

12 Politics and Policies towards the Family in Europe: A Framework and an Inquiry into their Differences and Convergences

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This chapter focuses on the difference and the relationship between politics and policies towards the family. In politics political rhetorics matter, and they differ more strongly than the established policies among the European nations. A twofold distinction between implicit and explicit and between symbolic and effective politics towards the family is introduced and language provided for analysing more in depth the national differences. These differ in the dimensions of motives, of modes of policy intervention, and of evaluation. The current approach to evaluate family policies focuses on policy output, this is the perspective of the politician or the administrator. If one wishes to understand how family policy matters one has to take the perspective of the addressees, however. Problems linked to this approach are discussed by reanalysing aspects of some chapters of this book.

The second part of this chapter focuses on the role of national diversity for European integration. Four 'families of nations' are distinguished which differ clearly as to the motives for political action towards family issues as well as to the corresponding scope of political action and its impact. To this day competence on family matters is lacking on the European level. However spillovers from the principle of gender equality and children's rights are to be expected. This could enhance the influence of the Scandinavian type of implicit family policy on other nations and might also promote modernizing effects on family relationships.

The judgment on family policy is yes and no.
 On the one hand, it is yes,
 problems of families are identifiable if not solvable.
 On the other side it is no, ...

The facts about families are not well enough known to make policy

(Gilbert Steiner)

Introduction

There has been always an intimate merger among family and politics in traditional societies. Kinship was one of the most powerful ties in traditional societies, and modernization deprived kinship first of its political and subsequently also of its familial influence. To speak of family policy presupposes the shift towards the modern arrangement of differentiated if not separated spheres of the polity, the economy, the family. Following their classics, sociology conceives modernization essentially as a process of growing differentiation between domains specializing in specific forms of interaction. Besides the institutional differentiation of legitimate power, markets, and intimate relationships one observes also the cultural differentiation between religion, arts, and science, and a growing importance of the individual. It is evident that these fundamental transformations of society led to consequential problems. One of the major reactions to these problems was the development of social policy and the emergence of the welfare state (Kaufmann, 2000).

State responsibility for family concerns developed hesitantly and later than most of the other areas of social policy (Gauthier, 1996). To this day, many European countries exhibit no explicit family policy, and outside of Europe an explicit policy to support families is almost totally lacking. In the countries that do maintain a certain family policy tradition, ideal models and implemented policy measures in part diverge. Recently, however, increased political activity aimed at improving the socio-economic situation of families and children has been evident in numerous European countries. The

European Commission is also making efforts to establish at the European level discourse on family policy, by addressing family and population issues. Family policy seems to be an area gaining importance at the national as well as on the European level, at least in western Europe. In contrast, for economic reasons, former eastern Bloc countries experience a dismantling of their comprehensive system of welfare policies by which families were also supported.

This concluding chapter aims to take a comprehensive view on politics and policies towards the family both on the national and on the European level. Actually, there is not yet a family policy on the European level; there is only an attempt to structure the field by a comparative description of national policies and by programmatic declarations. As will be shown in this study there are substantial differences between member states of the EU in their attitudes towards family issues both on the level of political discourse and on the level of implemented policies. It is important to bring these differences to the forefront in order to understand and to overcome the difficulties for establishing a family policy on the European level.

This field under study is still poorly structured, however, for a long time it has received almost no attention by the social sciences. It is only in the last two decades that substantial research has been made, and the project presented in these two volumes was one of several attempts in the 1990s to overcome national limitations in the conceptualization and study of family issues and policies. Comparisons that go beyond questionable juxtapositions of statistical indicators or other selected information need a generalized framework that allows for a classification of national differences. Therefore, we begin with (1) some general considerations on the conceptualization of family related policies, (2) we then summarize empirical research on family policies in Europe, with special reference to the contributions of this volume and to the working of family policies. Finally, we inquire (3) into similarities and differences between national politics and policies towards the family and ask (4) about their consequences in the perspective of European integration.

12.1. Analytical Dimensions of Family Policy

12.1.1. Family Change, Family Law, and Family Policies

In order to attain a comprehensive perspective which incorporates differing national traditions and political motives, a few social scientific considerations regarding families in Europe may first be in order.¹ Since the beginning of the modern age there have been characteristic changes in modernizing countries which led to the establishment of the so-called nuclear family, i.e. a common household being shared solely by the married parents and their dependent children, remaining only loosely coupled to kinship (Goode, 1970). As the 20th century proceeded this family type superseded in Europe older forms, such as the agrarian and artisanal households with servants linking trade and reproduction, the three-generation households, and the wretched forms of living in the lowest strata. Especially in the years following the Second World War, a homogeneity of family structure was reached that compared to earlier times was unknown. Almost the entire population entered marriage, there were low divorce rates, low rates of births to illegitimate children, and a modest number of children – though sufficient to reproduce the population. Thus ‘the family’, i.e. the nuclear family, appeared as a self-evident part of society, as the centre of the private sphere independent of the State and outside of the economy, as it was conceived first in Hegel’s philosophy of law (Hegel, 1967:§157/158). This *homogenization of the family sector* grew out of societal changes at large such as liberalization, industrialization, and urbanization, among others. They led to the predominance of a standard form of relatively stable dependent employment for men, while the pattern of integration for women into the labour force remained contingent on market conditions and different national patterns. Thus the family was considered a self-evident element of the social

¹ In view of the confinements of this contribution the focus is on issues of family policy but not on issues of the sociology of the family. For the perspective of this author to these latter aspects cf. Kaufmann (1990/1995).

order, as the ‘natural’ basis of human society. Similar images were prevailing in the now leading nation of the world:

In the mythology of American politics, the family is not a political topic. The liberal roots of American political thought, the legacy of republican individualism, and the Victorian ideal of separate spheres combine to keep the traditional image of the family antithetical to politics: the family is safe, gentle, and nonconflictual in contrast to the uncertain, rough, and competitive civic realm. According to this logic, families are construed to be private, and hence there is no family policy (Nelson, 1985:351).

In recent decades, all European countries have experienced considerable, although not uniform, change in the family sector.² There is a prevalent drop in the birthrate to levels, in most countries, substantially below reproduction. Furthermore, one can point to a characteristic growing disinclination towards marriage and an increasing social recognition of alternative forms of partnership and parenthood outside of wedlock. Finally, the rate of divorce has risen rapidly. The explanation of the manifestations varies from country to country. Of course, such descriptions are based on macro-statistical data which are only symptomatic of a variety of actual changes on the micro level of living arrangements.³ None the less they shape political concerns and not seldom also the proposed political measures. Thus issues concerning the family have been brought into the political agenda in many countries. However, it is often not the family, but, for example population issues, the gender question, or the welfare of children that have become paramount in political discourse.

Changes in family law are both consequence and reinforcement of such trends. In the 1970s and 1980s nearly all European countries experienced substantial changes in their legal rules concerning the family, i.e. marriage and its effects on gender relations, divorce, parenthood, and children’s rights, not to forget the relationship between the rights of legitimate and illegitimate children as well as of

² See Kuijsten, in this volume, Chapter 2.

³ See Strohmeier, in this volume, Chapter 10.

children whose parents had divorced. Legal reforms in almost all countries follow convergent lines of deregulating the traditional dominance of the father and giving more rights to women, and more recently also to children.⁴ Whereas the growing equality of husband and wife amounts to a deregulation of the familial sphere, the growing insistence on children's rights contributes to re-regulation. It may be said that in most countries marriage loses its institutional character, whereas parenthood becomes more institutionalized. (Kaufmann, 1990:89–109). Social change depends not only on the legal framework but also on the increase of options available to both sexes, especially to women. Though the emergence of family policies is intertwined with these processes of legal and social change, no general pattern can be ascertained as to the relationship between these three developments. For a sociological perspective it is important (though seldom done) to include the dimension of family law in dealing with both family change and family policy.

There is a widespread discontent on the lack of conceptualization in the literature about family policy. This failure has various origins. Firstly, most people writing on issues of family policy have primarily political and not scientific concerns. Even scientific discourse about family policy⁵ remains mostly separated from the mainstreams of social science. However, the intricacies of the subject also contribute to that situation. The issue of family policy is intimately linked to basic assumptions about the role of the family in society, i.e. to questions of social order which are often contested among different political ideologies (cf. Commaille, 1996). Moreover, the images of what the family is or should be are also divergent and changing. As a consequence, it is by no means obvious what the focus and the limits of family policy should be. Certainly, many policies in all countries affect the character and the life situation of existing families and hinder the development of other forms, but most of them are not directed intentionally to these effects but

⁴ See Glendon (1989); Therborn (1993); Walter (1997); and Vlaardingerbroek, in this volume, Chapter 4.

⁵ Seminal: Myrdal (1934); Myrdal (1945); Wingen (1964); Wynn (1970). Fux, (1994) gives a helpful synthesis.

are aimed to solve other problems, e.g. problems of public order, of property rights, of the labour market, or of social security. Beneficial or adversal effects on families are mostly by-products rather than intended consequences of certain policies. Finally there remains high contingency between the public declarations on aims and the factual consequences of many policies. The consequence of this crowd of intersecting factors has been succinctly formulated by Gilbert Steiner (1981:214):

The judgment on family policy is yes and no. On the one hand, it is yes, problems of families are identifiable, if not solvable. Family dysfunction leaves helpless and unloved people dependent on public programs to save them from disaster. Some of those programs are clearly in need of improvement. Family policy is simply a description of a bundle of government programs, and hence inevitable. On the other hand, it is no, its inventors have not described their invention nor have they shown a working model. Conferences and seminars have not helped clarify the concept. The facts about families are not well enough known to make policy.

This was written two decades ago and in the context of the United States. Could the advance of research in the meantime and the less heterogenous context of European populations now make for a better prospect? Many contributions to this volume aim at filling the gap between nice words and inconsiderate deeds, not only by contributing information, but also by developing more general arguments about family policy. In this concluding chapter the concept will be tackled directly. The concept of family policy is above all an issue of public debate, and not yet a coherent set of policies, let alone a coherent institutional complex. In this section we propose the distinction of (1) political motives for policies affecting the family, (2) official legitimizations for policies affecting the family, (3) measures or instruments of public intervention affecting the family, and (4) the impact of such interventions, as perceived by scientific observers taking the perspective of the addressed households. By making these distinctions the aim is to contribute to some clarity which is often lacking in the political approaches towards family policy.

12.1.2. *Motives for Family Policy*

The term 'family rhetorics' introduced by Lüscher (1985, 1989) is best suited to refer to the public debates on family issues. Family rhetorics are distinct to each country and influenced by both cultural traditions and existing institutional arrangements.⁶ Together they normally express the diagnosis of a problem and the proposals to solve it. In these two elements, a third is always implicit, namely, normative assumptions, which may be shaped by tradition or by the dynamics of a social movement. By sorting out these normative aspects and linking them to certain definitions of a situation, we call them the *motives* for the ensuing claims. A typology of arguments motivating political interventions affecting the family is presented below (without claiming any completeness).

1. The *institutional motive*: this form of argumentation regards the institution of the family to exist as a value of itself; family policy is legitimized by the value of the family and the need to preserve it. This argument is often linked to a traditional if not pre-modern view of the family, including the breadwinner-homemaker model. Another reasoning emphasizes the natural and hence basically unchangeable character of family matters. But the institutional argument may also be proposed in the context of highly modernized structures, emphasizing the lack of cultural support to familial bonds (e.g. Popenoe, 1988).

2. The *natalist motive*: here the argumentation for political measures centres on the importance of demographic reproduction and focuses on the insufficiency of the birthrates, whereas the standard of a sufficient birthrate is at least zero growth. It is often, though not necessarily, linked to arguments of national pride, but it may also draw upon some of the subsequent arguments. If taken in isolation it may be concerned more about populations than about

⁶ See Gauthier (1996); Hantrais and Letablier (1996); condensed examples of family rhetorics can be found in the different forms of social reporting on the family by most European countries, see Bien and Rathgeber (2000), and especially Rothenbacher (2000).

family issues and also include, e.g. measures against abortion and birth control (cf. Glass, 1940; Gauthier, 1996).

3. The *eugenic motive*: this motive has been repeatedly discussed in the first half of the 20th century and was explicitly introduced in the context of family policies by the Myrdals (1934). Though it has been deeply questioned by the racist population policy in Nazi Germany it has still some influence, especially in Sweden. The advance in genetics may also give new appeal to this motive.

4. The *economic motive*: this stresses the family's macroeconomic role with respect to preserve and qualify the stock of human capital through childrearing, housework, caretaking of family members, etc. (Schultz, 1981). Of primary importance is guaranteeing the productive qualities of the next generation; of course, quantitative and hence consumptive considerations are implied here too: a declining population is presumed to affect economic growth negatively (Reddaway, 1946).

5. The *societal motive*: this line of argumentation is similar to that of the preceding human capital approach though it encompasses a broader spectrum of issues concerning the role of the family in society at large. It emphasizes the significance of the family as a constitutive element for the reproduction of society which comes under pressure as a consequence of modernization (Commaille, 1987; Kaufmann, 1990). It points to built-in 'structural neglect' *vis-à-vis* the family in modern societies where the assumption of parental responsibility is taken for granted despite the cleavage between the private costs and the public utility of child-rearing (e.g. Bundesministerium für Familie und Senioren, 1994).

6. The *socio-political motive*: this focuses on need and equality and underscores the economic disadvantages related to taking on family responsibilities (e.g. parental, caretaking of family members). Political measures are deemed necessary to compensate immediate costs incurred thereby and also opportunity costs resulting from the restrictions of parents, especially the mother, in the labour market. Even more pressing are arguments of children's and family's poverty (Vadakin, 1968; Wynn, 1970; Ringen, 1997).

7. The *women's issues motive*: on the one hand, this points out that the economic and social disadvantages of living in family are solely faced by women, and that even social policies often work against the interests of women; on the other hand, it argues for the equality of men and women with respect to participation in the labour market as well as to assuming familial responsibilities (Bock & Thane, 1991; Lewis, 1993; O'Connor *et al.*, 1999).

8. The *children's welfare motive*: this focuses principally on the well-being of children and, consistently, appeals to government to provide the necessary framework for public provision of children's needs including the relationship between familial and extra-familial institutional providers of socialization (Zigler *et al.*, 1983; Schulze, 2000). This motive may be linked with both conservative and progressive ideas about the family.

The above lines of argument partly converge and partly diverge in relation to their policy implications. Various clusters of these arguments can be observed at different places and times whereby basic political attitudes often act as an organizing principle. In this respect a tension particularly exists between the 'conservative' or 'patriarchal', familial-institutional argumentation, on the one side, and the mostly 'emancipatory' argumentation favouring women and/or children on the other. The natalist argument is compatible with either arguing the need for an economic policy or for social policy; but a tension exists between the last two lines of argumentation: from an economic point of view measures of policy are only desirable to the extent that they strengthen the formation of human capital, whereas the central principles of social policy are based on need and equality. There results however in practice by all means areas of convergence. Both are open to be combined with eugenic considerations though this link is seldom established in Europe.

The societal argumentation encompasses most of the aforementioned lines of argumentation, considering them as functionally complementary and their opposition as a consequence of divergent cultural norms and political priorities. From the perspective of a

politically constituted society⁷ the raising of subsequent generations which fit not only in quantity but also in quality (motives, knowledge, capacities) to meet the demand of different partial systems and their organizations (enterprises, public services, the military, political parties, associations, churches, etc.) is a basic functional prerequisite. Families in combination with the educational services are the main institutions to perform that function. Neither immigration nor forms of exclusive extrafamilial socialization can substitute more than marginally for the function of the families. This central function is linked primarily to parenthood, not to marriage, though the reliability of the parental bond seems to be essential for children's welfare. Changes in family structures do not impair necessarily its functions, as conservative thinkers pretended. Rather, there is some evidence that today nations with modernized family structures fare better in that respect.⁸

12.1.3. *Implicit and Explicit Family Policy*

The preceding lines of argument present reasons why governmental policies should be made that influence family issues. This, however, is not the whole discourse about family policy. From a political perspective another discourse is primordial, i.e. the question of whether government should intervene *at all* in family matters. Here three principal points of view may be distinguished:

1. *The welfare state position*: this postulates a basic and explicit governmental responsibility for the protection and the support of

⁷ Until recently society in this sense was evidently to be equated with the nation state. Consequently a 'population' was defined by national boundaries, and basic political solidarity and collective economic interest were shared on this level too. Processes of Europeanization and globalization weaken actually the frame of reference of the nation state. It depends on the further developments of the EU to what extent it will become a new 'societal' framework. Our arguments in this section are mainly analytic and therefore applicable to both frames of reference.

⁸ See Künzler, Chapter 8, and Helth, Chapter 9, in this volume.

the family: government's intervention is limited here only by the availability of means and their efficacy.

2. *The position of minimal state intervention*: it views the family as constituting a private sphere in which the state has just as little authority to intervene as it does in the economy. However, this 'liberal' position remains indifferent towards the specific weaknesses of children and their parents (O'Neill, 1994).

3. *The position of selective state responsibility*: it allows state intervention solely for cases of socially weak families or of families burdened with problems (e.g. lone-parenthood, disabled children, unemployment, weakened childrearing capacity of the parents), whereby the motives for supporting families may be either help and/or social control.

These points of view are based on more general attitudes towards, and assessments about, the relationship between individuals, the State, and society. With the exception of France, family policy never reached a central place in social politics. Thus it is easy to understand why the motives for policies affecting the family differ widely among nations and political movements. Indeed, all of the aforementioned motives for governmental activity *can* be related to the family, but this relation is only self-evident within the context of the familial-institutional argumentation. This illustrates a problem characteristic of international comparisons of family policy: family policy can be either explicit or merely implicit or not exist at all.⁹

In the broadest sense, family policy is everything that governments do that affect families, directly or indirectly. It connotes choice with respect to the pursuit and attainment of collectively agreed-upon goals and values in addressing the problems of families in relation to society. The primary goal of family policy is individual and family well-being. The importance of well-being lies in its meaning for individual and family functioning, for social relations and integration, and for citizenship in a democracy. Thus a goal in and of itself, individual and family

⁹ The distinction between explicit and implicit family policy has been introduced by Kameron and Kahn (1978). It is questioned by Barbier (1990:158-159), but without giving a better concept.

well-being also is instrumental to the achievement of other societal goals and values (Zimmerman, 1992:153).

This extensive definition of family policy is not consistent. If 'family policy is everything that governments do that affect families, directly or indirectly', also those effects are to be included which affect families negatively. It is in this sense that Urie Bronfenbrenner (1986) spoke about 'America's hidden family policy: ... all too often such actions operate against rather than for the basic interests and needs of families and children, in part because the decision-makers may not be aware of the full consequence of their actions in the realm of family life.' However, Zimmerman restricts the term to policies which affect families in an apparent *positive sense*. From the perspective of the scientific observer policy decisions often affect families in an *adverse sense* as a by-product or side effect, because they treat individuals as equal without considering their family obligations. This is a characteristic form of structural neglect towards the family. For the sake of clarity, it is nevertheless advisable to restrict the term 'family policy' to positive intentions and/or outcomes and impacts of political measures towards the family. To include also adverse consequences of policies for families one could use the broader term *family related policies*.

Family policy is to be considered as *explicit* under two conditions: a certain degree of institutional autonomy and a political discourse focusing on *family* issues. Institutional autonomy means a noticeable differentiation of administrative authority in which the jurisdiction of family-related concerns is concentrated, i.e. a specific ministry or at least a subunit of a ministry specializing in family matters. Institutional autonomy depends moreover upon the emergence of a policy network on family issues, e.g. associations focusing on family interests, or research institutes, and spokesmen taking an interest in family policy. The second condition refers to family rhetoric: family policy is explicit in so far as political measures are *legitimized* by family issues and not for example by issues of women, children, or by poverty.

Therefore I do not agree with those who claim that there is no difference between family policy and population policy. Although

some of the motives for family policy (e.g. the natalist and the economic) may be used in political rhetoric about population as well, the basic definition of the problem and the scope of instruments remains different in both cases. Population policy concerns structure and growth of population, natalist family policy is at best one strategy in that context, another being for example migration policy. Most motives for family policy do not intend a natalist effect either. There is some evidence, however, that concerns about declining natality is the *strongest* motive for *politicians* to take action on matters of *family* policy (Gauthier, 1996). Also, family policy is not to be equated to women or children policy, although it may be a substantial overlap in terms of instruments and outcomes. Strictly speaking such 'uni-dimensional' policies are a construction, either from the part of the political actors, or from the part of scientists.

One can speak of *implicit* family policy where there is a considerable range of political measures which *from the perspective of a scientific observer* can be interpreted as being effective towards relieving or solving family-related problems, though the measures are not legitimized by political discourse as family policy. In lieu of the measures being justified on grounds of a family policy, they are founded for example in social policy in general or also in population, women's, or children's issues, but they may occasionally also happen for completely different reasons, e.g. tax reform. Consequently, administrative authority is then defined by these issues and not by those of the family.¹⁰

There are also countries whose policies give no or only rudimentary indication of addressing family-related concerns. In this case,

¹⁰ This distinction of explicit and implicit family policies is not identical to that of Kamerman and Kahn (1997:6). The distinction drawn there depends only on the perspective of the scientific observer, who decides, which 'policies are deliberately designed to achieve specific objectives regarding individuals in their family roles or the family unit as a whole' (ibid.). Our distinction focuses more on aspects of politics and not of policies. As to the classification of instruments from a 'family policy perspective' the consequences and difficulties of both definitions are similar, since many political measures are designed simultaneously for different purposes, and moreover may have unanticipated consequences for individuals in their role as family members.

neither explicit nor implicit family policy can be referred to. The number of industrialized countries in which the institutionalization of measures providing public help for families or their members has not been established at all has recently declined, the United States being the most prominent case among them.¹¹

Finally family policy is an area of politics where public declarations of political intentions often exceed by far the real effort to produce the declared effects. Following Edelman (1967) we can speak here about a *symbolic use of politics*. In sum we can distinguish four configurations of politics towards the family, as described in Table 12.1. The countries mentioned as examples are those whose politics towards the family are described in more detail in section 3 of this chapter.

Table 12.1. *Types of politics towards the family*

	Explicit family policy	Implicit family policy
<i>Symbolic use of politics</i>	Family as a declared political value, poor implementation, e.g. Germany	Tacit cultural assumptions about the family and their political impact, e.g. Britain
<i>Effective politics</i>	Implemented policies focusing on 'family' issues, e.g. France	Other implemented policies affecting favourably the family, e.g. Sweden

12.1.4. Instruments and Modes of Policy Intervention

To become more than sheer words family policy has to be implemented by certain measures which affect the life situation of (if not all, at least certain categories of) individuals *in their status as members of a family*. From an analytic point of view this is a rather precise definition, but it is by no means easy to classify all concrete measures of policy by this criterion. Again, our intention in this section is to draw distinctions in order to get clear arguments.

The phrase 'measures *affecting* the life situation' may be interpreted from the perspective of the policymaker or from that of the

¹¹ As to the ambivalent effects of American social policy towards children see Currie (1995).

individuals being in a certain life situation. Policymakers define policy by their *intentions* associated with certain measures of policy; the addressees, on the other side, experience a policy measure by its *impact* on their life situation. The scientific observer is the person who is able to see this difference which is not current among those concerned with the operation of certain policies (Kaufmann, 1987). In the *rational case*, of course, the difference can be neglected: the intentions of policymakers ('the aims of policy') are realized through a certain programme which becomes implemented in the form of 'measures' or 'instruments' which produce the intended 'outcome' that may be transformed in individual 'impact'.¹² This corresponds to the initial 'simple impact model' of Strohmeier (in this volume, Figure 10.1), but as described there, this is a highly simplified and idealized perspective. In reality even well-implemented and sustained policies produce only mediated, rather contingent, effects.

From a generalizing conceptual perspective, it seems appropriate to classify implemented policies affecting the family as *a particular kind of social policy*, i.e. as a set of political interventions explicitly aiming at or implicitly operating to improve the life situation of individuals in the context of their family rights and obligations.¹³ To give an overview of the main instruments of family policy they will be ordered along the four main dimensions of human assets constituting the life situation of individuals, i.e. rights, economic resources, accessible opportunities, and personal capacities.¹⁴ Policies using instruments targeted to one of these dimensions meet different difficulties and conditions of success (cf. Kaufmann, 1982). Therefore four modes of policy intervention can be distinguished:

¹² Similar models of a 'policy cycle' can be found e.g. in May (1978).

¹³ Note that this perspective does not cover the institutional motive of family policy which was very influential at the onset of family policy e.g. in France and Germany.

¹⁴ For a more pragmatic listing of instruments see Kamerman and Kahn (1997: 7-8).

(a) *Status policy (legal intervention)*: the legal status of persons and their ensuing rights and obligations define their position in society. Therefore measures affecting the legal status of persons in terms of their role in the family are an important form of family policy. Such laws may either address the structure of family relationships (e.g. regulation of marriage, divorce and parenthood, children's rights, inheritance), or they oblige third parties to respect the circumstances of parenthood (e.g. norms protecting mothers in the workplace, exemption of lone fathers from military service, rights to parental leave and family credits in the tax law or in the pension system, rights of parents within the public school system). Whereas most states regulate family relationships, much less is done to acknowledge the specific obligations of parents *outside* the family. Western legal systems are based on liberalism and individualism. Under conditions of competition the equality of an individual's legal status often results in social inequalities. One major source of economic and social inequality actually results from the difference if individuals rear children or not. If such inequalities are deemed to be reduced, the conferral of specific rights for parents seems to be an appropriate measure.

(b) *Policies that bear upon the economic situation of the family household (economic intervention)*: these primarily regard the tax laws as well as the monetary benefits of social security and of anti-poverty programmes, including child or family allowances. The predominant concern in most countries relates to the issue of universality or selectivity of cash benefits. In the background, however, the labour market and employment policies especially for women are also pertinent: the economic situation of a family is basically different if there are one or two incomes. Alternative proposals to pay a 'mothers'-wage' out of public budgets or from contributory schemes have not yet met with governmental support. Moreover, feminist as well as economic motives argue for strategies to help parents to combine activities in the family and in the workplace.

(c) *Policies that have an impact on the opportunities for families and children (ecological intervention)*: this type of intervention on the environment of households concerns mainly environmental

planning, town planning (e.g. for recreation areas and children's safety) and housing policies, and also the availability of social services: day-care centres which provide full-time or part-time care for infants and children up to the age of 2 or 3, kindergartens and other services for pre-school children, youth and women's clubs, nursing services, and of course opportunities for schooling, their availability and proximity make for substantial differences in the quality of life of families. Educational prospects of the children as well as the working opportunities of both parents depend on the availability of for example appropriate housing and services.

(d) *Policies that promote or restore capacities of individuals (personal intervention)*: these are concerned chiefly with the facilities of the educational and the health system as well as with facilities providing counselling for partners and parents, and other similar services.¹⁵ Professional help is needed in many circumstances of modern societies. It is costly and its quality needs continuous improvement. There is a delicate question of to what extent political authorities should intervene to finance and to improve the quality of professional services and their distributive outcomes, these services being often ambivalent between 'help' and 'social control'.

The measures mentioned under (c) and (d) can only be controlled in a very limited way on the level of central government, and typically show considerable regional differences, also within each specific country. Often the responsibilities are delegated to the regional or local authorities. In this case, the political and administrative structure of a country plays a substantial role. For this reason these measures are very difficult to compare on an international level.

¹⁵ The term 'personal intervention' has been chosen with reference to the British term 'Personal Social Services', both categories are overlapping but not identical. The specific difference of our term concerns the level of desired impact which concerns neither rights, nor resources, nor opportunities but *the improvement or restoration of individual or personal capacities*.

12.1.5. Impact of Policy Intervention

Seen from the perspective of policymaking or of administration the observable result of a policy is *policy output*, i.e. laws implemented, resources distributed, services delivered, or dwellings constructed. Sometimes (although not often), politicians and administrators think of a further step of policymaking, namely *policy outcome*. In this case, they are interested in ensuring the effects of their policymaking are as they intended them. Desired policy outcome ('aims' or 'goals' for policies) is normally defined with respect to the motives of political intervention. In the case of family policies, favourite goals are defined in terms of family stability or of the acknowledgement of parenting, of increased fertility, of economic or of gender equality, and of children's welfare. These effects may be measured on various levels of observation, for example by modelling effects, by checking official statistics, by analysing characteristic cases, or by evaluation research. Evaluation of outcomes happens everywhere but rather seldom in a systematic disciplined way.

From a sociological perspective the evaluation of any social policy must include the level of individual life situations and their assessment *by the addressees or clients*.¹⁶ At least in a democratic society the *normative* criterion of policy success is with those who are addressed by any political measure. In order to distinguish the perspective of policymakers from that of the addressees we propose the difference between *outcome* and *impact*. 'Impact' means the outcome of social policies from the perspective of the addressees. This does not mean that the subjective opinion as it can be gathered by interviews should be the last sentence about the success of policies, this subjective assessment is only one (and perhaps not the most important) aspect of impact. *Impact is not a category of the addressees, but of the scientific observer, who observes policy outcomes from the perspective of the addressees*. Household panels or the measuring of the distributive effects resulting from the utilization of services may be better sources for impact research

¹⁶ An extensive discussion of this issue by Strohmeier is to be found in Chapter 10 of this volume.

than opinion research. Moreover the impact perspective may be extended beyond the immediate outcome of particular policies and include the behavioural reactions of the addressees, may they be desired or unintended.

Therefore, the difference in perspective cannot be ascertained by discussing the outcome of a single measure only. It is rather obvious that the life situation or quality of life of individuals and families results from the *combined* impact of rights, economic resources, available opportunities, and disposable capacities. *Seen from the perspective of (prospective) parents it is not this or that public measure which counts but the impact of the whole policy set.* From the perspective of the policymakers, by contrast, every measure needs to be debated and financed separately. It is the task of social science to relate these two perspectives. It then becomes understandable that, despite 'substantial efforts' from the side of government, the intentions of policymakers are often not met. This does not mean that the instruments of intervention used are necessarily unsuitable or useless. Their impact depends often on additional conditions which are not met by several environments or capacities of families. Thus the impact of family policies – may they be explicit or implicit – is highly selective and favours or hinders specific forms of families. In order to understand family policy as an academic and practical subject the inquiry into these cumulative effects is of high interest.

12.2. Comparing Family Policies in Europe

Measures in a polity which are relevant to families are seldom conceived in terms of one leading political concept. They develop as time proceeds under different political regimes and in different historical and economic contexts. It is the task of theoretical inquiry to develop conceptual instruments suitable to integrate the observable diversity into a common perspective. This was the aim of our first section. We have now to look at the results of empirical inquiry for finding out the best methods of comparing what may be subsumed under the headings of family policies. For the sake of this book we

limit ourselves to European countries, excluding the former socialist countries. Their experience with socialist family and population policies is now only of historical interest, and the actual process of transformation does not yet allow to draw conclusions about what finally their family policies will be. In the perspective of European integration our main interest is in common features and differences as to the development of family policies in the member states. As far as European integration is in progress different national problems and their institutional solutions will lose their autonomy and get in crossing contact. It is therefore important to know more about their similarities and differences. However, our interest goes beyond such comparisons. We are also asking if and how family policy matters.

12.2.1. *The State of the Art*

In view of the fact that in most countries family policy is at a rather rudimentary or implicit stage, it is not surprising that international comparative studies on these topics are both seldom and recent. Initial studies were by demographers, who tried to explain differences in fertility levels by differences of national legislation under the headline of population policy (Kirk *et al.*, 1975; Höhn & Schubnell, 1986). These studies had a clear problem, namely means to increase fertility, though the explanatory framework remained rudimentary.¹⁷ Comparative description of population policies was published first by Glass (1940) and Berelson (1974). McIntosh (1983) inquired into the attitudes of elites towards the population problem in France, Germany, and Sweden. Well co-ordinated research on attitudes towards population policies originated with the 'European Comparative Survey on Population Policy Acceptance' (Moors & Palomba, 1995/1998; Dorbritz & Fux, 1997). However, the result of demographic research on the impact of policies remained inconclusive. There is some evidence that policies aiming

¹⁷ The main reasons are given by Fux in the introduction to Chapter 11, in this volume.

at the improvement of fertility had only weak and limited temporary effects, and that national contexts play an important role for both attitudes and policy impact (Kamaras *et al.*, 1998). The latter mentioned project also brought evidence that it is a too wide-meshed approach to correlate policies with overall indicators of fertility if one wishes to establish explanatory links for policy impact: 'Our study suggests that a direct effect may well be possible, depending on the adequacy of the measures in relation to the individual family situation' (Palomba, 1998:265). This means, however, that the problem shifts from population policy to family policy and from demography to sociology of the family and of social policy.

Comparative descriptions of measures in the framework of family policy were presented first by Kamerman and Kahn (1978) as well as by Schulte, Bradshaw *et al.* (1982). Kamerman and Kahn remained for long the most productive researchers in that field (Kamerman & Kahn, 1981; Kahn & Kamerman, 1983; Kamerman *et al.*, 1983; Kahn & Kamerman, 1988; Kamerman & Kahn, 1991, 1997). They normally united a group of national rapporteurs on specific topics and wrote their summaries primarily for a US audience. This strategy is also practised for an European audience within the European Observatory on National Family Policies, an initiative of the Commission of the European Communities. The Observatory was located first in Leuven (Dumon, 1990, 1992; 1994a,b), then in York (Ditch *et al.*, 1996a,b, 1997a,b, 1998a,b) and operates now in Vienna (European Observatory on Family Matters, 1999).¹⁸ Its publications are based on annual reports by national correspondents in the EC (respectively EU) countries and often succeed in consolidating national reports with crucial comparative studies. The fact that the reports of the Observatory concern a period of one or two years only makes them the most detailed source available, but this mode of annual reporting causes actual developments to be more accentuated than the country-spe-

¹⁸ However, the actual operation of the Observatory seems to be restricted by consequence of fiscal decisions by the European Commission, see Diemel (1999:127).

cific features of the policy.¹⁹ A similar method has been used by Millar and Warman (1996). To understand national family policies in a comparative framework the German study by Neubauer *et al.* (1993) offers the best co-ordinated and comprehensive approach, hitherto.²⁰ The study by 'Gesellschaft für sozialverträgliche Innovation und Technologie' (1991) and the recent study by Dingeldey (2000) complement this work by focusing on tax and social security systems. The aforementioned studies cover EC member countries and largely confine themselves to describing the political measures in a more or less comparative perspective; Neubauer and Dumon also point at the structure of the agencies of programmes which benefit families, and at the debate on family policy. These studies give essentially complex descriptions of the national systems without asking about their impact for the development of the family sector.²¹ They thus help to give family policy an institutional aspect beyond mere rhetoric. They are complemented by two important comparative studies on the long-term development of family policies in Europe (Bahle, 1995; Gauthier, 1996). A good summarizing overview is given by Hantrais and Letablier, (1996).

An important step towards a comprehensive view of family policy and towards impact analysis was made by Bradshaw *et al.* (1993, 1993a), who were modelling the compound outcome of various policies with respect to the life situation of children ('child benefit package'), by focusing on different models of family structure and levels of living. The novelty of this study was to analyse the out-

¹⁹ The most ambitious project of collecting data about national family policies has been initiated by Peter Flora at the Mannheimer Zentrum für Europäische Sozialforschung since 1992; see Bahle (1995); Bahle and Maucher (1998); a first volume of results is Kamerman and Kahn (1997).

²⁰ This inquiry has been reanalysed by Kaufmann (1993) and Wingen (1996) in the perspective of European integration.

²¹ An exception is Dingeldey (2000) where the impact of different institutional arrangements on the earning behaviour of families is explored. The project which is announced by Willemsen and Frinking (1995:290-291) is aiming at comparable results.

come of family policies not on the macro-level of overall expenditure but on the micro-level of the income package of typified households.²² The study gives an impression of the difficulties to measure such compound micro-effects and how to draw conclusions for policy change.

A substantial complement to economic and sociological studies on family policies are *studies in family law* and of its change under the pressures of the emergence of new values and new forms of private life (Glendon, 1977, 1989). This is the aspect of status policies, which is normally not considered seriously in economic and sociological studies. Eekelaar (1984) gives an impressive account of the interaction between family law and social policy, although this is limited to the Anglo-Saxon context. An interesting comparative study on the relationship between changes in family law and political images of the family in twenty European countries has been published by Walter (1997). A summarizing overview on coordinated original research of the last decade is given in Table 12.2.

The focus of this research has been mainly on politics and policies towards the family. However, one may go another step forward. If the concept of family policy is to be taken seriously, it means not only a field of political discourse or a more or less institutionalized area of policy measures, but has to be considered also as a field of intervention to solve or at least to affect related *problems of families*.

²² The comparative analysis of income packaging of households has been introduced already by Rainwater *et al.* (1986). These authors used microdatafiles from the United States, the United Kingdom, and Sweden, the measurement operated therefore on the impact side of the real household; this procedure cannot establish direct links to public policies, however. Bradshaw *et al.* (1993) choose therefore an analytic approach by calculating hypothetical cumulative outcomes of a wide range of policies for about 30 different types of households; the inconvenience of this method is that 'it produces a description of the way the system *should* work rather than *does* work' (Bradshaw *et al.*, 1993a:258).

Table 12.2. Multinational comparative research on family policies in Europe

Authors	Year	Subject	A	B	DK	D	E	F	UK	GR	IRL	I	LUX	NL	P	SF	S	Other
Bahle	1995	Family policy development	x	x	x	x	x	x	x		x	x		x			x	CH
Bahle/Maucher <i>et al.</i>	1998	Family policy database	x	x	x	x	x	x	x	x	x	x		x		x	x	N
Bock/Thane	1991	History of Gender Policies																N
Boh <i>et al.</i>	1989	Work and Family life	x			x	x	x	x		x	x		x		x	x	DDR, H, N, PL, SU, YU
Bradshaw <i>et al.</i>	1993	Support for children	x	x	x	x	x	x	x	x	x	x		x				AUS, N, USA
Dingeldey	2000	Tax system, social security	x	x	x	x	x	x	x					x				
Dorbritz/Fux	1997	Attitudes towards family policy	x	x		x	x				x							H, CH, CS
Gauthier	1996	Family policy and development	x	x	x	x	x	x	x	x	x	x		x				CH, N
Glendon	1989	Family law																USA
Kahn/Kammerman	1988	Child support	x											x				USA
Kaufmann <i>et al.</i>	1997	Family life and family policy in 1980s				x	x	x	x		x			x				CH, DDR
Künzler	1999	Changes in gender relations	x	x	x	x	x	x	x	x	x	x		x				CH, DDR, OECD
Millar/Warman	1996	Family obligations	x	x	x	x	x	x	x	x	x	x		x				N
Neubauer <i>et al.</i>	1993	Family Policy in EU	x	x	x	x	x	x	x	x	x	x		x				
Palomba/Moors	1995/98	Attitudes towards family policies	x	x	x	x	x	x	x		x			x				H, CH, CS
Walter	1997	Family law				x	x	x	x	x	x	x						AL, BG, N, PL, CS
Willemsen/Frinking	1995	Work and family, the role of policies	x	x	x	x	x	x	x	x	x	x		x				

Note: There is some evidence that correlations vary substantially if different countries are included or excluded, therefore an overview of the countries included is given. However, the list of projects is probably not complete.

To be sure, this is not the perspective of politicians who are more interested in the impact of their declarations on public opinion than in the impact of their policies on the life situation of families. From the perspective of the sociological observer, however, the focal issue of family policy consists in the relationship between the political framework of policies and the social framework of private forms of living.

Is there any relationship ascertainable between the character of political measures and the observable patterns of private living? Can any evidence be provided that family policy *matters* for family life and for the functions families perform in society? This was the aim of our project as we have shown in the introduction to this volume. It was a basic intuition of the project that this would be feasible by means of international comparisons.

12.2.2. How does Family Policy Matter?

There is a peculiar observation which has not yet received much attention in literature on population or family policy, which is that there exists a strong positive correlation between the rank of members of the EC (respectively EU) as to their fertility level on the one side, and as to the *fraction* of the whole social budget which is devoted to issues of mothers and children, on the other side (see Table 12.3). Similarly there is a strong negative correlation between the level of fertility and the fraction of social expenditure for old age.

This correlation has been tested earlier for 1981/83 and 1987/89 and it has proved so far as being remarkably stable, or in the case of old age expenditure growing, despite the extension of membership in the EU and changes in the ranking of particular countries (see Table 12.4).

Table 12.3. Social expenditure in the European Union, with special consideration of family expenditure and fertility

Country	Total Fertility Rate (c. 1997)		Social expenditure in % of GDP (1996)		Social transfers to generations in % of all social expenditure (1996)		Relation of the transfers to generations (3:4)		
	(1) Rank	(2) Rank	(3) Rank	(4) Rank	(5) Rank	(6) Rank	(7) Rank		
Austria	1.40	10	7	10.97	5	37.98	6	0.29	5.5
Belgium	1.55	8	8	7.97	11	32.16	12	0.25	7.5
Denmark	1.72	3.5	2	12.43	4	38.81	5	0.32	4
Finland	1.73	2	3	12.50	3	30.05	13	0.42	3
France	1.71	5	6	8.70	9	36.86	7	0.24	9.5
Germany	1.30	12	4.5	9.36	7	39.20	4	0.24	9.5
Great Britain and Northern Ireland	1.72	3.5	9	8.72	8	34.80	10	0.25	7.5
Greece	1.28	13	12	8.35	10	41.15	2	0.20	11
Ireland	1.90	1	15	12.76	2	19.98	15	0.64	1
Italy	1.20	14	11	3.59	14	54.22	1	0.07	14
Luxembourg	1.70	6	10	13.25	1	29.52	14	0.45	2
Netherlands	1.50	9	4.5	4.38	13	32.93	11	0.13	13
Portugal	1.37	11	14	5.62	12	36.02	9	0.16	12
Spain	1.15	15	13	1.99	15	41.01	3	0.05	15
Sweden	1.57	7	1	10.54	6	36.45	8	0.29	5.5
Correlation to column (1):		$r_s = +.30$		$r_s = +.73$		$r_s = -.73$		$r_s = +.81$	
Spearman's Rho		not significant		$p < .01$		$p < .01$		$p < .01$	

Sources: Statistical Yearbook 2000 for Foreign Countries, Statistisches Bundesamt (Wiesbaden 2000), Weltbevölkerung 1997, Soziale und demographische Daten zu den Ländern und Regionen der Welt, Deutsche Stiftung Weltbevölkerung (Hannover 1997), Own Calculations.

There is no significant correlation with social expenditure in general nor with *absolute* levels of expenditure for children.²³

A similar lack of correlation between the generosity of child benefit packages (in absolute terms) and fertility had been found by Bradshaw *et al.* (1993a:267), whereas they could not check for relative generosity as related to benefit packages for other target groups.

Neither parents nor politicians know about this connection of fertility and *relative generosity*. I believe, however, that the *proportion* of social expenditure devoted to mothers and children is a valuable indicator to compare total *political effort* towards families and children among countries, and perhaps this effort is perceived even more in comparison to expenditure for old age.

Table 12.4. Rank-correlations between social expenditure and fertility in the EU at different points of time

Years	Number of EC/EU-Countries	Fertility versus all Social Expenditure		Fertility versus Expenditure for Family/Children		Fertility versus Expenditure for Old Age	
		Rho	Sig.	Rho	Sig.	Rho	Sig.
1981/83	9	-55	p < .10	+ 0,77	p < .02	-20	ns
1987/89	12	+ 0,34	ns	+ 0,77	p < .01	-54	p < .05
1996/97	15	+ 0,30	ns	+ 0,73	p < .01	-73	p < .01

For 1981/83 see Kaufmann (1990:154); for 1987/89 see Kaufmann (1995:193); for 1996/97 see Table 12.3

The peculiar fact of such a persistent correlation as seen in Tables 12.3 and 12.4 is a lucky chance for the researcher, since it is difficult to explain it by third factors. Most trials to establish stable

²³ I am well aware of the shortcomings of such totalizing figures which do not include, for example, tax relief. One would expect, however, that differences in definition increase the variance of the figures and do not strengthen correlations. Nor does the objection hold that the correlation may be explained by the demographic structure itself. The strongest bias against the expenditure for family/children can be observed in the EU countries of the south where birth decline is only a recent but particularly steep phenomenon, see Table 12.3, last column. So the stability of the correlation points to something which has to be explained.

correlations between fertility and other factors, especially factors depending on political decisions, have failed. This observed correlation is by no means a sign of causal relationships, but a hint that family policy may *matter*, but how? A proximate explanation would suggest that political effort is not perceived in terms of absolute numbers but more on a symbolic level, as relative generosity, or perhaps in terms of relative deprivation. In another context I have argued with the theory of reference groups: young people who think about becoming parents observe how their friends, neighbours, work colleagues, or relatives fare after having a (an additional) child, in order to assess the possible consequences in their own case (Kaufmann, 1990:150-152). Although young people are not interested in the reports of governments on family policy, it seems plausible that the policy outcome is selectively perceived by observing the consequences of children for the life situation of their persons of reference. This proposition is rather difficult to test empirically, and of course not on a multinational comparative level. However, it has the merit to point to a *mediating factor* between measurable macro-events and the impenetrable intimacy of micro-decisions, which, in their aggregate, produce what we call fertility on the macro-level again. Certainly, fertility is not the only aim or outcome of policies affecting the family, which is of interest. Further studies are required of the impact of policies on the life situation of families and its impact on the socialization of children,²⁴ or on the impact of public policies for the gender division of labour, or the likelihood of divorce, etc. But fertility rates are perhaps the most reliable indicator of existing potentials of solidarity within a society, since the relationships between parents and children form the strongest bond of solidarity (Schulze & Künzler, 1997:101).

The *inquiry into mediating factors* seems to be the most fruitful approach for explaining the ways in which family policies are operating. As Peter Strohmeier has shown in Chapter 10 any valid explanation of the working of family policies must not consider only

²⁴ This was, by the way, the problem we tackled when we began our research in this area, cf. Kaufmann *et al.* (1980). The issue is now taken up by Schulze (2000a).

macro-macro relationships but has to introduce situational and behavioural arguments on the micro-level of individuals and/or households too. Measurable policy outcomes may then be measured on both levels, either as aggregate figures (this is the only operable way for multinational comparisons), or as available resources in the realm of the household (Kaufmann *et al.*, 1980; Bradshaw *et al.*, 1993). Both these cases may be considered as factors on the mediating level. National differences in policy outcomes compared to indicators of family change are therefore a valuable approach to suggest the impact of family policies. Impact should not be taken as a strict causal relationship which is to be found almost nowhere in social contexts. Impact is the result of selective behaviour of individuals or couples in the light of symbols, opportunities, resources, and restrictions. Policy outcomes have to be considered as factors influencing opportunities and restrictions on the micro-level. The policy impact model of Fux (see Figure 11.2) exhibits as well a macro-micro perspective, though less explicitly. It includes a wider range of explicit elements and also a feedback-loop. The more operational model of Strohmeier may be seen in this wider context.

Several chapters of this book deal more or less explicitly with the working of policies. This is most evident in Chapter 8 by Jan Künzler, where the main subject is gender equality and its complex relationship to political interventions. The progress of Künzler consists above all in a *dynamic approach* to social and political developments. He does not compare 'welfare states' as simultaneous structures but understands different countries as being placed somewhere in a process of overall modernization to which they can react differently as related to particular issues. He considers the growing claim for equality – and therefore also of gender equality – as a paramount feature of modernization and distinguishes between 'extent' and 'speed' of modernization as two different dimensions with the specifications 'high' and 'low', arriving therefore at a fourfold classification (see Table 8.1). Using extensive materials and indicators from different points in time he classifies 22 OECD-countries in four dimensions (paid work, unpaid work, gender role orientation, and participation in higher education) as being 'stable

traditional', 'modernizing traditional', 'recently modernized', and 'stable modern', and calculates an index of modernization in gender relations (see Table 8.6) This index and its elements can be considered as impact-indicators in the reconstruction of gender related policies.

On the other hand, Künzler considers aggregate measures of policy outcomes. Borrowing on the distinctions presented also in section 1.4 (b and c) of this chapter and following the approach of Schulze (1993) he distinguishes between economic and ecological interventions. Economic intervention is operationalized by cash allowances benefiting couples as a percentage of GDP, whereas ecological intervention is operationalized by indicators of child care supply for children under 4 years. By combining the values of both indicators the OECD-countries are then classified with respect to their assumed impact on the promotion of the *participation of women in the labour market*: four modes of operation are distinguished: (1) *intensification* (i.e. high provision of child care, low cash payments); (2) *neutrality* (i.e. scoring high on both dimensions); (3) *inhibition* (i.e. low provision of child care, high cash payments); and (4) *indolence*, (i.e. scoring low on both dimensions), see Table 8.7.

Though not explicitly stated, this classification implies a rational choice approach on the behavioural (micro-)level: women and especially mothers are assumed to be more disposed to engage in the workplace if their households are not relieved from the direct costs of children and if they have the opportunity of external child care services, thus relieving their maternal obligations.

However, the empirical results do not fit entirely these assumptions. Countries which score high on both child services and cash benefits (the 'neutral' type), exhibit more equality in gender relations than those providing dominant services (the 'intensifying' type), whereas countries classified as inhibitive or indolent to women's participation in the labour market have rather similar mean scores on traditionalism (low modernization of gender relations), see Table 8.10, as compared to Table 8.7. This result fits with Table 12.3, since the share of social expenditure devoted to mothers and children includes both cash allowances and services.

The lower impact of the intensifying strategy may be due also to third factors since the sole countries which exhibit that pattern are outside Europe (Japan, New Zealand, and USA).

A rather spectacular result is the strong correlation between modernization scores and fertility (cf. Tables 8.9 and 8.10). Countries with high gender equality exhibit higher fertility scores than those with substantial gender inequality. The (negative) correlation is highest between fertility and the gender gap in paid and unpaid (household-) work. A still substantial positive correlation can be observed between child care supply and fertility, whereas the correlation remains spurious between fertility and economic interventions (cash benefits and joint taxation of the spouses). In this perspective the impact of the 'ecological' service strategy becomes confirmed though it remains secondary to factors of gender equality. However, Künzler's study confirms the assumption that there exists a negative trade-off between the tension in the gender dimension and fertility. *In countries where women face difficulties in reconciling both an independent life in the workplace and family obligations, fertility seems substantially lower than in those committed to gender equality.* This observation on the macro-level coincides with our own observations on the micro-level that the likelihood of a couple having children is substantially influenced by the degree of consensus among the partners about the division of labour outside and inside the household (Simm, 1987).

Chapter 9 by Alois Herlth (in this volume) shows the importance of the family involvement of fathers, not for fertility but for marital satisfaction and the well-being of children. 'A rigid fixation of the fathers on a traditional role description has become the central bottleneck of family functioning ... children are the clear winners of the observable increasing paternal family involvement' (ibid.). The microanalysis of family dynamics by Herlth explains and confirms macro-observations of Künzler, that the normative acceptance of internal family obligations is more influential for marital satisfaction and the well-being of children than the effective amount of participation in homework and of time for education. Thus family dynamics and their outcome for the welfare of children seems to depend substantially upon the modernization of the father's role,

and this again depends in its frequency upon both, the general climate of a society as to the gender roles, and upon the restrictions which economic demands and the policy-set affecting child care put on the behaviour of both mothers and fathers.

However, the evolution of attraction and love into a lasting system of both partnership and parenthood on the individual level does not depend directly on such overarching factors. Huinink (1997:86-87) distinguishes three problems young couples are facing before they commit to parenthood: (1) the problem of co-ordinating the long-term perspectives of both partners, including their own relationship; (2) the problem of sufficient resources to have children; and (3) the problem of compatibility between private and public commitments, especially as to the relationship of family and work. Family policies are able to influence the second and third problem, but not the first one.

Beat Fux (Chapter 11) deals again with the construction of family policy regimes. He distinguishes four dimensions, namely (1) standardized proportions of family allowances to male earnings; (2) maternity and child-care leave schemes; (3) public provision of child care (distinguishing services for those below and above the age of 3); and (4) favouring housewives in the tax system. He then correlates the concomitant indicators by country with other specificities, inspired by the classification of welfare state regimes by Esping-Andersen (1990), see Table 11.6. By means of factor analysis three types of family policy regimes are detected, namely, etatistic, familialistic, and individualistic regimes. Etatistic regimes exhibit a dominance of ecological interventions, familialistic regimes favour economic interventions, whereas individualistic regimes score low in both dimensions, although supporting households by low taxes, see Table 11.5. Fux also shows that for most countries the choice of these strategies fits with more general attitudes on religion, postmaterialism, and family issues. In the perspective of our classification of motives for family policy the dominant policy doctrine in the etatistic regime is women's emancipation, in the familialistic regime the institutional motive is still influential, whereas individualistic regimes are dominated by minimal State attitudes or at least by selective State intervention.

Eventually, Fux formulates hypotheses on the potential impact of family policy measures on the frequency of different forms of private life and shows that the distributions as observed in the country studies of Volume 1 (Kaufmann *et al.*, 1997) fit quite well with the postulated effects (see Table 11.10). Also with respect to other behavioural variables of impact (temporal organization of the life cycle, labour force participation, and fertility) plausible conclusions from the difference of family policy regime to empirical evidence are drawn.

In sum the discussion of our collected inquiries shows a substantial advance in the theoretical analysis of the operation of family policies and also some empirical evidence of a fit between predicted and observed outcomes. The relationships between theoretically postulated patterns and the empirical classification of countries as to their family policy regimes and the exhibited differences on the behavioural level remain far from being perfect, however. This is neither surprising nor disappointing, since it is not possible to control all influential factors within one theoretical approach, and because family policies are still far from being institutionalized in such a distinctive way that the differences which have been emphasized among them could be found empirically as clear cut than in theory. Finally, the low number of cases (i.e. countries) in the case of the comparison of national statistical indicators allows at best bivariate analysis, so that a multidimensional statistical inquiry on an international scale remains still wishful thinking.

To show the effects of policies within the complex interdependence among politics and society resembles (in the present state of the art) more the task of a criminalist to provide circumstantial evidence than to the inquiry into general propositions. However, if one accepts the restrictions of the inquiry, it may provide lasting contributions to a better understanding of the working of family policies.

12.3. Differences in National Traditions and European Integration

A last subject of this chapter concerns the eventual issue of integrating family policy on a European level. To this day there is no legislative competence on family matters on the European level. As will be demonstrated in this section the differences in national traditions and in actual policies between the members of the EU are still important. As family matters are intricately linked to cultural traditions and everyday realities of the people, the respect for national differences is advisable. However, traditions have been shaken in these matters almost in every country of Europe. But the question remains whether this leads to convergence among the national developments. It is an important task of comparative social research to answer to such questions.

12.3.1. *Families of Nations?*

As we have shown, the subject of family policy is complex and multifarious. The available comparative data can be organized from different perspectives, and every perspective implies different interpretations. Therefore it is impossible to give an overall comparative survey.

International comparative research in the social sciences is far from a consensus about the best practice.²⁵ In comparative research of social policies and the welfare state (which is the next framework to our problem) there are three main methods, namely statistical comparisons of national indicators, institutional analysis, and comparative history. There is however a consensus that valuable results of comparisons can only be reached when the issue and the terms of comparison are clearly defined in advance of any empirical

²⁵ For overviews see Jones (1985); Haupt and Kocka (1996); Berg-Schlosser and Müller-Rommel (1997).

inquiry.²⁶ Our own approach uses the dimensions outlined in section 12.1 for organizing the material.

A dominating approach to ascertain similarities and differences in social policies which has also been used by some authors in this volume is the typological approach described as follows:

A typological classification is one in which the fundamental categories of ordering, the types, are inductively arrived at rather than formally deduced a priori; ... The type is the categorical unit which is the focal point of the classification, though considerable attention may be given to categories within the type, which are called subtypes. This implies that in such a classificatory system, more concern will be given to differences between units on the same plane than to similarities found across levels (Tiryakian, 1968:178)

The typological method is, in principle, quite appropriate for the classification of phenomena in the social sciences, since these normally lack clear boundaries and differences. Types are constructions of the researcher which emphasize certain aspects of the reality observed and relate them into a coherent, often multidimensional configuration. This may be done either by generalizing about dimensions of observable similarity (real types) or by enhancing the selected features of reality into a rationally coherent entity (ideal types) (Winkelmann, 1969).

Following the seminal study of Esping-Andersen (1990), students of welfare state developments are mainly interested in finding clusters or types of countries exhibiting similar properties different from those of other clusters. This means in the just quoted perspective of Tiryakian (1968) that the type is the welfare state, the clusters being subtypes. The selection of the type, i.e. the welfare state, often does not follow any definition, but the basic statistics used (e.g. OECD or Eurostat) define which countries belong to the type. Esping-Andersen's typology was focused on western democratic societies and started from the assumption that specific ideological differences of party dominance shape different policy regimes (= subtypes). He then distinguished a liberal Anglo-Saxon, a

²⁶ For an overview see Kaufmann (2001), section 1.

conservative-corporatistic continental, and a social democratic Scandinavian regime of welfare states. This classification has stimulated much debate, questioning either the methodology itself (e.g. Sainsbury, 1991; Castles, 1993; Baldwin, 1997) or the classification of some countries and proposing new (sub)types (e.g. Huber *et al.*, 1993; Van Kersbergen, 1995). I limit myself to two questions pertinent to the present context:

1. *To what extent does the analysis of family and gender policies conform to the types emerging from general welfare state analysis?*

This issue has repeatedly been questioned in the debate and essentially been answered negatively.²⁷ Esping-Andersen (1990) did not study family policies explicitly. Comparative studies of family policies by other students showed however that different qualifications and clusters fit the material better than his typology. In his recent book Esping-Andersen (1999) has extended the analysis to gender and family issues, but the theoretical framework is no more the same than in earlier studies. The criticism of inconsistency (e.g. Toft, 2000), however, should not only be addressed to Esping-Andersen's pioneering work.

As subsequent attempts to construct typologies have shown, the institutional structures of welfare states are so differentiated and complex that there is a rather high contingency between developments in various spheres.²⁸ Therefore correlations among well-operationalized dimensions may become almost spurious and clusters highly heterogenous. Above all it proved difficult to develop sufficient theoretical reasons why such inductive clustering at a certain moment should represent similar structures of lasting relevance. The number of influential factors, for example the pace of

²⁷ For overviews of these debates see O'Connor (1996); Künzler *et al.* (1999); a short summary can be found in the chapter of Künzler in this volume, section 8.7.

²⁸ Moreover most approaches do not have an explicit notion of the welfare state. One assumes that all nations of a certain sample, e.g. all OECD countries, have to be considered as welfare states. It is strongly debatable, however, if the United States can be classified as a welfare state (see Kaufmann, 2001, section 3).

industrialization, the influence of religion and social structure on culture and social movements, institutional aspects of the polity, ideological party dominance, and the rather evident inertia and internal dynamics of the established particular institutions of national welfare states all contribute to increase the contingency of national developments and eventually to weaken the explanatory power of the typological approach on this level. Certainly, there are some general trends such as economic growth, demographic transition, urbanization, democratization, or secularization which can be found almost anywhere in western Europe, but the ensuing problems and political reactions are quite different and do not fit simple models. Similarities among welfare policies often depend on similarities in historical traditions and cultural exchanges. Thus the study of exemplary cases and the search of common traditions may often lead to better explanations than a latent pattern analysis of statistical data.

2. *Is the typological method itself the best way to elucidate issues of family policy?* The typological method has been rather successful in structuring multinational comparisons of particular institutional spheres. It seems possible to define functional problems which can be found more or less in all modernizing countries and then to ask about the range of possible solutions (Rodgers *et al.*, 1979:187; Zacher, 1991:17). Therefore it seems at first glance promising to apply it also to family policy. Several authors of this volume use a more or less developed typological approach. I shall elucidate the problems by commenting on the most elaborated approach by Jan Künzler (Chapter 8).

In line with our preceding argument Künzler states:

Until now, all typologies seem to be overburdened with information covering too many areas. It makes sense to develop separate typologies for concepts that have to be separated analytically, i.e. countries' general social policy orientation, their equal opportunity orientation, and outcomes, i.e. success or failure, of their policies (section 8.1).

The typology of Künzler has been described in the preceding section. From the perspective of the typological method, however, his fourfold classification of family policies represents a rather trivial

type. The specific thrust of typologies is their complexity, i.e. their ability to combine a multiplicity of dimensions with their specifications in a way that does *not* exhaust the range of possible mathematical combinations. If, for example, a type has four dimensions with each three specifications, their mathematical combination would amount to 81 cells; by contrast the construction of (sub) types must remain easy to survey. This implies that there is no contingent but a *systematic* relationship between the specifications of the four dimensions; therefore many cells of the mathematical combination have to remain void or spurious. *A typology makes sense only if reasons can be given why such exclusive relationships exist.* This was the way Esping-Andersen argued: the dominant influence of ideological differences is held responsible for the non-contingent clustering of other dimensions. The fact that he reduced the existing complexity too much and not always consistently did not hinder that his thrust became a stimulating challenge for new insights.

To create a typology of family policies one has first to define the type of 'family policy' and its dimensions before searching for subtypes. As we have seen the common features of family policy are far from being clear cut, and comparative evidence is restricted to a small number of indicators.²⁹ Our inquiry in the remainder of this concluding chapter focuses not on latent similarities of seemingly disparate cases but on *historical influences*. Given the trend towards European integration it is important to identify 'families of nations' (to use the expression of Francis Castles, 1993), i.e. nations which are bound by geographical and/or language proximity, similar cultural influences, and common political experiences. Such factors foster mutual influences if not common values, and they are

²⁹ The classification of nations within different typologies concerning family issues is therefore not quite consistent. Isabel Torremocha (in this volume, Chapter 6) arrives at a classification of policy sets for lone-parent families which is conform to the classification of Esping-Andersen. In the classification of Fux (see Tables 11.6 and 11.8) three out of ten countries (CH, D, UK) are to be classified differently in the typology of family policy regimes and in the value dimension. Broad evidence of varying classifications can be found in Millar and Warman (1996).

corroborated by institutional inertia (cf. Bahle, 2000). There remains an open question, however, to what extent such similarities result in similar policies.

A factor of lasting influence linking cultural and social to political developments (and vice versa) is the *legal system*. This is so to say the skeleton of society which shapes the fields of consensus and conflict and gives lasting support to some developments and simultaneously is hindering others. This is also true for the impact of legal regulations upon families, but these have changed themselves during the last decades in an impressive way, showing the inverse influence of socio-cultural change on legal regulation.

Ann Glendon has given quite a penetrating assessment of the complex changes in the relationship between the family and the state:

Legal norms which had remained relatively undisturbed for centuries were discarded or radically altered in the areas of marriage, divorce, family support obligations, inheritance, the relationship of parent and child, and the status of children born outside of marriage. At the same time, in other branches of law not ordinarily thought of as family law, such as public assistance, employment, social security, and taxation, official regulation has increasingly touched everyday family life. ... the overall movement shows remarkable consistency. It is characterized, in varying degrees, by a progressive withdrawal of official regulation of marriage formation, dissolution, and the conduct of family life on the one hand, and by increased regulation of the economic and child-related consequences of formal or informal cohabitation on the other (Glendon, 1989:1-2).

Despite these general trends, particular legal traditions continue to influence the direction of legal interventions. Theres Walter (1997) has given an overview by emphasizing different families of law ('Rechtskreise'). The main distinction is between Anglo-Saxon and continental European law. Among the states on the European continent different legal traditions have been formed under the influence of different prototypes of civil law. There is firstly the group of countries which has adopted the prototype of the French *Code Civil*, it is mostly *west European*. The *central European group* has been shaped by the civil legislation of Prussia and the German

Reich. The *Scandinavian states* form a separate group by common tradition.³⁰

We adopt this fourfold classification as a starting point for a summarizing sketch of different 'families of family policy' and focus on the most important country of each family, though not neglecting different degrees of 'kinship'.³¹ Our interest goes not to the detailed comparison of single policies but to the factors shaping the 'character' of family politics and to the dominant motives (cf. section 12.1.2) in different countries.³²

12.3.2. France and other Countries under the Influence of the Code Napoléon³³

The oldest tradition of family policy is found in France, where already in the 19th century two central motives for family policy crystalized, the familial-institutional and the population-related (natalist) motive. That which gave rise to the familial-institutional motive was essentially the spreading of giving away foundlings and the structural disintegration of family relations in the urban lower classes in post-revolutionary France. By building healthy family relations among the workers, social scientists and social reformers hoped to solve social problems stemming from industrialization and urbanization, and to discipline the lower classes. A 'healthy' family required mothers qualified as housewives who were freed

³⁰ Walter (1997:121-128) distinguishes moreover the nations with a socialist law which followed essentially the Soviet-Russian pattern of family law. Given the transitory status of these nations we do not include them in our comparisons.

³¹ 'Families of nations can have different kinship relations to each other; ... So when we place countries in relation to each other we can also focus on the degree of distance or closeness that is involved.' (Millar & Warman, 1996:45).

³² For a more in depth study of the welfare systems and their historical context in the countries presented here, see Kaufmann (2001).

³³ For further discussion on French family policy, see Schultheis (1988); Bichot (1992); Diemel (1993); Muller-Escoda and Vogt (1997); Commaille and Martin (1998).

from being forced to work outside the home, the reinforcement of the authority of the father with respect to his children, securing humane living conditions, and, if possible, a piece of land to enable self-sufficiency; as well as a family income exceeding that of the individual wage of a worker. These ideas, propagated by Frederic Le Play, were welcomed by parts of business, which developed a corresponding social policy at the company level. To compensate for the resulting extra wage costs, equalization funds for family allowances were invented which involved and served numerous enterprises. In line with this school of thought, a movement organized around family issues within French social Catholicism arose, which until very recently provided an effective platform for public debate. The movement's aim was to continuously strengthen the family as such, which was attributed its own value as the 'germ cell of society'. This illustrates the familial-institutional motive of family policy, which was pursued subsequently also in other countries.

France was the first European country to experience a falling birthrate. Around 1830 the trends in the birthrate had already begun to stagnate, and in the 19th century birth control (originating from the bourgeoisie) became widespread among the working classes. Considering the continued population growth in the other European countries, nationalistically motivated concern about the falling birthrate augmented. In 1896 the 'Alliance Nationale contre la Dépopulation' was founded, which called for political support of families in order to increase the number of births – the natalist motive.

Both movements, the one organized around family issues in social Catholicism and the other pronatalist effort of the nationalist bourgeoisie, contributed effectively to the State's gradual development of a family policy in France. By 1920, together they announced a 'Declaration of Family Rights' which in its key positions augured the 'Code de la Famille' passed by the National Congress in 1939.³⁴ The latter set the foundation for a resolute expansion of family policy in the reconstruction period in the post Second World War years, which became a central structural feature of social

policy development in France. This is evidenced by the fact that the Family Allowances Fund – today consolidated nationally into 119 regional subsidiary offices – has become a central structural feature of the French administration of social services which also assumes numerous additional socio-political tasks. Together with a strong peak association of the family movement (Union Nationale des Associations Familiales – UNAF) it influences the political agenda. Family policy and population control have since been among those policies given high priority by the French government, which is not at last ultimately expressed in the creation of a 'Haut Conseil de la Population et de la Famille' presided by the French president. At the ministerial level family policy is institutionalized at the department level (Droits des femmes, famille et enfance) within the Ministry for Social Affairs and Solidarity.

Indicative of its double origin French family policy has always had pronatalist goals. It has particularly provided benefits for prolific families, but also makes gainful employment and family responsibilities more compatible through the expansion of all-day child care services for infants and school-aged children. France has gone the furthest in making public child care available outside Scandinavia. By means of a policy of guaranteed minimum income especially lone-parent and low-income families are considerably supported. Whereas earlier pronatalist policies were also pursued with repressive methods – through the prohibition of abortion as well as of the unregulated sale of contraceptives – current policy consists exclusively of measures to assist families.

The demographic effects of this long tradition of family policy and population control are clear: France, which between 1830 and 1950 had the lowest birthrates of the world, showed its substantial increase after a comprehensive family policy had become effective. Though fertility has fallen again since the 1960s – concomitantly family policy has lost in importance relative to other social policies – the French birthrate is still above the European average.

Considerable liberalization regarding views of marriage took place in the 1980s: the number of children born out of wedlock more than tripled (amounting to 39 per cent in 1996), bringing France close to Scandinavian proportions. However, both paternity

³⁴ For details see Schultheiss (1988); Fédération des Familles de France (1989).

and maternity is established for the majority of children born outside of marriage, whereas in the 1960s only maternity was established for 80 per cent of all children born to unwedded parents. Today, the official position taken towards marriage is characterized by a far-reaching State neutrality concerning the choice of the family form, which is also expressed by the Supreme Court decision in 1989 which awarded the same legal status to unmarried couples in consensual unions and married couples (Muller-Escoda & Vogt, 1997:9). The proportion of single-parent families increased only slightly, approximately half as much again, between 1968 and 1989. In contrast, the economic activity rate of women rose markedly, particularly that of women in childbearing age (aged 25 to 50) which increased significantly and today lies between 75-80 per cent.

Thus, France can be considered a model example of a successful explicit family policy which succeeded to a large extent in reconciling the modernization of family relations with the economic, social, and demographic needs of the country. Nevertheless, France is often qualified as 'conservative' and 'familialistic', though characteristic differences to Germany exist. The reason for this assessment is a legacy of Napoléon: the French *Code Civil*, issued by Napoléon in 1804, was secularized but patriarchal. The legal status of wives remained dependent for a long time on their husbands and did not change substantially until the 1940s. The right to vote for women was reached only at the end of the Second World War. And it was only around 1970 when children out of wedlock obtained their rights (see Walter, 1997:106-109).

Italy, Belgium, Luxemburg, and the Netherlands, as well as Portugal and Spain were heavily influenced by the Code Napoléon in their civil legislation. Moreover, the traditional patriarchal model was there never challenged as by the French revolution. *Belgium* and *Luxembourg* followed France in the development of an explicit family policy, though with less emphasis on services for children.³⁵

³⁵ For Belgium see Bahle (2000); Flora and Bahle (forthcoming).

The Netherlands are qualified quite differently in various classifications of welfare and family policies, but overall they remain quite modest and implicit by their measures towards the family (see Kuijsten & Schulze, 1997). Considering family issues as private they resemble the Anglo-Saxon countries. As the general system of social protection is quite universal and need oriented, families do not fare so badly, however. The southern European countries remained until now quite inactive as to measures towards the family, although the problem is debated publicly, especially in *Italy* where local and regional initiatives to help the families flourish (see Donati, 1991; Donati & Matteini, 1991). In contrast to the other European countries, not only the nuclear family but also the extended family is held responsible for informal support among its members (Millar & Warman, 1996:47-48; Pérez-Díaz *et al.*, 1998). The low level of divorce (see Figure 5.3) and the low level of fertility support the assumption that this family system is under substantial stress, losing in efficiency but not (yet?) being able to change into a more individualistic direction.

12.3.3. The German-Speaking Countries³⁶

Both Germanies can be characterized by an explicit family policy. In the Federal Republic, to which this presentation is confined, since 1953, family policy is organized in the form of a Ministry of the Family, though various other issues as youth, women, old age, and occasionally even health and social assistance became joined to this headline. Compared to France the explicit family policy of the FRG often remained symbolic. Family issues are weak in the political debate and the competences of the Ministry always remained restricted. Family organizations exist in Germany but never gained substantial influence. One reason for this weakness is the shadow of Nazi population policies which aimed at a selective support of

³⁶ For a further discussion of family policy in Germany, see Münch (1990); Kaufmann (1990/1995); Lohkamp-Himmighofen (1993b); Gerlach (1996); Federkeil (1997); Wendt (1997); Wingen (1997); Jans *et al.* (2000).

nativity and simultaneously at the eradication of 'alien races', thus transforming the racial composition of the population. At the end of the Second World War the Allies even forbade family allowances as an emanation of the Nazi spirit. Another reason is the *late* establishment of family policy, whereas Germany had been a forerunner in social insurance. Employers and trade unions never were concerned about family issues.

Compared to the French *Code Civil* German civil law was more in favour of the rights of women. Following the liberal Prussian law of 1794, the women kept their personal rights also in the civil legislation of the unified Reich (1900), though the dominating position of the husband within the family was restored and divorce became more restricted. Against the contractual conception of marriage in the Prussian law now family and marriage were considered as governed by moral principles which were not to be infringed upon either by individuals or by the State. This notion of the family also shaped family policy in the 1950s and the 1960s. At that point the familial-institutional motive obtained, while starting in 1968 women's and children's issues continued to gain importance and started to compete with familial-institutional reasons for family policy.

The Weimar constitution of 1919 had been the first constitutional act of the world to provide for gender equality in the family and had obliged the legislator also to improve the situation of illegitimate children. These provisions became reinforced by the constitution of the Federal Republic in 1949. However, they remained dead letter and did not become effective until the 1960s. This was the effect of strong cultural influences: under the influence of both moral and scientific argumentations a strong differentiation of gender – roles took place throughout the 19th century and resulted in a specific protective legislation for women as well as in the legal obligations to housework within family law (see Kulawik, 1999).

Since 1970, with growing importance, motives of social policy have guided family policy. Family support is deemed necessary to compensate for the cost of children and the disadvantage linked to the responsibilities of parenthood. It is in this sense that the term 'Familienlastenausgleich', i.e. compensation for added financial

burdens on families, is referred to in the political rhetoric shaping family policy. Recently also economic and societal motives stressing the importance of the family in the reproduction of human capital and in reducing immigration have gained some influence. This may become equivalent to the proscribed natalist argumentation.

At the federal level family policy focuses on economic compensation, not least under the pressure of recent decisions of the Supreme Court emphasizing the constitutional obligation to protect the families. As well measures directed at facilitating temporary maternity leave for working women were introduced. Here it is evident that family policy has developed isolated from other policy developments. The main features of the German social security system, in particular of the pension system, are still oriented towards the breadwinner-housewife model. Moreover, single-income households are especially advantaged in the tax system.

In contrast to the centralized governmental system in France and with respect to family policy, Germany's federal government is limited in its decision-making authority to designing the legal framework and to economic interventions. The federated states are responsible for developing ecological interventions, i.e. housing and services, as well as for the whole educational sector. Governmental programmes regarding family policy differ considerably at the Länder level. For example, there is a substantial number of infant care places available in the city-states (Berlin, Hamburg, and Bremen), whereas in the remaining states they are almost completely lacking. Services for children score low in party programmes as well as in the policy of most 'Länder'. Only the 'Kindergarten' (for 4–6 years old) has got substantial political support, but for reasons related to the abortion struggle and not for reasons of child welfare or of human capital. The lack of competences of the central government for improving education and services for children is the main explanation for the dominance of economic interventions in Germany.

In relation to policy on women's issues having to do with the reconciliation of familial obligations and gainful employment, family policy in the Federal Republic remains ambivalent and contradictory. Accordingly, employment of mothers with children under

school age in Germany is considerably lower than in other countries such as France, Denmark, and Sweden (and the former GDR as well).

Following the constitutional definition of family by marriage the legal status rendered through marriage remains important in the Federal Republic. Unmarried as well as divorced fathers were substantially restricted in their parental rights, though there are some cautious extensions of these rights by recent Supreme Court decisions. Consequently, the percentage of births to unmarried parents remained comparatively low and couples marry mostly for reasons connected with the birth of their first child.

For these reasons the Federal Republic can be considered an example of a country that gives family policy high *symbolic* priority. It remains at the same time ambiguous in its implementation, however, not only because of political party differences in this policy arena but also as a consequence of the structural isolation of the Ministry for the Family through federalism and ministerial organization. Thus the Federal Republic has indeed numerous political measures in the area of family policy whose importance and degree of coherence however remains weak and which are conducive to a comparatively low level of effectiveness. This is not least reflected in the low rate of reproduction in the Federal Republic which since 1975 stagnates on approximately two-thirds of a cohort only.

Countries which have been influenced directly or indirectly by German civil legislation are Austria, Switzerland, Greece, and Turkey. *Austria* follows in its family policies more or less the German pattern, with special weight on cash benefits (Bundesministerium für Umwelt, Jugend und Familie, 1999). Economic interventions are bundled by a specialized agency and hence more co-ordinated than in Germany. Despite an explicit constitutional authorization (since 1945) family policies are nearly non-existent on the federal level in *Switzerland*. Cash payments have been introduced on the cantonal level, with characteristic cultural differences, the French-speaking cantons being more generous and natalist than the German-speaking cantons (Fux, 1997). Attempts to introduce a maternity insurance on the federal level have been repeatedly rejected by the voters. *Greece* and *Turkey* are countries where family

policies are almost completely lacking. Greece is now experiencing a break-down of the traditional family system and resembles the other countries of southern Europe by a steep birth decline.

12.3.4. *Scandinavia*

Scandinavia has its own tradition not only in family law but also in a distinctive pattern of welfare policies. Denmark was the first country in the world to grant a constitutional right for relief (1849) and competed around 1900 with Germany as to the pioneering in social security. Moreover, the 'September Agreement' of 1899 was the first national compound among the peak associations of employers and trade unions establishing stable labour relations. Sweden followed later but became the vanguard of comprehensive welfare state developments after the Second World War. We focus therefore on Sweden as the most explicit example of a different way to family policy in Europe.

As compared to the other European traditions *gender equality* has not met with major obstacles in Scandinavia. In Sweden, women got free access to higher education as well as to the labour market in the 1860s, and the relations of work remained essentially neutral to gender (Kulawik, 1999). Social movements always had substantial impact on Swedish politics, and among them the women's movement took an important place (Micheletti, 1995). These developments were rooted in a broader culture of equality which seems to be the leading interpretation of justice within Scandinavian and especially Swedish society. This found its expression in the dominating universalistic trend of social policies which aim at structuring the life situation for the entire population and giving low respect to social differences. Only a developed regional and communal autonomy in administration makes for some consideration of different situations.

Family law in Scandinavia is characterized by an early tendency towards the equality of gender and to improve the status of children out of wedlock. Already in 1687 the 'Nordic Law' introduced divorce for grave offences by one of the spouses. The reform of

family law in Sweden (1973) went distinctly further than in other Scandinavian countries (Walter, 1997:117-121). Here the consequences of marriage were minimized and divorce again liberalized. Thus the differences between marriage and cohabitation became blurred, and the rights of children are completely dissociated from the relationship of their parents. Moreover, Sweden was the first country to forbid corporal punishment of children (1980), followed by Finland and Denmark. 'The no-spanking law seems to have intended mainly to communicate to a large population of foreign workers that most Swedes do not approve of punishment as a method of education. A vast information campaign followed the enactment of this frankly educational law' (Glendon, 1989:99).

Sweden, therefore, represents the least traditional country of the world as far as family matters are concerned.³⁷ As the study of Klein and Kopp in this volume (see Figure 5.2) shows, Sweden stands out, in respect of divorce rates, from all Scandinavian countries, the other exhibiting a rather comparable pattern to central Europe. The situation in the other Scandinavian countries tends to be similar, though the liberalization and modernization of the familial relations have not been pursued as resolutely as in Sweden.³⁸ Accordingly, almost every second child is born outside of formal marriage, but the majority of children grow up with both parents. Couples having lived for a long time in consensual union often end up marrying at some point, though apparently not for reasons having to do with the birth of children – as in German-speaking countries – but much rather to confirm a solidarity between the married couple at an older age.

In addition to France, Sweden can also be seen as a *pioneer of family policy*, however with a clearly different emphasis which makes it totally implicit. The dominant motives in Swedish family policy have been the promotion of equality between the sexes and the quality of population. In no other country the inspiration to family policy has been shaped so strongly by social scientists, namely

the couple Alva and Gunnar Myrdal.³⁹ This is a symptom for the highly rationalist and functionalist conception of society which has evolved in Sweden.

It seems remarkable how Sweden succeeded in carrying out a completely active family policy that was guided by a principle, according to other countries, rather 'hostile' to families (Popenoe, 1988). Beginning in the mid-19th century one can observe how Sweden continuously pursued a *policy of expanding women's rights*, which led to the establishment of a far-reaching formal equal status of both sexes early in the 1920s. After 1960 a policy to realize equality of the sexes, also within the production process, was followed. However, the expansion of female employment was performed mainly by expanding the public financing of social services. Thus, labour markets for both sexes remain rather segregated through the difference of public and private employment (see Ruggie, 1984: 143-181). The effects of the bonds of marriage were reduced also by the independent taxation of dual earner families as well as by the individualization of social security. Today, Sweden has one of the highest female labour force participation rates, though the number of mothers working full time is low, since Sweden allows for a high flexibility in the participation on the labour market (Moen, 1989). Sweden in the 1980s also exhibited the highest birthrate in Europe. But the birthrate has declined in the 1990s, presumably as a consequence of the drawback of security in public employment of women. In the perspective of comparatively low birth rates in Sweden in earlier times one may conclude that the Swedish population is reacting sensibly to changes in policy affecting the opportunity structures of prospective parents.

Another feature of Swedish policies towards the family is the concern about the quality of children, quality being defined not in terms of parental hopes but of collective utility (Kälvermark, 1980). This concern became manifest first in the form of eugenics. Sterilization, especially of male criminal offenders and of female recipients of relief, was widespread in Sweden, and a law of 1941

³⁷ For Sweden see Popenoe (1988); Meisaari-Polsa (1997); Kulawik (1999).

³⁸ For Denmark see Lohkamp-Himmighofen (1993a); Knudsen (1997).

³⁹ See Myrdal (1934,1947). As to their impact see the critical study of Carlson (1990).

made sterilization without consent and without judicial control a legal affair (Broberg & Tydén, 1991). Sterilization became acceptable also in other Scandinavian countries (Broberg & Roll-Hansen, 1996). On the other side benefits for children often were targeted to families without apparent deficiencies in the education of their children. Thus the family in Sweden was seen more as an agency of society than as the realm of privacy. The importance which is given to general education underscores the emphasis which is given to the quality of children within the concept of the welfare state.

From a traditional perspective, the correlation between high female employment and high fertility in Sweden is rather unexpected. Today, although Sweden pays little attention to the family as such, and does not declare any natalist aims, it provides comfortable opportunities to combine family and work for both sexes and compensates for the costs of raising children in a comprehensive way (see Meisaari-Polsa, 1997:307-314). A well-developed system of child care facilities, a full-time system of education, and generous provisions for reducing working time for the purpose of fulfilling familial obligations are combined with children-related benefits within the social security system. Moreover, the husband's assumption of family responsibilities is accorded special importance.

The reverse of the coin in Swedish family policy is that the breadwinner-hometaker model marriage has been made almost impossible. The same is true for Denmark, which has been qualified as 'the land of the vanishing housewife' (Knudsen, 1997). The Swedish tax system does not take account of the fact that one is married, and as a rule it taxes both spouses independently; concessions solely result through the assumption of parental responsibility. Considering the high tax rates, multiple-person households can hardly maintain an acceptable living with only one income. To that extent Swedish policy also differs from the French, which gives double-income-earning families fiscal advantages, but also recognizes the exclusive concentration of one parent on familial obligations. As Swedish social security is not based on employment, but rather aims to provide social protection for all residents on an universalistic basis social disadvantages brought about by having children are reduced also by the social security system. The completely

different structure of social policy in Sweden seems to make an *explicit* family policy superfluous.

12.3.5. Britain and the Common Law Countries⁴⁰

Legal culture in the *tradition of the British Common Law* has not adopted the basic distinction of Roman law between public and private. Therefore, the Anglo-Saxon conception of government is less comprehensive than the continental State tradition (Dyson, 1980). By consequence, the idea of a comprehensive political regulation of the family by law is alien to the Anglo-Saxon tradition. For a long time Common Law considered the couple as a legal and economic unit and did not impute any obligation to fathers of illegitimate children. Rules of family conduct were developed by case law and have been modified by various acts of parliament during the 20th century, by increasing the individual rights, especially those of women and children. However, the family as such is not considered to be a subject for legal regulation. As far as marriage is concerned, the Divorce Reform Act of 1969 and subsequent modifications resulted in a substantial increase in the frequency of divorces (see Table 5.1). The proportion of children born out of wedlock has sharply increased, but '54 per cent of all births outside marriage in 1991 were jointly registered by parents living at the same address, presumably cohabiting' (Clarke & Henwood, 1997:162). The portion of lone parents has also clearly risen, and all this happened despite the absence of parental rights for unmarried fathers. The Childrens Act of 1991 foresees for the first time the possibility of an arrangement between unmarried parents of a child regarding sharing parenthood. Ireland follows, in principle, the British pattern although it remained for a longer time reluctant as to conflicts of the secular law with Catholic canon law. Therefore, contraception and especially divorce took longer to be admitted (Kiely *et al.*, 1999).

⁴⁰ See Morgan (1989); Neubauer (1993); Ringen (1997); Clarke and Henwood (1997).

As in Sweden, there is no explicit family policy in the United Kingdom but for almost opposing reasons. Whereas an explicit family policy seems not to be needed in Sweden where the public provisions follow in principle universalistic rules of need satisfaction for everybody, the lack of explicit family policy is a sign of general restraint on political intervention in the case of the UK. Though family issues seem to be highly valued there seems a rather broad consensus that the family is a private matter with which the State shall not interfere. Nevertheless, UK expenditures for family/maternity programmes as a percentage of total social programme expenditures meet the average of EC countries (see Table 12.3).

Family allowances were an integral part of the comprehensive social security scheme as designed by the proposals of William Beveridge during the Second World War. They were superseded in 1977 by a universal child benefit which substituted also for tax exemptions. The real value of this non-contributory benefit has diminished in the course of time, however, 'and surprisingly also in popular support' (Ringen, 1997:68). Since the 1980s a considerable part of the benefits for maternity and children are components of special programmes that are targeted exclusively for 'children in need'. The most important is Income Support (for those without earnings from regular work), and Family Credit (to raise the family income of the employed with low incomes), as well as the special allowance for lone-parents, and moreover a number of collateral measures linked to the eligibility of one of these programmes. Accordingly, studies on the distributional effects of compensatory measures for the cost of children in the UK show stronger vertical redistribution benefiting the neediest of families than is the case elsewhere, e.g. in Germany. However, security is provided at a relatively low level. Families with incomes above the social assistance programme's benefit level, in contrast to the situation in Sweden, have a considerable economic disadvantage compared to households without children, since child benefits only slightly improve the household's income. The comparatively high female labour participation rate in England is not attributable to appropriate political measures that facilitate compatibility of family obligations and

earning, but much rather to be understood as a matter of necessity, especially in the lower classes.

There is also scant public support for services for children. Local government focuses mainly on 'children in need', i.e. disabled children or children in a deteriorating family situation. To look after their children most parents are depending on private day-care services or on informal arrangements within the family or by self-help groups (Ringen, 1997:70-79). The impact of this policy is characterized as follows:

The form of intervention that we see in British day care provision reinforces two kinds of social divisions – those pertaining to economic class and those pertaining to women as a class. The dynamics which in interaction produce this outcome have to do with the class basis of the provision of care, the exclusion of normal working mothers, and the institutionalization of intervention. ...Care is thought of as custodial. ... The fact that the purpose of day nurseries is not improvement is significant primarily because it contrasts with the purpose of programs for preschool children in other institutions (Ruggie, 1984:246-247).

The only mitigation of this lack of public services for pre-school children consists in the early age of schooling, which begins at 5 and sometimes even at 4 years.

The dominating motive behind British public benefits helping families is *alleviating the impact of poverty*. This corresponds to the general position of British social policy which from the onset was focused on the issue of poverty and not for example on the workers' question (as in Germany) or on equality (as in Sweden). Moreover American influences and the longstanding government of the Conservatives (1979-97) made for a revival of liberalism which focuses on self-reliance and on minimizing State intervention.

In addition to the dominating issue of poverty, a second policy motive, namely *the welfare of children*, is ascertainable. Organized interest groups representing family concerns do not exist, though three influential movements exist for the protection of children and the promotion of their rights. State care for children was provided early on in the form of free meals in school, a measure which has maintained its importance to this day. The cause of child protection, however, has hardly had an impact on family policy measures.

With respect to the family, in the UK the principle of state *non-intervention* prevails. The decision to start a family is considered a private matter for which each individual has to bear the consequences. This reflects a common Anglo-American understanding of a restricted role of government. This is also indicated by the abstinence in regulating work conditions which are considered to be negotiable among employees and employers. By consequence there has been no right to maternity leave until 1998,⁴¹ whereas the modest maternity rights of the Employment Protection Act of 1975 have been restricted by subsequent legislation (Ringen, 1997:50-52). In spite of the lacking public support for policies supporting the family, the birthrate in the UK has declined less in the last decades than in most other European countries. The independence of the family from the State thus seems to be largely accepted among the people.

Thus even in the United Kingdom it seems that a way is being paved for the modernization of familial relations, which is however only receiving governmental support in the area of problem families. The low level of State regulation of family relations leaves the shifting in the balance of power between the sexes to a nearly exclusively societal process.

12.4. Towards a European Family Policy?⁴²

The more European integration proceeds the louder claims for a 'social dimension' of the Union become. Despite the United Kingdom under Conservative rule opposing all steps towards social policies on the European level, during the critical period of the treaties of Maastricht, the remaining members decided in favour of common

⁴¹ As a consequence of the adoption of the social protocol of Maastricht by the new British government in 1997 the minimal standards of the EU concerning parental leave have now been introduced (Dienel, 1999:124).

⁴² An overview on issues of and steps towards family policymaking in the EU is given by Hantrais and Letablier (1996, part three), and Dienel (1999). For more general aspects of European social policies, see Leibfried and Pierson (1995); Welter (1996); Kowalsky (1999).

policies, though only in restricted domains. As for family policies there is a clear difference to earlier decisions of the Council of Europe.

The Social Charter of the Council of Europe (passed in 1961) foresees a right to paid maternity leave for a minimum of twelve weeks (Art.8), the economic, legal, and social protection of family life (Art.16), as well as the right of mothers and children to social and economic protection (Art.17). However, the recognition of the corresponding responsibilities on behalf of the signatory countries has hardly had any practical international consequences, since mechanisms available to implement sanctions and thus to enforce the Social Charter are weak. The same must be said about the recommendation of the Committee on Social Policy of the European Council on 'Coherent and integrated family policies' of November 1992. So politics remain on a symbolic level only.

The Community's Charter of the Fundamental Social Rights of Workers in the EC – adopted by all EC member states (with the exception of the UK) in December 1989, does not contain an explicit responsibility for the protection and promotion of the family, but a strong commitment to gender equality on the workplace, including the aim to promote measures which help men and women to harmonize their obligations in the workplace and in the family (Art.16, III). Gender equality was already stipulated in Article 119 of the EEC Treaty and has been implemented at many instances through decisions of European Court. This had occasionally also implicit consequences for family law. Explicit steps towards family policies on the European level were taken just as little by the Agreement on Social Policy in 1992 which has been incorporated into the Treaty of Amsterdam. The most consequential provision is Article 118a, which stipulates the competence of the European Commission to issue minimum standards to protect workers against risks of health and safety. In this context a first guideline (96/34/EG) on parental leave has been issued by the European Council which stipulates a minimal standard of three months of leave for both parents to be taken during the first eight years of the life of a child. It is remarkable that this guideline has been designed in the context of the 'Social Dialogue' between the Commission

and European Associations of Employers and Trade Unions and has a clear 'Gender-Mainstreaming Approach', i.e. the three months of leave for the father cannot be transferred to the mother. However, the implementation of the EU-guideline into national law exhibits substantial differences (for more details see Dienel, 1999).

In contrast to economic policy, the scope of EC authority in the area of social policy was restricted from the beginning and has been expanded only gradually since then. There is a pattern of the division of competences emerging which gives regulatory power in the realm of work to the EU whereas issues of personal redistribution of income remain on the national level (Majone, 1993). The same can be said about services, though they are often regulated even at a subnational level. The issuing of the EU-guideline on parental leave is fully in line with this diagnosis.

As a consequence, one may expect that the EU will become more active in the future in the regulation of standards to further the compatibility of the labour market and family households. These interventions will operate with strong emphasis on gender equality and thus enhance the influence of the Scandinavian pattern of family policy.⁴³ It remains to be seen to what extent the continental European countries, and especially those in the tradition of the French Code Napoléon, will adopt that pattern. Moreover, it is unlikely that gender equality in the division of labour between paid and unpaid work can be enhanced by regulation only. As we have seen there is a strong influence of services too, especially of full day services for children at all ages. Traditional patterns are also highly influential. Though all countries of the EU are confronted with similar demographic challenges of a growing shortage of children, it seems unlikely that an explicit family policy will emerge on the European level in the foreseeable future. Nevertheless, it may happen that the differences in the initial situations we have sketched in this chapter will become weaker. The motive of gender equality, and especially the motive of children's welfare, has good chances to become consensual within Europe. Legitimations from a

human capital approach may also gain in importance as a consequence of the overall birth decline, whereas it is unlikely that the institutional motive of protecting certain forms of family as such will prevail. For the other motives discussed in section 12.1.2. it depends on future developments if they can come again to the forefront of the political agenda. Given strong cultural differences as to their acceptance, it remains rather unlikely.

Even though a swift progress in the institutionalization of family policies on the European level should not be expected, it can be hoped that family concerns become increasingly included in measures in other areas of social policy. This will not only operate on an explicit level, e.g. as a consequence of decisions of the European Court, or of initiatives of the European Commission in the context of the Treaty of Amsterdam. There also exists another form of slow convergence of social policies by the co-ordination of the operations of national social policies. Beginning with the co-ordination of social benefits for migrant workers, networks of national administrations have been established which operate for convergence. Even though a 'European welfare state' is far away, and perhaps not even the best solution for many issues, the common heritage of the European welfare states seems strong enough to promote convergence, despite their evident differences both in cultural legitimations and institutional design.

The growing economic pressure on cost-containment within the welfare sectors makes it unlikely, however, that expenditure benefiting families will be raising fast. At any rate good reasons will be needed for any improvement of social expenditure, and, as the motto to this chapter by Gilbert Steiner suggests, good reasons for family policies are by no means evident. We hope that the contributions assembled in this book contribute to found better reasons for politics towards the family, may it be implicit or explicit.

⁴³ For a recent summary of gender policies see Sainsbury (ed.) (1999).

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