

What is the Juridical Ground of Familiarity Today? The Swing that Goes from the Biological Ties to Affection, Friendship, Contract or Even Neighbourhood

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The concept of family is becoming a crux interpretum. The more marriage declines as a founding institution of family law, the less are there identifiable boundaries of the concept of family to be found. As families tend to be more fragile, the tightness of the bonds emerging previously from the nuclear family fades. As familiar bonds fade, familiar solidarity that could be previously enforced by law (e.g. alimony, assistance) loses its very foundation (*id est* familiarity). Without marriage as a founding basis of familiarity, only blood ties were left to ground it. However, the emergence of artificial reproductive techniques has disrupted the coherence of the legal system of affiliation, weakening the social significance of biological ties. People are lonelier than ever, even if the world is more crowded than it was ever before and communications have improved opening new ways of connection that can surmount distances. As life expectancy grows, and the birth rate falls, the sustainability of social solidarity is called into question. The traditional family is no longer there to take care of the elderly and the handicapped. At the same time, law begins to assign juridical effects to bonds never before considered significant. The cohabitants, the neighbours, the significant adults, affectionate relationships, the centre of life of a child, are new legal institutions that provide alternatives to familiarity.

Our presentation will aim to explore and analyse what are the grounds for a familiar juridical obligation between citizens in the actual trends of family law, by an examination of legal institutes in modern family law.