

The Family Institution in the Light of Community Authenticity

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Abstract

In the attitude towards the original institution of the family, there are three theories: individual authenticity, community authenticity and individual and community authenticity. In the perspective of the individual authenticity, the rulings, duties and rights of spouses, parents and children to each other are studied and the collective nature of the family is neglected; In the perspective of community authenticity, the family is studied as the subject and the members are not discussed independently. The main goal of this attitude is to protect the family institution from the sting of selfishness at the cost of reducing individual freedoms. In the approach of individual and community authenticity, both of individual and social dimensions of the family is important, and in addition to the importance of the members, its collective nature is also considered. In this view, works such as independent life from individual life, independent rules and traditions, and the independence of individual's actions on the family are arranged. By referring to the books and laws related to the family, we find out that until now, the one-sided attitude has prevailed; However, this attitude leads to bad effects such as accelerating the loss of independence of families in the new civilization, reducing the population, integrating the roles of the family in society, removing the boundary between home and society, and breaking up the family. In the works of late jurists, the organizational nature of the family has found its supporters, and with the weakening of the theory of individualism, most of the theories have been directed to the benefit of the family, where the roles of marriage and parents are integrated into a whole. This research, with analytical-descriptive method and by collecting library data, deals with the legal examination of the family institution in the light of community authenticity. The result of this new approach in legal studies will be the evolution of family law.

Keywords: the authenticity of the community, the authenticity of the individual and the community, the independent nature of the family, the social identity of the family.

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