



seit 1558

Youths and the German social legislation

Abstract for the PreConference of the PhD-Network on TISSA 2010
August 22 to 27, 2010 in Tallinn, Estonia

Since 2005 in Germany there is a new law in support of unemployed people and their families. It is called as Social Security Code II. The main intention of the law is to reintegrate these people in the primary labor market. Among services the beneficiaries receive money as well. They had to make their living with the fixed cash benefits. Single persons for example receive 359 € per month. This amount is calculated based on the so called *sample survey of income and expenditure* (EVS). In contrast children and youths obtain only a part of the adults' cash benefits, because – as the legislator meant – on the one hand in households with more than one person occur so called saving effects, based on shared economize. Furthermore children and youths would have not so high needs like adults. But the legislator has missed the part to analyze their real needs. That means for children less than six years old 60 percent of the standard rate will be paid. Children from six to 14 years obtain 70 percent and youths between 15 and 24 years obtain 80 percent of the standard rate. According to the Social Security Code II children and youths seem to be only “young adults” without own needs.

In 2010 the German Federal Constitutional Court has declared, the calculation of the children cash benefits as unconstitutional. Within this judgement, the court stated that they have their own needs, which have to allow for the assessment of their standard benefit in the future. But the decision did not make a declaration about the adequacy of the youths' standard benefits as yet.

This is only one example to show the rules specifically for youths in the Social Security Code II. Furthermore unemployed youths normally have to live in the household of their parents till they are 25 years old. These and other examples are the base of the analysis, how the legislator deals with the youths. Beyond that will be the question: Does this view accords with the real circumstances of the youths? Therefore the three related dimensions *education, habitation* and *recreational activities* will be specially analyzed by me.

Contact:

Christiane Meiner, M.A., Friedrich-Schiller-Universität Jena
Institut für Erziehungswissenschaft, Am Planetarium 4, D-07743 Jena, Germany
Phone: +49 (0)3641-945379, Fax: +49 (0)3641-945372,
Email: christiane.meiner@uni-jena.de