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Activating the family? Moral economy and post-industrial family policy

Abstract

Expanding on the concept of the moral economy, the article investigates implicit justice assumptions connected to family policies in post-industrial European welfare states. Most authors argue that family policies support new understandings of social justice, such as the adult worker norm (Saraceno, 2015), equality of opportunity, and gender equality (Hemerijck, 2018; Palier & Morel, 2012). Critically engaging with this debate, the paper shows how the institutional support of new justice assumptions varies across countries: Increasing women's employment participation and men's care involvement is either treated as an issue of private negotiations among family members (UK and Germany) or as an individual right (Sweden) and family-based right (Spain). Comparing the institutional construction of family policies, this paper finds the interpretation of new justice assumptions to be shaped by a welfare state's existing moral economy. Given that the institutional understanding of justice significantly impacts who benefits from family policies, this paper offers a substantial contribution toward comprehending the cultural aspect of social inequality in post-industrial welfare states.

Keywords: Family policy, moral economy, activation, gender equality, institutional comparison

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1. Introduction: Justice and family policy

With the shift to post-industrial economies and associated changes in standard employment relationships and family structures, coping with "new" social risks – such as caregiving or atypical employment – has become one of the core tasks of European welfare states (Bonoli, 2007; Esping-Andersen, 2003; Garritzmann et al. 2023; Hemerijck, 2018; Jenson and Saint-Martin, 2003). In the context of the European Union's (EU) directives on parental leave, part-time work, and gender discrimination, as well as increased European social policy coordination since the 1990s, most member states extended leave schemes, public childcare services and family allowances (Esping-Andersen, 2003; Hemerijck, 2018; Palier et al., 2012). Some scholars argue that these policies aim at providing gender equality in terms of a dual-earner family model as they support women's labour market participation and men's involvement in care provision (Auth and Peukert, 2022; Eggers et al.,

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2021; Ibáñez et al., 2021). They also ensure active forms of social citizenship, providing equal opportunities for citizens to be self-responsible for their social security (Eggers et al., 2019; Evers and Guillemard, 2013; Palier et al., 2012). Other authors, however, are more skeptical about promoting gender equality through new family policy reforms (Avlijaš et al., 2021; Saraceno, 2015). Over the past decade, scholars have described these policies as inconsistent transformation (Letablier et al., 2011), providing contradictory notions of gendered labour division (Betzelt & Bothfeld, 2011; Daly & Scheiwe, 2010; Dingeldey, 2016). Others have pointed towards the "middle-class-bias" of these family policies and related consequences for social and gendered stratification in post-industrial societies (Dobrotić & Blum, 2020; Garritzmann et al., 2023; Pavolini & van Lancker, 2018; van Lancker & Ghysells, 2016).

This article explores the moral economy of inequality that underpins the institutional construction of family policies in four distinct European welfare states: the UK, Sweden, Germany, and Spain. It shows how – despite general European initiatives – supporting dual-earner families varies across different welfare states and resembles different notions of gender equality. In the UK and Germany, it finds policies activating the family to achieve gender equality and equal opportunities by private negotiations amongst family members. Here, the welfare state's historical support for active forms of citizenship is combined with its familialist legacy. A similar pattern is found in Sweden and Spain, where gender equality and equal opportunities are understood as a matter of statutory provision of services and resources rather than as a private responsibility of citizens; thus, contemporary family policies reflect the countries' heritage in a more egalitarian notion of social justice.

Developing this argument theoretically and empirically, the following paper introduces the concept of moral economy to studying family policies in post-industrial welfare states. It then chooses indicators to compare different notions of gender equality embodied in the institutional design of family policies. The last part of the paper provides empirical results and discusses the findings about the moral economy approach. This paper proposes considering the cultural dimension of social inequality when examining the gap between policy initiatives promoting (gender) equality – particularly at the European level – and the persistence of structural inequalities.

2. Post-industrial welfare states

European welfare states have introduced significant family and unemployment policy reforms with the transition to post-industrial economies and growth regimes (Hassel & Palier, 2021). Informed by the European Employment Strategy and the introduction of the "European Social Model" (Betzelt and Bothfeld, 2011; Jenson, 2008; León, 2009), these reforms relate to new assumptions about social

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security provision: the activation paradigm and the social investment approach. With this, welfare states shall no longer aim at compensating for social risks – such as unemployment, sickness, or old age – but at supporting citizen's capabilities to organise their well-being (fundamentally Esping-Andersen, 2003; Jenson and Saint Martin, 2003; Hemerijck, 2018). Whether and how these new notions of justice provide a step forward in promoting gender equality is subject to ongoing scientific discussions.

Previous research points in two directions: First, authors argue that family policies all over Europe largely follow new notions of gender equality. Party coalitions spanning the political spectrum have supported rights to extra-familial childcare in Germany, the UK, and Spain. In 2013, the German government gave every child over one year the right to extra-familial childcare (Leitner, 2017). In 2016, the UK's conservative government increased children with working parents' right to extra-familial childcare to 30 hours a week (Lewis & West, 2017; UK Government, 2022). In Spain, nearly 100 % of children over three years were enrolled in public childcare facilities in 2017 (León & Pavolini, 2014; Estévez-Abe & Naldini, 2017); for children between 0–2 years, the numbers rose from 10 % in 2000 to 43 % in 2020 (León et al., 2022). In scholarly debates, such an extension of early childhood education (ECEC) across Europe is prominently discussed as making way for female employment participation, thus supporting the "defamilisation" of social security for women and consequently promoting gender equality (Ciccia & Bleijenbergh, 2014; Bambra, 2004; Hemerijck, 2018; Esping-Andersen, 2003; Korpi, 2000). Regarding parental leave benefits, Mary Daily and Emmanuele Ferragina find the number of weeks reserved for paternity leave across 23 high-income countries to increase from 0,2 in 1990 to 9,4 weeks on average in 2015 (ibid., 2018, 263). Scholars, again, describe the extension of paid paternity leave schemes as an indicator of the "defamilisation" of social security (e.g., Zagel & Lohmann, 2020) and the extension of gender equality in terms of caregiver parity between men and women (Auth & Peukert, 2022; Eggers et al., 2021; Ibáñez et al., 2021; Saraceno & Keck, 2011). At the same time, family policy changes were accompanied by reform agendas to unemployment protection schemes, supporting gender equality by promoting women's independence and autonomy from the male breadwinner while "forcing active social citizens – directly or indirectly – to be self-reliant in financing and organising their own social security and social services" (Eggers et al., 2019, 48). Social democratic and liberal welfare regimes such as in the UK and Sweden have advanced policies promoting citizens' active employment from the late 1970s onward (Jenson, 2013, 70–72; Johansson and Hvinden, 2008, 57). Conservative and southern European welfare states have given way to supporting active forms of social citizenship (Lessenich, 2010) since the early 2000s. For example, with the introduction of the "Hartz IV" reforms, the German welfare state extended its demand for self-responsible behaviour by increasing sanctions on citizens who do not actively seek employment (Leitner, 2017) and Spain's final introduction of a nation-

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al Spanish minimum income scheme in 2020 does not provide sufficient individual income protection (Soler-Buades, 2024, 13). According to this literature, post-industrial welfare states aim to deliver gender equality by fostering citizens' independence from the welfare state and the male breadwinner family (Esping-Andersen, 2003; Jenson & Saint-Martin, 2003).

Against this backdrop, authors are more skeptical about new notions of justice making their way through recent family policy reforms (Betzelt & Bothfeld, 2011; Daly & Scheiwe, 2010). They point towards the dualisation of family policies due to the role of strong path-dependent institutions, such as tax splitting for married couples in Germany (Dingeldey, 2016), left-wing governments (Branco et al., 2024), social actors, such as unions in Spain (León et al., 2022; Pérez and Laparra, 2011), or strong etatist and conservative ideas (Eggers et al., 2023) preventing the flexibilisation of care and labour markets. Concerning economic factors, authors argue that the establishment of new notions of gender equality and equality of opportunity is most likely in countries with service-led growth regimes in need of a highly skilled and flexible workforce (Avlijaš et al., 2021) and less likely in times of economic crises, where the introduction of new family policies is expected to be postponed due to budgetary reasons (Saraceno, 2015). These authors argue that promoting gender equality across European welfare states might be difficult due to institutional, cultural, political, and economic reasons.

Despite overall European initiatives to support gender equality in the context of the social investment approach, scholarly findings on how these attempts translate into structural change regarding family policies across European welfare states suggest different conclusions. Some authors find reforms across European welfare states to support gender equality in terms of an adult worker or dual-earner family model or even ascribe changes to increase caregiver parity between women and men. Other authors focus on institutional path-dependency, social actors, or the economic conditions of welfare states when raising doubt about the diagnosis that family policy reforms across Europe can support new notions of gender equality. Adding a new layer to this debate, this article asks how the welfare state's moral legacies in social justice shape these new notions of gender equality. It suggests that addressing the cultural dimension of inequality underpinning family policies helps to understand the gap between political initiatives aimed at promoting (gender) equality and the persistence of gender-specific inequalities as a structural component in constructing European welfare states. In this context, the next part of this article introduces the moral economy approach as a theoretical framework for examining the cultural dimension of inequality concerning family policy reforms.

3. Moral economy approach

Welfare states are not only recognised as tackling social risks and inequalities but as representing a "stratification system in [their] own right" (Esping-Andersen, 1990,

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4). The moral economy approach looks at the justice assumptions that underpin social policies and–when shared widely across society–provide legitimacy for a specific system of social and gendered stratification (Heuer et al., 2020; Lessenich, 2012; Offe, 1970; Sachweh, 2012). Liberal, conservative, and southern welfare regimes—the systems in Germany, the UK, and Spain, for instance—have a strong legacy of gendered labour division (Lewis, 2001, 161), providing legitimacy for gendered inequalities in the labour market or within public welfare provision. A moral economy is defined as the "moral infrastructure" (Sachweh, 2012, 422) of a welfare state: a set of moral assumptions about who should have the right to welfare provision and why. As such, it justifies the boundaries of social citizenship, providing meaning for the social rights that welfare states guarantee and the social responsibilities that citizens must undertake to qualify for those rights (cf. Marshall, 1992). Consequently, a specific moral economy shapes European welfare states' distribution of resources and opportunities (Sachweh, 2016; Sachweh & Münnich, 2017; Mau, 2003; Lessenich, 2012). Thus, different institutional constructions of, for example, unemployment or family policies, embody different notions about social justice, e.g., on social inequality (Sachweh, 2016; Mau, 2003; Taylor-Gooby et al., 2019) or gendered labour division (Fraser, 1994; Lewis, 1992; Orloff, 1993; Pfau-Effinger, 2005).

For example, by splitting tax between married couples, giving free insurance to married partners (Germany), and lacking institutional support for care provision (the UK and Spain) (Ciccia & Bleijenbergh, 2014; Daly, 2011; Daly & Scheiwe, 2010), most welfare state's support a moral economy of gendered labour division. At the same time, countries follow different notions of social justice. In the UK, most social policies provide flat-rate benefits to those at risk of poverty. Thus, welfare institutions in the UK embody a notion of social justice or redistribution that anchors around the principle of "need", while in Germany, welfare rights have a strong legacy not only supporting moral assumptions of gendered labour division but also principles of "merit" (Sachweh, 2016; Taylor-Gooby et al., 2019; Mau, 2003). Here, income-related benefits are paid to those who have earned the right to welfare resources via standard employment participation and paid social security contributions. In Mediterranean countries, such as Spain and Portugal, principles of merit overlap with a legacy of a more egalitarian notion of justice (Sachweh, 2016, 300). In contrast, in Nordic welfare states, such as Sweden and Norway, the institutional construction of social policies seems to embody principles of equality in gendered labour division and justice conceptions. They accompanied an early promotion of individuals' social right to do care work with generous support for citizens aiming to secure paid employment (Eydal et al., 2015). At the same time, these rights are for everyone and are largely independent of income or status (Sachweh, 2016, 296f.; Sainsbury, 1999). In summary, different notions of justice underpin the boundaries of social citizenship across European welfare states and

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how these welfare states distribute resources regarding social policies. Consequently, we can trace implicit notions of justice by comparing social policies.

From a social citizenship perspective, understanding how these rights embody different notions of gender equality, scholars used to compare the gendered differentiation between individual and family-based access to welfare provision (Fraser, 1994; Orloff, 1993). In post-industrial times, access to social rights is increasingly detached from social status and connected to citizens individual behaviour, such as active job search activities or regular doctor's visits (Clasen and Clegg, 2007; Evers & Guillemard, 2013; Frericks & Höppner, 2019; Lessenich, 2010). Feminist scholars argue that this implies new notions of gendered justice. They introduced the term "defamilialisation" (Lister, 1994; McLaughlin & Glendenning, 1994) and "individualisation" (Daly, 2011) of social rights, indicating institutional changes that support women's financial and social autonomy from *family status* ("familialisation") in accessing social rights (see Lohman & Zagel, 2020 for a reflection of the term). In the context of the social investment paradigm, we have seen that the individualisation of welfare provision implies independence from the male breadwinner and the welfare state. However, individualisation or defamilialisation do not allow us to distinguish analytically between gender equality regarding autonomy from a male breadwinner and independence from public services and resources.

As regards the question of how moral legacies shape new notions of gender equality, this article thus suggests expanding the analytical dimensions of individualisation and familialisation for a dimension of activation. This is because individualisation and familialisation are – as categories – implicitly bound to industrial notions of gendered justice. They cannot analyse how these moral legacies may change when shifting the responsibility for welfare provision from the welfare state (status right) to the active citizen (activation) in the context of post-industrial welfare states and the EU's support of the social investment approach. Adding an activation dimension (cf. Lessenich, 2012) allows differentiating whether the individualisation or familialisation of social rights is linked to a status dimension, thus accessing welfare provision based on individual status as worker, citizen, or caregiver, or whether the individualisation or familialisation of social rights is linked to active behaviour, such as regular doctors' visits, or the need of family members to apply for jobs. This distinction widens the analytical consideration of different notions of gender equality beyond a mere distinction between a male breadwinner or an adult worker model.

Establishing the moral economy approach as an analytical lens for the analysis of gender equality in contemporary family policy reforms, this chapter has strengthened two arguments. First, that different European welfare states embody different moral legacies of social justice: while the UK, Spain, and Germany have a strong legacy distributing welfare rights around moral principles of gendered labour division, they vary regarding the support of need, equality, or meritocracy. On the

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other hand, Sweden historically supports the distribution of welfare rights based on moral principles of equality. Second, in answering how these moral legacies shape notions of gender equality in terms of the social investment approach, it suggests extending the distinction between individualisation and familialisation for an activation dimension.

Empirically capturing these theoretical assumptions, this paper asks what notions of gender equality underpin contemporary family policy legislation in four European welfare states with varying moral legacies: Sweden, Germany, Spain, and the UK. The empirical part of the article compares conditionality principles to family policies in the respective countries. The next chapter introduces methods and data in greater detail.

4. Data and methods

Various approaches in the welfare state literature compare social policies (Clasen & Clegg, 2007; Daly & Ferragina, 2018; Zagel & Lohmann, 2020); according to social citizenship scholars, the comparison of the "responsibility" dimension of social rights serves as the best indicator for different moral assumptions about the "proper" citizen that underpin welfare states' distribution of resources and opportunities (Clasen & Clegg, 2007, 170f.; Esping-Andersen, 1990; Marshall, 1992). Therefore, this paper compares contribution conditions that guarantee access to social rights (cf. Figure 1) alongside two analytical dimensions: *access* and *activation*. First, the access dimension considers whether citizens are eligible for family policies based on their characteristics or the characteristics of their family members (individual rights vs. family-based rights). This approach permits comparing and standardising family policies and existing legacies of gendered justice as behavioural norms (Knijn & Kremer, 1997; Peukert et al., 2022). Second, this article considers the kind and number of conditions citizens must meet to receive social rights (i.e., to be eligible for a specific family policy instrument), building on the analytical approach advanced by Clasen and Clegg (2007) (Figure 1). This approach permits comparing and standardising family policy regulations' reliance on activation as a behavioural norm (Dobrotić & Blum, 2020). It allows us to consider changes to gendered justice under the social investment approach.

The two analytical dimensions shed light on different notions of gendered justice across post-industrial welfare states: gender equality as an individual right or conditional to individual behaviour (individual access), gendered labour division, or the activation of the behaviour of family members (family-based access). In a Weberian sense, the analytical dimensions depict ideal types as an ideal "Grenzbegriff," allowing all real cases to be compared to a theoretically defined ideal type (Weber, 1922, 194). Problematically, family policies might resemble all four analytical dimensions to varying extents, making the models fall short of complete consistency (Frericks et al., 2018). To avoid this, the empirical part of the paper relies upon the Com-

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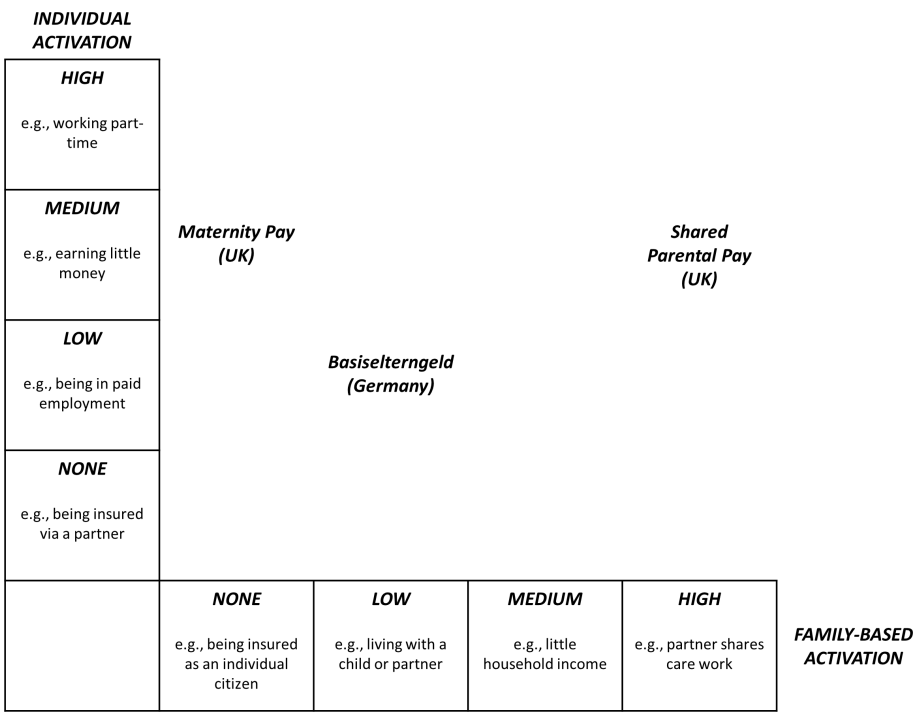
parative Method of Institutions (CMI) as put forward by Patricia Frericks and colleagues (ibid.), which suggests treating the analytical dimensions as the cornerstones of two ordinal scales (for detailed description see Appendix, Table 1). Figure 1 depicts the exemplary institutional comparison of conditions for parental leave benefits in Germany and the UK. As argued in the previous section, entangling notions of gender equality in times of social investment, this article suggests including activation dimensions to the differentiation between individual and family-based access to family policies. Based on an in-depth analysis of contribution conditions to receive parental leave benefits (cf. Table 1 in Appendix) against their reliance upon individual and family-based activation, one can compare family policies in a two-dimensional space (Figure 1).

Figure 1: exemplary CMI for shared parental leave in Germany and the UK.



Source: author's representation.

Such an analytical differentiation now allows tracking different notions of gender equality – as an individual right or responsibility, as subject to gendered labour division or active behaviour of family members – underpin contemporary family policies.

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This article compares contribution conditions to parental leave benefits and access to early childhood education across Sweden, Germany, Spain, and the UK. Comparable data on the institutional design of these policies was gathered for the year 2020 from the European Mutual Information System on Social Protection (MISSOC), the International Network on Leave Policies and Research (LP&R), national government documents and websites, and secondary literature. Family policies concerning social rights indicators (contribution conditions and replacement rates) are summarised in Table 2 in the appendix and briefly described hereafter.

Sweden has promoted individual paid parental leave for both parents since the early 1970s, increasing the duration to 17 months by 2020, with each parent entitled to 240 days (Eydal et al., 2015; LP &R, 2020). In Germany, a conservative government individualised parental leave in 2007, limiting benefits to 12 months based on prior income, with additional months available when both parents share leave (MISSOC, 2020). In Spain, after twenty years of stagnation in family policy reform (León and Pavolini, 2014; Estévez-Abe & Naldini, 2017), the socialist government gradually increased parental leave to three months for fathers and four for mothers by 2020. In the UK, mothers receive thirteen months, with shared parental leave available at a flat rate after an initial period of income replacement (UK Government, 2022; LP& R, 2020). Regarding early childhood education, Sweden has provided childcare rights since the early 1990s and expanded to part-time access for non-working parents in 2000 (LP &R, 2020, 561). Germany's introduction of individual child-based rights began in 1996, securing childcare for children over one year from 2013 (LP&R, 2020). Spain extended full-time public daycare for ages three to six in 1996 but lacked national rights for children under three, relying on community-based subsidies for low-income families (León et al. 2022, 14). The UK established a right to 15 hours of free childcare for ages three to four in 2010, increasing this to 30 hours for working parents in 2016 (Lewis & West, 2017; Lewis et al., 2009; UK Government, 2022).

The next part of this article compares the conditionality of receiving these parental leave benefits and ECEC services, shedding light on different notions of gender equality that underpin family policies in the UK, Germany, Sweden, and Spain.

5. Variety of social justice in family policies

This section discusses the degree of individual and family-based activation as an analytical indicator to understand the different notions of gender equality that underpin access to parental leave benefits and ECEC service in the UK, Germany, Sweden, and Spain.

As outlined in the previous section, an institutional comparison of activation in parental leave policies and ECEC services in the four countries under study has been performed. This comparison analyses individual and family-based conditions citizens must meet to receive social benefits (i.e., personal and family-based activa-

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tion). The results from this institutional comparison are presented in Figures 2 and 3, which show the degree of activation in parental leave policies and ECEC services, respectively, of all four countries.

Figure 2: Degree of activation in access to parental leave benefits, 2020.

Source: author's representation based on MISSOC, 2020; LP&R, 2020, 2021; GDS, 2021.

With its most recent parental leave reform in 2019, the Spanish government *individualised* the right to "birth and childcare benefits" (LP&R, 2021, 565) so that by the beginning of 2021, every parent – mother and partner – has the individual right to 100 percent income replacement for sixteen weeks after the birth of the child (see Figure 2). This right can no longer be transferred from the partner to the mother and is conditional only to a relatively short time of employment before the child's birth (LP&R, 2020; cf. Table 2 in Appendix). Consequently, accessing parental leave benefits is independent of other family members and individual behaviour, with a low degree of individual activation (see low scores on the y-axis in Figure 2). Free public childcare is guaranteed for children over three years (MISSOC, 2020). Since 2006, Spain made significant efforts to extend

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free ECEC services for children under three years. This mandate was postponed due to budgetary cuts in the aftermath of the 2008/9 economic crisis (León & Pavolini, 2014) and was taken up by the left-wing government in 2020 (Spanish government, 2022). Consequently, Spain scores low on both axes in Figures 2 and 3, showing that family policies in Spain generally support the assumption that the state, rather than its citizens, is responsible for providing resources and services for care provision. As family policies are largely individualised, family policies in Spain embody the moral assumption that mothers and fathers have the equal right to statutory resources and services to provide childcare. However, only 15 percent of children between one and two years had access to free childcare provisions in 2020 (León et al., 2022, 10f.). Thus, far from being a statutory right, limited free ECEC services for children under three years are conditional – among other things – towards household income (Spanish government, 2022). Therefore, the individual right to childcare provision effectively applies only to children above three. This leaves a gap of more than two and a half years where the provision of care work is family-based, relying on other family members' statutory benefits, income, or unpaid labour. Thus, contemporary family policies in Spain support moral assumptions about familial labour division and equality.

In the UK, parental benefits and access to ECEC services – except a child's right to 15 hours of extra-familial childcare a week – depend on citizens' active behaviour to perform or search for steady, well-paid employment (see high scores on the y-axis in Figure 2 and 3). However, the British welfare state departs from the adult worker model by considering the family's division of labour and resources. Recent reforms to family policy regulations establish a high degree of family-based activation. First, the right to full-time childcare services for children is underpinned by the assumption that family members must first share resources and care work before they receive statutory support. At the same time, the welfare state guarantees institutional support for ECEC services only when both parents actively look for or actively perform paid employment (see medium scores on the x-axis in Figure 3). Second, to be eligible for shared parental leave benefits, mothers must provide a steady paid employment history (see high scores on the y-axis in Figure 2). A partner's right to provide childcare depends on the mother's active employment and willingness to share care work (see high scores on the x-axis in Figure 2). Because these social rights support the assumption that adult family members rely on the self-responsible negotiation of care work and resources within the family, family policies in the UK do not only embody moral assumptions of gendered labour division but gendered labour division is no longer a question of sufficient social status of a male breadwinner family, but conditional only to the self-reliant negotiations of parents, and thus to family-based behaviour.

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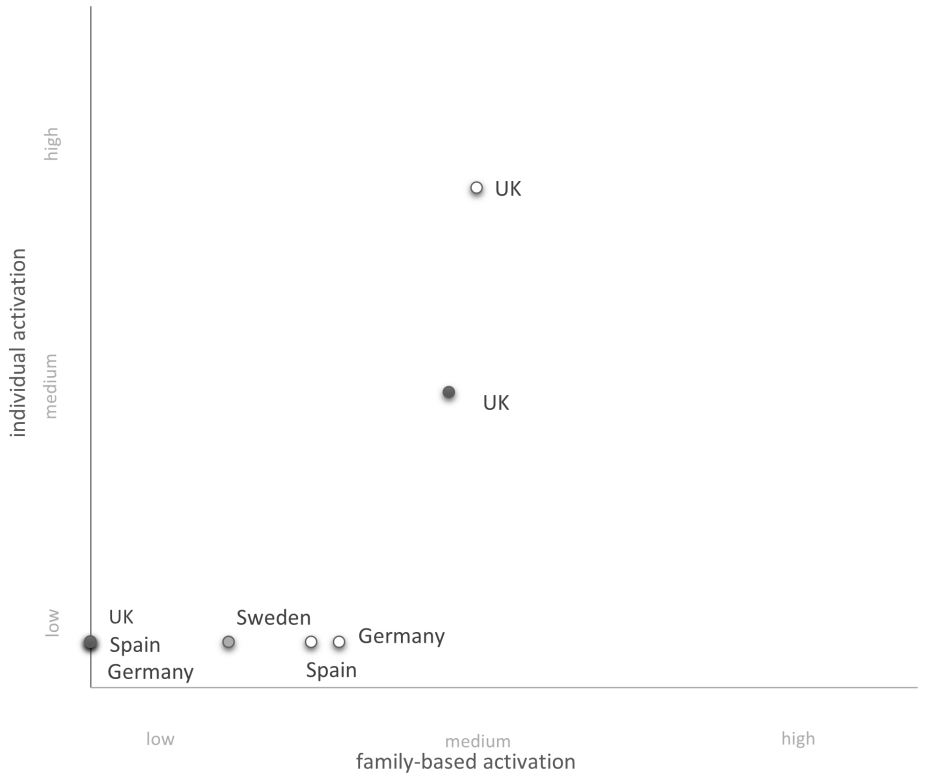
Figure 3: Degree of activation in access to ECEC services, 2020.



Source: author's representation based on MISSOC, 2020; LP&R, 2020, 2021; GDS, 2021. The color of the data points indicates the age of the children when they are entitled to ECEC services; white: 0–3 years; black: 3–6 years; gray: 0–6 years.

Social rights in Germany present a more heterogeneous picture of the institutional promotion of individual and family-based activation. Foremost, family policies provide status-related income replacement and are guaranteed to individual workers and parents. In addition, the right to part-time public childcare begins as soon as parents stop claiming parental leave benefits (see relatively low scores on the y-axis in Figures 2 and 3). However, individual statutory income replacement is still low for citizens who do not perform standard employment (primarily women). At the same time, family policy regulations establish a high degree of family-based activation (see high scores on the x-axis in Figures 2 and 3). In Germany, citizens are eligible for the maximum parental leave benefits and public childcare provision only if family members self-responsibly share care responsibilities and financial resources (see high scores on the x-axis in Figures 2 and 3). Thus, the self-responsible negotiation of labour and resources between family members is supported by

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the statutory provision of relatively generous status-related individual social rights. Therefore, family policies support the assumption that parents must deserve the right to statutory resources and services for childcare through standard employment participation and are self-responsible for an equal labour division in the family (family-based activation).

In Sweden, family policy regulations distribute statutory resources and opportunities to citizens according to their status as workers or parents. Swedish family policy regulation thus does not assume individual or family-based activation (see low scores on x- and y-axes in Figures 2 and 3). The Swedish welfare state provides an individual social right, regardless of gender or partnership status, to perform childcare for up to 480 days after a child is born. Children older than one year have the right to progressively subsidised ECEC services (see high scores on x- and y-axes in Figure 3). Thus, the Swedish family policies not only guarantee the provision of childcare independently from other family members but also establish social equality principles.

The previous section showed that family policies in Spain, the UK, and Germany had introduced rights to care provision, mainly focusing on fathers' involvement in care provision and both parents' active employment participation. However, there are significant differences in the institutional design of these policies, which promote different notions of gender equality. In Spain, parents lose statutory resources and services if, e.g., their partners do not take their right to parental leave or perform paid employment. In Germany, on the other side, parents gain additional time for self-responsibly deciding to share care work. In the UK, partners have no individual rights without a mother deciding to share care work and perform paid employment actively. However, compared to Sweden, the institutional design of these policies embodies the moral assumption that men and women rely upon the division of labour and resources in the family to provide for childcare. Simultaneously, family policies either support principles of equality (Spain) or activation (UK and Germany).

The following section will discuss these empirical findings concerning the overall research question: how do these different notions of gender equality reflect the welfare state's moral legacies in social justice?

6. Discussion: Post-industrial family policy and moral economy

Since the early 2000s, family policies have been at the center of welfare states transition to post-industrial economies. For a long time, these policies have been discussed with the following two goals: increasing social justice and increasing gender equality (Esping-Anderson, 2003; Hemerijck, 2018). Increasing social justice was defined as investments in citizens' skills to participate in the labour market. Gender equality meant the support of women's employment (Auth & Peukert, 2022; Daly, 2011; Saraceno, 2015) and increasing men's care participation (Eggers

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et al., 2021; Ibáñez et al., 2021). More recently, scholars pointed towards empirical variance in contemporary family policies (van Lancker & Ghlls, 2016; Pavolini & van Lancker, 2018). They argue that family policies favoring gender equality and equality of opportunity have been blocked by social actors (Branco et al., 2024; León & Pavolini, 2014) or established only next to the prevalence of existing family policies supporting assumptions of gendered labour division (Daly & Scheiwe, 2010; Dingeldey, 2016; Letablier et al., 2011). Against this backdrop, this article asked how different notions of gender equality reflect moral legacies in social justice across parental leave benefits and ECEC services in Sweden, Germany, Spain, and the UK. Introducing the moral economy approach, it argued that variance in justice assumptions underpinning the institutional design of family policies could thus not only be explained by economic, institutional, and political factors but must consider the role of country-specific and path-dependent moral assumptions about social justice, both in terms of social inequality and gendered labour division.

This paper compared entitlement principles of contemporary family policies to show that different welfare states indeed aim to support gender equality in terms of women's employment and men's care participation. However, family policies vary significantly in their interpretations of gender equality. As summarised in Figure 4, in Germany and the UK, increasing women's employment and men's care participation are considered tasks of private negotiations in the family. Family policies aim to activate these private negotiations between partners (family-based activation). As the equal division of labour is considered an issue of private negotiation processes in the family and not the welfare state's responsibility, these countries seem to support an active family caregiver rather than a dual-caregiver family model. This baseline can be further differentiated for the two countries: private negotiations of care and employment responsibilities depend upon women's active employment participation (individual activation) in the UK and partners' earnings in Germany (individual rights). Therefore, family policies come closest to what might be called an adult worker/ active family caregiver model in the UK (upper right quadrant in Figure 4) and the support of a dual-earner/ active family caregiver model in Germany (lower right quadrant in Figure 4). In Germany and the UK, the institutional design of family policies embodies the moral assumption that men and women actively negotiate the division of care work and employment in the family. Such active family caregiver models depend upon the double income of dual-earner families (Germany) or the active employment participation of the adult worker model (UK).

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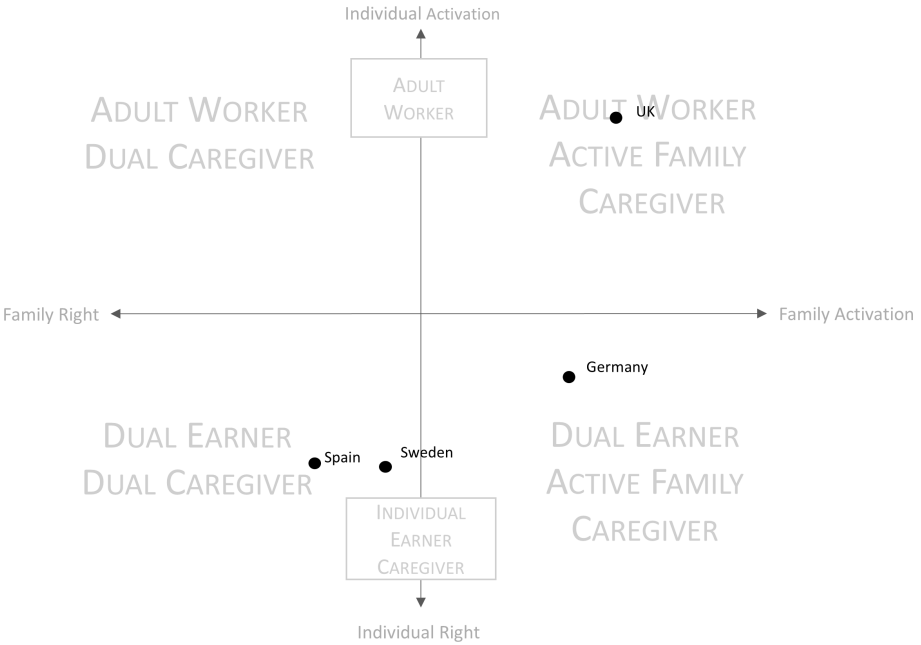
Figure 4: Post-industrial family models



Source: author's representation.

In Spain, entitlement principles embody the moral assumption that men and women rely upon the family's division of care work and resources. However, benefits do not establish the belief that women's employment participation and men's care provision are questions of private negotiations. Instead, they are seen as responsible for statutory guaranteed resources and services. However, unlike Sweden, statutory resources and services in Spain require the income and care work of two parents (family-based right). In Sweden, parental benefits and ECEC services allow an individual parent – whether man or woman – to organise care for children and pay for employment on their own (individual right). Therefore, family policies come closest towards what might be called a dual earner/ dual carer family model in Spain (lower left quadrant in Figure 4) and the support of an individual earner/ carer model in Sweden (box in lower centre in Figure 4). Both interpretations of gender equality rely upon the moral assumption that the state is responsible for providing gender equality in care provision and employment participation – either by supporting an equal division of labour in the family (Spain) or individual opportunities to be both working and providing childcare (Sweden). The upper left quadrant in Figure 4 is empirically empty. Theoretically, this quadrant contains an adult worker/ dual-caregiver family model. Here, the state would support citizens in

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being self-reliant in financing and organizing their social security via active employment participation while supporting an equal division of labour in the family.

In summary, different post-industrial welfare states follow country-specific interpretations of gender equality as put forward by the EU's social investment strategy. However, the mother's employment participation and the father's care involvement are considered questions of private negotiations between family members (UK and Germany) or statutory support for equality (Sweden and Spain). Simultaneously, welfare states embody the assumption that gender equality means the equal division of labour and resources in the family (UK, Germany, and Spain) or the opportunity to work and care independently from other family members (Sweden). Rather than supporting a unified dual-earner/ dual-carer family model, family policies seem to embody a variety of post-industrial family models (Figure 4).

Returning to the moral economy approach, we can now relate these notions of gender equality to different moral legacies in social justice and the gendered division of labour. Historically, the UK, Germany, and Spain promoted gendered labour division in providing legitimacy to gendered inequalities in social security. The post-industrial family models promoted by these countries still embody the assumption that citizens must share resources and labour in the family to enable women's employment participation and men's care work. While in Spain, equal labour division is the direct function of family policies, in the UK and Germany, equal labour division is interpreted as a private responsibility. These different trajectories in promoting gender-equal labour division mirror the respective countries' moral economy: equality in Spain and a rising focus on self-responsibility in the UK and Germany. On the other side, Sweden, which has historically been closest to an individual earner carer model, still largely follows this legacy. New justice notions (women's employment and men's care participation) are still interpreted as the welfare state's responsibility to promote resources and services for every parent to perform paid employment and care work.

The article's empirical findings show that all family policies under study aim at new notions of social justice – increasing women's employment participation and men's care involvement. However, previous research (Auth & Peukert, 2022; Daly, 2011; Eggers et al., 2021; Ferragina, 2022; Ibáñez et al., 2021; Saraceno, 2015), this paper indicates that family policies do not support a single definition of gender equality and equality of opportunity, but country-specific interpretations of how to increase women's employment and men's care participation: a variety of post-industrial family models. Regarding scientific discussions on the variety of family policy reforms in post-industrial welfare states (Avlijaš et al., 2021; Dingeldey, 2016; Saraceno, 2015; Garritzmann et al., 2023), it shows that the variety of post-industrial family models does not only evolve around different institutional, political and economic factors but also relates to different moral legacies of social justice (Mau, 2003; Sachweh, 2012). Consequently, in welfare states with a moral

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legacy in promoting equality of opportunity and gendered labour division (UK and Germany), principles of private responsibility are extended to care work and the family, leaving the realisation of a gender-equal labour division to private negotiations between family members. Other welfare states with a stronger legacy in promoting outcome equality (Spain and Sweden) understand gender-equal labour division as a statutory responsibility.

7. Conclusion

In post-industrial welfare states, scholars have argued that family policies embody a single interpretation of social justice: gender equality and equality of opportunity (Auth & Peukert, 2022; Daly, 2011; Eggers et al., 2021; Ferragina, 2022; Hemerijck, 2018; Ibáñez et al., 2021; Jenson and Saint-Martin, 2003; Palier et al., 2012; Saraceno, 2015). Here, women and men are expected to provide their social security via paid employment and share care work with their partners and external institutions. By comparing contemporary family policies in the UK, Sweden, Germany, and Spain, this paper has shown that welfare states embody a variety of post-industrial family models that include old and new assumptions of social justice (cf. Ylöstalo, 2022; Goijaerts, 2022). The institutional inclusion of notions of social justice – like citizens' self-responsible welfare provision and the gender-equal division of care work in families – varies according to their historical moral economies. Mother's employment participation and father's care involvement are treated as questions of private negotiations between family members (UK and Germany) or statutory support for equality (Sweden and Spain). Simultaneously, welfare states embody the assumption that gender equality means the equal division of labour and resources in the family (UK, Germany, and Spain) or the opportunity to work and care independently from other family members (Sweden).

In post-industrial welfare states, equality is not an automatic result of (family) policies, as some proponents of the social investment approach assume (Esping-Andersen, 2003; Hemerijck, 2018; Palier et al., 2012), but depends upon country-specific interpretations. In conservative welfare states, statutory activation relates to individual behaviour, e.g., in terms of active aging or employment participation (Evers & Guillemard, 2013; Lessenich, 2010), but also activates family members to support gender equality and equal opportunities. Under a more egalitarian notion of justice, achieving gender equality and equal opportunities is still guaranteed by statutory rights (resources and services) and not understood as the private responsibility of citizens and their family members. Since the institutional interpretation of social justice shapes access to family policies, e.g., for men or working-class parents, analysing family policies through the moral economy of inequality sheds further light on the cultural and institutional underpinning of social inequalities in post-industrial welfare states.

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These findings are based on highly standardised case studies, and further research is needed to support them. Nevertheless, they indicate that new active family models tend to extend the activation paradigm to care work and the family. The extent to which these normative ideals might spread across other European welfare states, become relevant to the everyday lives of citizens, or cause different distributional outcomes is beyond the scope of this paper and provides an opportunity for further research.

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Appendices

Table 1: Conditionality index: weights and coding rules

INDIVIDUAL ENTITLEMENTS			EMPIRICAL WEIGHTS	FAMILY-BASED ENTITLEMENTS			EMPIRICAL WEIGHTS
Citizens are entitled to statutory resources based upon individual responsibilities				**Citizens are entitled to statutory resources based upon the responsibilities of their family members**			
Condition	**Definition**	**Example**		**Condition**	**Definition**	**Example**	
No	Social rights do not rely upon citizens individual responsibilities.	Family insurance	**0**	**No**	Social rights do not rely upon responsibilities of citizens family members.	Maternity allowances	**0**
Status	Citizens have social rights based upon their individual affiliation towards a specific social group.	Citizens have social rights based upon their individual status as worker, national citizen or parent.	**1**	**Status**	Citizens have social rights based upon their family members' affiliation towards a specific social group.	Parents' right to parental benefits relies upon their children being in a specific age group.	**1**
Social Contribution (high/low)	Citizens have social rights based upon their individual social contributions towards society.	Social rights are conditional towards citizens' individual length/amount of paid employment or care work.	**Low = 1.5** **High = 2**	**Social Contribution (high/low)**	Citizens have social rights based upon their family members' social contributions towards society.	Social rights are conditional towards family members' social characteristics, such as the number of children, length of partner's employment.	**Low = 1.5** **High = 2**
Financial Contribution (high/low)	Citizens have social rights based upon their individual financial contributions towards social insurances.	Social rights are conditional upon citizens' individual contributions to health care or unemployment insurances.	**Low = 1.5** **High = 2**	**Financial Contribution (high/low)**	Citizens have social rights based upon their family members' financial contributions towards social insurances.	Social rights are conditional upon citizens' family members' financial contributions towards e.g. family health care insurances.	**Low = 1.5** **High = 2**

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INDIVIDUAL ENTITLEMENTS			EMPIRICAL WEIGHTS	FAMILY-BASED ENTITLEMENTS			EMPIRICAL WEIGHTS
Need (financial/ social)	Citizens have social rights when they can prove to be in need of public support in financing or organizing their own social security.	Social rights are conditional upon individual citizens performing a financial means test or being in education.	**3**	**Need (financial/social)**	Citizens have social rights when their family members can prove to be in need of public support in financing or organizing their family's social security.	Social rights are conditional upon citizens' family members' performing a means test, e.g. household-based means tests or the lack of a partner (lone parents).	**3**
Behavioral Requirements	In order to receive social rights, citizens must behave in a specific way.	Social rights are conditional upon individual citizens' job search activities, signature of a jobseeker agreement or regular attendance of doctor's appointments.	**3.5**	**Behavioral Requirements**	In order for citizens to receive social rights, citizens' family members must behave in a specific way.	Social rights are conditional upon the behaviour of citizens' family members, such as sharing care responsibilities, performing part-time employment.	**3.5**
Behavioral Constraint	Social rights can be lost if citizens do not behave in a specific way.	Social rights can be lost if citizens do not accept job offers.	**3.5**	**Behavioral Constraint**	Citizens' social rights can be lost if their family members do not behave in a specific way.	Social rights can be lost if citizens' family members' do not accept job offers.	**3.5**
Sum of social rights reliance on individual self-responsibility			**x/15**	**Sum of social rights reliance on family-based self-responsibility**			**x/15**

Coding rules

1. Every policy receives two separate values for its reliance upon individual and its reliance upon family-based activation.
2. The value for individual activation develops from the sum of the weights of every condition that applies on an individual level in order to receive a respective social benefit.
3. The value for family-based activation is based on the sum of the weights of every condition that applies on a family level in order to receive a respective social benefit.
4. If one condition applies more than one time, the index adds the respective weight only once.
5. The index cannot exceed the value 15.

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Example: 1. Parental benefits depend upon the following individual conditions: a. The individual citizens' former employment status (value 1) b. The individual citizens' former tax contribution (value 1.5) c. The individual citizens' performance of part-time employment (value 3.5) – The parental benefit will receive the indicator value 6 on an individual level. – This can be interpreted as a medium degree of activation on an individual level.	2. Parental benefits depend upon the following family-based conditions: d. The child must live in the same household as the citizen (value 1) e. The child must not be older than 1.5 years (value 2) f. The partner must perform part-time employment and share care responsibilities (3.5) – The parental benefit will receive the indicator value 6.5 on a family level. – This can be interpreted as a medium degree of activation on a family level.

Source: authors own representation. Note: The conditionality index assesses social policies based on individual and family activation criteria, distinguishing entitlement and eligibility. Social rights linked to individual or family conditions often tie resources to status categories like employment or nationality, reducing self-responsibility. In contrast, rights requiring contributions, such as social insurance, enhance activation. Behavioral conditions, like job searches or shared caregiving, achieve the highest activation level. The index quantifies conditions needed for benefits, weighting them by the level of responsibility involved. It differentiates individual and family rights, promoting a nuanced understanding of family power dynamics while recognizing individual autonomy in resource access (Knijn & Kremer, 1997; Peukert et al., 2022).

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Table 2: Family policies

Country		Family Policy	Contribution conditions	Replacement rate
UK	Paid Parental leave	Statutory maternity pay	Employment, earnings (at least 116 Pounds/Week), same employer for 26 weeks and 15 weeks before childbirth	90 % of average weekly earnings for the first 6 weeks and 145,18 pounds/week for the next 46 weeks
		Statutory shared parental pay (partner)	Employment, Earnings (at least 116 Pounds/Week), same employer for 26 weeks and 15 weeks before childbirth, partner shares child care, a partner in employment, partner with earning (at least 116 pounds/week), partner with the same employer for 26 weeks and 15 weeks before childbirth	£145.18 pounds/week for up to 52 weeks
	ECEC	Childcare (3 – 4 years)	Citizenship, employment or care leave, earnings (at least minimum wage for 16 hours a week over the next 3 months), citizenship of partner, employment or care leave of partner, partners earnings (at least minimum wage for 16 hours a week over the next 3 months)	30 hours a week, fully subsidized
		Childcare (2 – 3 years)	Residency, registration as unemployed or working less than 16 hours, actively seeking employment, jobseekers agreement with risk of facing suspension, partner does not work mora than 24 hours/week. Household savings less than 16.000 pounds.	15 hours/week, fully subsidized
Germany	Paid Parental leave	Elterngeld	Residency, taxable employment, cohabitation with child	65 % of prior income for up to 12 months
		Partnerschaftsbonus	Residency, taxable employment, cohabitation with child, at least 2 months shared childcare, part-time employment, partner works part-time	32,5 % of prior income for up to four months
	ECEC	Kindertagespflege (0–3)	Residency, paid employment/education/ or actively searching for employment	Childcare (public subsidies and hours/per week are subject to municipality)
		Kindertagespflege (3–6)	Residency	Childcare (public subsidies and hours/per week are subject to municipality)
Sweden	Paid Parental Leave	Föräldrapenning	Residency, employment, or health insurance payments (at least 19 Euro for at least 240 days before childbirth), citizenship of child	240 days for each parent (first 195 days at 77,6 % of former earnings) 90 days are not transferable
	ECEC	Förskola	Age of child (1–6), full-time for working parents and part-time for non-working parents	Public services with regressive parental fees between 1–3 % of monthly household income From 3 years (15 hours the week are free)

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Country		Family Policy	Contribution conditions	Replacement rate
Spain	Paid Parental Leave	Permiso y prestación por nacimiento y cuidado del menor	Employment, Social Insurance Contributions (at least 180 days in last 7 years)	16 weeks (mother) (100 % of former earnings)
		Permiso y prestación por nacimiento y cuidado del menor del progenitor distinto de la madre biológica)	Employment, Social Insurance Contributions (at least 180 days in last 7 years)	12 weeks (100 % of former earnings)
	ECEC	Educación infantil. Segundo ciclo (3–6)	Residency	Ful-time and fully subsidized
		Educación infantil. Primer ciclo (0–3)	Residency, employment, household income	Childcare (public subsidies and hours/per week are subject to municipality)

Source: authors own representation; based on European Mutual Information System on Social Protection (MISSOC), the International Network on Leave Policies and Research (LP&R), national government documents and websites, and secondary literature.

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