


## ECONOMIC ANALYSIS OF THE BRAZILIAN FAMILY INVOLVING STATE INTERVENTIONS

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### ABSTRACT

This article analyzes the evolution of the concept of the Brazilian family, considering social, economic, and cultural transformations and the growing intervention of the State. Since the promulgation of the Federal Constitution of 1988, the family began to be recognized from a pluralist perspective, in which affection emerged as a structuring element of family relationships, replacing traditional patrimonialist paradigms. The study adopts an interdisciplinary approach, integrating theories of Law and Economics to understand family dynamics in light of the economic rationality outlined by Gary Becker. In this way, it seeks to examine how family arrangements respond to institutional changes and public policies, influencing individual and collective decisions. The research indicates that state intervention can both promote the inclusion of new family models and impose challenges to private autonomy, and public policies can generate family dependence resulting in greater state interference in the family. The article contributes to the academic debate by reflecting on the interaction between legal values and economic models in the configuration of contemporary families in Brazil.

**Keywords:** Family. Economic Analysis of Law. State. State Intervention.

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## INTRODUCTION

The evolution of the concept of family constitutes a complex and multifaceted object of analysis, reflecting the social, economic, and cultural transformations that challenge traditional legal structures and expand the spectrum of contemporary family relationships. In the Brazilian context, the promulgation of the 1988 Federal Constitution marked a turning point by consolidating human dignity as a guiding principle, ensuring legal protection for a plurality of family configurations. The recognition of affectivity as a structuring element of family relationships signaled a paradigmatic transition, shifting the focus of Family Law from a patrimonial and patriarchal approach to a perspective centered on human interactions and the subjective well-being of its members through affective bonds.

The economic analysis of the family, based on Gary Becker's theoretical propositions, offers an instrumental approach to understanding the internal dynamics of family units by emphasizing economic rationality as a determining factor in decision-making. Becker argues that families operate as utility-maximizing units, adjusting their behaviors by the constraints imposed by market variables, state interventions, and sociocultural norms. This interdisciplinary theoretical framework provides an expanded interpretation of family decision-making processes, allowing for an evaluation of the impact of public policies on their structure and functioning, considering variables such as access to public services, taxation, and social security.

In the context of public policies, state intervention can both foster the inclusion and protection of new family structures and restrict private autonomy through the imposition of institutional barriers. Thus, an in-depth reflection is required on how these interventions shape decisions related to resource allocation, investment in human capital, and intergenerational social mobility. Contemporary literature suggests that the role of the state should be analyzed from a perspective that balances support for families with respect for their prerogatives of self-determination.

Against this backdrop, this study aims to fill a gap in the literature by investigating the intersection between the legal values of affectivity and the economic models of rationality that shape the configuration of Brazilian families in contemporary times. An interdisciplinary methodological approach is adopted, combining qualitative analyses of public policies to assess their repercussions on various family arrangements. Government

initiatives in the areas of housing, health, and education will be critically analyzed to identify emerging patterns and challenges.

The importance of this study lies in its ability to contribute to the academic debate on the interaction between public policies and family structures, offering a critical analysis of the challenges and opportunities arising from state intervention. Through a comprehensive review of national and international literature, aspects such as socioeconomic inequality, labor market dynamics, and cultural incentives influencing family choices will be examined. The research will also address the heterogeneity of Brazilian families, considering the diversity of their needs and regional specificities.

Thus, this article proposes an in-depth analysis of the impacts of public policies on family autonomy and the emergence of new family models, contributing to a broader understanding of the interface between the state, the economy, and family dynamics. Moreover, the study aims to provide insights for the formulation of more effective policies that are sensitive to the plural reality of Brazilian families, fostering equity and social inclusion in government policies.

## **FAMILY AFFECTION AS A LEGAL VALUE**

The concept of affection as a legal value within Brazilian Family Law emerges from the need to adapt to social and cultural transformations that continuously redefine family structures. The constitutionalization of this branch of law, particularly after the promulgation of the 1988 Federal Constitution, consolidated human dignity as the foundational principle of family relationships, breaking away from the previously predominant patrimonial focus. The growing appreciation of affection as a structuring element of family relationships has reconfigured the normative and interpretative foundations of Brazilian legal order.

Madaleno (2022) highlights the family as the fundamental cornerstone of society, playing an irreplaceable role in the protection and holistic development of individuals. He argues that the family, in its various contemporary configurations, is a space where individuals find emotional support, security, and opportunities for personal and collective growth. According to the author, family coexistence should be full and permeated by fundamental values such as mutual respect, solidarity, and affectivity, which are essential for building healthy bonds and promoting balance in social interactions. Additionally, he emphasizes that the absence of these elements can lead to emotional distress and conflicts, negatively impacting both the individual and collective spheres. Thus, Madaleno

(2022) reinforces the need for public and legal policies that recognize the centrality of the family in society and ensure its protection against modern challenges.

The expansion of the family concept, driven by a contemporary reading of constitutional values, has led the legal system to adapt to ensure the protection of multiple forms of family organization based on affectivity. Thus, the notion of affection as a structuring element extends beyond private relationships, influencing public policies and judicial decisions, demonstrating an ongoing movement toward the humanization of Family Law.

Renowned scholars such as Dias (2021) and Lôbo (2024), as well as the predominant legal doctrine, recognize affectivity as a determining factor in the protection of family relationships. The incorporation of affectivity into Brazilian legal order has broadened the concept of family to include new configurations, such as single-parent, same-sex, and socio-affective families, as reiterated in landmark Supreme Court rulings.

Dias (2021) strongly refutes the archaic, rigid, and exclusionary view of the traditional family model, arguing that this outdated conception no longer meets the complex and dynamic realities of contemporary society. She asserts that law, as an instrument of transformation and social inclusion, must imperatively and urgently recognize, protect, and guarantee the rights inherent to the plurality of modern family arrangements.

The personalization of family relationships, as cited by Lôbo (2024), has shifted the normative focus from a traditional model based on consanguinity and economic function to the appreciation of coexistence, care, and solidarity. This shift is reflected in infra-constitutional legislation, which gradually incorporates provisions aimed at protecting affective bonds. The judiciary, in turn, has increasingly favored a more humanized and inclusive interpretation of the family concept.

## **ECONOMIC ANALYSIS OF THE BRAZILIAN FAMILY**

The configuration of family models is influenced by a complex interplay of economic, social, and cultural factors, reflecting the transformations of contemporary society and challenging traditional conceptions of family. Regardless of configuration, “the family should be analyzed as a productive unit, not merely as a consumption unit, where acquired goods such as food and clothing are inputs used in the production of intangible goods, such as nutrition and child-rearing” (Posner, 1986, p. 127).

Becker (1993) examines a variety of factors influencing family model choices, considering both economic and social elements. His approach is based on the theory of economic rationality, emphasizing that families make strategic decisions to maximize well-being within the constraints imposed by the market and public policies.

Figure 1: Flowchart of influence in the search for the Ideal Family Model



Source: Prepared by the Authors (2025)

The analysis of these factors reveals that family model choices are complex and multifaceted, resulting from the interaction between economic, cultural, and institutional variables. Becker's (2021) perspective is based on optimization models to describe and predict family behaviors, emphasizing the importance of investment in human capital and social networks in the evolution of family structures. In this context, family dynamics are not restricted to a single model but are shaped by institutional changes and prevailing cultural incentives.

The introduction of affectivity as a legal value has reconfigured the foundations of Family Law, shifting the focus from a predominantly patrimonial approach to valuing human relationships in their diversity. As argued by Dias (2021), this transformation has expanded the legal recognition of family arrangements such as same-sex unions, single-parent, and multi-parent families, reflecting an evolution of the traditional concept of family. However, this expansion faces cultural and institutional resistance, highlighting the challenges inherent in implementing an inclusive model. The transition to new family configurations involves not only overcoming legal barriers but also significant emotional and social costs for those who break away from conventional standards.

Pereira (2021) highlights that the recognition of affection as a legal value has substantially impacted national jurisprudence. Recent court decisions have given affectivity a central role in resolving conflicts related to child custody, parental alienation, multi-parenting, and the recognition of socio-affective paternity. In this sense, the law should act

as an instrument of social inclusion, promoting the protection of family members and ensuring the well-being of all involved.

Beyond its emotional dimension, affectivity has a normative function that legitimizes rights and duties within the family sphere. Its incorporation into the legal system has directly influenced decisions regarding joint custody and the recognition of socio-affective bonds, consolidating its importance as a determining criterion in shaping contemporary family relationships. Thus, the factors influencing family model choices must be analyzed from an interdisciplinary perspective, integrating economic and legal aspects.

The concept of an ideal family, in turn, is based on the centrality of affectivity and the need to include diverse family arrangements that reflect contemporary realities and transcend traditional models. This broad and pluralistic vision allows family relationships to be recognized as spaces of dignity, care, and protection of members' rights. However, achieving this ideal requires a pragmatic approach that considers the inevitable trade-offs, that is, the choices and compromises necessary in light of economic, cultural, and social constraints.

Therefore, the analysis of the ideal family model must consider the interdependence between affective, economic, and institutional factors, recognizing families as dynamic units constantly adapting to social transformations. This multidimensional approach contributes to a more inclusive legal framework that responds effectively to the demands of contemporary society.

## ECONOMIC RATIONALITY IN FAMILY CHOICES

The approach to economic rationality developed by Becker (1993) represents a significant expansion of economic theory by incorporating decisions and behaviors that traditionally fell outside the scope of economic analysis. The author postulates that individuals and families operate rationally, aiming to maximize their utility within the constraints imposed by variables such as time, financial resources, and sociocultural factors. This perspective transcends strictly material choices, encompassing elements such as family structure, children's education, marriage, divorce, and the allocation of available time.

According to Becker (1993), family decisions are guided by relatively stable preferences, including aspects such as emotional well-being, economic stability, and the quality of interpersonal relationships. These decisions are made within an environment of



economic and social constraints, where elements such as the labor market, child-rearing costs, and access to public services play a decisive role. Becker also suggests that public policies significantly influence family decisions, acting as catalysts for certain behaviors.

Becker's (1993) intertemporal approach emphasizes that individuals weigh costs and benefits not only in the present but also with an eye toward the future. Thus, investments in children's education and retirement savings are analyzed in light of their long-term implications. This perspective allows families to develop forward-looking strategies, considering both immediate benefits and the future impacts of their choices.

In Brazil, the Elderly Statute establishes rights such as free public transportation and priority assistance, promoting the inclusion of the elderly in community and family dynamics (Lobo, 2024). These public policies reinforce the importance of intergenerational ties and ensure protection for the most vulnerable segments of society (Venosa, 2017), highlighting the essential role of the state in promoting social and family well-being. The implementation of these measures demonstrates the need for comprehensive policies that balance family demands and ensure social cohesion.

"Marriage can be understood as a contract that allows for efficient specialization between spouses, maximizing family income and the value of time invested in domestic activities" (Posner, 1986, p. 130). Thus, marriage, as argued by Becker (1993), can be analyzed as a "market" in which partners seek to optimize their joint utility. From this perspective, the division of labor between spouses is seen as an efficient allocation of resources, where each partner specializes in functions that maximize collective well-being. Biological and social factors, such as women's greater productivity in child care, are often cited to justify this functional distribution of roles in the family environment. However, the increasing participation of women in the labor market has led to a renegotiation of these roles, reflecting a continuous adaptation of traditional family models.

The decision regarding offspring, according to Becker (1993), involves a rational analysis between quantity and quality. Families in developed economies tend to prioritize quality, investing significantly in education and healthcare, while in contexts of limited resources, choosing to have more children may be more prevalent due to relatively lower costs. Family planning policies and government incentives play a crucial role in these choices, shaping families' reproductive decisions.

Simões and Soares (2012) conducted a study indicating that the Bolsa Família Program did not stimulate an increase in fertility among beneficiaries. On the contrary, the

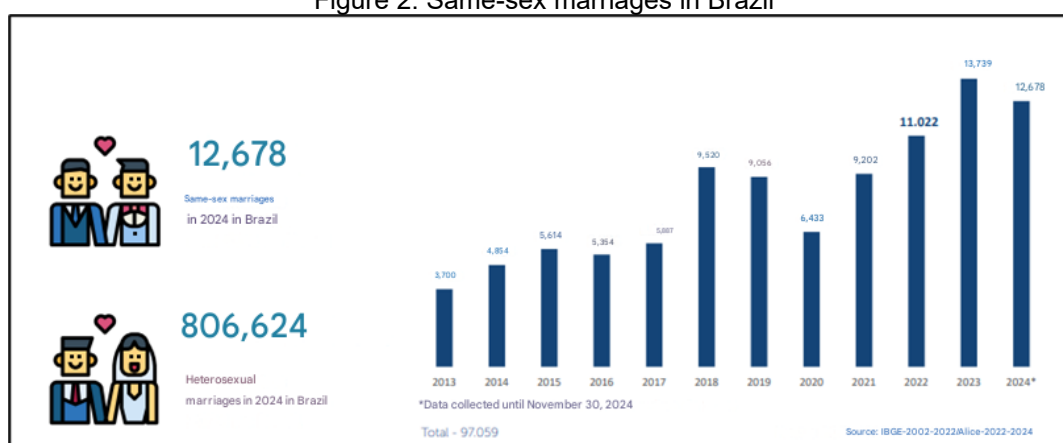
program encouraged families to prioritize improving the living conditions of existing children, focusing investments on health and education. This contributed to a more accelerated demographic transition and a reduction in fertility rates, especially among low-income women.

Dias (2021) and Venosa (2017) highlight that the contemporary diversity of family models goes beyond the presence of children, including single-parent families, same-sex unions, and non-traditional arrangements, which are increasingly recognized and protected by the legal system. It is emphasized that “the family structure seeks to maximize efficiency and minimize costs, being shaped by institutional and legal factors that influence the decisions of its members” (Posner, 1986, p. 143).

Pereira (2021) argues that modern society values the right to self-determination and individual happiness, recognizing that the decision not to have children is legitimate and should be respected as an expression of personal autonomy. This legal recognition reflects the evolving social perception of family structure and the broadening of the concept of family.

Since May 2013, with the publication of Resolution No. 175 by the National Justice Council (CNJ), Civil Registry Offices have been authorized to perform marriages between people of the same sex. Since then, registry offices across the country have formalized 97,059 same-sex marriage celebrations.

Figure 2: Same-sex marriages in Brazil



Source: ANOREG (2024, p. 50)

As Galvani (2019) explains, the increase in same-sex marriages in Brazil in 2018 was largely due to fears of possible setbacks in the rights of the LGBTQIA+ population due to the political scenario established after the election of Jair Bolsonaro. It is observed that



this growth was more prevalent among unions formed by women and in the Northeast region of the country, evidencing a preventive approach in the face of uncertainties related to the continuity of the legal guarantees achieved.

The current legal system protects the freedom of reproductive choice as a manifestation of individual autonomy, ensuring equality and dignity for all types of family arrangements. Initiatives such as extended parental leave and tax benefits for different family configurations exemplify this progress in building a more inclusive and plural legal environment.

Finally, Becker (1993) analyzes divorce as a rational decision based on the comparison between the benefits of maintaining the relationship and the emotional and material costs involved. Furthermore, he highlights that legal and social changes, such as the introduction of unilateral divorce laws, significantly alter economic incentives and influence marital dissolution rates. The increasing economic independence of women and the reduction of the social stigma associated with divorce have contributed to the transformation of marital dynamics.

Before Law No. 11,441/07, divorce in Brazil was a more costly and time-consuming process, leading many couples to opt for de facto separation as an alternative to the bureaucracy and high costs of the legal process; today, with the possibility of extrajudicial divorce in a notary's office, couples face a trade-off between the speed and economy of this simplified procedure and the complexity of judicial divorce, which, although more costly and time-consuming, may be necessary in contentious cases or those involving property and custody disputes.

In Brazil, according to ANOREG (2024), a judicial divorce has a minimum cost of R\$2,369.73 and can take more than two years to be concluded, while a divorce carried out in a notary's office costs only R\$324.00 and can be finalized in a single day.

Since 2007, when Law No. 11,441/07 was enacted, which authorized the execution of consensual divorces in Notary's Offices through public deeds, Notary's Offices throughout Brazil have already carried out more than 1 million acts of this nature, generating historic savings for the State. (ANOREG, 2024, p. 10)

Thus, Becker's economic approach provides a comprehensive understanding of family dynamics, contributing to an interdisciplinary dialogue between economics and Family Law. This approach not only supports the formulation of effective public policies but

also allows for a more in-depth analysis of the forces that influence family behavior in a constantly evolving society.

## THE INFLUENCE OF MARKET DYNAMICS ON FAMILY STRUCTURE

Market dynamics have a substantial impact on the structure and functioning of families, establishing themselves as a determining factor in the allocation of resources and in the formulation of individual and collective decisions. Becker (1993), based on rational choice theory, investigates how markets, both explicit and implicit, influence decisions related to marriage, divorce, time allocation and investment in human capital.

Becker (1993) argues that the division of labor among family members is largely the result of differences in productivity between market and non-market activities. The labor market, by offering different returns for men and women, directly influences intra-family specialization. Historically, gender segmentation has been observed, in which women have dedicated themselves to domestic and caregiving roles, while men have assumed predominantly paid market roles. However, educational and technological advances have contributed to a reconfiguration of this specialization, allowing a more equitable distribution of family responsibilities and fostering greater equality of opportunities, especially in urban contexts.

The growing inclusion of women in the labor market has generated significant changes in family dynamics. The redistribution of tasks, although substantial, still faces challenges, such as the persistence of the so-called "double shift", where women combine professional and domestic activities. In addition, new family configurations, such as single-parent and reconstituted families, require constant adaptations in the face of economic pressures and social expectations. Market dynamics also impact decisions related to marriage and fertility, promoting arrangements that seek greater economic efficiency and financial stability. Thus, a downward trend in the fertility rate has been observed, accompanied by an increase in investment in human capital and improvements in health and well-being indicators.

Posner (1986) addresses the issue of women in the labor market from an economic perspective, analyzing the wage differences between men and women, as well as the factors that influence female participation in the market. He argues that the persistent wage gap can be explained, in part, by factors such as women interrupting their professional careers to dedicate themselves to domestic production and childcare, which reduces the

return on acquired human capital. The author adds that the traditional division of labor within the family, where women tend to specialize in domestic production and men in market production. He recognizes, however, that social and economic changes, such as the reduction in infant mortality and the introduction of technologies that save time in the household, encourage greater female participation in the labor market.

The concept of opportunity cost, fundamental in Becker's (1993) analysis, shows how time spent on domestic activities has an economic value associated with lost opportunities in the labor market. The increase in women's wages increases the opportunity cost of domestic tasks, encouraging greater participation of women in the market and contributing to changes in family structure. This phenomenon has a direct impact on demographic transition, leading to the prioritization of quality over quantity in child-rearing. This process has a direct impact on consumption decisions, financial planning, and the search for greater professional qualifications by parents, even influencing the rise of women to leadership positions.

Another crucial aspect is the "marriage market", a concept developed by Becker (1993), according to which individuals maximize their utility by seeking partners with attributes that add value to the family unit. Characteristics such as educational level, income, and socioeconomic status play a preponderant role in marital choices, promoting the so-called "assortative mating" (selective marriage). In addition, the relaxation of divorce rates has changed the bargaining dynamics within marital relationships, intensifying the role of premarital contracts as security mechanisms and redefining expectations about marital unions.

Technological advances play a decisive role in family reorganization. Advanced domestic technologies and modern contraceptive methods have reduced the burden of domestic work and given women greater autonomy, facilitating their entry into the labor market and causing profound changes in cultural and social gender patterns. Technology not only influences the division of labor but also fosters new forms of interaction and communication between family members, creating a more flexible environment that is adaptable to contemporary demands, with the possibility of reconciling work and family life, especially through teleworking.

In addition, Becker (1993) highlights the influence of government interventions on family decisions. Public policies, such as social assistance programs and educational subsidies, introduce new incentives that shape family behaviors. Benefits targeted at single

mothers, for example, can influence decisions related to marriage, while investments in education promote more robust qualifications for children, generating upward intergenerational mobility and contributing to the reduction of socioeconomic inequalities.

Thus, market dynamics, as analyzed by Becker (1993), constitute an integrating element that connects family decisions to constantly evolving economic and institutional forces. His theoretical framework offers a valuable analytical tool for understanding structural changes in families, providing support for the formulation of more effective public policies and social inclusion strategies. Understanding these dynamics enables the development of initiatives aimed at family well-being, ensuring that families can face the challenges imposed by contemporary society with greater resilience and adaptability.

## BIOLOGICAL AND CULTURAL ASPECTS

Becker (1993) recognizes that interactions between biological and cultural factors exert a substantial influence on family choices, including decisions related to marriage, fertility, child-rearing, and division of labor. Becker's analysis points out that biological differences between men and women, notably those associated with pregnancy and early childcare, shape a traditional division of family labor. However, these differences do not operate in isolation, being amplified and modulated by market structures and the rational decisions of individuals. Within specific institutional contexts.

When addressing the interrelationship between biological and institutional factors, Becker (1993) argues that discrimination in the labor market tends to perpetuate conventional divisions of gender roles, resulting in the specialization of women in the domestic environment and men in the labor market. However, the author avoids a deterministic approach, emphasizing the complexity of the interactions between economic, social, and cultural variables, which influence each other in a non-linear manner. In this sense, government policies and private initiatives are determining factors in reducing gender disparities and fostering equity. Becker emphasizes the need to consider incentives provided by fiscal policies, social programs, and state interventions in understanding family dynamics.

Becker's (1993) analysis of fertility reveals that changes in socioeconomic conditions, such as medical advances and improvements in living conditions, lead to rational adjustments in families' reproductive decisions. In pre-modern societies, the high infant mortality rate encouraged more offspring to ensure family continuity. However, in

contemporary societies, there has been a reduction in the birth rate accompanied by an increase in investment in the quality of life of children, including access to education and health. This phenomenon represents an adaptive response to environmental and institutional changes, demonstrating that family planning has become an essential tool for optimizing socioeconomic well-being. Cultural norms and values play a preponderant role in shaping family decisions, shaping expectations regarding gender roles, age for marriage, and family organization. Patriarchal societies still maintain the attribution of traditional roles, assigning men the role of provider and women the role of caregiver (Venosa, 2017), while progressive societies are moving towards a more equitable distribution of responsibilities (Lobo, 2024). The implementation of public policies, such as the Maria da Penha Law, represents a significant advance in promoting safer and more egalitarian family relationships, providing protection against domestic violence, and encouraging female empowerment (Gonçalves, 2019; Pereira, 2021). Educational programs and social awareness campaigns also play a crucial role in deconstructing deep-rooted cultural patterns.

Cultural diversity profoundly influences family organization. Collectivist societies, common in Asia, Africa, and Latin America, value the active participation of the extended family in raising children, promoting a community approach to care (Dias, 2021). On the other hand, individualistic cultures, typical of Western countries, prioritize the autonomy of family members and a nuclear structure composed of parents and children (Pereira, 2021). These cultural variations directly impact public policies and family decisions, revealing different conceptions of parenting and intergenerational coexistence. Globalization introduces new practices and values that challenge and, in some cases, transform traditional models of family organization.

Becker (1993) explores the interaction between culture and economics, highlighting how incentives shape family preferences. In societies that value formal education, there is an increase in investment in human capital, resulting in lower birth rates. In contrast, cultures with less emphasis on education tend to view children as additional economic assets, which directly influences fertility decisions and the division of labor. The provision of educational incentives and access to professional qualification programs can be decisive in redefining these dynamics.

Another relevant factor addressed by Becker (1993) is the role of religion in family structure, impacting attitudes towards marriage, divorce, and birth control. Religious beliefs

often reinforce traditional gender roles, although, in certain contexts, they can adapt to economic and social changes (Lobo, 2024; Nader, 2016). Globalization introduces Western values, such as gender equality and individualism, challenging traditional cultural norms and generating tensions between modernization and the preservation of traditions (Dias, 2021). These tensions can result in the coexistence of traditional and modern practices within the same families, requiring new approaches to public policy.

The intergenerational transmission of values and behaviors is another key aspect explored by Becker (1993). He argues that families perpetuate cultural norms and investments in human capital, creating a cycle of social and economic influences. In hierarchical societies, for example, discipline is a core value, while more egalitarian cultures favor democratic approaches to child-rearing (Pereira, 2021). Formal and informal education plays an essential role in the adaptation of new generations to contemporary social and economic transformations.

Becker's (1993) analysis offers an integrative perspective, articulating economic, social, and biological approaches to understanding the evolution of family structures. His multidisciplinary approach provides a comprehensive model for understanding how changes in economic and social conditions influence family dynamics, promoting new configurations of roles and responsibilities. The introduction of new technologies and the flexibilization of work models have directly impacted family organization, creating new opportunities and challenges for reconciling professional and personal life.

In summary, the interaction between biology, culture, and economics outlined by Becker (1993) highlights the complexity of family choices, revealing that economic and cultural factors can both consolidate traditional patterns and promote profound transformations in family structures over time. The impact of public policies, the advance of urbanization, and the dissemination of new concepts of gender equality are fundamental elements that will continue to shape family dynamics in the coming decades.

## INCENTIVE STRUCTURE

The family incentive structure refers to the set of economic, social, and institutional factors that guide decisions within the scope of domestic relations. These incentives, whether positive (rewards) or negative (penalties), operate at micro and macroeconomic levels, influencing the allocation of resources and family dynamics. As Becker (1993) argues, families seek to maximize utility in their decisions, adjusting to a complex context



of economic and institutional restrictions and opportunities, which modulate the opportunity costs and expected returns of their choices.

The decision to have children, for example, is shaped by the intersection between the time and resources needed to raise them. In agrarian societies, where the economic return on offspring is high, fertility rates tend to be higher. In contrast, in urban and industrialized environments, the costs of raising children are higher, while the direct economic benefits become less noticeable, leading families to adopt a strategy of investing in the quality of their offspring, prioritizing education and health over the number of children (Becker, 1993). This phenomenon is supported by human capital theories, which emphasize the importance of investing in skills and abilities as a vector of intergenerational mobility. Opportunity costs emerge as a central element in the configuration of the family incentive structure. The increasing inclusion of women in the labor market has increased the costs of time spent on domestic activities and childcare, promoting a reconfiguration of family functions and a consequent reduction in fertility (Becker, 1993). This process highlights the need for effective public policies that reconcile work and family life, such as expanding the supply of daycare centers, making working hours more flexible, and extending parental leave. Decisions about investing in human capital are significantly influenced by economic incentives. Families allocate resources strategically, prioritizing children's education when expected returns are high. Societies that value educational qualifications tend to observe a greater allocation of resources per capita, even if this implies a lower birth rate (Becker, 1993). In Brazil, programs such as Bolsa Família and Auxílio Brasil have demonstrated an impact on expanding educational opportunities for vulnerable populations (Dias, 2021), with significant repercussions on the formation of human capital.

In the context of economic participation, transformations in the labor market have influenced incentives for specialization and professional engagement. The increase in women's wages and the reduction of institutional gender barriers encourage greater participation by women, promoting changes in traditional gender roles and family structure (Becker, 1993). Furthermore, the rise of remote work and technological innovations have allowed a more efficient reorganization of family tasks, enabling greater flexibility in the division of responsibilities.

Public policies play a strategic role in the incentive structure, altering the costs and benefits associated with family decisions. Income transfer programs, such as Bolsa



Família, have shown substantial impacts on poverty reduction and food security, in addition to encouraging investment in children's education. (Pereira, 2021). However, Becker (1993) warns of the possible adverse effects of these policies, such as potential economic dependence and the perpetuation of intergenerational cycles of poverty, requiring the implementation of complementary actions, such as professional training and incentives for entrepreneurship.

In the area of health, the Unified Health System (SUS) plays a crucial role in guaranteeing universal access to contraceptive methods and family planning, promoting the reproductive autonomy of families, and contributing to the reduction of gender inequalities (Lobo, 2024). Maternal and child health policies and initiatives to prevent chronic diseases are essential to ensure the healthy development of future generations (Madaleno, 2022).

Housing, another relevant aspect of the incentive structure, is strongly related to family security and stability. Housing programs, such as Minha Casa Minha Vida, have provided decent housing to low-income families, contributing to the reduction of social and economic vulnerability (Dias, 2021). These housing policies, when combined with urban infrastructure programs, play a fundamental role in promoting socio-economic development and improving quality of life. Legislative changes, especially in the area of family law, also influence the incentives that shape family decisions. The evolution of divorce laws, with the transition from regimes based on "mutual consent" to "unilateral divorce", reduced the costs of leaving a marriage, impacting marital dynamics and encouraging the renegotiation of economic roles and responsibilities (Becker, 1993). The implementation of alternative dispute resolution mechanisms, such as family mediation, has proven effective in mitigating the emotional and financial impacts of separations. Although Becker's approach is essentially economic, he recognizes that cultural norms play a determining role in the structure of family incentives. In cultures that strongly value marriage, the social costs of divorce can act as an inhibiting factor, even in the face of economic incentives favorable to dissolution. In societies with rigid gender norms, women face additional challenges in entering the labor market, even when economic conditions are favorable.

The intergenerational transmission of cultural values and practices is another crucial factor in family behavior. Families that prioritize education and discipline as fundamental pillars tend to replicate these patterns across generations, perpetuating cycles of investment in human capital and social mobility (Becker, 1993). Educational programs that

foster digital skills and socio-emotional competencies emerge as indispensable tools to face the challenges of the 21st century.

The family incentive structure, as outlined by Becker (1993), offers a robust analytical framework for understanding household decisions, encompassing a complex interconnection between economic, institutional, and cultural factors. The development of effective public policies must therefore consider this interdependence, aiming at the formulation of strategies that promote family well-being and sustainable socio-economic development.

## INTERGENERATIONAL MOBILITY

Intergenerational mobility consists of the ability to transition socioeconomic status between different generations of the same family, covering aspects such as income, education, occupation, and quality of life. According to Becker (1993), this mobility is determined by a complex interaction between investments in human capital, economic transfers, and cultural and social transmission. Investments in human capital encompass education, health, and skills development; economic transfers include inheritances, savings, and financial assets; while cultural and social transmission encompasses values, norms, and social networks that shape individual behaviors and decisions across generations.

In the theoretical context of Becker (1993), families operate as rational economic units, committed to maximizing their utility through the strategic allocation of resources between immediate consumption, savings, and investments for the future of their children. Human capital, particularly education, is considered the preponderant factor in intergenerational mobility since families with higher levels of income and education tend to provide better development opportunities for their children. These investments include both direct costs, such as school fees and teaching materials, and indirect costs, such as time dedicated to school monitoring and parental guidance.

Becker's (1993) analytical model highlights the dilemma between quantity and quality of children. In societies with a higher level of economic development, There is an increase in the costs associated with raising qualified children, which leads to a reduction in the fertility rate, but allows for greater investment per child. This approach contributes to intergenerational mobility since children with better educational backgrounds and access to qualified opportunities are more likely to achieve a higher socioeconomic status than their

parents. Furthermore, Becker emphasizes that parents' opportunity costs, related to the time spent with their children, play a crucial role in decisions about educational investments.

The valorization of qualifications in the labor market intensifies the returns on investments in human capital, increasing the chances of social advancement. However, this dynamic can deepen inequalities, especially in low-income families, who face structural obstacles to accessing quality education. In this way, intergenerational mobility can be restricted, perpetuating cycles of poverty and social exclusion. To mitigate these disparities, many societies implement public policies aimed at educational financing and early childhood support programs, to ensure that all children have equitable access to opportunities.

Becker (1993) distinguishes between direct transfers and indirect investments. While direct transfers include inheritances and financial assets, indirect investments include education and health. He argues that intergenerational mobility tends to be more significant in contexts where investments in human capital prevail over financial transfers. In societies characterized by high inequality, inheritances can consolidate economic advantages, making it difficult for economically disadvantaged families to move up the social ladder. In this sense, redistributive public policies, such as educational subsidies and universal access to health care, play an essential role in promoting equality of opportunity.

In Brazil, government initiatives such as the expansion of free basic education, the distribution of school meals, and the provision of teaching materials have been fundamental in reducing educational inequalities (Venosa, 2017). In addition, the expansion of daycare centers and preschools has been an effective strategy to support families where both parents work (Dias, 2021), ensuring more balanced child development and promoting an environment conducive to continuous learning.

The economic structure of a society also plays a crucial role in intergenerational mobility. Becker (1993) points out that efficient and accessible markets foster opportunities for social mobility, while economies characterized by low human capital appreciation and structural inequalities reduce mobility possibilities. Furthermore, technological changes, by increasing the demand for specific skills, encourage educational investments, but can, at the same time, increase disparities between those who have access to these investments and those who do not.

Another relevant aspect addressed by Becker (1993) is the relationship between intergenerational mobility and cultural transmission. He notes that families that promote values such as resilience, hard work, and the pursuit of knowledge tend to create environments that are more conducive to the success of their children. Community support networks and mentoring can play a crucial role in strengthening social mobility trajectories.

Becker (1993) emphasizes that the effectiveness of investments in human capital depends heavily on the implementation of appropriate public policies. Educational subsidies, public health systems, and income transfer programs are essential tools for reducing barriers to equitable access to resources. Redistributive policies, such as progressive taxes and social assistance programs, are also crucial to reducing wealth disparities between generations and should be carefully designed to avoid undesirable side effects, such as demotivation to work and reduced incentives to save.

In light of these considerations, Becker's (1993) approach provides a robust theoretical framework for understanding the dynamics of intergenerational mobility and the challenges faced by families in contexts of socioeconomic inequality. The adoption of effective and sustainable public policies, associated with partnerships between the public and private sectors, is essential to promote more inclusive and fair intergenerational mobility, ensuring that all families, regardless of their socioeconomic background, have the opportunity to prosper.

## **STATE INTERVENTIONS IN THE FAMILY**

The State plays a fundamental role in safeguarding human dignity, a structuring principle of the Brazilian legal system, enshrined in article 1, paragraph III. , of the Federal Constitution of 1988. This protection is embodied in norms that govern Family Law, covering equality between spouses, the full protection of children and adolescents, and the recognition of the diversity of family configurations. Venosa (2017) argues that state intervention has evolved from a predominantly regulatory role to an approach of effective protection of fundamental rights, in response to the social and cultural transformations that occurred after the enactment of the Constitution of 1988, which consolidated the values of dignity and equality in family relationships.

Family Law, despite being included in the scope of private law, has a strong public order character, since it regulates relationships of collective interest. Norms related to marriage, child custody, property regimes, and alimony are of a binding nature, ensuring

compliance with essential duties among members of the family entity. Pereira (2017) emphasizes the need for a balance between legal regulation and the autonomy of families, defending a subsidiary state intervention, focused mainly on situations of vulnerability. In this sense, in addition to its legislative function, the State assumes an executive role in implementing public policies and protection mechanisms, ensuring the preservation of fundamental rights and promoting a safe and stable family environment.

According to Pereira (2021), state intervention within the family must be in line with the constitutional principles of the plurality of family entities and the best interests of the child. The author argues that this intervention must recognize affection as a structuring element of family relationships, contributing to the mediation of conflicts and the promotion of social justice. Venosa (2017) complements this view by emphasizing that state action must be guided by a balance between the protection of family relationships and respect for private autonomy, taking into account the psychological and emotional impacts arising from state interventions, and ensuring that these are based on the principles of proportionality and reasonableness.

Schreiber (2020) notes that the constitutionalization of Civil Law, notably in the field of Family Law, has expanded the State's role in ensuring the protection of the most vulnerable segments of the population and ensuring the principles of equality and solidarity. The author argues that this intervention must be implemented in a way that preserves the interests of family members, fosters well-being and promotes social cohesion. In addition, the State plays a pedagogical role by promoting educational and awareness-raising campaigns, fostering a culture of respect for family rights and encouraging interpersonal dialogue.

Lôbo (2024) analyzes State intervention as an essential instrument for ensuring dignity and equality in family relationships. The author emphasizes that family pluralism requires State action that is sensitive to new social realities, ensuring protection and recognition of different family configurations without incurring discrimination. This approach demands inclusive public policies adapted to the cultural and regional specificities of Brazilian families, ensuring equitable and respectful treatment.

The State exercises its role as a mediator and direct intervener in family conflicts, such as separations, divorces, custody disputes and cases of parental alienation. Furthermore, it acts in contexts of risk or violation of rights, such as in situations of abuse or neglect, ensuring the protection of the most vulnerable individuals. To this end, it has

specialized bodies, such as family courts and guardianship councils, which play a crucial role in safeguarding rights and supporting families in vulnerable situations.

State intervention also manifests itself in the standardization and protection of contemporary family arrangements, such as stable unions, single-parent families, same-sex families and socio-affective families. The legal recognition of affection as a central element in Family Law has significantly impacted legislation and case law, promoting an inclusive legal model that is adapted to new social realities. In addition, the evolution of interpersonal relationships and technological innovations demand constant updating of Family Law, in order to ensure effective responses to contemporary complexities.

Through public policies, the State guarantees social and economic rights to families, promoting social assistance programs, protection against domestic violence and support for those in vulnerable situations. Such policies aim to ensure access to fundamental rights and foster a stable and equitable family environment. Financial, educational and psychological assistance programs are essential for to strengthen family autonomy and prevent situations of social risk.

Therefore, state intervention in Family Law is essential to harmonize private autonomy and the protection of collective and individual interests. This action represents a historical and social evolution that adapts the law to the demands and complexities of the contemporary family, promoting inclusion, equity and respect for human rights. Therefore, it is essential that public policies are continually evaluated and improved, in order to ensure their effectiveness and suitability to the emerging demands of modern society.

## CRITICISM OF THE INTERVENTIONIST STATE

The influence of the State on family dynamics is a reality that is often implicit and unnoticed by society, manifesting itself through public policies that shape the behaviors and daily decisions of Brazilian families.

Brazilian families, especially those in situations of socioeconomic vulnerability, often depend on state interventions to guarantee the minimum necessary for their subsistence and the development of their members. Family decisions, such as family planning and children's education, are strongly impacted by current public policies. The lack of adequate support restricts these families' options and conditions their life trajectories, perpetuating cycles of dependence and inequality.



A prime example of this dynamic is the provision of public daycare centers. The lack of universal access to this service poses significant dilemmas for low-income families, who, lacking the resources to pay for private services, are forced to reorganize their structures and plans. The lack of adequate daycare centers directly influences the birth rate, and can lead couples to postpone or even give up on starting a family. In addition, this situation affects child development, since early childhood education is a determining factor for a child's academic and professional future.

Another relevant aspect is formal education. Although public education is provided free of charge, it involves indirect costs that weigh heavily on economically vulnerable families, such as transportation, teaching materials, uniforms, and extracurricular activities. The perception of the quality of public education also influences the decision-making of families, who, when dissatisfied, seek private alternatives, even at a high cost, further compromising their economic stability.

The accessibility and quality of the public health system are crucial factors for family planning. Uncertainty regarding the effectiveness of care can impact reproductive and well-being decisions. Families who trust in the efficiency of the public system tend to use it as their first option; on the other hand, the precariousness of services can lead them to seek expensive alternatives, such as private hospitals and health plans, or even to resort to self-medication, increasing inequalities and risks.

In addition, the ideological orientation of government officials can directly impact families through the creation of bills that redefine the concept of family and shape social relations according to specific political views. The possibility of ending incentive policies also represents a factor of instability, forcing families to reevaluate their choices and life strategies in light of new government guidelines.

However, it is essential to recognize that the State has budgetary limitations and cannot meet all family needs. Therefore, public policies must be planned in such a way as to serve the largest possible number of citizens efficiently and equitably. From this perspective, individual and family responsibility gains prominence, promoting a vision based on self-determination and conscious planning of reproductive and life choices, in accordance with available resources.

However, this approach faces significant challenges in a context of structural inequalities. The lack of equitable access to essential services compromises families' freedom of choice, making state support an imperative need. Thus, the debate on the



shared responsibility between the State and families in building sustainable family trajectories remains a central element for the development of effective and socially just public policies.

In this sense, an integrative approach is proposed, in which state participation and family autonomy are balanced, recognizing the complexity of the interactions between economic, social and cultural factors. Improving public policies, based on empirical data and intersectoral analysis, can provide more effective solutions to guarantee family autonomy without neglecting the State's responsibility in promoting well-being. social.

## **FINAL CONSIDERATIONS**

The evolution of the concept of family in Brazil reveals a continuous process of adaptation to social, economic and cultural transformations, driven by the enactment of the Federal Constitution of 1988 and the growing protagonism of the State in regulating family relations. The interdisciplinary approach adopted in this study, integrating legal and economic perspectives, made it possible to demonstrate that state interventions exert a decisive influence on decisions within the family, shaping behaviors and redefining structures based on institutional incentives and restrictions.

The research demonstrated that public policies, by offering support in areas such as housing, health and education, create direct and indirect stimuli that impact the organization and choices of families. Social benefits and family protection legislation encourage the inclusion of new family arrangements, guaranteeing them legal recognition and access to fundamental rights. However, it has been observed that this intervention can also generate structural dependence, reducing private autonomy and making families more susceptible to state guidelines in decision-making related to resource allocation, division of responsibilities and planning for the future.

From an economic perspective, the rationality model proposed by Gary Becker has proven to be an effective tool for understanding how families adjust their choices in response to institutional changes. Tax policies, incentives for formalizing unions and social programs are examples of mechanisms that directly influence family decisions, whether in the choice of having children, in the organization of assets or in the search for social mobility. In this sense, the State assumes the role of a modeling agent of family dynamics, promoting behaviors aligned with its socioeconomic development guidelines.

Therefore, it is concluded that state action in the family sphere must be carefully analyzed, seeking a balance between the protection of fundamental rights and the preservation of individual freedom. It is recommended that future research further investigate the effectiveness of public policies and their impact on the autonomy and well-being of Brazilian families, considering factors such as regional inequalities and cultural specificities.

Finally, this study contributes to the academic debate by demonstrating that the State, through its policies and regulations, exerts a direct and substantial influence on family decisions, shaping their choices and redefining their roles in contemporary society. This reinforces the need for public policies that promote the development of families in a sustainable manner, respecting their plurality and encouraging their autonomy within a context of state support and protection.

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