

**The future of the welfare state: paths of social policy
innovation between constraints and opportunities**

Urbino, 17-19 September 2009

Disciplining mothers: fertility threats and family policies in Romania

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A presented paper at the 7th ESPAnet conference 2009

Stream 1 - Recent trends and future family policy models in an enlarged Europe

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Disciplining mothers: fertility threats and family policies in Romania

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Abstract. In postsocialist Romania, the ethos of heroic mothers with five or more children was downplayed into a pejorative label for uneducated women who commodify their children in order to get welfare and subsist outside of the labour market. Throughout the last two decades, the changes in family policies indicate a strong preoccupation for “disciplining” mothers by sanctioning motherhood without prior employment and rewarding only the birth of the first four children. Romanian policymakers showed less concern for decreasing fertility rates than to the situation of “unwanted” children and “uncontrolled” fertility in poor rural regions, and especially among the Roma minority.

The present paper investigates how family policies in post-socialist Romania maintained unfavourable conditions of entitlement for parents with irregular participation on the formal labour market. It argues that the regulations on maternity benefits, childcare leave, and means-tested child allowance targeted primarily the fertility behaviour of women, and failed to meet the quest for “social investment” welfare (Lister, 2004) and support for balancing workplace and domestic duties.

During state socialism, the “double-burden” (Kligman, 1998) of wage labour and family responsibilities belonged to the taken for granted reality of mainstream women, who were perceived as resilient enough to use informal childcare through kinship or undocumented labour. After 1990, childcare services became increasingly difficult to afford. Optional crèche vouchers provided by employers were legislated only in 2007, but they are still seldom offered to the employees. The rank of the children conditions welfare entitlement: birth indemnity is granted only for the first four newborn babies, the amount of means-tested child allowance flattens at the fourth child, maternity and paid childcare leave is available only for the first three births. In low income families where mothers lack the necessary work record to qualify for the benefit, fathers go on parental leave, but usually they engage in informal labour and the distribution of family responsibilities follows the traditional gendered pattern. There are no means-tested maternity benefits, but the amount of universal child allowance is five times higher for children below the age of two (cca. €50). Given that child allowance is imputed when establishing the right to social assistance benefits, the birth of a child means losing the Minimum Income Guarantee and, consequently, the obligation to pay the healthcare contribution. Jobless families most often fail to pay the contribution and parents lose their health insurance.

The insight into the development of family policies in Romania serves as a case study for investigating welfare regulations as pragmatic solutions to heavily ideologised national problems, led primarily by endogenous factors. The first part of the paper provides a synthesis of recent legislation changes and concludes that the EC influence might have fuelled occasional compromises, but not a coherent restructuring of family benefits. The second part uses the 2007 Barometer on Public Policies and the ECHISERV dataset in order to evaluate the impact of family transfers on household welfare for low income or jobless families, drawing attention to the situation of the Roma minority.

Introduction

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In postsocialist Romania, the ethos of heroic mothers with five or more children was downplayed into a pejorative label for uneducated women who commodify their children in order to get welfare and subsist outside of the labour market. Throughout the last two decades, the changes in family policies indicate a strong preoccupation for “disciplining” mothers by sanctioning motherhood without prior employment and rewarding only the birth of the first four children. Romanian policymakers showed less concern for decreasing fertility rates than to the situation of “unwanted” children and “uncontrolled” fertility in poor rural regions, and especially among the Roma minority.

The present paper investigates how family policies in post-socialist Romania maintained unfavourable conditions of entitlement for parents with irregular participation on the formal labour market. It argues that the regulations on maternity benefits, childcare leave, and means-tested child allowance targeted primarily the fertility behaviour of women, and failed to meet the quest for “child-centred policies” (Lewis, 2006b) branded as “social investment” welfare (Lister, 2004), and to provide support for balancing workplace and domestic duties.

The insight into the development of Romanian policies serves as a case study for investigating welfare regulations as pragmatic solutions to heavily ideologised national problems, led primarily by endogenous factors. Higher birth rates among the Roma minority, the depth of their economic deprivation and the visibility of their social marginalisation, prejudices against the Roma fuelled by nationalist discourses constitute some of the most salient endogenous factors which shaped Romanian family policies. The first part of the paper provides a synthesis of recent legislation changes and concludes that the EC influence might have led to occasional compromises, but not a coherent restructuring of family benefits. The second part uses the 2007 Barometer on Public Policies and the ECHISERV dataset in order to evaluate the impact of family transfers on household welfare for low income or jobless families, drawing attention to the situation of the Roma minority.

The post-socialist development of family policies in Romania

Family policies in post-socialist countries of Central and Eastern Europe (CEE) show different patterns of re-familiasation and it is difficult to assess to what extent the socialist de-familiasing legacies, the revitalization of nationalism, the soft pressures of the EU and the deepening demographic concerns orchestrated the tune of policy design. Following Leitner's (2003) conceptual distinction between "implicit" and "explicit" familialisation, Szelewa (2006), Polakowski and Szelewa (2008), as well as Szikra and Tomka (2009) convincingly argue that Poland adopted "implicit familialism", the Czech Rep. and Slovakia "explicit familialism", whereas Hungary embraced a mixed approach, labelled by the authors as "optional familialism". Regardless of the (re-)familialisation model adopted, the policy outcomes had been apparently the same: fertility rates continued to decrease, whereas women's participation on the formal labour market did not significantly increase (Szelewa, 2006). In the case of Romania, as discussed in the following paragraphs, there is a dual policy of "implicit familialism" for parents absent from or with irregular participation on the labour market, and "optional familialism" for working parents. This duality is rooted in the attempt to discourage women from the poorer segments of the population to have children, and encourage the fertility of middle-class women, though not necessarily their childcare role within the family.

As Daly (2004) insightfully remarks, the family should be seen in a broader approach, "as involving not just a structure or form, but sets of practices and relations" (Daly, 2004: 136). At the level of policy priorities, she notices a shift from regulations on the obligations between spouses towards parental responsibilities. In this context, the transformations of care relationships constitute the core issue of "de-familization". The idea is developed by Leitner and Lessenich (2007), who draw attention that, behind the conceptual opposition between dependence and independence in familial care relationships, one should regard (1) both the perspective of the care giver and that of the care receiver, and (2) the social as well as economic dimensions of (in)dependence. Although quite intuitive, these prerequisites have been mostly disregarded by theoreticians and politicians of "de-familiarization", who, according to the Leitner and Lessenich (2007), focus on the care-givers (and the authors repeatedly remind us "read: women") and economic (in)dependence (gainful participation on the labour market). The authors

somewhat leave aside that the demarcation between dependence and independence is also ambiguous, given that emotional ties are difficult to be unrolled and rolled back.

Policies concerning children were often attempts of shaping parenting practices and, in particular, “disciplining” mothers (Rawlings, 2006; Haney, 2002) in the Foucaultian sense of the term (Foucault, 1979; Culpitt, 2001). Reproductive policies, i.e. prevailing medical, psychological and social normative considerations upon pregnancy, childbirth, and mothering had been shaped not by a monolithic non-feminist or anti-feminist “forces”, although they had been holding considerable influence on the development of these policies. Feminist critiques were incorporated in the evolution of these policies, just as the “resistance” of women claiming for giving birth to their children at home. The control of medicine (its “monopoly” over childbirth in the 20th century) was “not simply imposed from the top down” (Sawicki, 1993: 196), but it raised resistance and opened up a field of struggles. Looking at the development of what she calls “public maternalism” in Hungary, Haney (2002) concludes that “instead of remaining in the confines of the maternal, female [welfare] clients strategized with their maternal resources to defend their interests as wives, workers and women” (Haney, 2002: 133). Middle-class women might have acted in a similar vein in Romania as well, but it is difficult to assess whether women from subaltern groups (less educated women from rural areas and especially Roma women) have ever exercised political voice.

Analysts of family policies usually put on gender lenses in order to scrutinize policy development (Haney, 2002; Lewis, 2006b, Lewis and Surrender, 2004; Newman, 2005; Popescu, 2006); but the impact of gendered policies is mediated and shaped by one’s class position and ethno-cultural belonging. This becomes particularly salient when ethnic minority status overlaps with economic deprivation and marginal position on the formal labour market, such as in the case of the Roma minority.

Comparative studies on policy responses to declining birth rates ought to pay attention at the different demographic profiles and fertility rates of various ethno-cultural groups *within* states, and how family policies are turned into Trojan horses for ethno-nationalist interventions of governments. This is especially so in the case of Romania, which had a loud ethno-nationalist discourse throughout 1970-80, and extreme nationalist

politicians continued to be popular after the change of the regime, some of them² even entering the European Parliament in 2009. During state socialism, the predominant policy towards well organized, politically strong ethnic groups (such as the Hungarians or the Germans) was to trim down ethnic difference at mere folklore (Verdery, 1992). Politically weak ethnic groups (such as the Roma or the Lipovean-Russians in Dobrogea) were not even recognized as a national minority, labelled as having a deficit of civilization and forced to assimilate.

After the political turn in 1989, the Roma gained political voice and the cultural rights of a national minority, however, there is a persistent discrepancy between auto-identifications in terms of being a “Roma” and hetero-identifications, often prejudiced, against the “Gypsies”. One of the strongest element of these prejudices is that the Gypsies instrumentalize their children in order to gain money either from child allowance or from begging. Their fertility behaviour is seen as irresponsible and abusive, and Gypsy women are perceived as uncaring and exploitative mothers.

Throughout Central and Eastern Europe, the incidence and the depth of poverty is considerable higher among the Roma than the non-Roma (European Commission, 2004; D. Ringold, 2000; D. Ringold, Orenstein, M., Wilkens, E., 2003; Szelenyi, 2002), and considerably more Roma than non-Roma receive means-tested income support benefits (Milcher, 2005; UNDP, 2003; Fleck and Rughinis, 2008), although the amount of these benefits is hardly enough to ameliorate their situation of deprivation (Fleck and Rughinis, 2008; Milcher, 2005; Rat, 2005; Szalai, 2005). National statistics on welfare receipt do not offer data split by ethnicity, given that welfare applicants are not required state their ethnic belonging on the forms submitted to the offices in charge³. Survey research leaves room to overestimating poverty and welfare receipt among the Roma, given that segregated, poor Roma communities are easier to be included in the sample than integrated Roma living amongst the mainstream. The latter might decline from revealing their ethnic identity to the interviewers, in the context of strong negative prejudices against them.

² It is the case of Corneliu Vadim Tudor, the leader of the Great Romania Party, elected in 2009 to enter the European Parliament.

³ The regulation tries to combat the possibility of negative discrimination, nevertheless, it excludes any objective evaluation of actual welfare receipt among the Roma, as compared to majority populations (Cahn, 2004; European Commission, 2004; Rat, 2005).

“The ethnicization of poverty” in CEE countries can be seen as a twofold process: (1) proportionately more Roma than non-Roma are born in disadvantaged families, with few chances of upwards social mobility, and they remain in poverty; (2) those Roma who are either coming from relatively well-off families or manage to seize resources for crossing over their deprived family background, in order to complete their upwards trajectory, prefer to assimilate in the majority ethnic group so as to avoid the risk of exposure to prejudice.

Nonetheless, the “ethnicisation of poverty” is linked to the ethnicization of *pauperism*⁴, i.e. the superposition of the derogatory label of “welfare dependency” upon a whole “ethnic” group. Two fuzzy but omnipresent stereotypes (that of *the pauper* and that of *the ethnic*) overlap, opening the door for politically loaded conceptualisations with some anecdotal evidence attached: “underclass”, “culture of poverty”, “ghettoization of the poor”. In their response to the incipient British moral panic of the emerging “underclass” forecasted by Murray (1990), Dean and Taylor-Gooby (1992) assert that if there were something common between the potential “underclass” in the US and that from the UK, it would be that they both serve a “conceptual repository for non-conforming social minorities (...). The reflexive effect of the underclass concept is not to define the marginalised, but to marginalise those it defines” (Dean and Taylor-Gooby, 1992: 44). Concerns for “welfare dependency” among the Roma penetrate not only in the mass media, but also the “expert” evaluations of transnational actors such as the World Bank or the UNDP. For instance, the 2003 World Bank report argues for the need for “breaking the cycle of poverty and social exclusion” whereas the 2003 UNDP report is tendentiously entitled “The Roma in Central and Eastern Europe. Avoiding the Dependency Trap”⁵.

⁴ Building on Foucault’s distinctions between delinquency and crime, Dean and Taylor-Gooby (1992) discuss the social construction of “pauperism”, which lays the emphasis on abusive reliance on charity and state welfare, ignoring the entrapment of the poor due the institutional settings of contemporary capitalist economies. Wilson’s account of a “structural underclass” of African Americans (Wilson, 1997) offered another appealing approach for social researcher preoccupied with the persistent poverty and inequality faced by the Roma (most notably, Szelenyi and Ladanyi, 2002). Nonetheless, it also raised concerns about misinterpretations of complex social relations, with historically rooted, multiple social divisions between the Roma and the non-Roma, co-existing with patterns of informal work and economic cooperation (Stewart, 2002). A systematic revision on the main conceptual approaches on the intertwining between culture, poverty and ethnicity is offered by Lamont and Small (2008).

⁵ “If social welfare systems are to decrease (rather than increase) dependency cultures, they should be based on the principle of “positive net benefits for positive net efforts”. Social welfare systems should provide incentives (and not disincentives) for the adoption of pro to active life strategies” (UNDP, 2003).

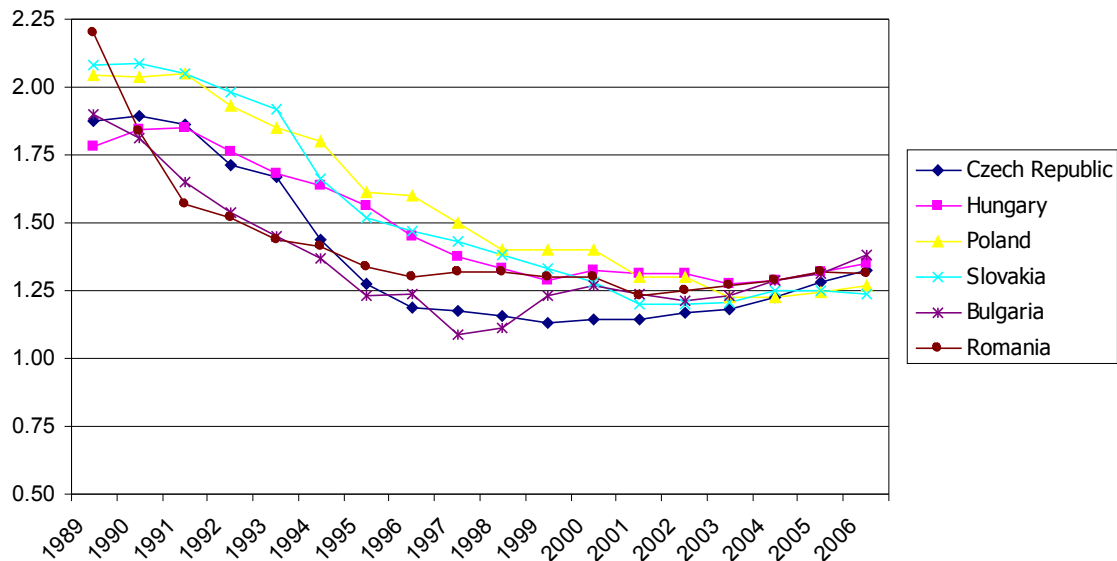
“Social exclusion” as a concept gains relevance as: “(the) lack of empathy between the majority and socially isolated minorities makes it easier for ambitious politicians to advance their causes by demonizing and ultimately dehumanizing these minorities” (Barry, 1998: 18-19). Public expectations for state action in the case of the Roma have an inherent dimension of exercising social control upon “the Gypsies”. For example, in the 2006 survey on public opinion on ethnic minorities in Romania, 81% of the non-Roma respondents assessed that the majority of the Roma disobeyed the law, and, at the same time, 49% considered that the state should provide more subsidies and assistance for the Roma and 47% that the state should implement measures to stop the increase of the number of the Roma (CCRIT, 2006).

Fertility blues in Romania⁶ – who has children and how many?

After the change of the political regime in 1989, there was a sudden drop of the fertility rate at the national level from 2.2 in 1989 to 1.6 in 1991. Most analysts (Haragus, 2008; Popescu, 2004a and 2006; Roth et. al., 2006; Rotariu, 2003) interpret this as a backlash of the coercive pro-natalist policy of Ceausescu and the availability of contraceptives and abortion after 1990, the abortion rate in Romania peaking at 315 legally induced abortions per 100 live births in 1990 and 1991 (UNICEF, 2008). However, the steady decrease of the fertility rate throughout the 1990s, common to all CEE countries, was induced primarily by economic insecurity and falling living standards in the region (Popescu, 2006). Natality slightly increased after 2002 and converged in 2006 at around 1.3 children (close to the EU-15 average) in 2006.

⁶ The title obviously paraphrases Castles’s (2003) title: “Birth Rate Blues: A Real Crisis in the Making?” (Castles, 2003, pp. 141-167).

The evolution of fertility rates in CEE countries 1989-2006



Source: UNICEF TransMonee Project Database, 2008.

The evolution of fertility rates did not follow the same pattern for all socio-economic strata and ethnic groups. Throughout the transition period, fertility rates in Romania were higher in rural areas than in the urban, and women with lower level of education had more children and at younger ages than women with higher educational qualifications (Haragus, 2008; Rotariu, 2003). Unfortunately there is no data available for the *evolution* of fertility rates by ethnicity; the latest data split by ethnicity is provided by the 2002 Census, which also offers information on the age-group and family status of mothers.

Table 1: The distribution of women by ethnicity and number of children in 2002

Computed for all women aged 15+ (%)	Without children	1 child	2 children	3 children	4 or more children	Total	Fertility rate
Total	28.3	22.7	27.5	10.4	11.1	100%	1.65
Romanians	28.4	22.9	27.5	10.3	10.9	100%	1.63
Hungarians	26.5	22.2	31.1	11.2	8.9	100%	1.61
Roma/Gypsies	28.3	14.2	15.8	11.9	29.8	100%	2.45

Source: Romanian National Census 2002, Own calculations based on census data provided by the National Agency for the Roma, www.anr.gov.ro. Fertility rate computed as number of live births per women.

Note: Out of the 29.8% of Roma women who had 4 or more children, 11% had four children, 13% had five or six children, and the rest more than six children.

As shown in Table 1, the fertility rate of ethnic Romanian and Hungarian women was 1.63 live births per woman aged 15 or older, as compared to 2.45 in the case of Roma women. Whereas more than 50% of both Romanian and Hungarian women had only one or two children, 30% of the Roma women reported one or two children at the moment of the Census. 12% of the Roma women had three children and almost 30% four or more children.

Table 2: The distribution of women aged 15-19 by ethnicity and number of children in 2002

<i>Computed for all women aged 15-19 (%)</i>	<i>Without children</i>	<i>1 child</i>	<i>2 children</i>	<i>3 children</i>	<i>4 or more children</i>	<i>Total</i>	<i>Fertility rate</i>
Total	95.45	3.85	0.62	0.07	0.01	100%	0.05
Romanians	96.11	3.39	0.45	0.04	0.00	100%	0.04
Hungarians	96.34	3.13	0.46	0.05	0.01	100%	0.04
Roma/Gypsies	77.69	16.26	5.19	0.74	0.12	100%	0.29

Source: *Romanian National Census 2002*, Own calculations based on census data provided by the *National Agency for the Roma*, www.anr.gov.ro. Fertility rate computed as number of live births per women.

Note: Out of the 29.8% of Roma women who had 4 or more children, 11% had four children, 13% had five or six children, and the rest more than six children.

Teenage motherhood was also apparently more frequent in the case of Roma (see Table 2). As compared to the fertility rate of 0.4 live births per woman aged 15-19 in the case of ethnic Romanians and Hungarians, for teenage Roma women the fertility rate was 0.29. Whereas only less than 4% of Romanian and Hungarian teenage women reported to have children, 16% of the Roma under 20 years old had one child and 5% two children.

Table 3: Legal marital status and fertility of women aged 15+ by ethnicity in 2002

<i>Figures computed for women aged 15+</i>	Not married			Married			Divorced			Widow		
	<i>% of total</i>	<i>children % who gave birth to</i>	<i>Fertility rate</i>	<i>% of total</i>	<i>children % who gave birth to</i>	<i>Fertility rate</i>	<i>% of total</i>	<i>children % who gave birth to</i>	<i>Fertility rate</i>	<i>% of total</i>	<i>children % who gave birth to</i>	<i>Fertility rate</i>
Total	21.9	14.7	0.31	56.3	89.2	1.98	5.3	79.9	1.51	16.5	84.8	2.31
Romanians	21.3	12.6	0.25	57.0	89.1	1.97	5.4	79.8	1.50	16.3	84.9	2.31
Hungarians	20.	15.0	0.33	54.3	90.2	1.90	5.3	80.8	1.52	20.	85.2	2.14

	2									2		
Roma/Gypsies	53. 2	55.4	1.55	34. 4	92.1	3.50	2.7	85.2	2.59	9.6	85.6	3.70

Source: *Romanian National Census 2002*, Own calculations based on census data provided by the *National Agency for the Roma*, www.anr.gov.ro. Fertility rate computed as number of live births per women.

Table 3 shows the distribution of women by ethnicity and legal marital status, and compares fertility rates along these two variables. In 2002, only one fifth of the Romanian and Hungarian women aged 15 or older were not legally married, as compared to slightly more than half of the Roma women. The fertility rate of unmarried Roma women was 1.55, whereas that of Romanians only 0.25 and Hungarians 0.33. These figures comprise some age affect as well, given that (as previously discussed) teenage motherhood is more frequent among the Roma than the non-Roma.

Table 4: Fertility rates in the case of consensual union* in 2002 Romania

<i>Figures computed for women aged 15+</i>	<i>% of total</i>	<i>% who gave birth to children</i>	<i>Fertility rate</i>
Total	4.5	68.1	1.64
Romanians	4.0	65.9	1.51
Hungarians	4.2	73.2	1.83
Roma/Gypsies	29.4	79.5	2.37

Source: *Romanian National Census 2002*, Own calculations based on census data provided by the *National Agency for the Roma*, www.anr.gov.ro.

***Note:** “Consensual union” was not a legal category of in Romania until 2009, when it was introduced under the name of “engagement”. It can be read as the equivalent of cohabitation.

Out of all Roma women, 29.4% reported at the 2002 to live in cohabitation, as compared to 4% of the Romanians and 4.2% of the Hungarians. Given that cohabitation did not have a legal correspondence in Romania until 2009 (when the institutionalized form of civil engagement was introduced), partners living together had a rather insecure and legally ambiguous position, although welfare policies (such as the Minimum Income Guarantee or means-tested child benefits) treated cohabiting couples similarly to married ones. It should be noticed that the fertility rate of cohabiting Roma women is 2.37, which is somewhat higher than those of the Romanians (1.51) and Hungarians (1.83), but lower than the overall fertility rate of the Roma women (2.45).

Policy responses: who should have children and how many

During state-socialism, child allowance was received as an income-supplement for one of the parents (usually the father), conditioned upon his/her working status. There was no means-tested additional support designed specifically for families and children. The legislation did not change until two years after the fall of communism, in 1993 (Cerami, 2006; Popescu, 2004a; Popescu, 2006; Roth et. al., 2006;). Given that many Roma were not working or they lost their working status right after 1990, in 1990-93 they were basically not entitled to receive financial support for children.

Universal child allowance. After the implementation of the new law (61/1993) all children were entitled to receive the universal child allowance (not their parents), but all school-aged children were supposed to attend institutions of education in order to receive the allowance. The administration of the benefit was fragmented, given that children who were not yet of school age received it through the local offices of social protection, whereas school-aged children through the educational institution they were attending. The legislation was discriminatory against young persons aged 16-18 who decided to leave earlier the educational system for paid employment, and favoured those still at school at the age of 18 or 19, as the latter continued to benefit until the end of the academic year. In 2005, the Constitutional Court decided that it was unconstitutional to condition the universal child allowance upon school attendance *at any age below 18*. On the basis of the governmental ordinance OUG 148/2005, starting with January 2007 the universal child allowance was not conditioned anymore by school attendance, and in the case of children below the age of two the value of the benefits became considerably higher (around 50 €).

Benefits for families with three or more children before 2003. In 1997 (Law 119/1997), families with three or more children were entitled to a supplement to the universal child allowance. This supplement was not means-tested, it was offered upon request and its value was small and decreased considerably in real terms until 2004, when the laws on child benefits were changed. **The legislation was abolished by OUG 105/2003, and there are no specific benefits targeted at families with many children.**

Means-tested child allowance. The universal child allowance was doubled starting from 2003 by a means-tested component for needy families with children, whose values are

slightly higher in case of one-parent families (governmental ordinance OUG 105/2003). The eligibility threshold was initially established at around 50 € per family member per month, which was considerably higher than the corresponding level of the Minimum Income Guarantee. Between 2003 and 2009, the eligibility threshold and the values of the benefits were indexed annually through governmental ordinance. Starting from 2009, the eligibility threshold was set somewhat higher, at the net value of the minimum national wage. The condition of receipt: every three months, parents should present at the welfare office a certificate testifying that their school-aged children attend school. The amounts remained rather low and after the fourth child the benefit does not increase anymore: this means that there is no means-tested allowance for children who rank fifth or more in the family. In 2009, needy families with four or more children received a monthly complementary allowance of 17 €, whereas lone-parent families with four or more children 22 €. The value of the benefit is increased by 15% for families receiving social aid based on the Law on the Minimum Income Guarantee (see also Romanian Ministry of Labour, Social Protection and the Family, 2009a).

Birth-indemnity is a fixed sum of around 60€, granted at the birth of the first four children. There is no indemnity for children who rank five or higher. Starting from 2007, the financial benefit is accompanied by a voucher for baby-items.

Paid maternity leave and child-care leave before the child reaches the age of two (or three in the case of children with disabilities) is available for parents who were gainfully employed and contributed to the insurance-fund continuously for at least 12 months before the birth of the child. However, both maternity and parental leave are *paid* (i.e. parents receive a monthly state benefit) only for *three* children. Maternity benefit is granted for four months, out of which at least two should be used after the birth of the infant. The value of the benefit is earnings-related, computed as 85% of the previous income of the mother. Fathers are entitled to only two weeks of additional paid leave, which should be used after the birth of the child. Paid childcare leave for children below the age of two (or three for children with disabilities) can be taken either by the father or the mother, but the couple cannot use the parental leave and its corresponding benefit simultaneously. Before 2009, the benefit was flat-rate and computed as 85% of the national average wage. Starting with 2009, an earnings-related alternative was legislated, which

grants parents with higher incomes 85% of *their* average income during the last 12 months of gainful employment, ceiling the benefit at 952 € per month. The poorest categories of the population, with irregular participation on the formal labour market, do not satisfy the twelve months continuous contributory period and fail to qualify for these benefits. Many Roma parents are in this situation. Families with lower incomes, where only the male partner is employed for the minimum wage, often decide to combine paid childcare leave (used by the father) with informal work, especially in rural areas, leaving the actual caring role for the women at home (Petre, 2008; Barometer of Public Policies, 2008 – see Appendix). The law does not stipulate that when one of the parents is staying home (as “housewife”), the other parent cannot claim the benefit: applicants should only sign a declaration that their partner is neither on maternity nor childcare leave (see also Romanian Ministry of Labour, Social Protection and the Family, 2009b).

Table 5: The evolution of the proportion of fathers on childcare leave by area of residence

	National	Rural	Urban
First quarter or 2006	17.9	29.7	11.8
First quarter or 2007	19.9	31.9	13.3
First quarter or 2008	19.9	31.1	13.4
Fourth quarter or 2008	18.8	30.1	12.4

Source: Romanian Ministry of Labour, 2009 b.

Table 5 reports on the evolution of the proportion of fathers on childcare leave by area of residence: it is noteworthy that in rural areas around 30% of parents on paid childcare leave are the fathers, although in rural areas the traditional gender roles are rather strong (Gender Barometer, 2000) and most women are either unpaid agricultural workers on family farms or “housewives” (Romanian National Institute of Statistics, 2008). The decision to go on childcare leave is most probably motivated by an economic rationale, to combine the financial benefit (which might well be higher than the wage of the father) with undeclared informal labour.

Stimulant for returning to work is granted for parents who are eligible for paid childcare leave, but decide to return to work: they receive a monthly financial benefit (“stimulant”) of around €30. As shown in Table 6, the number of parents opting for paid

labour and receiving the “stimulant” instead of the childcare benefit was almost double in urban areas: 11.2% in the fourth quarter of 2008, as compared to 6.8%.

Table 6: The evolution of the proportion of parents opting for returning to workplace and receiving the stimulant instead of childcare benefits

	National	Rural	Urban
First quarter or 2006	2.4	1.5	2.9
First quarter or 2007	7.4	5.9	8.4
First quarter or 2008	8.8	6.6	10.0
Fourth quarter or 2008	9.6	6.8	11.2

Source: Romanian Ministry of Labour, 2009b.

Employers can also grant **crèche vouchers** for their female employees with small children, in case that none of the parents is staying at home with the infants. These vouchers are not liable to taxation. Both measures target middle-class parents from urban areas, given that childcare facilities are hardly available in rural areas.

Table 7: Distribution of beneficiaries of parental child-care leave in 2008 by the amount of insured income

Monthly income of beneficiaries	National	Urban	Rural
Below 706 lei*	87.47	84.12	93.26
Above 706 lei	12.53	15.88	6.74

Source: Romanian Ministry of Labour, 2009c.

*Note: 706 lei/month represents the amount of average monthly income, i.e. for beneficiaries with this income 85% of their wage is equal to the flat-rate value of the benefit.

As indicated in Table 7, in urban areas 84.1% of parents on childcare leave had incomes below the national average wage of 706 lei, whereas in rural areas 93.2%. Thus, only a reduced segment of the upper-middle class (15.8% in the urban and 6.7% in the rural areas) actually benefited from the change of the legislation on the amount of the benefit. Needless to say, the effects of the law are regressive, given that it was not coupled by providing a universal maternity or childcare benefit. The “higher” amount of the universal child allowance for infants below the age of two (around €50/month) was regarded to serve as a surrogate for “universal” childcare benefits: however, its value represents only one

forth of the childcare benefit granted to insured parents, who were gainfully employed throughout the last 12 months.

The brief overview on welfare measures to support families with children reveals a dual policy of “implicit familialism” for women absent or with irregular participation on the labour market, and “optional familialism” for working women. This duality is rooted in the attempt to discourage women from the poorer segments of the population to have children, and encourage the middle-class women, though offering them both the alternative of assuming parental care responsibilities, and the alternative of return to their previous job.

Coverage and poverty reduction effectiveness of family benefits

In order to assess the coverage and poverty reduction effectiveness of family benefits, the ECHISERV dataset was used, which was collected within the framework of the research project CEEEX 157/2006, “Disparities in the Use of Health Care Services in the North West Development Region. Socio-economic Patterns and Causes”, project director: prof. dr. Livia Popescu, “Babes-Bolyai” University Cluj. Details about the project and its results are available on the web-page of the project: www.socialzoom.com/echiserv.

The ECHISERV fieldwork took place in November 2007 on three representative samples of the Romanians, Hungarians and Roma living in the North-West Development region (N-W) of Romania. The region belongs to the economically more developed parts of Romania, with lower poverty rates and relatively higher proportions of urban population (National Statistical Institute, 2007).

The samples were clustered stratified-random samples, all major cities from the region were included and, based on size, age structure and ethnic distribution, clusters of similar localities were constructed. Households were selected with the method of random walk; within the household, respondents were selected based on pre-established quotas. The sample was validated⁷ using territorial statistics provided by the National Statistical Institute, 2007. The questionnaires were printed in Romanian and Hungarian, and completed during face-to-face interviews at respondents’ homes, in whichever of the two

⁷ Details concerning the sampling procedure and its validation are available upon request from the project members. See www.socialzoom.com/echiserv for contact details.

languages they felt more comfortable to speak. The Romanian sub-sample contained 423 respondents, the Hungarian⁸ – 410, and the Roma – 277 respondents. For regional statistics, an integrated weighted sample was used.

Table 8: Sources of income and the coverage of means-tested social transfers
in the North-West region, 2007

	Below the poverty threshold*		Above the poverty threshold	
	Region	Roma sample	Region	Roma sample
Income from wage labour	29.4	21.6	66.9	65.6
Income from agricultural work or assets	3.6	0.0	4.6	0.0
Income profits, rents, dividends	0.0	0.0	1.8	0.0
Work abroad with contract	0.0	0.0	2.1	0.0
Pensions (retirement and disability)	39.3	24.8	56.0	25.0
Universal child allowance	31.8	46.9	29.8	59.3
Means-tested child allowance for needy families	6.0	15.1	2.5	12.5
Maternity and child-care benefits during parental leave	2.4	1.4	4.3	7.8
Unemployment benefits	1.2	0.4	1.5	3.1
Social aid based on MIG	4.7	20.2	0.9	4.7
Emergency social security benefits	1.2	3.3	0.0	1.6
Disability allowance	2.4	4.2	0.9	7.8
Scholarships for good performance	3.5	0.4	1.5	0
Social scholarships (means-tested)	1.2	0.9	0.3	1.6
Support from relatives living in the country	1.2	0.9	1.8	1.5
Support from relatives living abroad	0.0	1.9	2.5	7.8
Occasional work without a contract	3.6	20.2	3.1	20.3

Source: ECHISERV dataset. Own calculations

***Note:** The poverty threshold was computed according to the €stat definition of the at-risk-of-poverty threshold: 60% of median income per equivalised household member, OECD-2 equivalence scale (weighting each adult except from the household head by 0.5 and each child aged 0-14 by 0.3).

As reported in Table 8, universal child allowance provides income for 46.9% of Roma households living below the at-risk-of poverty threshold, as compared to 31.8% of total households (Roma and non-Roma) in the N-W region. For households above the poverty threshold, 59.3% receive the universal child allowance in the case of Roma families, and 29.8% at the level of the N-W region. As mentioned before, the amount of the benefit in 2007 was around €8 per child per month, and it was indexed at 10 € in 2009. Means-tested child allowance for needy families with children was received by 15.1% of

⁸ The final sample contained three respondents of German ethnicity. They were included in the Hungarian sub-sample.

the poor Roma households, as compared 6% of poor households at the regional level; for the households above the poverty threshold the corresponding figures were 12.5 (Roma) and 2.5% (regional level). Again, the amounts of the benefit are very low. Concerning maternity and child-care benefits during parental leave, it is noteworthy that only 1.4% of the poor Roma households received the benefit in 2007, as compared to 2.4% of the households at the level of the region. In the case of households above the poverty threshold, the situation was reverse: 7.8% of the Roma households and 4.3% of all households received the benefit. The monthly amount of this insurance-based benefit was higher than the minimum national wage (it was computed in 2007 as 85% of the national average wage).

These results are consistent with previous findings on the poverty reduction effectiveness of social protection measures in the case of the Roma, as compared to the non-Roma in Romania (Rat, 2005; Fleck and Rughinis, 2008). On the basis of the Integrated Household Surveys 1995-1998, Teşliuc et. al. (2001: 106-15) report that 11.1% of the Roma and 2.6% of the Romanian households received social assistance benefits in 1998, whereas in 1995 only 3.9% of the Roma and 2.1% of the Romanian households received welfare. Child allowance was received by 59.8% of the Roma and 38.3% of the non-Roma households in 1998, as compared to 55% versus 36.7% in 1995. The analysis PEGEE dataset⁹ (see Rat, 2005) indicates that in 2000 only 10% of the Roma and 4% of the non-Roma households were receiving social assistance benefits. State transfers for children were received in 69.5% of the households whose head declared to be a Rom(ni), as compared to 42% of the non-Roma households.

Table 9: Poverty reduction by all state transfers (except from pensions)
in the North-West Region, 2007

	Absolute	Relative poverty
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⁹ The PEGEE 2000 dataset was collected within the project *Poverty, Ethnicity and Gender in Transition countries* carried out by the *Center for Comparative Research* of the Sociology Department of the Yale University (lead by Iván Szelényi and involving social scientists from the all countries under study). The fieldwork took place in 2000 on national representative samples and oversamples of poor populations and the Roma minority. The following countries were included in the study: Bulgaria, Hungary, Poland, Romania, and Slovakia. See Szelényi (2002) for additional details.

	poverty reduction		reduction	
	Region	Roma sample	Region	Roma sample
Total poverty reduction of state transfers	4.0	4.09	15.5	5.24
State transfers for children*	2.0	2.05	6.9	2.62
Maternity and child-care benefits during parental leave*	1.2	1.14	4.4	1.45
Unemployment benefits	0.2	0.15	0.8	0.19
Social aid based on MIG	0.1	0.00	0.4	0.00
Disability benefits	0.2	0.45	0.8	0.58
Other state social transfers	0.3	0.30	1.2	0.39
Support from relatives and private charity	0.4	0.30	1.6	0.39

Source: ECHISERV dataset. Own calculations. Total poverty reduction computed as the sum of all separate effects of state social transfers (support from relatives and private charity excluded).

Notes: *The category of “state transfers for children” was composed of the universal child allowance and means-tested child allowance for needy families (including lone-parent families).

** The category “Maternity and child-care benefits during parental leave” was composed of paid maternity leave, paid parental leave and birth indemnity (only a few cases in the sample).

The poverty reduction effectiveness of state transfers for children is thus very low. Moreover, in terms of absolute poverty reduction, there is no difference between the figures for the Roma and those for the whole N-W region overall: “after” universal child allowance and means-tested allowance for needy families with children, the poverty rate decreased by 2% in both cases. Concerning relative poverty reduction, 7% of the inhabitants of the N-W region avoided poverty due to receiving state transfers for children, as compared to only 2.6% of the ethnic Roma.

Conclusions

During state socialism, the “double-burden” (Kligman, 1998) of wage labour and family responsibilities belonged to the taken for granted reality of mainstream women, who were perceived as resilient enough to use informal childcare through kinship or undocumented labour. After 1990, childcare services became increasingly difficult to afford. Optional crèche vouchers provided by employers were legislated only in 2007, but they are still seldom offered to the employees. The rank of the children conditions welfare entitlement: birth indemnity is granted only for the first four newborn babies, the amount of means-tested child allowance flattens at the fourth child, maternity and paid childcare leave

is available only for the first three births. In low income families where mothers lack the necessary work record to qualify for the benefit, fathers go on parental leave, but usually they engage in informal labour and the distribution of family responsibilities follows the traditional gendered pattern. There are no means-tested maternity benefits, but the amount of universal child allowance is five times higher for children below the age of two (cca. €50). Given that child allowance is imputed when establishing the right to social assistance benefits, the birth of a child means losing the Minimum Income Guarantee and, consequently, the obligation to pay the healthcare contribution. Jobless families most often fail to pay the contribution and parents lose their public health insurance.

The moral panic of high and uncontrolled Roma fertility created in Romania a fertile terrain for implementing family policies which attempt to discipline motherhood by tying maternity and parental benefits to working status and the rank of the child, maintaining a very low level of universal and means-tested child allowance and imposing the proof of school attendance as a condition for welfare receipt. The recent modification of the law on childcare leave, which changes the previously flat-rate benefit into an earnings-related one, with a bottom-level of 85% of the national average wage and a ceiling at almost €1,000/ month, clearly favours the assuming of parental roles by the middle-class. The granting of a symbolic “stimulant” for parents who return to job instead of staying on childcare leave, as well as the possibility of receiving crèche vouchers from employers, indicate a move towards selective “optional familialism” of the Romanian policies. However, poor families, with partners weakly integrated on the formal labour market, are left to make ends meet with very modest child benefits, and to satisfy care needs within their own domestic arrangements (as they cannot afford and sometimes even access services). “Implicit familialism” comes as a sanction for “undisciplined” mothers.

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APPENDIX

Table A1. The distribution of responses to the question: “Who should take care of the small children before school-age in case that both parents are working?” (Romania, December 2007)

	Proportion of respondents
The mother should stay at home with the children.	34.5
One of the parents, doesn't matter who, should stay at home with the children.	29.6
The employers and public institutions should set up nursery schools for the children of their employees.	17.6
The state or local governments should provide childcare services in nursery schools and crèches.	7.0
The grandparents or other relatives should take care of the children.	6.6
The father should stay at home with the children.	0.8

Source: Romanian National Agency for Governmental Strategies: *Barometer of Public Policies*, 2007.