the stressful situation as affecting them all and try to solve it together and engage in mutual emotional support, the quality of their relationship improves more than when they view the situation as affecting only one member and unidirectional support from one member to another is provided. Considering that during a crisis stressors are perceived as affecting every family member, there is an increased likelihood of using common relational coping during such times.

In addition to benefits for family relationships, positive relational coping is also associated with greater individual well-being across a wide range of stressors. It predicts the use of adaptive individual coping strategies, experiencing less depression and distress when coping with medical conditions (e.g., cancer) and financial stressors, alcohol abstinence during treat-

ment, and smoking abstinence after quitting, among others [56, 75]. These individual benefits have also been observed in relation to pandemic stressors. For example, a study in Italy found that individuals with COVID-19 related concerns that communicated their stress and received support from their partners reported greater psychological well-being [68]. Studies have also found that relational coping attenuates the negative effects of immigration, medical, discrimination, and financial stressors on individual's health [56].

As noted earlier, during times of crisis families can strengthen their bonds not only through relational coping but also by sharing time together. Family time has a positive impact on children and adults' emotional well-being, particularly during stressful times [53, 76]. Furthermore, the benefits of family time were seen during the pandemic. Family members were forced to be with each other during quarantines and strict lockdown mandates. Even though accommodation to those situations was initially stressful, for many people spending more time with spouses and children helped them feel more connected with them, improving their life satisfaction and reducing their stress [77, 78].

Considering the benefits that relational coping and sharing time together offer for family and individual well-being, the following section addresses recommendations to help families use such resources when coping with stress during crisis.

Recommendations to Help Families Strengthen their Bonds When Coping with Stress During Crisis

It is important to assist families to cope with stress during crises in ways that strengthen their bonds and emotional connection. However, reducing stress and protecting family bonds does not depend only on families but also on changing social structures, policies, practices, and political decisions that contribute to the development and maintenance of chronic stressors for families, particularly disadvantaged ones, in the first place (financial necessity, job insecurity and instability, difficulties in accessing housing, food, and health care, displacement, natural disasters, war, discrimination, etc.). It is beyond the scope of this presentation to address such changes and the resources that families need to thrive but their importance cannot be overlooked. Having acknowledged the role of governments and institutions in reducing chronic stressors, below are a set of recommendations to encourage healthy family relationships and positive relational coping processes to strengthen family bonds during stressful times:

1. *Emphasize the value of healthy family relationships, the importance of nurturing family bonds, and their vital, protective role during crises*

Governments and organizations in which family members participate (e.g., schools, community centers, churches, etc.) should educate individuals about the value of healthy family relationships and promote policies and initiatives that support the development of healthy family bonds. If individuals value and focus on family relationships, they will be more likely to cope with stress in relational ways that protect such relationships during times of crises. Institutions should always include a family impact analysis of all of their activities and policies to prevent any unintended negative effects on family relationships.

2. *Encourage families to spend time together, especially meaningful time together, to strengthen their bonds in general and during times of crisis as well*

If family members are emotionally connected, they will be more likely to prioritize and protect family relationships during times of crisis. One important way in which emotional connection develops and grows is when family members share time together. Regular rituals that bring family members together such as meals, taking children to school, cooking together, a phone or zoom call to a parent, exercising together, attending church services, doing laundry or groceries together, talking about the school/work day, and/or sharing a prayer among others should be valued and preserved, particularly when coping with stressful times. Sharing moments that show love, affection, and appreciation for one another or that engage the family in deep reflections about life purpose and meaning should be especially encouraged. Additionally, governments and organizations can provide programs and events that are especially designed for family members to participate together. An excellent example is the program *Padres Preparados, Jóvenes Saludables* [Prepared Parents, Healthy Youth] in the U.S. that brings immigrant Latin American fathers and adolescents together to learn about the value of good nutrition and physical activity and help them prepare meals and exercise together [79]

3. *Help families strengthen their communication, conflict resolution, and emotion regulation skills*

Communication, conflict resolution, and emotion regulation skills are important for family members to engage in positive interactions and address challenges and disagreements, all of which are associated with positive family functioning and use of relational coping. These skills should be introduced to families in all institutions and systems that they interact

with (schools, churches, hospitals, etc.). Currently, they are mostly disseminated through psycho-educational programs (e.g., PREP program [80]), social media, websites, and public campaigns. Family therapy should be encouraged when the family struggles with these skills.

4. *Educate families about (a) the negative effects of chronic stress on relationships and individual physical and mental health and (b) the value of using relational coping to strengthen family bonds during times of crisis.*

Educating families about the negative effects of chronic stress encourages them to take a proactive approach when experiencing stress during times of crisis. Providing information about the benefits of having a family focus and of coping relationally can help families turn crises into opportunities for family growth and connection. This information as well as guidance to practice relational coping skills can be disseminated through social media, psycho-educational programs, or any type of public campaign. Therapy should be recommended when family members struggle when coping with stress relationally.

5. *Encourage families to share activities that reduce the negative effects of stress on the mind and body.*

Abundant information has been disseminated through public printed and digital media outlets about the use of stress reduction activities to reduce the negative effects of stress on the mind and body (e.g., mindfulness, meditation, contemplation, breathing exercises, praying, etc.). However, this information should also include the value of practicing these stress reduction activities with other family members.

TOGETHER: A Program for Strengthening Couple Relationships when Coping with Stress

Psycho-educational programs have been advocated as a way to help families cope with stress [81]. In this section I provide an example of a program that I developed with financial counseling experts after studying the negative effects of economic stress on couple relationships in Argentina in the early 2000s. This program, named TOGETHER, aims at helping couples improve their communication, problem-solving, individual and relational coping, and financial management skills [82]. The curriculum is an adaptation of a general stress management program for couples called Couples Coping Enhancement Training [81] to financial stress. The program has enrolled over a 1,000 couples, primarily low-income, African-American and White. More recently, it began serving Latin American immigrant couples under the name of *JUNTOS EN PAREJA* [Together

as a Couple] after a linguistic and cultural adaptation of the curriculum. Groups of up to 10 couples come to 6 weekly sessions facilitated by a couples' expert and a financial expert (total = 14 hours). In these sessions both spouses/partners together learn first about the value of healthy, stable couple relationships and the benefits for all family members and then go through nine different modules focused on the following topics: (a) The negative effects of financial stress and non-financial stress on the individual's physical and emotional health and family relationships; (b) Identification of financial and non-financial stress in oneself and spouse/partner; (c) Individual and relational coping strategies for financial stress and non-financial stress; (d) Individual and couples stress reduction and recreational activities; (e) Communication about financial matters and de-escalation strategies including emotion regulation skills; (f) Understanding each spouse/partner's relationship with money; (g) Financial roles and tasks; (h) Financial management and credit; and (i) Problem-solving financial problems with the spouse/partner. Because the program is not only content but also skill-oriented, couples have a chance to practice skills in the session under supervision of the facilitators and then they are provided guided homework to keep practicing the skills learned in the sessions in their homes. The program also has case managers that evaluate each spouse/partner's and their family's needs and connect them to affordable or no cost services in the community.

Generous funding from the U.S. Department of Health and Human Services has allowed me to provide this program for seven years and evaluate it with a randomized control trial, the most rigorous form of evaluation to test the effectiveness of an intervention. The evaluation showed that the program was effective in decreasing partners' stress levels and negative ways of managing conflict and in improving their conflict management skills, relationship commitment, and relationship satisfaction [83]. The program was also effective in improving the use of budgeting and of individual and relational strategies to cope not only with financial stressors but also with non-financial stressors. Compared to other types of more personalized interventions (e.g., financial relational therapy), this is a more cost-effective approach as it reaches several couples at the same time. Nonetheless, one of the greatest benefits of the program is that even though it focuses on financial stress and coping, the communication, individual and relation coping, and problem-solving skills learned in the program help couples with other types of stressors. Also importantly, the program is equally beneficial for men and women and different racial, ethnic, and religious populations.

The TOGETHER program is an example of how couples in crisis due to their financial difficulties can learn communication, stress reduction, and relational coping skills that strengthen their bond and protect their relationship and individual health from the detrimental effects of stress.

Conclusion

In the last decades, families have been dealing with an increasing number of stressors in their everyday lives. The chronic stress created by this pile-up of stressors has been exacerbated by the challenges added by the COVID-19 pandemic. Years of research reveal the devastating effects that chronic stress can have on the individual's physical and mental health and their relationships. Nonetheless, healthy family relationships can protect individuals from such negative effects by providing instrumental and emotional support, meaning, and connection. Furthermore, during times of crises, coping with stress in ways that place value in relationships and caring for other family members becomes an opportunity for strengthening family bonds. This is possible when family members cope with stress not only individually but also relationally and spend time together. Governments and organizations can disseminate information and provide programs that educate families about their critical role during times of crisis and the benefits of relational coping and shared time for individual and family health.

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FACING FAMILY MORPHOGENESIS: WHEN FAMILIES BECOME RELATIONAL GOODS

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Abstract

It is common knowledge that social processes are changing the family, so much so that many wonder if it will survive. The thesis of this paper is that the tendencies towards the dissolution of the family are due to processes of morphogenesis which require careful analysis and evaluation. The social morphogenesis of the family can have many meanings and developments. Tendencies towards the family's dissolution can be, and indeed are, opposed by that part of civil society for which the family is a relational good that generates other relational goods. It is necessary to understand if and where the family (re)generates itself in those primary social networks that escape the processes of chaotic morphogenesis thanks to the vitality of the family's own social genome. This genome is what makes the family the source of all personal and social virtues, that is, the primary relational goods on which the happiness of individuals depends. It is a question of discovering if and how the germ of a new family life can be born that humanizes people rather than abandoning them to commodification and estrangement.

1. Premise. Counteracting the trickle-down effect of the chaotic morphogenesis of the family: can it be done?

In the year 1991, in the face of the arrival of the so-called postmodern era, I wrote, "... everything that happens can be understood as social morphogenesis under conditions of considerable complexity".¹ This is the theme that I will address here with regard to the family. We have to understand the shape currently being taken by the morphogenesis of the family and how it can be dealt with in order to foster the emergence of a humanizing family rather than an alienating one.

¹ P. Donati. *Teoria relazionale della società*. Milan: FrancoAngeli, 1991, p. 11.

Throughout history, the family models legitimated and institutionalized by society have been those spawned by emerging social movements that then established themselves as the vanguard of cultural change, before finding their way to the rest of the population (trickle-down effect). In modern times, this has meant changing popular culture by spreading a certain bourgeois-liberal kind of culture. Innovations in family lifestyles started from the wealthiest social classes and then trickled downwards. This trend is still ongoing, if we look at the way in which a number of phenomena, such as the rejection of marriage, the recourse to divorce, the right to abortion as a means of birth control, the eugenic selection of embryos, the right to change gender identity, and so on, are spreading around the world.

The driving force behind changes in the family has always been an individualistic liberalism opposed to social ties, which progressively erodes the primary solidarities of popular life worlds. For this type of liberalism, only those who fight against all types of ascriptive ties (such as ties of family descent) can access intellectual and political freedom. The general idea is that only individuals freed from family bonds can be the subjects of a new 'creative class',² capable of generating a better society. The basic assumption is that the family is a purely cultural construction, an artefact. Hence, family relationships can be configured and experienced at will, with the inevitable 'death of the family' through the unbound morphogenesis of its natural and traditional forms.³

Pope Francis' exhortation *Amoris laetitia* – and indeed all of his teaching – challenges this vision of the future and claims that a popular culture capable of renewing and revitalizing the family can be born. In this text I would like to examine the plausibility of this perspective from the point of view of the social and anthropological sciences, leaving aside theological and pastoral questions.

From the sociological point of view, a new popular culture can become a sustainable resource for the renewal of family life as long as it is possible to trace phenomena that contrast the tendency to spread the aforementioned trickle-down effect of individualistic culture. Specifically, new social movements and popular strata should emerge that promote

² Florida, R. (2012). *The rise of the creative class revisited* (Tenth Anniversary Edition). New York, NY: Basic Books.

³ P. Donati (2012). 'How to Cope with Family Transitions When Society Becomes an Unbound Morphogenesis'. In E. Scabini, G. Rossi (eds.). *Family Transitions and Families in Transition*. Milan: Vita e Pensiero, pp. 29-47.

lifestyles in which the family, supported by subsidiary social institutions, is considered a relational good characterized by relationships of donation, reciprocity, marital sexuality and generativity. This is a big challenge. The challenge is to show that social phenomena which (re)generate the family as a relational good exist, and can spread. The hypothesis is that the birth of social movements capable of affirming a culture of family relations that can go beyond the fragmented, individualistic and emptied relationships produced by the processes of modernization is possible. In my view, the practicability of the discourse on ‘human rights’ and the ‘rights of the family’, as indicated in the *Charter of the Rights of the Family* proposed by the Holy See (22 October 1983), depends on the emergence of what I am going to depict as a new ‘relational culture’ of the family.⁴

2. What does it mean to say that the family is a ‘common good’?

Nowadays there is a great debate surrounding the family and what qualifies it as such: ‘what *is*’ and ‘what *makes* the family’. If it seems widely recognized that the family is a common good, on the other hand everyone interprets the family and the common good in his/her own way. It is in no way clear how the different types of family represent a common good for their own members or the community.

The main finding of national and international surveys is that the family is a common good insofar as it ranks top as a place of affection, love and solidarity between people who are close. In this sense, whatever form it may take, the family is a common good simply because the majority of the population shares attachment to something which is felt to be a primary support in everyday life, a source of deep feelings and a ‘private’ space. Only a small minority believe that the family has *specific social functions* for the community, namely, that it is relevant not only because of the benefits enjoyed by individuals in the private sphere, but also because of its contribution to society, in terms of demographic regeneration, the economy and the welfare of the population. The European Union definition of family concerns the private sphere alone,⁵ considering it a private aggregate in which at least one adult individual takes care of another individual. Al-

⁴ A. Neri & I. Lloréns (a cura di) (2021). *I fondamenti relazionali del diritto di famiglia. Un approccio interdisciplinare*. Roma: Edusc.

⁵ See the EU international treaties of Maastricht and Nice, and the proposed EU constitution (not yet approved by all of the member states).

though other countries have not come to legally define the family in this way, this is nevertheless the concept of family used in public policy practice.

So, the question is: does the common good that the family represents only consist of a shared value that each individual experiences and interprets privately or is it something different and more than that?

The purpose of this contribution is to support the thesis that the family is a common good *not of an aggregative type* but of a *relational type*. The former is understood as a 'total' good (or general interest) as it consists of the sum of the well-being of individuals belonging to a group, which is sought for the benefit of each individual as such. The latter is a common good in the sense that it consists in the sharing of specific relationships from which both individual goods and those of the family community as a whole derive. This distinction is crucial to understanding how the family is not a simple aggregation of individual utilities, but a social form that generates and regenerates social solidarity and inclusion. To clarify this distinction, it is necessary to further thematize the relational nature of the family.⁶

3. What does it mean to read the family in a relational mode (i.e., 'relationally')?

The core of my argumentation is that it is necessary 'to think relationally' about the family. Since human social reality, and the family in the first place, is made up of relations, it is only with relational thinking that one can see something which otherwise remains hidden, unsaid, indescribable and lacking reflexivity. I am referring to those relational goods on which the human quality and spirituality of every individual's life depend.⁷ The family is the first, original and paradigmatic of all relational goods.

Looking at the image of a mother (or father) with a small child in her (or his) arms, you see two people and their gaze. Inside yourself, you can identify with the feelings of the mother (or father) and appreciate the gaze and gestures of the child. The feelings and thoughts of the external observer, as well as those of the mother (or father) and the child, apparently seem to be events pertaining to their individual interior life alone. But that is not exactly how it is. What happens inside each person is the effect of being in a certain relationship within a specific relational context. The observing

⁶ P. Donati (2012). *Family Policy: A Relational Approach*. Milan: FrancoAngeli.

⁷ M.C. Nussbaum (1986). *The Fragility of Goodness: Luck and Ethics in Greek Tragedy and Philosophy*. Cambridge, CUP.

person is not only stimulated by the parent-child relationship she observes, but experiences that relationship in herself, in a silent dialogue with that relationship, since the parent and the child speak to her through their relationships. These are the relations which I am talking about.

People look at individuals, observe their gestures and imagine their feelings, but, in reality, the sense of what happens emerges through, with and in the relations between the observed individuals and between them and the observer. We are sensitive to other people not so much because of their words, but because their words talk to us through, with and in the relationship they have with each other and with us. The human person is an 'individual-in-relation' with others in a relational context. Relations shape the social context and have an influence on the person to the point that we can say that she is 'relationally constituted'.

Let us look at a scene where a parent interacts with her (or his) child. We see two individuals and their physical actions, but we think *through* and *with* their relationship, and we put ourselves *in* their relationship. What we feel depends on the relationship we establish towards these figures and the situation in its complex meaning. The meaning of the situation is a relationship, or rather, a network of relationships.

The same thing occurs when observing a pair of lovers. We see two people who look at each other, talk, exchange affectionate gestures and behave towards each other *in a certain way*: that of a *sui generis* relationship. We think that their faces, their gestures and their communicative expressions build their relationship of love, whereas it is rather that their ways of communicating are such because a specific bond of mutual love already exists between them.

We wonder what the reality of that relationship is, but it remains invisible. The people living (in) this reality rarely have a reflexive awareness of it. People only realize the invisible reality of relationships when they become a problem. To make this reality emerge and be able to treat it in a counselling setting, a type of relational thinking is needed that is capable of comprehending the specific (*sui generis*) relationship in question and its ups and downs.

It is the relationship that guides the perceptions and gives a form to our feelings. A mother with her daughter, a father with his son, a pair of lovers or a family group find their identity in the relationship of reciprocal belonging. Their feelings come from *that* relationship. Were the relationship different, the feelings would be different.

Emotions and feelings give people a positive identity if they generate a mature relationship,⁸ that is, if they foster the relational soft skills of their identities.⁹ For example, when we describe ‘a good mother’, ‘a good father’, ‘a harmonious couple’, ‘a beautiful family’, or ‘a depressed mother’, ‘an absent father’, ‘an entangled couple’, ‘an unhappy family’, etc., we refer to individual or collective qualities that are, in fact, relational goods or evils, which nevertheless remain impalpable.

The problem of relational goods and evils is that they are invisible, immaterial, *intangible entities*. To understand what this means, we can compare the reality of social relations with that of light and air, which are also invisible entities.

Indeed, we do not see light in itself, but we see things through, with and in the light. If we are in the dark, we cannot see anything, and we grope around without knowing where we are going. When the room is lit up, what we see depends on the intensity and colour of the light. But we still cannot see light as such. The same goes for relationships. We do not see light in the same way as we do not see social relationships, but it is relationships that make us see people and things. How we see others and the world depends on their intensity and colour.

Air is invisible, intangible too. In the same way as we cannot live without air, we cannot live without relationships with other people either. Human relationships are the air of our spirit. Without social relations, we die as human beings. The fact is that we can only perceive their existence when they are negative, cause us troubles or are not there when we need them. In the case of air this is very clear. If the air is very polluted, or too hot or too cold, then we perceive that it exists because it creates problems. The same happens for relationships in the family. It is when bad relationships appear that we perceive the existence of an intangible and vexatious reality that eludes us. Relationships are not only part of our corporeal existence, but also and above all they are part of our psychological, cultural and spiritual existence. When they become an irritating problem, then we are forced to reflect on what to do, and we must find an ‘*order from noise*’. If the difficulties become very severe, we find ourselves acting on the ‘edge of chaos’.

⁸Vincenzo Masini (2009). *Dalle emozioni ai sentimenti. Manuale di artigianato educativo e di counselling relazionale*. Lucca: Edizioni Prepos; Idem (2015). *Relazioni evolute*. Lucca: Edizioni Prepos.

⁹Mario Cusinato (2013). *La competenza relazionale. Perché e come prendersi cura delle relazioni*. Milan: Springer.

The difference between the air and social relationships is very revealing. Air is a mixture of various gases which does not have its own molecule. Social relationships are different because, when stabilized, they have a specific ‘social molecule’.¹⁰ To say that family social relations have their own proper social molecule, while air does not, can be explained with the following argument: while the air is only a mixture of elements, namely an aggregative phenomenon, family relations are an emerging phenomenon, which means that, whatever their form, they take on a structure having *sui generis* properties, qualities and causal powers which are not the sum of those pertaining to its components (like in the formation of water – H₂O – from hydrogen and oxygen). The family is not a generic primary group, but a very special type of primary group.¹¹ People experience the existence of real connecting structures which deeply affect their life course even when they have been broken or removed.

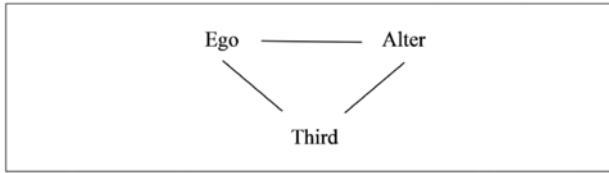
The reason lies in the fact that like all emerging phenomena, family relationships have an autonomous existence with respect to the subjects-in-relation (in Latin to say that a certain entity ‘*ex-istit*’ is to say that it ‘stands outside’ what generates it, as it is a thing unto itself). To put it another way, the family has its own ‘molecular structure’ as it is a ‘relational complex’ that emerges from the intertwining between the couple and the generative relationships. This conjunction is the structural link that transforms individuals into family subjects. Therefore, what makes the social molecule of the family distinct from other social forms is precisely the fact that the conjunction between the two vertical and horizontal axes is able to give birth to a reality of a different order from the simple aggregation or coexistence of individuals who are interested in forming this bond and living in, with and through it.

By pure analogy with the biological genome, I call it the ‘social genome of the family’, as I will explain later on. It is against the backdrop of this relational structure, which is of course highly dynamic, that the family can generate relational goods (or, should it fail, relational evils) for itself and the surrounding community. The relational goods are positive externalities that have multiple dimensions, not only economic (as economists underline), but also and above all in terms of social, psychological and cultural aids for others, since the family is not only a consumer, but also a producer

¹⁰ P. Donati (2013). *Sociologia della relazione*. Bologna: il Mulino.

¹¹ L.H. Walters (1982). ‘Are Families Different from Other Groups?’ *Journal of Marriage and the Family*, 44(4), pp. 841-850.

A network of 3 nodes has 3 relationships (of first order)



A network of relations among 3 nodes has 9 relationships (of first, second, and third order)

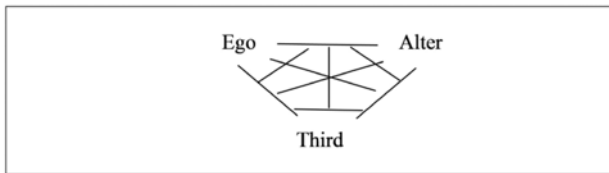


Figure 1. The number of relationships (first, second and third order) in a three-member family.

of many goods. Conversely, relational evils are negative externalities that involve problems and costs of various kinds for others.

We live in the social world of relationships in the same way as we breathe air in the physical world, that is, spontaneously, without thinking about it, given that in ordinary life we take air for granted just as we do social relationships. Counselling and therapy are activities that try to bring these relationships to the surface, rendering them more conscious and reflexive. In order to understand the relational dynamics in a family, practitioners need to organize their observations in a certain way, that is, they have to ponder relationships by relying upon *n*th-order observations and the relational feedbacks involved in them.¹²

Apparently, a family of three (e.g., two parents and a child) only has three relationships (the one-to-one relationships between the three members). But, in reality, it has nine relationships, relevant to the effects of the family structure, if we consider second-order (relationships between one

¹² P. Donati (2015). ‘Social Mechanisms and Their Feedbacks: Mechanical vs Relational Emergence of New Social Formations’. In M.S. Archer (ed.). *Generative Mechanisms Transforming the Social Order*. New York: Springer, pp. 65-92.

member and the relationship between the other two) and third-order relationships (relations between first-order relations),¹³ as shown in Figure 1. The proper functioning of the family depends on the proper functioning of all these relationships. The mystery of marriage and the family lies in the meaning of this complex relationality.

A distinction needs to be made between relational and automatic feedback. Automatic feedback can be useful in terms of producing practical therapeutic effects, for example, when the practitioner uses the technique of enjoining a paradoxical prescriptive norm that automatically changes family relationships according to the so-called Milan school model.¹⁴ Prescribing a rule to be followed slavishly, even if you do not understand the reason for adopting it, can change the family relationship for the better but it remains a mechanical fact. In this case, social relations are not properly 'seen' and accounted for, they are only 'performed' and used without achieving a rational understanding of their meaning. If people want to have a family that is aware of what is happening within it, they have to activate a specific *relationality that should be reflexive about their own relations*, which means fostering a *relational reflexivity* in the interactions between the family members.

4. The imperative of relational reflexivity to renew the family

We need to make two basic and parallel distinctions. The first concerns the difference between personal and social identity: *personal* identity is the answer to the question: 'who am I *for myself*?', while *social* identity is the answer to the question 'who am I *for others*?' The former is a relationship with oneself, the latter with others.

The second distinction concerns personal and relational reflexivity. *Personal reflexivity* can be defined as "the regular exercise of the mental ability, shared by all (normal) people, *to consider themselves* in relation to their (social) contexts and vice versa" (Archer's definition),¹⁵ while, in my opinion,

¹³ The number of relations grows exponentially as the number of nodes gets bigger. For example, a four-member family has 126 relationships if we consider all first-, second- and third-order relationships! See P. Donati (2017). 'Relational Versus Relationist Sociology: A New Paradigm in the Social Sciences'. +*Stan Rzeczy [State of Affairs]*, Warsaw University, 1(12), pp. 15-65.

¹⁴ M. Selvini-Palazzoli, L. Boscolo, G. Cecchin & G. Prata (1980). *Paradox and Counterparadox: A New Model in the Therapy of the Family in Schizophrenic Transactions*. New York: Jason Aronson.

¹⁵ M.S. Archer (2003), *Structure, Agency and the Internal Conversation*, Cambridge: CUP.

relational reflexivity is different, and can be defined as the regular exercise of the mental ability, shared by all (normal) people, *to evaluate their relationship(s) with relevant others* (in our case, primarily, the family members) *and the influence of such relationships on themselves and relevant others*. Evaluation depends on the subjects and obviously has many expressive, cognitive and symbolic dimensions.¹⁶ Relational reflexivity is needed to manage the *relations* between the two personal and social identities, just as it is necessary to manage the relational goods and evils of the family as a group.

Why are these distinctions important? Their relevance lies in the fact that, if family members want to enjoy their living together as a relational good, and avoid relational evils, they must exercise not only their individual inner reflexivity, which gives personal identity, but essentially their relational reflexivity, which confers social identity. Personal reflexivity consists of a conversation conducted by Ego within itself taking into account the context and reacting to it in the first person, while relational reflexivity implies acting in second person, and also third person, to take care of the qualities and causal properties of the mutual relationship with Alter. Acting in the second person means that Ego treats Alter as a You who is a true Alter, not as an image of himself (or a thing, an It). Ego acts in such a way as to create a relationship that takes into account how Alter sees him, that is, Ego modifies his own ultimate concerns by accommodating the expectations of Alter in them. The third-person perspective is also involved in the relationship, because in acting towards one another, we use images that refer to the generalized Other of the cultural context in which the interactions take place.

For the family to emerge as a social subject, it is necessary that Ego and Alter take into account the social context not only as an object of their personal reflexivity, but as a reality that exercises a causal power over them due to the reflexive effects inherent in the dynamics of their relational network as such. This is crucial for the creation of relational goods, in which Ego and Alter must relate to each other by taking care of the effects of the relationship itself, and not thinking that the effects of the relationship derive directly from their individual intentions or desires for the Other.

As a result, it can be said that relational goods emerge from three orders of reflexivity, i.e., in the first, second and third person.

¹⁶ P. Donati (2011). 'Modernization and Relational Reflexivity'. *International Review of Sociology/Revue Internationale de Sociologie*, 21(1), pp. 21-39.

5. We need a relational (but not relationalist) paradigm

In pre-modern societies and again in early modernity, the world of social relationships was taken for granted. Society had a sufficiently stable reproductive character, based on mainly religious customs and habits. The globalized society in which we live today is instead increasingly morphogenetic, which means that it continuously generates new social forms.

Living in social morphogenesis means having to deal with the imperative of knowing how to see and manage ever-changing relationships. If we want to orient ourselves in the world, we must necessarily make our relationships more explicit and reflexive. We cannot take them for granted. The family must respond to the imperative of becoming a reflexive *we-relationship*, that is, a group that is capable of acting as a relational subject in itself.

A family is reflexive not only because its members are individually reflexive, insofar as they have an inner dialogue, but because they reflect together on the common relationship that binds them as a community, however plural. Their relational reflexivity can be seen in their efforts to engage in constructive communication and willingness to find consensus on issues that are important to them. Compared to other forms of reflexivity, such as seeking individual gain in a given situation or simply adapting to the behaviour of others, relational reflexivity is a form of reflexivity that takes into account the meta consequences of a person's actions and their reflections on other people (meta-reflexivity). It is the complex but everyday evaluative activity of a person who is aware that she needs to invest in her relationships in order to continue to benefit from their positive effects. Relational reflexivity encourages a person to redirect her focus from her own immediate concerns to instead take into account the concerns of others and in this way care for the relationship. This is *relational* reflexivity, which is different from individual (inner) reflexivity, because it is a matter of acting in the first and second person at the same time.

Family relationships change constantly, and, because of this, our comprehension needs to be made 'more relational'. There are no longer fixed models or, as a consequence, 'deviations' from them: rather there are processes of *relational morphogenesis* in which the norm and deviance mix, making them more difficult to distinguish from each other and modifying the moral order of society beyond modernity.¹⁷

¹⁷ P. Donati (2021). *Transcending Modernity with Relational Thinking*, London: Routledge.

Since, nowadays, social relationships are becoming morphogenetic, we have to arm ourselves with a *new relational paradigm* of the human person, the family and the whole of society.¹⁸ Such a paradigm is needed in all human and social sciences (psychology, sociology, pedagogy, cultural anthropology, economy, etc.). But we must be careful: there are many, different so-called ‘relational paradigms’. I suggest to draw a fundamental distinction between *constructivist* (relativist) and *critical realist* (non-relativist) paradigms.¹⁹ I will try to briefly explain this fundamental difference in order to understand the family as a relational good and not as a mere processual and fluid event, as the relational constructivists say.

(a) In those relational approaches that adopt a *radical constructivist perspective*, family relationships are seen as simple transactions, processes and flows. All of their elements, namely situational objectives, means, rules and value models, are subject to pure contingency.

This way of understanding family relationships is well exemplified by Giddens’ ‘pure relationship’ theory.²⁰ According to this author, the prevailing family pattern of the future will be the couple whose partners stay together for mere individual pleasure and convenience as long as it satisfies them, after which the relationship can disappear to give way to other relationships, as if nothing had happened. Apart from the fact that this idea of the pure relationship ignores and removes the problem of children, it is unrealistic to think that a deeply intimate relationship can disappear without leaving an indelible trace on the partners. Human existence is always profoundly marked by this experience, as evidenced by the ordeals of divided and conflicting couples. As today’s sciences have made clear, two entities that have been in interaction for a long time, even when they separate, continue to affect each other even if they are distant and separate, living with other people (it is the phenomenon of quantum entanglement). In essence, the hedonistic and utilitarian conception of the so-called ‘pure relationship’ offers us a completely misleading and false view of the couple relationship.

¹⁸ This relational paradigm is described in two volumes: for a sociological perspective see P. Donati & I. Colozzi (eds.) (2006). *Il paradigma relazionale nelle scienze sociali: le prospettive sociologiche*. Bologna: il Mulino; for an economic perspective, see P.L. Sacco & S. Zamagni (eds.) (2006). *Teoria economica e relazioni interpersonali*. Bologna: il Mulino.

¹⁹ On the difference between my relational sociology and relationalist sociologies see Donati (2021). *Transcending Modernity*, cit.

²⁰ A. Giddens (1992). *The Transformation of Intimacy. Sexuality, Love and Eroticism in Modern Societies*. Cambridge: Polity Press.

Behind the illusion of the pure relationship is the idea that relationships are reducible to simple communications, and communications only.²¹ In brief: relations are seen as flows or transactions without specific qualities or causal powers *per se* because, according to the constructivist view, they lack a structure, or, better said, because their structure is formed by individuals' subjective preferences.²² Consequently, relational goods and evils can neither be seen nor thematized, because they cannot be explained in terms of individual tastes and preferences, but instead consist of relationships produced by couples and family networks beyond individual communications and intentions. Since reality is considered a pure social and cultural construction, the good and bad of relationships become subjective feelings. Relational goods and evils become mixed up and can no longer be distinguished from each other. Left to this view, the family becomes 'a normal chaos of love'.

(b) Properly relational approaches differ from relationist ones because they adopt a *critical realist perspective* according to which relationships create structures, willy-nilly, which are networks giving rise to relational goods or relational evils. Even a family that lives in the so-called 'chaos of love' has a social structure, like it or not. It is not a purely processual or evenemental reality. These networks are not only made up of communications and transactions, but also of much more substantial 'stuff'. This social fabric, like the one made up of relations of serious life (the Durkheimian "*relations de la vie serieuse*"), is a very complex reality that decides human

²¹ This is the perspective advocated by N. Luhmann (1988). 'Sozialsystem Familie', *System Familie*, 1, pp. 75-91.

²² This is a clear conflation between agency and social structures. The idea is supported by those cultural movements (including many academic scholars and even many magistrates in courts) which claim that people, as pure individuals, *have the right to define family identities and family relations as they like*. The prospect is as follows (I quote): "the distinction between family structures and family consciousness is no longer productive. What individualization of the family essentially means is that *the perceived family is the family structure*, and that consequently both the perception and the structure vary individually between members both within and between "families [...] *culture becomes an experiment* whose aim is to discover how we can live together as equal but different [...] the aim of legislation is less and less to prescribe a certain way of living, more and more to clear the institutional conditions for a multiplicity of lifestyles to be recognized [...] this means that *any collectively shared definition of relationships and individual positions is gone*" (quotations from U. Beck and E. Beck-Gernsheim (2004). *Families in a Runaway World*. In: J. Scott, J. Treas, M. Richards eds., *The Blackwell Companion to the Sociology of Families*, Oxford, Blackwell, pp. 506-512, italics mine).

destiny. It emerges from the intertwining of psychological-symbolic references (*refero*) and binding ties (*religo*) that leave a trace over time, thus forming the identity of the person throughout her life cycle.²³ In the family, communications depend on the network of relationships in which they occur, i.e., the network of concrete bonds which is family life.

For example, when a family has to make an important decision (e.g., to relocate, change a partner's professional job, or simply where to go on holiday), each member is likely to have different preferences from the others. They perceive the decision to agree upon as a stake that goes beyond individual preferences. The decision that must be taken is a relational problem, the solution of which depends on the ability of the family network to transform individual decisions into an emergent effect that unites all the participants. The family can regenerate itself in a virtuous way if the preferences of each individual are reshaped on the basis of relationships of trust, cooperation and reciprocity with the other members. If this does not happen, relational evils are generated, and the family is at risk.

Just as a virus cannot be seen with the naked eye, and therefore we have to use an electron microscope, to see relationships we need the microscope of a relational gaze.²⁴ Family relationships are not just the simple exchange of communications, just as the water molecule is not a simple transaction between elements of hydrogen and oxygen. They are an emergent effect that creates another order of reality, a new substance, with different qualities and properties. Most couples today lack this awareness. Often even the educational programs that prepare young people for married life aim to guide each partner in perfecting their own practical and moral capacities to carry out their individual roles well, instead of making them relational. This leads to relational evils. To activate relational goods, both partners should exercise their reflexivity towards their relationship and continually redefine their individual and social identity, which changes over time, according to it.

Postmodern society does not help. It sees the couple as a soap bubble, like in the paintings by Hieronymus Bosch. Therefore, an increasing num-

²³ On the structure of relationships as an emerging effect of a generative combination of *refero* and *religo* see P. Donati (2015). 'Manifesto for a Critical Realist Relational Sociology'. *International Review of Sociology/Revue Internationale de Sociologie*, 25(1), pp. 86-109.

²⁴ P. Donati (2019). The sociological gaze: When, how and why is it relational?' In E. Carrà & P. Terenzi (eds.). *The relational gaze on a changing society*. Berlin: Peter Lang, pp. 11-44.

ber of couples are prey to *impeded* or *fractured* forms of reflexivity. The partners are not able to integrate their personal and relational identity either in themselves or towards the other.

The task of ‘making a family’ becomes the task of knowing how to build a *We-relationship*. But who is this *We*? And how do you build a *We-relationship* as a family? Here we come to the family as a ‘relational subject’²⁵ emerging from a process of social morphogenesis which is the result of its members’ reflexivity.

6. Understanding family morphogenesis: can it be steered, and, if so, how?

The process of morphogenesis, that is, the generation of new family forms, is a process that develops from an initial conditioning structure, passes through the interactions between the agents that modify this structure, and brings out a new relational structure. It is a process that takes place over time in the form of a continuous succession of cycles T1–T4 (as set out in Figure 2), which, step by step, generate new types of families.

This schema is important because it offers a series of indications.

First of all, it tells us that, at an initial time T1, individuals live in family structures that respond to the conditioning of a given socio-cultural system. The given family structures obviously vary according to the members’ social status, their culture of belonging, the phase of their life course, and so on. However, despite the social system’s strong influence on the individuals’ actions, in the interactional phase T2–T3, they interpret existing cultural models and react to them with their subjectivity.

Secondly, Figure 2 highlights that new family forms do not only emerge from the will of individuals or structural determinism, but above all from the dynamics of the social networks through which people carry out their lives. In these networks, individuals react to conditioning structures in different ‘reflexive’²⁶ ways. These reflexive modes can be autonomous or

²⁵ P. Donati, M.S. Archer (2015). *The Relational Subject*, Cambridge: Cambridge University Press.

²⁶ The term ‘reflexive’ must be distinguished from the term ‘reflective’, because the former indicates the ability, shared by all normal people, to decide on how to act in their own social context, taking into account relationships and redefining relationships with others, while the second indicates a mechanical feedback as occurs in the reflection of a mirror.

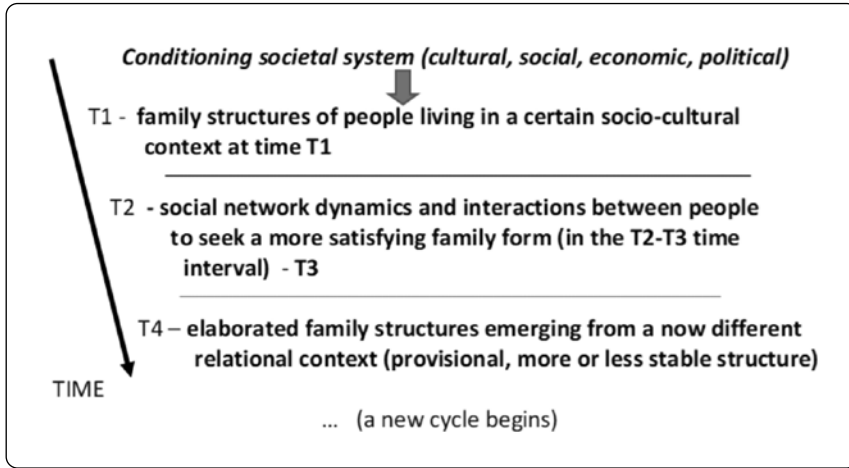


Figure 2. The process of family morphogenesis (family warming).

dependent on other people and circumstances, coherent or fragmented, or even blocked.

This is where the agents' meaningful lifestyles become important. More often than not, the relationships that mediate people's actions towards the conditioning structures are problematic, with different, rational or emotional motivations, based on the opportunities offered by the social context. Individuals play with structures, acting tactically or strategically to achieve what they think will be their own well-being. They do not make individual decisions in a vacuum (as the economic theory of rational choice maintains), but embedded in the context of the relationships that give them identity and belonging. In short, individuals play with the interpersonal and social relationships they have, as well as those they deem possible or desirable.

We can distinguish various types of morphogenesis based on the ways in which individuals interact with each other and thus shape their family in the context of their wider relationships.

(i) Morphogenesis can be *adaptive* and *pragmatic*: in this case, people's interactions do not substantially modify the original family structure, but simply adapt it to new conditions. The prevalent type of reflexivity is 'communicative' (i.e. dependent on significant others according to Archer's classification) and follows patterns of *habitus*. People do not turn away from the internalized patterns they cling to; they seek only contingent

adjustments to resolve tensions and conflicts in search of a more fulfilling lifestyle. Even when people get divorced and remarry, most mixed families come close to this type, because the second marriage does not deviate from the internalized family model. When people marry multiple times or live with different partners over and over again, without a minimum of stability, they show that their reflexivity is weak, and it can easily become a fractured or impeded reflexivity which, sooner or later, leads to the next type of morphogenesis.

(ii) *Unstable* and *chaotic* morphogenesis characterizes people who, by choice or by conditioning, experience interpersonal relationships as flows and processes without a relational structure that has its own normativity. In this case, they are unable to find their identity in a specific family model, and consequently adopt precarious, substantially fragile and vulnerable lifestyles. Their reflexivity is constantly *fractured* (they often change their minds and partners) or *blocked* and *impeded* (when they do not know exactly what they want, and, for example, chronically delay getting married, rather than firmly resolving to reject it).

(iii) *Steered* morphogenesis characterizes people who try to guide the change process with a meaningful family project in mind beyond existing models. They generate new forms of family networks that are distinguished by the fact of developing the cultural potential of the natural social genome of the family. To follow this path, a *meta-reflexive* mode of interaction is necessary, which is the ability to reformulate the relationship of common life beyond contingent difficulties, so as to make gradual changes to oneself and to relationships with others to repair errors and disappointments. Relational meta-reflexivity is at the basis of the day-to-day coexistence of the most cohesive and prosocial families.²⁷

What about current and future trends? At present, from a statistical point of view, the first two types of morphogenesis are definitely the most common in modernized countries. The idea of the family is not destroyed, but broken down, dismantled piece by piece like Lego and reassembled according to the strategies in vogue at a certain moment. Family relationship games are becoming increasingly virtual. ‘The family’ ends up being an

²⁷ See: Cisf (ed.) (2001). *Identità e varietà dell'essere famiglia: il fenomeno della "pluralizzazione"*. Edizioni Cinisello Balsamo, San Paolo; Cisf (ed.) (2012). *La relazione di coppia oggi: una sfida per la famiglia*, Trento, Edizioni Erickson; Stan J. Knapp and Greg Wurm (2019). ‘Theorizing Family Change: A Review and Reconceptualization’. *Journal of Family Theory and Review*, 1, pp. 1-18.

empty noun. We can say that it exists in name only, and that all we have are names (this explains the success of Umberto Eco's *The Name of the Rose*, according to which reality evaporates into nominalism; we could say: '*stat familia pristina nomine, nomina nuda tenemus*', that is, the original family is just a name, we have only names).

On the empirical level, this means the predominance of morphogenetic cycles that produce families' continuous fragmentation, which increasingly weakens people's abilities to build stable family forms. From a relational point of view this means disaffection with marriage, an increase in single people, new games of breaking up and recomposing the couple, and growing difficulties in having and educating children.

However, just when we have hit rock bottom, a process of rethinking begins. How to generate new civil norms, first moral and then juridical, relating to the right to family relationships that make people's humanity flourish, rather than alienating them in fragmentation and social anomie? It can be hoped that the processes of morphogenesis pave the way for the creation of 'civil constitutions'²⁸ which recognize human and family rights as *anthropological* rights, beyond the political, economic and social rights already recognized by modernity. To give an example of human rights of an anthropological nature, let us think of the child's right to grow up in a family and not on the street or in an institution. It is the right to a specific relationship, not a civil, political or socio-economic right. Let's try to understand what it means.

7. The humanizing or non-humanizing characteristics of a family depend on its social genome

The thesis I propose for discussion is that the growing processes of hybridization of family relationships will lead to new distinctions about what is and is not properly human in family relationships. These distinctions could foster a new feeling about the family, highlighting its communitarian character as a way of humanizing itself and society. What does the expression "family as a way of humanization" mean?

To understand this concept, as a sociologist, I suggest that the criteria to distinguish between the humanizing (or, conversely, non-humanizing) characteristics of a family form be drawn from the assessment of the relational effects produced by the new family genome that has been created.

²⁸ See G. Teubner (2006). 'Substantive and Reflexive Elements in Modern Law'. In C. Seron (ed.). *The Law and Society Canon*. Aldershot: Ashgate, pp. 75-122.

Let us think of families created by a technological intervention (such as surrogacy) or by a legislative intervention (such as a law which legitimizes the creation of fatherless families).

What I am proposing is a reading of these phenomena that leads to a *relational bioethics* (not relationalist, that is, non relativistic), according to which the humanization of a family form is evaluated on the basis of the qualities and causal properties of its relational structure. This does not mean adhering to a consequentialist ethics but adopting an evangelical perspective: ‘Beware of false prophets, who come to you in sheep’s clothing but inwardly are ravenous wolves. You will know them by their fruits. Are grapes gathered from thorns, or figs from thistles? In the same way, every good tree bears good fruit, but the bad tree bears bad fruit. A good tree cannot bear bad fruit, nor can a bad tree bear good fruit. Every tree that does not bear good fruit is cut down and thrown into the fire. Thus, you will know them by their fruits.’ (Matthew 7:15–20, and also Luke 6: 43–45).

I will cite two examples: first, the use of reproductive technologies; second, the legislation that institutionally provides for the procreation of fatherless children.

The first example is that of a Nebraska woman, Cecile (61), who wanted to ‘give’ a child to her gay son. The woman gave birth to a baby girl (Uma Louise) who was conceived with the sperm of her son (Matthew) and the egg of his partner’s (Elliot) sister (Lea). Now, Cecile is at the same time the mother and grandmother of a little girl who is at the same time the daughter and sister of Matthew. The ‘extended’ family that is therefore created is made up as follows: the grandmother (Cecile) is the mother of a daughter (Uma Louise) whom she gives to her son (Matthew) who is both the brother and the father of the child, whose mother is the child’s aunt (Lea), who is the sister of Matthew’s partner, Elliot.

This is certainly an extreme example. However, it reveals the relational games that will be possible in the future with the use of heterologous reproduction, surrogacy and other techniques that are looming on the horizon.

The second example refers to a law, recently approved in France (June 2021), which extends the right to MAP (medically assisted procreation) to single women, gay, lesbian and so-called ‘asexual’ couples.²⁹ Until now, in

²⁹ Asexual couples and families are defined by the fact that they lack sexual attraction, and therefore can only have children without naturally generating them: Megan Carroll, *Asexuality and Its Implications for LGBTQ-Parent Families*, in A.E. Goldberg and K.R. Allen (eds.) (2019), *LGBT-Parent Families: Innovations in Research and Implications for Practice*. New York: Springer.

France, MAP was only available to sterile heterosexual couples of child-bearing age. Under the new law, women will be able to give birth to children without the help of men, and for this reason there has been talk of the ‘end of patriarchy’, ‘planned orphans’, ‘war on nature’, and ‘relativism undermining an entire civilization’. In our language, institutionally approving the absence of a father in the generation of children will change family networks in a direction with unfathomable consequences.³⁰

In all these cases, the hybridization of the family through the use of technologies and/or laws can be understood as a modification of what I call the ‘social genome’ of the family. This genome is neither biological nor a purely natural fact: it is the device that makes the family the *necessary moment of transition from pure nature to culture* (i.e., social practices) in the process of civilization.³¹ If the culture we live in today is recognized as increasingly violent and dehumanizing, this is due to the systemic modification of the social genome of the family, ushering in a culture in which the human becomes an indeterminate notion and loses its proper meaning.

The time has come to clarify the issue of the social genome of the family.

In previous works, I proposed conceiving of the family genome as a relational structure consisting of four fundamental interconnected elements (see Figure 3). These elements³² are: mutual *free giving* (L) among the members as the fundamental value that inspires life in common; the norm of reciprocity (I) as the basic rule for internal exchanges; and couple sexuality (A) as a means of cohesion and realization of the intentional generativity of the couple (G).

These elements are organized along two interconnected axes: the horizontal axis of the couple (linked by reciprocity and sexuality: I-A) and the vertical axis of parenthood (which connects free giving to generativity: L-G). The two axes, working together in a circumflex dynamic structure, generate the family and make it grow.

³⁰ On the consequences of the absence of the father figure, see Maspero, Giulio (2021). ‘Christian Humanism: Fatherhood, Economics, and Relational Ontology’. In G. Maspero & M. Schlag (eds.). *After Liberalism? A Christian Confrontation on Politics and Economics*, New York: Springer, pp.127-147.

³¹ For more details see P. Donati (2013). *La famiglia. Il genoma che fa vivere la società*. Soveria Mannelli: Rubbettino.

³² The conceptualization of this structure corresponds to the relational (non-Parsonian) version of AGIL: cf. P. Donati (2021). *Transcending Modernity with Relational Thinking*. London: Routledge.

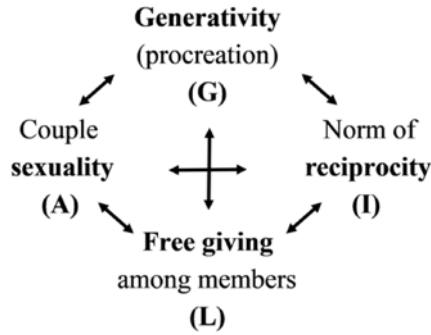


Figure 3. The social genome of the family as a relational structure without functional substitutes.

Although here it is simplified, this way of depicting the circumflex relational structure of the family is certainly complex and challenging. It highlights how problematic it is to create a solid and stable family lifestyle based on free giving, reciprocity, couple sexuality and generativity. Indeed, families are always in transition towards an ideal, which, however, continually shifts and escapes them.

In past societies, the four elements were held together by a community tradition with a religious background. In modernized countries, this is disappearing and the idea of (re)building communities which are strongly integrated by a religious sense is an aspiration that has not much chance of success.

Secularization makes the four elements more and more contingent by untying them and allowing them to combine with each other in ‘other’ ways. For postmodern culture, free giving is wholly improbable, and most often poisoned; reciprocity is replaced by the Ego’s expectation that the other members of the family will meet its needs, otherwise it finds a way out; couple sexuality is less and less regulated and detached from a clear gender identity; generativity responds to narcissistic reasons or is subject to cost-benefit calculations. The environment still has a decisive influence, both from the point of view of cultural fashions, and the ongoing importance of the partners’ primary networks of belonging – such as kinship and friends – whose consent is desired to cement the fact of living together. Civil or religious authorities are sought less and less to legitimize the new family. Marriage is replaced by a party that partners give at home with relatives and friends so that they can recognize them as such.

In family morphogenesis, if one element is profoundly modified, all the other elements and their relationships are also modified, which produces a mutation of the genome.

The forces that are modifying the basic elements of the family genome are as follows (Figure 4):

- (L) the capitalist economy is attacking the culture of free giving and introducing utilitarian elements into the genome; today, these elements are mostly of a consumerist nature;
- (I) the world of digital communication is eliminating the norm of interpersonal reciprocity because it tends to isolate individuals and give them a virtual identity; people are virtually connected to the whole world, but they lose the sense of reciprocity with the people closest to them;
- (A) the sexual revolution is profoundly modifying the couple relationship by calling into question the male–female polarity and opening up to an indefinite number of gender identities (LGBTQIA and the rest of the alphabet);

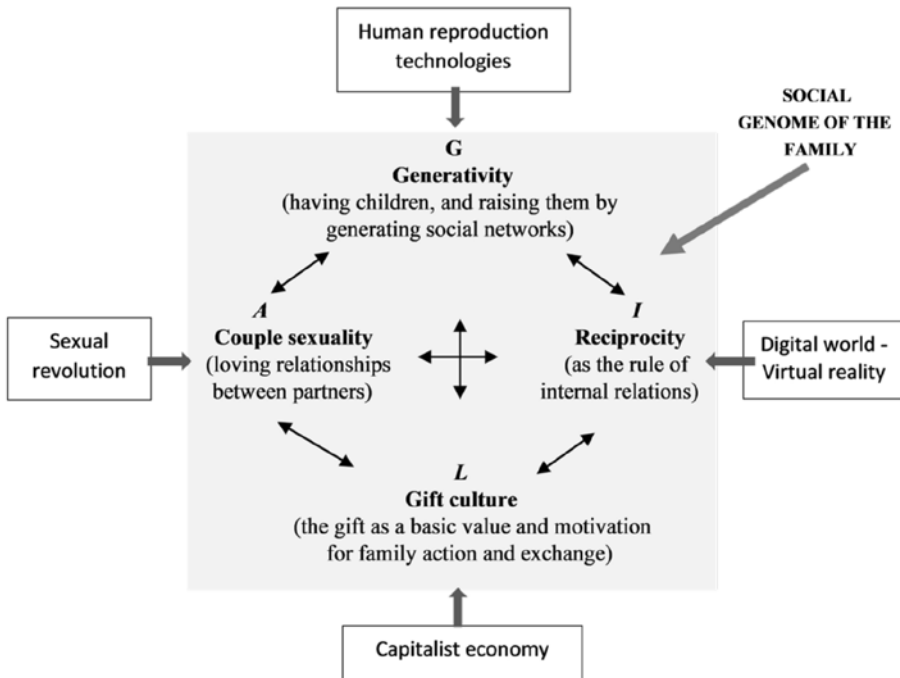


Figure 4. The make-up of the family social genome and environmentally driven factors of change.

(G) physical generativity is being modified by new reproduction technologies (eugenic practices, artificial fertilization, surrogacy), not to mention the research to produce an artificial uterus.

In the light of Figure 4, we can say that the family experiences a setback when its social genome is attacked, with the consequent distortion of its two main axes, namely the spousal couple relationship and the filiation relationship, and their interconnections. This happens: (i) when the couple relationship is not formed by sexual identities that belong to the male-female polarity, but by changing and unstable gender identities, generating other types of relationships which are generally problematic in the medium-long term; and (ii) when filiation is obtained with the artificial intervention of technology and, above all, of a third party that makes the filiation of the child by one or both parents uncertain and problematic.

The spread of these cases in almost all countries is leading to a ‘post-family society’, converging with what has been called the ‘post-human condition’, in which relationships between family members become intricate and fickle, putting into play the ability of people to respond to the needs of sustainable relational identities. I call this process ‘*family warming*’.

Family warming is at the same time the product and the producer of a growing hybridization of family relationships.³³ Family lifestyles do not develop the natural potentials of typically human qualities and properties, but are hybridized owing to artificial post / trans-human elements.³⁴ People opt for a certain family form by playing games with the basic elements of the family genome, altering and putting them back together in various ways.

Figure 4 is intended as a guide to understand the enormous changes that will take place in the coming decades. It is a question of understanding to what extent it is possible to modify the family genome without undermining an entire civilization. However, at the same time, we can also imagine that new ways of activating the genuine family genome are opening up through a process of cultural change that is more respectful of the inherent nature of the family. What we are observing is perhaps the advent

³³ A. Nordlund, S. Sekki, P. Korvela, and J. Silvonen (2019). ‘The Changing Everyday Life of Families and Young People’. In M. Toivonen, & E. Saari. *Human-Centered Digitalization and Services*, Springer, Singapore, pp. 79-100.

³⁴ On social relationship hybridization processes, in particular resulting from new technologies: see P. Donati (2019). ‘The Digital Matrix and the Hybridization of Society’. In I. Al-Amoudi and E. Lazega (eds.). *Post-Human Institutions and Organisations: Confronting the Matrix*. London: Routledge, pp. 67-92.

of a new ‘axial age’ (the term is by Karl Jaspers, Max Weber and Shmuel Eisenstadt),³⁵ understood as a process of epochal cultural change that revolutionizes the tension between the transcendental and the mundane order.

In the perspective proposed here, the crux of the matter is not preserving a fixed and immutable genome, but, on the contrary, ensuring that the family genome can actually operate in such a way as to achieve a new modality of making the transition from nature to culture that enhances, rather than alienate, the human qualities of family relationality. The ‘*normo-constituted*’ family is the term I use for those families that manage to make this kind of transition from nature to culture while preserving the human qualities and properties inherent in the family’s ontological genome as a latent *sui generis* reality that wishes to flourish to its full potential.

This idea goes hand in hand with integral ecology which today rightly claims to promote a sustainable ecosystem from both a physical and a socio-cultural point of view. We may say that we need to promote a sustainable family by making the elements of its social genome and the ways of connecting them sustainable. We need to understand if and how it is possible to regenerate the family genome under these new historical conditions.

8. The family as a relational good

One might wonder whether being part of the family as a *We* (its *We-relationality*) means being part of an imposed entity (a systemic, holistic, institutional order) which forces the individual to submit to others, or if it is a reality that allows a person to flourish through a certain quality of her intersubjective relationships.

Of course, we know that there are a whole host of different family situations, because these two tendencies – social control and subjective expressiveness – mix in infinite ways. However, what I want to emphasize is the possibility of distinguishing between families that produce relational evils and families that produce relational goods.³⁶ This distinction depends on whether or not a family is able to mature as a *We* in which each person can personalize her role. This means that the family is a relational good in itself, which generates innumerable other relational goods, when it becomes a mature ‘relational subject’.

³⁵ S. Eisenstadt (1982). ‘The axial age: the emergence of transcendental visions and the rise of clerics’. *European Journal of Sociology*, 23(2), pp. 294-314.

³⁶ See P. Donati (2019). ‘Discovering the Relational Goods: Their Nature, Genesis and Effects’. *International Review of Sociology*, 29(2), pp. 238-259.

The relational subject is neither the ‘plural subject’ nor the ‘*we think*’ to which some refer.³⁷ Neither is it a type of collective conscience.³⁸ It is a *we-relationship*. There is no collective conscience that thinks for each member of the family but there is undoubtedly a collective culture in the sense of a set of representations, images and lifestyles which are shared by many individuals and influence their agency. However, this is not to say that the *We* signifies that everyone thinks in the same way. Something similar can occur in tribal societies, where individual reflexivity is highly dependent on the clan’s socio-cultural structure.

The members of the family are a *We* in that together they generate and enjoy a good that is born and is compatible with their differences. It means sharing a well-being that respects the freedom of each member. This ‘good’ is everything that is done together and shared in trust (eating, walking, going on holiday, having fun together, etc.) or that stimulates each member’s cooperation (in the division of labour or the decision-making process, etc.).

Relationships unite us with, and at the same time differentiate us from, others. In the family, they make us different within the *We-relationship* that we share. In a special way in the family, this property of social relations consists of the fact that they unite the related subjects at the same time that they promote their differentiation. I call this the ‘enigma of the relationship’.³⁹ The relationship means distance, which implies difference, but at the same time it also implies a connection, link and bond. We have to understand how the good in the *We-relationship* can be compatible with the differences between those who generate and take advantage of it.

Let us make an example. A mother and a father are truly ‘generative’ when, while aware of the fact that their offspring is a person born of them, and therefore is part of their identity (as the father and mother), they realize that *she or he is not the child of two individuals, but of their relationship*. As such, the child expresses and materializes the essence of the family as a relational good. Those parents who say ‘I want a child to fulfil my desire for parenthood’ (that is, in my child I find my identity) do not generate

³⁷ On the ‘plural subject’ see M. Gilbert (2000). *Sociality and Responsibility: New Essays in Plural Subject Theory*. Lanham: Rowman & Littlefield. On ‘group belief’ see R. Tuomela (1991). ‘Group Beliefs’. *Synthese*, 91, pp. 285–318.

³⁸ M. Douglas (1986). *How Institutions Think*. Syracuse, N.Y.: Syracuse University Press.

³⁹ P. Donati (2015). *L’enigma della relazione*. Milan-Udine: Mimesis edizioni.

a person other than themselves, but they generate (or try to generate) an ‘avatar’ of themselves. They generate an Other who has to realize his own Ego in an imaginary world. This kind of relationship is one that comes from an identity that seeks to direct and possess the other. The Other becomes entirely subordinate to the identity of the parent, with no real reciprocity between parent and child. The relationship becomes narcissistic, and so the only relational goods that can be generated – if any at all – are partial and insufficient.

To generate a relational good, the differences between the members of a family must be managed in a certain way, that is, treated according to the norm of reciprocity. When this happens, we perceive the idea that loving means knowing how to respect the Other as different and living this as a gift. Love is not only a subjective feeling, but it is above all a relationship of full reciprocity, and it is this relationship that gives rise to personal inner feelings. In the love relationship, difference is not a simple distance or divergence to be tolerated, but a lifelong challenge that helps bring people together, when they understand that differences add value to all the participants in the relationship.⁴⁰

The relational good lies inside the relationship, not outside it. The good is the ‘included third’ that emerges from the interactions between the subjects who live in the relationship.⁴¹

If the relationship stops being a meaningful difference and is reified (becomes a ‘thing’), then it generally leads to the degradation of the human person. This happens to us every day, when, instead of having an ‘I-You’ relationship with another person, we label and *commodify* the other person in an ‘I-It’ kind of relationship.⁴² The relationship with the Other becomes a cliché, a stereotype. This happens in the family when we give up trusting and collaborating with others because we consider them incapable or unreliable. In this case family relationships generate relational evils.

Family life becomes a producer of relational goods if and when its members are able to manage their differences and the connected needs

⁴⁰ P. Donati (2013). ‘The Added Value of Social Relations’, *Italian Journal of Sociology of Education*, 5 (1), pp. 19-35 (available on-line).

⁴¹ P. Donati (2022). ‘Between the human and the social: the Third’. *MAUSS International. Anti-Utilitarian Interventions in Social Sciences*, 2(1) (in print).

⁴² Clearly, I am referring to the distinction between ‘I-You’ and ‘I-It’ relationships as theorized by Martin Buber (1988). *The Knowledge of Man. Selected Essays*. Atlantic Highlands, N.J.: Humanities Press International.

‘relationally’, that is, in the knowledge that the relationship unites those who are different while maintaining and even enhancing their differences. Relational goods are resources which consist of relationships; they are not material things or functional performances. We can now understand why the family is a common good, not in a public or private sense, but in relational terms. A typology of social goods (in general) can be useful to better understand these differences from the point of view of how relationships are configured.

If we classify social goods according to two axes: (i) the competitive/non-competitive character of the good, and (ii) the chance to choose/not to choose the desired good, we find four types of social goods (Table 1).

Public goods are not competitive, and people cannot choose them individually. No kind of interpersonal relationship with other people is required to obtain them and they concern benefits and rights managed by a public authority (how we use the streets, public spaces, museums, etc.).

Private goods, on the contrary, are competitive and can be chosen freely. Neither primary nor secondary relations are needed to acquire these goods, only impersonal relations typical of market exchanges (anyone can buy something by choosing from various distributors of goods).

Unlike these polar goods, there are two types of relational goods. The first type is competitive goods, namely *secondary*, associative relational goods, that do not envisage an individual choice and are obtained through secondary relationships between people who share membership in a civil society association (trade associations, trade unions, sports or cultural associations, etc.). Then, there are non-competitive goods, namely *primary* relational goods, which people are free to choose and are obtained through good, interpersonal and intimate relationships. One such primary relational good is the family.

Precisely because the family is a non-competitive good (it is a social form without functional equivalents), in which we take part of our own free will, this social form can produce relational goods which other social forms cannot create.

The family is a relational good (i) in itself for its members, given the fact that it can generate what other lifestyles cannot generate, and (ii) for society because it develops functions that no other form of life can fulfil.

Among the many considerations that could be made on Table 1, I would like to underline those relational goods produced by the family which are the social virtues. The family is not only a place where individual virtues are cultivated but it is also and above all the non-fungible ‘social worker’

<i>Four types of social goods distinguished on the basis of their intrinsic relational characteristics</i>	Non-competitive goods	Competitive goods
The individual person depends on collective decisions for her choices	<p>Public goods (state or public authorities)</p> <p>no kind of relationship with other people is required to obtain these goods, since they are goods managed by a public authority</p>	<p>Secondary relational goods (associations / third-sector civil society organizations)</p> <p>secondary relationships between people are required to obtain these goods, since the latter depend on a civil association / organization</p>
The individual person is free to decide	<p>Primary relational goods (family)</p> <p>interpersonal and intimate relationships between genders and between generations are required to obtain these goods</p>	<p>Private goods (capitalist market)</p> <p>neither primary nor secondary relationships are required to obtain these goods; they are impersonal relations typical of market exchanges</p>

Table 1. The position of the family as a primary relational good amongst social goods.

that transforms individual into social virtues. It is precisely by transforming the individual into the social that the family takes the human being’s individuality to the level of a shared collective human culture.

I would like to emphasize that the concept of ‘virtue’ can and must refer not only to individual actions, but also to social relations as such. Primary social virtues, such as giving and receiving trust, cooperation, reciprocity, responsibility and solidarity, are learned within the family. Otherwise, they are learned no more. This is why we say that the family, founded on full reciprocity between genders and between generations, is not fungible, has no functional equivalents and is the greatest social (not merely private) resource that society can have. If a society wears down or even loses this resource, it will face so many difficulties, of such great entity, that it will be unable to survive in the long run.

9. Can the family genome be (re)generated?

According to the above schema of family morphogenesis (Figure 2), there are two possible ways of guiding the processes currently regenerating the family:

(i) by *intervening on the networks of primary relationships* (in the intermediate temporal phase T2-T3) to create families capable of organizing themselves as ‘social relational subjects’, in order to develop a new family structure that can spread in ever wider networks (this is the path generally chosen by educational programmes, including family pastoral care);

(ii) by *acting on the societal system* (at time T1) that conditions interactions both between the family and society, and within the family itself, to support changes in the interactions during phase T2-T3 (this is the path of social, economic and cultural policies).

These two ways must work in synergy, and both require a new culture of social relations, which I will try to set out in brief.

(i) *Acting on the interactions between people who make up a family.* The question here is whether to act on individuals or their relationships. Most educational activities choose the first path, that is, they try to train individuals. This path is often ineffective, however, because people depend on relationships. Only a new culture of relationships can interrupt the fragmentation of families currently underway. The family is not a common good because the members share the same ideas, as many people believe, but because they understand and respect their differences while at the same time setting most value by the good of the relationship as such. However, in the end, the path of education alone cannot produce a substantial socio-cultural change if it is not supported by a modification of the social system that conditions people’s behaviours and relationships.

(ii) *Acting on the societal system that conditions interactions.* Operationally, this means recognizing family rights at the institutional level. In order for families to carry out their tasks and build trust and social solidarity, they must have access to rights as families, not as an aggregate of individual rights. This means recognizing the *citizenship rights of the family*. The family is a social subject that has its own set of rights and duties in the political and civil community due to its irreplaceable, effective mediation between individuals and the community.

Political and legal institutions can be evaluated according to the type and degree of promotional recognition given to the family as a producer of relational goods. Indeed, many political-administrative systems penalize rather than promote families because they do not give due recognition to

the social functions performed by the family. This lack of recognition explains the decline in the birth rate and the consequent ageing of the population, the growing number of lonely elderly people, the fragmentation of families and communities, and many other social pathologies.

A social policy can be deemed 'family friendly' if it explicitly aims to support the social functions and the added social value of the family. These policies must not be instrumental and must be clearly distinguished from demographic policies, policies against poverty and unemployment, and other objectives which are certainly very important, but different in kind. It is necessary to combine policies on equal opportunities for women (*gender mainstreaming*) with adequate *family mainstreaming*, which consists of policies that support family relationships, that is, reciprocal relationships between genders and between generations.

As examples we can cite: policies to reconcile family and work; tax policies that take into consideration the family based on the number of members and their age and health conditions; educational, social and health services concentrated upon support for couple and parental relations, etc.

Some noteworthy initiatives go in this direction. For instance: (a) EU *local family alliances*,⁴³ that is, family-friendly policies pursued together by public, private and third sector actors by building cooperation networks between them in the local community. Every local community actor (schools, companies, hospitals, shops, banks, entertainment venues, public institutions, etc.) provides its own resources and facilities to promote intra- and interfamily relationships. They are coordinated to provide support to families in every sphere of daily life;⁴⁴ (b) *family group conferences*, that is, interactive, guided and supervised meetings, organized to involve families who share similar problems, especially having deviant or troubled children, through the mobilization of a wide network of participants, such as relatives, friends, teachers, doctors, significant others;⁴⁵ (c) '*family districts*',

⁴³ Council of the European Union (2007). *Conclusions of the Council and of the Representatives of the Governments of the Member States, meeting within the Council, on the importance of family-friendly policies in Europe and the establishment of an Alliance for Families*. Brussels: Official Journal of the European Union, 17.7.2007 (2007/C 163/01); EU Commission, *Report on the Achievements of the European Alliance for Families*, Version 27.07.2010.

⁴⁴ Jan Schroeder (2008). 'The German Initiative "Lokale Bündnisse für Familie"', M.S. Archer and P. Donati (eds), *Pursuing the Common Good: How Solidarity and Subsidiarity Can Work Together*, Vatican City: Vatican Press, pp. 356-376.

⁴⁵ Jaakko Seikkula and Tom Erik Arnkil (2006). *Dialogical Meet Social Networks*, London: Karnac Books.

i.e. a new way of mobilizing as many resources as possible in a territorial community (called a ‘district’, normally a valley) to offer services suitable for family life according to each phase of its life cycle, conceived in the Province of Trento (Northern Italy).⁴⁶

All these initiatives are based on a relational philosophy of social work and networking methodologies to support families.⁴⁷ Their aim is to promote the family as a relational asset for the person and the community through interactive networks that stimulate the development of the family’s natural potential. They are examples of how *relational steering* can be the solution which transforms relational evils into relational goods.

10. Summary: why the normo-constituted natural family is and remains the source and origin of a good society

Empirical investigations on the family, at international level, show that the normo-constituted family (i.e., families corresponding to the original social genome) is a resource of added social value, not only because it offers better opportunities to individuals in terms of well-being, but also and above all because it generates a socially inclusive community, that is, a civil and public sphere which promotes the common good.⁴⁸ It is not true, as some argue, that the family is an obstacle to the formation of social capital in society. Instead, there is a synergy between the social capital of the family and that of the surrounding community, as well as generalized social capital.⁴⁹

These results lead to a very precise conclusion: *the normo-constituted natural family is and remains the vital source of society* as long as a new popular culture is capable of expressing a new way of passing from nature to culture. This challenge lies in the type of culture that can master the use of new technologies in the morphogenetic processes.

It is possible that the globalization experienced from the end of the 20th century to the beginning of the 21st century will suffer repercussions, and

⁴⁶ Luciano Malfer (2015). *New Public Family Management*. Milan: FrancoAngeli.

⁴⁷ A practical example is provided by Beth Weaver (2016). *Offending and Desistance. The Importance of Social Relations*. Abingdon: Routledge.

⁴⁸ A wide panorama of national and international surveys is debated in the book P. Donati (ed.) (2012). *Famiglia risorsa della società*. Bologna: il Mulino. See also P. Donati and P. Sullins (eds.) (2015). *The Conjugal Family: An Irreplaceable Resource for Society*. Rome: Libreria Editrice Vaticana.

⁴⁹ See P. Donati and L. Tronca (2008). *Il capitale sociale degli italiani, Le radici familiari, comunitarie e associative del civismo*. Milan: FrancoAngeli.

that local popular cultures will review their relationship with nature and the environment in the light of greater sustainability. The society of the future will have a greater, not lesser need for the family, for the multiple roles it is called to play in making personal and social virtues flourish and, ultimately, in creating a better society. As in other historical periods, human progress depends on the fact that the family can be the source of those relational goods which, as an expression of mutual love between people, are capable of opposing cultural regression and any dictatorial political system. The distinction between the human and non-human characters of a family form should be drawn according to its social genome and effects.

After all, the family remains the ideal for people all over the world. The constitutive genome of the family does not cease to be the *fons et origo* of society. Without this genome, society loses the primary factor that humanizes people and social life and degrades into a chaotic 'family warming' analogous to the global warming of the physical ecosystem.

The problem is how to ensure that the distorting effects of the family's own social genome are controlled, minimized and made reversible. We can hope that, after the deinstitutionalization of the family, a new historical phase will begin in which new relational structures can emerge, giving a new, even institutional meaning to the family as they update its social genome.⁵⁰

Positive family qualities can be seen above all in families with vulnerable or disabled members, because they implement particular actions to deal with the persons in need. These families develop special virtues, which can be called empowerment and resilience. Adoptive and foster families are other examples of social advantages that the family offers to society. In short, we can only believe in the social recovery of the weakest and most marginalized if we have faith in the relational goods that the family can create.

The family inspired by its social genome is an institution of the future, not of the past. The reason is simple: society's primary human, spiritual and social capital originates from the family's genome. The process of civilization is essentially favoured by the unique and irreplaceable virtues of the family when it is practised as a primary relational good that generates innumerable other relational goods.

⁵⁰ Michael Gilding (2000). 'Reflexivity Over and Above Convention: The New Orthodoxy in the Sociology of Personal Life, Formerly Sociology of the Family'. *The British Journal of Sociology*, 61 (4), pp.757-777.

In my opinion, unlike in the past, it is not a specific emerging social class that will bring out a new family model. Today the social strata that guide the historical process are absorbed by the technological processes of modernization that inaugurate forms of family which, by losing the original genome, cause the dissolution of the social fabric. This is the tragedy of Western civilization, which seems to be moving towards a scenario of profound inequalities and injustices, due to the fact that the population is divided in two: on the one hand, those people who seek their own well-being outside of the responsibilities of the social genome of the family oriented to the common good, and, on the other, those taking on the burden and responsibility of establishing and maintaining a family that regenerates society through its original genome. This new divide leads to an unfair society.

Speaking as a sociologist, I do not think that the whole of society will see the end of the family, despite the great scholarly support for this thesis stemming from the chaotic morphogenesis prevalent in hypermodernized societies. I believe instead that the society of the future will most likely be split into many different layers and segments. In some of them, the family will completely implode, in others, endemically problematic forms will emerge, and in others yet, the family morphogenesis could be directed towards a social lifestyle that humanizes relations between genders and between generations in new ways. These new social modalities will seek a new interpersonal relationality capable of making the natural qualities of human beings flourish, as opposed to other forms with their self-destructive artificiality.

By natural qualities of family relationships, I mean those qualities that make people happy because they can enjoy relational goods that have no functional substitute, even when the generation of these goods is mediated by new technologies.

UNITED, BUT NOT UNIFORM. EXPERIMENTAL EVIDENCE ABOUT RISK TAKING IN THE FAMILY

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1. Shaped By Our Families

In his Encyclical Letter *Laudato Si'*, the Pope writes

I would stress the great importance of the family, which is ‘the place in which life – the gift of God – can be properly welcomed and protected against the many attacks to which it is exposed, and can develop in accordance with what constitutes authentic human growth. In the face of the so-called culture of death, the family is the heart of the culture of life’. In the family we first learn how to show love and respect for life; we are taught the proper use of things, order and cleanliness, respect for the local ecosystem and care for all creatures. In the family we receive an integral education, which enables us to grow harmoniously in personal maturity. In the family we learn to ask without demanding, to say ‘thank you’ as an expression of genuine gratitude for what we have been given, to control our aggressivity and greed, and to ask forgiveness when we have caused harm. These simple gestures of heartfelt courtesy help to create a culture of shared life and respect for our surroundings.¹

In this paper, I read the statement as an empirical claim: families have a formative influence. In children, at least in those children who have the good fortune to grow up in their family of origin, the “enculturation” (Collins 1989) channel is isolated. They did not choose their family. If a family member joins later in life, enculturation is still at work. But it competes with selection. Sometimes selection is unidirectional, as in parents adopting a child. More often, selection is reciprocal as, quintessentially, in mating (Bacon, Conte et al. 2014). Husband and wife seek out each other: for many reasons, but arguably also because they are a good fit in terms of their attitudes.

¹ Encyclical Letter of May 24, 2015, https://www.vatican.va/content/francesco/en/encyclicals/documents/papa-francesco_20150524_enciclica-laudato-si.html, R. 213.

There is a large literature on family influences, on matters as mundane as healthy eating (Gross, Pollock et al. 2010), but also considerably more consequential behavior, like implementing a therapy plan (Edelstein and Linn 1985), engaging in premarital sexual relations (Thornton and Camburn 1987), or in crime and delinquency (Derzon 2010). In this paper, I focus on one feature of the decision problem that is characteristic for many, arguably even most choices: the decision-maker faces uncertainty. I investigate in which ways families affect risky choice.

With observational data, it has been shown that married individuals take less risk than singles (Dohmen, Falk et al. 2011), but that married women take more risk than females who are single parents (Halek and Eisenhauer 2001), and that the risk attitudes of couples tend to correlate (Brown, Dickerson et al. 2012, Bacon, Conte et al. 2014). There is a small number of risk-taking experiments with households (Bateman and Munro 2005, De Palma, Picard et al. 2011, Abdellaoui and Paraschiv 2013). But they are interested in how much risk the household, i.e. a more aggregate unit, is happy to take. I, by contrast, investigate the impact of the family on risks an individual family member is taking. In which ways is risk taking shaped by one's family?

I present empirical evidence from an experiment that Alexandra Fedorets, Olga Gorelkina and myself have run on the German Socio-Economic Panel SOEP (Goebel, Grabka et al. 2019). Details about the design of the experiment, hypotheses derived from a formal model, more elaborate statistical analysis of the data, and heterogeneity analysis with the help of a machine learning algorithm will be published elsewhere (Engel, Fedorets et al. 2022). In this paper, I only report descriptive statistics, along with run of the mill regressions, and focus on implications for the theme of the Plenary.

I proceed in five steps. In Section 2, I report to which degree family membership leads to an alignment of risk preferences. For this purpose, I use choices of family members that only affect their own payment. In Section 3 I contrast these choices with four choices that affect the payoff of a second family member. In Section 4 I turn from motivation to cognition, and test whether family members are aware of differences in risk preferences in their family. In Section 5 I turn to key demographic features: how is the attitude towards exposing another family member to risk moderated by enculturation vs. selection; how do parents thus differ from children? Which is the influence of household and of individual income, employment, education, gender, and membership in a religious community? Section 6 ties the findings back to the theme of the Plenary.

2. Alignment

In its most straightforward reading, the opening quote from *Laudato Si'* is a claim about preferences: the preferences of two members of the same household are more aligned than the preferences of two persons randomly drawn from the same population. I use data from my experiment with Alexandra Fedorets and Olga Gorelkina to test this claim.

All the many safeguards in the design of the experiment are discussed in a more technical paper (Engel, Fedorets et al. 2022). In the present context, the following suffices. Participants choose one of 11 lotteries. Each lottery has a high and a low outcome. Both outcomes are equally probable. The first lottery is actually a safe choice, as both outcomes are the same. Participants gain 10€ with certainty. All other lotteries expose participants to true risk. But there is a catch. Risk-taking is profitable. The good outcome increases twice as fast as the bad outcome deteriorates. Hence in the second lottery, the good outcome is 12, while the bad outcome is 9. The gap between the good and bad outcome increases in steps of 2 for the good and in steps of 1 for the bad outcome. In the final lottery, the good outcome is 30 while the bad outcome is 0. Hence the more a participant is averse to risk the smaller the spread between the good and the bad outcome.

We had the good fortune to run our experiment on the complete intervention sample of the German socio-economic panel SOEP. In 494 households, interviewers randomly selected 2 household members. Theoretically this could have been one of the parents and one of the children. But effectively we have only very few (48) parent-child pairs, but 177 parent-parent pairs, and 269 child-child pairs. Due to concerns about prior consent, we only tested children who were 18 years old or older (but still live in the household of their parents). In this section, I report data from the first part of the experiment. In this part, participants decide on their own. They do not know what the second part of the experiment will be about.

The left panel of Figure 1 plots a participant's own choice against the choice of the other household member. If risk preferences were perfectly aligned, all bubbles should be on the diagonal: if one household member is not willing to accept any risk, the other household member should not do so as well. The choice should be at 0,0. If one household member is happy to tolerate a medium size of risk and is willing to lose at most half of the sure gain, the choice should be at 5,5. And if one household member is attracted by the possibility to gain as much as 30, both choices should be at 10,10. As the figure shows, there are some choices on the diagonal. But the majority of choices are not. Even the bubbles in the extreme 0,10

and 10,0 corners are large. Risk preferences in households are clearly not anything close to perfectly aligned.

Still the regression in Table 1 finds a highly significant association between the choice of the other household member and the participant's own choice. The coefficient is positive. The more risk the other household member is happy to accept, the more risk the regression predicts this household member to accept. However, the coefficient is small. If the other household member is accepting the risk of losing one more € in exchange for the possibility of gaining two more €, this household member is 11% more likely to do so as well.

The right-hand panel explains what drives this overall effect. It looks at the difference between a participant's own choice and the independent choice of the other household member. If this difference is zero, risk preferences have been perfectly aligned. Both participants have made the same choice. For 16% of all participants this is indeed the case. Apparently, the midpoint and the extremes have been prominent numbers, which is why we find peaks at differences of +5 and -5 and +10 and -10. With this qualification, the distribution of differences is shaped like a pyramid. Household members are not just the same when it comes to risk preferences. But living together with a very risk averse person makes it less likely to be very risk seeking oneself, and vice versa. We thus find an alignment effect, but the size of the effect is small.

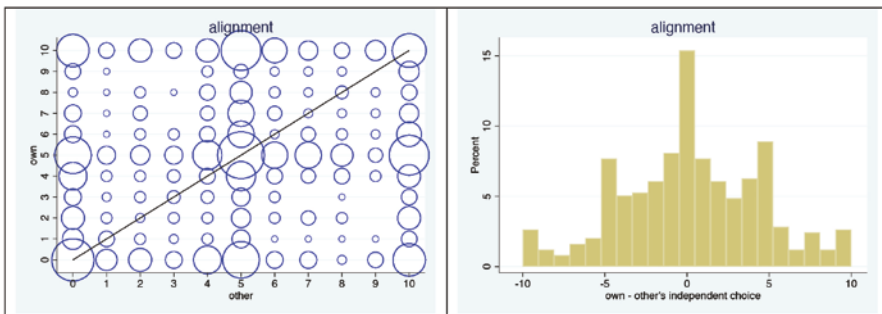


Figure 1. *Choices of Household Members When Deciding on Their Own.* Left panel: bubble size represents frequency

other's choice	.123***
constant	4.294***
N	988

Table 1. *Choices of Household Members When Deciding on Their Own.* OLS, *** $p < .001$

3. Respect

a) *Free Respect*

In the second part of the experiment, participants again chose one of the 11 lotteries. But in this part of the experiment, their choice has an effect for the other household member. In the interest of eliciting these choices from every participant, we used what experimental economists call the strategy method (Selten 1967). We thus asked each participant to make all choices, and only after the experiment was finished we randomly determined which choice, from which household member, would be implemented.

In the first condition of the second part of the experiment the active participant is choosing on behalf of the other, passive household member. Hence her choice has no material consequences for herself, and only affects the outcome of the other household member. The left panel of Figure 2 is the equivalent of the right panel of Figure 1. I thus report the difference between the participant's choice and the choice that the other participant has made when deciding on her own. I call the condition "free respect" as, in this condition, paying respect to what the other household member wants is completely free of charge. Still only 16% of these rulers do exactly what the family member wants for whom the decision matters. Participants pay respect to the wishes of other family members, but only to a rather limited degree.

The right-hand panel isolates the difference between deciding on one's own and deciding on behalf of another family member. It is a graphical representation of the "difference in differences". The figure thus compares by how much, and in which direction, the decision of the participant deviates from the decision of her counterpart when both are alone, compared with the decision when one participant decides on behalf of the other. There is again a peek at zero. For 37% of our participants, it does not make a difference whether they decide on behalf of themselves or on behalf of the other family member. This null effect does, however, not imply that participants simply impose their own risk preference on the other

household member. The more their risk preferences have been aligned in the first place (the closer they have been to 0 in the left panel of Figure 1) the less there is a need for adjustment if participants now decide on behalf of the other household member. Yet about two thirds of the participants make a difference between deciding on their own and deciding on behalf of the other household member. When deciding on behalf of the other family member they become more risk seeking than when deciding on their own, or they become more risk averse. Actually, there is a clear asymmetry. When their decision matters for the other household member, participants are considerably more likely to reduce the exposure to risk, rather than increasing it. This suggests that participants shy away from being responsible for a bad outcome more than they shy away from depriving the other participant of an even higher gain.

The regression in Table 2 fully supports the visual impression. If participants decide on behalf of another household member (free respect), on average their choices are considerably more risk averse. But, through the interaction effect, this dampening effect is reduced the more the other household member has a taste for risk. The first effect shows that participants become more cautious when they are responsible for an outcome that exclusively affects another family member. However, the second effect shows that family members are not blindly protective. If they know that the other family member is more risk tolerant, they are (at least partly) sensitive to this.

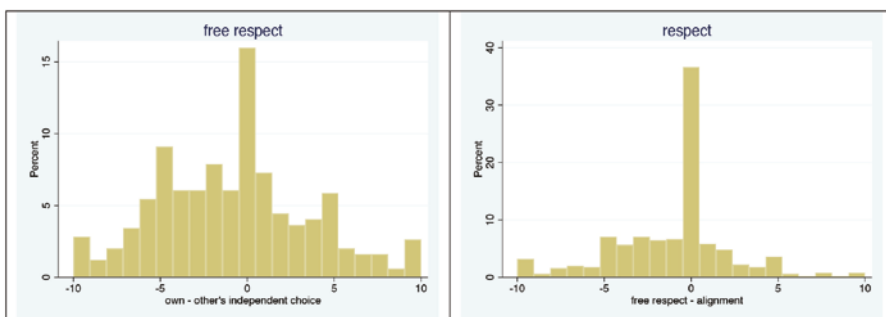


Figure 2. *Choices of Household Members When Deciding on Behalf of the Other Household Member.* Left panel: chosen lottery – lottery other household member had chosen when alone. Right panel: (chosen lottery in this part of the experiment – lottery other household member had chosen when alone) – (chosen lottery in part 1 of the experiment – lottery other household member had chosen in part 1).

free respect	-1.703***
other's choice	.123***
free respect * other's choice	.190***
constant	4.294***
N	1976
N uid	988

Table 2. Choices of Household Members When Deciding on Behalf of the Other Household Member. linear random effects, *** $p < .001$

b) Costly Respect

In the next condition, there is still one active and one passive household member. But now the choice of the active household member affects the payoff of both household members. Hence if the risk materializes, both of them receive a lower payoff. But both of them also receive a higher payoff if the active participant has accepted a higher degree of risk and the risk has not materialized. In this condition, the active participant is thus in the position of a (risk) dictator.

The left panel of Figure 3 shows that only about 14% of dictators perfectly implement the risk preference of the other household member. Comparing the left panel of Figure 3 with the left panel of Figure 2, we also see that the asymmetry has disappeared. Descriptively, dictators are

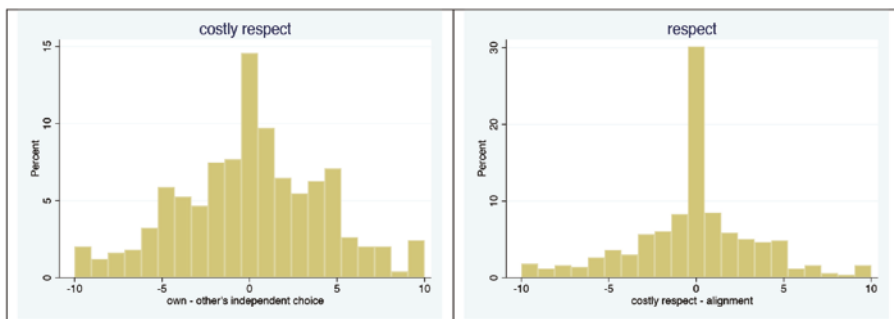


Figure 3. Choices of Household Members When Deciding on Behalf of Themselves and the Other Household Member. Left panel: chosen lottery – lottery other household member had chosen when alone. Right panel: (chosen lottery in this part of the experiment – lottery other household member had chosen when alone) – (chosen lottery in part 1 of the experiment – lottery other household member had chosen in part 1).

even slightly more likely to expose the other household member to a bit more risk, compared to less risk. This does also become visible in the right-hand panel of Figure 3. It again displays the difference in differences, between the first and this part of the experiment.

The regression of Table 3 further nuances the picture. If the other participant is highly averse to risk (chooses the lottery that gives her a sure gain of 10, other's choice is then coded as 0) the dictator reduces risk exposure by 78 of 100 points. Yet the interaction effect shows that, for any point the passive household member is more willing to take risk, the active member increases joint risk exposure by about .2 points. All main and interaction effects are highly significant. This demonstrates that dictators strike a balance between respect for the risk preferences of the other family member and their own risk attitude.

free respect	-1.703***
costly respect	-.779***
other's choice	.123***
free respect * other's choice	.190***
costly respect * other's choice	.158***
constant	4.294***
N	2964
N uid	988

Table 3. *Choices of Household Members When Deciding on Behalf of the Other Household Member.* linear random effects, *** $p < .001$

c) Joint Decision

In the following condition, both household members participate in decision-making. But they have to make one decision that affects both of them; technically, the average of both decisions is implemented. As Figure 4 shows, many more participants make the same choice as when deciding on their own. About 35% of the bars are at zero. This is about twice as frequent as in the other two conditions (see Figure 2 and Figure 3). In particular the comparison with the costly respect condition is interesting. In both conditions, the outcome affects both household members equally. But in the present condition, the other household member may fend for

herself. Participants are clearly sensitive to this. Yet if a participant is also willing to consider the well-being of the other household member, she is more likely to reduce, rather than increase the exposure to risk, compared with the decision she has taken when alone (the bars left of 0 are higher than right of 0). The differences in differences (right panel) are very similar to the left panel, except for the bar at 0 being much lower: participants are more likely to choose their individually preferred risk level, rather than the level preferred by the other family member. All visual impressions are supported by statistical analysis (Table 4).

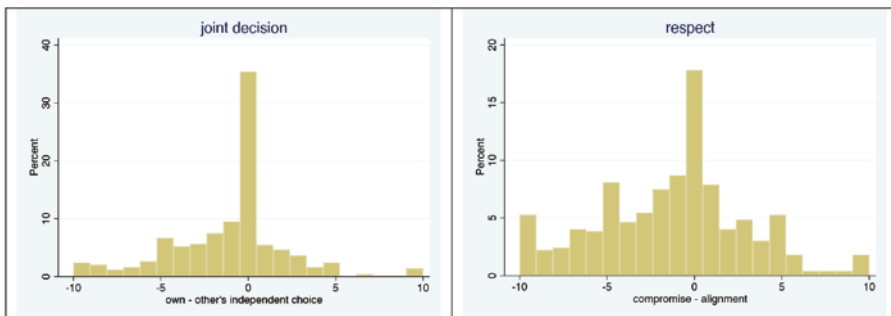


Figure 4. *Choices of Household Members When Jointly Deciding.* Left panel: chosen lottery – lottery other household member had chosen when alone. Right panel: (chosen lottery in this part of the experiment – lottery other household member had chosen when alone) – (chosen lottery in part 1 of the experiment – lottery other household member had chosen in part 1).

free respect	-1.703***
costly respect	-.779**
joint decision	-1.628***
other's choice	.123***
free respect * other's choice	.190***
costly respect * other's choice	.158***
joint decision * other's choice	.163***
constant	4.294***
N	3952
N uid	988

Table 4. *Choices of Household Members When Jointly Deciding.* linear random effects, ** $p < .01$, *** $p < .001$

d) Veto

In the final condition, the decisions of both household members are checked, but only the more conservative of the two choices is implemented. This design effectively gives the more risk-averse participant a veto. Interestingly, comparing Figure 5 with Figure 4 one sees that, in this condition, less participants repeat the choice they have made when on their own. Deviations in the direction of a higher exposure to risk are considerably more frequent. This suggests that some of the more risk-averse family members move in the direction of the preferences of their counterpart. Arguably they realize that it is very likely that their choice will be implemented, and they strike a balance with the more pronounced taste for risk of the other family member. However, as the right panel of Figure 5 shows, in the veto condition many participants do not repeat the choice they have made when they alone were deciding on behalf of the other family member (the bar at 0 is relatively low). There are about as many deviations into the direction of higher and of lower exposure to risk. This is in line with at least some of the more risk averse participants moving into the direction of the preferences of their counterpart.

The regression in Table 5 establishes a significant negative main effect of this condition. If the other family member is unwilling to accept any risk, even in this condition more risk-seeking participants move into the direction of her preferences. This pattern might result from them expecting a movement of their counterpart into the opposite direction, and playing it safe.

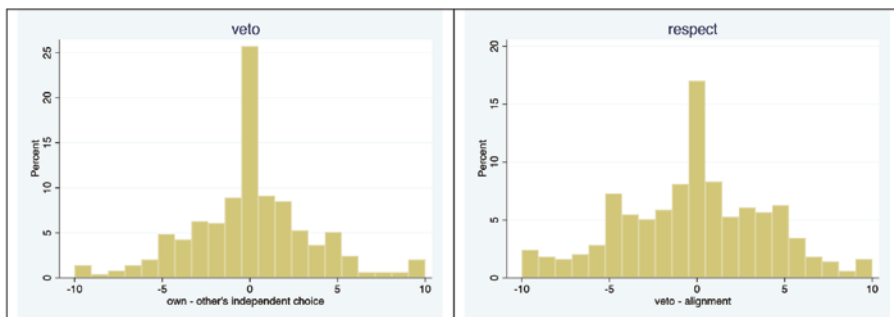


Figure 5. *Choices of Household Members When Jointly Deciding.* Left panel: chosen lottery – lottery other household member had chosen when alone. Right panel: (chosen lottery in this part of the experiment – lottery other household member had chosen when alone) – (chosen lottery in part 1 of the experiment – lottery other household member had chosen in part 1).

free respect	-1.703***
costly respect	-.779**
joint decision	-1.628***
veto	-.604**
other's choice	.123***
free respect * other's choice	.190***
costly respect * other's choice	.158***
joint decision * other's choice	.163***
veto	.095*
constant	4.294***
N	4940
N uid	988

Table 5. *Choices of Household Members When the More Risk Averse Has a Veto.* Linear random effects, * $p < .05$, ** $p < .01$, *** $p < .001$

4. Knowledge

Earlier sections have investigated the motivational effect of living in a family, and of deciding on behalf of other family members. In the experiment, we are free to neutralize the cognitive dimension, by explicitly informing participants in the second part of the experiment about the choice of their experimental counterpart in the first part of the experiment. This is what we did for half of our participants. For the randomly determined other half we withheld this information. Figure 6 is an alternative way of representing the left panel of Figure 2. The figure thus reports the distribution of the difference between the choice a participant makes when deciding on behalf of the other participant, and the choice when exclusively deciding for herself. Yet in this figure, the distributions are separately reported when the counterpart's decision in the first part of the experiment is revealed (dotted) and when it is concealed (dashed). Distributions are strikingly similar. In a regression, we also do not find any significant differences.² Obviously, family members need no information about the risk preferences of each other. They just know them, and exhibit the same (heterogeneous) sensitivity towards the risk preference of another family member.

² The regression is available upon request.

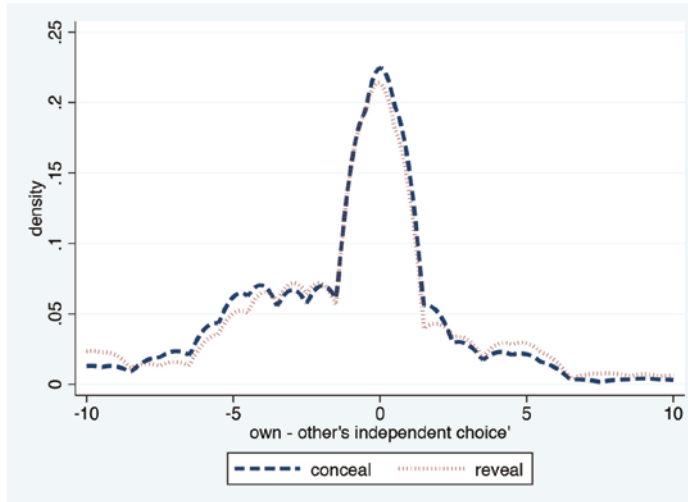


Figure 6. *Explicit Information about the Other Family Member's Choice.* Dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one's own behalf.

5. Demographic Moderators

a) Selection vs. Enculturation

Conceptually, in child pairs the channel through which their risk preferences can be aligned must be enculturation. In parent pairs, selective mating is an alternative channel. Yet as Figure 7 shows, distributions look very similar. Descriptively, children are a bit more likely to make no difference between deciding on their own and deciding on behalf of another child. But this difference is far from significance.³ With our data we cannot say whether the lack of a significant difference is due to the fact that enculturation over time overshadows selection effects, or whether the competing mental mechanisms converge to a comparable outcome.

³ The regression is available upon request.

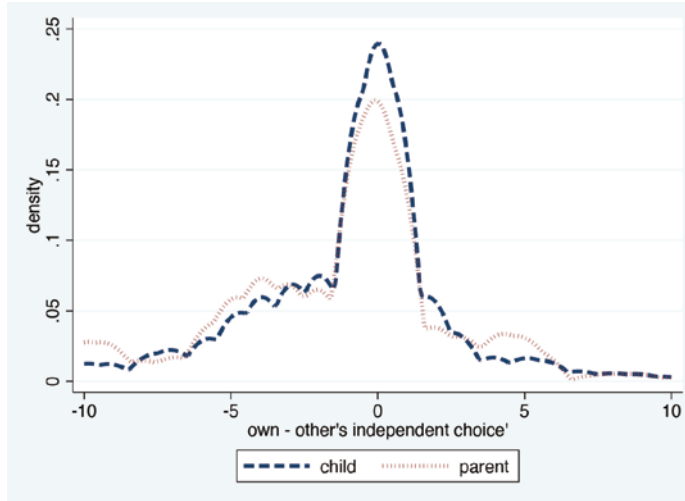


Figure 7. Child Pairs vs. Parent Pairs. dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one's own behalf data from 48 parent-child pairs omitted.

b) Income

Descriptively, personal income has a bigger effect than household income (Figure 8). Those who fully rely on the income of the breadwinner, hence have a personal income of 0, are least sensitive to differences in risk preferences between themselves and the other family member with whom they have been paired. Participants living in a household with a monthly income above 5000€ are a bit more sensitive than those living in households with a lower income.

Yet despite the fact that effects are not big, the regressions of Table 6 show that they are discernible. The main effect of household income in model 1 implies that the higher the income the more risk the individual takes when deciding on her own. Yet the interaction with being responsible for the risk exposure of another family member is more than six times as large and clearly significant. Hence the higher the household income, the more pronounced the reticence to inflict a bad outcome on a passive family member. The interaction between household income and the other family member's risk preference is significantly negative: when the participant decides on her own, she is less influenced by the risk preference

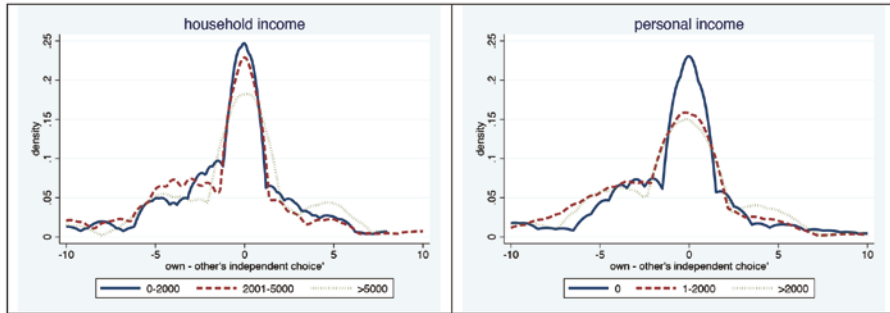


Figure 8. *Income.* Dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one’s own behalf.

	model 1	model 2
free respect	-.370	-1.283***
other’s choice	.413***	.193***
free respect * other’s choice	-.056	.159**
household income	.00065***	
free respect * household income	-.0042**	
other’s choice * household income	-.000091***	
free respect * other’s choice * household income	.000076**	
own income		.00073***
free respect * own income		-.00042*
other’s choice * own income		-.000069**
free respect * other’s choice * own income		.000031
constant	2.252***	3.560***
N	1976	1976
N uid	988	988

Table 6. *Choices of Household Members Moderated by Income.* Linear random effects, * $p < .05$, ** $p < .01$, *** $p < .001$

of the other family member the higher the income of the household. Yet the three-way interaction is again significantly positive. It neutralizes the dampening effect of household income on the sensitivity towards the wishes of the passive participant when deciding on her behalf.

The three-way interaction is not significant in model 2, which investigates the moderating effect of the participant's own income. All other effects are however significant, have the same sign as with household income, and approximately the same size. Statistically we do thus find a moderating effect of income, but the effect is small.

c) Employment

Descriptively, employment status has a more pronounced effect on sensitivity towards the risk preferences of other family members. If the active family member is unemployed, she is most likely to impose the same choice on the other family member that she had made herself when alone. This is different for those with a regular employment relation, and even more so for those who work part-time.

The regression reported in Table 7 first shows that controlling for employment status does not substantially change the effects reported in Table 2: when they decide on behalf of another family member, participants reduce the risk exposure. They are influenced by the risk preferences of the other participant. But this effect is almost twice as big if they decide on this person's behalf. Statistically, irregular employment has essentially no effect. By contrast those regularly employed take substantially more risk

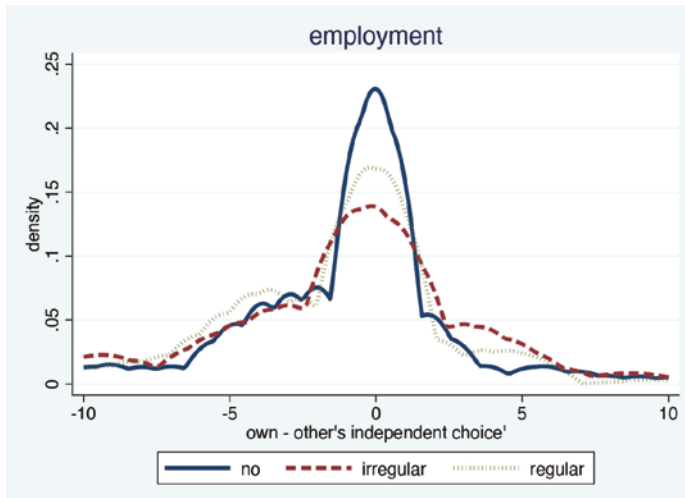


Figure 9. *Employment.* dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one's own behalf.

when deciding for themselves. But they reduce the exposure substantially when they decide on behalf of the other person. And they are less influenced by the other person's risk preferences, both when deciding on their own and on behalf of this other family member (the three-way interaction is insignificant).

free respect	-1.187**
other's choice	.221***
free respect * other's choice	.151*
irregular employment	.491
free respect * irregular employment	-.618
other's choice * irregular employment	-.067
free respect * other's choice * irregular employment	.072
regular employment	1.866***
free respect * regular employment	-1.009*
other's choice * regular employment	-.211**
free respect * other's choice * regular employment	.062
constant	3.459***
N	1976
N uid	988

Table 7. *Choices of Household Members Moderated by Employment.* Linear random effects, * $p < .05$, ** $p < .01$, *** $p < .001$

d) Education

Education has visibly no discernible effect (Figure 10). Statistical analysis also finds no effect that is significant at conventional levels.⁴

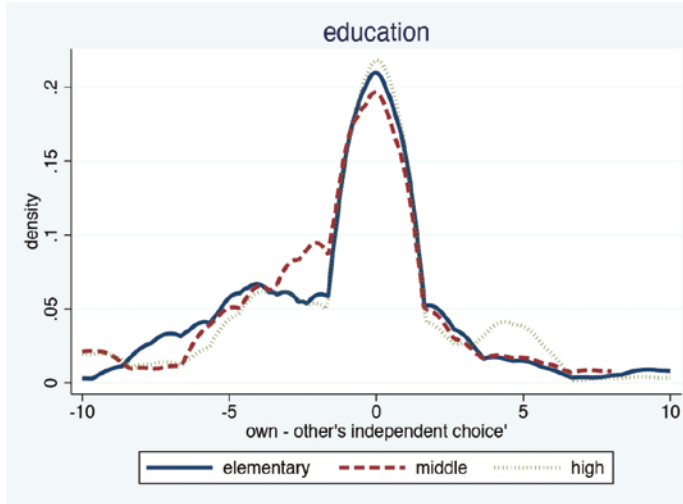


Figure 10. *Education.* Dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one’s own behalf.

e) Gender

Descriptively, there is a clear gender effect (Figure 11). Male participants are considerably more likely to impose their own risk assessment on the other family member (many more differences are at or near 0). Female participants are also more likely to become more cautious when deciding on behalf of the other family member, rather than more risk-seeking.

In the regression of Table 8, the interaction between free respect and the other family member’s choice when alone is only weakly significant, and much smaller than in Table 2. This shows that, indeed, male participants are less sensitive to a gap between their own risk attitude and the risk attitude of the family member on whose behalf they decide: as the regression controls for active participants being female, this interaction effect captures the sensitivity of male participants. By contrast, the three-

⁴ The regression is available upon request.

way interaction is large and significant. While male participants exhibit little deference to the risk preference of other family members, female participants are sensitive.

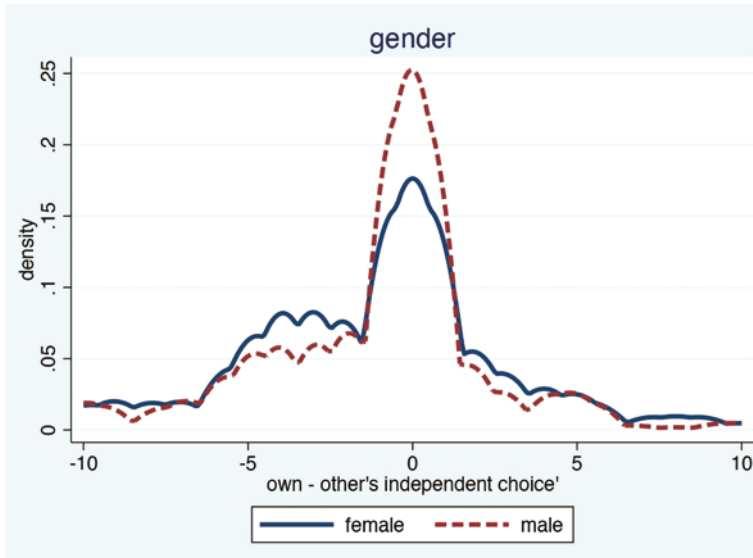


Figure 11. *Gender.* Dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one’s own behalf.

free respect	-1.509***
other’s choice	.128**
free respect * other’s choice	.093 ⁺
female	-.803*
free respect * female	-.329
other’s choice * female	.013
free respect * other’s choice * female	.167*
constant	4.636***
N	1976
N uid	988

Table 8. Choices of Household Members Moderated by Gender. Linear random effects, + $p < .1$, * $p < .05$, ** $p < .01$, *** $p < .001$

f) Religion

In the general survey that we are allowed to match with our data, participants were asked whether they are a member of a religious community. Descriptively, reporting to be religious in this sense has little effect (Figure 12). Yet the regression of Table 9 finds a significant three-way interaction: religious participants are substantially more sensitive to the risk preferences of another family member on whose behalf they decide.

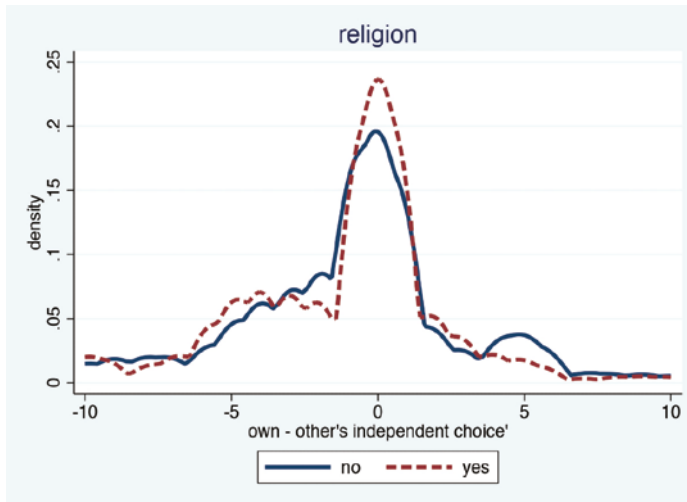


Figure 12. Religion. Dependent variable: choice when deciding on behalf of the other family member – choice when deciding on one’s own behalf.

free respect	-1.331***
other’s choice	.119**
free respect * other’s choice	.087
religion	-.076
free respect * religion	-.597
other’s choice * religion	.005
free respect * other’s choice * religion	.165*
constant	4.343
N	1976
N uid	988

Table 9. Choices of Household Members Moderated by Religion. Linear random effects, + $p < .1$, * $p < .05$, ** $p < .01$, *** $p < .001$

6. Tentative Lessons

Experiments are not descriptions. They are tools for isolating causes. In a strict sense, the present experiment does not generate evidence about the cause that is the topic of this plenary. The experiment is not randomly assigning some participants to a family, while it withholds family life from others. This would require a cohort of Kaspar Hausers. No review board would approve such a cruel research design. One could of course exploit the vagaries of life and compare individuals who had the good fortune to grow up in a well-functioning family with others who had to live in a foster home or an institution. But such evidence would at best be suggestive, as these two groups of individuals are bound to differ in many more respects.

The evidence reported in section 2 of this paper tries to parry the methodological challenge in an indirect way. The households that we had a chance to study come from all parts of Germany, and from all walks of life. We find that the risk preferences of two independently tested family members are correlated. The correlation is far from perfect. But the distributions of choices are also far from uniform. The statement, of course, does not hold for all households. But the risk preferences of household members are likely not to be strongly dissimilar. We find a small degree of alignment. To this extent, the experimental evidence supports the empirical claim that (risk) preferences are shaped by families.

In the opening quote, claims about process and claims about outcome go hand-in-hand. In the experiment, one process channel is isolated. Actually, in this dimension the experiment benefits from random assignment (of the one situation that is payoff relevant) and therefore generates strictly causal evidence. This process channel is respect. The experiment again shows that it is not perfect. Even if one family member decides on behalf of the other, with no material consequences for the decision-maker, choices frequently deviate from the preferences of the addressee. But choices participants make in this role are about twice as intensely influenced by the risk preferences of the addressee, compared with the choice the decision-maker has made when deciding on her own. Living together in a family makes one sensitive towards the interests of other family members. This also holds if paying respect is costly, in that the well-being of the decision-maker is also at stake. Respect is also visible if two family members have to agree on the level of risk exposure, and even if the choice of the more risk-averse family member is implemented by design.

Family life is not only formative, it is also informative. In this respect, the finding does benefit from random assignment to treatment. It makes

virtually no difference whether the active participant receives explicit information about the degree of risk the passive participant has accepted when deciding on her own, or not. This is remarkable since measuring risk preferences is not a task family members routinely undertake. Their sense of acceptable risk exposure must result from intuitively aggregating over multiple observations in the past. As the data shows, these intuitive estimates are very precise.

Families are defined by an asymmetry. The parents have chosen each other, and voluntarily agreed to be married. By contrast, children are born into their families. Against this backdrop, it remains remarkable how comparable the choices of parent-parent and child-child pairs turn out to be. Apparently, it makes no visible difference for both alignment and respect whether the bond is freely chosen, or results from upbringing.

Demographic variables can only be observed. They are not exogenously assigned. One may therefore not be sure that a significant effect is causal. Still, it is interesting that both household income and personal income make more risk-seeking when alone, but the effect is significantly reduced when deciding on behalf of another family member. Moreover, the higher the household income, the less pronounced the effect of the other household member's risk attitude when deciding alone, but the more pronounced the effect when deciding on behalf the other family member. The bottom line is: members of wealthy families are happy to accept more risk when deciding in isolation, but they become more cautious when deciding on behalf of another family member. Wealthy households are more likely to care about each other. The same pattern is found if the decision-maker earns a regular outcome, compared with participants who have no personal income, or who only work part-time. Female participants are more responsive towards the risk preferences of the other household member. The same holds for participants who report belonging to a religious community.

Are we our families? Evidence from this experiment is nuanced. When it comes to accepting risk, family members are not all the same. Living together for decades does not regularly lead to the alignment of risk preferences. But if risk preferences vary within a family, family members know that, and have a fairly good sense how much risk other members of the family are willing to tolerate. And to a remarkable degree, they are willing to act upon this knowledge. They pay respect to each other. Family members tend to be united, but not uniform.

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▶ SESSION 4.

THE MEANING OF THE FAMILY:
THEOLOGICAL AND PHILOSOPHICAL PERSPECTIVE

EDUCATION FOR LOVE IN THE FAMILY AND BEYOND

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1. Kant and the Moral Subject

In his *Groundwork of the Metaphysics of Morals* Immanuel Kant gives us a formula of the Categorical Imperative that stands at the basis of all forms of humanism, both religious and non-religious:¹ “Act only according to that maxim whereby you can, at the same time, will that it should become a universal law”. A moral subject should take care, in formulating the maxim of his action, of the equal rights of all other moral subjects and include, in the definition of his own good, also the good of all other moral subjects. It seems to me that this proposition is an equivalent of the following: “Whenever you say I, do not forget that you are, at the same time, a we”.

2. The Moral Subject is the Result of a Historical Process

This Imperative seems to be a necessary component part of the transcendental definition of the moral subject. If I do not incorporate in my self-consciousness this imperative, I am not a moral subject. But are empirical human beings moral subjects? And why should I desire to be a moral subject? And is the moral subject something that is given or the result of a spiritual and social process, of a becoming, of the interaction between internal impulses and social structures? The School of Frankfurt has pointed out that much of what we are used to considering as pertaining to the metaphysical structure of the human being is, as a matter of fact, the result of a historical process. This is not necessarily a negation of the existence of metaphysical structures of the human person; it only brings to evidence the fact that the metaphysical structure manifests itself, or is hindered in its manifestation, in the human action. It leads us back to the Aristotelian metaphysics of potency and act. We are all potential moral subjects but this potentiality is actualized through the historical process of education.

¹ Immanuel Kant, *Groundwork of the Metaphysic of Morals*, translated by James W. Ellington, Hackett 1993, p. 30 (Akademie Ausgabe 4, 431, 1785).

The Constitution of the Moral Subject in Consciousness: 1. Falling in love

What is the experience through which we pass from the perception of the *I* to the conscience of the *we*? Plato has given us a wonderful answer to this question: it is the experience of falling in love and of being in love. When we fall in love our emotional centre is displaced and collocated out of ourselves, in the person of our beloved or, rather, in an intermediate space between us, and we both (when the love is reciprocated) receive through this relation a new identity and begin to see the world from the point of view of the unity of ourselves, from the point of view of the *we*. This is really a divine folly or the introduction into a different world. Socrates will here make a decisive step forward: falling in love is dependent upon the beauty of the body but it brings with itself the discovery of the interiority of the other person, the discovery of the beauty of the soul. Socrates severs at the same time the admiration of beauty from the desire to possess, and the beauty of the soul from the beauty of the body. In each human being the miracle of the beauty of the soul is present, and in each human being it deserves to be unconditionally loved. The experience of being a *we* thus encompasses the whole of Mankind.²

The Socratic *eros* is a kind of phenomenology through which the transcendental Ego is constituted.

The Constitution of the Human Subject in Consciousness: 2. To be born

Is the experience of falling in love really the first instance in which we make the experience of being a *we*? Melanie Klein³ suggests a more radical and differentiated explanation of the constitution of the transcendental ego. We do not *become* a *we*. We *are* a *we* since the beginning. We are conceived and carried for nine months in the body of our mother and the consciousness of being an *I* is the result, first of all, of a process of identification and distinction from the undifferentiated mother/child complex. In one sense we are a relation before being a substance, meaning as substance an *ens in se subsistens*.⁴ The origin of the transformation of the substance of the woman into the mother/child complex is, in its turn, the result of the relation of the woman to another human being, the male who is the father of the child.

² Plato, *Symposium* 210 a and ff.; *Phaidros*, 244 a and ff.

³ Melanie Klein, On Identification, in *The Writings of Melanie Klein v. III Envy and gratitude and other works 1946/1963*, New York, The Free Press 1975.

⁴ A being subsisting in itself.

The Cycle of Family Life

We have then a circular process: the discovery, through the sexual impulse, of the need of being in relation with another leads to the conception and to the birth of a third human being. The emotional centre displaced by both lovers out of themselves in a place situated between them is now concretized in the person(s) of their child(ren). Growing up, the child will differentiate himself from the indistinct mother/child complex, first establishing a relation with his father, then constituting himself for himself in the oedipal conflict and later in teenage rebellion. In the end he will fall in love with a woman different from his mother and reinitiate the cycle of life.

The Role of the Father

In this process the father has the role of severing the knot osmotically connecting the mother to the child. The child is thus introduced a second time into the world, and extracted from the undifferentiated unity with his mother.⁵ He learns that his mother does not belong to him but to his father and that the world of reality has rules he has to observe. Here we encounter the phenomenon of repression. Repression has been considered in the last fifty years as the source of all evil. It is, however, apparent that without the repression (and consequent sublimation) of the instinctual drive binding a child to his mother, the child could never evolve into a distinct free and responsible human being. Here we see for the first time the unavoidable and positive function of the norm. A simple expression of desire is not an adequate reason for its satisfaction. First of all, the desire has to be oriented towards its proper object (that is, not one's mother but another woman) and then its satisfaction has to be produced through work. The process is further enriched through the presence of siblings. The ego learns to be a member of a community, to feel the joy and the sorrow of others as his/her own joys and sorrows, and to define his/her own good encompassing in it the good of others.

The Transition from the Nuclear Family to Mankind at Large

Claude Levi Strauss has taught us how important the prohibition of incest is for the further development of human societies.⁶ The interdiction of sexual intercourse within the family compels grownup children to look for a mate in another family. The children who are born of that union will

⁵ Sigmund Freud, *The id and the ego*, Eastwood, Martino Fine Books 2011 (1923).

⁶ Claude Levi Strauss, *The elementary structures of kinship*, Boston, Beacon Press 1971.

belong, albeit in a differentiated form, both to the family of their father and to the family of their mother. This is a fundamental transition towards the idea of tribe. Tribes are based on consanguinity; there is, however, the possibility of being admitted into a tribe through a different relationship: hospitality or adoption. Later, the growth of commerce, the interchange of goods among different groups, the establishment of broader working and political communities would lead to the idea of a universal human brotherhood as is contained, for instance, in the Abrahamic religions and in Stoic philosophy, and the moral subject that stands at the basis of Kantian ethics would be considered as something naturally given.

The Moral Subject is Constituted in the Family

I do not want to deny this pretension. I only want to draw attention on the fact that the natural potentiality to become a moral subject develops and fully matures only through a historical process that has consolidated itself in an institution that channels sex drive and creates the riverbed that contains the educational process whose end result is the moral subject. This institution is the family.⁷

Importance of Sex Drive

It is important now to stress the importance of sex drive in the constitution of the moral personality. It breaks down the presumed self-sufficiency of the subject: the need for the other is inscribed through sex drive in the very instinctual structure of the human being, first in relation to one's mother and then in relation to one's spouse.⁸

The human sex drive presents itself in a cultural form

The human sex drive, however, presents itself in a cultural form: its proper satisfaction is linked with the development of the moral subject and with the constitution of human society. Gaston Fessard has complemented the Hegelian phenomenology that describes the interhuman relation beginning with the relation between master and slave with a different phenomenology, describing it also as a relation between man and woman.⁹ The two modalities of the genesis of the moral subject are, of course, intertwined. The relation between man and woman can also be a relation

⁷ Rocco Buttiglione, *L'uomo e la famiglia*, Roma, Dino Editore 1991.

⁸ See the hymn to Venus at the beginning of Lucretius' poem *De Rerum Natura*.

⁹ Gaston Fessard, *De l'actualité historique*, Paris, Desclée de Brouwer 1960.

between master and slave: In this case, it loses its distinctive character and is degraded. This distinct character is freedom. In the experience of falling in love I desire the body of the other but I can only have it through a free gift of the other. I cannot really possess the other if I do not allow her (him) the freedom of saying no. This implies even the readiness to renounce the possession if this is demanded by the true good of the other or of myself.¹⁰

Possessing the Body of the Other, Respecting at the Same Time Her/His Dignity as a Person¹¹

The process I have described demands to be performed according to a rule. It is not just a result of the work of instinct. Instinct needs to be elaborated culturally. This cultural elaboration implies a complex set of sublimations and this is the reason why, in all cultures, we find a system of rules, a distinct set of prohibitions and encouragements through which we reproduce human beings not only as biological specimens of the human species but also, at the same time, as moral subjects who interiorize the relation with the other as a constitutive element of their identity. All other human relations that we develop in the course of our lives are an enlargement and a modification of the first and fundamental attitudes we learn within the family.

The Traditional Set of Norms Regulating Human Sexuality

Traditional sexual ethics is centred upon the need to clearly identify the parents who carry the responsibility of rearing a child. This explains the prohibition of intercourse out of wedlock as well as adultery. The first instance contains the possibility that a child be born without a father, the second can result in a false attribution of paternity. In pagan societies this rule was less strict. Infanticide offered a solution for children born out of wedlock, and widespread slavery was – within their worldview – an easy escape for a sexuality not completely elevated to the level of an interpersonal relation. Pagans, also, however, knew the institution of marriage, that was clearly differentiated from other sexual relations in which human dignity was not fully recognized to both partners in the relationship. In the fundamental structure of marriage, intercourse implied accepting the eventuality of becoming parents together and assuming the responsibility

¹⁰ A literary expression of this state affairs can be found in Edmond Rostand, *Cyrano de Bergerac*, Signet 2012 (1897).

¹¹ Karol Wojtyła, *Love and responsibility*, Boston, Pauline Books & Media 2013 (1960).

of nurturing and educating a child. This, in turn, required a long-lasting relation. All this is included in the traditional conception of marriage and family. The romantic idea of love is also linked to this meaningful complex of circumstances. Today this traditional ethic is often criticized as contrary to the enjoyment of sexuality. It makes sense, however, if you consider it from the point of view of a society that wants every child to have two parents to take care of it and does not have reliable means to sever the enjoyment of sex from the conception of children.

The divorce between the enjoyment of sex and the conception of children, and the sexual revolution

The discovery of the contraceptive pill shook this system of beliefs like an earthquake. Now it is possible to have sex without having children. The motivation of the social bias against sex out of marriage seems to have disappeared. Philandering too does not seem to be as dangerous for a marriage as it used to be. Why should we not experiment with open marriages in which exclusivity is limited to sexual intercourse productive of children? Horkheimer noticed that this causes a certain devaluation of the symbolic significance of the single sexual act.¹² The meaningful totality of the sexual life can be segmented. The emotional experience of falling in love can be severed from the assumption of responsibility for the life of the beloved person and for the procreation of a common child. One can fall in love many times without ever coming to a full engagement of the person through an act of will. This can take place later in life or it is also possible that it will not take place at all. It is also possible to sever instinctual satisfaction from the emotional experience of falling in love. Within the marital bond too the balance between the emotional involvement and the commitment of the person shifts in favor of emotional involvement. The meaning of the word “love” runs the risk of being reduced to “emotional involvement”. When the emotional involvement slackens or disappears, conjugal love and marriage are deemed to be over. If marriage is no longer conceived as an institution aimed at the procreation and education of children, the difference between homosexual and heterosexual relations is also obliterated.

All the pillars of the traditional conception of marriage and family are questioned in the course of the so-called sexual revolution. The safest course of action for moral philosophers and theologians seemed to be a

¹² Max Horkheimer, *Die Sehnsucht nach dem ganz Anderen*, Hamburg, Furche Verlag 1970 p. 74.

prudent retreat. The myth of the sexual revolution is that sex is intrinsically good and does not stand in need of rational control or moral judgement. This found its expression in the slogan “make love, not war”. A drastically simplified psychoanalysis suggested that aggressive drives are a result of a repressed sexuality.

Have we gone too far?

After a while it became apparent that we had gone too far. On the wave of the sexual revolution in some states proposals were made for children’s right to sex and the legalization of pedophilia.¹³ We had to learn painfully that, under certain circumstances, sex can be extremely bad and damaging for the person. Sex and violence, sex and prevarication can be easily joined together.¹⁴ An uneducated sexual drive can easily see the other not as a person but as an object used to satisfy one’s impulses. The gratification of the impulse seems to be due and is not made dependent on an act of freedom and of love of the other person.

The search for a new sexual moral

So the search for a new sexual moral began. Its first formulation was found in the affirmation that all that takes place between consenting adults is morally permitted. The defense of the dignity of the person as a moral subject seems to be reduced to free consent. It is not much, but better than nothing. The word “adults” excludes pedophilia. The idea of free consent excludes direct violence, but successive interpretations expand its boundaries.¹⁵ Free consent also excludes other more subtle forms of coercion, like all kinds of blackmailing or corruption, through the promise of undue advantages or the threat of suffering an undue disadvantage... The “Me too” movement gives evidence of a new sensibility for the fact that sex should be incorporated in a relationship in which the dignity of the other is recognized.¹⁶ The campaign in favor of homosexual marriage is also the expression of a growing, although confused, demand for a re-insti-

¹³ Alexander Wendt & Jan-Philipp Hein, Das böse Kapitel der Grünen, in *Focus* 33 (2013); Suheyla Fonseca, Um olhar critico sobre o ativismo pedófilo, in *Revista da Faculdade de direito dos campos*, 10 (June 2007).

¹⁴ Bob Plant, Playing games/playing us: Foucault on Sodomasochism, in *Philosophy and Social Criticism*, July 1 (2007).

¹⁵ Timothy Hsiao, Consenting adults, sex and natural law theory, in *Philosophia* 44 (2016).

¹⁶ Laurie Collier Hillstrom, *The #Metoo Movement*, Santa Barbara ABC-CLIO 2019.

tutionalization of sexual relations. Up to a few decades ago nobody would have requested a right to gay marriage, not so much because the Christian churches were opposed to it, but because homosexuality was considered as an integral part and the spearhead of a movement towards the complete deinstitutionalization of sex.

We stand today at a crossroad. The discovery of artificial contraception seems to have made traditional sexual ethic obsolete. The immediate result seems to be a deinstitutionalization of sex and permissive sexual ethics. We see, however, a new demand for a re-institutionalization of sexual ethics, but how and in what terms?

Paul VI and the answer of the Catholic Church to the Sexual Revolution

Before we endeavor to give an answer to this question, let us glance at the way in which the Catholic Church has confronted this crisis that is perhaps a fundamental root of the difficulties the Church is experiencing in our times.

In his encyclical *Humanae Vitae* St. Paul VI refused artificial contraception. The fundamental purpose of sex is the perpetuation of the human race. The Church does not condemn the satisfaction and the joy that sex gives to the conjugal couple; nevertheless, this cannot be thoroughly severed from procreation without entering into a direct opposition to natural law. The Pope saw that in a modern society almost all babies reach adulthood and an unlimited growth of the family can exceed both the capacity of the parents to provide for all their children, and the capacity of the earth to support an excessively enlarged world population. In premodern societies a large number of children died in their infancy and population growth was further contained because the life expectancy of grownups was also limited, and periodical pestilences reduced population growth. In the 1960s we became obsessively conscious of the possibility of population growth exceeding the non-renewable resources of the earth.¹⁷ The answer of the Pope was threefold:

1. We are still far from reaching the absolute limit of the capacity of the earth to support human life, and human technology and human science continuously discover new resources for human life

¹⁷ Donella H. Meadows, Dennis L. Meadows, Jørgen Randers, William W. Behrens III, *The limits to growth*, New York, Universe Books, 1972. The thesis, of course, is not new. See Thomas Robert Malthus, *Essay on the principle of population*, 2 vv, London, John Murray C. Roworth 1826.

2. The largest part of the earth's resources is not consumed by the poor, but wasted in the sumptuous lifestyle of the wealthy
3. Natural Fertility Control Methods allow us to regulate the number of children without the need for artificial intervention in procreation.

The prophetic value of Humanae Vitae

At a distance of half a century we can now try a reappraisal of *Humanae Vitae*. Population growth has been arrested, largely through the adoption of artificial contraception and abortion. Within a few decades we expect to stabilize world population and then we are likely to see its sharp decrease.¹⁸ We are now confronted, however, with an opposite menace. In some parts of the world the decline has already begun, and many important nations are likely to disappear from world history in the near future if current trends continue. Contrary to the beliefs of the extreme supporters of anti-natalist policies, a declining population is far from being a blessing. When the number of young people and active workers will be very low and the number of old people and retirees very high, active workers will not be able to pay enough taxes and contributions to guarantee comfortable pensions and adequate health care for the old people. This is the main cause of the impending fiscal breakdown of the finances of many countries. It is a law of nature that parents in their old age will be supported by their children (directly or through a Pensions and Healthcare System). If there are no children, the old generation will starve. There is also another element of human wisdom contained in the notion of natural law adopted by St. Paul VI. Sex is such a complex human drive that it unfolds its true meaning only through time. There is an inner pedagogy contained in the natural unfolding of the sex drive. When one is 20 the most important part of sex seems to be intercourse. At 40 one becomes aware that the most important part of sex are children, and at 70 one discovers that the most important part of sex are grandchildren. If, however, this inner pedagogy of sex is interrupted through an artificial separation of sex from fertility many people will grow old without having had neither children nor grandchildren and without having known the best part of sex and of life.

¹⁸ United Nations/Department of Economic and Social Affairs. Population Division, World Population Prospects 2019.

Humanae Vitae was a pastoral disaster

Humanae Vitae, however, was a pastoral disaster. To a large extent the disaster was a consequence of the fact that Catholic theologians split into two opposite fronts, instead of initiating a reflection on the way in which the truth of *Humanae Vitae* could be communicated in the new culture that was arising in the seventies. The defenders of *Humanae Vitae* defended at the same time an approach to sexuality and marriage that had clearly become obsolete. The opponents seemed to have nothing else to offer than to surrender to the sexual revolution of our time.

There were two questions that needed answering. The first was: why should we comply with the old rules when their purpose (the regulation of human fertility) can be accomplished in another way? Why should we not give free rein to a purely recreational use of sexuality?

The second question was: Is it really possible to sleep side by side with a beloved person and abstain from sexual intercourse?

Although the population bomb threat was grossly exaggerated, it is however true that in our age most children reach maturity and in order to find a reasonably productive and well-paid job they need long years of training at the expenses of their families. The parental couple must also provide children with the attention and care needed to accompany their emotional growth and human flourishing. We must consider the additional fact that women are increasingly called to take on full-time jobs in order to be able to support their family, and the time and energy available for care and education within the family become more and more limited.

The contribution of St. John Paul II

St. John Paul II answered the first question in his theological anthropology.¹⁹ Sex is the pedagogy through which men are led to discover their relational essence. To be truly human one has to be in the other and for the other. All this becomes real in the human experience of the family. The family is the “analogatum princeps”, the fundamental touchstone of all human relations, in the sense that in the family we learn to be in relation.²⁰ Here we learn to be a person, that is a free being who finds its perfection in the loving relation to others. In a more theological language: com-

¹⁹ John Paul II, *Man and Woman he created them. A theology of the body*, Pauline Books and Media 2006.

²⁰ Pierpaolo Donati, *The Family as a Source of Relational Goods (and Evils) for Itself and for the Community*, in *Italian Journal of Sociology of Education* 8 (3).

munion is the inner law of God's life where three persons exist each one in the other and through the other. In the family men are attracted into the rhythm of this communion life. In a more philosophical language, in the family we are constituted as moral subjects in the Kantian sense of the word: here we learn to be free and to join freedom and responsibility. The rules of natural law are here reread from the point of view of the constitution of man as a free and responsible being. Premarital chastity and marital fidelity, for instance, are recommended not just in order to preserve the precise determination of fatherhood and of the holder of the responsibility for the new child, but also because of the intrinsic value and meaning of the sexual act. Bodily acts have a value and a meaning and the conjunction of the male and of the female has the meaning of the constitution of a new reality. This new reality is not only the child who may or may not be conceived, but the new modality of being of the spouses: one in the other and one for the other, two becoming one. If this act is devaluated, if sex is made too easy and banalized, it may lose the capacity to merge two destinies and create an environment not just for the biological survival of the child but for the proper constitution of her/his human subjectivity. Traditional family bonds enter into a crisis because of emerging individualism and are criticized in the name of the freedom and autonomy of the individual. The paradox is that the free individual, in order to emerge, needs the environment provided by family bonds. When this environment disappears a new kind of narcissist and non-relational subject appears. A subject for whom it becomes difficult to think of her/himself as a "we". So St. John Paul II's catechesis on human love leads us to recognize the function of the family in the process of the constitution of the moral subject and of the human community.

We need a set of rules of sexual behavior not only in order to attribute the paternity of the child, not only to assure the ordered succession of generations and a proper care for the elders, but also in order to constitute and educate the moral subjectivity of the human person, her/his relational potential.

A sober evaluation of the present situation

St. Paul VI and St. John Paul II wanted to preserve a family model and a certain culture of the family. How can we now assess the results of their struggle?

We must be very cautious in analyzing the present situation. My analysis will now consider mainly the West, that is the part of the world I am

more familiar with. We used to consider ourselves as the avant-garde of mankind and presumed that other continents and cultures were bound to follow the cultural patterns established by us. I am no more so sure that this is still the case.

The dominant trends in Western Societies

In any case we will now direct our attention towards the Western Societies. At a first sight the cultural battle seems to have been lost. Two seem to be the main causes of this defeat.

1. The dominant trends in the cultural industry, in the mass media and in showbusiness have been overwhelmingly against the traditional family model. The image of the family given by the cultural industry does not necessarily mirror the reality of the family, but shapes the image of the family in the new generations. Young men and women imagine this to be the reality and feel pressured into conforming to that (supposed) reality.
2. When one is young the attraction of unrestricted sex without the pre-occupation of an unwanted pregnancy is enormous, especially for a generation entering into a new social configuration in which much of the consolidated wisdom of the ancients seems to have become obsolete. Women assume new roles in the most diverse social areas, why not also in the area of procreation? Moral standards had been more flexible for males than for females, due to their being less directly engaged with procreation; the demand for equality now leads to the social construction of a model of femininity in which motherhood becomes less central when it is not altogether excluded.

We must consider, moreover, the simple fact that most couples cannot reasonably afford more than a limited number of children and Natural Family Planning can, under the circumstances, become unreliable or otherwise fairly unpractical. It is not easy to sleep side by side with a beloved person and remain thoroughly inactive.

Necessity of a retrenchment

In cultural wars a defeat does not necessarily mean that you are wrong. It may also mean that you were faced with overwhelming odds and were not able to convincingly present your position. The result is that a new “common sense” emerges, a “common sense” in which some values do not receive adequate consent. Under such circumstances a retrenchment is needed. The Church must redefine her communicative strategy. How?

Problems of a retrenchment:

1. The doctrine of intrinsically evil acts

St. John Paul II defended the thesis that there are some acts that are intrinsically evil, that is, evil because of their very nature. Such acts cannot become good under any circumstances. This doctrine is firmly established not only through the authority of St. John Paul II²¹ (and of St. Paul VI) but also through a series of pronouncement of their predecessors and successors.²² Contraception, abortion, premarital sex and adultery (including the remarriage of divorcees) all fall within this category of the *intrinsice malum*. It is impossible to imagine a “retrenchment” that abandons this doctrine.

The Catholic Church affirms that there is a human nature, and a corresponding natural law, that does not change in time. If the natural law does not change, how can the pastoral strategy of the Church change? The Church is bound to proclaim the truth on man and, therefore, also on human sexuality and on marriage.

2. St. Thomas and natural law

But is it really true that human nature never changes?

Let us ask this question to St. Thomas Aquinas. He kindly provides us with an answer in the *Question 94* of the *Prima Secundae* of the *Summa Theologiae* 14.²³ In article 4 of this *Quaestio* he tells us that the first principles of natural law cannot change; secondary precepts, that is, the practical conclusions that we draw from the first principles, can sometimes change according to the circumstances. Shall we say then that the circumstances following the discovery of the artificial contraceptives have changed the natural law?

3. The Ethics of Circumstances

This was the thesis of the so-called “Ethics of Circumstances”. They considered the first principles as being merely formal and all consequences drawn from those principles as dependent on empirical and historical circumstances that can change in time.²⁴ This doctrine was however clearly rejected in the encyclical *Veritatis Splendor*. Although there is no

²¹ St. John Paul II, *Veritatis Splendor* (1993) 96 ff.

²² Pope Francis, *Fratelli tutti*, 211 ff.

²³ St. Thomas Aquinas, *S.th.* I-II, q. 94.

²⁴ Joseph F. Fletcher, *Situation Ethics: the new Morality*, Philadelphia, Westminster Press 1966.

doubt that circumstances may enter in the moral qualification of certain human actions, it seems nevertheless that some other human actions possess such an intrinsic structure that they cannot, under any circumstances, become good. They are immediate consequences of the First Principles. The fundamental norms regulating human sexuality seem to pertain to this sphere of the intrinsic malum or of the malum per se. The escape route of the “Ethics of Circumstances” does not seem to be practicable. There are important systematic reasons that militate against the “Ethics of Circumstances”. The first circumstance that is inherent to all moral acts is the conscience of the subject of the action. If everything is dependent on circumstances, the conscience of the evaluating subject then becomes the author of the moral norm of the action. The subject can always pretend to have acted with a good intention, and conscience, instead of being the place where the subject dialogues with God, becomes the place where the subject dialogues with himself. It is easy to see that we are on slippery ground here and may easily fall into a complete moral relativism, once we have abandoned the firm ground of the objectivity of the moral norm.

Proposal of a solution to the difficulty

1. The social conditioning of human conscience

But... is article 4 of Question 94 of the *Prima Secundae* all that St. Thomas has to say on our issue? After article 4 comes article 5, and especially art. 6. Let us listen to what St. Thomas has to say in article 6: “...to the natural law belong, first of all, some more general precepts, that are known to all; secondly certain secondary and more detailed precepts that are, as it were, conclusions deriving closely from the First Principles. As to the general principles the natural law, in the abstract, can nowise be blotted out from human hearts. But it is blotted out in the case of a particular action, in so far as reason is hindered from applying the general principle to a particular point of practice, on account of concupiscence or some other passion... But, as to the others, that is the secondary precepts, the natural law can be blotted out of the human heart either by evil persuasions, just as in speculative matters errors occur in respect of necessary conclusions; or by vicious customs and corrupt habits, as among some men theft, and even unnatural vices, are not deemed sinful”.²⁵

²⁵ St. Thomas Aquinas, *S.th.* I-II, q. 94 a. 6.

Here St. Thomas repeats and clarifies something he already explained in art. 4. The First Principles are contained in the intellect of all men. The capacity to draw the consequences of the first principles is however unequal: not all men possess it in the same degree. Here St. Thomas is not thinking just of the fact that some men are more intelligent than others, or that some men have specialized training others do not have. The examples he produces are illuminating: in the case of theft, we know from a. 4 that he means the Germans (not one individual or a few individuals, but a whole Nation) who did not consider theft as a crime; as regards unnatural vices, we understand through the quotation of St. Paul that he means again not a single individual but a whole culture. The individuals living within those cultures apprehend the wrong convictions from the legitimate authorities of their family and of their people and cannot be held individually responsible for those errors. Their conscience is socially determined through their education and through their social environment.

Through the analysis of this text, we have learned an important distinction: truth is, in itself, immutable but our knowledge of truth can change, is subject to error and the cause of error can be social conditioning. Human conscience is socially conditioned.

2. *The structures of sin*

This idea of St. Thomas is further developed in the teaching of St. John Paul II. He introduces the concept of “social sin”²⁶ or “structures of sin”.²⁷ The sin is, of course, an act of the person. Social structures cannot commit sins. Social structures can, however, make more difficult for the conscience of the individual to see some values and some disvalues and to act accordingly. The social structures of the German society described by Tacitus made it virtually impossible to perceive the moral disvalue of theft. The social structures of the ancient world made it very difficult to see slavery as a grievous offense against the rights of the person. The social structures of our society hinder the correct perception of the injustice committed against the poor of the earth and also of the right order of sexuality. Social structures present themselves as something not man-made but natural: they constitute a second nature that most people are unable to distinguish from the nature created by God.

²⁶ St. John Paul II, *Reconciliatio et Penitentia* (1984) 16.

²⁷ St. John Paul II, *Sollicitudo rei socialis* (1987) 36.

3. *Conscientia erronea obligat*²⁸

Shall we consider as sinners all those who live in an objective condition of sin, but are not conscious of this state of affairs because the truth is hidden to their intellect and their conscience is deformed through the influence of their families and/or of the legitimate cultural authorities of the society they live in?

St. Thomas' answer is clear: no. The proximate authority man is bound to obey is his/her own reason. He/she must do what his/her reason sees as good and his/her will commands as such. You cannot condemn as a sinner a man who behaves according to the moral code of the society he lives in, that he has neither the intellectual nor the spiritual means to challenge.

4. Is St. Thomas a relativist?

The “*conscientia erronea obligat*” principle does not make St. Thomas a relativist. The truth does not change. What changes is the human perception of truth. The conscience of the individual produces the norm of the case, just as a judge in a trial, on the basis of the general norm established by the legislator. Here lies the difference with all theories that attribute to human conscience a legislative role. Man has to obey his conscience but conscience can be wrong. The man who acts according to his conscience will never be a sinner, but he can be a malefactor, in the etymologic sense of the word: *innocens* but *nocens*.²⁹ The man is innocent but the act is wrong. Human acts have two kinds of consequences: they change the subject, making him/her good or bad as a person, but they also change the world we live in making it better or worse. The act performed in obedience to a wrong conscience does not have a negative effect on the subject: he does not become bad through the act. It retains however its negative effect on external reality: through this act the world becomes worse.

In order to better understand this point, let us quote a passage of Dante Alighieri that fully expresses the spirit of Thomas' philosophy of law: “the law is a real and personal relation of people among themselves. If it is maintained society will be preserved, if it is violated society will perish”.³⁰ If a society does not recognize in its culture some fundamental human values, then it is bound to perish and the same holds true in the case of the individual: he/she may be morally innocent but his/her humanity will be

²⁸ St. Thomas Aquinas, *Questio disputata De Veritate*, I, q. 17 n. 4.

²⁹ I take these words from the oral teaching of Tadeusz Styczeń.

³⁰ Dante Alighieri, *De Monarchia*, II, 5.

damaged. This is the reason why the *correctio fraterna*, the reciprocal correction among friends, is so important for the good of the individual and for the good of society. The wrongdoer in good conscience, although he is no sinner, needs to be corrected in order to reorient himself towards the fullness of life. Equally or even more important is to correct the wrong culture of a society in order to prevent its corruption and its ruin. In the case of the present western attitude towards sexuality, marriage and family we cannot condemn as sinners all those who live according to the prevailing social norms. St. Paul VI was, however, right in seeing that the severing of the link between sex and procreation must have dramatic consequences for the individual and for society and may end in the disappearance of great nations from the history of Mankind.

I hope that we have now made clear the difference between the right conception of the (relative) autonomy of conscience and the wrong conception of the (absolute) autonomy of conscience. Unjust social structures and wrong cultural systems must be transformed and reoriented towards truth.

5. Is St. Thomas Marxist?

Before we move forward with our argument, we must dispel a possible misunderstanding. We have said that the individual conscience is socially conditioned. Didn't Marx say the same thing? Yes and no. In the philosophy of Marx consciousness (and therefore also moral conscience) is just an effect or a reflex of social being: it is determined by the social structure.³¹ In St. Thomas it is different: man is conditioned through the social structure, through the culture he lives in, through the first and fundamental relations he experiences with his parents. He/she is conditioned but not determined. The human intellect is naturally oriented towards truth. The movement of the intellect towards truth, however, is not monastic and isolated. We search truth first of all in the dialogue with other human beings and this dialogue, in its turn, is deeply influenced by the way in which we produce and reproduce our life on earth. We think starting from a specific place in society and history and this vantage point gives us a perspective on truth. From this perspective some aspects of truth may be vividly perceived; others may be very difficult or almost impossible to see. "Almost impossible" is not the same as "quite impossible". Some men can pierce through the obstacles that make their society blind to some values.

³¹ Karl Marx, Preface in *A Contribution to the Critique of Political Economy*, Progress Publishers, Moscow 1977.

They have the task of enlightening the others and helping them to see. A culture may sometimes be perceived from the exterior as a monolith, but as a matter of fact it is crossed by multiple tensions and always contains a potentiality for truth. We are not Marxists after all, although some analysis of Marx can be helpful to better understand some aspects of social conditioning. We have begun our voyage together with Marx and we have landed near Plato's Cave.³²

6. One last word from St. Thomas

In the first *questio* of the First Part of the Summa Theologica St. Thomas writes that many things that are, in principle, accessible to human reason are nevertheless contained in God's Revelation, because otherwise only a few men (and not all) could acquire their knowledge and even those few would acquire that knowledge only polluted through many errors. We find here a confirmation of what we have explained and the expression of a keen perception of the intrinsic historical conditioning of human knowledge.

Back to the issue of retrenchment

1. The Hegelian Philosophy of the Spirit

Hegel has taught us that the Subjective Spirit, the Spirit of the human subject, objectifies itself in Institutions, becomes Objective Spirit. Periodically the Spirit retreats from the institutions it has animated in the past. For a while these institutions survive but become void: there is no more passion and life in them. They are admirable because they are the point of arrival of a long and glorious history but do not motivate the active engagement of new energies and forces. They become the object of philosophical reflection and description but their time is over and a new age in world history is about to begin.³³

2. Using Hegel to interpret the conditions of our time

As a matter of fact I dare to say that the Spirit has long abandoned our institutions. This was already apparent in the sixties. The Council made the fundamental choice not to try not defend the old institution through the use of repressive force but rather to participate in the search for the forms

³² Plato, *The State*, 514 and ff.

³³ G.W.F. Hegel, *The Philosophy of History*, Batoche Books, Kitchener 2001, p. 38 and ff.

and institutions of a new civilization. I think this is what Pope Francis really means when he speaks of a Church on the road. The Institution becomes movement. The old Christian civilization is not Christianity as such. Faith has encountered the cultures of the nations and has helped to create the European civilization of yesterday. Faith can encounter the demands of the human spirit of today and participate in the shaping of a new civilization.

The Hegelian idea of the rhythm of history has a profound religious meaning. The longing of the human spirit is directed towards the Infinite. To penetrate into the realm of existence it must assume a finite form and shape the matter of history according to this form. When, however, this form is perfected the Spirit contemplates it and remains dissatisfied. It is beautiful but it is only finite beauty. Then the Spirit feels the need to destroy what it has created and to start the whole process anew.

3. *A society in transition*

Pope Francis insists on the fact that we live in a change of epoch. Several years ago Max Horkheimer used the expression “society in transition”³⁴ to express a similar concept. A society in transition is moving from a definite institutional and cultural framework to another. We know the old culture but we only have a vague premonition of the new one. It is still in the making and, to a certain extent, its features will be determined through our actions, through the historical struggles to which we are called to participate. The old epoch is not yet dead, the new one is not yet born.

4. *The temptation of the Subjective Spirit*

In the moment in which it retires itself from the existing institutions the Subjective Spirit lives a moment of euphoria, a kind of vertigo of freedom. It dreams of absolute freedom as liberation from all bonds, as pure arbitrary will. If we consider the realm of sex and family that stands now in the focus of our attention this coincides with the idea of the liberation of instinctual freedom.

5. *The search for new sexual morals*

We have already hinted at the fact that this position is unsustainable and soon gives way to the search for new sexual morals. The scandal of pedo-

³⁴ Max Horkheimer, *Gesellschaft im Übergang*, Frankfurt a.M., Fischer 1972.

philia and the “Me too” movement are signs of this search. It is interesting to consider the transformation the concept of “rape” is undergoing. It is correlated to a transformation of the concept of valid consent. The original concept is that consent is the expression of an arbitrary will. Now in many cases the idea tentatively surfaces that a consent that violates the dignity of the person is not really valid, or stands at least under the suspicion of being coerced. In the case of pedophilia there is an absolute presumption that the consent of an underage child to sexual acts must be considered as extorted. In the case of “Me too”, in several instances an analogous conviction surfaces that the perpetrator should have understood that consent given under those particular circumstances could not be considered as valid. With the idea of the dignity of the person we enter the path of a search for an objective norm of morality.

6. *Ethical norms are challenged to justify themselves*

After a brief stage in which it is tempted to remain in itself, the Subjective Spirit is forced to move again towards the world of objects, inhabited by a plurality of subjects who are, at the same time, objects and do not want to be treated as pure objects in the same manner as we ourselves do not want to be treated as such. Here we rediscover the first, formal principle of sexual morals: the respect of the dignity of the person. Does it mean that we are going back to the old sexual morals? Not necessarily and, in any case, not in the same way as before. The old norms are questioned from a new standpoint. They must justify themselves in front of the demand of happiness and liberty of the subject and they are called to do that within a situation in which the pill allows to sever the enjoyment of sexuality from procreation. The norms are challenged to justify themselves. After an age, however, in which the very idea of a normative sexual moral was considered as old fashioned and out of tune with the spirit of the time we see a demand for a re-regulation of the sexual sphere.

7. *The heritage of St. John Paul II*

St. John Paul II has given us a profound rereading of traditional sexual ethics. He discovered its personalistic side. A proper approach to sexuality is necessary not only from the objective point of view of the orderly preservation of human life on earth but also for the adequate constitution of the person as a moral subject, that is as a free and responsible human

being.³⁵ He also taught us a phenomenological method of investigation in the moral sphere. The truth of a proposition cannot be grounded on a metaphysical presupposition. It has to be discovered on the basis of the data given in human experience. The moral good has to be rediscovered not just as good in itself but as good for me, within the horizon of my life.³⁶

8. *The innovation of Pope Francis*

We have exposed the two main objections to *Humanae Vitae* and we have seen the way in which the first objection finds an answer in the teaching of John Paul II. The subjective and the objective truth on sexuality stand in a lively connection to one another and in the end coincide. The second objection is simply that it is very difficult, almost impossible, to sleep side by side with a beloved person and abstain from sexual acts. To be sure we can find a tentative answer in the law of graduality formulated by John Paul II. The necessity to privilege the defense of objective truth against relativism did not allow, however, John Paul II to draw all the consequences of this principle. This is what Pope Francis has done in *Amoris Laetitia*. We will not consider now the material ethical content of this Apostolic Exhortation. We will concentrate rather on its methodological significance and on the change it introduces in the pastoral perspective.³⁷

The perspective of St. John Paul is the defense of a certain moral order incorporated in the self-consciousness of society that is threatened by a kind of mass libertinism. This order is threatened but is still present in the general self-consciousness.

The perspective of Pope Francis is that of the collapse of an established moral order and of the groping search for a new moral order. Can the Church participate in this search? And: how is this possible without denying her firm convictions rooted in Tradition and in Revelation?

In order to do this the Church must become a Church on the road, that is, a Church that is not primarily concerned with the defense of spaces of public recognition of her values, but is rather, willing to rediscover them in a common search together with all the women and men of our time (homosexuals and transsexuals not excluded). Some people live a life

³⁵ John Paul II, *Man and woman he created them: a theology of the body*, Pauline Books & Media, 2006.

³⁶ Karol Wojtyła, *The Acting Person*, Dordrecht, Reidel, 1979, p. 41 and ff.

³⁷ Rocco Buttiglione, *Risposte (amichevoli) ai critici di Amoris Laetitia*, Ares, Roma 2017.

of faith in which the truth on marriage and family is firmly established. Others try to live a purely instinctual life, considering any affirmation of an objective truth as a threat to their freedom. The vast majority does not adhere neither to the first nor to the second option. They are in search of a new rule. The first option has been swept up in the sexual revolution. The second seems untenable in the experience of these last few decades.

I wish to draw your attention to two interesting facts. The first is a growing number of surveys that tell us that in our oversexualized society the practice of sex is not increasing, but rather diminishing.³⁸ There may be several and partially contradictory explanations for this phenomenon, but surely one is that sexuality intrinsically needs to be ethically regulated. Young people feel confused and intimidated by what they feel is taking place in themselves, physically and emotionally. If they have no clear landmarks many prefer to abstain. The approach to sexuality cannot be reduced to a market relation; sexuality is not a consumer good. Sexuality is beautiful and dangerous, it can be compared to dynamite: if it explodes in your hand it will kill you; properly used it will open for you the way to a gold mine.

The second document I wish to draw your attention to is a movie that has become a cult classic for a generation: *Pretty Woman*, an American romantic movie starring Richard Gere and Julia Roberts. In the opening scenes a billionaire (Richard Gere) hooks up with a prostitute (Julia Roberts) and they have sex. The transcendental horizon within which they act and feel and think is that of the complete commodification of sex. We cannot even speak of transgression: traditional morals are non-existent or completely forgotten. When they fall in love, however, the man can't bear to see the woman treated as a prostitute by another man, and she can't bear to be treated as such in front of him. They both discover the inner preciousness of the person and the value of sex as an expression of the person. Then something unexpected happens. The woman leaves. Although she is in love (precisely because she is in love), she realizes the story has begun in a wrong way and cannot be continued. That story was wrong and must come to an end. A new story however can begin. Now the man runs after her and courts her appropriately and so they can be reunited. Before they

³⁸ Peter Ueda, Catherine H. Mercer, Cyrus Ghaznavi and others, *Trends in frequency of sexual activity and number of sexual partners among adults aged 18 to 44 years in the US 2000/2018*, JAMA Netw Open. 2020;3(6);e203833. Doi:10.1001/jamanetworkopen.2020.2833.

have sex again the woman demands commitment. It is a wonderful example of the way in which universal values can be rediscovered from within a thoroughly degraded situation.

But can the Church participate in the search for something she is already convinced to possess? This is the problem of education. The master must present the truth he possesses as a hypothesis that the pupil must put to test in his own life. In order to do this the master must enter into the transcendental horizon of the pupil, must adopt his starting point. This is the great challenge of education: the transcendental horizon of the pupil, his starting point, his *Sitz im Leben*, must be assumed and, at the same time, must be transcended. Truth has to be taught not only as an abstract and general notion, but as the truth of the life of the pupil. To educate means to walk on the narrow path that leads from objective to subjective truth, in which the objective truth is accepted by the pupil as the truth of his own life. He must be helped to see truth and truth becomes *his truth* only when he sees it.³⁹ The Master can ask the Pupil, at certain decisive passages of the educational process, for an act of confidence: follow me, you must follow in order to understand, you will understand only later. This act of confidence must however be justified and in the end the Pupil must understand.

A certain traditional pedagogy expected the Pupil to accept unconditionally the authority of the Master, that is, expected the Pupil to surrender his original transcendental horizon and to accept the transcendental horizon of the Master. This is no more the case. In order to lead the Pupil out of his transcendental horizon, in order convince him to transcend his transcendental horizon, the Master must first of all assume it. This is a missionary pedagogy, the pedagogy of an outgoing Church. The authority to teach cannot be presupposed but must be gained again and again in the concrete hermeneutics of the actual existence of the Pupil.

This may sound new; it has belonged, however, to the tradition of Church since the beginning. Think for instance of the great speech given by St. Paul in the Areopagus of Athens: the Apostle assumes the transcendental horizon of Greek culture and philosophy in order to transcend it from within.⁴⁰ It is also an accepted principle of Catholic Pedagogy and Moral Theology that an objective sinner who, in his conscience, is not aware of being in sin, should not be reprobated and convinced of his sin, until he has reached an adequate understanding of the reasons why what

³⁹ Rocco Buttiglione, *Die Wahrheit im Menschen*, Springer 2019.

⁴⁰ *Acts of the Apostles* 17, 16 and ff.

he is doing is wrong, that is, until he can recognize the objective truth as his subjective truth, as the truth of his conscience.

The key to a “retrenchment” and to a new approach to the whole field of sexual and family ethics is the concept of transcendental horizon and/or of culture. A sitting Church presumes to possess and regulate the culture of the society she lives in. A Church on the road knows that her teaching challenges the dominating cultural trend and has to be regained from within the culture she lives in. Is this possible? It is possible because the truth on family and conjugal love is profoundly inscribed in the heart of man or, if you prefer, in his practical reason. The itinerary, however, leading from the heart to the concrete performance in real life, can be obstructed through consolidated erroneous moral convictions, the social sin that seems to possess the evidence of a second nature. It may be difficult to draw from the first principles the appropriate conclusions. The liberating force of a word of truth enters exactly in this tension. An appropriate distinction may be introduced here. It is the distinction between Ethics and Morals. We can use the word Ethics to indicate the science concerned with good and evil in themselves. We can reserve the word Morals for the more sociological and historical science concerned with the human convictions on good and evil in different human contexts. These two sciences are connected but cannot be identified.

THE FAMILY IN GOD'S PROJECT

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Speaking of God's project on families should be understood as finding out what makes a discourse on families possible in a world where so many models of families have existed and continue to exist. It also implies that such research does not demand a commitment of faith, but the use of reason and common sense. On the one hand, the Church is criticised for her doctrine and practice of marriage and family; on the other hand, she arouses incomprehension in explaining that her teaching is universal and grounded on the very nature of human beings.

Yet our understanding of the word of God and human experience must enrich themselves reciprocally. Those of us who hold God as the Creator of the human being consider the whole creation as his first manifestation accessible to human intelligence and reason.

Speaking of family should not put us in a position of apologists, in a time when the very idea of a universal definition of families is no longer accepted.

I. The challenge of the family today

Until the middle of the last century there was no doubt that a family is based on the marriage of a man and a woman who beget and educate children. We are presently witnessing an anthropological revolution which not only allows different kinds of family structures, but tries to legitimate them ideologically.

Family structures vary according to cultures, economic and social development. Families vest a different shape according to place and time.

The recent challenges to traditional views of marriage and family can be briefly mentioned: they began with civil divorce, chemical contraceptives and abortion as a right, assisted reproduction for non-married couples or women alone, surrogate pregnancy, gender ideology and same-sex "marriages".

However, in many parts of the world the intergenerational family has survived, grouping around the *paterfamilias*, sons and their wives, daughters with their husbands and the children involved. These family communities are social cells bonded by solidarity, maintained by strong feelings of be-

longing and a traditional code of values. These kinds of families offer better resistance to ideological or political influence.

The modern nuclear family (father-mother-children) appears with the industrial revolution and people living in large cities.

In the West, many couples raise a family out of the institution of marriage. The disaffection with marriage and the increase in civil divorce, have produced a growing number of single-parent families. Free cohabitation of couples can be more frequent than marriage. Adoption has been allowed to non-married couples and single persons. Same sex couples adopting children or resorting to surrogate pregnancy or fertilization receive legal recognition.

Nobody would mix into the subjective feelings of persons who are living these new forms of family life in their research of love and their expectation of happiness.

Two new elements are at stake which call for further research: families can be set up through artificial means of procreation, resorting to a third-party gamete donor, and same sex unions are legally identified as marriages.

- Resorting to technological means in the process of fertilization makes void the necessary relationship of love of a man and a woman in generating a new life. Assisted reproduction for extra marital couples, surrogate pregnancy and now the perspective of an artificial uterus pave the way to a new definition of human sexuality, married life and family.
- The new challenge is the extension of the institution of marriage to homosexual unions, under the pretext of equality. “Same-sex marriages” have now received legal recognition in 29 states. Not even a legal recognition of homosexual couples would be the problem, but the reversal of the very notion of marriage and of marriage-based family.

Society is implicated in such a confusion about the very notion of marriage. People who discover that they have a homosexual inclination must be protected from social discrimination. But there is no discrimination when the law refuses to confuse states or conditions which are in themselves diverse. A homosexual couple would not be discriminated against if it is excluded from the institution of marriage defined as the legally recognised union between a man and a woman.

It is not a question of idealizing families. Many persons would dislike to evocate their experiences with their own family, ranging from sex abuse of children, lack of affective education, and poor relationship of children to both parents.

It is well known that the institution of marriage has always been questioned by philosophical systems which consider binding oneself for life to another person as a contradiction to human freedom. It is presumed that freedom cannot assume lasting consequences – even though a lasting commitment is one of the givens of human existence. But in this individualist perspective, to be free means being able to do what one wishes at any moment, so to shed previous commitments, without concern for whatever harm may be caused to others. This assertion of the absolute autonomy of the will stands in contradiction to freedom understood as the ability to commit one's self to fundamental long-term choices.

II. The Jewish-Christian understanding of marriage and family

Until recently the Jewish-Christian understanding of marriage and family was basically accepted in the Western civilization even when expressed in secular terms. From the Bible we can enucleate the following structuring elements which belong to marriage and family:

- family is based on the marriage of a man and a woman
- with the scope of generating and raising children
- in a reciprocal faithful self-donation.

According to *Genesis*, the union between man and woman belongs to God's creative act. The Hebrew uses the word *Adam* for "human being", the *Mensch* or *Anthropos*, while it uses other words for male and female (Gn 1, 27; 5, 1-2). At the beginning is created the human being, made male and female in God's image (Gn 1, 26). Immediately male and female are made for one another, in order to be fertile and prolific (Gn 1, 27-28). They will be "one flesh" (Gn 2, 24) so re-establishing the human fullness of *Adam*.

In the Jewish and Christian tradition (and even Islamic) the core of marriage and family is man and woman united as procreators in the image of the Creator himself. Adultery is forbidden, protecting the wedlock as a sanctuary.

The Old Testament tolerated polygamy and repudiation with re-marriage, even though the paradigm of marriage was given in the union of a single man and a single woman on a basis of equality in their mutual commitment.

The biblical conception of marriage is accessible to reason and human sound feeling. It may be recorded here that the study carried out by Prof. Hans Küng through all world religions and philosophic systems – *Wältethos christlich verstanden* (2005) and *Wozu Wältethos?* (2006) – singled out four

ethical requirements common to most religions and world views, namely: no murder, no theft, no lie, no adultery.

Christ came and dismissed repudiation and divorce saying that “from the beginning it was not so” (Mt 19, 8). Indeed, “have you not read that he who created them from the beginning made them male and female... ‘Therefore a man shall leave his father and his mother and hold fast to his wife, and the two shall become one flesh?’ So they are no longer two but one flesh. What therefore God has joined together, let not man separate” (Mt 19, 4-6).

Last but not least: the lasting reciprocal commitment of a man and a woman is supported by a new understanding of love, which the New Testament calls *agapè*. *Agapè* includes *eros* and *philia* and reaches the fullness of the humans’ capability to love, by giving up their life for the other, as Christ did for us.

Christ does not envisage a new understanding of marriage and family. He acts as the one who brings them to their fulfilment by adding the request of faithfulness and of reciprocal permanent commitment. Christ delivers an appeal; he addresses one’s freedom; and helps through his grace to really live from inside the requirements of God’s project.

Christ and the Christian tradition with him do not establish a new structure of marriage based on faith. So marriage in the order of creation is a monogamist union of a male and a female person, open to parenthood and supposed not to be broken arbitrarily.

The core of the biblical message is that family is made of three elements: a man, a woman, a permanent commitment to mutual love and to raise and educate the children who perpetuate the family. When these elements are given, we have natural marriage, perfectly in accordance with God’s project. The Church will consider that such a marriage contracted between two baptized persons has a sacramental dimension, which means that it enjoys Christ’s grace which enables the spouses to carry on their commitment thoroughly. Sacramental marriage is a natural marriage between two baptized persons which reaches the fullness of meaning of natural marriage. A secular marriage of two non-baptized persons is indissoluble by the fact that it is a natural mutual commitment of a man and a woman.

So the teaching of the Church about marriage and family addresses all human beings as created by God and not as believers. The whole Catholic social doctrine is based on both a distinction and a connection between faith and reason, nature and grace, believer and citizen. Faith in God does not suppress the given reality, it sheds light on it. It does not create a parallel world; it investigates this world in depth.

When the Church speaks of a universal law of nature inherent to creation, she implies that this law of nature is discernible through natural reason and feeling. Even persons who do not believe in God or in a created order are able to discover in themselves the law of their human nature.

The Church speaks of creation from the point of view of redemption: it is the same reality, but apprehended in its fullness. To understand the project of God about Adam, the human being created in his image and likeness, we need to watch the new Adam, Jesus Christ. In the order of creation, all human persons are equally involved; in the order of grace, believers understand the project of creation through a personal commitment of faith.

The social doctrine of the Church considers the family as being prior to the State whose duty is to protect it. In the social construct the family is the fundamental element from which society grows and reaches the ethnic group, the nation, the community of nations. The family belongs to the created order. Once the political power disrupts the primacy of the family, it opens the way to totalitarianism. Connected with the primacy of the family is her right and duty to care for the education of children. This right is also stressed in international law. The reason for this position of the family in society is anthropological. As such it belongs to the law of nature. In the framework of a family the human person receives affection and loving care to develop its potentialities. A child needs the loving presence of a father and a mother.

All cultures consider that the union of a couple in marriage, with its promise of a new family, is not just a private matter, but a concern of society. In many cultures, marriage remains an arrangement between families, without a free choice for the bride and groom. This practice, while still widely accepted, does not take account of the dignity and equality of the man and the woman. If marriage is to lead towards a genuine interpersonal communion for the couple concerned, it seems to be possible only through the mutual and exclusive self-giving of two persons.

III. Marriage and family at law

Until the middle of the last century, the Christian view on marriage and family was only challenged in some countries with the legal possibility to divorce.

Living in the Roman Empire early Christians did not demand a change in current marriage practices. Monogamy was requested by Roman law. Marriage was a contract, the manifestation of two wills to which each party could put an end. In fact, the early Christians continued to marry accord-

ing to civil law. In the West the whole institution of marriage passed to the Church only in the 12th century. In the East the Orthodox Churches even maintained Roman rules such as divorce and remarriage. A rather complicated canonical discipline of marriage was gradually settled. But these developments do not affect the core of the structure of human marriage.

After the Revolutions of the 18th century marriage fell back under the jurisdiction of the State. It was decided that it was a contract but with no reference to a natural given order. Gradually, divorce was permitted. But it was only in the last thirty years that the legal definition of marriage began to be altered in the Western world. Until recently international law paid strong attention to families. The international covenant on civil rights (1966, art. 23, 2) clearly affirmed that “The right of men and women of marriageable age to marry and to found a family shall be recognized”. It also stipulated that “The family is the natural and fundamental group unit of society and is entitled to protection by society and the State” (art. 23, 1). So does the *European Social Charter* which consider the family “as a fundamental unit of society” (art. 16). The *American convention on human rights* (1969, art. 17), the *African Charter on human and people’s rights* (1981, art. 18), the *Asian Charter on human rights* (1998, art. 6, 2) all stress the central status of the family in the social order.

Law follows practice

The evolution of legal standards appears in the 2000 Nizza Charter on fundamental rights (art. 9) which only speaks of “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” without specifying that marriage means the union of a man and a woman.

Case law has registered the evolution of mentalities. The example of the European Court of Human Rights is patent. While Art. 12 of the European Convention on Human Rights (1950) recognizes that “men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right”, the evolution consisted in putting a new emphasis on individual feelings rather than the permanent structure of marriage and the family. Emotional attraction, whatever it consists in, legitimates social recognition. The Court rules that these issues belong to the private realm (Art. 8) and not to commonly accepted institutions.

The Court considered the right to “personal fulfilment” should not meet any institutional limit. The desire to have a child through “medical-

ly assisted procreation” (MAP) is an expression of privacy. The personal sphere becomes a legal no man’s land. Individual conduct must not be disputed. As far as a behaviour enjoys some popular backing, it becomes a new right.

The same Court threatens those reluctant to follow the evolution of mentalities with the accusation of intolerance and discrimination. The transhumanist movement will strengthen these new approaches to human rights. There is no way to oppose it, as the powerful media prepare the public for more radical changes. Artificial Intelligence will gradually replace human decision making, so that the dominion of the mind over the body will be left to artefacts rather than to Courts of Human Rights.

IV. The failures of individualistic anthropology

The constructivist anthropology has gradually replaced the anthropology common to Christianity and European culture. The commonly accepted view on marriage and family has been challenged under the pressure of individualism supported by powerful lobbies.

Individual-centred societies are progressively losing sight of the formative importance of the family. The functions of protection, education and upbringing previously carried out by the family have largely been taken over by society. Consequently, the State imposed new ethical norms.

Technology replaces natural transmission of life. Gender ideology undermines the complementarity of man and woman; changing feelings rule out permanent commitment. From a realistic given order we jump to constructivist social models, as Donati puts it.

Current trends dissociate sexuality from personal identity, as if the identity of a person could be separated from his or her bodily existence. According to such views, one is free to construct one’s own personality, including one’s sexual identity, rather than accepting it as a given. Recent ‘gender’ ideology claims that one’s gender is so independent from personal sexual identity that it is purely a social or cultural construct.

The filial relationship

A family is built around two types of connections: that which exists between parent and child – which is absolute; and the marital relationship – which can be broken. If the marriage bond becomes unstable, the parent-child connection is bound to suffer as well. The grand totalitarian utopias, beginning with Plato, all began with the dismantling of the family, in order to more effectively dominate each member of society.

The fundamental social reality, preceding the very formation of society, is the filial relation of children to parents. This is what links the generations. At the origin of all human society is the fact that we receive our existence from a father and a mother. All members of society owe their origin to parents. It is not as though anyone asked to come into being. This demands of society that it recognises the bond which unites parents in the generation and education of their children. It is not brought about by human choice but remains the foundation on which people must build their family life.

Liberal societies, which give legal recognition to *de facto* and same sex unions, are oriented towards a definition of the family that depends on parent-child relationship, and not on marriage. Social and tax laws are gradually normalising different models of family that are deemed to be equivalent.

Medically assisted procreation now extended to all women beyond the privacy of a confirmed couple, and gestational surrogacy do affect the question of filiation. Until recently the law protected the child as non-available to his parents' arbitrariness. Filiation was recognized as following natural parenthood. As long as marriage was considered as a given fact prior to positive law, filiation escaped any attempt at manipulation. Now, filiation registers the individual will. Children are subjects of rights, not objects at disposal.

Education and economic life

The first years of life are crucial to the balanced upbringing of the child. The family home provides values, forms the character and awakens the child to the world. It forms citizens. It demands family stability, love and duration.

There is a strong link between family and work. Work should provide a living, not just for the individual worker, but also for his or her family. Working conditions must not be such that parents are forced to renounce their wish to have more children. In balancing the needs of children against a professional career, the child must always have priority.

Conclusion

In our post-modern culture, the notion of truth is suspected (but legislation imposes norms of behaviour based on the compulsory assumption of no-truth). We suggest that positive law can be founded only on givens that resist arbitrariness. Law should consider as inalienable the body and the sexual identity of persons. These are the objective conditions of

marriage and procreation of children. The law has as its object, not the individual, but relationships between individuals. The objective structure of this relationship is inscribed into the sexually determined bodies that human beings receive from nature. That some persons have a problem with their gender, does not affect the commonly admitted structure of human sexual identity.

The Church is fully aware that rediscovering the core of marriage as suggested by God's project would not be imposed by restrictive legislation. This time is over. Our times give us a chance to address the freedom of persons who would witness that living marriage and family in a spirit of inner acceptance is a source of joy and true love.

The mission of the Church is to convince. *Amoris Laetitia* is a vigorous call to a personal commitment to marriage and family and, at the same time, to a renewed pastoral attention to those families who try to overcome failures and desperation. Even when human law gives support to extreme individualistic claims, God's call remains unchanged, inviting human beings to engage in lasting love and making families a never-ending process of humanization.

THE FAMILY AS A SOURCE OF MEANING AND RESPONSIBILITY: A PSYCHOLOGICAL PERSPECTIVE

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1. A Psychological Perspective on the Family

Objectives

This essay has four main objectives: (1) To present and discuss empirical and clinical data and arguments on the value and importance of the family both for individual and communal development and inner and outer well-being. (2) To demonstrate that much of what empirical and scientifically-based psychology tell us about the value and role of the family for the individual and common good coincides with Catholic teaching. (3) At the same time, I will indicate how and where psychology can enrich the social and political discourse on the family – and the necessity to protect and preserve it. And last not least, (4) I will argue for a realistic and merciful assessment of the actual lived reality of family life today. For while the ideal of an intact family may be a guiding light, this essay will also argue for the acknowledgment of our failures and vulnerability, and thereby contributing to a family-friendly climate of charity and kindness rather than of pressure and competition in an already overcompetitive world.

Outline

I will present these points in roughly four parts: After briefly explaining what and why psychology can contribute to an evidence-based family-affirming discourse, I will move on to a diagnostic assessment of the new realities of family and communal life in the 21st Century and how they run counter to some basic psychological needs and concerns, such as the need to belong, the need for unconditional acceptance and the need for meaning and responsibility. In the third part, I will move on to psychological insights on the family as both the natural place of fulfillment of the above-mentioned needs, and will furthermore argue that the family offers a unique setting as a school for life and of life. In other words, I will argue that the setting of the family provides humans with the unique opportuni-

ty to learn and develop social and existential skills which will further their personal development and the greater social good.

In the fourth and last part, I will try to offer a synthesis of the discussion, and will attempt to connect our findings with the concept of mercy as an important and sometimes neglected element of discussions on the family in public discourse.

2. Popular vs Academic Psychology – Zeitgeist vs Facts

Psychology and the Family: A Checkered History

What can psychology contribute to the well-being and support of the family? A historical stock-taking will probably first of all raise doubts whether it can at all. In fact, beginning perhaps in the 1950s, and even more so in the 1960s and 70s, popular psychology and the so-called self-help movement¹ either ignored the topic, or tended to view the family as a hinderance to free expression of individual needs and wants.² Rather, it emphasized individual self-realisation and the direct pursuit or even the right to “feel good”³ rather than to “be good for something”, or it emphasized responsibility, compromise, communal and family relations. Read any self-help book, and the likelihood of encountering concepts such as the willingness to compromise and to make sacrifices for others is low. Nor will you find much on the value of living together in a family with mutual consideration and love, or the associated requirement of personal maturity which entails the ability to consider not only one’s own well-being, but

¹ Madsen, O.J. (2014). *The therapeutic turn: How psychology altered Western culture*. Routledge.

² Haavio-Mannila, E. (1969). Some consequences of women’s emancipation. *Journal of Marriage and the Family*, 123-134; Shorter, E. (1973). Female emancipation, birth control, and fertility in European history. *The American Historical Review*, 78(3), 605-640; Gordon, L. (1973). Voluntary motherhood; the beginnings of feminist birth control ideas in the United States. *Feminist Studies*, 1(3/4), 5-22; Simons, M.A. (1984). Motherhood, feminism and identity. In *Women’s Studies International Forum*. Elsevier Science.

³ Frankl, V.E. (1973). Encounter: The concept and its vulgarization. *Journal of the American Academy of Psychoanalysis*, 1(1), 73-83; Vitz, P.C. (1994). *Psychology as religion: The cult of self-worship*. Wm. B. Eerdmans Publishing; Rimke, H.M. (2000). Governing citizens through self-help literature. *Cultural studies*, 14(1), 61-78; Bröckling, U. (2015). *The entrepreneurial self: Fabricating a new type of subject*. Sage; Binkley, S. (2014). *Happiness as enterprise: An essay on neoliberal life*. Suny Press; Leary, M.R. (2007). *The curse of the self: Self-awareness, egotism, and the quality of human life*. Oxford University Press; Baumeister, R.F., Smart, L., & Boden, J.M. (1996). Relation of threatened egotism to violence and aggression: the dark side of high self-esteem. *Psychological Review*, 103(1), 5.

the attention to and openness for the needs, strength and weaknesses of other family members.

It thus is probably no coincidence that the contemporary decline of the family and the high divorce rates of recent decades have taken place in parallel with the rise of popular psychology and the *Zeitgeist* behind it.⁴ This is not the place to discuss these developments in detail. But if psychology – popular psychology in this case – can do so much damage the family, it is only logical to infer that it also can be put into service of the family, rather than, as has perhaps been the tendency thus far, against it.

Importantly, popular psychology and academic, scientific psychology have been, and frequently still are, moving on very different trajectories. Their histories differ, their methods differ, their scientific backgrounds differ (popular psychology usually does not claim, and frequently lacks a scientific background).⁵ Accordingly, pop psychology occasionally caused much more damage than it perhaps intended to for the simple reason that it was and is much more ideology- than evidence-based. Clinical studies and experience almost invariably indicate that recent trends in popular self-help psychology, such as the notions of ‘healthy egotism’, ‘self-realization’, ‘feelings first’ etc. have neither exerted a positive or healthy effect on mental health, nor on family relations.⁶

⁴ Wilcox, W.B. (2009). The evolution of divorce. *National Affairs*, 1(1), 81–94.

⁵ Furnham, A., & Hughes, D.J. (2014). Myths and misconceptions in popular psychology: Comparing psychology students and the general public. *Teaching of Psychology*, 41(3), 256–261; Lilienfeld, S.O., Lynn, S.J., Ruscio, J., & Beyerstein, B.L. (2010). Busting big myths in popular psychology. *Scientific American Mind*, 21(1), 42–49; Redding, R.E., Herbert, J.D., Forman, E.M., & Gaudiano, B.A. (2008). Popular self-help books for anxiety, depression, and trauma: How scientifically grounded and useful are they? *Professional Psychology: Research and Practice*, 39(5), 537; Tavris, C. (2014). *Science and pseudoscience in clinical psychology*. Guilford Publications.

⁶ Bergsma, A. (2008). Do self-help books help? *Journal of Happiness Studies*, 9(3), 341–360; Madsen, O.J. (2015). *Optimizing the self: Social representations of self-help*. Routledge; Lichterman, P. (1992). Self-help reading as a thin culture. *Media, Culture & Society*, 14(3), 421–447; De Vos, J. (2015). Self-help: And pop psychology. In *Handbook of Critical Psychology* (pp. 250–258). Routledge; Starker, S. (1988). Psychologists and self-help books: Attitudes and prescriptive practices of clinicians. *American Journal of Psychotherapy*, 42(3), 448–455; Redding, R.E., Herbert, J.D., Forman, E.M., & Gaudiano, B.A. (2008). Popular self-help books for anxiety, depression, and trauma: How scientifically grounded and useful are they? *Professional Psychology: Research and Practice*, 39(5), 537; Lilienfeld, S.O., Lynn, S.J., Ruscio, J., & Beyerstein, B.L. (2010). Busting big myths in popular psychology. *Scientific American Mind*, 21(1), 42–49.

Psychology and the New Realities of Family Life

At the same time, a corrective perspective from within academic psychology has largely been missing. In fact, the intact family has not been a high priority for psychological research or inquiry in recent years, perhaps largely because recent decades have seen enormous changes in the social structures and patterns of family life. In most countries, divorce rates have soared, and a large proportion of children live in one-parent or patchwork families or in other entirely new settings with as-of-yet largely unknown psychological effects on their members, particularly as far as the wellbeing and development of children is concerned.

For better or worse, much of what our younger generations lives through these days is basically a large-scale experiment; nobody knows yet how it will work out.⁷ But it seems to be a reasonable inference that in the foreseeable future, psychologists and society at large will be called upon to support those who were hurt or damaged by recent trends in social family dynamics.

Children are not responsible for the choices of their parents, neither can anyone blame them for the way they have been brought up. Nor are we responsible. But we *are* responsible for how we act towards them; and we are responsible whether or not we further ostracize them from the common good of the family and community, or whether we follow the call to view each single person as a unique individual, each anew, each irreplaceable, and each being in essence so much more than his or her social or otherwise external identity or social biography. Hence if the Church intends to exert a healing and benevolent influence in and on society, its main task is not to judge, but to welcome; not to ostracize and thus further compartmentalise society, but to help unite it.

Speaking more broadly, one of the key points of an evidence-based discourse on the contemporary family is that it is possible (and necessary) not only to protect already intact families; but rather that it is also possible, and psychologically and socially necessary, to help those who are estranged from the idea and experience of the family to rediscover its strengths and

⁷ Ley, K. (2005). Finding the way in a new family – resources and conflicts in patchwork and successive families. *Praxis der Kinderpsychologie und Kinderpsychiatrie*, 54(10), 802–816; Amato, P.R. (2000). The consequences of divorce for adults and children. *Journal of Marriage and Family*, 62(4), 1269–1287; Ahrons, C.R. (2007). Family ties after divorce: Long term implications for children. *Family Process*, 46(1), 53–65; Sullins, D. (2015). Emotional problems among children with same-sex parents: Difference by definition. *British Journal of Education, Society and Behavioural Science*, 7(2), 99–120.

challenges, and the promise it holds for a mentally stable, mature, and fulfilling life.

In the next section, I will therefore describe and discuss some of the psychological factors that have been identified in clinical and empirical research as being key to understanding the role of the family from a psychological perspective.

3. Taking Personhood Seriously: Individuality, Community and the Need to Belong

Our Need for Deep and Lasting Connections

Although much of modern Western thought and popular culture presents us, and even encourages us to view ourselves as self-sufficient individuals, a large body of research from a variety of disciplines – evolutionary biology, the neurosciences, and psychology itself – tells that we are fundamentally social or communal beings.⁸ That our very nature, identity, and becoming is based not on isolation, but on relationships; not on loneliness, but on community; and not only on individual freedom, but also on social responsibility, on taking care for each other (and the world at large).

We see this right from the beginning of our individual lives: No other known species' offspring is so dependent on a prolonged period of support, care, love, being held, sheltered, fed, taught, and encouraged as we are. No human child would survive in the wilderness even for a few days in the absence of others who provide protection, care, and support. This relatively simple finding itself has already strong implications on our inner structure as human persons: In order to survive, infants must instantly engage their parents in caring and loving and protective behavior. Yet our mutual dependence, care, and responsibility does not end when we enter adolescence, and finally adulthood. It merely changes. A single individual is not able to survive on his or her own. Rather, our physiological, psychological and spiritual survival as individuals, as a community, as a family, and as a society at large continually depends on our ability to communicate, to share, to care for each other, to collaborate and cooperate. What is at stake here therefore is not only our immediate physiological survival as infants – i.e. not only *whether* we live, but crucially also *how* we live.

⁸ Baumeister, R.F., & Leary, M.R. (1995). The need to belong: desire for interpersonal attachments as a fundamental human motivation. *Psychological Bulletin*, 117(3), 497; Kunc, N. (1992). *The need to belong: Rediscovering Maslow's hierarchy of needs*.

Indeed, a large body of psychological research indicates that our physiological and mental health and our moral wellbeing and development depends largely on our ability to form and maintain deep connections with one another, the foremost (and usually first) of which is the family.⁹ In several large meta-analyses, lasting and reliable and supportive social connections turn out to be by far the strongest predictor on inner wellbeing and fulfillment.¹⁰

Interestingly, then, this research seems to suggest that that which most human beings are desperately seeking and looking for is, at the same time, itself the solution to many psychological ills and social problems. And yet unfortunately, clinical and social reality frequently confronts us with the absence and lack of supportive and lasting relationships. Understanding the impact of this lack will also help us understand where and how to find and offer healing, and why the family seems to be the foremost resource available to us in this regard.

The Need to Belong, Conditional Social Acceptance, and the Crisis of the Family

Imagine a condition that makes a person irritable, depressed, and self-centred, and is associated with a 26% increase in the risk of premature mortality. Imagine too that in industrialised countries around a third of people are affected by this condition, with one person in 12 affected se-

⁹ Doman, L.C., & Le Roux, A. (2012). The relationship between loneliness and psychological well-being among third-year students: A cross-cultural investigation. *International Journal of Culture and Mental Health*, 5(3), 153-168; Habibi, M., Hosseini, F., Darharaj, M., Moghadamzadeh, A., Radfar, F., & Ghaffari, Y. (2018). Attachment style, perceived loneliness, and psychological well-being in smoking and non-smoking university students. *The Journal of Psychology*, 152(4), 226-236; Çiçek, I. (2021). Mediating Role of Self-Esteem in the Association between Loneliness and Psychological and Subjective Well-Being in University Students. *International Journal of Contemporary Educational Research*, 8(2), 83-97.

¹⁰ Kawachi, I., & Berkman, L.F. (2001). Social ties and mental health. *Journal of Urban Health*, 78(3), 458-467; Guo, M., Li, S., Liu, J., & Sun, F. (2015). Family relations, social connections, and mental health among Latino and Asian older adults. *Research on Aging*, 37(2), 123-147; Cacioppo, S., & Cacioppo, J.T. (2012). Decoding the invisible forces of social connections. *Frontiers in Integrative Neuroscience*, 6, 51; You, S., Van Orden, K.A., & Conner, K.R. (2011). Social connections and suicidal thoughts and behavior. *Psychology of Addictive Behaviors*, 25(1), 180; Zagic, D., Wuthrich, V.M., Rapee, R.M., & Wolters, N. (2021). Interventions to improve social connections: a systematic review and meta-analysis. *Social Psychiatry and Psychiatric Epidemiology*, 1-22; Cohen, S. (2004). Social relationships and health. *American Psychologist*, 59(8), 676.

verely, and that these proportions are increasing. Income, education, sex, and ethnicity are not protective. Such a condition exists – loneliness.¹¹

These lines are taken from a recent article, published in the flagship medical journal *The Lancet*. The article highlights the enormous social, psychological, physiological and financial costs of the largely anonymous, singularized life prevalent especially in industrialized societies today.

And yet, as alarming as the findings presented in this article are, they still only scratch the surface of a much deeper psychological problem: Humans not only find it difficult to cope with loneliness, and they not merely long for the company of others. After all, one can be in the midst of a large crowd of people, or even with a group of friends and acquaintances (i.e. not alone) and yet can feel very lonely, misunderstood and homeless even, or especially in the company of others.¹²

Psychological research therefore tells us that over and above the need for social relations, we additionally also have a deep innate *need to belong*.¹³ We not only do not want to be alone; we also want to have a social home in this increasingly complex and multifaceted social world. We want to be part of a story which is larger than us, and larger than mere company. We want to be accepted for who we are, as we are.

But given the decline of the family and the anonymity of the large cities, the need to belong not only remains largely unfulfilled for a large segment of society.¹⁴ Even worse, it is at times actively *hurt* when people experience that their acceptance into society or a community is *conditional*, i.e. that it depends on something they have to deliver in order to be allowed to belong to a community. They need to have certain skills, abilities, actions, or other goods which they have to deliver (or own) in order to be

¹¹ Cacioppo, J.T., & Cacioppo, S. (2018). The growing problem of loneliness. *The Lancet*, 391(10119), 426.

¹² Smith, K.J., & Victor, C. (2019). Typologies of loneliness, living alone and social isolation, and their associations with physical and mental health. *Ageing & Society*, 39(8), 1709-1730; Pyle, E., & Evans, D. (2018). Loneliness – what characteristics and circumstances are associated with feeling lonely. *Newport: Office for National Statistics*.

¹³ Baumeister, R.F., Brewer, L.E., Tice, D.M., & Twenge, J.M. (2007). Thwarting the need to belong: Understanding the interpersonal and inner effects of social exclusion. *Social and Personality Psychology Compass*, 1(1), 506-520.

¹⁴ Smith, K.J., & Victor, C. (2019). Typologies of loneliness, living alone and social isolation, and their associations with physical and mental health. *Ageing & Society*, 39(8), 1709-1730; Pyle, E., & Evans, D. (2018). Loneliness – what characteristics and circumstances are associated with feeling lonely. *Newport: Office for National Statistics*.

welcome by their peers.¹⁵ They have to pay an entry fee in order to be an accepted member of society; and if they cannot, or no longer can, pay the fee, they run the risk of being rejected.

Hence the language of conditional acceptance is one of competition, not of belonging, nor of love and compassion or lasting bonds; it is about deserving to be a member of society or a community. In such a society, people are under the constant threat and risk of rejection, and thus they are under permanent stress; and therefore experience deep-seated insecurity and psychological distress.

Research shows, for example, that if the need to belong is under threat, or is chronically unmet, people have a high likelihood of suffering from depression, aggression, and diminished coping ability, self-control and, importantly, social skills. The effects of (the threat of) rejection, such as loss of social skills thereby ironically – and often tragically – lower the likelihood of socially acceptable behavior.¹⁶ And perhaps somewhat counterintuitively, it seems as if the association between these two is not only driven by poor social-cognitive competence leading to rejection, but also by rejection leading to a situationally evoked breakdown of self-control and social competence. This mechanism thus easily initiates a vicious circle – rejection leads to lowered social competence, which in turn results in further rejection – and this in turn can trigger an unimaginable level and amount of unnecessary human suffering.¹⁷ This is, in a nutshell, the unwritten recipe for how a society can become cold and suffering; and it is, unfortu-

¹⁵ Baldwin, M.W., & Sinclair, L. (1996). Self-esteem and “if... then” contingencies of interpersonal acceptance. *Journal of Personality and Social Psychology*, 71(6), 1130; Andersen, S.M., & Chen, S. (2002). The relational self: an interpersonal social-cognitive theory. *Psychological Review*, 109(4), 619.

¹⁶ Morgan, C., Burns, T., Fitzpatrick, R., Pinfold, V., & Priebe, S. (2007). Social exclusion and mental health: conceptual and methodological review. *The British Journal of Psychiatry*, 191(6), 477-483; Heinz, A., Zhao, X., & Liu, S. (2020). Implications of the association of social exclusion with mental health. *JAMA Psychiatry*, 77(2), 113-114; Beeri, A., & Lev Wiesel, R. (2012). Social rejection by peers: A risk factor for psychological distress. *Child and Adolescent Mental Health*, 17(4), 216-221; Slavich, G.M., Way, B.M., Eisenberger, N.I., & Taylor, S.E. (2010). Neural sensitivity to social rejection is associated with inflammatory responses to social stress. *Proceedings of the National Academy of Sciences*, 107(33), 14817-14822.

¹⁷ Baumeister, R.F., Brewer, L.E., Tice, D.M., & Twenge, J.M. (2007). Thwarting the need to belong: Understanding the interpersonal and inner effects of social exclusion. *Social and Personality Psychology Compass*, 1(1), 506-520.

nately, to a large degree a description of our modern social individualistic and overcompetitive world.

Indeed, we have created a very harsh and merciless social world for ourselves.

Implications: Who Is Allowed to Be a Member of Society?

I will only briefly mention the secondary implications and ethical and moral costs of conditional social acceptance. They are not the main topic of this article. But it needs to be pointed out that seen through this lens, the isolation and loneliness (i.e. rejection) especially of the elderly, the poor and the disabled – or in fact anyone who is in need and does not conform to a certain (often arbitrary) social ‘norm’ – can be translated into the simple formula that those who are not or no longer able to meet a society’s or a community’s conditions for social acceptance are all too easily rejected, and thus left alone, left behind, or, as the renaissance of the so-called “euthanasia”-debate illustrates, even threatened in their very right to be members of society, to be alive.

There currently exists very little research on the psychological impact of the fact that not only our social standing, but also our very physical survival (i.e. our right to live) could be at stake should we one day no longer be able to be productive or functional members of society. Yet it seems to be a reasonable inference that even the mere hypothetical threat of total and complete rejection will only add to the existential uncertainty and discontent so widely observed in affluent societies around the world. It can be enormously traumatizing and anxiety-provoking to know that you are only a welcome member of society as long you are functional or productive, and yet to know that given the normal aging process and its accompanying biological decline that one day, our own functionality – and with it, our social and even physiological rights – might be at stake.¹⁸

In brief, human society has become an unsafe place. The two doors of existence – birth and death – have become places not of being unconditionally welcome or loved and cared until the natural end of an individual life. They have become conditional.¹⁹

¹⁸ Jantschek, T. (1998). Von Personen und Menschen. *Deutsche Zeitschrift für Philosophie*, 46(3), 465-484.

¹⁹ Selg, P. (2021). *Heilpädagogik oder Kindereuthanasie. Karl Königs Auseinandersetzung mit Werner Catel*. Arlesheim: Ita Wegmann Institut.

So much, then, for a psychological diagnosis of the issue at hand, and how it presents itself in our world today. To foreshadow what is also possible, try to imagine the humane alternative: Being a member of community of which you know that your being an accepted and acknowledged and appreciated part of is unconditionally and fundamentally safe, and of which you know that you will never fall out, because your belonging does not depend on what you have or do, or on your health or functional abilities, but on who you are: an individual, unique and irreplaceable person, sheltered in love and unconditional acceptance.

4. Unconditional Acceptance: Substitutes and the Family

The Family as a Natural Shelter

Given the high psychological and social costs of loneliness and a frustrated need to belong, in recent years a number of successful psychological and social intervention programs have been developed and installed to combat loneliness.²⁰ Yet clearly, even if these intervention programs may alleviate some aspects of the contemporary endemic loneliness, they will not be able to address or alleviate existential uncertainty. Psychologists cannot prescribe or create “unconditional acceptance”. And indeed, social units in which unconditional acceptance and belonging can be observed are rare. In fact, research only finds one such social unit: The intact family.

The intact family is in fact the *only* social entity in which a person does not first have to earn (and could subsequently lose) a position and role: being young or old, healthy or ill, fit or unfit does not determine whether a son, daughter, father, mother, grandfather, grandmother, uncle, aunt, etc. has his or her unique place within the family. The young adult may leave home, may test out new identities, change his or her outlook on life – but the promise of the intact family is that he or she will always have a place called home. As the parable of the prodigal son illustrates, this home can be one of the very few places, and sometimes the only remaining place where we can find shelter even if we have lost everything else out there.

²⁰ Andersson, L. (1998). Loneliness research and interventions: A review of the literature. *Aging & Mental Health*, 2(4), 264-274; Cattan, M., White, M., Bond, J., & Learmouth, A. (2005). Preventing social isolation and loneliness among older people: a systematic review of health promotion interventions. *Ageing & Society*, 25(1), 41-67; Cacioppo, S., Grippo, A.J., London, S., Goossens, L., & Cacioppo, J.T. (2015). Loneliness: Clinical import and interventions. *Perspectives on Psychological Science*, 10(2), 238-249.

It remains a home even if we leave that home. Here, we belong. In fact, it appears as if *only* here, the need to belong finds its natural and unconditional fulfillment.²¹

It is telling, then, that a need is woven into our psychological make-up which can be and is fulfilled within the most basic social unit, available – at least in principle – to anyone. We are born into families. In a very specific way, then, our need to belong is fulfilled before we even consciously notice its presence and role in our psychological make-up.

Rootlessness when Families Break Apart: The Costs of Neglect

Unfortunately, however, families are not always intact. They can break apart; and when that happens, family members do not merely lose their bonds. Something far more psychologically and existentially damaging happens: From now on, those who have lost their natural bonds with their family will strive again and again to gain recognition and attention from others. But they will again always have the experience of having to contribute something in return.²² And whatever they try to substitute their natural sense of belonging to a family with, it will never be of the same quality, nor will it be made for this purpose.²³ In other words, their relationship to the world and to others will change, and not for the better.

Accordingly, psychological research and clinical experience confirm that those who are bereft of this fundamental shelter of acceptance and knowing their place in the world are at a significantly higher risk of both anxiety and depression and of seeking substitute satisfactions which frequently lead to substance or behavioural addictions or other destructive choices. A.E. Houseman describes this state as being, “alone and afraid, in a world I never made”.²⁴

The suffering caused by such a condition could and should be a strong argument for the protection of the family in public and political discourse. Even from a strictly utilitarian point of view, in economic terms, and given

²¹ Lukas, E. (2001). *Familienglück*. München: Kösel.

²² Lukas, E. (2001). *Familienglück*. München: Kösel.

²³ Furstenberg, F.F., & Cherlin, A.J. (1991). *Divided families: What happens to children when parents part* (Vol. 1). Harvard University Press; McLanahan, S., & Sandefur, G.D. (2009). *Growing up with a single parent: What hurts, what helps*. Harvard University Press; Amato, P.R., & Gilbreth, J.G. (1999). Nonresident fathers and children's well-being: A meta-analysis. *Journal of Marriage and the Family*, 557-573.

²⁴ Housman, A.E. (1924). *Last poems*. CUP Archive, 17.

the high psychological and social costs, no state or community can afford to undermine or neglect the family.²⁵

Thus even if there was nothing further to say (there is more to come), our basic psychological make-up, human nature, gives both testimony to and offers strong evidence-based arguments for the fact that the family is worth preserving and protecting and, where necessary, healing.

Interpersonal Mercy: The Family as Shelter for Those with Special Needs

So far, I have argued for the family as a psychological and social good from the perspective of the individual on his or her search for a sense of belonging and unconditional acceptance. Yet our discussion would still be incomplete if we did not also take into consideration that the findings discussed so far not only refer to being the *recipient* of unconditional acceptance within the family. It also entails being the one who *gives out* unconditional acceptance and care to other family members. A network of mutual acceptance, love, and care does not consist of one-way streets, but of movements of kindness, even mercy, in all directions.

All of this becomes particularly important when individuals within the family are not fully able to meet the norms or requirements of society at large. It is precisely here that we once again see the strengths of a connection that looks beyond mere individual merits, interests and functions and bases itself on the uniqueness of each person. And it is here that we see the unfolding of yet another psychological and social aspect of the strengths and value of the family.

If we acknowledge this much, we may also acknowledge the fact that there are special moral obligations based on affection and a need for care towards family members who are born with or have acquired disabilities or who have become old or frail. What is sometimes overlooked is the fact that their very neediness can enable them to be a vital source of inner and moral growth for other family members. Those in need will challenge us; but they can also teach us a unique lesson for life (and society): to be merciful. They can teach us to grow beyond mere self-interest.

As much research within the field of meaning-oriented psychotherapy (i.e. Viktor Frankl's logotherapy and existential analysis) shows, it is often precisely this care and love in suffering which can literally radiate healing

²⁵ Batthyány, A. (2019). *Überwindung der Gleichgültigkeit. Sinnfindung in einer Zeit des Wandels*. München: Kösel, Ch. 2.

and growth in all directions.²⁶ It can offer consolation and shelter not only to those who are in need of care, but also to the caregivers. Care consoles.²⁷ Care also carries a message of meaning and responsibility which reaches beyond ourselves, and even reaches beyond death and dying.

Let me illustrate this with a brief example of the Austrian psychiatrist and holocaust survivor Viktor E. Frankl. He tells the story of an elderly doctor who was deeply depressed over the death of his wife. He visited Frankl's office in Vienna, and upon entering said: "I know that you cannot help me. I can easily write myself a prescription for a tranquilizer, but numbing my feelings will not take away the knowledge that I miss my wife; that she is gone and I find no joy in life ever since she died". Upon which Frankl asked the doctor a simple question – a question not about the doctor, but about the wife whose death he was mourning: "Tell me, what would have happened if not your wife, but if you had died first? How would your wife have reacted?". "That would have been terrible", answered the doctor, "how much would she have suffered! How alone she would have been, how helpless, how sad". And Frankl answered: "And that suffering has been spared from your wife. But must we not admit that it is you who is sparing this suffering from your wife? Yet at the cost that you are the one who is mourning her death?".

Frankl reports that upon hearing this, the doctor was "given back to life". From that point on, he was ready to shoulder this suffering not for himself, but for his wife. His suffering had become a meaningful sacrifice of love – better he would suffer than his wife.

As this brief case example illustrates, once we begin looking beyond ourselves, a meaning and responsibility may emerge which will equip us

²⁶ Acton, G.J., & Wright, K.B. (2000). Self-transcendence and family caregivers of adults with dementia. *Journal of Holistic Nursing*, 18(2), 143-158; Shim, B., Barroso, J., Gilliss, C.L., & Davis, L.L. (2013). Finding meaning in caring for a spouse with dementia. *Applied Nursing Research*, 26(3), 121-126; Autio, T., & Rissanen, S. (2018). Positive emotions in caring for a spouse: a literature review. *Scandinavian Journal of Caring Sciences*, 32(1), 45-55.

²⁷ Batthyány, A., & Guttmann, D. (2005). *Empirical research in logotherapy and meaning-oriented psychotherapy*. Zeig, Tucker & Theisen; Batthyány, A. (2011). Over thirty-five years later: Research in logotherapy since 1975. In V. Frankl (Ed.), *Man's search for ultimate meaning* (pp. 169-188). Rider; Thir, M., & Batthyány, A. (2016). The state of empirical research on logotherapy and existential analysis. In A. Batthyány (Ed.), *Logotherapy and existential analysis. Proceedings of the Viktor Frankl Institute Vienna* (Vol. 1, pp. 53-74). Springer; Batthyány, A. (2021). *Recent studies on the clinical relevance and/or effectiveness of logotherapy and existential analysis (2015-2021)*. VFI Research Dept.

with the inner resources to cope, to grow beyond ourselves, and live up to our potential of inner generosity, i.e. the ability to do something for others.

Again, the family – and very often especially those families who face the additional challenge and burden to cope with illness, death, and suffering – is the natural “home” and breeding ground of such inner developments. The outside social world, in fact, rarely (if ever) confronts us as existentially, deeply and personally as our own families.²⁸

Additionally, our research suggests that our willingness – both within the family, and from there outwards to society at large – to take care of those in need fosters empowerment, i.e. self-efficacy, tends to significantly lower the likelihood of depression and also lowers their fear and uncertainty for the future and the prospect of becoming elderly and frail themselves.²⁹ In brief, though still psychologically understudied, there are indications that concepts such as mercy and compassion and the willingness to do a sacrifice for others are among the most eminent psychological and spiritual resources we humans have at our disposal, especially during challenging times.

Our research additionally shows that the factor of “responsibility for others”, mainly in the family context, is itself a strong predictor of mental health and coping ability in the face of adverse events – in some samples, this factor was of just as much significance as the factor “self-responsibility”.³⁰ In other words, these findings suggest that caring for someone other than oneself turns out to be a mental health and inner growth factor of similar significance as the conceptually related factor of belonging and maintaining the bonds of an intact family – and yet again, the family is the natural home of the notion of voluntarily caring for those in need.

²⁸ Autio, T., & Rissanen, S. (2018). Positive emotions in caring for a spouse: a literature review. *Scandinavian Journal of Caring Sciences*, 32(1), 45-55.

²⁹ Shim, B., Barroso, J., Gilliss, C.L., & Davis, L.L. (2013). Finding meaning in caring for a spouse with dementia. *Applied Nursing Research*, 26(3), 121-126; Autio, T., & Rissanen, S. (2018). Positive emotions in caring for a spouse: a literature review. *Scandinavian Journal of Caring Sciences*, 32(1), 45-55.

³⁰ Inagaki, T.K., & Orehek, E. (2017). On the benefits of giving social support: When, why, and how support providers gain by caring for others. *Current Directions in Psychological Science*, 26(2), 109-113; Post, S.G. (2005). Altruism, happiness, and health: It's good to be good. *International Journal of Behavioral Medicine*, 12(2), 66-77; Martin, M.W. (2007). Happiness and virtue in positive psychology. *Journal for the Theory of Social Behaviour*, 37(1), 89-103; Maguire, R., Hanly, P., & Maguire, P. (2019). Beyond care burden: associations between positive psychological appraisals and well-being among informal caregivers in Europe. *Quality of Life Research*, 28(8), 2135-2146.

These findings echo the theoretical and experimental work of eminent social psychologist Ellen Berscheid who, in a recent collection on human strengths published by the American Psychological Association, noted that humans' greatest strength are *other humans*. As Berscheid notes: a truly humane psychology will not be able to "advance its understanding of human nature by ignoring the fact that, far from being born predisposed to be hostile toward other humans, it appears that we are innately inclined to form strong, enduring, and harmonious attachments with others of the species – or as Harlow (1958) simply put it, to 'love' them".³¹

5. The Family as School of Life

Character Education

In recent years, there has been a renewed interest in character education and development, especially for adolescents and young adults. The aim of such programs and interventions is to teach certain life, relationship and coping skills which are intended to enable participants to live richer and more meaningful lives. Similar programs have also been developed which focus on learning and training appropriate ways of expressing and regulating emotions and basic needs.

Yet, however successful such programs are, they can and do reach only a small fraction of those who would profit from them, and unfortunately, data suggests that those who are most likely most in need of them are rarely given the opportunity to take part in such training programs.

Secondly, it still is an open question whether such programs can instill or initiate significant and relevant long-term changes and positive habit formation. In other words, we simply do not know whether they suffice in making up for what has been missed during children's and adolescents' formative years.³²

And thirdly, even if such programs cover a large inventory of character strengths and life skills, it seems unlikely that they will ever be able to compete with the full range of virtues, wisdom and life and social skills learned within the everyday settings of life in an intact family. This is true especially as much learning takes place implicitly, i.e. without the explicit

³¹ Berscheid, E. (2003). *The human's greatest strength: Other humans*. Washington DC: APA Press.

³² Humphreys, K., Mankowski, E.S., Moos, R.H., & Finney, J.W. (1999). Do enhanced friendship networks and active coping mediate the effect of self-help groups on substance abuse? *Annals of Behavioral Medicine*, 21(1), 54-60.

intention to learn, but rather (a) by doing and experiencing, and (b) by observing others (i.e. role model learning).³³

A Meal Together: Lessons for Life

To illustrate this point, imagine a family table with multiple generations – grandparents, parents, and children with younger siblings. A child at this table finds him- or herself both in a communal shelter, i.e. his or her home (see above), and in a setting of intense formative natural character development and life skill learning. Children will, for example, learn patience with (and respect for) the elderly family members at the table who might be somewhat slower, i.e. they may need more time for eating – and where else, in times when almost everything they need is just a mouse click away, will they be able to encounter situations which teach them patience? And they will begin to understand the possibility to help and accept responsibility for younger siblings who, for example, try to reach out to grasp something out of their reach, and in this way gain a deeper understanding of their own helpfulness and responsibility. And again, where else in their young lives should they learn about helpfulness?

Additionally, they will observe intergenerational communication between their parents and their grandparents; and so on. In just one single setting – a “trivial” family lunch or dinner – the child will have learned lessons in patience, in kindness, in self-sufficiency, in responsibility, independence, courage, and curiosity. During a single day in an intact family, a child (or adolescent) will encounter many more such lessons, all of which will significantly contribute to his or her moral, psychological and social development. In brief, the learning environment of the family is unique, and so are the virtues we can learn in this environment.

On Understanding and Being Understood

Both clinical and everyday experience – as much as a limited body of research – tells us that at every life stage, we ought and need to lean on and learn from those who have already passed the developmental stage we

³³ Horsburgh, J., & Ippolito, K. (2018). A skill to be worked at: using social learning theory to explore the process of learning from role models in clinical settings. *BMC Medical Education*, 18(1), 1-8; Manski, C.F. (1993). Dynamic choice in social settings: Learning from the experiences of others. *Journal of Econometrics*, 58(1-2), 121-136; Wood, P., & Brownhill, S. (2018). ‘Absent fathers’, and children’s social and emotional learning: an exploration of the perceptions of ‘positive male role models’ in the primary school sector. *Gender and Education*, 30(2), 172-186.

currently find ourselves in. Why does this matter? Because in other social contexts we normally bond with and befriend people who are relatively similar to ourselves in age, life experience and life circumstances. We can share what we are currently experiencing with such peers, but we can rarely learn from them what it is like to have already lived through or processed these experiences.³⁴

While much current social research suggests, for example, that adolescents are predominantly influenced by their peers, it may overlook – or, given the decline of the family in the Western world, simply have not seen much evidence for – the necessity and value of being able to learn from the experience of older, and more experienced, family members.³⁵ The advice of peers will not be able to substitute the wisdom and serenity of the parent, grandparent, uncle or aunt, or older sibling who can assure the bewildered adolescent family member that “I, too, have been where you are now. I know it hurts; I understand you, but as you see, I survived”. Or: “I, too, did some stupid things when I was younger – and that is just fine. It happens in every generation. Just remember that one day, you will have to grow up”. And so on. Such or similar messages to our younger generation do not necessarily come with concrete advice – such as that offered by psychological or social training programs. Rather, they offer understanding, experience, safety, acknowledgment, mutual respect, love, and appreciation of our personhood and thus align well with my first point about the intact family being a shelter and an existential home in a sometimes bewildering or even hostile world.

³⁴ Albarello, F., Crocetti, E., & Rubini, M. (2021). Developing identification with humanity and social well-being through social identification with peer groups in adolescence. *Journal of Youth and Adolescence*, 50(6), 1157–1172; Brown, B.B., Eicher, S.A., & Petrie, S. (1986). The importance of peer group (“crowd”) affiliation in adolescence. *Journal of Adolescence*, 9(1), 73–96; Vandell, D.L. (2000). Parents, peer groups, and other socializing influences. *Developmental Psychology*, 36(6), 699.

³⁵ Heydon, R., & Du, X. (2019). This is the stuff that identities are made of: Children learning with grandparents and other elders. In *The Routledge International Handbook of Learning with Technology in Early Childhood* (pp. 219–234). Routledge; Dunifon, R.E., Near, C.E., & Ziol Guest, K.M. (2018). Backup parents, playmates, friends: Grandparents’ time with grandchildren. *Journal of Marriage and Family*, 80(3), 752–767; Bucher, A.A. (2021). Grandparents as Teachers: Their Concern and Engagement on Development of Ethical Attitudes and Moral Sensibility of their Grandchildren. In *The International Handbook of Teacher Ethos* (pp. 445–456). Springer, Cham.

6. The Harmony between Research and Faith: Different Methods, same Message

Ideals meet the Real World: Making a Case for the Family – and for Mercy

In *Amoris Laetitia*, Pope Francis encourages us to move away from the abstract ideal of the family and to instead directly reach out to the reality of everyday family life. The everyday family, however, more often than not is not necessarily an intact family, and frequently it is not even a family unit at all. Yet clearly, what we have discussed so far makes a strong case for the family – and it makes a strong case for the concerted effort to save the family, protect it, help it, and support it. What does this look like in concrete terms? How can the Church and researchers engaged with these topics communicate knowledge about the value of the family for individuals and for society?

From a psychological point of view, we seem to know which strategies have so far failed to bring about the change towards a family-friendly climate so sorely needed for the next generation not to be bereft of the unique personal, psychological, moral and spiritual benefits of being part of an intact family in our largely secular age. Speaking from a social psychological perspective, the battle *against* policies and social movements which we deem to be harmful or outright hostile to the intactness of the family does not, in and of itself, foster family life. It only kindles the fire. Such battles also frequently evoke an additional sense of pressure (brought forth, among other things, by an unrealistically ideal image of the intact family and the fact that the family is politicized) rather than of compassion, understanding, love and other growth motives. From a psychological perspective, however, the good is most effectively supported not by fighting against things that are less good, but by making what is good better known and by directing more attention to it.³⁶

Studies demonstrate that learning from a positive model is the safest and most impactful way to learn. It conveys content which is best learned and most convincingly communicated by actually *seeing* how something succeeds.³⁷

³⁶ Steindl, C., Jonas, E., Sittenthaler, S., Traut-Mattausch, E., & Greenberg, J. (2015). Understanding psychological reactance: new developments and findings. *Zeitschrift für Psychologie*, 223(4), 205; Rosenberg, B.D., & Siegel, J.T. (2018). A 50-year review of psychological reactance theory: Do not read this article. *Motivation Science*, 4(4), 281.

³⁷ Yılmaz, M., Yılmaz, U., & Yılmaz, E.N.D. (2019). The relation between social learning and visual culture. *International Electronic Journal of Elementary Education*, 11(4),

Additionally, teaching through realistic examples acknowledges the fact that reality always falls short of what would be ideal – in other words, that the family, despite its inner beauty and value, is not and does not have to be ‘perfect’. It only needs to be human.

As Pope Francis has pointed out – and in fact as Jesus himself explains – the duty of pastoral care, as of a doctor, is not to treat the healthy, but to reach out to the sick. The family should and can be a place characterized by patience on all sides and mutual encouragement, and it should be an environment in which we can attempt to overcome our own weaknesses, while patiently and lovingly supporting other family members in their weaknesses. Thus, talk about the family should not be a question of making demands, but should grow out of a spirit of acceptance, helpfulness, affection and well-meaning.

This qualification is important if we do not want exert an unhealthy and inhuman pressure on people to succeed in fulfilling this ideal. This already happens too often today’s competitive society, and the family should offer relief, not more pressure to “succeed”. It is therefore important to openly acknowledge that within the family there will be problems, struggles, conflicts, and challenges: people continue to live, work, love, argue, get bored, laugh and suffer. Thus far, everything is normal. However, there is what can only be described as a different spirit here, and, as the preceding discussion tells us, the preservation of this spirit is one of the most pressing psychological and social tasks of our time.

Additionally, an intact family does not define itself *against* the Zeitgeist or the outside world. Rather, an intact family is perpetually undergoing a process of continuing responsibility, growth, learning, and loving within the larger context of a society which may hold other ideals, but whose members will still recognize the core values and virtues of the intact family for the simple reason that these values and virtues speak to our psychological make-up. Perhaps this is also the most urgent psychological message of and for our time: the modern family, as much as the “new good society”, will necessarily be a society fuelled by kindness, supportiveness, mercy and encouragement, or it will not be.

421-427; Hefner, D., Knop, K., Schmitt, S., & Vorderer, P. (2019). Rules? Role model? Relationship? The impact of parents on their children’s problematic mobile phone involvement. *Media Psychology*, 22(1), 82-108.

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ON THE MANIFOLD DIMENSIONS OF HUMAN LOVE

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In my contribution to the April 2021 webinar *The Family and Integral Ecology*, I presented a paper entitled “Philosophers’ insights on the family in the light of contemporary challenges”.¹ Therein, I argued that “the kind of giving and receiving that broadly characterizes family relationships is grounded on the characteristic transcendence of conjugal love, which, by definition, is a type of love open to, and morally responsible for, the generation of a new human being”. I further argued that “expanding those kinds of trusting and cooperative relationships beyond family borders, thereby pointing at the ultimate meaning of justice in human relationships, is one of families’ most significant contributions to the larger society”, for which families can be viewed as proper sources of humanization.

The discussion that followed revealed some issues seen as deserving further conceptual clarification because of their relevance for understanding the underlying dynamics of family life. One of them, perhaps the most prominent, was the very nature of love, which is what I will take up here. I think this exercise might also be relevant to mediate between what we could call “romantic” views and “institutional” views of family life.

I will first approach the issue from a linguistic perspective, and then will gradually move toward a more philosophical perspective, in order to show how the manifold dimensions of love can be held together,² without

¹ http://www.pass.va/en/events/2021/family_ecology/gonzalez.html

² For an introduction in the main topics of a philosophy of love see Kreft, N. *Was ist Liebe, Sokrates? Die grossen Philosophen über das schönste aller Gefühle*, München: Pieper Verlag, 2021. Philosophical reflection on love is also relevant for theological discourse, just like theological reflection has an impact on the way we approach human love: “Überall gilt: Sage mir, was du von der Gottesliebe denkst, und ich werde dir sagen, was dir Menschen-liebe bedeutet- ein Satz, der sich umkehren lässt. Wenn also die Voraussetzung von der Wesenseinheit der Liebe irrig sein sollte, dann könnte es auch keine Geschichte des Liebesbegriffes geben”. Kuhn, H. *Liebe. Geschichte eines Begriffs*, München: Kosel-Verlag, 1975, p. 14.

diluting its ultimate meaning, namely that of a unifying force that works at all levels of being and is responsive to the goodness of being itself.³

1. Different words for different meanings of love

Resorting to philology is a common strategy when it comes to clarifying the meaning of love. In his classical work on this topic, Joseph Pieper discusses the German language's alleged shortcomings in this regard,⁴ and goes on to analyze the Latin and Greek words for love that have influenced modern European languages. Russian thinker Pavel Florenski also argued that, in contrast to many other languages, which need periphrasis in order to clarify the manifold dimensions of human love, ancient Greek was privileged with four specific verbs,⁵ namely ἔραμαι, φιλέω, στέργω, ἀγαπάω.

While στέργω designates a quiet and firm sentiment of belonging that follows from the organic bonds between the lover and the loved object, ἔραμαι – from which the word “Eros” comes – incorporates the idea of passion and desire. It goes beyond affection to also incorporate sensuality; although Eros is often used in the restricted sense of sexual desire, it represents the generic *pathos* of love that is also found in other kinds of love.⁶

Aquinas carefully describes this as a *pathos* that leads to the unification of the lover and the beloved, causing their mutual indwelling, as well as a sort of ecstasy in which lovers somehow exist outside of themselves. This *pathos* is source of zeal in the lover, a principle of everything that the lover does, bringing about changes whereby it best adapts to the beloved.⁷ Importantly, Aquinas holds that this *pathos*'s characteristic features are common to all kinds of love, even if they do not originate in sensitive knowledge, but rather in intellectual knowledge or judgment.

More interested in stressing the differences, Florenski recalls that the Greeks used ἀγαπάω to mean the more rational love that follows from appraisal and judgment, which he then describes as “neither passionate nor

³ Max Scheler stressed this aspect by saying that “love has an intrinsic reference to value”, and cannot be reduced to a mere feeling, because it is a spontaneous act, never a reactive condition. Cf. Scheler, M. *The Nature of Sympathy*, New Brunswick, NJ: Transaction Publishers, 2008, pp. 141-2.

⁴ Pieper, J. *Über das Lieben*. München: Kösel, 1977, p. 22.

⁵ Florenski, P. *La columna y el fundamento de la verdad. Ensayo de teodiceia ortodoxa en doce cartas*, Salamanca: Sígueme, 2010, p. 352.

⁶ See also Pieper, J. *Über die Liebe*, p. 28.

⁷ See Aquinas, Th. *Summa Theologiae*, S.th. I-II q. 28.

ardent or tender”,⁸ precisely because it is grounded on rational discernment, not inclination. Nevertheless, ἀγαπάω is not pure knowledge; it also involves affection, which already inchoates the *pathos* of love. As we know, Christianity expanded the meaning of this verb, coining the word “agape”, thus incorporating the idea of self-giving and sacrificial love.

Three out of the four Latin words that Aquinas uses⁹ to account for the manifold dimensions of love partially echoed their Greek counterparts: “amor” partially echoes Eros; “amicitia”, φιλία; and “dilectio”, from “diligere”, echoes ἀγαπάω. As we can see, στέργω disappears from Aquinas’s list, absorbed in the generic word “amor”, which he found broad enough to incorporate both the attachments rooted in natural inclination¹⁰ and the complacency following sensitive or intellectual knowledge. Finally, *caritas* represents a specific Christian contribution, the Latin translation of the New Testament *agape*, even though, in Augustine’s account,¹¹ *caritas* includes some aspects of the other three.

Aquinas explicitly observes that *amor* “has a wider signification than the others, since every *dilectio* or *caritas* is love, but not vice versa. Indeed, *dilectio* implies, in addition to *amor*, a choice made beforehand; therefore, *dilectio* is not in the concupiscible power, but only in the will, and only in the rational nature”.¹² *Amor* broadly represents the Latin version of *Eros*.

⁸ Florenski, P. *Columna y fundamento de la verdad*, p. 352.

⁹ S.th. I-II q. 26 a. 3.

¹⁰ I link στέργω to “natural inclination”, taking the latter both in the classical and in the modern sense. Aquinas incorporates the Stoic notion of “natural inclination” in his account of natural law (S.th. I-II q. 94 a. 2), where he refers to the goods proper to natural beings, sensitive beings and rational beings. Yet, he assumes that behind every “natural appetite” or “natural inclination” there is always an intelligence that grasps the good appropriate for that being, namely God’s intelligence. Leaving aside the metaphysics, Kant retains the intrinsic connection between knowledge and inclination, although stressing the sensitive dimension of the latter. Thus, for him, inclination is “a subject’s sensuous desire which has become customary (habit)” (Anth. 7: 264. #80). The closest Kant comes to the idea of a natural inclination, in the stoic sense, is propensity (*propensio*), which he defines as “the subjective possibility of having a certain desire arise, which precedes the representation of its object”. Kant, *Anthropology from a pragmatic point of view*: Anth. 7: 264. #80.

¹¹ Which Anders Nygren criticized in his famous *Agape and Eros*, tr. Philip s. Watson, New York: Harper & Row, 1969. For a discussion of the way theologians have approached the notion of agape see Outka, G. *Agape. An Ethical Analysis*, Yale University, 1972. For an exposition of the Catholic view on love see Benedict XVI, *Deus Caritas Est*. In: *Acta Apostolicae Sedis*, vol. XCVIII, 3 Martii 2006, pp. 217-252.

¹² S.th. I-II q. 26 a. 3.

Interestingly, Aquinas also noted that many people held *amor* to be “more Godlike than *dilectio*”, arguing that “it is possible for man to tend to God by love, being as it were passively drawn by Him, more than he can possibly be drawn thereto by his reason, which pertains to the nature of *dilectio*”.¹³

On the other hand, he also observes that, unlike *amor* and *dilectio* – which are expressed by way of passion or act – *amicitia* – friendship – “is like a habit”, and *caritas* can be taken either way. Thus, when he refers to the friendly quality of a particular act of love, he prefers *amor amicitiae*, which he consistently contrasts with *amor concupiscentiae*. Finally, regarding *caritas*, all he says at this point is that it “denotes, in addition to love, a certain perfection of love, in so far as that which is loved is held to be of great price, as the word itself (*carus*) implies”.¹⁴

In the case of *amicitia*, friendship, we can clearly appreciate that human love cannot be fully grasped in terms of ἔρως or στέργω, because it always entails a dimension of *agape*; it is not just a principle of desire, following natural inclination, but also a principle of gift and donation, which does not exist without *dilectio*, just as φιλέω entails both inclination and self-transcendence. Indeed, in the experience of friendship, we see how intimacy and transcendence are not mutually exclusive; on the contrary, we wish the good for our friends insofar as they are intimate to us.

Importantly, there is more to love than just inclination or desire. If they were exactly the same thing, love would disappear once inclination or desire were satisfied; yet, as a sort of complacency with the beloved, love is antecedent to desire and often persists when desire has been satisfied or has vanished,¹⁵ as an effusive force ready to give itself to the other, as the fruit of abundance and plenitude, as *agape*.

St. John’s focus on this dimension of love enabled him to assert that “God is love” (1 John 4). Were he to have reduced love to Eros, in the Greek sense, he could not have written those words, for, as a perfect being, God is not marked by any kind of desire or necessity. The Aristotelian God was an eternal being that acted as first mover, attracting all things; it was the object, but not the subject of love. It is very different from the God presented in the first verse of the Bible, a God who creates heaven and earth out of nothing. In the Biblical tradition, Creation is an absolute

¹³ S.th. I-II q. 26 a. 3 ad 4.

¹⁴ S.th. I-II q. 26 a. 3.

¹⁵ “Desire implies the real absence of the beloved: but love remains whether the beloved be absent or present”. S.th. I-II q. 28 a. 1 ad 1.

act of divine freedom, and never a necessary emanation from the divine essence. Through Creation, God freely *gives* being to everything that exists. From this perspective, it is an absolute act of *agape*. We could say that, unlike human love, God's love is absolutely creative¹⁶ because it absolutely creates the good, along with the being that is object of this love. By contrast, human love, although creative,¹⁷ is only relatively so, because human beings only love what they somehow antecedently perceive as good, i.e., as appropriate to their own nature.

But human nature is complex; although we share an organic and sensitive nature with many other natural beings, ours is ultimately endowed with reason. This impacts the specific nature of human love, which is neither pure *Eros* nor pure *Agape*; we humans are imperfect beings in search of our own fulfillment, and thus naturally and intimately affected by a number of appetites and desires. Yet, we are also rational and free beings, able to give from our own relative plenitude, and thus capable of *agape* at the natural level. Indeed, insofar as we are endowed with reason, we are able to decenter from ourselves and act gratuitously for the sake of another – i.e., we are capable of benevolence – often to the point of sacrifice.

In *human* love, *Eros* and *Agape* do not exist entirely apart from one another. While *Eros* always entails passivity and desire, it also entails a moment of relative self-transcendence, of self-abandonment. In that moment, it *gestures* to *agape*, even if its own movement ultimately returns to the self (*amor concupiscentiae*); *agape*, in turn, presents itself as active self-giving (*amor benevolentiae*), but insofar as no gift can succeed in absence of another who receives it, human *agape*, too, has an intimate need for the other's receptivity. This is, by the way, the reason why we tend to think that unrequited love contains an element of tragedy: love calls for a response, but said response cannot be coerced, it must be free. When Christians profess their

¹⁶ See Frankfurt, H. *The Reasons of Love*, Princeton: Princeton University Press, 2004, pp. 62-63.

¹⁷ Love is always creative, as Plato already emphasized in the *Symposium*. Scheler underlines this idea when he notes that love is not just the reaction to something experienced as valuable: it also includes a movement towards the ideal values implicit in the object of love (*The Nature of Sympathy*, p. 153). Indeed, in loving someone, the lover does not merely discover existing values, but also anticipates the ideal image of those values. Therein lies the creative dimension of love, which needs not be interpreted in a pedagogic or moralistic way, as Scheler himself makes clear: genuine love does not "idealize" its object, rather it opens the eyes for the highest value implicit in the loved object (pp. 157-161).

faith in the One Triune God – a God that consists of reciprocal relations between the Father, the Son and the Holy Spirit – they are pointing in this direction.¹⁸ In more mundane, human terms, we recognize this kind of free, reciprocal benevolence in friendship “inasmuch as friends return love for love, and both desire and do good things for one another”.¹⁹

This is not to say that being friends with others can be simply equated with *ἀγαπάω*, any more than it can be equated with *ἔραμαι* or *στέρωω*. As Florenski notes, the difference between *ἀγαπάω* – in the pre-Christian sense – and *φιλέω* lies in the former’s reliance on judgment, in contrast with the latter’s origin in a particular inclination.²⁰ Likewise, the difference between *ἔραμαι* and *φιλέω* lies in that the former focuses on the affective and sensual element, whereas the latter focuses on the mutual immanence of friends, their intimate closeness.²¹ Finally, *στέρωω* and *φιλέω* differ because the former refers to generic qualities such as sympathy, affability or tenderness that are not necessarily linked to a specific person – as in friendship – but to human beings in general.²²

Accordingly, friendship is marked by the immediacy and spontaneity of its origin – always in light of personal contact and not merely of organic bonds as in *στέρωω*; friendship refers to the whole person, and not just a rational appreciation of their qualities – as in *ἀγαπάω*; to the warm quality of the sentiment it engenders – without it being passionate or impulsive, and to the closeness and personal intimacy that it encourages.²³

2. Circularity and transcendence in human love

There is no love without a loving subject and an object of love that is regarded as good or appropriate²⁴ towards which we develop an *affec-*

¹⁸ Yet, when Christians profess their faith in the Incarnation of God the Son, i.e., when they profess their faith in Jesus Christ as true God and true man, these reflections acquire an entirely new dimension, with implications for how they understand both humanity and divinity. Therein, the reciprocal relationship between the Father and the Son receives a human translation in the human acts of Jesus Christ, specifically in his *desire* to fulfill the will of his Father; and, at the same time, Jesus Christ’s human acts, such as his compassion for the sick, his friendship with and tears for Lazarus, can also be attributed to the divine person that constitutes one part of the Trinity.

¹⁹ S.th. I-II q. 28 a. 2.

²⁰ Florenski, o.c. p. 354.

²¹ Florenski, o.c. p. 354.

²² Florenski, o.c. p. 354.

²³ Florenski, o.c. p. 352.

²⁴ S.th. I-II q. 27 a. 1.

tive unity. Hence, the relevance of phenomenological approaches to love, which research on the nature of this act. For, as Scheler has correctly underlined, love is an *act*, not just a feeling – even if it resonates in feeling.²⁵ Accordingly, he speaks of three *forms* of love, corresponding to a triple division of acts, in vital acts, mental acts and spiritual acts, all of which have an intrinsic reference to certain values. In his view, while vital acts would correspond to a dynamism proper to our bodily nature, mental acts correspond to our psychic self, and spiritual acts to our personal condition. All of them, however, “have an essential reference to particular kinds of value as their noematic counterparts”.²⁶ From a different perspective, Scheler would further distinguish different “kinds” of love, depending on particular qualities characterizing the emotion itself, such as maternal love, the love of home and country, love in the sense of “sexual love”,²⁷ etc.

In all cases, however, it is important to note, that, being an act, love resides more in the lover than in the object of love, even if it reaches its plenitude in symmetric reciprocity.²⁸ Ideally, the basic structural distinction between the subject and object of love points at a real distinction: one person loves another. Yet, we also speak of self-love, which contains no real distinction between the subject and the object of love.²⁹ While, in this case,

²⁵ See Scheler, M. *The Nature of Sympathy*, p. 140-144.

²⁶ Specifically: “vital acts to the values of the ‘noble’ and the ‘mean’ or ‘base’; mental acts to the values of knowledge and beauty (cultural values); and spiritual acts to the values of the ‘holy’ and the ‘prophane’”. Scheler, M. *The Nature of Sympathy*, p. 169.

²⁷ Characteristically, Scheler thinks that such “quality” is proper to the emotion itself, so that one would not need to consider the object to which it applies. See Scheler, M. *The Nature of Sympathy*, p. 171.

²⁸ “Schon in den frühen erörterungen über die Natur der Liebensbeziehung, die im Kreis der Sokratiker um die Wende vom 5. Zum 4. Jahrhundert v. Chr. Zu Athen stattfanden, brachen sich zwei Einsichten Bahn: einmal, dass die Liebe mehr in dem Liebenden ist als in dem Geliebten; ferner, dass erst in der Wechselseitigkeit die Liebe ihre Vollendung findet. Doch die wechselseitige Liebe lässt noch eine weitere Unterscheidung zu: Sie kann symmetrisch oder asymmetrisch sein, und das heist, der Anteil an Aktivität und entsprechend an Passivität kann auf die Partner gleich oder auch ungleich verteilt sein.” Kuhn, H. *Liebe. Geschichte eines Begriffs*, München: Kösel-Verlag, 1975, p. 10.

²⁹ Scheler stresses this fact in order to differentiate love and sympathy: while one can love or hate oneself, one cannot sympathize with oneself. He takes this to mean that alterity is not part of the notion of love. (Scheler, *The Nature of Sympathy*, p. 150). Yet, as I argue in the text, Aquinas’ approach to self-love shows that it is ultimately rooted in love for God, and thus in love for the Other.

the *affective unity* of love follows from *substantial unity* with oneself, in the other cases, love follows from some *likeness* with oneself.³⁰

The alleged link between love and *likeness* is present in philosophers as different as Heraclitus, Aristotle, Cicero, Aquinas, Montaigne or Hume. Along the same lines, Pieper shows his amusement at the fact that the English word for “liking” is so similar to “liken”, in spite of philological arguments on the contrary.³¹ Yet, at times, this connection has been criticized on the grounds that it brings back love of others to love of self. Thus, some hold that the common description of friends as “other selves” – the so-called “mirror” approach to friendship³² – could be regarded as a subtle form of self-love, which does not sufficiently account for the other’s alterity. Yet this can be interpreted differently, insofar as we take a deeper approach to self-love.

To begin with, we should note that, unlike substantial unity, affective unity consists in a certain *connaturalness* or *complacency* of the subject with the object,³³ perceived as fitting, as adequate to the subject, for a variety of reasons that represent the various reasons for love; such complacency, in turn, eventually constitutes the principle of a movement towards real union with that object.³⁴ In this latter sense, Augustine says (*De Trin. VIII*,

³⁰ S.th. I-II, q. 27, a. 3. “Everything loves what is one with itself. So, if this be one with it by natural union, it loves it with natural love; but if it be one with it by non-natural union, then it loves it with non-natural love. Thus, a man loves his fellow townsman with a social love, while he loves a blood relation with natural affection, in so far as he is one with him in the principle of natural generation”. S.th. I q. 60 a. 4.

³¹ Pieper, J. *Über die Liebe*, p. 32.

³² Lippitt, J. *Kierkegaard and the problem of self-love*, Cambridge: Cambridge University Press, 2013, pp. 14–30.

³³ “... The appetible object gives the appetite, first, a certain adaptation to itself, which consists in complacency in that object; and from this follows movement towards the appetible object...”. S.th. I-II q. 26 a. 2.

³⁴ “Union has a threefold relation to love. There is union which causes love; and this is substantial union, as regards the love with which one loves oneself; while as regards the love wherewith one loves other things, it is the union of likeness, as stated above (I-II: 27:3). There is also a union which is essentially love itself. This union is according to a bond of affection, and is likened to substantial union, inasmuch as the lover stands to the object of his love, as to himself, if it be love of friendship; as to something belonging to himself, if it be love of concupiscence”. Again, there is a union, which is the effect of love. This is real union, which the lover seeks with the object of his love. Moreover, this union is in keeping with the demands of love: for as the Philosopher relates (*Polit.* ii, 1), “Aristophanes stated that lovers would wish to be united both into one”, but since “this would result in either one or both being destroyed”, they seek a

10) that “love is a vital principle uniting, or seeking to unite two together, the lover, to wit, and the beloved”. In describing it as “uniting” – Aquinas notes – he refers to the *union of affection*, without which there is no love; and in saying that “it seeks to unite”, he refers to *real union*.³⁵

We may hesitate to call love an act because we sometimes think of it in passive terms, as something that *happens* to us, given our nature or some antecedent knowledge of what is good. There is an obvious sense in which this second approach seems true, for “love demands some *apprehension* of the good that is loved. For this reason – Aquinas notes – the Philosopher (*Ethic.* IX, 5, 12) says that bodily sight is the beginning of sensitive love: and in like manner the contemplation of spiritual beauty or goodness is the beginning of spiritual love...”.³⁶ Asserting the priority of knowledge, however, does not mean that perfect love requires perfect knowledge, or that love is just a derivative function of knowledge.³⁷ Rather, as stated above, it is a different kind of act. Indeed, while the perfection of knowledge “requires that man should know distinctly all that is in a thing, such as its parts, powers, and properties”, the perfection of love only requires that “a thing be loved according as it is known in itself”, i.e., in its alterity. For this reason, a thing “can be loved perfectly, even without being perfectly known”.³⁸ This might explain Harry Frankfurt’s point concerning why love itself, rather than an apprehended good, can often be taken as a proper source of value.³⁹

suitable and becoming union – to live together, speak together, and be united together in other like things”. S.th. I-II q. 28 a. 1 ad 2.

³⁵ S.th. I-II q. 28 a. 1.

³⁶ S.th. I-II q. 27 a. 2.

³⁷ Scheler (*The Nature of Sympathy*, p. 148) insists that love and hate represent ways of behaving when confronted with valuable objects, and as such neither love nor hate are cognitive acts. Yet, this account does not exclude that in order to love something one needs to perceive it (either with sensible or rational knowledge) *as good*, i.e. as convenient, which in turn implies an antecedent appetite for what is perfective of oneself.

³⁸ S.th. I-II q. 27 a. 2 ad 2.

³⁹ “The lover does invariably and necessarily perceive the beloved as valuable, but the value he sees it to possess is a value that derives from and that depends upon his love. Consider the love of parents for their children... I do not love my children because I am aware of some value that inheres in them independent of my love for them. The fact is that I loved them even before they were born –before I had any especially relevant information about their personal characteristics or their particular merits and virtues...” Frankfurt, H. *The Reasons of Love*, Princeton: Princeton University Press, p. 39.

Just as we speak of a sensitive love that follows sensible apprehension, we can also speak of an “intellectual or rational love” that follows what reason⁴⁰ presents us as good. Interestingly, though, ancient and medieval thinkers did not restrict the term love to sentient and rational beings alone. Insofar as they spoke of a natural appetite,⁴¹ they also spoke of “natural love”, meaning the love that every natural being has for whatever is convenient to it, whatever contributes to its flourishing and perfection.⁴² In this way, they could say that “plants love water”, meaning that they “need” water to stay alive. In speaking in these terms, they were doing more than projecting a human experience onto nature;⁴³ they were trying to understand a dynamism they acknowledged in all beings, one that is antecedent to any deliberate plans and purposes.⁴⁴ Like every other living being, human beings also have natu-

⁴⁰ S.th. I-II q. 26 a. 3 ad 4.

⁴¹ The idea of *natural appetite* involves that natural beings, insofar as they are active and yet imperfect beings, are intrinsically moved to search for the good according to their own nature, i.e., the good that makes them act and shine in their fullness. Influenced by Plato’s theory of participation, Aristotle interpreted such movement as the way natural beings have to *imitate* the eternal and divine. See Aristotle, *On the soul*, II, 4, 415 a26–415 b9.

⁴² “Love is something pertaining to the appetite; since good is the object of both. Wherefore love differs according to the difference of appetites. For there is an appetite which arises from an apprehension existing, not in the subject of the appetite, but in some other: and this is called the ‘natural appetite’. Because natural things seek what is suitable to them according to their nature, by reason of an apprehension which is not in them, but in the Author of their nature, as stated in I:6:1 (Reply to Objection 2) and I:103:1 (Reply to Objections 1 and 3). And there is another appetite arising from an apprehension in the subject of the appetite, but from necessity and not from free-will. Such is, in irrational animals, the ‘sensitive appetite’, which, however, in man, has a certain share of liberty, in so far as it obeys reason. Again, there is another appetite following freely from an apprehension in the subject of the appetite. And this is the rational or intellectual appetite, which is called the ‘will’.

Now in each of these appetites, the name ‘love’ is given to the principal movement towards the end loved. In the natural appetite the principle of this movement is the appetitive subject’s connaturalness with the thing to which it tends, and may be called ‘natural love’: thus, the connaturalness of a heavy body for the center, is by reason of its weight and may be called ‘natural love’. In like manner the aptitude of the sensitive appetite or of the will to some good, that is to say, its very complacency in good is called ‘sensitive love’, or ‘intellectual’ or ‘rational love’. So that sensitive love is in the sensitive appetite, just as intellectual love is in the intellectual appetite. And it belongs to the concupiscible power, because it regards good absolutely, and not under the aspect of difficulty, which is the object of the irascible faculty”. S.th. I-II q. 26 a. 1

⁴³ Scheler criticizes this anthropocentric view in *The Nature of Sympathy*, p. 155.

⁴⁴ “It is common to every nature to have some inclination; and this is its natural

ral love and desire for whatever is convenient to them;⁴⁵ yet, unlike irrational beings, whose natural inclination does not follow their own perception and reason,⁴⁶ they are endowed with senses and the intelligence to grasp and rationally discern what really constitutes and contributes to their good; such discernment is particularly necessary if we consider that the three forms of love that we mentioned above, do not necessarily go in harmony with one another.⁴⁷ Hence “the love of that good, which a man naturally wills as an end, is his natural love; but the love which comes of this, which is of something loved for the end’s sake, is the love of choice”.⁴⁸

Insofar as love designates the relationship between a subject and what she perceives as convenient, it always involves some sort of “self-love”. This explains why, following Aristotle, Aquinas speaks of the *circularity* of love.⁴⁹

appetite or love. This inclination is found to exist differently in different natures; but in each according to its mode. Consequently, in the intellectual nature there is to be found a natural inclination coming from the will; in the sensitive nature, according to the sensitive appetite; but in a nature devoid of knowledge, only according to the tendency of the nature to something...”. S.th. I q. 60 a. 1.

⁴⁵ Although modern authors such as Kant no longer speak in these terms, he nevertheless connects life with the faculty of desire.

⁴⁶ “Natural love is nothing else than the inclination implanted in nature by its Author”. S.th. I q. 60 a. 3.

⁴⁷ “The profound differences between these three forms of love are clearly brought out by a variety of circumstances. Firstly, by the fact that the same person can be the object of hatred and love, in each of their three forms, on all these levels of existence and value at the same time (while sensual attraction may take yet another course of its own). Thus, we can love a person deeply, for instance, without his inspiring a ‘passionate attachment’ in us, indeed while finding his whole bodily aspect extremely repellent. It is equally possible to be fired with a violent passion for someone – not just sensual attraction – without thereby finding anything to love in his mentality, the cast of his emotions, his intellectual interests, or the nature of his spiritual make-up... People who display such an evident disparity and conflict in their love and hatred are usually described as ‘maladjusted’ characters. But this very fact that there can be such a variety of ‘maladjustments’ here, suggests that these functions of love are essentially separable, and continue to be so even when they actually work together in harmony and have but one object. A ‘well-adjusted’ character is to that extent a special gift of fortune...”. Scheler, M. *The Nature of Sympathy*, pp. 170–171.

⁴⁸ S.th. I q. 60 a. 2.

⁴⁹ “...The appetitive movement is circular’, as stated in *De anima* iii, 10; because the appetible object moves the appetite, introducing itself, as it were, into its intention; while the appetite moves towards the realization of the appetible object, so that the movement ends where it began. Accordingly, the first change wrought in the appetite by the appetible object is called ‘love’, and is nothing else than complacency in that object; and from this complacency results a movement towards that same object, and

Yet, while self-love, love for one's consistency or integrity, is obviously part of natural love, there is a sense in which natural love already brings its subjects beyond themselves simply because, as finite creatures, they are dependent on God, and have a natural desire for God, which is a desire for a transcendent Other. As a matter of fact, Aquinas says that in the state of perfect nature, human beings love God more than themselves.⁵⁰ This provides an ultimate reason for what Harry Frankfurt notes about self-love, namely that it is "necessarily derivative from, or constructed out of, the love that people have for things that are not identical with themselves... A person cannot love himself except insofar as he loves other things".⁵¹

Stressing this idea is important in order to leave behind the modern controversy about "amour pur," which, starting with Bossuet (1627-1704) and Fenelon (1651-1715), so heavily impacted on both theological and philosophical thought, making that self-love and altruism were considered to be systematically at odds. The truth is that human love cannot just skip over the natural condition of human beings, which inserts us in a regime of need and desire; yet, as Joseph de Finance once noted, insofar as we are creatures who have their being from God there is a fundamental affinity between us and God, antecedent to every desire.⁵² Love thus appears as a principle of unity at different levels, even though, in the human case, the realization of such unity in practice cannot bypass rational deliberation and choice. Early sociologists were not wrong when, concerned with the erosion of social bonds, they assigned love a prominent place in their social theories.⁵³ A similar approach was also present in the sociological work of Pitirim Sorokin.⁵⁴

this movement is 'desire'; and lastly, there is rest which is 'joy'. Since, therefore, love consists in a change wrought in the appetite by the appetible object, it is evident that love is a passion: properly so called, according as it is in the concupiscible faculty; in a wider and extended sense, according as it is in the will". S.th. I-II q. 26 a. 2.

⁵⁰ S.th. I q. 60, a. 5 ad 4. "In the state of perfect nature man referred the love of himself and of all other things to the love of God as to its end; and thus, he loved God more than himself and above all things. But in the state of corrupt nature man falls short of this in the appetite of his rational will, which, unless it is cured by God's grace, follows its private good, on account of the corruption of nature..." S.th. I-II q. 109 a. 3.

⁵¹ Frankfurt, H. *The Reasons of Love*, p. 85.

⁵² De Finance, J. *Essai sur l'agir humaine*, Roma: Presses de l'Université Grégorienne, 1962, p. 193.

⁵³ See Kuhn, H. *Liebe. Geschichte eines Begriffs*, p. 17.

⁵⁴ Sorokin, P. *The Ways and Power of Love: Types, factors, and techniques of moral transformation*, Boston: Beacon Press, 1954.

Certainly, speaking of natural love does not solve our practical problems. For this we need to consider that, in shaping our natural inclinations and responses, reason opens for us a regime of freedom that accounts for a particular form of self-transcendence. Therein, the other appears in a new light – not just as the object of my love and desire, but also *as a proper subject* of love and desires. It is only at this point that we can begin to speak of love in relational terms, and appreciate its ecstatic character, i.e., the fact that love brings one outside of oneself.⁵⁵ Crucially, by introducing distance from our own inclinations, reason makes it possible for human beings to recognize one another as different, irreplaceable persons, as authentically *other* selves, and to love one another accordingly,⁵⁶ i.e., wishing them well, as they also wish the good for themselves. Rational self-love makes room for genuine love for the other, who is no longer viewed as just another member of the species, but rather as a unique, irreplaceable person.⁵⁷ At this level, the natural complacency of the lover in the beloved becomes a celebration of the other's existence,⁵⁸ which echoes God's original bestowal of being.

3. Amor, *dilectio* and practical love

As an act that expresses natural affinity or complacency with an object, love can be regarded as the fundamental act of a living being; as such, it is a fundamental act of our will,⁵⁹ which accounts for subsequent operations of that being. The practical relevance of love is one of the ideas that marks Frankfurt's work.⁶⁰ For him, human beings' natural love can be declined

⁵⁵ S.th. I-II q. 28 a. 3.

⁵⁶ This is important for overcoming the suspicion that love for one's friends is a disguised form of self-love. See Lippitt, J. *Kierkegaard and the problem of self-love*, p. 17.

⁵⁷ This is one of the aspects of Scheler's approach to love that Nora Kreft stresses most in her book. See Kerr, N. *Was ist Liebe, Sokrates?*, pp. 62 ff.

⁵⁸ Pieper, J. *Über das Liebe*, p. 43.

⁵⁹ S.th. I-II q. 26 a. 1.

⁶⁰ "It is frequently insufficient to identify the motives that guide our conduct, or that shape our attitudes and our thinking, just by observing vaguely that there are various things we want. That often leaves out too much. In numerous contexts, it is both more precise and more fully explanatory to say that there is something we care about, or... something we regard as important to ourselves. In certain cases, moreover, what moves us is an especially notable variant of caring: namely, love. In proposing to expand the repertoire upon which the theory of practical reason relies, these are the additional concepts that I have in mind: what we care about, what is important to us, and what we love". Frankfurt, H. *The Reasons of Love*, Princeton: Princeton University Press, 2004, pp. 10-11.

according to different, more particular reasons; while some of these reasons can be originally provided by the passions, in order to move us effectively, they have to be sanctioned by deliberate reason and choice. Now, in light of this new, rational horizon, a new meaning of love can emerge whereby one wills the good for another. Aquinas calls it *dilectio*; Kant calls it practical love⁶¹ and, explicitly distinguishing it from love as a mere feeling, he regards it as a moral duty.⁶²

Neither Aquinas nor Kant thought it possible to skip sensitive love since human beings are obviously sensitive beings.⁶³ Yet, at the same time, both assumed that sensitive incentives are insufficient of themselves to move a being endowed with reason and reflection, for reason is not necessarily tied to sensitive perceptions, but rather makes room for deliberation on the reasons to act in one way or another.⁶⁴

According to Aquinas, *dilectio* differs from passion in that “it does not seek its object with... *eagerness*”; but it is also more than benevolence or goodwill, for *dilectio* involves “*union of affections* between the lover and the beloved, in as much as the lover deems the beloved as somewhat united to him, or belonging to him, and so tends towards him”.⁶⁵ Jacques Maritain emphasized *dilectio* as the most properly human form of love.⁶⁶ Importantly, *dilectio* has its principle in *electio*, hence in the choice a subject makes, which can eventually be devoid of passion, but can also consist in introducing order into what passion itself presented as valuable in the first place; in this latter sense, human love is marked by involuntary attraction and deliberate choice that actually seeks the good of the other. Again, *eros* and *agape*.

Kantian “practical love” also differs from merely sensitive or *pathological* love in that it does not have its origin in the inferior faculty of desire; it is also more than benevolence: not so much because it introduces order in pre-existing affections, but rather because it is *practically oriented towards*

⁶¹ Kant, *Metaphysics of Morals*, MS, 6: 449-450.

⁶² Kant, MS, 6: 401-4022.

⁶³ Kant refers to “aesthetic pre-notions for receptiveness to moral duty”, among which he includes philanthropy. See Kant, MS, 6: 399.

⁶⁴ González, A.M. “Aproximación a un concepto cognitivo-práctico de las emociones”, *Pensamiento. Revista De Investigación e Información Filosófica*, 2011, 67(253), 487-516.

⁶⁵ S.th. II-II q. 28 a. 2.

⁶⁶ See Curcio, G.G. *Il volto dell'amore e dell'amicizia tra passioni e virtù. Una riflessione etica su Jacques Maritain*, Rubbettino Editore, 2009.

beneficence, which is how Kant understands the duty to love one's neighbor as oneself.⁶⁷

The universal scope of the maxim of benevolence, which is required for practical love, is also present in the attitude of the *philanthropist*, who “finds satisfaction in the well-being (*salus*) of human beings considered simply as human beings, for whom it is well when things go well for every other”, and is therefore “a friend of humanity in general”.⁶⁸ Yet, as Kant notes, the rather generic interest the *philanthropist* takes in others just because they are human beings represents the *slightest degree of benevolence*.⁶⁹ This is why, unlike mere goodwill, “practical benevolence” or “beneficence”, as implicit in the command to love one's neighbor as oneself, is *measured against the love we have for ourselves*: for it is clear that, in practice, I take more interest in my own ends than in those of others, i.e. I love myself more than I love others. Accordingly, “practical love” will consist in “making the well-being and happiness of others my end”, very much as I pursue my own ends. In this way, it is reasonable to expect that practical love for others will take the spatial and temporal circumstances of human agency into account: this is how beneficence brings the universality of benevolence down to earth.

Dilectio and practical love place us on the soil of freedom and thus on a moral soil, which, despite its universal scope, makes room for personal differences, based on natural, spatial and temporal circumstances of human agency.⁷⁰ When Frankfurt asserts that “loving someone or something essentially means or consists in ... taking its interests as reasons for acting to serve those interests”,⁷¹ he places himself directly in this moral terrain:⁷²

⁶⁷ Kant, MS, 6: 451.

⁶⁸ Kant, MS, 6: 450.

⁶⁹ Kant, MS, 6: 451.

⁷⁰ Sometimes it is argued that morality and love make different if not opposing claims on us, for the former are universal, whereas the latter are personal and particular. This opposition results from linking morality exclusively to reason, and forgetting that human reason is rooted in a material nature, which provides a reference for what Augustine called “the order of love”. As a result, the realm of the “reasonable” is excluded from the moral realm, which is then equated with the purely and abstractly rational. Yet, morality is first articulated around natural conditions one is more obliged to one's parents or to neighbors than to distant others, simply because they happen to be closer to us, and thus make the maxim of benevolence practicable.

⁷¹ Frankfurt, H. *The Reasons of Love*, p. 37.

⁷² Even if this means expanding his own idea of morality: “Morality does not really get down to the bottom of things. After all, it is not sufficient for us to recognize and understand the moral demands that may properly be made on us. That is not enough to

“Loving something – he notes – has less to do with what a person believes, or with how he feels, than with a configuration of the will that consists in a practical concern for the beloved. This volitional configuration shapes the dispositions and conduct of the lover with respect to what he loves, by guiding him in the design and ordering of his relevant purposes and priorities. It is important to avoid confusing love ... with infatuation, lust, obsession, possessiveness, and dependency in their various forms”.⁷³

In warning us about the latter confusions,⁷⁴ Frankfurt implicitly points at the classic distinction between *amor concupiscentiae* and *amor amicitiae*.

4. *Amor concupiscentiae* and *amor amicitiae*

Interestingly, Aquinas’ approach to this distinction is not primarily a moral one. For him, *amor concupiscentiae* represents a particular kind of love, namely the love that we feel for *something* that we experience as convenient and thus want for ourselves. By contrast, *amor amicitiae* represents the love that we feel for *someone* for whom we want something.⁷⁵

settle our concerns about our conduct. In addition, we need to know how much authority it is reasonable for us to accord to those demands. Morality itself cannot satisfy us about this”. Frankfurt, H. *The Reasons of Love*, p. 9.

⁷³ Frankfurt, H. *The Reasons of Love*, pp. 42–43.

⁷⁴ A few lines before the preceding quote, he had sharply disentangled the sentimental and the rational dimensions of human love: “Love – he notes right before the preceding quote – may involve strong feelings of attraction, which the lover supports and rationalizes with flattering descriptions of the beloved. Moreover, lovers often enjoy the company of their beloveds, cherish various types of intimate connection with them, and yearn for reciprocity. These enthusiasms are not essential. Nor is it essential that a person like what he loves. He may even find it distasteful. As in other modes of caring, the heart of the matter is neither affective nor cognitive. It is volitional...”. Frankfurt, H. *The Reasons of Love*, p. 42.

⁷⁵ “As the Philosopher says (Rhet. ii, 4), ‘to love is to wish good to someone’. Hence the movement of love has a twofold tendency: towards the good which a man wishes to someone (to himself or to another) and towards that to which he wishes some good. Accordingly, man has love of concupiscence towards the good that he wishes to another, and love of friendship towards him to whom he wishes good. Now the members of this division are related as primary and secondary: since that which is loved with the love of friendship is loved simply and for itself; whereas that which is loved with the love of concupiscence, is loved, not simply and for itself, but for something else...”. S.th. I-II q. 26 a. 4. See also S.th. I q. 60 a. 3: “A thing may be loved in two ways; first of all, as a subsisting good; and secondly as an accidental or inherent good. That is loved as a subsisting good, which is so loved that we wish well to it. But that which we wish unto another, is loved as an accidental or inherent good ... This kind of love has been called by the name ‘concupiscence’ while the first is called ‘friendship’”.

Thus, when I want a bottle of wine, I actually “love” two things: I love the wine with *amor concupiscentiae*, and I love myself with *amor amicitiae*. Of course, if I want the bottle of wine for you, then it is you that I love with *amor amicitiae*,⁷⁶ provided that there is some communication. Indeed, “neither does well-wishing suffice for friendship, for a certain mutual love is requisite, since friendship is between friend and friend: and this well-wishing is founded on some kind of communication”.⁷⁷ Max Scheler’s reluctance to use the word “love” for just pleasant things, such as food or wine⁷⁸ can be explained because of his focus on personal love, which entails some sort of communication and reciprocity. After all, as Socrates made clear at the beginning of philosophy, human love has much to do with the desire to communicate with those we love.⁷⁹

⁷⁶ Gallagher, David, “Desire for Beatitude and Love of Friendship in Thomas Aquinas”, *Medieval Studies*, 58, 1996, 1–47. <https://doi.org/10.1484/J.MS.2.306861>

⁷⁷ S.th. II-II q. 23 a. 1.

⁷⁸ “The highest form of love is ... that which relates to objects (or persons), having the intrinsic value of holiness; mental love is that which the self has for cultural values of any kind; while vital love relates to the ‘noble’. Objects whose value is simply that of being ‘pleasant’, engender neither love nor hatred. There is just a feeling of pleasantness (including reflexive modes of this, such as ‘enjoyment’), together with an ‘interest’ in things that are pleasant, or indirectly pleasing, and so ‘useful’; but there is no love for them. For although we may speak, colloquially, of ‘loving’ a food, the expression is quite unsuited to the phenomenon it describes. Merely ‘pleasant’ things cannot be suitable for love, seeing that they are incapable of an enhancement of value in the sense implicit in the nature of love. Hence there is no such thing as ‘sensual love’, so far as the word ‘sensual’ in this expression is taken to denote a particular kind of love, and not just a way of saying that love, in this instance, is accompanied and interspersed with sensual feeling and emotion. A purely ‘sensual’ attitude to a person, for example, is at the same time an absolutely cold and loveless attitude. It necessarily treats the other as merely subservient to one’s own sensual feelings, needs and, at best, enjoyment. But this is an attitude wholly incompatible with any sort of intentional love for the other, as such”. Scheler, M. *The Nature of Sympathy*, pp. 169–170. See also Scheler, M. *Formalism in Ethics and Non-Formal Ethics of Values*, Evanston: Northwestern University Press, 1973, p. 223.

⁷⁹ The idea is articulated by Nora Kreft in this fictive dialogue: “Ich habe ja schon erlautert, dass ich die Liebe zu einer anderen Person als Verlangen nach einem philosophischen Gespräch mit ihr verstehen. Denn so kommen wir der Weisheit näher... Wenn wir nach Anderen als Gesprächspartnern verlangen, dann verhalten wir uns zu ihnen als Mitakteuren in dem gerade geschilderten Sinne. Denn miteinander sprechen, nachdenken –all das sind Handlungen, für die man frei sein muss. Oder für die man die eigene und die Freiheit des Anderen wenigstens annehmen muss. Sonst funktioniert es nicht...”. Kreft, N. *Was ist Liebe, Sokrates?*, pp. 86–7.

Thus, while both *amor concupiscentiae* and *amor amicitiae* are rooted in natural inclination and are thus marked by sentiment and affection, the quality of that sentiment is different; it follows from a different apprehension of the kind of union in which that bond of affection consists. Unlike *amor concupiscentiae*, which is simply based on personal convenience and desire, *amor amicitiae* is specifically marked by a regard for the other and reciprocal communication. As Aquinas puts it,

“When we love a thing, by desiring it, we apprehend it *as belonging to our well-being*. In like manner when a man loves another with the love of friendship, *he wills good to him, just as he wills good to himself*: wherefore he apprehends him as his other self, in so far, to wit, as he wills good to him as to himself. Hence a friend is called a man’s ‘other self’ (*Ethic.* ix, 4), and Augustine says (*Confess.* iv, 6), ‘Well did one say to his friend: Thou half of my soul’”.⁸⁰

In other words, in friendship, “the lover stands to the object of his love *as to himself*”; but, in concupiscence, the lover stands to the object of his love “*as to something belonging to himself*”.⁸¹ While the latter is moved by affection and is not just sheer instrumentality,⁸² such affection and intimacy are not of the personal kind – you do not love the other as another self, but rather as something *belonging* to you.⁸³

Reflecting on this difference could help frame one of the problems confronted by the philosophy of love, namely, whether love is compatible with autonomy.⁸⁴ We should consider that although love certainly establishes a bond, which apparently restricts our freedom, friendship is actually experienced as an expansion, not a diminution thereof. Kant himself points into this direction when he highlights the freedom resulting from finding someone with whom one can share one’s thoughts without fear of betrayal. In that moment, one “is not completely alone with his thoughts,

⁸⁰ S.th. I-II q. 28 a. 1

⁸¹ S.th. I-II q. 28 a. 1 ad 2.

⁸² S.th. I-II q. 28 a. 2.

⁸³ “Love of concupiscence is not satisfied with any external or superficial possession or enjoyment of the beloved; but seeks to possess the beloved perfectly, by penetrating into his heart, as it were. Whereas, in the love of friendship, the lover is in the beloved, inasmuch as he reckons what is good or evil to his friend, as being so to himself; and his friend’s will as his own, so that it seems as though he felt the good or suffered the evil in the person of his friend”. S.th. I-II q. 28 a. 2.

⁸⁴ See Kreft, N. *Was ist Liebe, Sokrates?*, pp. 130–151. For a sociological discussion of this topic, see: Illouz, E. *Why love hurts*, Cambridge: Polity, 2012.

as in a prison, but enjoys a freedom he cannot have with the masses, among whom he must shut himself up in himself”.⁸⁵ Freedom is not necessarily opposed to bonds: “positive bonds engender not only dependence, but also freedom and autonomy”.⁸⁶

Summarizing Aristotle’s thought on the matter, Aquinas mentions five things proper to friendship, which account for the way in which friendship expands the scope of individual freedom: “in the first place, every friend wishes his friend to be and to live; secondly, he desires good things for him; thirdly, he does good things to him; fourthly, he takes pleasure in his company; fifthly, he is of one mind with him, rejoicing and sorrowing in almost the same things”.⁸⁷

These features show how love of friendship, focused on the good of the other, responds better to the ecstatic nature of love than love of concupiscence does. Indeed, “in love of concupiscence – Aquinas observes – the lover is carried out of himself only in a certain sense; in so far, namely, as not being satisfied with enjoying the good that he has, he seeks to enjoy something outside himself. But since he seeks to have this extrinsic good *for himself*, he does not go out from himself simply, and this movement remains finally within him”; by contrast, “in the love of friendship, a man’s affection goes out from itself simply; because he wishes and does good to his friend, by caring and providing for him, for his sake.⁸⁸ Thus, while both types of love incorporate the feeling and *pathos* of love, *only the love of friendship really respects the personal status of the other*. This is why, in his account of friendship, Kant speaks of a delicate balance between love and respect.⁸⁹

Friendships based on interest or pleasure fall short of the entire meaning of friendship, namely free reciprocal benevolence in which we want

⁸⁵ “If he finds someone intelligent – someone who, moreover, shares his general outlook on things – with whom he need not be anxious about this danger but can reveal himself with complete confidence, he can then air his views. He is not completely alone with his thoughts, as in a prison, but enjoys a freedom he cannot have with the masses, among whom he must shut himself up in himself”. Kant, MS, 6: 472.

⁸⁶ Rivadulla Durán, A. “Freedom and Bonds in Kant”, *Con-Textos Kantianos*, 9, 2019, pp. 123–136. Doi: 10.5281/zenodo.3252364.

⁸⁷ S.th. II-II q. 25 a. 7.

⁸⁸ S.th. I-II q. 28 a. 3. This is also the reason why, unlike the zeal involved in love of concupiscence, which “is moved against all that hinders his gaining or quietly enjoying the object of one’s love”, the zeal involved in love of friendship “causes a man to be moved against everything that opposes the friend’s good”. S.th. I-II q. 28 a. 4.

⁸⁹ Kant, MS, 6: 470. See Rivadulla, A. “El concepto de amistad en Kant”, *Isegoria*, 61, 2019: 463–481. <https://doi.org/10.3989/isegoria.2019.061.03>

what is good *for the other*. Indeed, given the personal status of the other and their status of an end in themselves, loving other human beings can never be reduced to the pleasure or utility that they provide me with; rather *it requires actively willing what is good for them*, very much as we love ourselves. For this reason, human love cannot be reduced to pure *Eros*, but always entail a moment of *agape*, whereby we make the other's ends our own ends. Ultimately, genuine love for other persons represents a culmination of love for oneself as a rational being who is open to the other as such.⁹⁰

Taking these distinctions into account further explains the sense in which “love” can or cannot be the object of a command: while there is no point in commanding the passion of love, the natural *predisposition* for loving human beings can and should be *cultivated*. As Kant rightly notes, the practical commitment to advancing our neighbors' ends often brings about adequate sentimental dispositions towards them. Stressing this latter aspect is relevant to moderate Scheler's critique of Kant's approach to the duty of love in terms of practical love.⁹¹ Indeed, if active benevolence – doing good things to others – can be called love only in a derivative sense, the sentimental disposition that emerges from it can *also* be called love in a

⁹⁰ Aristotle's distinction of two meanings of “self-love” is relevant here: “Those who use ‘self-love’ as a term of reproach describe as self-lovers those who assign themselves the larger share of money, honors and bodily pleasures. For it is these that the masses desire and take trouble over as if they were the greatest goods; and this is why they are objects of competition. People who want more than their share of them are gratifying their appetites and their feelings in general, and the non-rational part of their soul. And since the masses are like this, the word has taken its meaning from the most common self-love. And because such self-love is bad, those who exhibit it are justly reproached. It is evidently those who assign things like this to themselves that the masses usually describe as self-lovers; *for if someone always takes trouble that he of all people does what is just or temperate or whatever else is in accordance with the virtues, and in general always makes what is noble his own, no one will call him a self-lover or blame him. But a person like this seems to be more of a self-lover. At any rate he assigns to himself what is noblest and best above all, and gratifies the most authoritative element within himself, obeying it in everything.* And just as a city or any other organized body seems to be above all the most authoritative element within it, the same is true of a human being; and therefore, someone who likes this part and gratifies it is most of all a self-lover”. Aristotle, NE, IX, 8, 1168b 14–34.

⁹¹ “There is no ‘practical love’ as a special quality of love, only love that leads to practical ways of comportment. But the latter cannot be commanded, either. On the other hand, things other than love can lead to practical ways of comportment, too, e.g., ‘goodwill’ as well as ‘good-doing’. The latter can be commanded. But both are basically different from the act of loving, and they can exist without being consequences of love...”. Scheler, M. *Formalism in Ethics and Non-Formal Ethics of Values*, p. 225.

practical way, precisely because it is preceded by reason.⁹² Accordingly, the duty to love our neighbor does not merely command us to do good things to our neighbor – which could eventually be done without love – but also, that, in doing so, we *cultivate* the love of human beings.

Actively cultivating this disposition, through practical benevolence, is important. After all, even friendship, which has its roots in a natural inclination, can hardly remain at that level. Human love can and should be educated through rational and practical discernment of what counts as a real good for the other. Aristotle himself points in this direction when he says that “friendship is a virtue or involves virtue”.⁹³ Listening to our friends, understanding their circumstances, supporting them in their reasonable projects... are friendly qualities that do not rely on inclination alone. Thus, while the sentiment of friendship can emerge spontaneously – and is, in this sense, independent of reason and morality – its consolidation requires time, judgement, and ultimately virtue, thus exhibiting friendship’s intrinsic moral dimension.

Raising a child to live and love that way requires surrounding her with that kind of love in the first place, for nobody can give what they have never received. This is what a child is supposed to experience in the family; it is also the reason why parents and educators should pay attention to the kind of companionships that children develop, for friends tend to become similar to their friends.

Based on the self-transcendence peculiar to the love of friendship, Aquinas projected the Aristotelian doctrine of friendship beyond the natural limits Aristotle himself set in order to explain the very structure of Christian *caritas*.

5. *Caritas*

As pointed out before, the word “*caritas*” is meant to indicate the extreme worth of the object of love. In theological contexts, this is none other than God himself, and those who God loves. Aquinas asserts that *caritas* is a form of friendship.

At first sight, the assimilation of *caritas* to friendship could sound strange for two different reasons. First, given that we have no sensible knowledge

⁹² As a matter of fact, Kant himself counts love of human beings – *Menschenliebe* – as one of the “Aesthetic pre-concepts for the mind’s receptivity to concepts of duty” for the receptivity to moral concepts. See Kant, MS, 6: 399.

⁹³ Aristotle, *Nicomachean Ethics*, VIII, 1, 1155a 1-2.

of God, it is not easy to see how the sentimental dimension that is proper to friendship has a place in *caritas* and, second, and perhaps more importantly, because friendship entails some sort of equality, which does not exist between human beings and God.

Yet, Aquinas thinks that such friendship is possible for two interrelated reasons: first, because he thinks that God, who created us, is more intimate to us than ourselves and, second, because, as a Christian, he is convinced that God's grace not only restores and strengthens our original love for God, which was distorted by sin,⁹⁴ but also elevates human nature to an entirely new dimension,⁹⁵ making human beings capable of sharing and communicating in God's own intimate life with an *amor amicitiae* that is itself God's gift.⁹⁶ It is this *caritas* that gives place to "the highest Christian phenomenon of 'love in God' (*amare in Deo*)", as Scheler puts it.⁹⁷

Indeed, charity is a form of friendship not only because it is a "movement of the soul towards the enjoyment of God for His own sake",⁹⁸ but also because it entails "communication between man and God, inasmuch as He communicates His happiness to us".⁹⁹ Just like every act of *dilectio* involves an affective union between the subject and the object of love, *caritas* creates a bond of affection between human beings and God.

⁹⁴ S.th. I-II q. 109 a. 3.

⁹⁵ S.th. I-II q. 109 a. 3 ad 3.

⁹⁶ While the finite will cannot love God as a friend if God himself does not infuse his charity in our will, Aquinas quotes Augustine to say that, "in uniting man's mind to God, charity makes it possible for man to approach God 'not by steps of the body but by the affections of the soul'". S.th. II-II q. 24 a. 4.

⁹⁷ According to Scheler, "man rises above all laws, even the laws of God..., by virtue of the fact that he knows himself to have the immediate power of an essential identity with the spiritual principle of life ... through which all 'commandments' find their only possible (and also necessary) justification". Scheler, M. *Formalism in Ethics and Non-Formal Ethics of Values*, p. 223. In my view, Scheler goes too far in speaking of "an essential identity" of man and God; grace is a participation in God's intimate life, in Christ's divine filiation. Yet our filiation is adoptive, not natural. On the other hand, while acting out of love is certainly different from acting out of duty, stressing the spontaneous character of love should not lead us to forget human limited nature, implicit in the connection between friendship and commandments, that Jesus himself raises in the Gospel: "You are my friends if you do what I command you". John, 15:14. If both things can go together is because in spite of the difference, friendship and obedience have something crucial in common: the identification with God's will.

⁹⁸ S.th. II-II q. 23 a. 1, sed contra.

⁹⁹ S.th. II-II q. 23 a. 1.

In addition, but also following the dynamics of friendship, Aquinas points out that “Charity likens us to God”.¹⁰⁰ Accordingly, just as God loves all human beings, charity activates love and mercy for all other human beings.¹⁰¹ Ultimately, charity engenders in us a “psychology of friendship” with our neighbors, even those who, at first sight, do not resonate with our nature or character.

The latter possibility, of course, does not neutralize the natural dynamic of human friendship. Aquinas makes this clear when he discusses whether it is more meritorious to love one’s enemy or one’s friend.¹⁰² Ultimately, *the dynamism of charity assumes the natural dynamism of friendship*; but charity also *introduces an additional reason for overcoming natural differences among human beings, and even for developing a psychology of friendship with everyone*. The fact that such a psychology finds some natural resistance, the fact that it rarely reaches the ideal of *free reciprocity* found in friendship, is not necessarily bad news. On the contrary, it represents a guarantee of the transcendence of love, including the very love of friendship, proving that it does not remain confined to the narrow limits of our particular inclinations.

¹⁰⁰ S.th. II-II q. 30 a. 4 ad 3.

¹⁰¹ “The sum total of the Christian religion consists in mercy, as regards external works: but the inward love of charity, whereby we are united to God preponderates over both love and mercy for our neighbor”. S.th. II-II q. 30 a. 4 ad 2.

¹⁰² At this point, he makes a relevant distinction as to whether it is better, or more meritorious, to love one’s friend or one’s enemy depending on the neighbor whom we love, namely friend or enemy, or depending on “the reason for which we love him”.

Thus, “in the first way, love of one’s friend surpasses love of one’s enemy, because a friend is both better and more closely united to us, so that he is a more suitable matter of love and consequently the act of love that passes over this matter, is better, and therefore its opposite is worse, for it is worse to hate a friend than an enemy”. Yet, in the second way, “it is better to love one’s enemy than one’s friend, and this for two reasons. First, because it is possible to love one’s friend for another reason than God, whereas God is the only reason for loving one’s enemy; Secondly, because if we suppose that both are loved for God, our love for God is proved to be all the stronger through carrying a man’s affections to things which are furthest from him, namely, to the love of his enemies, even as the power of a furnace is proved to be the stronger, according as it throws its heat to more distant objects. Hence our love for God is proved to be so much the stronger, as the more difficult are the things we accomplish for its sake, just as the power of fire is so much the stronger, as it is able to set fire to a less inflammable matter”. Interestingly, however, he concludes that “just as the same fire acts with greater force on what is near than on what is distant, so too, charity loves with greater fervor those who are united to us than those who are far removed; and in this respect the love of friends, considered in itself, is more ardent and better than the love of one’s enemy”. S.th. II-II q. 28 a. 7.

Ultimately, charity assumes and redeems the other kinds of love, which might otherwise turn into subtle forms of egoism, as C.S. Lewis famously argued.¹⁰³ From this perspective, there is reason to speak with Florenski of the “antinomy of *philia* and *agape*”, an antinomy that cannot be solved in theory, but that is extraordinarily fruitful in practice, collaborating to the shaping of a meaningful life.¹⁰⁴ St. John Henry Newman picked up this idea, when he spoke of the complementarity of friendship and charity, the fact that we cannot dispense with any of them, if we want to articulate, without downgrading them, the multiple dimensions of love. I conclude with his words:

By trying to love our relations and friends, by submitting to their wishes though contrary to our own, by bearing with their infirmities, by overcoming their occasional waywardness with kindness, by dwelling on their excellences and trying to copy them, thus it is that we form in our hearts that root of charity which, though, small at first, may like the mustard seed, at last even over-shadow the earth.¹⁰⁵

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¹⁰³ Lewis, C.S. *The Four Loves*, London: Fount Paperbacks, 1989. See also Saint Josemaría Escrivá: “Earthly affections, even when they aren’t just squalid concupiscence, usually involve some element of selfishness. So, though you must not despise those affections – they can be very holy – always make sure you purify your intention” (*The Forge*, n. 477); or “If the love of God is put into friendships, they are cleansed, reinforced and spiritualised, because all the dross, all the selfish points of view and excessively worldly considerations are burned away. Never forget that the love of God puts our affections in order, and purifies them without diminishing them” (*Furrow*, n. 828).

¹⁰⁴ Florenski, P. *La columna y el fundamento de la verdad*, p. 367.

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▶ SESSION 5.

THE FAMILY AS A GOOD PER SE AND FOR ALL NATIONS

FUNDAMENTAL RIGHTS AND FUNDAMENTAL RELATIONSHIPS: THE FAMILY IN COMPARATIVE CONSTITUTIONAL LAW

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The constitutionalization of family law is a phenomenon that can be traced back to at least the major wave of constitutional drafting that began in the mid-20th century, when many countries first included basic provisions relating to the family in their constitutional texts. But the expansion of the constitutional incidence on the family, at least in Europe and North America, began in earnest in the 1960s and '70s, as rapidly shifting social realities entailed profound transformations in both the conception of the family itself and the relationship between the family and the state.¹ In addition, beginning in the 1970s, international human rights law began to have a much more pervasive and penetrating influence on national law in general, including on family law and constitutional law. Treaties such as the Convention on the Elimination of All Forms of Discrimination Against Women and the Convention on the Rights of the Child represented and promoted a dramatically different idea of family and state and their interrelationship, as well as of the idea of human rights themselves. International courts and non-judicial monitoring bodies increasingly have used international norms to promote, and sometimes to compel, significant shifts in domestic constitutional systems' approach to the family. In addition, the borrowing of constitutional norms and languages from other legal systems, in the processes of legal reform, has also contributed to the growth in the scope, and evolution in substance, of the constitutional regulation of the family.

This evolution of the treatment of the family in *constitutional* law, and not merely within the realm of family law, which traditionally has been regarded as a branch of private law, should be of direct interest to us in this Plenary, dedicated to the family as a "relational good", for a variety of reasons. First, the constitution is by definition one of the central vehicles for the expression and inculcation of a society's basic values, the princi-

¹ The indispensable seminal text covering these upheavals is Mary Ann Glendon, *The Transformation of Family Law* (University of Chicago Press, 1989).

ples by which it seeks to order activity toward the common good. For as long as there has been some critical examination of comparative law it has contained the recognition that constitutional orders have a profound effect on the character of the communities governed by them – for instance, consider the Athenian Stranger in Plato’s *Laws*. The fundamental principles and rules of governance – nowadays typically, though not necessarily, written and codified into a single document – not only express the values and ideals of a community but, more importantly for our purposes, they help to constitute them. They are instruments for generating and giving temporal continuity and stability to a certain vision of society. Thus, what constitutional law expresses about the family’s role in human flourishing, the relationships among family members, the connections between the family and society more generally, the power and the responsibility of the state with respect to the family, and so on, can have a profound and enduring effect on our way of conceiving, imagining, and acting in the real, of family affairs and structures and relations.

Finally, but perhaps most fundamentally, we should be attentive to the constitutionalization of the family and of family law because it is principally through constitutional law that the family intersects with and is shaped by the language and conception of rights – human rights, individual rights, collective rights, social rights, fundamental rights. Rights talk today represents the most pervasive, and perhaps really the only, cross-cultural, globally extended, *lingua franca* for addressing basic questions of human dignity, of social ethics, of the nature of human freedom and responsibility, of justice, and of the common good. For better and for worse, the discourse of rights is shaping the family profoundly, and this is happening primarily through the constitutionalization of family law (including through the constitutional internalization of international human rights law).

Moreover, we know well by now that within the discourse and practice of human rights there exist a multiplicity of different dialects, partially overlapping but often also diverging, even diverging irreconcilably. There is no one uniform notion of what rights are, where they come from, and what they entail, but a plurality of approaches that in turn embody more basic first premises of both philosophical anthropology and political philosophy. Those divergences, in turn, can have tremendous impacts on human well-being. Pope Francis himself, while consistently championing the universality of basic human rights and appealing regularly to the need to respect human rights, especially for the most vulnerable and marginalized, has also and simultaneously been a consistent critic of those conceptions of

rights that lead to a distorted and corrupted understanding of justice and social love (I will return to this point in the conclusion).

In short, in constitutional law rights and families intersect in ways that allow the different dialects of human rights to shape the family, and from the way that constitutional rights and the family are intertwined in different constitutional systems we can glean important insights into how family, state, and society are being shaped and continuously reconstituted in the public imagination. Of more specific relevance to this Plenary discussion, we can see in constitutional law differences between those treatments of family and rights that foster, or allow, a more holistic approach to the family as a relational good, as opposed to those treatments that tend either to subordinate the family to the state or to reduce it to a bundle of intersecting individualistic and autonomous interests.

Notwithstanding the central importance of this area, it is surprising to find that very little scholarly attention has been paid to the constitutionalization of family law. A number of single-country studies have dealt with the dynamic,² but there has been very scarce attention to the question in a comparative framework in the last 30 years, and even less so on an inter-regional or global scale.³

Accordingly, it is necessary to begin from a comprehensive analysis of the primary sources. In this presentation I offer initial observations and tentative conclusions from the collection and analysis of the treatment of the family in the constitutional texts of every country in the world (197 states).⁴ In these constitutional texts collectively, I have identified and mapped 65 distinct kinds of provisions through which they engage

² E.g., Julieta Marotta & Agustin Parise, Public and Private Intermingled: Changes in the Family and Property Laws of Argentina, 13 *J. CIV. L. Stud.* 383 (2020); Patrick Parkinson, Constitutional Law and the Limits of Discretion in Family Property Law, 44 *FED. L. REV.* 49 (2016); Marieta Safta, The Concept of “Family” and Family Relationships according to the Romanian Constitution, 2021 *CONF INT’L DR.* 66 (2021); Evripidis St. Stylianidis, The Value of Family in Greece: Constitutional Protection and Legislative Developments, 2021 *CONF INT’L DR.* 57 (2021).

³ One partial exception which does take up a comparative analysis, although it is largely limited to countries in the Latin American region, is the recent book *La constitucionalización del derecho de familia: Perspectivas comparadas*, Nicolás Espejo Yaksic and Ana María Ibarra Olguín, editors (Centro de Estudios Constitucionales SCJN, Mexico City, 2020), available at <https://www.sitios.scjn.gob.mx/cec/biblioteca-virtual/la-constitucionalizacion-del-derecho-de-familia>

⁴ For the majority of the constitutional texts, in English, I have relied on the excellent Constitute database, at <https://www.constituteproject.org/>

the family and provide for rights associated with the family (sometimes phrased in somewhat different language, naturally), which can be grouped into four large thematically-related areas: structural provisions regarding the role of the family in society and in the nation generally; provisions that address the intersection of criminal law and the family; the rights of the family as a group unit and of individuals as members of families; and the duties associated with families, including duties of the state toward the family, duties of family members toward one another, and duties of the family and its members toward the state or society as a whole. Examining evidence of patterns among them, I seek to distill an initial taxonomy of the principal approaches to the family in constitutional law, revolving around two axes: (a) the characterization and structuring of the relationship between the family and the state; and (b) the conceptualization of rights, both rights of persons within the family unit and rights of families as groups in society. Given the aims of this Plenary, I pay special attention to those approaches that can be understood to present a view of the family and its relationship to the state that are more oriented toward the family as a *good constituted by fundamental set of constitutive relationships*, where individual rights and responsibilities are reciprocal, and where the collective rights of the family vis-à-vis the state reflect understanding of the family as a fundamental good of society that both preexists the state and that consists of a constitutive set of interdependent relationships.

Of course, constitutional texts alone can only be a starting point of analysis, for constitutional practice often adds to or diverges from what the bare textual basis of the law might indicate. For this reason, the analysis then proceeds to a smaller number of selected constitutional jurisdictions to look at some of the major judicial decisions interpreting and applying the relevant constitutional provisions on the family. Here I cannot be as comprehensive of all constitutional jurisdictions and I have instead focused only on a small number of examples which confirm that a more relational understanding of the family and of the rights associated with the family is evident in constitutional practice and experience.

Constitutional texts

A few global observations regarding constitutional provisions on the family can aid in setting the general context for the more specific conclusions that follow. First, there is a wide range in the frequency of references to the family in different constitutions. Of 197 constitutions, only 18 have no provisions at all regarding the family; others have as many as 28–30

provisions; the average is about seven. The frequency does not appear to have any discernible relationship to the geographic region of the world, the applicable legal tradition, the dominant religion(s) of the country, the political and economic system that prevails in it, or any other identifiable variable, except that there is however a small but potentially interesting correlation to the date of the constitution: constitutions adopted prior to 1970 contain an average of only about four references to the family, while constitutions adopted in the 1970s or later show a leap in the constitutional attention to the family, with the high point being from the period of 1980–1999, when that average was doubled to eight. Since 2000 there seems to have been slight decline but it is difficult to tell whether that is statistically meaningful. Secondly, of the 65 different types of constitutional provisions relating to the family, by far the most common one is some sort of generic language stating that the family is to receive the protection of the state, found in 126 constitutions. No other provision is common to a majority of constitutions of the world, but several other types of provisions can be found in 30%–40% of constitutions:

- (a) some sort of statement to the effect that the family serves an important structural role with respect to the society or nation as a whole – for example, “the family is the fundamental basis for society” (El Salvador) or “the family [is] fundamental to the preservation and growth of the nation” (Estonia);
- (b) an explicit grant of power to the state to legislate with regard to the family;
- (c) a personal right to found a family;
- (d) a guarantee of the right to the privacy of family life; and
- (e) the parental duty to protect their children, usually including children born outside of marriage.

Lastly, given the attention given to the currently fraught question of the definition of marriage, it is interesting to note that only about a quarter of all constitutions aim to provide one.

The family and the state

Beyond these general observations, with careful sorting of the data we can begin to see a certain range of constitutional treatment of the family that help us identify patterns, or perhaps poles of coherence, in the underlying conceptions of the relationship between the family and the state. On one end of the spectrum we can find constitutions in which the interests

of the state dominate over the family and where the family is subordinated to the state's power and political or economic priorities. On the other end, some constitutions embody a model of family-state relations in which the family is a primary community with respect to which the state is subsidiary. In between these divergent views are a variety of more mixed positions. In some, the state does not necessarily subordinate the family to its own ends but does hold the family to (usually strong) ideals of conduct. In others, the family is essentially envisioned as a protectorate of the state, especially with regard to its material and economic wellbeing. And a number of constitutions declare the family to be the basis of state and society, to the point of guaranteeing forms of family participation in public life. (Of course, all of these are heuristic categories that are delimited for purposes of analytical description, but in actual practice the vast majority of states, even if they may tend more toward one or another of these models, contain elements of more than category).

Starting with those constitutions in which the state is explicitly dominant over family life, it is not surprising to find that it is most typical of authoritarian states. These states will not enumerate a right to privacy in the family, and often will use the state's interest in regulating the family as grounds for limiting other rights, typically the rights to freedom of expression or the right to religion. But not all states that limit other freedoms by reference to the right to a family can necessarily be said to be authoritarian; some states see the family as simply more important than other rights, and so protect the family from expression or religious fanaticism through limitations of those rights when faced with the family. Among the more authoritarian states, though, a state may demand the use of family planning, omit any protection for the family or family members in criminal proceedings, and assert the power to legislate regarding the family without placing any constitutional limitations on that power. The most obvious example is the 1982 constitution of China: it requires the state to promote family planning (Art. 25), imposes a duty on husbands and wives to practice family planning (Art. 49), and accords various other powers to the state regarding family planning; it asserts authority over the families of citizens who are abroad (Arts. 50, 89); it denies that anyone has a special status because of their families; and although it grants a right to marry it does not recognize a right to have a family. The overall effect of this confluence of provisions communicates that the state exercises a particularly heavy control over how individuals live in the family, especially but not only with respect to procreation. A somewhat different example but rea-

sonably within the same category of state dominance over the family can be found in Cuba, where the family is completely assimilated to the state both with respect to public obligations such as support for the elderly and the disabled (Arts. 88, 89), and with respect to the official state ideology: “Mothers and fathers have essential responsibilities and roles in the ... education and upbringing [of children] ... in correspondence with life within our socialist society”.

Related to this first group of constitutions but exhibiting less of a direct social control and instead holding the family to certain ideal standards of conduct, some constitutional systems basically affirm that certain kinds of family should be encouraged, at least, if not enforced. These states are most likely to hold the family to a high standard. They make demands on the family, punish family members who fail to live up to the standard of family life expected of members of the society, or at least suggest that families should be places where certain rights and responsibilities might be found. A good example of this model would be the constitution of Paraguay (1992), which combines certain state obligations toward the family – e.g., a state duty to protect the family as a whole and children specifically, and a right to a living wage – with a parental duty to educate children and various rights of vulnerable individuals to have the protection of a family. This combination shows that there is a distinct form of family life that the state would like to promote.

A third model directs the state to support families actively and robustly, and especially in its economic dimensions, but with less direct control over family life and obligations. These states may provide protections for family lands, family businesses, and/or guarantee family allowances. Such states will usually call for a right to living wages for the family and sometimes specify that the family should promote the political life of the youth. One good example of this would be the Mexican constitution of 1917, which guarantees a right to a living wage for the family, freedom of the family from individual debts, a family allowance, state healthcare for families, a right to a family home or property, and a state duty to educate children, without the parallel right or duty for parents. All of this exhibits a robust state involvement in supporting family life, but less as a form of social control and more as a preference for the family that manifests itself in economic support of the family through state programs. To a certain extent, therefore, these constitutions can be said to conceive of the family as a protectorate of the state.

Fourth, other states recognize substantially that the family is the fundamental building block of society, but go beyond the common *pro forma*

declaration of that principle as it is found in most constitutions. Many of those states suggest that the family builds up the state, and some even go so far as to suggest that the family is truly more important than the state that it forms. As such, these states have a particular regard for the good of the family and enshrine the family in their constitutions as a matter of paramount importance in the society. Two that particularly stand out in this respect are Nicaragua (1987) and Portugal (1976). Both of these constitutions, unlike others that similarly claim that the state is founded on the family, specify both that the state creates the conditions necessary for the unity and stability of the family and also that the family should be a part of the political decision-making processes that pertain to the state. Thus, not only is the family a fundamental part of the community that is the foundation for the state, but these constitutions demand that the family remains a fundamental part of the state and the life of citizens in its continued life and development.

Lastly, there are a handful of constitutions that – beyond just seeing the family as important as one key building block for the society – seem to express a view that the state is a subsidiary community whose purpose is to support and protect the more primary communities, in particular the family, in which the human person flourishes. We can call this a classically subsidiarity-oriented vision.⁵ While this category is usually not as explicit as the other four, it comes out by way of implication in several constitutions. An illuminating example would be the Chilean constitution of 1980 (very substantially revised in 2005), which in its very first article states that “Family is the fundamental core of society”, then immediately affirms that “The State recognizes and protects the intermediate groups through which society organizes and structures itself and guarantees them the necessary autonomy to fulfill with their own specific purposes”; and concludes with an affirmation that “The State is at the service of the human person and its goal is to promote the common good, for which it must contribute to create the social conditions which may allow each and every one of the members of the national community to achieve their greatest possible spiritual and material fulfillment, with full respect for the rights and guaranties established by this Constitution”. The clear and logical linkage

⁵ It is interesting, in fact, to recall that conception of subsidiarity in the early social encyclicals of Leo XIII and Pius XI in fact seem to regard the family as the fundamental unit to which subsidiarity pertains, not (as is commonly the current characterization), the individual.

of integral personal fulfillment with intermediate societies and specifically the family, as defining the basic institutional ends of the state, suggests implicitly but clearly that the family is both ontologically prior to, and morally primary with respect to, the state. Without invoking the principle of subsidiarity directly, this constitutional model can be considered to be a paradigmatic instantiation of that principle. Some subsidiarity-oriented constitutions go so far as to say explicitly that the purpose of the nation is to protect the family, in the recognition that the family is more important than the state. Kenya, for instance, points out that the state commitment is to protect “the well-being of the individual, the family, communities and the nation”. While many nations strive to make the family a place of safety, usually though ensuring rights within the family, this is just one example of states that emphasize the state’s duty to nurture the family. Notably, twenty-six states specify that the reason for this view of the primacy of the family over the state originates in religious beliefs and precepts, a point found most commonly among the constitutions of Islamic states.

In sum, it is reasonable to say that these varying and partially overlapping models of family-state relationships help to reveal not just that families are commonly regarded as “goods” from a constitutional perspective, but more importantly it shows important variations in what *kind* of good they are, relative to the state. The subsidiarity-oriented model presents the most robust example of the family as a human association whose good exists in virtue of its moral and ontological priority over the state. The good of the family is thus realized primarily through its freedom, and through the deference of the state to the family’s primacy. Similarly but less comprehensively, those constitutions that recognize the constitutive role of the family in social and political life imply a good that is intrinsic and generative. The more we tend toward models limited to protection, it seems that the family becomes seen as at best an instrumental good that needs to be sustained by the state for the well-being of its members, for broader social benefits, and for the creation of good citizens. The model of submission and control, arguably, sees the family as more of a threat to the authority of the state than a good.

Rights and duties, of and in the family

Turning now to the second axis of analysis of the constitutional texts – the recognition of the rights of the family as such and of individuals within the family – the distinctions to be made are more clear and essentially tend to be weighted toward one or the other of two paradigms: on the one hand,

the family is understood as a (mostly temporary) conglomeration of individual interests, leading to a bundled collection of individual rights; or on the other hand the family is a locus of fundamental relationships between persons that are constitutive of human flourishing and that therefore entail reciprocal rights and responsibilities among the members of the family and that also serve as the basis for recognizing the rights of the family in public life more broadly. (Again, it is important to emphasize that nearly all constitutional systems have elements of both of these conceptions, not always in harmony and congruity with one another, but still we see tendencies for constitutions to lean more heavily toward one or another of these positions).

As far as the inner relations of the family are concerned, most constitutions represent the family primarily as a structure of individuals, each of whom has individual rights either to the family or in the context of the family. The most common are the personal right to marry and the individual right to have a family (including a right of children or of the elderly to a family). But others found across different constitutional systems include the right to safety within the family, the equal rights of spouses within the family, and the right of access to family planning. In a certain sense all of these rights have a relational dimension, because all of them presume the existence of some sort of interpersonal family relationship as either the logical premise or the aim of the right. Nevertheless, it is also important to see that these are all rights that recognize or protect an individualized interest; it is not the relationship or the relational interest that is the primary object of protection but the choice of the individual to enter into or exit or live freely and safely within the family. Or, it entails the intersecting rights of individual members of a family, such as the child's right to protection of the equal rights of the spouses – each is an interest that pertains, ultimately, to an individual person. In this sense they are all consistent with the implicit but dominant theoretical justification of human rights in the contemporary world: they are understood to be individualized human interests of sufficient strength and importance to be given a special moral and legal recognition and status. One cannot ignore the very strong reinforcement of this mentality regarding rights that international human rights instruments and institutions tend to provide.⁶ And just to be very clear, all of this is not *per se* a bad thing; the interests recognized are

⁶ There are however, a very few notable exceptions, in particular the African Charter of Human and Peoples' Rights, with its emphasis on community, family and duty seen in a much more communitarian rather than individualistic frame of reference.

real and their protection is important to human flourishing and freedom. I do not think that any of us would want to remove from the constitutional canon the right of a child to a safe family environment, or the equal rights of men and women to enter marriage by their free consent, for example.

Nevertheless, it is the set of rights related to the family that go beyond that individualized interest and instrumental relationality that are the most interesting for us to identify and reflect upon. The question of fundamental rights within and of the family begins to take on an interestingly different cast in a handful of states that also specifically recognize the *duties* that individuals have in virtue of the existence of the family. In a few cases these duties can be characterized as arising out of a broader duty to the state; again the earlier example of the constitutional duty to practice family planning in China is an obvious example of a familial duty derived from the more general obligations of the family to the state. But in most examples, the recognition of family duties suggests that they arise from a recognition that families are fundamentally characterized by the intimate and constitutive relations among persons, and as such there are duties owed to each other in the relationship as well as reciprocally correlative rights. Essentially, both the rights and the duties protect the interests of the relationship itself, of the relational unity that exists in the context of a family.

Those duties rooted in a recognition of the family as a relational reality rather than in the interest of the state take more specific form in the constitutional texts in several different ways. The first is as very general and broad, largely unspecified, duties to the family. Twenty-seven states have some recognition of duties that individuals have to the family. There is seldom a clear explanation of what these duties mean, as many simply say that individuals have duties to the family, as to the society, the state, and other established institutions (see e.g., Angola, Cape Verde, and Comoros), or assert that people have rights or obligations and duties to the family, (see e.g., Eritrea, Ecuador, and Ukraine). Often, such constitutions will specify that rights and duties are to be shared equally between spouses, however no constitutions suggest that spouses have duties to one another explicitly (except insofar as this could be implied into the protection of pregnant women). Of these states, eighteen specify a duty to children, thirteen specify the parental duty to educate, and twelve specify both duties (Cape Verde, Cuba, Dominican Republic, Ecuador, Eritrea, Kyrgyzstan, Nicaragua, Panama, Paraguay, Peru, Portugal, and Sao Tome and Principe).

The parental duty to care for children is often paired with a child's right to have a family. There are sixty-five constitutions that express a parental

duty to any children in the family, the sixth most commonly included familial protection in the world's constitutions. Of those, twenty-six constitutions also propose a child's right to the family. Many of these also point out that children born outside of marriage have the same rights to the family or that parents have the same duties to their children. The constitutional recognition of a parent's duty to educate their children is sometimes expressed as a right or privilege rather than as a duty, but most of the fifty-four constitutions that express a parental right to educate also suggest it is a duty. Twenty-two of these constitutions assert that this duty is shared by the state, or that the state maintains the power to assume the responsibility of education in the event of parental failure. This right appears in many of the states that have more rights protected overall, but also accounts for two out of the four provisions mentioning the family in the German constitution and two out of the three in Liechtenstein. This duty appears alongside the parental duty to care for children in thirty-two instances.

Examining the list of constitutions including such duties and the other rights enshrined in them, it seems likely that some of these states view the duties as simply a reflection of the functional role that parents have in society as vehicles for the rearing and formation of the next generation of productive citizens. Some constitutions, however, would seem to genuinely see the family as a relational good and worthy of protection in its own right. This seems especially to be the case where the constitutions in question not only specify duties and provide correlative rights, but also see the family as foundational to the society rather than merely a service to the state, and also enshrine other personal rights in the constitution. Exemplary constitutional texts in this regard include those of Nicaragua, Philippines, and Portugal.

Constitutional jurisprudence

Constitutional texts alone are only an initial chapter in the story of the constitutionalization of family law and the possible ways of giving effect to basic norms regarding the family. All legal texts are subject to interpretation and application, and the same provisions may receive very different expressions in the hands of judges and other practitioners. This is perhaps especially true in the interpretation and application of constitutional rights, because they are typically framed in terms of very broad, open-ended and abstract principles, and in most jurisdictions are regarded as having a dynamic, evolving quality to them. Moreover, as already noted no constitutional system is ever "pure" and consistent with regard to its

organizing principles; with regard to the family, as with any other area of constitutional law, every system contains a synthesis of approaches, inconsistencies, paradoxes and even contradictions. In short, a more complete picture of the models, trends, and meaning of the constitutional treatment of the family around the world would also require extensive collection of and inquiry into the relevant judicial decisions. It would not be feasible in the scope of a short study and intervention such as this to try to be comprehensive of all of the constitutional systems of the world, as I could be with regard to the constitutional texts themselves. Instead, I will focus only on the main conclusions of the previous section – regard for the family as an ontologically and morally primary human good with respect to the state, and the existence and possibility of a relational approach to the rights and duties of and in the family. My aim is to show what these principles might look like in the actual constitutional practice of a few selected court decisions, from three different constitutional traditions in three different parts of the world, called upon to apply those provisions to concrete factual circumstances in addressing three very substantively different legal issues relating to the family. As we shall see, the relational approach is indeed capable of having resonance in constitutional jurisprudence as well, and the constitutional law of the family can serve as a way of bringing a more relational approach into rights and legal systems.

The most apparent example, worldwide insofar as I have been able to ascertain it, of a constitutional tribunal engaging in a relational approach to the family and to rights can be found in the jurisprudence of the Italian Constitutional Court. This should not be entirely surprising to any scholar of comparative constitutional law. As several colleagues and I have been arguing for the last seven years in a series of publications, the distinctiveness of the Italian Court is found in its comprehensively relational approach to all of its work – at the institutional level as well as the jurisprudential one.⁷ Thus, with regard to the family, we can find several very suggestive decisions. In a 2013 judgment (n. 203) regarding the constitutionality of a law providing for leaves of absence from work to care for severely disabled persons, the Court expanded the range of those entitled to claim the benefit, noting

⁷Vittoria Barsotti, Paolo G. Carozza, Marta Cartabia, and Andrea Simoncini, *Italian Constitutional Justice in Global Context* (Oxford University Press, 2016); Vittoria Barsotti, Paolo G. Carozza, Marta Cartabia, and Andrea Simoncini, eds., *Dialogues on Italian Constitutional Justice: A Comparative Perspective* (published jointly by Routledge Press and Giappichelli Editore, 2020).

that the underlying justification for the law is a preference for care in the family, and the importance of “relations of interpersonal and intergenerational solidarity of which the family is a primary manifestation”. Therefore, the Court concluded, “in order to ensure full protection for the weak it is necessary to provide not only healthcare services and rehabilitation, but also care and social inclusion *and above all to ensure continuity within the constitutive relationships of the human personality*” (emphasis added). At least two more recent decisions have built upon that relational approach in the same area of law. In 2018 (Judgment n. 158), also relating to the laws regarding worker’s leave for the care of a disabled child, the Court emphasized that the constitutional design favored the integration of both work and maternity “within the bed [*alveo* – i.e., as in a riverbed or seedbed] of family solidarity... in order to remove the obstacles that prevent the full development of the human person”. Likewise, a 2020 judgment (n. 18) reiterated that “ensuring full protection for weaker individuals also requires continuity within the relations that are constitutive of the human personality”, this time applying that principle to assess the constitutionality of a law on house arrest that allowed a mother to be separated from her disabled child.

In the Philippines (having one of the constitutional texts that is most comprehensively protective of the family with 20 provisions), the Supreme Court relied on a constitutional vision of the family as a locus of constitutive relationships to help judge the constitutionality of a far-reaching law aiming to govern reproductive health, in a 2014 case (*Imbong v. Ochoa*, G.R. No. 204819). It found the law unconstitutional insofar as it fragmented the family’s decision-making authority over essential reproductive matters (abortion, in this case) into that of individuals divided against each other instead of existing as a relational whole. The reproductive health (RH) law, it said:

in its not-so-hidden desire to control population growth, contains provisions which tend to wreck the family as a solid social institution. It bars the husband and/or the father from participating in the decision-making process regarding their common future progeny. It likewise deprives the parents of their authority over their minor daughter ... The RH Law cannot be allowed to infringe upon this mutual decision-making. By giving absolute authority to the spouse who would undergo a procedure, and barring the other spouse from participating in the decision, [it] would drive a wedge between the husband and wife, possibly result in bitter animosity, and endanger the marriage and the

family, all for the sake of reducing the population. This would be a marked departure from the policy of the State to protect marriage as an inviolable social institution. ... Decision-making involving a reproductive health procedure is a private matter which belongs to the couple, not just one of them.

It thus not only affirmed the essential relationality of the rights in the family, but also the rights of the family and the priority of the family over the instrumental policy goals of the state.

The final example comes from Chile, where the Constitutional Tribunal just last year (Judgment 11.315/11.317-21-CPT (2021)) was asked to rule on the constitutionality of certain provisions in a law regarding the protection of the rights of children, which aimed to limit substantially the constitutionally-protected right of parents to be the primary decision-makers regarding the moral and religious education of their children. The Tribunal begins by setting out the basic constitutional principles by which it must judge; they are worth citing at some length. The first is that the Tribunal must protect against “excessive regulatory interference by the state in the liberty and autonomy of intermediate bodies, particularly the family – the fundamental nucleus of society”. Second, the Tribunal relies on “the value that the Constitution assigns to the intimate communitarian space of parents and children that is the family, in its relationship with the State, and the possibility for the latter to constrain its space of liberty and autonomy in the educational environment”. Third, the Tribunal affirmed that:

The educational process is one that is naturally found to be linked to the family. ... In it, the parents – in a preferential way – have to assume the gratuitous and primary responsibility to exercise their authority to lead their children along their path to adulthood, inspired by what is good for [the children] according to their best judgment. In this transition to adulthood, there is a concrete and daily educational work through which parents care for and teach their children according to their own convictions. It is a matter of a long and complex process of communication of a culture that goes beyond what is merely pedagogical or academic.

On the basis of these and other principles and legal arguments, the Tribunal found the law to exceed the constitutional authority of the state.

Other examples of constitutional courts taking a distinctly relational approach to the family are available from a wide variety of other jurisdictions – Colombia, France, Germany, Peru, Poland, Spain, and even the United States (notwithstanding its having no constitutional recognition

of the family at all at the Federal level). For the purposes of this limited presentation, however, even the three examples offered above are sufficient to confirm that it is possible to imagine a relational approach to the family, to rights in and of the family, and to family-state relations, and also to confirm that it can be a very fruitful way of giving effect to the unique and vital place of the family in integral human development.

Conclusion: on relationality and human rights

Why do all these numbers and examples matter? In the reciprocity of rights and duties, and the recognition of rights as arising out of the interests and nature of the relationships itself, we can see an importantly different way of conceiving of fundamental or human rights themselves, of their source and their nature. As noted earlier, the standard conceptualization of contemporary juridical language regarding human rights is of rights as means of recognizing morally and protecting in positive law certain important individualized interests. This is so much the case that some legal theorists have concluded that the concept of a human right as it is employed by international courts today is, strictly speaking, not what technically would satisfy the juridical requirements for a legal right at all,⁸ because they only contain two of the three necessary terms: the claimant, and the object of the right, but not the corresponding duty-bearer. In other words, the right is not defined as something so important that we agree to impose certain specific duties on others with respect to my claim. Rather, the right is the open-ended and unlimited claim that an individual has to the object of her strong interest. I and others see this problem as relating directly to the widespread problem of rights inflation and the incapacity to differentiate between those claims of rights that authentically serve to safeguard essential and universal aspects of human dignity and those claims of rights that do not.

To put it in a more concrete example, consider first the rights and duties related to the education of children. Many constitutional texts guarantee a generic right to education; in doing so they often do not specify who has the duty to educate. But as we have already seen, many constitutional texts also entrench both a right of parents to educate their children (and some constitutional texts and even international treaties add important addition-

⁸ I am relying here on Hohfeld's influential analysis of a claim-right as a three-term juridical relationship, subsequently taken up by John Finnis and others in the context of human rights law.

al language such as, “in accordance with their moral and religious beliefs”) and a duty of the parents to do so, as well as a right of the child to be educated within the family, and they may even provide for the subsidiary duty of the state to ensure that the primary community of the family has the means to carry out its educational obligations. Are these expressions only of the instrumental interest of the state in having educated citizens? Are they simply the extension of an individualized interest of the child to be educated? Either understanding would be reductive; the best explanation is that the existence and importance of the parent–child relationship, i.e. the family, is itself the source and justification of the morally-recognized and legally-positivized right and the reciprocal, correlative responsibilities of both the parents and the state.

One possible implication of this is that the conceptual foundations of rights and responsibilities of and within the family unit can serve as a corrective to the contemporary tendency to view the rights-bearer as purely an existentially lonely, autonomous monad, rather than a dependent being constituted in and by relationship and belonging, most especially relationships of love. We must note well that both the Philippines case and the Chile case discussed above were not just about the identification and assertion of a fundamental right against the interests of the state, but they were fundamentally about a conflict between two contrasting and conflicting visions of what human rights are – in each case one that pitted individual autonomous rights-bearers against each other in a model of rights as forms of separation and alienation, and one that saw rights as existing in and emerging from a necessarily interdependent, constitutive relationship among persons. Perhaps therefore it is not too much to dream that, if we were to take the rights of and in the family seriously as relational rights, it might bring about a more integral and sound idea of human rights as a whole, in line with the powerful exhortation of Pope Francis in *Fratelli Tutti* (para. 111):

The human person, with his or her inalienable rights, is by nature open to relationship. Implanted deep within us is the call to transcend ourselves through an encounter with others. For this reason, “care must be taken not to fall into certain errors which can arise from a misunderstanding of the concept of human rights and from its misuse. Today there is a tendency to claim ever broader individual – I am tempted to say individualistic – rights. Underlying this is a conception of the human person as detached from all social and anthropological contexts, as if the person were a ‘monad’ (*monás*), increasingly unconcerned with others... Unless the rights of

each individual are harmoniously ordered to the greater good, those rights will end up being considered limitless and consequently will become a source of conflicts and violence”.

We cannot be too naïve about the immediate prospects for the realization of the Pope’s vision. Let us be honest that the relational view of rights is a small crack in what can otherwise seem like a thick ideological wall of the conventional view of human rights as merely individual interests. For every one judgment of a court that might be construed as refreshingly open to a relational understanding of rights, there are hundreds that are content to swim in the channel of more orthodox expressions of individualism and autonomy. And frankly, the direction being taken in new constitutions themselves, at least in some parts of the world, is not encouraging. For instance, while Chile’s current constitution and court served in this paper as one of the clearest examples of both a subsidiarity-oriented model of family-state relations and also a relational approach to the rights of the family, that country is currently undergoing a complete and very radical rewriting of its constitution. The new proposed text, which will be submitted for approval in a general referendum later this year, would eliminate essentially all of the current constitution’s references to and protections of the family. But even so, just as the family itself is the starting point for all forms of development of the person in time, perhaps even a few cases and examples of the family as a relational good in the constitutional space will be, in time, the starting point for social development – like mustard seeds placed in the cracks of that wall which will later grow and whose roots will generate a genuine transformation.

FROM THE NUCLEAR FAMILY TO THE FAMILY OF NATIONS: EXPLORING THE ANALOGY

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“Family of nations” is a time-honored phrase. I haven’t been able to track down when it first appeared. A definition in the Merriam Webster Dictionary (“the group of nations recognized as having equal status under international law”)¹ suggests that it derives from the post medieval era when modern international law emerged. A book published in 1960, *China’s Entrance into the Family of Nations*,² suggests that “‘Family of nations’ is a figurative term originally applied to the Western European States signing the Treaty of Westphalia in 1648...” Echoing the metaphorical resonance of a term not to be taken literally, the *Oxford Encyclopaedic Dictionary of International Law* (3rd edition, 2009) refers to “family of nations” “as an expression, now obsolete, used to describe the community of sovereign States between which the rules of international law applied”.³ More recently, however, the term appears in the title of a 2017 publication by Archbishop (now Cardinal) Silvano M. Tomasi entitled *The Vatican in the Family of Nations*.⁴ The book brings together statements to the UN and related international organizations from his time as apostolic nuncio in Geneva. The title suggests that the Holy See has a distinctive vision of the relations between States, a vision that prioritizes “the common good” of these states over and against their competing interests, much as a materfamilias would aim first and foremost at safeguarding the moral fiber of the nuclear family placed under her charge. The Holy See thereby acts “to facilitate coexistence and cohabitation among the various nations in order to promote a genuine fraternity among peoples, in which the term ‘fraternity’ is synonymous with effective collaboration, with genuine cooperation

¹ <https://www.merriam-webster.com/dictionary/family%20of%20nations>

² Immanuel C.Y. Hsü, with subtitle *The Diplomatic Phase 1958-1880* (Harvard University Press, 1960).

³ <https://www.oxfordreference.com/view/10.1093/acref/9780195389777.001.0001/acref-9780195389777-e-829>

⁴ Cambridge University Press, 2017.

– that is unanimous and orderly – and of a solidarity structured in favour of both the common good and the good of the individual”.⁵

Taken in conjunction with the dismissal of the family image as applicable to relations between nations, and Cardinal Tomasi’s re-actualization of the phrase, honoring it as still applicable today, points to a deep-seated divergence in international relations theory, perhaps *the most* fundamental divergence within the discipline itself. This is the difference between those who view the relations between nations as akin to that of a family, and those who think states interact according to the opposing logic of threats, coercion, and force. The stage-setting for this divergence appears in two passages from Plato. The familial view is given voice by Socrates in Plato’s dialogue, the *Gorgias*: “wise men ... say that the heavens and the earth, gods and men, are bound together by fellowship and friendship, and order and temperance and justice, and for this reason they call the sum of things the ‘ordered’ universe, my friend, not the world of disorder or riot”.⁶ The contrasting view is voiced by Clineas in Plato’s *Laws*, who boldly states that “the peace of which most men talk ... is no more than a name; in real fact, the normal attitude of a city to all other cities is one of undeclared warfare”.⁷

Some twenty years ago, perusing the library at PRIO where I had recently joined the research staff, I came across these lines which startled me, in a book by Raymond Aron:⁸

Inter-state relations present one original feature which distinguishes them from all other social relations: they take place within the shadow of war, or, to use a more rigorous expression, relations among states involve, in essence, the alternatives of war and peace. Whereas each state tends to reserve a monopoly on violence for itself, states throughout history, by recognizing each other, have thereby recognized the legitimacy of the wars they waged.

Notice how, on this view, relations between states are fundamentally *sui generis*; the defining feature that sets them apart from other human relations, such as relations within families for instance, is the constant threat of organized violence. The bedrock on which relations between states is built

⁵ *Ibid.*, p. xv.

⁶ 507e-508a11.

⁷ Plato, *Laws*, I, 626a. See Martin Ostwald, “Peace and War in Plato and Aristotle”, *Scripta Classica Israelica* 15 (1996): 102-118.

⁸ *Peace and War: A Theory of International Relations* (New York: Praeger, 1966), pp. 5-6.

is the ever-present prospect of war. States must prepare for war even when they live in a transitory condition of peace. War is deemed a legitimate practice among them to settle disputes that prove resistant to amicable negotiation.

Around the same time that I read these lines by Aron, I began re-searching what many years later became my book *Thomas Aquinas on War and Peace*.⁹ Despite his many accomplishments, St. Thomas is usually not counted a theorist of international relations. True, he did briefly develop an account of “just war”; yet, on the face of it, this is an unoriginal Augustinian-inspired digression of a mere four pages set within a discussion of charity and its opposing sins. However, in reading Aquinas’s commentary of Aristotle’s *Nicomachean Ethics*, I came across a brief statement on international relations that to my mind was striking in its originality.

The statement is made apropos of a passage in Aristotle’s wider treatment of friendship. Upon enumerating the benefits that friendship brings to human life, Aristotle observes that its importance is not confined to the private sphere but extends even more crucially to the public sphere as well, “For polities (*civitates*)”, he writes, “are held together by friendship”.¹⁰ Friendship is the glue, as it were, that holds political communities together; in this respect it is even more important than justice. Thus “legislators”, Aristotle adds, “are more zealous about friendship than about justice; this is evident from the similarity between friendship and concord (*concordia*); for legislators most of all wish to encourage concord and to expel discord as an enemy of the polity”.¹¹

Interestingly, and this is what caught my eye, whereas Aristotle had referred solely to concord among citizens of the *same* polity, Aquinas discretely adds that this condition of friendship could encompass the mutual relations of distinct polities as well:

Aristotle shows how concord is related to friendship among citizens. He notes that political friendship, either between citizens of the same polity (*civium unius civitatis ad invicem*), or between different polities (*inter diversas civitates*), seems to be identical with concord. And people usually speak of it this way: that polities or citizens (*civ-*

⁹ Cambridge: Cambridge University Press, 2017.

¹⁰ *Nic. Ethic.*, bk. 8, chap. 1 (1155a22-23); cited in *Super Ethic.*, p. 441.

¹¹ *Super Ethic.*, at 1155a22-26 (p. 441).

itates vel cives) in concord with one another (*concordes*) enjoy mutual friendship (*habent amicitiam ad invicem*).¹²

It is difficult to identify what might have prompted St. Thomas to speak of friendship between distinct polities in a commentary to a text that is exclusively framed in terms of the concord that can arise within a single polity. It is possible that it resulted from a Stoic influence. This however would not in itself explain Aquinas's addition to Aristotle's text, since the Stoics typically conceptualized the theme of concord at the macro level of the entire human race (or even the whole cosmos), constituted as a unity under a single law, rather than specifically in terms of the relation between separate political units. St. Thomas could have taken inspiration likewise from the idea of Christian unity in Europe, wherein the independent principalities and kingdoms were joined together into one community under the spiritual leadership of the pope. By contrast, his clear distinction between schism on the one hand, and sedition,¹³ on the other, shows that he conceptualized the unity of Christians in the supranational Church as essentially different in kind than the temporal unity of citizens in a civil polity. The former derives from supernatural and the latter from natural principles.¹⁴

Hence, when St. Thomas speaks of the relation of friendship between civil polities, in a philosophical text which makes no mention of shared faith, it seems clear that his thought was not moving in the direction of the supranational Christian republic, of the sort articulated some fifty years later in Dante's *Monarchia*. Under the modest cover of a literal commentary, it seems altogether possible that Aquinas had in fact launched an original idea, new to medieval Europe: by their concord, premised on ties of friendship, the nations of the world constitute a natural community.¹⁵ This is a special sort of community, analogous (but not reducible) to the one constituted by the friendship of citizens within a single polity, or of the (supernatural) ecclesial society of faith and charity.

At work here is the fundamental idea that states exemplify a pattern of relations that are analogous to modes of friendship¹⁶ that are found else-

¹² *Super Ethic.*, p. 521, lines 74-80.

¹³ *Summa theol.* II-II, qq. 39 and 42 respectively.

¹⁴ See *ST* I-II, q. 87, a. 1, where Aquinas sets up a contrast between two forms of governance, "spiritual" (*spiritualiter*) and "temporal" (*temporaliter*). The latter is subsequently divided into two forms, "political" (*politice*) and "familial" (*oconomice*).

¹⁵ See *ST* II-II, q. 59, a. 1, where Aquinas speaks of the common good of humanity (*bonum commune humanum*).

¹⁶ On the analogicity of "friendship", see *Super ethic*, bk. 8, lect. 3.

where in human life, within individual political communities, for instance, and within families.¹⁷ In fact, writing within the same commentary, Aquinas, following Aristotle, explains how the reality we term “family” is constituted by a distinctive set of friendship ties: ties of parents to children (and vice versa), as well as “fraternal” ties between siblings.¹⁸ I don’t have time here to delve into the details, although it should be clear that relations between siblings, by reason of their equality, rather than the unequal relations of parents to children, constitute the best platform for thinking about relations between states. The parental imagery risks moving us in the undesired direction of colonialism. What matters for my analysis is the fact that Aquinas takes friendship as a lens from which to view the relations that arise within the full range of human communities, from the community of the family, through the community of the nation, to the *community of nations*.

The tradition of “political realism” takes the relation of states to be *sui generis*; it is an imposition of order onto an original condition of anarchy, a grouping of impermeable monads that are defined by their latent opposition of the ones to the others. By contrast, for the Platonic and Aristotelian tradition voiced by Aquinas, independent political communities (what we today call *states*) exemplify a pattern of relating that is *analogous* to what is found in families and similar groupings. On this understanding, the term “family of nations” does not involve a superficial resemblance of nations and nuclear families, that is to say an ultimately misleading *equivocation* on the word “family”. Nor, by contrast, should we conceive of friendship within and between states as identically of the same type as found in nuclear families. Rightly understood, the resemblance is analogous, not *univocal*. Ethno-nationalism, as exhibited today by invocation of the *Russkii mir* (Russian world),¹⁹ of “fraternal peoples” originally of the same stock, is advanced by the Russian leadership as justification both for the denial of Ukrainian statehood and intervention on behalf of its “persecuted minority” in Ukraine. The examples could be multiplied, for instance the related notion of “Turkic nations and communities”²⁰ that Turkey used

¹⁷ For discussion of friendship (qua *caritas*) in families, see *Summa theologiae* II-II, q. 26, aa. 8-11.

¹⁸ *Super Ethic*, bk. 8, lect. 7.

¹⁹ <https://publicorthodoxy.org/2022/03/13/a-declaration-on-the-russian-world-russkii-mir-teaching/>

²⁰ https://en.wikipedia.org/wiki/Friendship,_Brotherhood_and_Cooperation_Congress_of_Turkish_States_and_Communities

to buttress its “peace intervention” on the island of Cyprus in 1974 and its unwillingness up to the present day to allow the island to reunify and go its independent way. This shows the danger of univocal predications of “fraternal friendship” to civic relations. By the same token, we should not “throw the baby out with the bathwater” by denying any continuing relevance of fraternal friendship to relations between states.

On the standard political realist account, friendship/amity/fraternity (I’m using these terms interchangeably) between nations is usually relegated to a normative claim about what should be. It does not describe what states are *doing*; realists claim a monopoly over this description. They maintain that despite paying lip service to friendship – say in the so-called “treaties of amity” that have been signed for example between the US and Iran²¹ – states operate in a shadowland of threats, usually tacit, but sometimes explicit as today between the US and Russia. Among the more sophisticated orchestrations of the realist view of international relations is the one proposed by Thomas Schelling. He explains how states prefer not to resort to armed force, and usually content themselves with threats as a more economical way to achieve the same end. This is the difference between brute force and coercion, overt versus latent violence. Having written myself on the language and ethics of threat-making,²² I’ve learned a lot from Schelling. His analysis of the different modalities of threats, deterrent and compellent, is indeed very nuanced and sheds light on historically significant incidents in international relations, the Cuban missile crisis, for instance. Interestingly for our purposes, Schelling often uses examples from family life, parent-child relations especially, in his writing about international affairs. My favorite example (now I’m quoting from memory) is one in which he wishes to show how a threat is more potent before it is implemented (“A successful threat is one that is not carried out”²³). He tells his kids: “if you don’t stop horsing around I’ll get really angry”, to

²¹ The Treaty entered into force in 1957 and persisted despite the severance of diplomatic ties between the two states. The US withdrew from the treaty in 2018. The first article states that “There shall be firm and enduring peace and sincere friendship between the United States of America and Iran”. <https://www.state.gov/wp-content/uploads/2019/05/Treaty-of-Amity-Economic-Relations-and-Consular-Rights-between-the-United-States-of-America-and-Iran-Aug.-15-1955.pdf>

²² Gregory M. Reichberg and Henrik Syse, “Threats and Coercive Diplomacy: An Ethical Analysis”, *Ethics and International Affairs* 32.2 (2018): 179–202.

²³ *The Strategy of Conflict*, 2nd edition (Cambridge: Harvard University Press, 1980), p. 177.

which his son replies, “dad you’re already really angry”, with the implication that dad’s threat has now become impotent.

Schelling has the virtue of recognizing that above the realm of threats there exists a domain where states interact in the mode of friendship, what he characterizes as “peace”, “stability”, “quiescence of conflict”, “trust”, “faith”, and “mutual respect”.²⁴ But he cautions us not to place much weight on these noble terms, and adds that “where trust and good faith do not exist and cannot be made to by our acting as though they did, we may wish to solicit advice from the underworld, or from ancient despotisms, on how to make agreements work when trust and good faith are lacking and there is no legal recourse for breach of conflict”.²⁵ The point of international relations theory then becomes to examine “the efficacy of some of these old devices, suggest the circumstances to which they apply, and discover modern equivalents that, though offensive to our taste, may be desperately needed in the regulation of conflict”.²⁶ So even though he acknowledges that a better, a more fraternal way of state interaction exists, its dynamics are taken for granted and are never explored. Absent an interest in this “overworld”, analyses based on the “underworld” predominate and remove all the oxygen from the room. Surreptitiously the underworld becomes the norm, and fraternal relations the exception. A huge vacuum opens, fed by confirmation bias; since the surgical manipulation of threats is of primary interest, in the end that is all one notices, with the result that the fraternal ways of relating become invisible; and because they are hardly noticed fraternity ceases to function as an ideal that can draw us forward. There is no theory of the passage from enmity to amity; states that have hostile relations are condemned to remaining in this state and the only “sane” strategy is to find effective means of achieving the dominance or at least a “containment” of the one vis-à-vis the other.

How can we describe the fraternal mode of state-to-state interaction? Let me note in passing that promotion of “fraternity between nations” (*folkens förbrödrande*) is one of three criteria (alongside “the abolition or reduction of standing armies and for the holding and promotion of peace congresses”) laid out by Alfred Nobel in the testament that established his peace prize.²⁷ I live in the same neighborhood as Gier Lundestad, the for-

²⁴ Ibid. p. 20.

²⁵ Ibid.

²⁶ Ibid.

²⁷ <https://www.nobelpeacecenter.org/en/the-last-will-of-alfred-nobel>

mer director of the Norwegian Nobel Institute, which confers the annual peace prize. One day waiting for the tram I asked him whether, being a historian of political affairs, he had come across literature that elucidates the distinctive dynamics of fraternity between nations, as highlighted in Nobel's will. Pausing for a moment, he said, "well not directly, however there is an abundant literature on international cooperation". Yet, and this is my point in relating the anecdote, cooperation is not the same as fraternity or friendship. Sworn enemies sometimes cooperate in achieving mutually beneficial ends, negotiating cease-fire agreements and the like, without there being the least love lost between them. Adversaries locked in prisoners' dilemma can play cooperative games, as Schelling shows for instance his discussion of "negotiation in warfare".²⁸

Friends often do cooperate, to be sure. But friends can have few opportunities to cooperate while nonetheless remaining close friends. Thus, friendship and cooperation are not one and the same. So what is friendship? Having more time at my disposal I could rehearse Aristotle's analysis of friendship as mutually recognized and reciprocated benevolence,²⁹ a benevolence that finds expression in shared activity, a "communication" or "living together" as the Stagirite calls it.³⁰ Can nations "live together" in this way? Aquinas seems to think so, as this was his very reason for speaking of a supra-national community of independent polities who enjoy this amical commerce of mutual benefit and cultural exchange.

Aquinas didn't fill in the details, and his message hasn't resonated in contemporary political theory, to say the least (dominated as it is by political realism), although that is beginning to change, as I will indicate in my conclusion. However, Aquinas's idea has been quietly present beneath the surface in modern political thought, via what has earlier been called "the Catholic tradition of the law of nations".³¹ In fact, the idea of friendship was placed at the heart of a five-volume work entitled *A Theoretical Treatise on Natural Right Resting on Fact* that the Jesuit Luigi Taparelli

²⁸ *Arms and Influence*, 2nd edition (New Haven: Yale University Press, 2008), pp. 215-220.

²⁹ "[G]oodwill when it is reciprocated being friendship" (*Nic. Ethics*, bk. 8, chap. 2 (1155b33)).

³⁰ *Nic. Ethics*, bk. 8, chap. 5 1157b18-19: "There is nothing so characteristic of friends as living together".

³¹ The title of a book edited by John Eppstein (Washington, D.C.: Carnegie Endowment for International Peace, 1935).

d'Azeglio published in 1843.³² The part of the work that concerns international relations is organized around the idea of “ethnarchy”,³³ “an organization... of relations between civilized peoples of all parts of the world”.³⁴ He further describes ethnarchy as “a society between societies”,³⁵ in which the individual members (national states) are “essentially and originally equal”,³⁶ and wherein each nation has a natural duty (i.e., born of nature not agreement of convention) of benevolence toward the other nations in the community.³⁷ This benevolence³⁸ is founded in turn on a recognition that nationhood is an inherent good: on his understanding nations are of the natural law: in this sense they are willed by God. Significantly, while he thought that Christian nations, under the motion of God’s grace could form the highest ethnarchy, he didn’t think ethnarchy was a privilege of the Christian “commonwealth” alone. All nations could, in principle, join in ethnarchy: this “society between societies” was to his mind a natural good and as such was not premised on shared faith, even though shared faith would make it stronger.³⁹ This mutual benevolence amounts to more than lending one another aid in times of trouble, although this too matters. Benevolence first and foremost entails mutual appreciation, namely recognition of each other’s qualities, physical beauty of the land, cultural and scientific traditions, and the distinctive ways of their respective peoples.

³² *Saggio teoretico di dritto naturale appoggiato sul fatto*. I quote from the French translation (reviewed by the author): *Essai théorique de droit naturel basé sur les faits* (Paris: Casterman, 1875).

³³ *Ibid.*, book 6, chap. 5, no. 1362, p. 58: “Pour mieux distinguer la société internationale qui repose sur les faits naturels, je lui donnerai le nom d’*ethnarchie*; tandis j’appellerai les autres sociétés internationales, confédérations, unions, etc., parce que la volonté de l’homme est ici le principe d’association, il importe surtout d’éviter toute confusion dans les concepts”. Later he sums this up as follows: “nous pouvons donner le nom ethnarchie à l’association internationale qui résulte de la nature et de la nécessité des choses” (*ibid.*, book 8, chap. 6, prop. 13, p. 292).

³⁴ *Ibid.*, book VI, chap. 7, no. 1395, p. 76.

³⁵ *Ibid.*, book VI, chap. 5, no. 1363, p. 59.

³⁶ *Ibid.*, book 4, chap. 7 no. 1395.

³⁷ *Ibid.*, book VI, chap. 5: “La matière que je dois actuellement traiter est une matière encore neuve: c’est à peine si quelques auteurs ont ébauché la théorie de la *société internationale*” (p. 54).

³⁸ On benevolence, see the summary in book 8, chap. 6, prop 1, p. 285–286 “*Les nations se doivent une mutuelle bienveillance*”.

³⁹ He thus speaks about the “*veille ethnarchie des musulmans*”, “*le panslavisme gréco-russe*”, and the “*union évangélique allemande*” (*ibid.*, book VII, chap. 1, no. 1438, p. 102).

Diplomats, he acknowledges, have for formal role to cement the bonds of interstate friendship, when they exist, and prompt them when they don't. Nonetheless it would be a mistake to assume that inter-state friendship is a function of high-level diplomacy alone, for which it suffices that the top leaders bond.

The mutual love of societies and their sovereigns qua sovereigns does not consist in personal friendship [amitié personnelle], but in a love [of friendship] that wills the general good of [each other's] society, a good that is nonetheless subordinated to the good of individuals. The mutual love that unites sovereigns is very different in its immediate effects that which joins together simple individuals.⁴⁰

In his book on Kissinger (*Master of the Game and the Art of Middle East Diplomacy*),⁴¹ Martin Indyk praises the statesman's ability to strike up friendship with Middle East leaders, establishing trust with them and in the process negotiated a new political order in the Middle East, but Indyk faults Kissinger for his lack of interest in fostering interaction between the conflicting peoples. Never reaching below the top leadership circle, on Indyk's assessment Kissinger's the new order lacked resonance within the respective communities, and thereby remained artificial, thus fragile. A reviewer puts this well:

Kissinger nurtured a set of relationships among powerful leaders that brought order to a tumultuous landscape ... His manipulations, however, did not change the societies that remained in conflict ... Heroic diplomacy, on the model of Prince Metternich, brings peoples together beyond just their leaders. ... Kissinger's diplomacy focused so much on the few men at the top that those who lived under them were neglected and frequently provoked. Among other things Indyk's book is a brilliant account of how the mastery of personal diplomacy can depart from the diplomat's true mission of peace.⁴²

The same top-heavy leadership approach can be seen operative from the contrasting side of sanctions. When political leaders and their diplomats have little or no relations, as say in the case with Iran and the US, the leaders give little care to relations existing between the peoples as well. Whether intended or not, sanctions have for significant collateral damage

⁴⁰ Ibid., book VI, chap. 2, no. 1253, p. 8.

⁴¹ New York: Knoph, 2021.

⁴² Jeremi Suri, "Henry Kissinger and the Puzzle of the Middle East", *New York Times*, 26 October 2021.

the drying up of valuable cultural exchanges and even friendships, say around shared scientific pursuits, that over time could point a way out of the morass of division. In the absence of cultural interaction, negative stereotypes take root and are taught in schools, further fueling division, dehumanization, and in the worst case, war. This is starting to happen today between Russia and the West, and is exacerbated by the exclusion, not just of Russian teams and official organizations, but of individual athletes and musicians as well, even ones that publicly oppose their governments' military initiatives.⁴³

Another text in the Catholic tradition I very much like is a short essay by Jacques Maritain, "L'essence de l'internationalisation" that appeared in 1930.⁴⁴ Citing Taparelli, Maritain orchestrates many of the same themes that I've already mentioned. The added value of Maritain's treatment was his insistence (in opposition to Marxism) that international amity must proceed proximately, not from the simple recognition that we are all of the same "stock" ("the generic unity of humanity"), but rather from a conviction that nations, as "complete societies" in the Aristotelian sense of the term, have a kind of moral personhood ("personnes morales de structure juridique"), 'thick identities' we would say today. And between these distinctive moral persons, there should be fostered "solidarity, not just of a material and economic kind, but also of moral character, founded on relations of justice and friendship". Maritain's point about the moral thickness of national communities merits emphasis today if only because much resentment has accrued in parts of Europe, and perhaps in some measure rightly so, against cosmopolitan discourses that denigrate national identities in the rush to join people together around universalist values (in Maritain's words, "to absorb all the nations into the human genus").⁴⁵

Another text that draws from the same rich vein of Catholic internationalism is of course Pope Francis's 2020 encyclical *Fratelli Tutti*, on *Fraternity and Social Friendship*. While cautioning against "narrow forms of nationalism" (no. 141), the Holy Father emphasizes that "there can be

⁴³ "Banning Russian Tennis Players Won't Stop the War. So Why Is Wimbledon Doing It?" <https://www.nytimes.com/2022/04/23/opinion/russia-wimbledon.html?referringSource=articleShare>

⁴⁴ Text in *Oeuvres complètes Jacques et Raïssa Maritain*, vol. IV.

⁴⁵ See Paul Kubicek, "Illiberal Nationalism and the Backlash against Liberal Cosmopolitanism in Post-Communist Europe", *Nationalism and Ethnic Politics*, 2022 (DOI: 10.1080/13537113.2022.2029082).

no openness between peoples except on the basis of love for one's own land, one's own people, one's own cultural roots". Cautioning similarly against a "false openness to the universal" (no. 145) he notes how we "can welcome others who are different and value the unique contribution they have to make, only if I am firmly rooted in my own people and culture" (no. 143). Francis calls on us to develop a "new network of international relations, since there is no way to resolve the serious problems of our world if we continue to think only in terms of mutual assistance between individuals and small groups" (no. 126). The call to inter-state fraternity he sums up thus: "global society is not the sum total of different countries, but rather the communion that exists among them" (no. 149). "An appropriate and authentic openness to the world presupposes the capacity to be open to one's neighbor within a family of nations" (no. 151).

Earlier in this paper I observed that political realists typically assume that the friendship conception of international relations reduces to a normative claim, and an unachievable one at that. There is, however, a small but growing group of political scientists, including international relations theorists, who view friendship as an empirical reality that is worthy of study. Notably, the volume *Friendship in Politics*⁴⁶ includes various perspectives on the topic, mostly focused on *intrastate* friendship, but also examined are friendship's *interstate* dimensions. A chapter on "Friendship, Mutual Trust and the Evolution of Regional Peace in the International System" explains how IR realism, the dominant theory on the field over the last 60 years, "has resulted in a biased research agenda". Relative to "enemy" the concept of "friend" is under theorized, such that a "substantial literature exists on enemy images but little on friend images, on enduring rivalries but little on enduring friendships, on the causes of war but little on the causes of peace".⁴⁷ The author, Andrea Oelsner, proceeds to show how interstate friendship, and the positive peace that follows from it, is a dynamic process in that its maintenance "requires an active effort on the part of governments".⁴⁸ When a stable relationship of peace is thus achieved, a "we-feeling" among states develops along with high levels of mutual

⁴⁶ Edited by Preston King and Graham M. Smith (London: Routledge, 2007). For a related treatment see Paul W. Ludwig, *Rediscovering Political Friendship: Aristotle's Theory and Modern Identity, Community, and Equality* (Cambridge: Cambridge University Press, 2020).

⁴⁷ Oelsner, citing Alexander Wendt, *Social Theory of International Politics* (Cambridge: Cambridge University Press, 1999, p. 298).

⁴⁸ *Friendship in Politics*, p. 151.

confidence whereby “the use of threat of force has become unthinkable to resolve disputes and disagreements and indeed all parties perceive it in this manner”.⁴⁹ “Such perceived certainty makes positive peace resemble friendship, despite the constraints of the international system”.⁵⁰ I would add that the relationship now enjoyed by the Nordic states exemplifies this phenomenon of intrastate friendship and peace.

Another chapter in the same volume, “The Institutionalization of International Friendship”, explores how friendship between states is something more than a “temporary agreement to bypass enmity” or “to solve a security dilemma”. This the author, Antoine Vion, illustrates by reference to the role played by municipal dialogue initiatives (e.g., the Union International des Maires) in establishing friendship between states, for instance France and Germany during the years after World War II. He shows, quite convincingly how institutionalized social outreach (including, I would add, scientific diplomacy and interfaith initiatives) can provide a vital supplement to standard diplomacy, fostering the process by which erstwhile state enemies can become stable friends.

In conclusion, I simply want to say that this sort of research into nature, causes, and effects of inter-state friendship is highly valuable; it merits closer attention and warrants our active collaboration.

⁴⁹ Ibid.

⁵⁰ Ibid.

ADDRESS

MARIO DRAGHI

Prime Minister of Italy (2021-2022)

Your Eminence Cardinal Turkson,
Your Excellency Bishop Sánchez Sorondo,
Your Excellency Monsignor Viganò,
President Zamagni,
Distinguished Colleagues,

It is a great honour to be here with you at the Pontifical Academy of Social Sciences.

I would like to thank His Eminence Cardinal Turkson, His Excellency Bishop Sánchez Sorondo, and President Zamagni for the invitation, and His Holiness Pope Francis for the appointment as a member of the Academy.

Today's event is an opportunity to reflect on the role families have in strengthening our social bonds. And to discuss what all of us – starting with governments – can do to support them.

Our societies are living through an age of extreme uncertainty. The Covid-19 pandemic is increasingly under control in many countries thanks to extensive vaccination campaigns, but is not over and continues to take a heavy human and economic toll.

The war in Ukraine has caused enormous losses: the death of thousands of innocent civilians, the displacement of millions of people, the destruction of large portions of the country. Its indirect consequences reverberate widely: a spike in energy costs, disruptions to supply chains, the risk of military spill-overs elsewhere in the region.

We now face the threat of a catastrophic food crisis, especially in some of the world's poorest regions, which already suffer from inadequate access to Covid-19 vaccines.

In the rich world too, these events risk hitting families the hardest, in particular the most vulnerable ones. Advanced economies must continue to support financially the Ukrainian government and its people at this time of need. We must also strengthen the global safety net for low-income countries, especially through multilateral institutions such as the International Monetary Fund and the World Bank.

At home too, we must take steps to reduce uncertainty for the poorest. This is what we have done in Italy over the last year – and what we strive to continue doing in the future.

The pandemic has caused a sharp increase in poverty, especially among families. The poverty rate among those under the age of 18 has risen by nearly three percentage points between 2019 and 2021, to 14.2%.

In order to help families, the Italian government has taken several steps including the creation of the so-called “Assegno Unico”, a parental allowance that merges multiple benefits into one. It is a universal measure, granting at least 600 euros to all families with children, and provides higher benefits for those with children with disabilities.

The government is aware of the new economic challenges facing families, in particular the rising cost of living. The inflation rate has hit 6.7% in Italy, the highest since 1991. For this reason, we have cut fuel duty and protected 5.2 million families from recent rises in energy bills. We are ready to do more to defend the purchasing power of our citizens, while at the same time preserving the stability of our public finances.

The roots of uncertainty go deeper than Covid-19 and war. In Italy, even before the pandemic ever fewer families felt confident about having children – and this trend has only become worse. Italy’s population has shrunk continuously since 2014, losing more than 1.3 million residents. In 2021, just under 400 thousand children were born. This is the lowest number in the history of our Republic: ten years ago, it was 540 thousand.

Having a child is a personal choice, but it also depends on the ability of young people to plan their future with confidence. The government can play an important role in ensuring that those who want to have children can do so. For example, it must put young people in the position of having a home and a secure job.

In Italy, we are providing substantial financial help for young people who buy their first home. The State guarantees a large portion of their mortgage and provides them with generous tax breaks. We are also giving support to young people with low incomes to pay their rent. These are only initial steps and others must follow.

The *Family Act*, approved by Parliament earlier this month, commits us to strengthening these measures further. Families also need reliable welfare services. This is a priority of Italy’s National Recovery and Resilience Plan. Over the next five years, we will create 230,000 places in nurseries and kindergartens.

We have also strengthened parental leave to support working parents. In particular, we want to help young women, who too often are forced to

give up their careers after giving birth to a child. At the end of last year, we made a 10-day mandatory paid paternity leave permanent. And we introduced tax breaks for women returning to work from maternity leave.

Fighting poverty also requires greater investment in education – a key driver of social mobility. Italy’s National Recovery and Resilience Plan includes investment plans worth around 1.3 billion euros to renovate or build school canteens and gyms. With the *Family Act*, we help families pay for educational activities for their children, including music and sports. With the Recovery and Resilience Plan, we also invest nearly 1.5 billion euros in student benefits – such as scholarships and student housing.

In recent weeks, Italian families have shown once again their generosity by welcoming into their homes those fleeing the war in Ukraine. More than 100,000 people have come to Italy, mostly women and children. I would like to thank all citizens who have helped refugees, as well as all volunteers.

The government must support such a display of love and solidarity. We have allocated more than 500 million euros in aid for those who come to Italy, and a further 5 million euros for the National Fund for Migration Policies. We have also donated goods to Ukraine and neighbouring countries, such as Poland and Moldova, and funds to humanitarian organizations such as UNICEF and the Red Cross.

Most of us learned about love, generosity, solidarity in our families. We did so thanks to our parents, our siblings, our grandparents. And we have passed on these lessons to our children and grandchildren. A stronger family is essential for a fairer, more cohesive, more caring society – especially at a time of crisis.

Italy’s government is determined to support families, and will continue to do so in the future.

Thank you.

▶ SESSION 6.

FAMILY LEGISLATION

FAMILY AND POLICY-MAKING IN POST-MODERN SOCIETY

STEFANO ZAMAGNI

PASS President

1. Introduction and motivation

As Aristotle wrote in *Politics* (I, pt. 2), the family is “the association established by *nature* for the supply of men’s everyday wants”. *Oikos* in Greek means home; i.e. house *and* a group of people inhabiting it. Thus, kinship and residence are intimately linked. *Oikos* is essentially the place where nature *and* culture cohabit. That is why family matters are not private matters, as is often believed and argued. They are linked to the common good, that refers not only to the good of the family itself, but also to that of the whole human community. *Gaudium et Spes* (1964) rejects the idea that family is a purely private good. Indeed, the family is conceived as the “foundation of society” where “generations come together... to harmonize personal rights with the other requirements of social life” (GS, 52). The role of parents and other caretakers in fostering the development of the next generations is indeed critical for the common good. Moreover, the family enacts its social and moral agency through the decisions and practices of ordinary family life. The social capacity of the family as such challenges any notion of domestic life as purely private and rejects the view of family as simply a passive recipient of society’s protection. The family has a public character; it can and must influence society. It follows that economic and political support from public authorities must take the form of compensation, rather than compassion and paternalistic assistance.

The second Vatican Council sets out a social role for the family which is extremely demanding. In addition to the raising of children, it calls for “the adoption of abandoned infants, hospitality to strangers, assistance in the operation of schools, advise and help for adolescents, help to engaged couples, catechetical work, support of married couples and families in material or moral crises, help for the aged”.¹ And that is not all: “It is of the

¹ *Decree on the Apostolate of Laity*, 503.

highest importance that families should devote themselves directly and by common agreement *to transforming* the very structure of society”.²

In turn, in his apostolic exhortation *Familiaris Consortio* (1981), pope John Paul II writes: “Society should never fail in its fundamental task of respecting and fostering the family. The family and society have complementary functions in defending and fostering the good of each and every human being. But society – more specifically the state – must recognize that the family is a society in its own original right, and so society is under a grave obligation in its relations with the family to adhere to the principle of subsidiarity (n. 43)”.

On the other hand, in his *Letter to Families (Gratissimam Sane, 1994)*, the Pope clarifies that the life of nations, states, and international organizations passes through the family: “The family is in many ways the first school of how to be human. Be human! This is the imperative passed on in the family – human as the son or daughter of one’s country, a citizen of the state, and, we would say today, a citizen of the world” (16–19). Few years before, the Pope had told young people in Rome (March 30, 1985) on the occasion of the opening of the UN International Youth Year dedicated to the theme Participation-Development-Peace: “The family is not a community: it is a *communio personarum*. That means that each one of the members of the family participate in the humanity of the others: husband and wife; parents and children, children and parents... Great, therefore, is the importance of the family as a school of participation! And thus is a great loss when this school of participation is lacking, when the family is destroyed”. In the same discourse, John Paul II clarified that participation is more than a social fact, more than simply being together with others. It means to be fully oneself through being, dwelling and acting together with others in relation to a common good which comes into clearer focus in the family. Participation is learned first in the family. As a communion of persons, the family is the first and irreplaceable school of participation, never forgetting that communion is “union in truth and love” and identified with an act of pure self-gift.

In what follows, I address the problem of the formation of social and economic attitudes in the family and how these might be related to the understanding of humanity as the foundation of participation in an inclusive economy. What is at stake is how the primordial subjectivity of the person

² *Towards the Synod of 1980*, 127. Italics added.

formed in the family, may be related to the foundation of social and economic attitudes in the wider society. Before proceeding, I want to stress that I do not share the opinion according to which we live in catastrophic times. Our world is not the worst of all possible worlds, and the problematic aspects of our world are certainly linked to certain negative implications of the conquests so far achieved. However, no reasonable person is prepared to forego those conquests in order to return to an earlier order of things. This is true of many aspects of the modern world, but is particularly evident in the case of the family. No one proposes a return to the family model of past centuries as a solution to the current crisis. At times the traditional family is evoked in nostalgic terms, whilst forgetting that such a model implied the father's almost total control of the children, and the husband's total dominance over his wife, together with certain extreme forms of violence concealed beneath the thin veneer of respectability.

In *Amoris Laetitia* (2016) one reads: "Surely it is legitimate and right to reject older forms of the traditional family marked by authoritarianism and even violence, yet this should not lead to a disparagement of marriage itself, but rather to the rediscovery of its authentic meaning and its renewal" (n. 53). The traditional model of family was undoubtedly more solid, but only because it was supported by a social context that required everyone to observe certain rules, with failure to do so implying dishonour, disrepute and poverty (especially for women). The modern family's fragility derives from a greater degree of liberty, and from the fundamental role now played by individual members' feelings and decisions. Therefore, the challenge is to attain a family capable of overcoming the current crisis, but not through an impossible (and undesirable) return to the past, but first and foremost through a further development of people's consciousness and relational styles. In other words, the edifice of the family has not been destroyed, it has been de-constructed, taken apart piece by piece. We still have all the pieces, but the building is no longer there. All the categories that make up the family institution and define its genome continue to exist. However, these categories no longer have a univocal meaning. The present essay aims to be a contribution toward a reconstruction of the edifice of the family.

2. The nature of the family

There are a number of genuinely political and cultural reasons why it is so difficult to reach an agreement on what defines a family (P. Donati, 2022). There are two archetypal models of the family that in recent literature have been taken to represent the entire universe of families. On the one hand,

there is the model that sees the primacy of the family as a collective body over its members, with the difference between the sexes perceived as the fundamental element underlying the institution of marriage; on the other hand, there is the family model that endorses the primacy of individual over the family, and that sees the sexist logic as superseded. The former model is somewhat imprecisely referred to as that of the traditional family, based on communitarian principles, while the latter model is considered as representing the modern family based on the centrality of the individual. Notwithstanding the noticeable differences between the two models, they have both come up against the same aporia: their inherent reductionism. Indeed, while one model favours the institutional dimension at the expenses of the individual one, the other exalts the utilitarian component of the family, that is, the individual interests of the spouses and their children, but fails to see the good of the family unit as such. It is indeed true that the institutional dimension of the family is a value in itself that requires safeguarding, as it guarantees the duration and stability of the family; however, it is just as true to say that individual members' appeal to the family to protect and promote their interests is also a value that merits safeguarding.³

The dichotomy between the patriarchal family and the bourgeois-individualistic family has ended up perpetuating family policies which on the one hand are not fit for purpose, and on the other hand are of a contradictory nature. Just take the tax system, which is currently hotly debated like never before. Why on earth should a family allowance be applied to income tax if the family is patriarchal, or if it is merely a centre of individual interests? In the first case, it should be the “patriarch” who pays for the consequences of his life choices; in the second case, contractual-type relations between family members should govern their respective interests. If the family is reduced to a mere locus for the protection of individual interests, whether of the “head of the family” or of the individual family members, it loses its centre of gravity. In the past, this loss ensued as a result of the exaggerated nature of the patriarchal logic; today the family loses its centre of gravity because every effort is made to safeguard the individual family member (whether parent or child), regardless of the family, and at times against the interests of the family as such.⁴

³ S. Zamagni, “The family and Economic Theorizing”, in A. Argandona (ed.), *The Home*, E. Elgar, Cheltenham, 2018.

⁴ S. Walby, *Theorizing Patriarchy*, New York, Norton, 1990.

This is why whosoever wishes to revitalize the debate regarding family policies, in particular those concerning the work-life balance, has to try to go beyond the rigid dichotomy between the two ideal-type models, both of which have now reached an impasse. What needs to be done is to demonstrate that institutional and individual dimensions can co-exist. However, to attempt something of this kind, we need to grab the bull by the horns as it were. We need to make our minds up about the constituent elements of what is known as the genome of the family. What do we mean by the term “family”? What elements constitute its original structure? We are convinced that the majority of disagreements and misunderstandings that invariably arise when efforts are made to design a new welfare system for families, ultimately derive from the fact that no agreement has been reached yet on a substantive definition, rather than just a formal (legal) one, of the term “family”.

In this regard, I consider of great relevance what Pope Francis has written in his celebrated Encyclical Letter *Laudato Si'* (2015): “I would stress the great importance of the family which it is the place where life – the gift of God – can be properly welcome and protected against the many attacks to which is exposed ... In the face of the so-called culture of death, the family is the heart of the culture of life. In the family we first learn how to show and respect life ... In the family we learn to ask without demanding, to say ‘thank you’ as an expression of genuine gratitude for what we have been given, to control our aggressivity and greed ... These simple gestures of heartfelt courtesy help to create a culture of shared life and respect for our surroundings” (n. 213).

The consequence of the above failing is that, in practice, a position of strict pragmatism tends to prevail: depending on the specific problem in hand – the protection of minors rather than the dependent elderly, or of women rather than men – the chosen definition tends to be the most accommodating one. The family may be the one registered with the authorities; it may be the legally recognized family; or it may be the one defined by religion or in psychological-sociological terms, and so on. In other words, families are all those forms of living together that individuals choose to adopt: *families of choice*, as they are frequently termed. In turn, such an attitude follows from the philosophical premise according to which only the individual is real and only the individual is the original reality: family is a derivative entity. Whilst in the natural law tradition the maxim was – as suggested by Pindar – “become what you are”, in the individualistic paradigm, the maxim has become “*volo, ergo sum*” (I want, therefore I am):

I want to be the author of my life. Charles Taylor⁵ brilliantly demonstrated that the gradual transformation, following the Second World War, of the principle of equal dignity of all human beings into their right to be recognized as different from others, regardless of what form this takes, has led, perhaps unwittingly, to the acceptance of the fact that civil partnerships of one kind or another have to enjoy the same level of attention and respect as that of the family.

3. The genome of the family

Following P. Donati,⁶ four are the elements constituting and characterizing the genome of the family, that is, the latent structure that gives rise to that specific social structure known as the family relationship. These four elements are: *gift*, *reciprocity*, *generativity* and *sexuality* as conjugal love. The family is thus a living community in which these four elements interact among themselves in a definitive way. The male–female complementarity underlying sexuality is not a mental process that a person goes through, but rather a genuine relationship that develops between two people of the opposite sex. In this way, Donati is able to show that his conceptualization of the family’s genome implies superseding both the individualistic model and the patriarchal model of the family. In fact, while the former fails to make room for the logic of gift as gratuitousness, the latter model does not recognize the concerns of conjugal love, since it subjugates this love to values deemed of higher order, such as those of family solidarity and generational dependency. As affirmed in the *Letter to the Bishops of the Catholic Church on the collaboration of Men and Women in the Church and in the World*, drawn up in 2004 by the then Cardinal Ratzinger (and approved by Pope John Paul II):

The human creature, in its unity of soul and body, is characterized therefore, from the very beginning, by the relationship with the other–beyond–the–self. This relationship is presented as still good and yet, at the same time, changed. It is good from its original goodness, declared by God from the first moment of creation. It has been changed however by the disharmony between God and humanity introduced by sin. ... In the course of the Old Testament, a story of salvation takes shape which involves the simultaneous participation

⁵ *A Secular Age*, Cambridge, MA, Harvard University Press, 2009.

⁶ *Riconoscere la famiglia*, Milan, San Paolo, 2007 and *Perchè la famiglia? Le risposte della sociologia relazionale*, Siena, Cantagalli, 2008.

of male and female. While having an evident metaphorical dimension, the terms bridegroom and bride – and covenant as well – which characterize the dynamic of salvation, are much more than simple metaphors. This spousal language touches on the very nature of the relationship which God establishes with his people.

The basis of the spousal relationship thus lies in the recognition of the incomplete nature of both Men and Women, which thus makes it necessary to implement specific, carefully measured actions designed to permit the full expression of the principle of complementarity. In other words, it is not enough to claim the existence of complementarity in order for it to be achieved in practice. In fact, in the absence of a specific plan of action, the relationship itself may be drawn into a destructive spiral, which is what almost always happens when the presence of the man triggers the negative aspects of the woman, linked to her incompleteness, and vice-versa.

When treated knowingly, gender difference becomes complementary differentiation rather than mutual extraneousness tending towards conflict. This is particularly the case in families with children, who will only be welcomed in a fully humanizing manner if they encounter both a maternal and a paternal relationship. In fact, one should not forget that the family, through the couple that establishes it, is the place not only of biological generativity of life, but also the sphere of human protection expressed in the form of civilization. Thus, the family exists fully when structured on the basis of the complementariness of male and female, and on the basis of the complementariness of different generations. Proclaiming the family as a community of life based on gift, reciprocity, generativity and sexuality, implies superseding both the bourgeois-individualistic model and the patriarchal model. Indeed, while bourgeois enlightenment fails to make room for the logic of gift as gratuitousness, the patriarchal model does not recognize the concerns of conjugal love, since it subjugates such love to values deemed of a higher order, such as that of family solidarity and of generational dependency.

Where does this concept of the family's genome lead to in practical terms? To a vision of the family as a *common action*. There are three elements that characterize a common action. The first is that it cannot be completed without all those involved being aware of exactly what they are doing. The mere convening or gathering of several people does not meet this requirement. The second element is that each of those involved in the joint action remains accountable for what he or she does. This is what distinguishes common action from collective action. In the case of a collective action,

in fact, the individual and his/her identity disappears, as does personal responsibility for what he or she does. The third element is the unification of the efforts of those involved in the common action, in order to achieve the same objective. The interaction of several people within a given context does not constitute a common action if they are each pursuing a different purpose. The family, insofar as it possesses all three of the aforesaid elements, does constitute a real common action.⁷

Nevertheless, there are diverse forms of common action – and thus diverse types of family – that exist in practice, depending on the object of the communality. In fact, the latter may concern means only, or may also concern the end (*telos*) of the action itself. In the former case, the family is little more than a mutual aid society, and the form that inter-subjectivity takes in such a case is characteristically that of the contract. As we know, the parties to a contract certainly need to contribute towards the completion thereof, but it is also true that each pursues different, often opposing, aims (as happens, for example, in an employment contract). On the contrary, if communality is extended to include ends as well as means, then the family constitutes a *common human good*. There is a difference between the situation in which a group of people agree that each shall pursue his/her own end, and the situation in which there is a common end to be pursued by all together.⁸

According to Aristotle,⁹ “there must be a union of those who cannot exist without each other, namely of male and female, so that the race may continue – and this is a union which is formed, not by deliberate purpose, but because, in common with other animals and with plants, mankind have a natural desire to leave behind them an image of themselves”. However, families are also economic units that share consumption, coordinate work activities, accumulate wealth and invest in children. To this specific regard, Aristotle adds: “The family is the association established by nature for the supply of men’s everyday wants”. In a very interesting paper, V. Hosle (PASS, April 2021) refers to four main theories of family developed by philosophers: Plato, Aristotle, Kant, and Hegel. These authors represent four paradigmatic views; i.e. Plato, the negation of family considered as a major threat to the political order of *polis*; Aristotle, a biological rooted doctrine of social institutions; Kant, a contractualist understanding of mar-

⁷ See S. Zamagni, *id.*

⁸ F. Viola, *Forme della cooperazione*, Bologna, Il Mulino, 2006.

⁹ *Politics*, Book 1, part 2.

riage; Hegel, the attempt of a reconciliation of the ancients and moderns. The present writer recognises himself in the Aristotelian paradigm.

What are the practical implications of the aforementioned distinction, when one comes to the design of family policies? When the “common element” of the action goes no further than the means, the problem to be resolved is basically that of *coordinating* the actions of a certain number of agents. On the other hand, when the “common element” of the action also concerns the ends pursued, then the problem is how to enact the *cooperation* of those concerned. In other words, problems of coordination derive from the strategic interdependence of several persons; problems of cooperation, on the other hand, derive from people’s axiological interdependence. To put it differently, in the case of cooperation, intersubjectivity constitutes a value insofar as being-with-others entails personal happiness; in the case of coordination, on the other hand, intersubjectivity is a circumstance which at times may even be bothersome. Thus, while in the case of coordination there is no need for any dialogue among those involved, since each person only needs to know what the others are going to do in order to implement his/her own project, in the case of cooperation, those involved must dialogue and exchange “moral information” in order to adjust their contribution towards the common end.

The question arises: how can we successfully resolve the problem of cooperation, and thus share the experience of a common human good residing within the family community? Three preconditions should be satisfied. Firstly, each participant in the common action – that is, each member of the family – considers the intentions of the others to be important and worthy, knowing that the others will do likewise. This is what the English philosopher M. Bratman¹⁰ calls the condition of *mutual responsiveness*: the fact that the members of a family intend to carry out the same action is not sufficient; they must want to do so together. Secondly, each member undertakes a joint activity, and knows that the others intend to do likewise. This is the *commitment to the joint activity*, whereby each person undertakes to perform such activity despite being aware that it is impossible to determine each person’s respective contribution to the final result. Finally, there is the *commitment to mutual support*, i.e. the principle of reciprocity: each person undertakes to help the others during the carrying out of the activity in question, rather than at the end of activity itself as happens in the

¹⁰ “Shared cooperative activity”, in id. *Faces of Intentions*, Cambridge, CUP, 1999.

case of extreme paternalism. This help is designed to improve the talent of those who need such help, and not to establish any meritocratic hierarchy.

A question immediately comes to mind: how can contemporary society, increasingly keen on “individualizing individuals”, as Baumann puts it, manages to preserve the family’s identity and avert the risk of altering its very genome? In a context like that of the present day, profoundly affected by globalization and the revolution of new technologies, can we believe (and hope) in the possibility of formulating effective family policies? My answer is positive as I will suggest in the next sections.

4. What the family “brings in” to society

In order to appreciate the fundamental role the family plays as a supplier of resources for human integral development, let’s consider what exactly the family “gives” to society as an economic agent. First of all, the family is one of the most important originators of positive social externalities.¹¹ As a consequence of obsolete statistical methods of analysis, these effects end up not existing, as only what can be quantified and measured by monetary standards exists. However, these effects cannot be ignored as they are essential for the definition of the very notion of wellbeing of a population.

What are the main positive social externalities? First, the reproduction of society. The decision to have children is a private resolution that, however, has positive long-lasting effects on the community – as all those who have to deal with demographic transition and inter-generational economic-financial balance know very well. Let’s consider, for example, the link between entrepreneurial vitality and age composition of the population. An aging society is a society that cannot maintain over time the rate of entrepreneurship necessary to keep the whole economic system alive. The current popular belief is that the cost of procreation should be borne by the family itself, as if the decision to have children could be compared with any other consumption choice.

A second form of positive externality concerns the integration and redistribution of labour income. We all know the ability of the family to rebalance the distribution of personal income, which tends to become less uneven when we shift our attention from personal to family distribution. In fact, the family is a powerful “social shock-absorber”, as it collects and

¹¹ These are the positive effects on the whole community deriving from the action of an individual and which are not reckoned because, as they are not transiting through the market, they are non-evaluated in terms of price.

redirects family members' incomes. It's worth noting that the redistribution function no longer concerns, as in the past, the nuclear family but the generational chain (grandchildren, parents, grandparents). This new development may both strengthen and weaken the family's task of integration, and this will clearly depend on the type of economic policy adopted. In fact, only a policy conceived for the generation chain (and not for its individual segments, as it is currently the case with policies for children, for the ageing population, for young families) can counter the cost associated with aggregating the risks of individuals belonging to different generations.¹²

Thirdly, the family is the institution that first and foremost supports and safeguards the weakest – from children in pre-school age to non-self-sufficient elderly; from the care of the disabled to providing assistance to the sick. To generalize a bit, it should be stressed that beyond gains from specialization and economies of scale, the family serves as a provider of insurance against various risks persons face through their life in an uncertain world. Since information barriers are typically fairly low within a family, such an insurance could even outperform private or public insurance schemes, which may suffer from typical market failure problems. The idea that a family acts as a risk-sharing institution is not new. However, the insurance role of the family has changed during past decades owing to several factors: a fundamental transition in the gender wage gap and female labour force participation; the legal framework; the dynamics of household formation over the life cycle.¹³

A fourth important positive externality concerns the creation of human capital. It is well-known that human capital doesn't depend only on the investment in education and training of an individual and on the social circle, but also on the family environment. The interaction between subjects, through the skill-over effect, enables a mutual exchange of knowledge and this, by itself, increases the stock of human capital. By nature, the family is the place where the interaction between its members is more intense and less subject to opportunistic phenomena; within the family occurs a systematic transfer of knowledge from one member to the other is taking place; the transfer being made possible by proximity and kinship.

Finally, the family, as primary education agency, represents for the young generations the dowry of human capital that makes them less vul-

¹² R. Putnam, *Our kids*, New York, Simon and Schuster, 2015.

¹³ See the interesting work by H. Fehr and F. Kindermann, "The insurance role of the family", CESifo, Sept. 2021.

nerable when accessing adult life. That's why a stronger family provides the individual with a higher, *coeteris paribus*, effective stock of skills and competences and thus a higher average productivity for the whole system. The first years of life are a particularly important period for children. Recent research emphasizes the effects of early influences on brain development, and investments during young childhood are likely to be significant for the growth of learning skills, self-esteem and emotional security.¹⁴

The above five categories of positive externalities can be aggregated to form the "family social capital" that indicates the specific contribution of the family to the progress of society. To recall, social capital is the set of trust relations, based on the principle of reciprocity, between individuals belonging to one community – in our case, the family (the Latin term *fides* i.e. trust, means "rope"). Thus, it is not a sentiment or a mere emotion, but something as concrete as the rope that ties people together. In his famous book on Italy,¹⁵ the American political scientist Robert Putnam clarified that there are three forms of social capital: *bonding*, *bridging*, *linking*. Under present conditions, the great task of family networks is to facilitate the rapid accumulation of the bridging and linking types of social capital through social partnerships. These are forms of joint collaboration between different individuals and organizations that are based on voluntary-mutual relations that share resources, skills and risk to attain objectives of common good.

Clearly, not all families are able to generate positive externalities and promote social cohesion. Well-known are the cases where the family, instead of being an opportunity, represents a constraint and a disadvantage both for its members and society at large. The reasons for this are well-known. However, this should in no way be interpreted as a signal of decline of the family entity as the most fruitful relational space for primary socialization. Conversely, these cases should invite us to reflect on the meaning of a correlation of the utmost importance: the more unequal the income (and wealth) distribution in a society, the more the negative externalities of the family outnumber the positive ones. And vice-versa. We should never underestimate the following point: if in a certain context, the

¹⁴ J. Heckman et al., "Understanding the Mechanisms through which an Influential Early Childhood Program Boosted Adult Outcomes", *American Economic Review*, 103, 2013.

¹⁵ *Making Democracy Work: Civic Traditions in Modern Italy*, Princeton University Press, 1994.

family becomes a drawback and a burden for society, the responsibility lies not only (or mainly) with the family, but rather with the inertia and inaction of other social actors, first of all the State when it fails to implement policies that would be within its reach.

The family is where many of the key decisions that are relevant for the economic sphere are made. The family matters not only for its role in household-level decision, but also through its effect on the evolution of institutions. Consider the role of the family for the transmission of preferences, cultural values and attitudes, which typically feed back into economic outcomes. Moreover, the family is a driver of political change, since for most of the major political reforms associated with human integral development, the reorganization of families is a key reason for why political incentives changed. Yet, the family is typically ignored in macroeconomics.¹⁶ The still dominant approach in economics is the unitary model of the family initiated by G. Becker,¹⁷ according to whom the family is considered a single unit where decisions are jointly taken by its members and where incomes are pooled and shared equally. This is the so-called “income pooling hypothesis” as used in the “new households economics”. According to Becker, “A household is truly a small factory: it combines capital goods, raw materials, and labour to clean, feed, procreate and otherwise produce useful commodities”. In discussing sex roles, Becker relies on the principle of comparative advantage. Thus, a mother will spend more time with her child than her husband (or partner) if the ratio of her productivity at home to her market wage exceeds that of her husband. The couple can then divide the gains in total output resulting from specialization.¹⁸

It is true that in the last forty years, this classic model has been expanded to recognize the difference in preferences and power between family members. Family composition is associated with income capacity. Thus, family composition stratifies income. At the same time, income pooling also redistributes. It allows individuals without income to benefit from the other members.¹⁹ A more recent attempt to augment Becker’s classic

¹⁶ See M. Doepke, M. Tertilt, “Families in Macroeconomics”, NBER, WP 22068, March 2021.

¹⁷ *A treatise on the family*, Cambridge Mass., Harvard University Press, 1973, orig. ed. 1960.

¹⁸ A first radical critique of Becker’s theory is that of Barbara Bergmann, *Becker’s Theory of the Family: Preposterous Conclusions*, New York, Norton, 1995.

¹⁹ See M. Browning et al., *Economics of the Family*, Cambridge, CUP, 2014.

model of the family is that of R. Akerlof, L. Royo²⁰ who assume that, in addition to caring about standard economic goods, the family wishes to further a subjective story, or narrative, that captures its deeply held values, i.e. its identity. The Authors focus on two stories. The first one gives rise to a type of traditional family where gender roles are distinct, men and women are pushed towards “separate spheres” and men are expected to behave in an authoritarian way. The second story gives rise to a type of modern family where roles are less distinct, family members have gender latitude in their decisions, and marriages are based to a greater extent on love. By modelling the family as an agent maximizing the sum of utilities from consumption and from its story, the Authors derive a rich bundle of behaviours associated with each story and show that their findings are consistent with a variety of empirical patterns.

All these and similar attempts to improve the grip on reality of the dominant economic approach to the study of the family should be recognized and even appreciated. However, they are unable to overcome a fundamental paradox: none of the gains ascribed to the family – as clearly specified in Browning and al.’s (2014) book – require the family as such. Indeed, in the absence of market failures and government failures, the family as a natural institution that realizes a comprehensive union of persons, uniting people in their minds and bodies, would be redundant, i.e. irrelevant, if the purpose is to maximize the sum-total of individual utilities. This is tantamount to negating the nature of the family as a fundamental relational good – a vision which is very distant from the functionalist accounting of individual gains.²¹ In *Humana Communitas* (2019) by Pope Francis, we read: “The ability of the family to initiate its members to human fraternity can be considered a hidden treasure that can aid general rethinking of social policies and human rights whose need is too urgently felt today”.

5. Premises for a family policy adequate to present times

In view of the above, which premises should be taken into careful consideration in the design of a family policy that aspires to recognize and revitalize the mediating role of the family? It is a fact that the growth of mega-institutions, both corporate and governmental, in the last few

²⁰ “Narratives and the economics of the family”, Warwick Economics Research Papers, n. 1299, August 2020.

²¹ See R. Grotti, “Household structure, its changes and the distribution of incomes. A comparison across welfare regimes”, *Stato e Mercato*, 118, 2020.

decades has undermined society's mediating institutions; in particular, the family has also been undermined by economic conditions. Yet, it is the mediating institutions that always have given meaning to people's lives and through which, in turn, they have impressed their values on society. I will suggest three such premises.

The first relates to the economic-cultural dimension of the question. It consists in the affirmation that the family must be seen as a subject possessing its own identity and autonomy, and not merely as an aggregator of individual preferences. Acceptance of this principle will favour the rethinking of the usual mode of perceiving the working of a market economy. Our national systems of accounting feature two operators from the private sphere: firms and families. The former are assigned the task of carrying out productive activities: firms do not consume, but use – as the expression goes – factors of production in order to achieve their purposes. Families, on the other hand, are the consumers of those goods and services produced by the firms. Families do not produce anything according to the national systems of accounting. The division of roles is therefore clear: the family, insofar as it is the place in which needs are satisfied, is the subject to which the consumption function is attributed; the firm, insofar as it is the entity responsible for the process of development, is the place where production takes place.

Having postulated that no production of any kind takes place within the family, one can understand why it is that the calculation of national income offers no place for all those things produced within the family. For example: the meal prepared in the family is not recorded as a productive activity, but as a form of consumption measured by the purchase of those ingredients required to prepare the meal itself. However, the same meal consumed in a restaurant is recorded as a productive activity. Furthermore, a parent's caring for a child within the home is recorded as an act of consumption, whereas the same activity performed by a paid nanny is included in the calculation of national income as an expression of a productive activity. And so on and so forth.

The point that should be made here is that the method accepted by the national accounting system “perceives” the *household* and thus records the important variables of those who live in the same house; what it does not “perceive” is the *home*, that is, the series of relations connecting the members of the same family, as well as connecting the three generations of grandparents, parents and children present within the family. It is comforting to see that the 5th Eurofoundation Survey (*European Working Conditions*

Survey, 2010) of the 27 EU countries, has begun to follow this line of reasoning, even if one should not forget that to date the European Union has yet to recognize the notion of family citizenship. Therefore, unless the system of national accounting is changed, it would be proper to avoid confusing people by calling the family an entity that, in reality, is simply a plural individual. Indeed, if consumption is defined as the acquisition of goods and services in the market, it is clear that there is no need to talk of the family as an economic subject. To purchase goods and services, an individual suffices! And this is not all. What link is there in our market economies between production decisions and consumption decisions? The answer lies in the sovereignty of the consumer principle, as conceived by J.S. Mill already in the mid 19th century: production decisions (what, and how much, is to be produced) are guided, through the price system, by consumers' free choice. Firms are only assigned the task of deciding how to produce. So, if it were true that the consumer-family is really sovereign in the market, then the family would be assigned an extremely important task, namely that of contributing towards the definition of the model of consumption, and thus of the lifestyle of its components. However, as one can imagine, it is going to take considerable time before such a state of things is established: even in our post-industrial society, it is the production side that continues to fix the rules of the economic game.

The adoption of a family perspective in the construction of a much-needed new system of national accounting would allow us to better understand the connection between the distribution of work and that of incomes. It is a fact that the loss of work by a member of a family has negative effects not only at the individual level, but also on the well-being of the whole family. The adoption of family as unit of analysis implies the necessity to define specific indicators to evaluate the employment status of a population. One such indicator is the "jobless households rate", which measures the share of families where all components have no job over the total number of families. Indeed, the adoption of such an indicator would be essential in the design of policies aimed at combatting poverty and social exclusion. This is so since the rate of employment is of no great help to that purpose: for a given rate of employment, the number of jobless households varies according to the way employed people are distributed across families.²² A sustainable family is one which nurtures and supports its members along

²² See H. Lingren, *Creating sustainable families*, Univ. of Nebraska Press, 1995.

all their life cycle, providing an environment where the members can find the necessary economic, emotional and spiritual support.

A second important premise for a new family policy, concerns the family's economic subjectivity. The family is the first "firm", insofar as it produces positive social externalities for the whole of society. If things stand – as they do – in such terms, then economic support must take the form of repayment or compensation, rather than – as it continues to be – compassion or paternalistic assistance. In other words, family policies must not be confused with policies for fighting poverty, which remains a fundamental option. The well-known Italian philosopher Antonio Rosmini had understood the point well when, almost two centuries ago, wrote: "The State must recompense the family for the indirect benefit gained by the whole of society from the family's domestic virtues".²³

Which lines of action would ensue, following the acceptance of the principle of compensation? The first and foremost would be of a fiscal nature. What to say of the objection raised by those who, despite agreeing in theory with the principle of horizontal equity in favour of families with children, deem such a principle to be inapplicable in practice? What is true is that disinterest in horizontal equity is the result of a markedly individualistic cultural stance whereby the decision to have children pertains exclusively to the parents' private sphere in which the State has no right to interfere. I believe that the proposal for the establishment of a "family factor", or even better of a "family quotient", is leading in the right direction, and so deserves support.²⁴

Another line of action concerns all those measures that tend to reduce the endogenous uncertainty currently hanging over families, in particular newer families. Indeed, the creation of new wealth and the consequent improvement in living standards have reduced the uncertainty about the future of individuals and families. The emergence of the global society, however, has resulted in a situation in which the generation of uncertainty appears to be a kind of precondition for further progress. The message conveyed by the syndrome of uncertainty – which has become a true social malaise, particularly among the younger generations – is that of natural or "fabricated" uncertainty, as Anthony Giddens calls it: people are led to believe that a certain measure of self-inflicted uncertainty is

²³ *Unpublished political works*, edited by G.B. Nicola, Milan, Tencani, 1923, p. 485.

²⁴ C. Olivetti, B. Petrangolo, "The economic consequences of family policies: lessons from a century of legislation in high-income countries", NBER, 23051, Jan. 2017.

necessary in order to improve economic performance. Thus, it should come as no surprise that within such a cultural context, new families tend to be formed at an advanced age, especially when procreation is limited to having just the one child. What to do? I believe that a measure to ensure some form of permanent income for families would prove to be of great help. Under existing conditions, in fact, families are more interested in the prospect of some form of permanent income rather than in any temporary monetary payments.

Today – it is well known – a vast percentage of women want to be free to choose whether to be in the work force and not to stay at home with children. There is also substantial evidence that only a minority of mothers with children three years or younger say they prefer to work full time. The others feel they have to work full time either because their income is needed or because they fear their careers will be side-tracked. A recent phenomenon is the so-called *two-income trap*: insufficient income has driven both parents into the workforce to try and make ends meet. However, for the less well off the cost of children comes close to cancelling out the increased income. And the flexibility of the family unit is reduced. Thus, in advanced economies with their high level of occupational and geographic mobility, their sharp division of work life and home life, and their transfer of education and old age security services to mega-institutions, the family is modifying its basic functions. As a result, families face increasing difficulties in coping with the dichotomization of modern life, as I will show in the next section.²⁵

6. Policies aimed at establishing a work-family harmony

The “First Report on Family Policy” published by the OECD (Paris, 27 April 2001) already strongly denounced the situation in many countries where women who struggle to establish a work/family balance are basically left to their own fate. According to the Report, the risk is that young people currently aged between twenty and thirty are going to find themselves in considerable difficulty when they decide to have children, after having been “forced” to put off such a moment due to a labour market that is far from family-friendly.

Point 67 of the *Gaudium et Spes* (1964) submits that: “The entire process of productive work, therefore, must be adapted to the needs of the

²⁵ See C. Wilber, *Was the Good Samaritan a Bad Economist?*, New York, 2021.

person and to his/her way of life...". In other words, the productive process needs to be organized in such a way in order that human beings may flourish and, in particular, that the time dedicated to work, and the time dedicated to the family, may be evenly balanced. Nowadays this is technically and economically possible, provided that both firms and families modify their *modus operandi*: the former in the sense of superseding the now obsolete Tayloristic model of production; the latter, in the sense of going beyond the model of family life where each member has a strictly specialized role based on the famous Ricardian principle of "comparative advantage" between men and women.

It is a well-known fact that one of the most important issues today is the complex relationship between family life and work. Contemporary public debate sees this as a matter of what is termed *work-life balance*, that is, the conciliation of time spent working and time spent in the family. This is a rather unfortunate expression that reveals a certain cultural position favouring a subtle form of discrimination. In fact, the term "conciliation" presupposes the existence of a conflict, or rather of a potential trade-off, between these two spheres of life, each of which possesses great value. There is no acceptable reason to believe that work and family require conciliatory practices to be put into place, since while it is true to say that working time is also living time, it is equally true that family life includes specific working activities even though they are not market-based.

For this reason, the term conciliation ought to be replaced by the expression "responsible harmonization". In ancient Greek, *harmony* was the buffer that needed to be placed between two metal bodies to prevent them rubbing against each other and producing friction and dangerous sparks. The idea of harmony is thus that of *concordia discors* – the harmony of discord. Policies regarding the harmonization of family and (paid) work pursue a dual purpose: the first one is to overcome the excessive feminization of family work; the second is to provoke a radical rethinking of the way in which work is organized in the modern-day firm. It cannot be accepted that the means of conciliation proposed up until now (parental leave, part-time working, kindergarten facilities, working-hours accounts, flexible working, company re-entry plans, mentoring, etc.), have to be conceived exclusively with the aim of permitting women with families to adapt as much as possible to the requirements of the working cycle, in order to increase women's rate of participation in the labour market and thus increase families' incomes. If these ends, albeit legitimate and desirable, are

pursued to the detriment of intra-family and inter-family relations, then the net, long-term result will inevitably be a negative one.²⁶

A recent, weighty study published by OECD affirms that “reconciliation policies include all those measures that extend both family resources (available income and care services) and parental attachment to labor market” (*sic!*). In truth, the keyword summarizing the philosophy of European policy in this field is *adaptability* to the purportedly “iron laws” of the labour market. Thus, it is the family that has to adapt itself to the needs of the labour market, and not vice-versa as well. Above all, it is women who have to adapt themselves to the needs of the firm through the implicit acceptance of the trade-off between the possibility of conciliation and the renouncing of any career advancement. I believe a firm stance needs to be taken against this ideology of efficiency as a guiding principle taking precedence over all other values: an ideology which at first appears highly persuasive, owing to a certain appeasing attitude towards the female condition, but whose final outcome would certainly be the extinction, or at the very least the delisting, of the family as the cornerstone of society. It is a fact that the design of family policies, in reality, strongly favours the DINKS (*Double Income No Kids*) strategy: a real disaster!

Harmonization policies must be conceived at the level of the couple, because the family is not solely the business of women. In practice, this entails a transition from *gender mainstreaming* – a notion accepted by the 1997 Amsterdam Treaty of the European Union, according to which measures must be designed to create equal opportunities for both sexes – to *family mainstreaming*, whereby intra-family relations must also be taken into consideration when reorganizing the labour process. An interesting empirical research focusing on the phenomenon of aging population is the one by J. de Henau et al.²⁷ The single most important reason for the aging population is the variability and unpredictability of the fertility rate. Since women choose to take part in paid employment, fertility behaviour will depend on their possibilities to harmonize employment and motherhood.

²⁶ See L. Fox et al., “Time for children: trends in the employment patterns of parents: 1967–2009”, NBER WP 17135, June 2011, who document trends in parental employment patterns in OECD countries, from the perspective of children and show what underlies these trends. The lives of children have altered in fundamental ways during the last fifty years.

²⁷ “The competitive effectiveness of public policies to fight motherhood-induced employment penalties and decreasing fertility”, Dept. of Applied Economics, Université Libre de Bruxelles, 2019.

Research into the issue of the postponement of maternity has shown there is a certain sequence in the implementation of the fertility-work decision: women first enter the labour market and try to obtain a solid, secure and stable position before they start realizing their fertility plans. Obviously, labour market conditions play an important role in underpinning this decision. The length of postponement as well as the ultimate number of children women decide to have crucially depend on how long it takes them to settle into a secure and stable job, as well as on the employment penalties they anticipate they will have to face when they decide to have children. Needless to say, public policies can influence this sequence a great deal.²⁸

Until recently, the study of fertility relied on two empirical regularities that held both across countries and across families in a given country: a negative relationship between income and fertility and another negative relationship between women's labour force participation and fertility. The interesting novelty of present times is that these stylized facts are no longer universally held. M. Doepke et al.,²⁹ provide an explanation of these new facts. Four factors help mothers combine a career with a larger family: the availability of public childcare and other supportive family policies; greater contribution from fathers providing childcare; social norms in favour of working mothers; and flexible labour markets.

7. Intertemporal labour flexibility

Today the main obstacle to the formation of new families and, within them, to procreation, is that so many couples find it very difficult to harmonize career advancements and/or professional level at work and the need to dedicate the necessary attention to children. It is thus urgent to advance specific types of time-use policies, bearing in mind that the problem is not so much that of reducing weekly or monthly working hours, but rather the much more complex one of regulating the temporal sequence of paid work. This would not only enable a person to adjust working times to his or her varying needs during the working life cycle but would also reduce the costs of reorganizing the production process in the wake of new employment patterns. In other words, it is not so much a question of reducing working hours, recalling the slogan of the 1980s: "Work less, everyone works". In fact, today working hours are increasing

²⁸ P. Donati, "The State and the Family in a Subsidiary Society", PASS, Vatican City, 2008.

²⁹ The *Economics of fertility: a new era*, NBER WP 29948, April 2022.

and discussions by collective bargaining are at a deadlock. Instead, the knotty problem to resolve is the organization of time – of work, training, care, free time – and the subdivision of working time into “work paid at market rates” and work paid in other ways.³⁰

This issue appears in all its complexity in the case of women since their career cycles are asynchronous and out of step with men’s. The Tayloristic model of work organization adopted during the entire 20th century contemplates three distinct cycles, in each of which the worker develops different skills. The career starts in the twenties, when the young worker is required to learn and above all to obey; it speeds up in the thirties, when the functionary, or potential manager, has to put his/her relational skills and organizational capacities to the test; it reaches its peak in the forties, when it is expected that the quasi manager gradually becomes a leader and then flies up to top management in later years. This linear and continual pattern of career advancement, designed for the male breadwinner, has little reference to the woman’s situation because it is during her thirties that she can have children and devote special attention to the family. When women re-enter working life at the beginning of the third cycle, they find the top positions already occupied by men. So, it isn’t so much children who hinder woman’s career advancement – A. Wittenberg Cox made this intelligent and courageous statement in her book *Womenomics in business* (2011) – but rather an obtuse and archaic organization of work that still refuses to recognise the diversity of the woman’s career cycles with regards to the man’s. In Italy, for example, whereas the woman’s propensity to work drops after the birth of the first child, the man’s increases. The male economic activity rate rises from the 85.6% of those without children to the 97.7% of those who have had a child, whereas the employment rate jumps from 80.5% to 94.6%. For the new mums, instead, the economic activity rate drops from 63% to 50% and that of employment from 57.2% to 48.4%. Not only, but women tend not to re-enter the labour market; only 56% of women with children aged over 15 work in Italy (IFSOL, Rome, 2009).

It is rather hypocritical to continue to blame maternity (and by extension the family) for lack of women’s professional success, when the first cause of gender discrimination is to be found elsewhere, and precisely in the model of productive organizations. For example, there are the so-called mommy tracks, career paths for new mothers offering extension of

³⁰ L. Hassani Nezhad, “Mothers at work: how mandating paid maternity leave affects employment, earnings and fertility”, IZA DP14605, July 2021.

leave and other types of benefits in exchange for renouncing vertical career paths reserved for men. Is it a coincidence that the reconciliation provisions are addressed almost exclusively to women? This is why I prefer to use the term harmonization, as I said above. Let me quote in this respect Pope Francis: "There are those who believe that many of today's problems have arisen because of feminine emancipation. This argument, however, is not valid. The equal dignity of men and women makes us rejoice to see old forms of discrimination disappear, and within families there is a growing reciprocity" (*Amoris Laetitia*, 54).

In essence, the idea of a lifecycle approach to employment themes is underpinned by the possibility of organizing the choice between work time, "family" time and free time over the entire life span of individuals. A growing number of people would like to leave their workplace temporarily to take advantage of the various forms of training the new information technologies offer or to meet family care needs. And if we think about it, enterprises have the same interest: the rate of obsolescence of human capital is now so high that continuous retraining programmes for all personnel are necessary if they want to tackle the challenges of competition in the global era. Not only, but the same enterprises realize it is in their interests to have as employees or collaborators women and men who feel fulfilled at a personal level because they are able to appropriately harmonize work and family.

In many firms there is still a mystique around quantity of work, meaning that an employee is more appreciated the more hours of overtime he or she carries out. And bosses have to continuously invent new tasks to keep their employees after hours, or else think up abstruse timetables. As if to say that the firm, as a total institution, tends to absorb much more time of its managers and employees, independently of reasons linked to the productive activity. Hence the devastating vicious circle: the more hours you spend in the firm, the more you become isolated from your family and social life; vice versa, the more you become isolated from your family and friends, the more you feel at ease inside the company. This is the sad legacy of a work culture entirely based on ubiquitousness in the workplace, that basically rewards those who show they spend more time in the firm and not those who produce the best results.

A policy aimed at achieving an intertemporal flexibility of work signals a profound change in lifestyles and a pronounced cultural advancement: the work experience takes into account, at least to some significant extent, personal need and life plans. Nobody denies that this kind of prospect can contribute concretely to solving the issue of women and, more in general,

of the family. During the industrial society era we have been accustomed to viewing the concept of freedom of choice in terms of the choice on the market between the various types of goods and services. The new frontier of freedom, in the post-industrial era, means that the notion of freedom of choice must be progressively extended to the *choice of life plans*. It is consoling to know that the continual increases in productivity linked to the new technologies – as long as they are pursued intelligently and wisely – make this objective achievable.³¹ The ultimate target is to make the family flourish as the primary relational good of society.

8. Corporate Family Responsibility

What has to be done to put into practice the proposal described above? Certainly, the intervention of the public authority on both legislative and economic-financial fronts is all important. But this is not enough. The business community has to play its part. This is why today we should speak of corporate family responsibility (CFR) as the advance frontier of corporate social responsibility (CSR). It has long been debated whether enterprises should have obligations of a social and not only legal nature with regards to the society in which they operate. So, the topic of CSR is not a *res nova* in this current epoch marked by new phenomena such as globalization and the fourth industrial revolution. Ever since humanism during the 15th century, when the modern market economy was born, it has been recognised that the firm incorporates a commitment to the community. CSR, as understood today, is a rule of social conduct that expresses the need, besides the expediency, of developing the public dimension of the enterprise. With CFR, the enterprise has to make commitments also to the family.

Indeed, today's society no longer considers it enough for the firm to make only profit, albeit continuing to consider it necessary. Milton Friedman, the founder of the Chicago School, in his famous *Capitalism and Freedom* of 1962, writes: "There is one and only one social responsibility of business: to increase its profit ... The true social duty of business is to achieve the highest possible profit – obviously in an open, correct and competitive market – thus producing wealth and work for all in the most efficient possible manner". The message is clear: since profit is an indicator of efficiency, the enterprise that achieves profit maximization makes the best possible use of scarce resources, avoiding waste and distortion and thus

³¹ See the forthcoming Report by the IMF, *She-Cession: The Employment Penalty of Taking Care of Young Children*, 2022.

creates, albeit not intending it, “wealth and work for all”. This is as much as saying that economic value and social value converge.

But we now know that the economic value chain and the social value chain do not always coincide, and when they do it is not taken for granted that the former prevails over the latter. It is the business world that, in the presence of serious law failures, realizes the need for self-regulation to keep market economy structures upright. As long as economies were national, one could entrust the State with the task of compensating for the gaps in the laws or even for their lack. But globalization has denationalised economic relations and, in the absence of global governance, this task has now been handed over to companies. In this precise sense we can say that CFR is an emerging rule of conduct.

What is the aim of CFR? Certainly not mere corporate philanthropy. The difference between the two is that, whereas philanthropic action is always, so to speak, *ex-post* in that it is performed only after profit has been achieved, CFR is an *ex-ante* practice in the sense that it appears even before the company has learnt its economic outcome.

A study by S. Bevan and others³² lists the benefits the firm reaps from the introduction of work-family balance tools: less sick leave, greater loyalty of workers to the company, increase in productivity by improving worker’s commitment and concentration, improvement of workers’ psychological conditions. There is even a lower rate of “workaholics”, that is those workers who have a compulsive addition to work (even renouncing without valid reasons to important family, social or recreational activities and always thinking about the workplace, even when they have left it). Workaholics represent a drawback rather than a benefit for companies, because they increase the probability of errors, meaning that the workplace is endangered, bad relations are initiated with work colleagues while the work environment becomes unbearable with frequent rifts.³³

There is surprising creativity in the measures that companies put into practice to foster the work-family balance. They not only involve flexible hours (including part-time, job-sharing, remote work, parental leave or corporate nurseries). They can also include baby sitting on-call, when the child suddenly has to stay home (a very popular service in Nordic coun-

³² *Family-friendly employment: the business case*, Institute for Employment Studies, 1999.

³³ For a more in-depth analysis, see G. Faldella, *Corporate family responsibility and work-family balance*, Milano, Angeli, 2008.

tries) and be brought to the office. There are also important services of integrative healthcare, scholarships and other aids for children's education, vouchers or other contribution for care of the elderly, without forgetting corporate agreements with energy suppliers, restaurants, co-ops and much else, now formalized as supplements to national labour contracts.³⁴

9. In lieu of a conclusion

In two essays written some time ago, that were hotly debated in the English-speaking world – one by David Popenoe³⁵ and the other by Judith Stacey³⁶ – a strong line of argument was advanced and defended. Firstly, the Authors provided evidence that in all modern societies, the family is in decline in five specific senses: compared to the past, it was less oriented towards collective aims; it had virtually ceased to perform traditional functions such as procreation, the control of sexuality, and the socialization of young people; it had surrendered power to other institutions such as the State, the School and the Church; it had lost its previous stability; it had increased unstable bonds with its individual members. The conclusion was that it was obvious that the modern family (stable marriage, a husband who does a paid job and a wife who works in the home) was being replaced by a series of different, often precarious, domestic arrangements that characterize the post-modern family: single mothers, extended families, couples living together, and homosexual couples (one American study reported the presence of 54 different types of family in today's USA!). The post-modern family would thus be suited to meeting the requirements of post-modern society and of post-feminism. “The family is not here to stay. Nor should we wish it were. On the contrary, I believe that all democratic people ... should work to hasten its demise. The ‘family’ distorts and devalues a rich variety of kinship stories ...” (sic!) (J. Stacey).

Fortunately, reality has revealed the theoretical implausibility and practical groundlessness of such a thesis. As I wrote in Zamagni (2018), clearly, the two authors have mistaken the finale of an act for the end of the play, and have applauded too early. It is not that statistics fail to display the worrying signs of the family's ongoing crisis; however, statistics as such lend no

³⁴ A very useful read in this regard is the book by Claudia Goldin, *Career and family. Women's century-long journey towards equity*, Princeton, PUP, 2021.

³⁵ *Disturbing the nest: family change and decline in modern societies*, New York, De Gruyter, 1989.

³⁶ *Brave new families*, New York, Basic Books, 1990.

support whatsoever to the aforementioned argument. It would be a logical *non sequitur* to conclude that the family is doomed to disappear. Firstly, because the family has always been in a state of crisis. As a living entity, the family transforms itself and evolves continually; and each transformation is accompanied by some form of *crisis* – which in Greek means passage or transition, in fact. However, this does not imply that the family is finished or done for, as the above passage clearly suggests. At the end of last century, it was common to come across the metaphor of “Harlequin’s costume”, indicating that there is no one family, but a series of different families, and everyone should be free to choose the type of family one prefers (while others opted for the metaphor, taken from F. Mauriac, of the family as a “vipers’ tangle”). However, different models of family existed in the past as well, and it cannot be held that the one-parent family is exclusively a modern-day phenomenon. It is true, on the contrary, that at the start of this new millennium several signs have emerged of a renewed interest in the question of the family; one would have to be wearing ideological blinkers not to realize this.

As a *seminarium civitatis* (seedbed of the city) – Cicero preferred the expression *seminarium rei publicae* – the family can never forget that its mission includes that of rendering the State more a *civitas* (and less a *polis*): and since it is *civitas* that generates *civilitas*, one can appreciate why there is a desperate need for the family today. However, the family needs to make an extra effort to cultivate what the Indian anthropologist Arijun Appadurai has called the capability to aspire. It is this capability that calls upon people to participate in the construction of social and symbolic representations that shape the future and people’s life projects. In this regard, it is proper to remind ourselves that to establish a consensus it is not the agreement (or even the contract) itself that counts as much as the participation of those who bring it about. This means that consensus is not only based on reason, but also on the personal commitment of the people involved. In fact, consensus (*cum-sensus*) is a typically communitarian phenomenon. Communities are not only traditions of moral reflection. They are also, and perhaps mainly, live narrative traditions which encourage the spreading of the principle of reciprocity. In the *Apology of Socrates*, Plato writes that, not long before dying, Socrates went to his accusers and imparted this message: I know that I am right, but only now I realize that I have not being able to convince you since we did not live together. Which means that in order to be able to convince is necessary to live together. This is what ultimately characterizes family life.

WHEN IS LEGISLATION EVER FAMILY FRIENDLY? THE UK EXPERIENCE

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Abstract

The UK experience of family legislation is instructive of the long history and influence of Christianity. In contemporary times, however, the growth in the powers of the secular state have overtaken the powers and influence of the Church. A strongly positivist tradition in family law, developed from utilitarianism which today is strongly influenced by populism, has expanded the role of the state in providing social welfare support and adopting “family friendly” legislation. Christian values, nevertheless, are much in evidence. Organised religious groups often lack influence even though their views may be persuasive. Today, pressure groups and lobbying can prove highly effective in the political choices adopted by the government of the day.¹ The main argument in the paper is that family life needs revitalising through a new relational dynamic that requires a relational culture that is capable of humanising people that will result in an enrichment of the experience of the family.

Introduction

In this paper the question asked is, what are the underlying values and morals that underpin the drafting and enactment of family legislation? At the centre of family legislation, government policy-making is key. Policy-making is informed by public opinion, public interest, and lobbying groups, as well as the popular politics of the day. In such circumstances policy-making may often challenge or question traditional Christian values and religious beliefs. Is such legislation ever family friendly? How might family friendly be best defined? Such questions are particularly pertinent in an era where many religious groups have become increasingly marginalised. Christian beliefs may struggle to be articulated or find sup-

¹ I am grateful to Msgr. Roland Minnerath and Judge Desmond Marrinan for their advice. Errors are my responsibility alone.

port.² Public morality, however, is often informed by religious belief, but this fact may be easily overlooked or misunderstood.

Historically, Christian morality provided a defining influence on legislation and on the judicial interpretation of the law.³ A leading judge at the start of the twentieth century viewed the function of the judges “to promote virtue and morality and to discourage vice and immorality”.⁴ Judicial opinion reflected Christian beliefs in family life and marriage. Historically, husband and wife did not share an equal relationship, with parent and child relations largely left to the unregulated control of the father. The rights of mother’s were “precarious” where her “moral failings” might result in separation from her child forever.⁵ In the UK, the *Book of Common Prayer* might be used in judicial decision-making and cited in cases.⁶

The UK remains an outlier to most of Europe – it retains an established Church with religious representation in the House of Lords, the upper House of Parliament. A popularly elected chamber, the House of Commons, the superior House, is in reality under the predominant influence of the elected Government. Currently the government has an overall majority of 80 seats with a strong electoral mandate. Thus, politics and political parties drive forward legislation, often subject to limited scrutiny. In the United Kingdom, legislation includes Acts of Parliament and secondary rules, codes, and circulars, and is enacted by a democratically elected Government and Parliament.

Contemporary family legislation is markedly different from its historical roots. The UK is broadly positivist in its approach. Family friendly legislation may be defined by its compatibility with Article 8 of the European Convention on Human Rights, outlined below. Economic, social, and legal protections to children are clustered around legislation from the birth of the welfare state, which has traditionally offered families support. The voluntary sector of charities and support groups also provide help for families. Religious groups are a key driver in this area of providing social welfare support. The current political and social context is important. Austerity, climate change, and COVID-19 are significant factors in the

² See: Michael Walsh and Brian Davies, eds., *Proclaiming Justice, and Peace*, London: Collins 1991.

³ See: *In re Besant* (1878) 11 CHD 508, *Seddin v Seddon and Doyle* (1862) 2SW and Tr 640.

⁴ *Upfill v Wright* [1911] 1 KB 506.

⁵ See: *Heglibiston Establishment v Heyman* (1977) 36 P and CR 351.

⁶ *Bowman v Secular Society* [1917] AC 406.

socio-economic problems that are centred on the family as an important economic unit in society. In the case of the UK, Brexit is a major factor. State support is evolving, arguably to restrict public spending in favour of self-support through employment and the private sector. Arguments in support of this shift centre on reducing public debt and prioritising market-led solutions. Political rhetoric and polemical journalism sets public expectations that are often unrealisable. Opinions on family support are divided and often poorly informed. That reflects the shifting public attitudes to marriage, divorce, and religious beliefs. Overall, it is informed by public morality and values that need to be more fully explained and elaborated.

The question raised in this paper is, when is legislation ever family friendly? The starting point is a brief history of the influence of Christian moral values on family law. This includes the foundations of family life explained by St Augustine, the contributions of Thomas Aquinas, Martin Luther, and the impact of Henry VIII's split with Roman Catholicism. The Church's responses to the Reformation, that resulted in the *Council of Trent*, included many Church reforms that remain relevant today. The nineteenth century and into the last century, the influences of Pope Leo XIII, Pius XI, Pope Paul VI and the second Vatican Council, and the pontificate of Pope John Paul II, are all considered. Contemporary family law is today noticeably under the control of the secular state. The diminished influence of Christianity is reflected in the approaches to family legislation. Christian moral values, however, make an important contribution in informing society of the moral issues of the day, which surround families.

The second part of the paper considers the processes of legislating and the philosophical influences that affect the content of legislation. The focus in the paper is England and Wales, though comparable issues raised in the paper are relevant to Scotland and Northern Ireland, where procedures and legislation may differ. The paper makes clear that the social and economic consequences of legislation must be considered as part of an overall evaluation of "family friendly" legislation. Overall, the paper provides an evaluation of what is "family friendly" in the light of the COVID-19 pandemic and the impact of climate change on families. In many parts of the world, the impact of COVID on family relations has resulted in many fundamental changes in the way society works. Professor Pierpaolo Donati has expertly traced and analysed many changes in society.⁷ These include

⁷ Pierpaolo Donati, "The pandemic: An epiphany of relations and opportunities for transcendence", *Church Communication and Culture* (2022) Vol. 7 no 1 pps 23-57.

increased digitalisation, less social contact and changes in the way society is organised in terms of relationships and friendships. The long-term implications will need to be researched and considered over the coming years.

Christian influences on family law and legislation

Christianity⁸ shaped Western family law, and in the UK greatly influenced legislation as well as judicial attitudes to the family, covering marriage, property disputes and children's rights. Historical records of early Christian life reveal how religion's influences on law were put into practice, and covered cultural norms and practices in marriage, sexual etiquette, parental roles, as well as the respective rights and responsibilities of the family. Church and State combined, often in parallel, but frequently in conflict on a wide range of moral issues covering sexuality and family life. There were interlocking tribunals between Church and State to enforce the law, particularly property rights and maintenance arrangements. The relationship between Church and State was never fully symmetrical, and over time lacked any unity of purpose. Jurisdictional conflicts frequently arose. As the centuries passed, conflicts increased in intensity and proved momentous. Nineteenth-century reforms and changes in society eclipsed religious differences. The movements in favour of liberalism and enlightenment broke the link between Church and State as well as the individual and the Church. This does not prevent religious groups and individuals guiding and informing society, but it remains uncertain what will be the main influences over contemporary society and how morality will be shaped for the future.⁹

Christian influence on family law can be traced back over many centuries. In this paper only the most cursory outline is possible, but the subject of the history of family law and Christianity is deserving of more detailed study and reflection. The most comprehensive theology on marriage, sex, and family life, came from St Augustine (354–430). St Augustine's influence¹⁰ remains today. Many of the main tenets of faith are familiar as the

⁸ David Boucher and Paul Kelly, eds., *Political Thinkers from Socrates to the Present*, second edition, Oxford: Oxford University Press 2009. Anthony Gottlieb, *The Dream of Enlightenment: The Rise of Modern Philosophy*, London: Penguin 2016.

⁹ Sascha Becker and Steven Pfaff, *Church and State in historical political economy*, Warwick Economic Research Papers (May 2022) No 1409.

¹⁰ Brent Shae, "The Family in late Antiquity: The experience of St Augustine" (1987) 115, *Past and Present*, pp. 3–51. Elizabeth Clark, *St Augustine on Marriage, and Sexuality*, Washington: Catholic University Press, 1996.

bedrock of faith and marriage. Family life is for the procreation and nurture of children, and a necessary part of this is the fidelity of husband and wife. St Augustine recognised the permanence and indissolubility of marriage. Self-restraint and sexual purity are expected, and divorce, in the sense of separation of a couple, where there is serious fault. Re-marriage is only allowed after the death of one's spouse. The sacrament of love and faith later fully recognised in Catholic teaching and in the theology of marriage remains important. Family life was the foundation of the state, as well as the life of the society.¹¹

Roman lawyers¹² are particularly expert in understanding the significance of Emperor Justinian (527-65). Justinian's codification of the law provided a synthesis of Roman and Christian values on marriage, sex, and the family. Justinian helped form a strong basis to the civil law tradition, familiar to continental Europe with influence that extended to the common law tradition in England. Justinian helped to strengthen the ties of marriage and fidelity, as well as the sale and transfer of property, and was inspirational in promoting legal commentaries and respect for the legal system. His approach provided a synthesis of the social and economic pattern in society and his focus on the family was embedded with an understanding of human weakness and fragility.¹³

In his account of the role of Christianity and family law, St Thomas Aquinas (1225-74) is of particular significance. A Dominican friar, Aquinas believed that the monogamous family relationship served both natural law and sacramental theology, guarding against men's infidelity. Aquinas remains a strong influence in the thinking of later Pope's such as John Paul II and retains a relevance to modern day Christian ethics and still holds the attention of clerics and philosophers.

Martin Luther (1453-1546), the former Augustine monk, led the Protestant rejection of clerical and monastic celibacy and the early Church's sacramental theology of marriage and canonical rules over family law. Luther's

¹¹ David G Hunter, "St Augustine of Hippo" in John Witte and Gary S. Hauk, eds., *Christianity, and Family Law: An Introduction*, Cambridge: Cambridge University Press, 2017. pps 69-84.

¹² M. Maas, editor, *The Cambridge Companion to the Age of Justinian*, Cambridge: Cambridge University Press, 2005. J. Evans Grubb, *Law, and Family in Late Antiquity: The Emperor Constantine's Marriage Legislation*, Oxford: Clarendon Press, New York, Oxford University press, 1995.

¹³ Peter Sarris, "Emperor Justinian" in John Witte and Gary S. Hauk, eds., *Christianity, and Family Law: An Introduction*, Cambridge: Cambridge University Press, 2017, pps. 100-15.

emphasis was on the State taking control over the government of family law and consequently resulted in a reduction in Church responsibility to one of guidance and the pastoral care of families. Many traditional Roman and Canonical laws were adopted and assimilated within Luther's views. Divorce was permitted in cases of serious fault or wrongdoing. Luther's influence extended to become the bedrock of many Protestant faiths. Following on from Luther's analysis came the influence of the theologian and French jurist, John Calvin (1509-1604). Calvin's approach provides a Protestant interpretation of the scriptures that was woven into Luther's views about the role of the Church and family life, supporting children, the regulation of sexual morality and the wider family of grandparents. Calvin was strict on the dangers of prostitution, fornication and adultery. Literature that portrayed lewd acts or inappropriate behaviour was banned.

The English reformation and its effects on law and religion, particularly the role of the state in England, was monumental. A constitutional legacy remains that the Monarch is simultaneously Head of State and the Church of England, which is the state religion. England's split with the Papacy was not inevitable but the dispute between Henry VIII (1509-47) and the papacy over his marriage to Catherine of Aragon led to a fundamental rift. The annulment of the marriage by Thomas Crammer (1489-1556), Archbishop of Canterbury, in 1533, was decisive. A year later, the split with the papacy followed when Parliament recognised Henry as Head of the Church of England and this signalled the end of Papal jurisdiction. The dissolution of the English monasteries marked a defining moment. Henry reduced the number of canonical impediments to marriage but maintained the celibacy of the clergy. Responses to the English reformation came later in the Council of Trent (1545-63). This marked a defining moment in Catholic theology, the sacramental status of marriage within the Church, and the family defined as a natural institution that formed a consensual contract. Procreative sex within marriage was fundamental, the procreation of children and the morality of marriage re-affirmed.¹⁴

The end of the nineteenth century was significant for the influences of Pope Leo XIII (1878-1903) and later Pius XI (1922-1958). The outcome was an examination of Catholic social teaching as a buttress against the impact of both Napoleon and the French Revolution which was broadly critical of Christian institutions. The family was defined as more sacred than

¹⁴ See the writings and work of Thomas Sanchez (1550-1610), the Spanish Jesuit and writer.

the state, with Catholic education linked to the rights of parents to educate their children through the Church rather than the state. Family autonomy and social responsibility intertwined to remain fundamental to Church teaching thereafter. Sex was confined to marriage directed to procreation.

Contemporary Church teaching and the papacies of Pope Paul VI (1963–1978) and Pope John Paul II (1978–2005) are marked by the work of the Second Vatican Council (1962–65) and the later publication of *Humanae Vitae* (1968) containing a strong prohibition on contraception. Earlier, Vatican II's document *Gaudium et Spes* (1965) articulated social justice and relief of the poor as well as regarding marriage as divinely inspired and a key to moral thinking. Pope John Paul II advanced the dignity of women and the need to remove gender discrimination, but also advanced the social teaching of the Church. This continued a tradition traced back to St Thomas Aquinas.

Pope Francis, in his post-synodal exhortation *Amoris Laetitia* (April, 2016), looks to the future of the family, not as an abstract idea but as it is, a “craft task”, one in which the reality of the family today “in all its complexity” needs to be understood “with the intellect of love and wise realism”. Pope Francis helps define how we respect the past but also address the future, a remarkable and positive approach for the Church going forward.

Christian teaching, theology and the Church's canon law have influenced the pathway family law has taken in the UK over the centuries. The reality of family law today is that modern secular states have successfully assumed and taken jurisdiction over family law, in all its components. However, Christian attitudes and respect for the family, social justice and the relief of poverty still retain significant influence and permeate legal doctrines and concepts. Family law policy and principles are at the centre of a major forum for debate and analysis. This is often informed by the advocacy of Christian leaders and the morality of the day forming an important dialectic. Pope Francis views the family in its daily realities and as part of contemporary society that creates relational dynamics that are integral to humanity, that can create a relational family culture that is essential to humanising people and benefiting society as a whole. This vision of the family is what defines it as a “relational good”. The family needs protection, understanding and nourishment. This is all embracing and extends through every sphere of life, work, civic activities, entertainment, and sport, necessary for ordinary life and essential to society. This cuts across the boundaries of culture, religion, and beliefs. Potentially, the

family as a relational good, has the prospect of unifying mankind in a common understanding of what it is to be human.

UK legislation in context

The term “legislation” in the context of the United Kingdom requires some brief explanation. The United Kingdom is a Constitutional Monarchy, with a common law jurisdiction, a Parliamentary democracy with an unwritten constitution and substantially devolved powers to Scotland, Wales, Northern Ireland, and the London Assembly. Unusually, it has an established Church, with the Monarch constitutionally its head.¹⁵ The form of government and state is based on a unitary system (despite devolution to Scotland, Wales, Northern Ireland, and London) with a first-past-the-post electoral system for a United Kingdom bicameral Parliament that is sovereign. Legislation is enacted through the elected House of Commons and the appointed House of Lords. Most legislation is to be found in Public Acts of Parliament with accompanying secondary legislation in the form of statutory instruments. The majority of Public Acts are passed with the agreement of the Government of the day. It is unusual for the main opposition parties to succeed in passing legislation. It is also possible for Parliament to enact private Acts of Parliament – introduced as the result of a ballot, whereby MPs can promote and support a private Bill. Most private Bills fail; occasionally some succeed when the government either supports the measure or does not actively oppose the Private Bill. Only the Government can propose and carry a Bill to spend public money or to raise taxes. This principle, of long standing, narrows the scope of non-government policy-making or influence. The primacy of the elected government, with a large majority, is remarkable, leaving political parties with limited scope to influence or carry reforms.

Elected government is the focus of the activities of pressure groups, NGOs and others who seek to influence and form the legislative agenda. Faith groups of different denominations may also prove influential, but such influence has been much reduced from the last century. There are many explanations for this, not least the standing of established religious groups. The Church of England and the Jewish faith have representation in the unelected House of Lords and often use membership to full advantage to set out moral, ethical, and religious concerns. However, the Lords

¹⁵ House of Commons Library, *The relationship between church and state in the United Kingdom*, Number CBP8886 (28 July 2021).

Spiritual, as they are called, are a small part of Parliament, representing no more than 3% of the House of Lords. The Church of England Bishops rarely contribute and their attendance is less than 5% for votes or divisions, as they are called. The bishops have had a small influence, if any.¹⁶ The relationship between the state and the established Church is historically based on the 1530s when Henry VIII renounced papal authority. The Church of Scotland became recognised and protected under the 1707 Treaty of Union between Scotland and England. The Church of Scotland Act 1921 recognised the Church's spiritual autonomy.

Election manifestos are a formidable constitutional moment. The manifesto is not binding on the government of the day but serves notice on the political party of the policy and objectives of the government in waiting. A government elected on a manifesto promise argues that it carries political authority – though this does not guarantee that the policy will be implemented through legislation. Political parties, especially the government, exercise control over the voting practices of individual MPs. This is a system known as “whipping” that ensures that the Government achieves its objectives of getting legislation passed in the Commons and Lords.

A free vote allows MPs to vote according to their conscience. Since 1979 free votes have been granted on abortion law (1979–80), seat belts in motor vehicles, televising Parliament, the death penalty on numerous occasions, on reform of matrimonial law (1984) and various other aspects of family law as well as hunting with dogs and animal welfare. Free votes on changes to the law on homosexuality were also permitted in 2002–3, and regulation of human fertilisation, and same-sex marriage (2012–13) as well as reform of the abortion law in Northern Ireland.¹⁷ Even free votes are ones on which the government may exercise informal influence and pressure, though falling short of requiring MPs to vote for a particular reform in the law.

Family law and the protection of the family is no exception to the general presumption that the government of the day is the underlying and most powerful influence over legislation. In fact, governing is more complex and challenging than legislating. Deciding what policy to spend money on and how to support the vulnerable does not always mean new legislation. Simply making the administration of policy-making and the

¹⁶ House of Lords Papers, LLN 2011/036 (November 2011).

¹⁷ House of Commons Library, *Free Votes in the House of Commons since 1979*, Number 04793 (1 September 2020).

setting of priorities may have sufficient impact. Modern government is obsessed by legislation and reform, often obscuring the underlying principles of governing. In fact, regulating an activity or a process is often as important as legislating and passing large bundles of laws that are seldom read, and often not enforced in the courts.

How to define family friendly legislation?

There is no precise definition¹⁸ of what is “family friendly”. In England, family law has been central in the debates about morality, sexuality, and legal control. J.S. Mill (1806–73) *On Liberty* (1859) warned about the dangers of their liberty being eroded by law and argued that the “only purpose for which power can be rightfully exercised over any member of a civilised community, against his will is to prevent harm to others”. Mill’s doctrine of liberty was rejected by the English jurist Sir James Stephen (1829–94) who insisted that “restraints on immorality are the main safeguards of society against influences which might be fatal to it. In short, the main purpose of both criminal and civil law is to promote virtue and prevent vice”.

The debate between Mill and Stephen came to represent very different perceptions of morality and family life. In 1959 the debate was re-joined when Sir Patrick Devlin in *The Enforcement of Morals* (1965) argued that the good of society required an established morality as part of “good government” that is “necessary for the welfare of society that prevents societies disintegrating”. Professor Herbert Hart countered with arguments supportive of Mill’s analysis.

Defining public morality by delivering social policy in contemporary society, is more likely to be influenced by Mill than Devlin. However, there are other powerful influences that are worthy of note. England’s religious and ethical attitudes sharply diverged from continental Europe. The revolutionary struggles between King and Parliament were influential towards the end of the seventeenth century. After the English Glorious revolution (1688), John Locke (1662–1704) in his *Two Treatises of Government* had distinguished a separation between legislative and judicial powers as well as a federative power focused on security and foreign relations. Modern liberalism is formed from Locke’s belief in the rule of law, government by consent and a toleration of private and public markets. Religious tol-

¹⁸ Sir James Munby, President of the Family Division, Keynote Address: “Law, Morality and Religion in the Family Courts” (London: 29 October 2013). See: Michael Hill, *Social Policy in the Modern World*, Oxford: Blackwell Publishers, 2006.

eration was also a mainstay of his influence. Locke remains a dominant influence in terms of rights, equality, and restraints on abuse of power.

Montesquieu's (1689-1755) *Spirit of the Law* (1748) spilled over to English jurisprudence and judicial thought. William Blackstone conceived the common law as creative and authoritative even against the authority of the sovereign power of Parliament. Claims of a constitutional higher order or normative theory were resisted and the French Revolution ceded fear into any challenge to the constitutional *status quo*.

In England, moral values largely became separated from the established Church. This left a potential vacuum. A strong positivist tradition emerged that countered the natural law theory and developed with a highly empirical tradition. Controversially, Jeremy Bentham (1748-1832), the apologist for utilitarianism and an advocate of positivism, adopted a rationalist stance, which took root in English jurisprudence. Its strength was to appeal to a higher order made from common values, or the public good. Bentham's utilitarianism established deep roots in English legal values—deductive logic prepared in certain circumstances to sacrifice the rights of individuals to the common good of the majority. Bentham unlocked an important understanding of how English political life has been formed through an English variant of liberalism containing some contradictory elements. The role of government, while defending personal (individual) security and the public good, was tinged with a strong scepticism about the government being overbearing and becoming a source of harm. The two elements, individual good and scepticism about government (public power) are almost impossible to reconcile. This has left an unresolvable conflict at the centre of public life. A liberal approach with a modern interventionist state but not reconciled with public power or its potential for abuse or authoritarianism, has influenced UK legislation and policy-making and is an important legacy from the past. Utilitarian influences brought about the major social reforms towards the end of the nineteenth century.

In summary, Christian thinking and positivist methodology provide a blended assortment of influences on legislation and policy-making. This includes John Locke's understanding of equality and rights as well as the rule of law and objective evaluation. Bentham's majoritarian values over individualism marks a triumph for rationalist thinking over nature. Family-friendly legislation may take many forms and there is little coherence to the category of what is to be included. Aspirations matter more than many academics might expect and, in many cases, family-friendly turns out to disappoint or fall short of what is expected. Party political agendas rise

and fall, often subsumed by economic considerations, political ideology, or simply rhetorical commentary. This creates enormous challenges for policy-making and social thinkers.

Moving from the theoretical to the more practical, there are numerous examples drawn from different areas of law that may fit the concept of what is “family friendly”. Employment rights rank high in the list of laws to be considered. Various legislative enactments have defined, extended, and reformed the law.¹⁹ One of the most significant is paid maternity²⁰ leave, statutorily required by law and, more recently, the introduction of paternity leave and pay. Employers will grant paternity leave of up to two weeks, provided the father has been employed for at least 26 weeks before the birth of the child. There is also statutory paternity pay. In certain circumstances parents can take up to 18 weeks per child off work. This allows for care of the child to be undertaken. There are also arrangements for shared parental leave, which was a new right in place from April 2015.²¹

The legal framework and context

Article 8 of the European Convention on Human Rights (ECHR) sets out the parameters of the four interests identified in the Article, namely private life, family life, home, and correspondence.²² The European Court of Human Rights (known as the Human Rights Court, or the Strasbourg Court) provides guidance and case law on how Article 8 rights are to be interpreted by the member state. The focus is on family life; although many associated issues can be raised, the core protections cover family members, both children and parents. Such rights are capable of being interfered with on the grounds of national security, public safety, and the economic well-being of the country. Consequently, the primary purpose of Article 8 is to protect against arbitrary interference. Classically described as a “negative right” rather than positive rights, many states, including the UK, often step around Article 8 when legislation is being considered. Member states enjoy a certain margin of appreciation, which allows some

¹⁹ The Social Security Contributions and Benefits Act 1992 as amended and the Pregnant Workers Directive 92/85/EC. There is also the Employment Relations Act 1999.

²⁰ See House of Commons Standard Note: Maternity Pay and Leave SN/BT/1429 (13 January 2010).

²¹ See the Ministerial and Other Maternity Allowances Act 2021 extending rights to ministers.

²² See: European Court of Human Rights, *Guide on Article 8 of the ECHR* (Strasbourg, December 2020).

latitude to the state when interpreting or applying the law. Fundamental values or essential aspects of family life are, nevertheless, protected. At the boundaries there are both procedural and substantive issues. Assessing private and public interests often proves difficult and challenging. There is some flexibility and the means and choices are often left to the discretion of the state. The state has also several co-joined matters such as the assurance that the criminal law is available to effectively punish rape and to engage in effective investigation and prosecution (Article 3 ECHR). Framing the narrative about family life in terms of rights and protections provides an important means for the vulnerable and victims of abuse to feel that they have a voice.

Family unity and family reunification are important elements of the protections available under Article 8. Very often, protections must be interpreted and applied, which is not always easy. The UK legislature take account of the Convention as an interpretation that applies under the Human Rights Act 1998. In theory, legislation enacted since 1998 is signed off as being compatible by Departmental ministers, however, the UK courts can consider the compatibility of the legislation with human rights. Even so, the most the UK courts may do is to issue a declaration of incompatibility, leaving the UK legislature to resolve, or not, any incompatibility.

The family as a relational good in the UK: Family support and the protection of children

The UK is well placed to advance the family as a relational good,²³ through the promotion of civil society organisations, including churches, and the sharing of information with the aim of promoting and protecting the family, especially the most vulnerable. The state is pivotal in providing support to the family. The National Health Service delivers care and medical treatment. The state provides many forms of family support and the protection for children that aid the family. This support focuses on the social and economic needs of some of the most vulnerable in society. The Ukraine war, and the impact of the COVID pandemic have put pressure on many families through the cost-of-living crisis caused by rising transport and energy costs.²⁴ Food banks and other forms of community

²³ Pierpaolo Donati, *Facing Family Morphogenesis When Families Become Relational Goods*, PASS April 27-29 2022. P. Donati, *Family Policy: A Relational Approach*, Milan: Franco Angelo (2012).

²⁴ See: House of Commons Library, Research Paper (Number 9428): *Rising cost of living in the UK* (21 July 2022).

support from Churches and other voluntary organisations have provided support through voluntary donations. High inflation and increasing consumer prices impact on low-income families and the vulnerable more severely, as a larger proportion of their income is affected by price increases. The forecast by the *Resolution Foundation*,²⁵ an independent think-tank, is that 2022–3 energy costs will increase for poorer families by over 90%. In unprecedented and challenging economic times, this is an opportune moment to underline and strengthen support for the family.²⁶

The social and economic setting

The current economic²⁷ and social setting can may be traced back to the 2008 financial crisis that has exacted reductions in public spending. Resultant changes to the welfare system, taxes and public spending totals have had a serious impact on the real living standards of many families and children. The financial arrangements had regressive impact, namely the greatest impact was felt by those from the lowest income households. Income loss is calculated to be more than 10% of net income for those on lowest incomes. The result has been that an extra 1.5 million children are projected to live in poverty and that the child poverty rate of lone parent household will have jumped from 37% to over 62%. The implications proved larger in England compared to Scotland and Wales where mitigation was used to reduce the impact.

The UK's government introduced a four-year freeze in benefit rates from April 2016, because of the financial crisis. Estimates vary but at least 100,000 children were placed in poverty as a consequence. One of the most controversial areas was to cut child benefits for a second child. This resulted in a real reduction in benefits since their introduction in 2019/21, since the benefit was first introduced in 1979. Capping benefits has an impact on family finance. Since April 2017, there has been a limit on two child benefits in terms of tax credits. Third or subsequent children do not receive any entitlements except in limited circumstances. This has had an

²⁵ Resolution Foundation, *Cap off, Understanding the April 2022 inflation release* (18 May 2022).

²⁶ See: Stefano Zamagni, "The Family and Policy-Making in the Post-Modern Society", Paper at the Plenary Session on *The Family as a Relational Good: The Challenge of Love*, April 27–29, 2022. Also see: M. Browning et al., *Economics of the Family*, Cambridge: Cambridge University Press, 2014.

²⁷ See: R. Akerlof, L. Royo, "Narratives and the economics of the Family", Warwick Economics Research Paper, n. 1299 (August 2020).

enormous impact on the finances of families and particularly on larger families. The UK Supreme Court heard a challenge as to the legality of the policy after the Court of Appeal agreed that the stated objects of the policy, namely, to get people into work, were impossible to justify as 70% of claimants were already in work.²⁸ However, on appeal the Supreme Court adopted a different approach and emphasis. The court unanimously held that the Government's controversial two child policy was legal.²⁹ The Court rejected the argument that Article 8 rights under the ECHR were breached. The interpretation adopted by the Supreme Court was that the enactment of primary legislation had to be assumed to be correct, including the procedures necessary to implement the elected Government's policy choices. In general, judges are expected to follow the approach of the legislature and respect the Executive's choices on making policy and on deciding what the appropriate legislation should mean and how it should be drafted. This approach is consistent with a "low intensity" of review as being appropriate in an area of social, economic, and political relevance. The Supreme Court held that the two-child limit was an objective and reasonable approach, notwithstanding that the policy had a greater impact on women, than men. The Supreme Court added that the measure was a "legitimate aim": to protect the economic well-being of the country by achieving savings in public expenditure and thus contributing to reducing the fiscal deficit. The court's acceptance of the Government's defence that the purpose of the legislation was justified and would take primacy over the application of human rights rules, makes an interesting analysis of the moral and social issues intertwined with families and welfare benefits.

Child vulnerability

The OECD³⁰ has recognised that child vulnerability, the outcome of a range of individual and environmental factors, creates disadvantages for young children that are carried forward into their later life. It is generally agreed that young children benefit from early childcare and education, allowing some time away from the home environment. Older adolescents benefit from growing independence, allowing them to benefit from opportunities and risks that are supported by adults. The quality of schools

²⁸ See: [2019] EWCA Civ 615.

²⁹ *R (on the application of SC, CB and 8 children) v Secretary of State for Work and Pensions and others* [2021] UKSC 26.

³⁰ OECD, *What is Child Vulnerability? Building Opportunities and resilience*, 2021.

and education generally contributes to well-being. The United Nations Convention of the Rights of the Child (UNCRC) acknowledges the importance of care for children and defines the various forms of vulnerability including disability mental health difficulties, immigration status as well as maltreatments and vulnerability throughout of home care. The solution is to be found in building resilience as a means of overcoming child vulnerability. The UK attempts this through a mixture of state interventions and support for family members and community-based solutions. However, the UK has not incorporated the Convention on the Rights of the Child (CRC) in law, leaving a gap in the rights protection in the UK. Wales, under the devolved powers, introduced the Rights of Children and Young Persons (Wales) Measure 2011, which partially incorporates some of the CRC into Welsh law, providing a policy basis for approaching children's rights. Even so this leaves the UK "out of synch" with many European countries.

Children support

Supporting the child is at the apex of family life, even when relations between parents come under strain and break down. In 1990, a White Paper setting out proposals for a child support agency was published. The Child Support Agency carried forward the underlying principles on a scheme to provide support for children through an out of court arrangement, made compulsory for those on benefits. After 30 years the scheme became entirely voluntary. The scheme failed in many ways but despite shortcomings it did deliver support to many children, who would otherwise not have received any financial support. Giving support is not easy because of the complexity of regulation, underpinned by inadequate sanctions.

Local authority support

The Children Act 1989 provides that all local authorities have a general statutory duty to promote the upbringing of children who are placed in situations of need by their family. In defined circumstances the local authority can apply for a care order to take a child into care. The Authority may insist that the child can live with a defined group of people, including parents, and a nominated responsible person engaged to care for any children.

Family relations that break down or for one reason or another are impaired, still require support and assistance. One-parent families are more common than many assume. The death or illness of a spouse or a break-up leaves the state with the primary responsibility to fill the void.

The Children Act 1989 also provides the relevant local authority with powers to provide accommodation within their own area for “looked after children”. It is possible, however, for local authorities to discharge their duty through placements outside their area. Between 2010 and 2020, the number of looked after children rose steadily by around 28% and this increase seems set to continue. COVID-19 has not made the situation any easier. Pressures include the challenge of poor housing, the crisis over hostel or hotel accommodation and rising costs. Placements outside the area of the local authority can result in further trauma for vulnerable children. Out of area placements are a last resort but are being used because of the mainly financial challenges within some local authorities. Much of the accommodation being used is not registered and the use of unregulated establishments has increased by 89% over the past ten years.

In 2021, the Government announced that it would ban all unregulated accommodation for children under 16, and that regulations have been introduced, pending more detailed reforms. It is hoped that regulation by Ofsted will take place thereby bringing more accommodation within registered status. New powers are pending to bring Ofsted³¹ (the education regulator) regulation into practical effect.³²

Food poverty: households, food banks and free school meals

Austerity budgeting since 2008 has resulted in major cuts in public spending allocated to help the most vulnerable.³³ This has led to food poverty and families living in poor and unmanageable conditions. The COVID-19 pandemic has exacerbated underlying weaknesses for many households on the margins of survival. Food insecurity has resulted in an alarming and depressing increase in the need for food banks, run by many church groups and charities. The state provides free school meals and support for the neediest. Estimates vary as to the extent of the problem and the crisis in managing meals for families is growing. Food poverty is difficult to define, but it is generally used to apply to households unable to sustain an adequate supply of food in socially acceptable ways. In 2019/20 over 5 million people, 8% of the population, lived in food insecure households

³¹ The Office for Standards in Education, Children’s Service and Skills, a government department.

³² House of Commons Library, *Looked after children: out of area, unregulated and unregistered accommodation (England)* (21 June 2021).

³³ House of Commons Library Briefing Paper Number 9209, *Food poverty: Households, food banks and free school meals* (30 April 2021).

and amongst those in poverty, 19% were in insecure household, including 26% children. The Food Foundation, an independent charity, claims that during the COVID-19 pandemic, 4.7 million adults and 2.3 million children lived in households in the first six months of the pandemic that were food deprived. The widely admired Trussell Trust supplied more than 2.5 million emergency food parcels distributed between February 2020 and May 2020. The scale of the crisis is growing and not diminishing, especially with rising inflation and higher costs of energy and transport.

Free school meals are part of a statutory system for eligible pupils, a responsibility discharged to local authorities. On the latest figures dated 1st October 2020, nearly 1.63 million pupils were eligible. This is nearly 20% of all the state educated pupils, a large number that has steadily increased since 2019 and the start of the pandemic. Since the first lockdown over 300,000 pupils have become eligible, showing a clear impact of the pandemic on children's well-being and that of their parents. Statistical information shows a high correlation of lower grade achievements in examinations amongst pupils who are eligible for free school meals, with 49% only managing to achieve a standard pass, with the possible exception of London, where free school meal students achieve good examination awards. Such differences across the country need further research and may reflect better take-up rates of free school meals amongst those that are eligible.

Family support, particularly for children, is an important part of family-friendly legislation; sadly, overall it appears not to be very effective in the UK. The Government was forced into a "u turn" after it was decided to cut back on free school meals available during the Summer during the first wave of the pandemic. The decision was based on the increasing levels of additional financial support needed to sustain the scheme during the summer months, usually when schools were closed or when schools were closed because of the pandemic. Marcus Rashford, a well-known footballer, was successful in arguing for better support for vulnerable children.

Rough sleeping (England)

The disintegration of family life may result in leaving the family home. There are many "at risk" groups, including children, the vulnerable, those with some mental illness or impairment, victims of domestic abuse, people leaving hospital and, of course, those that are made homeless. Housing authorities have various statutory duties to provide advice and secure information to help and prevent homelessness. Across all sectors, there are duties to relieve homelessness for all eligible homeless applicants (see the

Homelessness Reduction Act 2017 and Part 7 of the Housing Act 1996). The aim is to reduce rough sleeping. The current government pledged to end rough sleeping by the end of the Parliament, in May 2024. Similar ambitions to end rough sleeping were made by previous governments, yet the problem persists. The COVID-19 pandemic has highlighted the plight of many and the incremental death toll of rough sleepers. In England and Wales in 2019, an estimate of over 778 homeless people died. Sadly, at the end of December 2020, the COVID pandemic has seen the number of rough sleepers increase, and steps are still needed to address their needs and provide redress.³⁴ The COVID pandemic has exacerbated the underlying vulnerability of many, as well as posing an almost impossible challenge for public authorities and the voluntary sector to address an acute and growing problem. Financial support remains one of the key elements in delivering any successful programme. Housing associations and others need public funding to address the dearth of affordable housing.

Family mediation and dispute settlement

Regrettably family disputes arise that require the legal system to resolve. In some cases, the disputes are escalated to full-out war between the parties and self-resolution is impossible to achieve.³⁵ This exposes the most vulnerable members of the family, often the children, and the exploitation of women (or even men) in the marriage.

Children are the most vulnerable, they do not have a voice or say, often suffer self-blame and are open to manipulation by the parties. Addressing the problem of “not having a voice”, all the jurisdictions in the UK have developed protections for children, notably the *Guardian ad Litem*³⁶ system, where highly professional and skilled professionals may be appointed to safeguard the interests of the child. They act as the “voice of the child”, provide advice, take forward the child’s interest and provide reliable evidence to support the child. Financial arrangements are often acrimonious and children can become “pawns” in the dispute. Notionally lawyers may be engaged by each side, co-operation can become submerged in

³⁴ House of Commons Briefing Paper: Number 02007, *Rough Sleeping (England)* (22 March 2021).

³⁵ See: John McEldowney, *Mediation in a time of Change*, <https://www.gov.uk/government/speeches/family-mediation-council-s-professional-practice-consultants-conference-2013>

³⁶ See the Children (Northern Ireland) Order 1995 and article 56. I am grateful to Judge Desmond Marrinan for advice on this point.

legal disputes and grievances, and become part of an adversarial process. Parental splits inevitably mean decisions on who has access or becomes the main carer for the children. Evidence of the impact on children is incontrovertible. It may harm their emotional development and inhibit their ability to make friends and develop meaningful relations. Family relations, despite any matrimonial breakdowns or separation, need to be protected as must the most vulnerable. This is the main responsibility of mediation systems and mechanisms that offer alternatives to formal court cases. These procedures are often overlooked, but this is to omit consideration of an important aspect of legislation intended to support family members, particularly children.

The collective way to explain family mediation is to settle civil disputes through the help of an independent and specially trained expert who is a third party. This represents an alternative to formal court procedures.³⁷ Mediation is often offered as a means of assisting formal court procedures. This is broadly a voluntary system, the parties may or may not be legally represented and the mediation proceedings are supported by the Ministry of Justice that ensures that the system is working efficiently. Disputes that are at the heart of family conflict cover a plethora of economic and social issues including housing and access to children. Mediation offers solutions that are holistic in form and may allow the parties to come to a suitable conclusion. In defined circumstances the agreements may become legally binding. Most Family Courts hope that the parties will agree to seek mediation as the most cost-efficient way to progress a settlement. The *McEldowney Review* highlighted the need for appropriate mediation standards and the professional training and support for mediation and mediators. The complexity of family law and associated areas such as labour law, property law and succession planning, make family mediation one of the most demanding and exacting areas. The financial rewards for mediators are often modest when compared to the general legal profession. Training courses for family mediators are demanding and technically complex. Mediators are often part-time and are hired on an individual basis, though many family law practices hire mediators. Funding is usually through legal aid (state-supported legal advice and assistance) and subject to the availability of resources, where legal aid budgets have been cut.

³⁷ House of Commons Library Standard Note, *Mediation, and other alternatives to court* SN/HA/4176 (6 June 2013). See: https://www.familymediationcouncil.org.uk/wp-content/uploads/2014/02/fmc_Review_McEldowney_report.pdf

Domestic abuse

Families may not be what they appear to outsiders. Instead of providing a basis for long-term and stable relations, in a loving environment, the family may be the setting for domestic abuse and exploitation. Attempts to address domestic abuse culminated in the Domestic Abuse Act 2021. For the last year ending March 2020, the British Crime Survey found that roughly 5.5% of adults aged 16 to 74 have experienced some form of abuse (estimated at 7.3% women and 3.6% men) in the last year. However, in terms of experiencing abuse since the age of 16, 20.8% experienced domestic abuse (27.6% women and 13.8% men). Awareness of the problem and how to address abuse is proving challenging. Specialist services are required to intervene, aiding victims and survivors. There is a Domestic Abuse Commissioner, helping to improve the standards and quality of domestic abuse support services. Originally the Bill (before passage into law as the Domestic Abuse Act 2021) had as a provision setting a duty on local authorities to provide community-based services for the protection from abuse, but this proposal was dropped in favour of a new victims' law which is forthcoming. This is an active area of debate and discussion as to how to support and assist victims of abuse. Under the 2021, the Act defines abuse as “physical or sexual abuse, violence or threatening behaviour, controlling or coercive behaviour, economic abuse or psychological, emotional or other abuse”. Children are also defined as victims of abuse, if they see, hear, or experience the effects of abuse and are either a relative of the adult subject to or perpetrating the abuse or if one of the adults holds parental responsibility for the child. Any abuse directed at the child is included as child abuse.

Addressing the challenges of domestic abuse requires financial resources and good education for specialist support services. Community based services are also required. The UK has taken the tentative first steps but much more is needed and this will require further legislation and inter-governmental action that is between different levels of government and agencies.

Dublin III Protecting children from trafficking and modern slavery

A key component of the European Asylum System is known as the Dublin Regulation. The system provides a legal route for reuniting people with separated family members in Europe. Priority is given to respect for family reunion above other considerations. The purpose of the Regulation is to ensure that an asylum application is only considered by one of the participating i.e. Dublin States, the EU members and Iceland, Norway,

Liechtenstein, and Switzerland. The scheme gives priority to family members. Unaccompanied children are also covered under the scheme.

It is a more generous scheme than the UK's comparable system of family reunion. On leaving the EU, the UK opted to replicate the Dublin arrangements, but with some changes. The UK has rules to enable the transfer of unaccompanied asylum-seeking children in EU member states seeking to join relatives in the UK. Criticism of the UK's rules and attempts to utilise the entirety of the Dublin Agreement within UK legislation failed, but the Government made a concession, namely section 3 of the Immigration and Social Security Co-ordination (EU Withdrawal) Act 2020. This only commits the government to reviewing the law and not to change it, and the UK is not committed to any substantial alignment with the EU arrangements it has just left.

However, one major limitation that has emerged is that after Brexit, the UK is unable to return asylum seekers who travel from EU member states. This is proving a major problem for the Government in controlling numbers of asylum seekers entering the country. The UK has made changes to its immigration rules from 1st January 2021. The Home Office has discretion to treat as inadmissible asylum claims from people who have passed through or have a connection with a safe third country. Further restrictions are being planned. The UK is still bound by the 1951 Refugee Convention, which it has re-affirmed in October 2021. The UK will not be able to rely on re-admission agreements negotiated between the EU and third countries as a non-member state. The UK is also losing access to EU funding for asylum and immigration initiatives.

Immigration statistics (up to July 2020, and the UK was still within the EU) are as follows:

- The UK received 2,236 requests from EU members to accept transfers and granted 714 (the majority, 496 came from Greece);
- The UK made 3,259 transfer requests to EU states and 263 transfers were granted with 104 to Germany and 53 to France.

Refugees (Family Reunion) Bill House of Lords (September 2021)

A private member's Bill to reform the provisions for leave to enter to remain in the UK available for family members of refugees and others is being considered in the House of Lords. The aim is to require the Government to amend UK's immigration rules for refugee family reunion. The applicant's family member may include a wide spectrum of relatives and would include a child or sibling or family member. A second clause to the

Bill would enable legal aid to be available to those with an application for leave to remain. The aim is to broaden the category of current individuals who can apply to settle in the UK. The current category includes possession of a residence card as either as a refugee or person with humanitarian protection. Those not already in the UK may apply to join family members. This applies only if they were part of a family that can be proven and that such proof is forthcoming to qualify under the family reunion rules. Such applications cannot be made by anyone in the UK who is under 18. As a private members' Bill, the Bill has little chance of success without government support.³⁸

Human trafficking: The Nationality and Borders Bill 2021

Families seeking asylum in a foreign country are particularly vulnerable to human trafficking. This has been recognised in many international rules and regulations, including the 1951 Refugee Convention and the 1967 Protocol (the Refugee Convention). The UK follows the Convention; however, it is not fully ratified into domestic law, making it hard for refugees to enforce their rights. Particularly important is the principle of non-refoulement, namely that refugees should not be returned to a territory where they risk persecution. The Refugee Convention insists that states should facilitate asylum seekers' access to their territory and how a person is qualified to access their territory. The UK was path-breaking in the creation of an Independent Anti-Slavery Commissioner and the creation of a National Referral Mechanism (NRM). The Modern Slavery Act 2015 set the standard for victim support and recognising the plight of families.

In 2020, the UK received 29,500 asylum seekers, fewer than 2019, but the numbers are likely to rise, especially due to the COVID-19 pandemic and climate change, as well as political unrest in countries across the world, especially the war in the Ukraine. The Nationality and Borders Bill 2021,³⁹ has proved to be controversial, as has the operation of the National Referral Mechanism (NRM). The Government argues that the system is open to abuse and points to the number of referrals between 2017 and 2019, from 5,141 to 10,627. The Government argues that the system fails to distinguish between genuine cases and those that are implicated in offences, including

³⁸ CRiL, *Refugee Family Reunification in the UK; Challenges and Prospects Families Together*, 2021.

³⁹ House of Commons Library, *Nationality and Borders Bill 2021*, Number 9275 (15 July 2021).

posing a threat to national security. It is hard to find objective and reliable research that validates such claims. The Independent Anti-Slavery Commissioner expressed some concern, “that the measures taken to address a potentially small number of people seeking to abuse the immigration system will have a considerable impact on victims of modern slavery”.

The Bill before Parliament provides a host of procedural hurdles for applicants, including a time-limit in providing evidence of being trafficked. Information received after the due date could be used to impugn the good faith of the applicant. This is to reduce the opportunity of raising trafficking issues at a later stage in the process. Many vulnerable victims will not have fluency in the UK system, or access to appropriate and skilled legal advocates. Many may be too intimidated or fearful to give the information needed for their case in a timely way. Changes are proposed in the test of what constitutes reasonable grounds to believe a person is a victim rather than “may be a victim”. Such changes make the process into a technical, legal and administrative process of great complexity. Indeed, the standard for a reasonable grounds decision that a victim is trafficked is left vague – it may be inferred to be satisfied on the balance of probabilities (a lower threshold) rather than beyond a reasonable doubt (a higher threshold), but this is left unclear.

Perhaps the most troubling is that even if a victim is found to warrant a positive reasonable grounds decision, such protections may not apply, if the person is disqualified by the argument that such a person is a threat to public order or has been raised in “bad faith”. There are very broad grounds to qualify as a threat to national security, which is within the wide discretion, enjoyed by the Home Secretary. The current law provides victims with a statutory defence if they are victims of human trafficking for certain offences. This clause in the new Bill may impact on that defence. Currently victims of human trafficking do not automatically qualify for leave to remain in the UK. There are some provisions for legal aid advice to be given on the National Referral Mechanism, which it is hoped to help identify victims earlier on.

Concerns about the proposed changes are that the outcome would increase trauma and anxiety and there might be a risk that information needed for the case to be justly determined could be withheld. The proposals are not clear in distinguishing the needs of children from adults. Victims who have immigration issues will be treated differently from those that do not. It remains to be seen whether the Bill will pass into law. Clearly this controversial Bill will raise issues about how to protect victims and families. It is

clear that creating further complexity and technical legal rules are intended to make the process and procedures complicated, time-consuming and difficult. This can apply to both trafficked persons as well as refugees.

Concerns expressed by the British Red Cross⁴⁰ are that significant barriers and dangers exist for any applicant. There are also practical problems for many applicants, such as the need to undertake multiple trips to Embassy in their native country – a perilous journey for many with difficult access to legal advice and the internet. The need for TB testing and various medical procedures may require long journeys and border crossings. Resources are also limited, leaving illegal loans to substitute for legitimate funding. Family re-union has positive benefits in strengthening the situation of many asylum seekers and providing support for the most vulnerable in society and may allow them to become useful and productive citizens.

Some media and political opinion are quick to categorise, label and in many cases criminalise the vulnerable. This is used to apply to both refugees and trafficked victims. One example is the claim that generalises that most of the refugees are illegal, economic migrants and not “beguine asylum seekers.” In fact, over 60% of migrants travelling by boat are likely to be allowed to stay after claiming asylum. There is also an attempt to suggest that single men are the majority and that they are effectively “elbowing out the women and children who are at risk and fleeing persecution”.⁴¹ Trafficked victims are categorised as dealing in crime and therefore a risk to Society.

In a highly complex and technical area of law, such claims are often hard to rebut and independent research is limited. Public opinion is often informed by a 19th century notion of exclusive and autonomous sovereign borders. This narrative chooses to omit the existence of the slave trade or the facts about poverty and the Victorian economic model of low wages and poor working conditions.

Divorce and dissolution

Divorce and separation proceedings are part of the legal system, with major implications for the rights of the parties, including children. Property, inheritance, and taxation are closely intertwined in family life as part

⁴⁰ British Red Cross, *The Long Road to Reunion: making refugee family reunion safer*, London: 2020.

⁴¹ Rajeev Syal, “Most people who risk Channel Boat crossings are refugees”, *The Guardian*, 17 November 2021.

of the context of marriage. The law on divorce has been a court process since the Matrimonial Causes Act 1857. The Divorce Reform Act 1969 introduced reforms based on the principle of “irretrievable breakdown”, which replaced the previous grounds of divorce such as adultery, desertion, cruelty and being “incurable of unsound mind”. Implicit is the notion of fault and blameworthy. Are such rules and procedures family friendly? The legal process is often characterised as adversarial. The adversarial process begins under a two-stage process. A petitioner starts the process and the respondent must acknowledge receipt. If the petition is contested (only 2% do), the petitioner must satisfy the test of irretrievable breakdown. This is usually satisfied by proof of adultery, unreasonable behaviour, or desertion. There is also the requirement of a period of separation prior to the filing of the petition (if the parties’ consent) or five years, if no consent is forthcoming. Once the court is satisfied that the marriage has broken down then a conditional decree is granted and after six weeks the decree may be made absolute. A similar arrangement applies for a judicial separation, but there is no legal end to the marriage.

The government considered proposals for reform in September 2018 and thereafter a public consultation was launched. The Government’s reforms addressed the view that the system was over complex; evidence of allegations added further to conflict and acrimony. This did not serve the interests of the parties or the state’s interest. Research showed that the process and procedures for divorce constituted a major conflict between separating couples with significant impacts on family members.

The Divorce, Dissolution and Separation Act 2020 seeks to simplify the system and replace the requirement of providing evidence of conduct or separation with a new statement of irretrievable breakdown. This is taken to be conclusive evidence that the marriage has broken down. The presumption of conclusive evidence is subject to challenge for fraud, jurisdictional issues, validity of the marriage and procedural compliance. The Act also introduced an overall time-frame of six months (26 weeks) into the divorce process. This provides some time-boundaries that are intended to assist the parties speedily resolving their conflicts. The time-limits are subject to amendment by the Lord Chancellor in the light of experience of the working the legislation.⁴² The legislation became popularly known as “no fault divorce”.

⁴² House of Commons Library, Briefing Paper Divorce, Dissolution and Separation Bill [HL] 2019-21. Number CBP 8697 (4 June 2020).

The reforms were supported by senior members of the judiciary and many members of the legal profession. The arguments against asserted that this form of no fault went against the necessary support for the institution of marriage and that there is a risk that divorce rates will increase if it is perceived to the public that is easy to get a divorce. The result it was claimed would have a negative impact on family life.

The legislation is gradually coming into force. It will take time to discover what impact it is likely to have. The implications of COVID-19 need to be considered and this will make research even more essential.

Conclusions

Christianity has had a decisive influence in family law for many centuries, but religious influence has diminished considerably over the past decades. Yet many approaches to morality remain intact, Humanitarian aid, poverty reduction and relief from poor housing and help for the homeless are high priorities. Financial support for overseas countries and refuges for asylum seekers and immigrants are also identified as important. Many Churches and religious voluntary groups are much in evidence, in helping the poor and the dispossessed.

On the domestic scene in the UK, family-friendly legislation is much in evidence in the UK's legal system. A wide range of existing legislation provides social and economic support for families and children. Such measures help define the family as a relational good needing support and assistance. These range from free school meals to universal credit and financial support. Child protection agencies are essential, often overstretched and poorly funded; they are a last resort. Homelessness and poorly built or inadequate housing sets new challenges for local and central government, as well as voluntary organisations. Austerity budgeting, climate change and COVID-19 are all contributing factors in exacerbating underlying fragilities in family life and the stresses and strains of bringing up children, in furthering their education and well-being.

Discernible trends are real time reductions in the economic support offered to families. High food inflation and poorly designed housing gives rise to deep pessimism that there will be improvements in the life of many families as the COVID-19 pandemic continues.

There are also some noticeable policy shifts. Austerity and the need to balance public spending is re-cast in the rhetoric that seeks to make claiming state benefits as unjustified or immoral. In many cases it is an inevitable consequence of a low-wage economy, with poor remuneration

making multiple concurrent jobs a necessity for many. Employment is seen as more desirable than benefits, denying that many on benefits are in poor wage employment.

Overall, the historical path of the major influence of Christianity on family legislation retains its place in the history of the state. Informing our future by defining what is family friendly legislation is a craft task in itself. Christianity has enormous potential to provide a better future for all of mankind.

Pope Francis's vision of the family as a relational good offers a refreshing understanding of family life. It extends beyond one religion or belief and opens a narrative of a family culture that helps to humanise society and seeks to advance responsibility for enriching, protecting, and providing the nourishment necessary for the family, while simultaneously extending its benefits throughout the world. Enriching our lives and creating a more just society are worthy goals within themselves. The COVID pandemic has underlined many aspects of the family and its relational significance. The rise of secularisation and the diminution in religious influences on the state, speak of a period of uncertainty. Despite some gloomy predictions, there are positive possibilities.⁴³ This is a unique opportunity to refresh the family, and enliven the relational benefits of the family in the world today, amidst a period of economic uncertainty, climate change, and the COVID Pandemic, against the backdrop of the agonising war in Ukraine.

⁴³ Sascha Becker and Steven Pfaff, *Church and State in historical political economy*, Warwick Economic Research Papers (May 2022) No 1409.

FAMILY ASSOCIATIONS AND THEIR SOCIETAL ROLE

VINCENZO BASSI

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Introduction

As it is written in the Book of Genesis, “It is not good for man to be alone” (Gen. 2:18). Nor is it good for families to be alone; the family cannot be isolated like a monad, Pope Francis told us when he received us to mark the 20th anniversary of the founding of the European Federation of Catholic Family Associations (FAFCE). As the Pope underlined, “Families need to go out from themselves; they need to dialogue and to encounter others, in order to build a unity that is not uniformity and that can generate progress and advance the common good” (Address of Pope Francis to the participants of the meeting organised by FAFCE, Clementine Hall, Vatican City, 1 June 2017).

To respond to this need, Catholic family networks provide a framework of mutual assistance and action, united to the pastors and with the strength of the evangelical announcement.

Mutual Help

For more than a century, family associations all over Europe have been established to organise, above all, mutual aid between neighbouring families. In France, in the 1920s, rural families gathered to buy a washing machine that passed from family to family during the week; later, they did the same with a television set, which they gathered to watch together during family evenings.

In responding to concrete needs, family associations facilitate exchange, dialogue, sharing; they contribute to the project that God has entrusted to the family, of making the world more domestic and favouring a “strong injection of family spirit” into our communities (*Amoris Laetitia* 183).

The family association, therefore, is naturally called to respond to new and evolving needs in accordance with the specific times and places in which they arise. Often, family associations meet needs well before they are provided by the public, so-called “welfare”, systems.

In Poland, for example, family associations help large families find homes and create networks of family-friendly local authorities. In Aus-

tria, they utilize their networks to welcome migrants and refugees. In the Czech Republic, they come to the aid of young mothers in difficulty, as well as parents with disabled children, and so forth.

Since the very beginning, family networks have been concerned first and foremost with education, because schools cannot do everything. Too often, parents find themselves deprived of means to take on the breadth of the task entrusted to them, since, as the Pope reminds us in *Amoris Laetitia* (84) “the overall education of children is a ‘most serious duty’ and at the same time a ‘primary right’ of parents. This is not just a task or a burden, but an essential and inalienable right that parents are called to defend and of which no one may claim to deprive them”. In other words, it is a question of a *munus* (*id est* “communion”, ‘duty’), intrinsically linked to the experience of motherhood and fatherhood. The educational sphere does not merely concern itself with the transmission of knowledge; rather, it bears responsibility for the formation of good habits, the cultivation of character, the embrace of tradition, and the discovery of purpose in life. This expanded understanding of education casts light on where family associations come into play, in support of this fundamental responsibility. It is essential to remember that those who educate always educate in the name and on behalf of parents.

Concrete Actions

Indeed, thanks to knowledge of the terrain, of the situation on the ground and of the concrete needs of the families that compose them and of the tools with which they operate, family associations are able to intervene with local authorities to propose concrete initiatives rooted in the common good, from accommodation and transportation to the fields of work and leisure, education and community life, health and the environment.

By regrouping at the national and European level, family associations become interlocutors of national political authorities who are able to influence and sometimes even guide the action of the State, which – as Pope Francis points out – “has the responsibility to pass laws and create work to ensure the future of young people and help them realize their plan of forming a family” (*Amoris Laetitia* 43).

Saint John Paul II, in *Familiaris Consortio*, had already warned that “families should grow in awareness of being ‘protagonists’ of what is known as ‘family politics’ and assume responsibility for transforming society; otherwise families will be the first victims of the evils that they have done no more than note with indifference. The Second Vatican Council’s appeal to

go beyond an individualistic ethic therefore also holds good for the family as such (cf. *Gaudium et Spes*, 30)” (*Familiaris Consortio* 44).

In this regard, the particularity of France merits observation: French family policy is, to a certain extent, effective, as is visible in its comparatively high birth rates and women’s robust participation rate in the labour market. As a result, French family policy has often been upheld as an example, even though, for some years now these same policies have entered a deconstruction phase. Since 1945, the National Union of Family Associations (UNAF) is an institutional partner of the French State and one of the main architects of its family policy, a partner that the Government and the Parliament are obliged to consult on any measure that has a direct impact on the life of families. Nonetheless, it must be noted that, unfortunately, this system has not prevented certain drifts in policy and its implementation.

The Vocation of Catholic Family Associations

Catholic family associations are not only called to address Catholic families, but also to bring their services to everyone: herein lies their evangelizing force. Indeed, the reference to the Catholic faith is expressed mainly through their political, and eminently non-pastoral, activities and their proposals are based on the Social Doctrine of the Catholic Church. The Magisterium of the Church is a rich, global and coherent source, generally respected as such even by those who do not adhere to it. The social teaching of the Church allows us to reach concrete propositions. Since family associations are humble practitioners of the Church’s social teaching, they celebrate their Christian identity and so stand firm on it like a city built upon a mountain. Catholic Social Teaching, as the Holy Father told us in 2017, is founded on the dignity of the human person: “The way of ‘being family’ that you want to spread is not subject to any contingent ideology, but grounded in the inviolable dignity of the person. On the basis of that dignity, Europe will be able to be truly one family of peoples” (Address of Pope Francis to the participants of the meeting organised by FAFCE, Clementine Hall, Vatican City, 1 June 2017).

“So God created man in his own image, in the image of God he created him; male and female he created them” (Gen. 1:27). When God created woman, we could say that he created the family as well, and it is there that this image and this similarity to God himself is realized, because the two of them, man and woman, together, are the image of God ... In this sense, the family is evangelizing by being itself. Therefore, family associations are not ecclesial or faith movements, they only facilitate, precede and follow

this work of apostolate: evangelization is the duty of every Christian – as St Paul himself writes in his first letter to the Corinthians, “woe is me, if I do not announce the gospel!” (1 Cor 9:16) – and this burning zeal to bring the love of God to everyone motivates Catholic family associations and provides a solid basis for their members’ commitment to their work.

For 25 years, the European Federation of Catholic Family Associations (FAFCE) has represented the associations of 18 European countries. Unfortunately, many European countries have yet to form an association of Catholic families. FAFCE’s mission is an undertaking of networking, information gathering, and effective interventions at the European institutions – especially the Council of Europe, European Parliament, and European Commission – to recall, in particular, the fundamental function of the family in our communities and to alert the nations of Europe to the reality of the demographic winter we are experiencing, considered by many to be a real form of suicide of Western societies (as described at the beginning of this Plenary Session by Prof. Gérard-François Dumont).

FAFCE organizes, coordinates, and represents family organizations across Europe. Most importantly, FAFCE does this with very limited means: we often say that if every family who shares our values and supports our activities in Europe only gave us one euro, we would have much more than we need. With more funds, we could bring the experience of family associations further throughout Europe and wherever they do not yet exist, demonstrating that families are not a problem, but a solution and an opportunity. Compared to the many special interests and lobbies present in Europe, especially in Brussels and in Strasbourg, we have a unique strength, which is that of the Gospel, of the Good News that gives meaning to our work. Behind us, when we sometimes work in a somewhat solitary way in Brussels, alienated from the everyday life of the families we represent, there are people who believe, people who trust in the one true God, a God who, having come to earth, did not choose to come as a prince or a leader. This God who became man instead chose to come to earth as a child in a family.

Some Precise Actions

It is on the basis of these premises that the Federation has been able to achieve very concrete results in the last 13 years, ever since FAFCE has had a permanent, professional presence with an office in Brussels.

How can we not think, for example, of the McCafferty Report, initially presented to the Parliamentary Assembly of the Council of Europe

with the declared aim of cancelling conscientious objection on the subject of abortion in European legislation. Thanks to the cooperation of other organizations and with parliamentarians from various political groups, this Report has become a milestone in the promotion of conscientious objection. The work of our office in Brussels contributed in 2014 to the rejection, by only 7 votes, of the Estrela Report, which aimed at declaring the right to abortion in the European Union.

Likewise, our office has been at the forefront of blocking an attempt to legitimize the practice of surrogacy, through the so-called De Sutter Report; this time in Strasbourg, on 11 October 2016, at the Parliamentary Assembly of the Council of Europe. Even if it is an issue on which, compared to other issues, we can still work more easily – and we are working with various feminist groups, too – even here, the difference in votes was marginal: just five! This further demonstrates the importance of a continuous and professional approach to political advocacy at the institutional level and solidifies the value-add of FAFCE's work.

This approach allows us today to speak at all levels to the demographic and anthropological challenges faced by our Countries. Over the last three years, we have been able to organize meetings with the major European political forces and with the governments of 13 European countries. We do so with a very concrete objective: to put the function of the family back at the centre of European politics and to consider every family and demographic policy as an investment in our common future. With this same objective, we systematically try to insert pro-family language into various European documents. We do not always succeed, but this is what we were able to accomplish, for example, in the Conclusions on demography of the Croatian Presidency of the Council of the EU or of a recent report on the EU budget in the European Parliament.

To Conclude: A Fundamental Reflection

The Experience of These Years of Pandemic

During this health crisis, all of us have experienced our families in a fresh and complete way: it became evident that distance from one's family was one of the major causes of suffering. In the same way, in this time of war between two European countries, we see how families are the first to help, to welcome, to support.

On the basis of these experiences, we cannot fail to notice that the most pressing illness in our society is loneliness. The family is not a disease to be treated, but the treatment to the disease of loneliness. Thus, it is also

possible for us to reflect on the meaning of the commitment and function of Catholic family associations. In this regard, in re-reading *Amoris Laetitia*, *Laudato si'* and *Familiaris consortio*, we discover that the invitation is always the same, like a *common thread*: the Church not only cannot lose contact with the “people” but must also support and accompany them.

Starting from these readings, as president of FAFCE, I asked myself a question: how can our service to families change, after a health crisis that left families more uncertain about the future and, often, in general indifference?

Several times, in his teaching, Pope Francis invites us to be close to families, especially if they are fragile. In part, this is because fragility makes it easier to meet the Lord. Being close to families means putting the family at the centre in a tangible way, because the family is the fundamental nucleus of every relationship. In 2017, while receiving our Federation, the Holy Father encouraged us a lot in this sense. Interpreting his thought and also that of his predecessors, perhaps we can adapt a Latin brocard by saying: *ubi familia, ibi ecclesia et communitas*.

Family and Church

This direct connection between the family, on the one hand, and the Church and the *communitas* on the other, was clear and indisputable in the period preceding the industrial revolution.

At that time, the family performed a main function at the service of the community by serving its economic and productive nucleus. The family was essential to both the family’s members themselves and the entire community, ensuring, in an autonomous and subsidiary way, the survival of both. The family took pole position in both situations because it best understood the people involved, their particular needs, and the environment in which they operated.

The Church, through her shepherds, was at the service of the family, accompanying them and indicating the way to God. The Church gave meaning to people’s lives, in the proclamation of the Resurrection and in teaching hope and charity. The concreteness of God was thus experienced by families, who became the vehicle for the transmission of the faith and the Church. More than that, the relationship of the Church with sovereigns was also based on this role of service of the Church towards the family, so much that many pastors also carried out an important function of interpreting the needs of families towards the sovereign.

However, it must be said that between families and the Church, today as then, help has always been mutual: families offer vocations to the

Church. Pastors, thanks to the accompaniment of families, are encouraged to renew, with new words, the teaching of the good news.

With the industrial revolution, the family lost its centrality. From being a centre of production, it began to perform an instrumental function. The centre of the production system was in fact not so much in the families as in the factories, to which the families provided a workforce and ensured high-quality human capital.

In this context, the Church had to manage the ever-more absolute power of the state. Where possible, it was, in fact, the Church which often suggested common sense to the rulers, on the one hand, and to keep the community of families together, on the other, thus guaranteeing social peace.

Despite the difficulties and contingencies, families remained solid and the Church never stopped carrying out her prophetic role of serving as light, salt, and leaven in the world alongside the families, who could always count on pastors capable of not making the families forget the presence of God, consoling them in hope.

The Challenges of Today

In the recent past, this role of the Church has been more difficult to play. The reason is simple: families no longer offer only labour and its members have become consumers, thus giving strength not only to the state but also to multinational corporations and financial institutions.

As a result of this, unfortunately, “consumerism” has infected our society. The “consumption” of goods, including drugs, has confused people, who are increasingly finding it difficult to give meaning to their lives. Even the family is no longer been experienced as a place for the realization of the person, a person who has, in the process, become more individual. Our families, even the Catholic ones, have remained more and more alone and fragile. Today, in the era of globalization, the situation has worsened further.

Capitalism no longer looks for its workforce in families. Thanks to mechanized manufacturing processes and advances in artificial intelligence, the production system does not need that human capital which is formed only in the family. It moves and settles, as long as labour is cheap, in developing countries. In doing so, these countries will be increasingly exploited, while the families of other countries, lacking decent wages, recklessly resort to debt to maintain their standard of living. Precisely because of this ever-higher indebtedness, in those countries, families today are not considered useful even to generate the consumers of tomorrow.

It is no coincidence that the demographic winter, which has been further worsened by the current crisis, is jeopardizing the future of our society. As a result, the family, no longer playing any social and economic role not even as a consumer because it is excessively indebted, is deemed no longer “useful” to the production system.

It is sad to say, but capitalism today regards the family as a dead branch, as a terminally ill person. Nowadays, big finance looks to the family to exploit it. For instance, it is interested in families’ savings, which in some countries, such as Italy, are huge, and are considered a treasure to be conquered.

Once savings have been lost, by more or less legitimate means, the family will certainly not disappear; however, it will not be allowed to carry out any economic and social function in an autonomous and subsidiary manner, and it will be treated like a stateless person, at the margins of society. Debt removes a family’s independence of action.

The Future of the Family is the Future of the Church

Before this moment arrives, we need to stop and reflect on our future and on the future of families. This must be done now. Indeed, beyond sociological, political or economic analyses, one thing is certain: in this context of atomization, alienation, and indebtedness, the family suffers, and suffers greatly. Above all else, the family suffers because of loneliness, and if the family suffers, the least of all members of society and the marginalized suffer more. No institution, in fact, can continually help poor people, orphans, and immigrants like families can.

But not only that: if the family suffers, the Church also suffers. Without the family, the Church is without a flock, and without the Church, the family is without a shepherd. This indissoluble bond is too often taken for granted, both by families and by the Church. The first has lost its spiritual dimension due to secularization, the second perhaps sometimes forgets the smell of the flock also due to objective difficulties (such as the scarcity of priests or the lack of availability of families themselves), which make it less easy to have direct contact with people.

Here, in order to recover this indissoluble bond between families and the Church, at the end of this long excursus and after much reflection, as president of Catholic Family Associations in Europe, I would like to raise the question of a new pact between families and their shepherds.

In 2015, in Florence, the Holy Father spoke clearly of a change of era, encouraging all of us to look to the future without fear, remaining united as a people and trusting in the Lord who will lead us on the roads of the

world. To achieve this goal, it is necessary to spend our life as baptized laity, striving to be creative and missionary, recovering, in an integral way, reciprocity and understanding with our pastors.

The Role of Family Groups and Family Associations in this Change of Era

I think that Catholic families, after this period of health crisis, have acquired a new awareness of the necessary and irreplaceable role of pastors. Without pastors, without their guide and their physical attendance, even the Eucharist risks becoming a virtual rite emptied of its reality and concreteness, as Pope Francis also underlined on 17 April 2021, in the midst of the pandemic (“Familiarity with the Lord”, morning Mass homily).

However, our pastors cannot be left alone in this very difficult service. Rather, they must be helped to face the discomfort of solitude, accompanying families in closeness, truth and hope. For this reason, our associations will have to play a new role, without being afraid – as the president of the Forum of Italian family associations, Gianluigi De Palo said – of “getting their hands dirty” and “washing the feet” of our families, also facilitating the maintenance of that indissoluble unity between families and the Church.

THE GRACE OF CHRIST IN THE CELL OF THE SOCIAL ORDER

MARCELO SÁNCHEZ SORONDO

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According to Melissa Eitenmiller,¹ it appears that many theologians and Christians today do not have a clear understanding of the metaphysical bases of realistic philosophy, especially of St Thomas Aquinas (maybe leaving it to the philosophers). In particular, they do not see the importance of the notion of being and participation with regard to the bearing that it has on theology, particularly within the realm of Christology, grace and the sacraments, including the sacrament of marriage. This is unfortunate, because without an understanding of grace as “participation of divine being and nature” i.e. an ontological participation in the life of God, Christians are left with the idea of justification as a simple “covering up” of sin, without any real transformation taking place in the soul, life, family and society. It is appropriate to recall in the context of our scientific culture what St Thomas says about studying, which “*non est ad hoc quod sciatur quid homines senserint, sed qualiter se habeat veritas rerum*”.²

The status of the human being in the age of science

Before we examine the participation of grace in the sacrament of marriage, it might be important to consider the status of the human being in the empirical sciences today in relation to St Thomas’ view of the human person with regard to being and act, and consequently, with regard to the transcendentals, and to the supernatural life of grace.

Knowledge about man: the possibility of two approaches

There was no great problem between the different domains of knowledge until a line was drawn between nature understood as having a soul or surrounded by a soul, and a soul which was in itself characterised by an end: this was the age of Aristotle’s *Physics*, *De Anima* and *Ethics*. This line

¹ Eitenmiller M., *Grace as Participation according to St. Thomas Aquinas* New Blackfriars, September 20, 2016. Published online, <https://doi.org/10.1111/nbfr.12154>

² *In I De coelo et mundo*, lect. 22, ed. R. Spiazzi, Marietti, Taurini - Romae, 1952, n° 228.

was drawn at the end of the Renaissance, which had not assimilated the originality of the thought of St Thomas.

The problem worsened when nature became the subject of science, based on pure observation, mathematical calculation, and experimentation. This was the meaning of the Galileian and Newtonian revolution, as Kant (1787) defined it. The human mind thought that it did not have access to the principle of the production of nature in itself or in something other than itself, which Aristotle called form or the formal principle as principle of operation: ‘every essence in general is called “nature”, because the nature of anything is a kind of essence’.³ Therefore one can only gather natural gifts made known through their appearance in space and time and try to ‘save the phenomena – τὰ φαινόμενα σώζειν’, as Plato himself suggested, who in this was Galileo’s mentor.

This is no minor endeavour given that the field of observation is so unlimited and that the imaginative ability to form hypotheses with a mathematical formula, to enlarge and replace models, to vary their character, and to invent procedures of verification and falsification, is so powerful. This is no minor endeavour also because mathematics, which is in part a construct of the human being’s mind, corresponds to the category of quantity which constitutes the matter of every individual and expresses in the body the realisation of individuality through the parts of such material structure. There is quantity in the mind of man and in the corporeal structure (atoms and sub-atomic structures, molecules, cells, organs, etc.). Thus, although there is no ancient Aristotelian correspondence between the mind and reality through the notion of form, there is the modern correspondence through quantity inspired in Pythagoras of Samos and Plato – something that was often pointed out by Benedict XVI in his *Magisterium*.

However, as regards phenomena relating to human beings, this asceticism of hypotheses, of the creation of models, and of experimentation, is in part compensated for by the fact that we have partial access to the production of certain phenomena that can be observed through philosophical self-reflection (and through faith, of course, for believers). Thus we are dealing with praxes, which are different from this mathematical and quantitative scientific approach and have as their reference point the genetics of action that belong to fundamental anthropology and to ethics. Reflection on human praxes is the point of convergence because it indicates the path that leads to the goal, i.e. perfect human work as fullness of the act. The

³ ὅλος πᾶσα οὐσία φύσις λέγεται διὰ ταύτην, ὅτι καὶ ἡ φύσις οὐσία τίς ἐστίν (Aristotle, *Metaphysics*, Bk. V [Δ], ch. 4, 1015 a 13).

success of work (ἔργον) can only be observed in the perfection of praxis itself (ἐνέργεια) in relation to its end.⁴

On the two objective levels of knowledge

It follows from these two experiences that man's knowledge is not a matter of a single plane or level – that of external observation, explanation, and experimentation (as a reproduction of phenomena) which is the pathway of modern science. Man's knowledge develops in the interface between the natural observation of science and the reflective understanding of philosophy. The human being is simultaneously an observable being, like all the beings of nature in which he or she participates, and a being who interprets himself, who knows himself as Heraclitus and later Socrates had already suggested (a 'self-interpreting being' to employ the definition of Charles Taylor or Paul Ricœur).

This statement on the two objective levels of knowledge that combine in the human being, the one of the external world which is the object of science and the one inside him, which has the I at its centre, can provide an answer of reconciliation and pacification to the question raised by the status of the human being in the field of knowledge in the age of the predominance of science, that is, as long as positivist ideology does not claim the right to abolish the border between the sciences of nature and the sciences of the human being and to annex the latter to the former.

In this spirit we can reconcile the conflict connected with the science of genetic mutations or heredity, which, although discovered (let's not forget) by the Augustinian monk G. Mendel (1822–1884), was, after Darwin (1809–1882), frequently linked to the theories of evolution. No external limit can be imposed on the hypothesis according to which random variations and changes are established and reinforced within the 'narrow corridor of evolution' in order to ensure the survival of a species, and thus of the human species as well. Hitherto we have had historical and perhaps philogenetic evidence, therefore something "more than a hypothesis" to employ the famous phrase of St John Paul II,⁵ in relation to which the experimental sciences must apply greater empirical rigour.

⁴ 'it may be held that the good of man resides in the work (τὸ ἔργον) of man, if he carries out a special activity (ἐνέργεια) which will permit to discern a fulfilled human life' (Aristotle, *Nicomachean Ethics*, Bk. I [A], ch. 6, 1097 b 20 ff.).

⁵ 'new knowledge has led to the recognition of more than one hypothesis in the theory of evolution' (*Papal Addresses*, ed. M.S.S., The Pontifical Academy of Sciences, Vatican City, 2003, p. 372).

The starting point of natural theology, philosophy and social sciences

Philosophy, and not only philosophy but the social sciences as well, are open to knowledge that derives from cultural anthropology and perhaps biology as well, but they must not engage in the battle, which is lost from the outset, to establish the empirical facts. This is the task of the natural sciences.

Philosophy, theology and human sciences should examine how to find a meeting point with the scientific point of view, starting from the position according to which the human being is already a speaking, questioning and social being (political animal – πολιτικὸν ζῷον).⁶ Thus, beginning with his questions, the human being has given himself some answers that speak of his domain of moral law and freedom in relation to a given nature and community life. While the scientist follows the descending order of species and brings out the uncertain, contingent and improbable aspects of the result of the evolution of the human body, philosophy starts from the self-interpretation of man's intellectual, moral and spiritual situation and goes back through the course of evolution to the sources of life and of being that man himself is. The starting point can still be the original question, which has existed since the beginning and has always been latent with a sort of self-referentiality of principle. Moral law is what Kant sees as the different life of the human being and freedom is what Hegel calls 'the essence of the spirit';⁷ 'I' or self-awareness is what Kierkegaard defined 'a relation that relates itself to itself and in relating itself to itself relates itself to another, who is the fundament'.⁸

So, once reason recognises that man is characterised by moral law, freedom and self-awareness or self-reflection, it can legitimately ask itself how the human being arose from animal nature. Thus the approach is retrospective and retraces the chain of mutations and variations. This approach meets the other, progressive, approach, which descends the river of the progeny of the human being – man and woman. The two approaches intersect at a point: the birth of a symbolic and spiritual world where moral law and achieved freedom define the humanity of the human being.

The two meanings of the term "origin"

The confusion that has to be avoided lies in the two meanings of the term 'origin': the meaning of genetic derivation, especially of the body

⁶ Aristotle, *Politica*, Bk. I [A], ch. 2, 1253 a 2.

⁷ *Enzyklopädie der philosophischen Wissenschaften im Grundrisse* § 482.

⁸ *The Sickness unto Death* first part.

and brain, and the meaning of ontological foundation, especially of the soul and spirit.

One refers to the origin of species in the succession of space and time beginning with an already originated datum; the other poses the question of the appearance of its participated being beginning with the Being by essence. This is the first origin of the being that is the ‘passage’ from nothing to being, which is not properly a passage but the primary origin of the being that emerges from nothing thanks to the act of participated being: ‘*Ex hoc quod aliquid est ens per participationem, sequitur quod sit causatum ab alio*’, i.e. ‘from the fact that a thing (entity) possesses being by participation, it follows that it is caused’.⁹ Hence the complete formula of creation as participation (passive in the creature and active in God): ‘*Necesse est dicere omne ens, quod quocumque modo est, a Deo esse*’, i.e. ‘It must be said that every being that in any way is (exists), is (exists) from God’.¹⁰

Essential in this origin is the analogical de-centring from activity towards the centre, or the subsistent self, – constitutive of every [each] person –, and the analogical re-centring towards the Other who is Being by essence, namely God, as was also observed by St Thomas in his late work: ‘*Deus est et tu: sed tuum esse est participatum, suum vero essenziale*’ i.e. ‘God is and you [are]: but your being is participated, His is the essential being’.¹¹

The passage from simple being as an animal creature to the metaphysical dignity of spiritual being analogous to that of God is founded on human dignity as ‘*forma per se subsistens*’, that is, intellective soul, a transcendental I, thanks to the direct belonging of the intellective soul to the participated being (*esse*) or act of being (*actus esendi*). St Thomas is very determined on this point, which is the most original point of his anthropology, as a reflection of his metaphysics of the act. Consequently he explains, for the first time – we can say – in Western thought: ‘Hence in composite things i.e. in creatures there are two kinds of act and two kinds of potency to consider. For first of all, matter is as potency with reference to form, and the form is its act. And secondly, the nature constituted of matter and form, is as a potency with reference to the same being, insofar as it is able to receive this. Accordingly, when the foundation of matter is removed –as in the spiritual substance and in the human soul–, if any form of a determinate nature remains which subsists of itself but not in matter, it will still be related to its own being as

⁹ St Thomas Aquinas, *S. Th.*, I, q. 44, a. 1 ad 1.

¹⁰ *Ibid.*, *S. Th.*, I, q. 44, a. 1.

¹¹ St Thomas Aquinas, *In Psalmum XXXIV*.

potency is to act. But I do not say, as that potency which is separable from its act, but as a potency which is always accompanied by its act.’ And he closes in this way: ‘the nature of a spiritual substance, which is not composed of matter and form, is as a potency with reference to its own being; and thus there is in a spiritual substance a composition of potency and act’.¹²

The conclusion that can be drawn from this very lofty speculative reflection by St Thomas is that the dignity of being spirit is characterised by Kant and by Hegel after the Copernican and Galilean revolution in convergence with St Thomas: in modern thought we have the transcendentalism of knowledge, of freedom and of moral law that have the self at their centre, but in St Thomas these transcendentalisms, like the self as well, are founded in the transcendence of the act of being and its necessary belonging to the finite spirit is had by means of the direct participation of God. Therefore, each single subsistence, as Kierkegaard also showed, has its origin as a created person and finds itself in front of God with the absolute capacity for responsible choice in relation to the ultimate end. St Thomas considers that the person is the most perfect reality in the universe: “*Person* signifies what is most perfect in all nature – that is, a subsistent individual of a rational nature”.¹³ He tweaks this Boethian definition as follows: “that which subsists in an intellectual or rational nature’ is the definition of a person”.¹⁴ By placing in the notion of person the attributes of rationality (*rationalis*) or intellectuality (*intellectualis*), he implicitly or *avant la lettre* assigns to the person all those very important properties on which modern and contemporary sociologists and philosophers insist when they speak of the person: self-awareness, freedom, communication, relationship, reciprocity, coexist-

¹² ‘Unde in rebus compositis est considerare duplicem actum, et duplicem potentiam. Nam primo quidem materia est ut potentia respectu formae, et forma est actus eius; et iterum natura constituta ex materia et forma, est ut potentia respectu ipsius esse, in quantum est susceptiva eius. Remoto igitur fundamento materiae, si remaneat aliqua forma determinatae naturae per se subsistens, non in materia, adhuc comparabitur ad suum esse ut potentia ad actum: non dico autem ut potentiam separabilem ab actu, sed quam semper suos actus comitetur. Et hoc modo natura spiritualis substantiae, quae non est composita ex materia et forma, est ut potentia respectu sui esse; et sic in substantia spirituali est compositio potentiae et actus’ (*De spiritualibus creaturis*, a. 1 c.). Cf. Disputed questions on spiritual creatures. English translation available from Internet (with my adjustments): <http://www.diafrica.org/kenny/CDtexts/QDdeSpirCreat.htm>

¹³ “Persona significat id quod est perfectissimum in tota natura, scilicet substantia in natura rationalis” (*S. Th.*, I, q. 28, a. 3 c.).

¹⁴ “omne quod subsistit in intellectuali vel rationali natura, habet rationem personae” (*Cont. Gent.*, Bk. IV, ch. 35).

ence, participation, solidarity, subsidiarity, etc. A rationality or an intelligence, or a relationship, however perfect, without a subsisting being (*esse subsistens*) does not yet make a person; so much so that the human nature of Christ, not being subsistent, does not make a human person. Nor need rationality or intelligence be present as operations in act, but it is sufficient that they be present as faculties or potencies, for example in a person who is sleeping or even in a comatose state, or in the unborn child.

For this reason, the human being is *capax Dei*, “capable of God”, as is precisely stated in the opening of the Catechism promulgated by Pope Benedict XVI, *id est*, the human being is *capax Dei*.

The grace of Christ makes human beings capable of eternal life

The human soul, which is a “subsistent form inseparable from the act of being” (*actus essendi*) capable of knowing and loving, i.e. spirit, although it is a substantial form of the body, is intrinsically incorruptible in the real order of things. This is the metaphysical foundation according to which the human person is in himself free and capable of ethical order, and emerges from the forces of nature and the instincts of animals.

Participating in the being and image of God, the human person has a desire for God and God never ceases to draw man to himself. Only in God will he find the truth and happiness he never stops seeking. God comes to the encounter of the human being in a thousand ways, but with the Incarnation of Christ through his truth, life and grace, which are “participation in divine nature”¹⁵ and a “new creation”¹⁶.

As a spiritual subject, the human being, *imago Dei*, is capable of “receiving grace”, truth of faith, and divine love, and this is the highest status and dignity that a human being can reach as a spiritual being. Hence, “when the human being has received grace, he is capable of performing the required acts”¹⁷ for himself and others.

The social dimension of grace

This is the social dimension of grace that Pope Benedict XVI refers to, which comes to heal and elevate man’s nature as a “political animal” and not only his individual life. Just as, according to Aristotle, it is not enough for a good politician to focus on himself, but he must want the common

¹⁵ θείας κοινωνοὶ φύσεως (*II Pet.*, I:4).

¹⁶ καινὴ κτίσις (*II Cor.*, V:17).

¹⁷ St Thomas Aquinas, *De Malo*, q. 2, a. 11.

good of the city, in the same way the human being, since he is admitted to take part in the good of a city and becomes its citizen, requires not only individual but social virtues, such as wanting the good of the city and social justice. Analogously man, being by divine grace admitted to participate in heavenly beatitude, which consists in seeing and enjoying God, becomes a citizen and partner of that blessed society called Celestial Jerusalem, in which, according to St Paul, we become ‘fellow citizens with the holy ones and members of the household of God’.¹⁸ It follows that the human being, incorporated in heavenly things, is responsible for free social virtues, that is, infused political virtues. The prerequisite (*praexigitur*) for these infused social operations is pursuing the common good of society as a whole, which is divine good, inasmuch as it is also the object of beatitude.¹⁹

The necessity of the sacraments

As stated before, grace, considered in itself, perfects the essence of the soul, in so far as it is a “participated likeness of the divine being and nature”. And just as the soul’s powers flow from its essence, so from grace there flow certain perfections into the powers of the soul, which are called virtues and gifts, whereby the powers are perfected in reference to their actions.

Now the sacraments are ordained unto certain special effects which are necessary in Christian life: thus, for instance, Baptism is ordained unto a certain spiritual regeneration, by which man dies to vice and becomes a member of Christ: which effect is something special in addition to the actions of the soul’s powers: and the same holds true of the other sacraments. Consequently just as the virtues and gifts confer, in addition to grace commonly so called, a certain special perfection ordained to the proper actions of the powers, so does sacramental grace confer, over and above grace commonly so called, and in addition to the virtues and gifts, a certain divine assistance in obtaining the purpose of the sacrament. It is thus that sacramental grace confers something in addition to the grace of the virtues and gifts.

St Thomas said: “Since all the faithful form one body, the good of each is communicated to the others.... We must therefore believe that there exists a communion of goods in the Church. But the most important

¹⁸ *Eph.*, II:19.

¹⁹ Cfr. *De Caritate*, q. un., a. 2 c., ed. cit., Q. D. II, p. 758 s. Also, *De Virtutibus in Communi*, q. un., a. 9.

member is Christ, since he is the head.... Therefore, the riches of Christ are communicated to all the members, through the sacraments”.²⁰

As stated above, the grace of the virtues and gifts perfects the essence and powers of the soul sufficiently as regards ordinary conduct: but as regards certain special effects which are necessary in a Christian life, sacramental grace is needed.

In addition to these special effects to cooperate in performing Christian life, the grace of the sacraments has the potential to heal the residuary habits of sin. In general, vices and sins are sufficiently removed by virtues and gifts, in so far as they prevent the human being from sinning. But in regard to some past sins, the acts of which are transitory whereas their guilt remains, man is provided with a special remedy in the sacraments.

In short, St Thomas makes a philosophical analogy: “Sacramental grace is compared to grace commonly so called, as species to genus. Wherefore just as it is not equivocal to use the term animal in its generic sense, and as applied to a man, so neither is it equivocal to speak of grace commonly so called and of sacramental grace”.²¹

The seven sacraments of the Church

Aquinas makes a certain celebrated similitude between the development and stages of natural life and the stages and development of spiritual life. The sacraments touch all the stages and all the important moments of Christian spiritual life: they give birth, growth, healing and mission to the Christian’s life of faith and grace for the whole community.²² This order, while not the only one possible, does allow one to see that the sacraments form an organic whole in which each particular sacrament has its own vital place. Of course, in this organic whole, the Eucharist occupies a unique central place as the “Sacrament of sacraments”: “all the other sacraments are ordered to it as to their end”.²³

Setting the centrality of the Eucharist, St Thomas continues the analogy between the life of the spirit and the life of the body and establishes an important distinction: “Now a man attains perfection in the corporeal life in two ways: first, in regard to his own person; second, in regard to the whole community of the society in which he lives, for man is by nature a

²⁰ St Thomas Aquinas, *In Symbolum Apostolorum*, a. 10.

²¹ *S. Th.*, III, q. 62, a. 2 ad 3.

²² *Cfr. S. Th.*, III, q. 65, a. 1 c.

²³ *S. Th.*, III, q. 65, a. 3.

social animal”.²⁴ Following this analogy, with regard to a person there are the sacraments of initiation and development of Christian life (baptism, confirmation, Eucharist); then there are the sacraments of healing (Penance and Reconciliation, and the anointing of the sick).

The social dimension of the sacraments

In regard to the need to receive sacramental grace for the whole community or for the social and political dimension of society (the Aristotelian “political animal”), the human being is perfected in two ways. First, by receiving the power to rule the community and to exercise public acts: and corresponding to this in the spiritual life there is the sacrament of order, according to the saying of Heb., VII:27, that “priests offer sacrifices not for themselves only, but also for the people”.

The second way to perfect the whole community is in regard to the natural goal of society i.e. procreation and education of offspring. This is accomplished by marriage both in corporal and in spiritual life, since it is a function of nature that becomes elevated and purified by the sacrament. In reality, it is the only sacrament that aims to perfect a natural function of society.

In short, the sacraments of order and marriage are primarily directed towards the healing and elevation of others, that is, to the salvation of society; if they also contribute to personal salvation, they do so through service to others. They are properly ministries or services. They participate in the mission of the Church and serve to build up society or the People of God by the grace of Christ.

Let us put aside for the moment the “lay priesthood”, that is, the exercise of the priesthood imprinted on all the baptised even those who are not specially consecrated. We find in the anointing of the Visigoth royals – imitating King David – a residue of this power given to the laity to rule the community towards a temporary common good and justice. Let us focus on marriage.

The essence of marriage

Wanting to clarify with the language of metaphysics the essence of marriage, St Thomas has no difficulty in seeing that it is a relationship (*relatio*): “marriage is a kind of relation, nor is it anything other than a un-

²⁴ *S. Th.*, III, q. 65, a. 3.

ion”.²⁵ Hence, what is put into practice with marriage is not a substance, nor a quantity, nor a quality, etc., but an equal-sided relationship, because a relationship cannot arise on one end without arising on the other. For no one can be a husband without a wife, or a wife without a husband, just as no one can be a mother without a child. Such a relation exists equally in both members. So marriage is a personal relationship founded on mutual love between the two spouses. Although one can love someone who does not love them back, there cannot be a union between them unless the love is mutual. This is why Aristotle says in *Ethics* that friendship, which consists in a certain union, requires love in return.²⁶

Such a relationship of singular mutual love that should reign between those who are joined in matrimony represents the highest form of friendship: “The greater the friendship, the more stable and lasting is it. Now, there seems to be the greatest friendship between husband and wife: for they are made one not only in the act of carnal intercourse, which even among dumb animals causes an agreeable fellowship, but also as partners in the whole intercourse of daily life. As a sign of this, man must leave father and mother for his wife’s sake (*Gen.*, II:24).”²⁷

Although it is a natural inclination (*inclinatio naturae*), St Thomas points out that it is a duty that does not bind all individuals but only humanity in general because it is a social need and service and not an individual need. In fact, the individual is not obliged to satisfy all social services by himself “else each man would be bound to agriculture and building and other such offices as are necessary to the human community; but the inclination of nature is satisfied by the accomplishment of those various offices by various individuals. Accordingly, since the perfection of the human community requires that some should devote themselves to the contemplative life, to which marriage is a very great obstacle, the natural inclination to marriage is not binding by way of precept, even according to the philos-

²⁵ *In IV Sent.*, d. 27, q. 1, a. 1, q.la. 1 s. c.

²⁶ Aristotle, *Nicomachean Ethics*, Bk. VIII [Θ], ch. 2.

²⁷ “Amicitia, quanto maior, tanto est firmior et diuturnior. Inter virum autem et uxorem maxima amicitia esse videtur: adunantur enim non solum in actu carnalis copulae, quae etiam inter bestias quandam suavem societatem facit, sed etiam ad totius domesticae conversationis consortium; unde, in signum huius, homo propter uxorem etiam patrem et matrem dimittit, ut dicitur *Gen.*, II:24. Conveniens igitur est quod matrimonium sit omnino indissolubile” (*Contra Gentiles*, III, c. 123).

ophers. Hence Theophrastus proves that it is not advisable for a wise man to marry, as Jerome relates (*Against Jovinian*, 1²⁸)”.²⁹

The grace of the sacrament of Matrimony

As well as a natural institution, through the will, goodness and participation of Jesus Christ, marriage has become a supernatural institution: a sacrament. While marriage, as a natural institution, is born to perpetuate humanity, as a sacrament: “it is also directed to the perpetuity of the Church which is the assembly of the faithful”.³⁰ “And seeing that the sacraments cause what they signify, we must believe that the sacrament of matrimony confers the grace to take part in the union of Christ with his Church on those who are joined in wedlock, since it is most necessary that they should so seek carnal and earthly things as not to be separated from Christ and his Church”.³¹

To those who affirm that marriage is in no way a cause of grace but is only a sign, St Thomas replies that “this cannot stand, because according to this assertion marriage would not differ at all from the sacraments of the Old Law; therefore there would be no reason why it should be enumerated among the sacraments of the New Law”.³² Aquinas also rejects the sentence of those who limit the grace of marriage to the legitimacy of an act (sexual union) which without marriage would be a sin: “This is too little, because even in the Old Law there was this advantage”. And so St Thomas concludes that “marriage contracted in the Christian faith confers the grace that helps to fulfil the duties related to that state”.³³

Just as in the other sacraments, something spiritual is symbolized by external actions, so in this sacrament the union of husband and wife signifies the union of Christ with the Church, according to the saying of the Apostle: “This is a great sacrament, and I mean in reference to Christ and the Church”.³⁴

In short, the grace proper to the sacrament of Matrimony is intended to perfect the couple’s love and to strengthen their unity. By this grace

²⁸ The original work by Theophrastus is not extant, but the saying is quoted by Jerome in Bk. 1 of *Adversus Iovinianum* (M.L., XXIII:276).

²⁹ *S. Th.*, III, q. 41, a. 2.

³⁰ *Contra Gentiles*, Bk. IV, ch. 78.

³¹ *Ibidem*.

³² *In IV Sent.*, d. 26, q. 2, a. 3.

³³ *In IV Sent.*, d. 26, q. 2, a. 3.

³⁴ *Eph.*, V:32.

they help one another to attain holiness in their married life and in welcoming and educating their children. It may well be said that marriage is a “secular sacrament” with a grace of state intended to heal and elevate the relationship of love and friendship between the spouses in order to fulfil the natural purpose of the cell of society and the network of “bonds of perfection”³⁵ with their children and those around them. *Amoris laetitia* therefore is right when it says for the first time in the texts of the Magisterium: “more generally, the common life of husband and wife, the entire network of relations that they build with their children and the world around them, will be steeped in and strengthened by the *grace of the sacrament*. For the sacrament of marriage flows from the incarnation and the paschal mystery, whereby God showed the fullness of his love for humanity by becoming one with us. Neither of the spouses will be alone in facing whatever challenges may come their way”.³⁶

The family as the cell of society

St Thomas understands marriage as being perfected by grace and ordered to a supernatural purpose in the fulfilment of the natural order, in the light of that capital theological principle of his doctrine: “Grace does not abolish nature, but perfects it”.³⁷ In addition to marriage, the family is the social nucleus composed of the spouses and their children and possibly of the grandparents and collaterals who live with them.

Following in the footsteps of Aristotle, St Thomas considers that the family is the first form of community among human beings and is “constituted by nature for each day, that is, for those acts which must be performed daily”.³⁸ Consequently, he illustrates this concept by using denominations: “For one man, named Carondas, calls those who live in a family ‘diners’ (*homostitios*), as if they were one dish, because they share the food; another, named Epimenides, a native of Crete, calls them ‘hearth companions’ (*homocapnos*), as of the same smoke, because they sit by the same fire”.³⁹

Different aspects of an object, with respect to universality and particularity, or totality and partiality, diversify communities of human beings;

³⁵ σύνδεσμος τῆς τελειότητος (*Colossians*, III:14).

³⁶ *Amoris laetitia*, § 74.

³⁷ “*Gratia non tollat naturam, sed perficiat*” (*S. Th.*, I, q. 1, a. 8, ad 2).

³⁸ “*nihil aliud est domus quam quaedam communitas secundum naturam constituta in omnem diem, idest ad actus, qui occurrunt quotidie agendi*” (*In I Politicorum*, lect. 1 A, supra 1252 b 12).

³⁹ *Loc. cit.*

and with respect to this diversity, one community is superior to another: “now it is evident that a family or household (*domus*) is a mean between the individual and the city or kingdom, since just as the individual is part of the household, so is the household part of the city or kingdom”.⁴⁰

The family does not originate from some social convention but from nature itself, for the purpose of generating and educating the person. However, from the point of view of the common good, the family is not the most perfect community: this title belongs to the political community (kingdom, state): “It is evident to every man that the city contains within itself the other communities: for families, as well as villages, are part of the city. That is why the political community is the only superior community in an absolute degree; consequently, it proves to contain the most important of all human goods: for it aims at the common good, which is better and more divine than the good of the individual, as is written at the beginning of the *Ethics*”⁴¹.⁴²

The pedagogical purpose of the family

On the other hand, family life is a form of human and social life, much more intimate and with a greater “belonging” to the natural being (*esse naturae*) than political life, in accordance with Aristotle’s statement that, for living creatures, being is life.⁴³ This is supported by St Thomas when he assimilates the family to a “spiritual womb” (*spirituali utero*): “For a child is by nature part of its parents: thus, at first, it is not distinct from its parents as to its body, so long as it is enfolded within its mother’s womb; and later on after birth, and before it has the use of its free-will, it is enfolded in the care of its parents, which is like a spiritual womb”.⁴⁴

Here it is remarkable how intensely St Thomas emphasises the pedagogical purpose of marriage. It is part of the fundamental, essential, principal relationship of the *bonus prolis*. The reason for the essential relationship between marriage, family and education derives from the natural inclination of human beings to happiness. It is the task of parents to develop such a desire for happiness in their children by means of virtue, which provides the wise and proper way of judging: “Since judgment appertains to wis-

⁴⁰ *S. Th.*, II-II, q. 50, a. 3 c.

⁴¹ Aristotle, *Nicomachean Ethics*, Bk. I [A], ch. 2, 1094 b 9.

⁴² *In I Politicorum*, lect. 1 A, supra 1252 a 6.

⁴³ “for living creatures being is life” i.e. τὸ δὲ ζῆν τοῖς ζῶσι τὸ εἶναι ἐστίν (*De Anima*, Bk. II (B), ch. 4, 415 b 13).

⁴⁴ *S. Th.*, II-II, q. 10, a. 12 c.

dom, the twofold manner of judging produces a twofold wisdom. A man may judge in one way by inclination, as whoever has the habit of a virtue judges rightly of what concerns that virtue by his very inclination towards it. Hence it is the virtuous man, as we read (*Ethic.* X), who is the measure and rule of human acts”.⁴⁵ To this way of knowing, evaluating and judging, Aquinas gives the powerful notion of “knowledge by connaturality”.⁴⁶ Family education should also be by a kind of connaturality or by testimony of virtuous life, carried out in that spiritual womb which is the family and which follows the mother’s womb, where the educational relationship already begins in a certain way.

Bad examples and rigour in all things must be avoided at all cost, without ever acknowledging their good work. It is the Apostle St Paul who gives this advice: “Fathers, do not provoke (ἐρεθίζετε) your children, so they may not become discouraged”.⁴⁷ The explanation given by St Thomas is very important because it points to the educational purpose of making the human being responsible as a free being created in the image of God. “Paul gives – Thomas said – this advice because adults keep the impressions they have had as children. And it is natural for those raised in slavery to be always faint-hearted. This is the reason why some say that the children of Israel were not immediately led into the promised land: they had been raised in slavery, and would not have had the courage to fight against their enemies: say to those who are of a fearful heart: be strong, fear not! (*Isa* 35:4)”.⁴⁸ Sons and daughters are not the property of parents or means to an end, like servants, but an end in themselves: “the authority of a father with respect to his child is different from that of a master with respect to his servant. For the master employs his servant to his own advantage, but the father manages his child for the child’s advantage. It is necessary that fathers educate their children for the children’s own good; not, however,

⁴⁵ *S. Th.*, I, q. 1, a. 6 ad 3.

⁴⁶ “rectitude of judgment is twofold: first, on account of perfect use of reason, second, on account of a certain connaturality with the matter about which one has to judge. Thus, about matters of chastity, a man after inquiring with his reason forms a right judgment, if he has learnt the science of morals, while he who has the habit of chastity judges of such matters by a kind of connaturality” (*S. Th.*, II-II, q. 45, a. 2 c).

⁴⁷ *Colossians*, III:21. Cfr. also: “You fathers, don’t provoke (παροργίζω) your children to wrath, but nurture them in the discipline (παιδεία) and instruction of the Lord” (*Ephes.*, VI:4).

⁴⁸ *In Col.*, III, 21, lect. 3, ed. R. Cai, Marietti, Taurini-Romae, 1953, t. II, p. 158, n° 175.

by excessively restricting or subjecting them. ‘Fathers, provoke not your children to indignation, lest they be discouraged’.⁴⁹ Because such provocation does not inspire them to good”.⁵⁰

Therefore, the state of virtue that education in the family pursues is that by which the daughter or son goes from being a child to becoming an adult, to a moral majority: “another law regulating the education of children who need to be taught how they are to achieve manly deeds later on”.⁵¹ Such a state of virtue means being able to be “self-providing” (*sibi ipsi providere*), so education consists in helping to “become prudent”.⁵² The way to carry out this education on the part of the parents will be by developing the natural inclination to happiness through freedom and virtue, above all with regard to family life in its daily manifestations.

The children, inclined also by nature to happiness, will then judge “connaturally” that their parents seek for them a good – and happiness – in educating them, and will receive their teachings with confidence. In order to learn, it is always necessary to trust and believe in the person who teaches: “every one who learns thus must needs believe, in order that he may acquire science in a perfect degree; thus also the Philosopher remarks (*De Soph. Elench.*, I:2) that it ‘behooves a learner to believe’”.⁵³ Therefore, in family education, the admonitions of parents and the trusting obedience of children will usually suffice, according to the advice of St Paul: “Children, obey (ὕπακούετε) your parents in all things”.⁵⁴ Such trust, knowledge by connaturality, and obedience are to be done for this is “well pleasing to the Lord”, “that is, – St Thomas comments – it is in the Lord’s law, because the law of charity does not destroy the law of nature, but perfects it. And it is a natural law that a child is subject to the care of his father: ‘honour your father and your mother’ (*Exod.*, XX:12)”.⁵⁵

Educating in the life of grace: domestic church

In the late *Commentary on Matthew*, St Thomas presents the family as the cell of the social order, which is the basis of both the community of the city and the community of the kingdom or politics: “There are three sorts

⁴⁹ *Col.* 3:21.

⁵⁰ *In Ephes*, VI, 4, lect. 1, ed. cit., t. II, p. 80, n° 342.

⁵¹ *S. Th.*, I-II, q. 107, a. 1 c.

⁵² Cfr. *Contra Gentiles*, Bk. III, ch. 122.

⁵³ *S. Th.*, II-II, q. 2, a. 3 c.

⁵⁴ *Colossians*, III:20.

⁵⁵ *In Col.*, III, 20, lect. 3, ed. cit., t. II, p. 158, n° 174.

of community: the house or family, the city, and the kingdom. The house is a community formed out of those things which bring about common actions; therefore it is formed out of three conjoinings, out of father and son, out of husband and wife, and out of lord and slave. The community of the city contains all the things which are necessary for the life of man: hence, it is a perfect community as regards the mere necessities. The third community is that of the kingdom, which is the community of completion. For where there is a fear of enemies, one city cannot subsist on its own; therefore, owing to fear of enemies, a community of many cities which makes up one kingdom is necessary. Hence what life is in a man, so is peace in a kingdom; and just as health is nothing but the blending of the humors, so is peace when each one preserves his own order. And just as when health is withdrawn a man tends toward destruction, so it is with peace: if it withdraws from a kingdom, the kingdom tends toward destruction. Hence the last thing attended to is peace. Hence the Philosopher: just as a doctor is to health, so the defender of the republic is to peace”.⁵⁶

From the Christian point of view, since the beginning, the core of the Church was often constituted by those who had become believers “together with all [their] household”.⁵⁷ When these cells of the social order were converted, they desired that all family members – “their whole household”⁵⁸— should also be saved by participation in the grace of Christ. We can say with *Amoris laetitia* that there was an ebb and flow of Christ’s grace between the members of the social cell, i.e. between husband and wife, between parents and children and vice versa, which extended to the entire network of relations that they built with the world around them. These families who became believers were also a cell of the progressive diffusion of Christian life among the unbelievers in larger communities such as cities, kingdoms or political communities. In the case of Rome, they even managed to convert the Empire!

The Apostle Paul recognises the importance of families as social cells for the spread of the Gospel and its grace by greeting them with the expression “domestic Church”: “Greet the church that is in their house”.⁵⁹ The *Vulgate* of St Jerome translates: “Et domesticam Ecclesiam eorum... (and likewise to the Church which is in their house – in the house of the

⁵⁶ *In Mat. Ev.*, c. XII, v. 25, lect. 2, ed. R. Cai, Marietti, Taurini – Romae, 1951, p. 158, n° 1011.

⁵⁷ *Acts*, XVIII:8.

⁵⁸ *Acts*, XVI:31; cfr. *Acts*, XI:14.

⁵⁹ καὶ τὴν κατ’ οἶκον αὐτῶν ἐκκλησίαν (*Romans*, XVI:5).

consorts Prisca or Priscilla and Aquilla)”. For the Apostle Paul, therefore, the house (οἶκος) is the place where the ecclesial community gathers, in which a certain fullness of Christ’s grace resides to be communicated to the other communities. The ebb and flow of grace and love, the Christian testimony of its members, was a very effective means of spreading the gospel and its grace.

The spiritual animation of society

What should the Christian family do in today’s situation? What do Christian people need in order to conserve themselves as such and to perform their function of being light and salt for the earth, spiritual and moral animators of the period of time in which Providence has placed them, in particular during these difficult days?

The answer is neither easy nor simple. We can find an answer that sums up both the old and the new enunciation, full of immense meaning, in St Peter: today the domestic Church, that is to say the People of God, or rather all of us, or, better, every person of faith, every Christian family, must repeat the words that St Leo the Great took from St Peter: “*Agnosce, o christiane, dignitatem tuam*” – be aware, Christian, of your dignity, you have been raised to participation in the nature of God’,⁶⁰ do not seek to fall into the lowness of your old behaviour. Remember of which Head and which Mystic Body you are a member. Think again of your liberation from the power of the shadows and your move to the light and the kingdom of God’.⁶¹

Supplement of strength

Yes: every family and every Christian should again become aware of their own dignity and of what they have become, through the mysterious, wonderful, real regeneration of the grace of baptism and matrimony. We have explained the status and the dignity of the human person as a creature (the level of the human being is already very high and very worthy, and should spare us the animal-like, barbarous, sub-human degradation to which our civilisation – which is no longer or not yet worthy of that name – so easily gives way), and this is all well and good. Nevertheless, this human dignity is elevated to the highest level by divine grace. Let us remember the blunt words of the prologue of the Gospel according to St John: ‘But to those

⁶⁰ Cf. *II Pet.*, I:4.

⁶¹ *Serm. I de Nat.*; M. G. 54:192.

who did accept him [Christ] he gave power to become children of God, to those who believe in his name, who were born not by natural generation nor by human choice nor by a man's decision but of God'.⁶²

There are innumerable texts in Holy Scripture that teach us this vital new fact, this 'new creation', this sublime "divine generation",⁶³ this inescapable undertaking of the human being who has become a Christian, ordering us to perform a new duty: to conform our mentality, lifestyle, personal and social customs to human reality made superhuman by Christian election, by the Word of God, which has penetrated the being and the conscience of man, by grace, by the Holy Spirit, by the God of love, One and Triune, and which dwells amongst us in the sanctuary of the human soul of the Just and of the domestic Church of the Christian family.⁶⁴

Ancient humanism with its metaphysics, theology and virtue ethics was a providential preparation for the coming of Christ the Saviour and Redeemer.⁶⁵ Modern humanism is not enough for us because it recognises neither sin nor the elevation of the human being, which has been revealed and communicated to us by God's design,⁶⁶ and because in the end it has shown itself to be inept in fulfilling itself, in its efforts to achieve the stature to which it feels called and has failed.⁶⁷ It does not have that surplus of strength of grace and wisdom which we can only find in the order of Redemption.

At the same time, the dominant evolutionary worldview, which considers the human being only as a refined body, fruit of the evolution of matter (walking upright, with a larger brain), without an incorruptible soul, without a spirit and without religion is even less suited to us. Deprived of the transcendent dimension of the person and his supreme dignity with the grace of Christ, God is no longer creating and saving human beings and nature but vice versa. The *Catechism of the Catholic Church* calls this immanentistic view the 'antichristic fallacy – antichristica fallacia'⁶⁸

⁶² *Ioan.*, I:12-13.

⁶³ γέννησις ἐκ τοῦ θεοῦ (*I Ioan.*, V:18). Also: ἀπαρχὴν τινα τῶν αὐτοῦ κτισμάτων (*Iac.*, I:18).

⁶⁴ Cf. *II Cor.*, III:16-17; VI:16; VI:19; *Rom.*, VI:4; *I Ioan.*, III:1; etc.

⁶⁵ *Fides et ratio*, § 38 et passim. Cfr. also Pope Francis, *Dei Vizi e della Virtù*, Rizzoli, Milano, 2021.

⁶⁶ Cf. *Eph.*, I:18-19.

⁶⁷ Cf. *Rom.*, I:24 ff.

⁶⁸ "The antichristic fallacy (*antichristica fallacia*) already begins to take shape in the world every time the claim is made to realize within history that messianic hope which can only be realized beyond history through the eschatological judgement" (*Catechism of the Catholic Church*, § 676).

and for St John Paul II ‘European culture gives the impression of “silent apostasy” on the part of people who have all that they need and who live as if God does not exist’.⁶⁹ The signs and effects of this silent apostasy are the existential anguish in the west, specially in the new generations, including, in particular, the plummeting birthrate, the decline in the number of vocations to the priesthood and religious life, as well as the increase in suicides, euthanasia and mental illness, and finally, the difficulty, if not the outright refusal, to make lifelong commitments, including marriage.

Let good defeat evil!

I still have many things to say on this subject. I will limit myself to just one, which seems to me the gravest and the most insidious for the human and Christian dignity of persons and families that deserves our defence and recognition as a supreme value. This is the threat of the ‘globalization of indifference’, which has become epidemic and aggressive, with its mainstream ideology (*pensée unique*) denounced by Pope Francis, characterised by the “de-structuring” or, worse, the destruction of the family, by means of human trafficking, prostitution and by that sexual revolution pushed to unbridled and repugnant expressions, both in the media and in the public sphere. This sad phenomenon comprises the theory that paves the way to licentiousness disguised as freedom, and to disordered instincts defined as emancipation from conventional scruples (Freud, Marcuse, Marx, Engels, etc.). Both liberal ideology and Marxist ideology agree on this. Promiscuousness, pornography, the exploitation of the body, especially women and children’s bodies (even on the internet), illegal substances, and the exaltation and brutalization of the senses – depraved and accursed according to the Word of God – assault the healthiest and most reserved environments such as the family, schools, work and leisure. Every defence seems to grow weaker and to fall; in most countries even the law justifies every offence against the family and public decency. What is almost a sense of fatalism inhibits good people and people in power from having any legitimate and effective reaction.

Dear friends! Live according to the Beatitudes of the Gospel and the lesson of Matthew 25 ‘as you did it to one of the least of these my brethren, you did it to me’, as Pope Francis indicates. Do not allow awareness of grace, of the gifts of the Spirit and of moral values to go dark within you. Do not allow the awareness of the grace of the sacraments, especially

⁶⁹ *Ecclesia in Europa*, § 9.

of the sacrament destined for the social good, which is marriage, to fall asleep. Keep in mind that each of us should be an instrument of grace for the other and vice versa, as the Pope theologian Benedict XVI defines the essence of social life.⁷⁰ Keep alive the awareness and recognition of the important new indication of *Amoris laetitia*: ‘the common life of husband and wife, the entire network of relations that they build with their children and the world around them, will be steeped in and strengthened by the *grace of the sacrament*’.⁷¹

As the Synod Fathers of *Amoris laetitia* point out, despite the many signs of crisis in the institution of marriage, “the desire to marry and to form a family remains vibrant, especially among young people, and this is an inspiration for the Church”. In response to this desire, the covenant of love and fidelity experienced by the Holy Family of Nazareth, enlightens every family and enables it to better face the vicissitudes of life and history. On this basis, every family, despite its weaknesses, can become a light in the darkness of the world, radiating the grace of the Gospel. Nazareth must teach us the meaning of family life, its loving and gracious communion, its simple and austere beauty, its sacred and inviolable nature. As St Paul VI said, may “the family of Nazareth teach us how sweet and irreplaceable is its formation, how fundamental and incomparable is its role in the social order”.⁷²

Do not lose your awareness of sin, your judgement of good and evil; never allow the conjoined meaning of the freedom and responsibility specific to the Christian person and to the Christian family, and for that matter, to global citizens, to not be vigilant. Do not believe that those who defends the dignity of the human being and of the family do it because of a purported inferiority complex. Do not think knowledge of evil has to be acquired through personal experience. Never see purity and self-mastery as ignorance and weakness. Do not suspect that you will not have love and happiness if you look for them in an authentic life according to the Beatitudes of the Gospel. Take care of the sick, of the suffering (especially including the family), of those who weep, of those who work for peace,

⁷⁰ [men and women] are called to make themselves instruments of grace, so as to pour forth God’s charity and to weave networks of charity. This dynamic of charity received and given is what gives rise to the Church’s social teaching, which is *caritas in veritate* in re sociali; the proclamation of the truth of Christ’s love in society’ (*Caritas in veritate*, § 5).

⁷¹ *Amoris laetitia*, § 74.

⁷² St Paul VI, *Address in Nazareth*, 5 January 1964.

and of the young and the elderly, whom contemporary society tends to marginalise and exclude.

Know how to recognise, together, the best signs of our time in the straightforward and necessary upholding of the centrality of the human person, of truth, of justice, of loyalty, and of Christian coherence; know how to look for good wherever it is and expand your optimistic outlook on the world so as to admire it in its magnificent reality and its wonderful advances, that is to say, so as to define it, help it and, if possible, heal its deficiencies and its errors; give to ascetic efforts, to heroism, to sacrifice and to love for our brethren the importance that Christ, the Crucified Redeemer, gave to them; and make of your personal moral energy a generous gift for the Church: she needs this gift today from each Christian person and family especially for the healing and uplifting of the social order and the globalised people of God with the grace of Christ.

FINAL STATEMENT

1. *A renewed vision of the family.* – In the past, there has been a lot of talk about the ‘crisis of the family’, and even about the ‘death of the family’. However, at the international level, all the research in this field shows that the family always occupies the first place on the scale of values, as it is the most important value in people’s lives. What is quite true is that, on a worldwide scale, we are witnessing a pluralization of family forms. The family models of traditional cultures are undergoing deep changes, for a series of objective and subjective causes. We believe that, underlying these changes, is the contemporary world’s aspiration to create new ways of experiencing the family as a place of authentic love between the sexes and between generations. It is up to us to give specific answers and new hopes to these aspirations.

The pluralization of family forms is a long-term phenomenon based on a series of interdependent causes that converge to foster a strongly individualistic culture in the conception of human and social rights, to the detriment of solidarity and reciprocity between the sexes and between generations.

Fragmentation and internal conflict within families ensue, aggravating their conditions of poverty, both material and relational, because when the strength of family networks weakens, multiple social problems and pathologies are inevitably accentuated. There is certainly no lack of new forms of family solidarity, both in internal relations and in the surrounding community, to give support to those in need. But prosocial families are often left to fend for themselves and lack the social services and social policies that can support them.

It is therefore a matter of dealing with the everyday reality of families, as Francis indicates in his exhortation *Amoris Laetitia*, in order to understand the new relational dynamics in light of the search for deeper bonds of authentic love in family life and in the societal context at large.

2. *How should we interpret current trends?* – We are convinced that the current search for happiness cannot be achieved in superficial relationships that damage human dignity. It requires a relational family culture that is capable of humanizing people instead. There can be no true humanization if it is not based on the ultimate meaning of life, which is a response to divine creation and filiation as experienced in the family.

Although, on the one hand, media of mass communication tend to emphasize relational evils in families, such as violence, abuse, and discrimination, on the other, human and social science research can highlight the persistence and vitality of families in which the challenge of love prevails and generates relational goods for themselves and for others. The families that generate relational goods are those in which the relationship of the married couple takes the form and content of a joyful experience of growth in one's own difference through full reciprocity with the other. For a family, being a relational asset implies that men and women enjoy the same rights fully and equally. Likewise, parenthood turns out to be all the more beautiful, true and good the more having children responds to the need of reciprocating the gift of life, of which parents are only administrators and not owners. This vision of the family is what makes it a 'relational good'.

3. *The family as a relational good.* – We believe that, in the field of human and social sciences at large, greater attention should be paid to those ways of forming a family that configure it as a relational good in itself and for the community. The family, in fact, is and remains the source of a good society, because it generates those fundamental social goods, such as trust, responsibility, collaboration, solidarity, and the whole ensemble of human virtues that are essential to an inclusive, sustainable social life.

It is necessary to recognize the irreplaceable role of the family as a group and social institution at the intersection of the private and public spheres and, as such, as a reality that is fundamentally a *communitarian social subjectivity*, although it has some private and public dimensions. We can and must speak of a *citizenship right for the family as such*, due to the unique mediation that families exercise between individuals and community. Implementing this right belongs above all to culture, and in particular to educational and socialization processes, starting with the young generations. Nevertheless, the whole societal system must be involved in pursuing family-friendly policies in every sphere of life, work, civic activities, and entertainment, in which the rights of the family as such are concretized, that is, as a natural society that implements and completes inalienable personal rights. For this reason, a family-friendly culture needs to be supported by economic, social and cultural policies that favour family life as a relational asset for the entire community. In this respect, we wish to briefly explain the main objectives to pursue and who should implement them.

4. *What can be done?* – Our suggestions are as follows.

International Organisations

1. Make the promotion of family wellbeing one of the new UN Global Development Goals.
2. Raise the awareness of all political, economic, and social actors, including governments, on the impact that changes in demography, climate, technology and migration processes have on families. Adopt family-oriented policies that can adequately respond and address the negative effects of these megatrends, in particular to support the 30th anniversary of the International Year of the Family, 2024 (IYF + 30), organised by the UN Division for Inclusive Social Development of the Department of Economic and Social Affairs, provided that it adopts a definition of the family that conforms to the UNO Charter of Fundamental Rights of Humanity.
3. Promote cultural initiatives that strengthen the family as a stable place for primary affections and living a moral life and, in particular, as a place for the education of the new generations and for the transmission of cultural heritage, with the support of UNESCO.
4. Take every possible measure to reduce the demand for those forms of exploitation that are damaging to families, and especially sexual exploitation.
5. Establish codes of conduct and a zero-tolerance policy towards family violence and abuse, providing care services to prevent these crimes and help the victims.

National Governments and Authorities

6. Inspire their policies on *family-friendly criteria* and pursue *family streaming* in all areas of their competence.
7. Prepare *national action plans* to help families meet their basic needs and implement them by allocating a significant amount of their budget to them.
8. Configure national plans in favour of the family as an active, rather than passive, social subject, by a) adopting tax systems for families based on criteria of equity, taking into account their composition by number of members, age, and social and health conditions, along the life cycle; b) supporting motherhood and birth, avoiding policies

- that use abortion as a means of population control, and any form of eugenic selection of embryos; c) providing specific programs to combat family poverty, and in particular poverty of children and minors; d) guaranteeing a decent level of income for families who are unemployed; e) regulating employment contracts with family-friendly criteria and, in particular, facilitating relational contracts that include family welfare; f) promoting social housing policies to provide for families who do not have a home.
9. Ensure the necessary political, legal and financial support to the courts, administrative offices and law enforcement agencies involved in providing protection and social welfare for families, acting against family violence and abuse with preventative measures, and restoring the victims to a safe family life.
 10. Facilitate family reunification for migrants.
 12. Combat child labour and all kinds of child exploitation.
 13. Promote scientific research on the importance of family-oriented policies and programmes to effectively respond to the challenges posed by the rapid expansion of new technologies; at the same time, fund information campaigns warning of the negative impacts of new technologies on children and families;
 14. Provide programs that empower parents with educational skills and tools to understand new digital technologies, and create opportunities to share good practices in the use of digital technologies for parenting, education and the family's general well-being.

Civil Society Organisations

15. Promote family associations that advocate for family rights, and in particular associations of adoptive and foster families and families with disabled members and non-self-sufficient elderly.
16. Create and support networks of associations of professionals who can provide psychological help and relational social work to families in need.
17. Urge civil foundations that fund non-profit, charity and social welfare initiatives to direct their interventions towards operational projects to promote the educational and welfare capacities of families.

The Business Community

18. Adopt codes of conduct and regulations so that men and women have the same rights at work and can enjoy a better family-work balance, with adequate parental leave to be able to share family life more as a relational good.
19. Raise awareness of the serious risks and damage involved in the “race to the bottom” to minimize labour costs, and combat forms of exploitation of families in view of maximizing profits.
20. Adopt codes of conduct and regulations so that the quality of goods produced for the market does not cause damage to families and is family-friendly, in particular with regard to media industry and products – such as games – for children.
21. Ensure the effective involvement of the Bishops’ Conferences, clergy, congregations, parishes, schools and media in finding out and taking action against market products that can damage marital and parental relationships.
22. Create working groups to address family-friendly employment contracts, focusing on concrete actions and preparing positions on key issues that could improve relations between families and businesses.

The Holy See

23. Propose a *family global compact*, understood as a global alliance for the family, in order to include the protection and promotion of the family based on marriage in the new Sustainable Development Goals.
24. Commit the Permanent Missions of the Holy See to international organisations to insist on the urgency of a global strategy to sustain the right to start a family, providing it with a decent standard of living in accordance with the UN Universal Declaration of Human Rights (article 16).
25. Promote initiatives to ensure the commitment of the Catholic Church, with all its religious and secular organizations, and of all men and women of good will to take care of families as relational goods and provide them with adequate services.

All Religions

26. Commit to collaborating with one another to build a global alliance for the protection and promotion of the family.

27. Reinforce inter-confessional and ecumenical networks locally, regionally and internationally in order to create an ever-growing pool of resources to promote family-friendly welfare services.
28. Educate people on the phenomenon and scale of self-reinforcing mechanisms of family deprivation through the generations, offering everyone opportunities to step out of the cycle of poverty.
29. Give poor and migrant families access to the facilities provided by monasteries, convents and religious houses and make every effort to assess their pressing needs.
30. Establish a World Day of prayer, fasting, action, and reflection on the importance of the family for a peaceful and solidary world.
31. Reach out to all women, men, girls, and boys and raise awareness of their moral duty to refrain from any activities, including any involvement in the sex industry, that damage the sanctity of family life.

All People of Good Will

32. Cooperate on forwarding these proposals, by acting together and sharing information, with the aim of promoting the family as the source (*fons*) and origin (*origo*) of a good society.

In short

Confident that International Organisations, National Governments, NGOs, Churches and Religious organisations are aware of the importance of the issue of the family in today's society, we deem that particular attention should be given to the following points:

- Families need the support of a firm culture of life, fostered by family-friendly economic measures
- Families are the first place in which individuals are humanised, where they develop their affective and moral life, and where cultural heritage is passed down. Their rights in the education of their offspring need to be protected.
- Families need the subsidiary help of society in preventing violence, abuse, and child labour, and in offering shelter to victims.