

Frame Analysis of Maternity Leave Policies in Post-Socialist Romania

By Diana Gabor

Submitted to

Central European University

Department of Public Policy

In partial fulfillment of the requirements for the degree of Master of Public Policy

Supervisor: Andrea Kriszan

Budapest, Hungary

2009

Abstract

The paper looks at a particular type of welfare provision in a constructivist perspective, little been touched upon, especially in the case of Romania. Maternity care policies have, as any other measure of social protection, specific objectives lying behind their design. Underlining and understanding these objectives is part of a thorough analysis of unveiling why the policy has been drawn the way it is and what are the values, beliefs and interests it has been built upon.

The text goes through more general theories of welfare and further looks at the evolution of Romanian social policies throughout the last two decades in order to create a better understanding of the existing models in policy formulation and the theories that have been driving these transformations.

Our research employs critical frame analysis in looking at three distinct sets of laws which touch upon women's lives as mothers and employees: the law on maternity protection at the working places, the one on supporting families in child rearing and the equal opportunity legislation. This way we intend to show that the main objectives behind the specific formulation of the laws are related to demographic concerns, initiatives to promote gender equality and a commitment of the state to accommodate the needs of children and mothers.

Table of Contents

Abstract.....	I
Introduction.....	1
Chapter 1. Literature Review	3
1.1. Welfare state change after communism.....	3
1.2. Women and labor in a welfare perspective	6
2.3. Statistics: perceptions of gender equality and labor force participation	8
Chapter 2. Methodology	10
2.1. Research questions.....	10
2.2. Why Romania?	11
2.3. Hypothesis.....	12
2.4. Research methods	13
2.4.1. Case Study	14
2.4.2. What’s the Problem?.....	15
2.4.3. Frame Analysis	16
Chapter 3. Data and data collection	18
3.1. Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places	20
3.2. Emergency Government Ordinance No. 148 of 2005 on Supporting Families with Regard to Child Rearing	24
3.3. Law No. 202 on Equal Opportunities for Women and Men	28
Chapter 4. Analysis and discussion.....	32
4.1. Guidelines for Data Analysis	32
4.2. Analysis.....	33
4.3. Discussion	36
Conclusions.....	38
References.....	39
Annex	42

Introduction

Post-socialist countries have been facing the challenge of setting effective social policies for the last almost twenty years. Romanian governments, over years of transition and later on European Union accession, have been frequently changing the social security systems. Having to compete over funds and concern of the decision-makers with unemployment benefits or pensions and health care contributions, maternity leave has had a secondary importance on most governments' social policy agenda. But such policies have a significant effect on the Romanian society, not only in terms of enhancing child care quality, but also in providing women with more options on the labor market.

To this respect, the aim of this paper is to investigate maternity policy in a both constructivist and interpretive stance. The perk of such an approach is that it gives a deep insight into decision-making and policy design, trying to understand, among other things, the 'diagnosis' of the problem as set by the ones who are writing social policies. Maternity leave is a good case for this because of the multiple frames we can employ in its analysis. It can be regarded as a means to encourage growth in fertility rates in the context of a decreasing and aging European population. We can see maternity leave as a policy trying to approach the issue of women's access to the labor market: it can both encourage women to be employed before having children and to return to work when they feel ready. It can also be approached as a welfare transfer for poor mothers or as a benefit for the child to support him or her in the first years of life. These are just some of

the ways we can read maternity leave policies, but given the gender, ethnic or class disparities in Romania, we might come over even more.

The methodology, for a more precise focus, will be frame analysis, allowing us to look at maternity leave from the different perspectives that might have been employed in its formulation. It will investigate how the problem of gender inequality in employment is conceptualized within the law, as well as deeper understandings of the notion. In a more practical stance, it intends to check what are the main frames that the several policies in post-socialist Romania that target women as mothers and workers and which specific social groups they target. The method is also developed from a ‘What is the problem?’ type of analysis (drawing from Bacchi, 2001) that step by step intends to uncover the conditions that stand at the basis of decision-making in the design of the policies. It will focus on several laws, taking a broader look at equality, labor and social policies in order to better understand the objectives and methods of the current Romanian legislation.

The way we look at the policy is the core issue of this paper. It not only shows what the problem as seen by the policy-makers is, but also tries to identify the “conceptual prejudices” in the policy discourse. Different governments have developed different policies for specific reasons. It is interesting to see whether some of the designs were drawn under specific social pressure or political interests. It is not the aim of the paper to generalize answers to such questions, but it will seek to identify these elements that are crucial to understanding the policy process in a way that reveals and underlines how policy designs come around and the discourse behind them.

Chapter 1. Literature Review

The theories we employ in this analysis refer to broader patterns of social change or to smaller studies of the region that focus on a more micro level. A theory of welfare state regimes would also need to be used in order to better understand Romania's position, and several taxonomies based on different criteria will be used in order to draw maps of the above mentioned conditions. Nevertheless, research in the region has shed light on gender relations within the labor field that might have shaped policy formation. The feminization, de-personalization, flexibilization of labor may have played important roles in this sense.

1.1. Welfare state change after communism

Manning (2004) identifies three phases in the changes that Central and Eastern European countries underwent after the fall of communism. The first one consisted of creating a safe net for the effects of market economies that people would have to face, especially unemployment and the loss of state subsidies, so quite large unemployment benefits were set in place. In the second phase governments had to deal with the non-sustainability of the generous unemployment benefits and have them reduced, but also with the choice of approach to social policy, following Western models of welfare states. By the third moment, most of the Central European countries were back on their feet and enjoying economic growth. The author presents several typologies developed throughout the 90s to classify CEE countries. The main criteria were related to democracy and

market economy, but also to levels of development. Romania falls in the World Bank 1996 typology among the countries that have made some reform towards creating institutions that foster democracy and free markets. The UN Development Programme's 1999 classification places Romania among the late reformers, while Deacon (2000, cited by Manning, 2004) argues the state and workplace benefits here have been kept and may collapse. Further on, Manning draws a map of the main changes underwent by countries during transition. The tendency has been to align public expenditure shares to those in the Western countries, to create multi-layered pension systems and either decentralize or maintain national insurance systems. However, we must underline that certain social provisions have only been restructured and not entirely changed, also due to the socialist legacy which kept a large share of the population 'dependent' on several state-provided services and benefits.

Bob Deacon (2000) points out that equality under communism was one in poverty, a social problem that was left as a legacy after the fall of socialism, especially with respect to some vulnerable categories of the population. Hand in hand with that, transition meant the loss of jobs, social benefits (including some for mothers) and subsidized housing, being compared by some authors to the great depression. The trend has been to cut social expenses and liberalize and privatize different provision systems. The UNDP 1998 taxonomy mentioned by Deacon places Romania among the countries that are trying to catch up with liberal reforms, but whose social policies are lagging behind. He also discusses the changes in child benefits and maternity leave, which were highly affected by the lowering of shares of GDP allocated to family-related benefits, Romania falling among the countries that spent around 0.5, two percent less than the UNICEF

recommendations. One of the main effects of globalization Deacon emphasizes is the residualization and privatization of social services required by the World Bank and International Monetary Fund as conditions to lending money.

Also, Manning (2003) underlines that changes in welfare institutions occur alongside economic and political shifts. He mentions Eastern Europe as an example, where the new neo-liberal trend in social policy has shifted many of the provisions. The decisions of what are the social problems and needs are constantly under revision due to the pressure.

The concept of de-commodification has been introduced by Gøsta Esping-Andersen (2000) as one of the criteria in his taxonomy of different welfare regimes. “De-commodification occurs when a service is rendered as a matter of right, and when a person can maintain livelihood without reliance on the market” (p. 157), while commodification refers to the treatment of people’s labor as a commodity they can sell on the market. De-commodification is a means to accommodate different needs and it can be regarded as a tool for making up for past inequalities. However, as is the case with maternity leave, it can be argued that certain categories are beneficiaries of provisions that are not available to others and that can be labeled as an inequality.

Esping-Andersen also adds the criterion of state involvement in the provision of social services. Based on these, he develops a classification of welfare regimes. The American model is a rather liberal residual regime, in which insurances are based on private schemes, while social services are provided by different kinds of organizations. This type of welfare state keeps the state’s involvement with social policy to a minimum. A second welfare regime is the conservative-corporatist, traditionally associated with the German model, where the insurance system is in close relation to employment and the

guiding principle is that welfare comes about with economic development. The third type, sometimes referred to as the Scandinavian model, is one within which the state is considered to be the main provider for the citizens, with universal access to welfare and highest degree of de-commodification. The increased social safety comes with the downside of higher taxes, but makes it less of a need to be continuously employed.

1.2. Women and labor in a welfare perspective

Dean (2003) presents the two driving sets of approaches to social diversity, mainly that of social welfare and social liberalism. He argues there are divisions of welfare in the sense that there are different categories even among the poor and different needs that need to be fostered. He underlines that social welfare sees social policy as a tool to improving economic inequalities that stem from market economies through promoting social solidarity. Dean also makes a very interesting point about the challenge welfare states face: protection from inequality and accommodation of differences, and also about the risk that they might eventually use their own definitions in assessing the different needs of the dependent groups. On the other side, social liberalism is not a way of thinking that would sympathize with the idea of dependence, but rather with creating equality of opportunity so that all actors can compete, no matter their gender, race, disability or any other grounds, on a free market. Regimes that take both points of view into consideration, such as welfare state capitalism, have created tools that allow non-discriminatory access to provisions, and to this respect have developed anti-discrimination legislation, as well as policies that would accommodate different needs.

Nonetheless, there are alternative points of view to the social democrat - social libertarian spectrum, as differences are no longer based as much on social class as on social identity. Dean mentions to this respect the ‘cultural turn’ and how analysis has turned its attention to the production of meaning and the discourses which enforce it, rather than addressing the traditional distinction of “self-sufficient ‘workers’ and dependent ‘others’” (p. 198).

He argues that gender too is a social construction, together with the sexual division of labor, while sex and the ability to have children are indeed biological differences. The different approaches to social policy mentioned above are reflected also in the feminist literature. Here Dean cites Williams’ (1989) distinction between welfare feminism and liberal feminism. The two approaches can co-exist in a legislative system addressing women’s needs: while the first one asks for accommodation of differences through redistribution, the latter requires equality of opportunity between women and men. However, Lister (1994, quoted by Dean, 2003) underlines the pitfalls of each approach: having women encouraged or even compelled to assume roles of mothers and care givers will keep them away from the public life and not contribute to the improvement of their life chances, while allowing women to compete with men on a free labor market without any changes in the private sphere will only create the burden of double shifts.

But allowing and encouraging women to take part in the labor market is a very effective empowerment tool. Vickerstaff (2003) argues that “a person who ‘works’ is a full citizen, a useful and ‘fully paid up’, taxpaying member of society.” Her main point is that employment is a better form of creating welfare than redistribution. However, access to work has been an issue for less privileged categories of society, especially with the end

of full employment. The notion of full employment itself is an underlying reference to the male bread winner model of the family. But with recent shifts to the service industry, the jobs have changed and the phenomenon of feminization of labor is not so much related to women taking men's place, but more to the disappearance of traditionally male occupations. As statistical results show (see the gender barometer), the general attitude is that it is still women's primary role to take care of the household and raise children, although the rates of labor force participation have increased. This has definitely led to the situation in which women have longer work days than men, with less income.

2.3. Statistics: perceptions of gender equality and labor force participation

The Open Society Foundation carried out in 2000 a poll concerning roles women and men perform in the Romanian Society, called the gender barometer. The representative sample of 1839, aged 18 and over, answered questions about house work, raising children, prostitution, sexual harassment, women's participation in politics, business and other aspects of public life. The barometer's findings are important in that they show the overall gender attitudes in Romania and can be a useful tool in assessing the population's opinions on child rearing and whose responsibility that is.

It is observable from the findings that the patriarchic model of division of work within the family is still mainstream in Romania. More than half of the respondents consider that it is women's role to take care of the household and that men should be the bread-winners. Men are seen as not as able as women to raise children by the majority of

interviewees. Also, women are regarded as better skilled at caring for a sick child as well as the person who should raise the children. More than half of the respondents also consider that there is no equality of rights between men and women in Romania.

According to the National Institute of Statistics, along the 2000s, in Romania the rates of labor participation in the case of women have been lower. In 2006, 53% of women were employed, as compared to 64,7% of men.

Chapter 2. Methodology

2.1. Research questions

Which were the driving policy discourses in shaping the formal norms relating work and care in small EU member states with post-socialist legacy during the last 20 years? It is crucial to our understanding of emerging work and care regimes in Europe, new as well as older member states, to realize why the specific sets of policies were designed during the transformation. Therefore research will identify how the policies addressing women's roles as care-takers have diverged from the Socialist models and evolved through transition and EU accession.

So far, welfare state literature has focused more on the outcomes of policy in defining which sets of ideologies the actual practices seem to reflect. Our concern is, rather, in revealing which were the aims of policymakers at the point of agreeing on these policies in the first place, or which were the problems that the specific set of policies was supposed to be a solution to.

This policy analysis is allowing us to tackle, from a new perspective, also larger issues, such as the policy making process as well as the way initiatives and transformation occur in the field of social policy. There are two directions we can identify in the processes of transformation: we can either speak of top-down and bottom-up approaches. The first can be exemplified by EU directives, neo-liberal institutions' requirements or interests related to globalization, while the latter by pressure of the national social environment, either through press or direct actions – demonstrations,

petitions or activism. The influence of these approaches is not directly visible, but can be investigated by looking at the speech and different arguments of the legislators when transforming the policy. The laws addressing women's lives as mothers and workers may have different ideological backgrounds due to such differences in pull and push actions coming from above or below, if we assume that in the past they were all pursuing the same centralized objectives. In terms of who determines the changes in policy, we can indeed argue for a similar starting point, as during Socialism the benefits system was centrally planned and represented the direct opinions of the planners about what the definition of the good worker and citizen is. One side question that can be raised to this respect is to what extent and how do policies that touch workers' lives contribute to the commodification of labor and what are the values and representations of the decision makers that draw such a process.

2.2. *Why Romania?*

The choice of country can be motivated firstly by the availability of doing research. It is easier to approach policy language for a native speaker who can grasp the subtleties of the speech. Second, Romania has post-Socialist heritage. This offers us to follow policy changes throughout changes in political regimes. The cultural aspects are also quite important, as the role of traditional views of women's role as caretakers are still strong.

2.3. Hypothesis

One working hypothesis is that the Romania has been moving along a specific trajectory. A comparison of legislation intends to look at several points of change. A second hypothesis is that the disputes around the role of the welfare state in care and the construction of the workers are what drive the results, which are the actual laws. The disputes can be, as mentioned, either lit from above or from below. In this sense, we intend to include in the analysis not only the text of the laws, but also the parliamentary debates, that can shed light on the disputes. As care policies are not regulated by the EU, we expect diversity in approaches to parental leave and it is these differences that can speak of how the policy-making process is built.

What the study aims at, following Bacchi's (2001) framework, is unveiling what the problem is represented to be. The problem does not exist per se, but is constructed by those who are looking for a solution. These 'competing constructions' can be investigated by taking each dimension of the policy separately and studying it in depth. The methodology which will be used in the study in order to identify such dimensions, as well as the voices behind them, is critical frame analysis (Verloo, 2007). We use case study approach for analyzing each legislative procedure as a case within a country; and analyzing countries as cases.

2.4. Research methods

Research within the area of social policy has targeted many of the aspects of women's lives and the way these are approached by policy makers. Finding a niche within this thick area of study is a challenging task. However, the study is intended to touch upon one specific aspect from a fresh point of view.

The research that focuses on maternity leave policies in Romania, but also includes the legislation on equality and labor that is tangential to the main subject. The study covers the main changes in the policy after the fall of the Communist regime, therefore creating an in-depth view of the developments, especially after 2000. The changes are significant both in terms of approach to gender equality and in terms of social groups that benefit from the provisions of the law. The introduction of the term "parental leave" instead of "mother's law" was an important step, as well as the new policies that targeted several categories of the population in a layered system of payment. More specifically, the current law provides that women without employment would still get benefits for raising the child, while women with incomes below a certain level get benefits up to a certain amount. Women who earn above that level will receive 80% of their salary during the maternity leave period. But this is just one version of the law, which responds to previous criticism and represents the view of current policy makers upon the problem. The aim of the paper will be to investigate these issues.

The materials that will be used will not be limited to texts of the policy, but will include parliamentary debates. It is important to follow the law not only in the perspective of the official discourse of the policy, but also in the general social environment which might have put pressure or not upon its development.

2.4.1. Case Study

The paper is going to focus on one specific policy, but not only as an explorative study. It is rather about understanding how policies change as policy makers' representations of the problem change. As a tentative assumption, it can be supposed that changes in social policy are a result of changing perspectives of policy makers and social pressure. In order to investigate the changing perspectives of policy makers we look at parliamentary debates. It is important to keep in mind that even though the policy study is focused on a very specific topic, its analysis aims at discovering more about the decision making process in social policy.

If we were to place the case study the research intends to approach within Gerring's (2004) typology, it would be a 'case study III'. This means the study will document variation at more points in time (variants of the legislation), but also divide the unit into frames. In this sense, we work on two dimensions, time and frame. But we must keep in mind, as Gerring also underlines, that case studies are rather descriptive and allow thick understanding of the issues under focus. One other thing he emphasizes, which is of utmost important for the maternity leave policy study is that case studies are a useful "environment" for observing causal mechanisms, as is necessary in order to prove or reject our hypothesis.

2.4.2. What's the Problem?

The development of new ways of looking at policy has contributed to enriching the discipline and further focusing the specialist's recommendations to policy makers. Public policy research has been conducted under different perspectives, as Bacchi (2001) points out. She identifies three 'traditional' approaches to policy research. First, there are the scientific traditions concerned with the solution to the problem: either by identifying it (comprehensive rationalists) or by defining it (political rationalists). Second, there is a rather post-modern approach, stemming from sociology, concerned with problem representation. In line with this tradition, she comes up with a de-constructivist approach called 'What's the problem?' "Talking about something as a 'problem' or as a 'social problem' has a whole range of implications which need to be thought about." (Bacchi, 2001, p.5) And this is exactly what an in depth study's objective is.

As mentioned above, the problem is not a problem in itself, but exists as a perception upon the reality. An example given by Outshoorn (2001, mentioned in Verloo, 2007) shows that prostitution is seen as a crime in Sweden and in the Netherlands as a job. In the same manner, maternity can be regarded to be an essential duty of the working woman, as it was clearly the case under Ceausescu's regime, when abortion was illegal for women who had less than 4 (later on 5) children, contraception inexistent and 'hero mothers' were awarded honors (Baban, 2000). Or it can be regarded as a life choice which should not affect women's career paths, as it is framed in most European countries.

"A What's the Problem? approach looks to competing constructions of issues." (Bacchi, 2001, p.5) In discussing conceptual issues in qualitative research, Patton (2002), describes constructivists' work as the study of realities people have constructed and cites

Shadish's (1995b) point that these constructions are "knowledge about reality" (p.67). He then follows by saying that what is considered to be an objective fact is meaningful only within a specific framework. That's why, Patton argues, researchers who work under this paradigm will try to map out the different perceptions of reality and examine them without attaching values to any of them.

2.4.3. Frame Analysis

There are even deeper meanings attached to representations. These 'competing constructions' can be investigated by taking each dimension of the policy separately and studying it in depth. The methodology which will be used in the study in order to identify such dimensions, as well as the voices behind them, is critical frame analysis. "A frame usually is described as an interpretation scheme that structures the meaning of reality." (Goffmann, 1974, mentioned in Verloo, 2007)

The different perspectives on a problem have an important influence on the framing of policies. An underlying assumption of the study is that the way policy makers represent the problem is crucial to what solutions they eventually find. Even the choice of solutions can be de-constructed to unveil further representations about how several problems should be dealt with. By analyzing the policy frames, we can identify vehicles and mechanisms of policy change that evolve together with meanings of social problems and social policies.

One key part of the study will be less related to testing hypothesis and more about creating a larger frame within we can place maternity leave. One closer context is that of

Romanian social policy and general trends from transitions throughout European Integration. Drawing this framework is essential to understanding how general attitudes of policy makers towards redistribution and equality policies have evolved.

Chapter 3. Data and data collection

After 2000, Romanian legislation concerning gender equality, women's protection at the workplace, as well as child-rearing, has been part of the mainstream discussions and of great interest to governments, as Romania's negotiations with the European Union also touched upon social policies and the labor market.

As Tesiu and Bocioc (2005) underline, measures from the Council Directive 92/85/EEC of 19 October 1992 on the Introduction of Measures to Encourage Improvements in the Safety and Health at Work of Pregnant Workers and Workers who Have Recently Given Birth or Are Breastfeeding have been included in the Romanian law. The present version, adopted in 2003, is the Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places and it defines categories of women who need protection, as well as the employers' obligations towards them.

Another law that touches upon women's and mother's condition at the working place is the Labor Code. Several issues of importance that influence indirectly women's lives, such as the burden of proof, part-time work, as well as equality issues are covered in its articles. Tesiu and Bocioc (2005) identify these key-points, such as Article 125, which states that night work cannot be imposed on pregnant, breastfeeding employees or those who have given birth recently, amendment which also exists in the above mentioned law. Moreover, they point out that the reversal of burden of proof is mentioned in the Labor Code, but not with reference to gender discrimination. Another important issue they map out is the regulation of part time work. In the context of global flexibilization and feminization of labor, same rights for part-time workers are an important step towards

equality. The Labor Code also includes several references to equality of treatment, with respect to equal pay for equal work, equal access and prohibition of discrimination on several grounds including sex, sexual orientation, genetic traits, age, national belonging, race, color, ethnicity, political option, social origin, disability, family situation or responsibility, union belonging or activity.

Parental leave is covered by Law No. 19 of 2000 on the Public System of Pensions and Other Social Security Rights, as well as the Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places. The benefit is referred to as child-rearing allowance and can be granted to any of the parents. The amount has been changed several times, raising debates in the press and Parliament. The current law requires 12 months of contribution, as compared to 6, as it was in 2000. Tesiu and Bocioc (2005) mentioned a recommendation of the non-governmental organizations, “that the Government establish a threshold for the minimum amount for the parental leave benefit (at the level of 85 percent of the average gross medium salary used to substantiate the budget of the social security scheme) and retain the formula of calculating the amount based on employees’ salaries. This way, men and women who earn less than the average salary would enjoy more revenues, and men and women who earn more than the average salary would maintain their living standards.”(p.9)

Equal opportunity legislation was also adopted in 2002, covering gender discrimination. This includes some issues pertaining to the situation of working mothers, such as prohibiting employers to discriminate on the basis of the state of pregnancy or breastfeeding. It introduces definitions of discrimination, obligations for employers, fines for contraventions and sets the channels through which complaints can be made.

3.1. Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places

The legislative act is setting social protection measures for pregnant employees and working mothers, as well as breastfeeding workers, who are Romanian citizens or of European Union member states, as well as Romanian residents. The legislation defines the terms maternity protection (protection of pregnant women/mothers' health and safety in the working place), working place, pregnant woman (who has announced the employer of her state and provided a medical document to prove it), the employee who has recently given birth (who began work after the childbirth leave and requires in writing that the employer should adopt the protection measures stipulated in the law and attaches a document from the family doctor, not later than six months after giving birth), the breastfeeding employee (who when starting work after the childbirth leave is breastfeeding her child and gives notice in writing of the starting and ending point of breastfeeding, attaching documents from the family doctor regarding this). The exemption for prenatal consults is a number of hours paid by the employer during the normal working hours, for prenatal consults and examinations based on family doctor or specialist's recommendation. The compulsory postnatal leave is the 42 days leave the mother has the obligation to take after giving birth, as part of the pregnancy and childbed leave of the total period of 126 days, of which employees are beneficiaries under the law. Nonetheless, the maternal risk leave is the leave of which employees are beneficiaries of for the protection of their own health, as well as that of their fetus or child.

The law makes it compulsory for employees to visit a family doctor in order to receive a document that would prove their state, otherwise the employer is not obliged to follow all provisions of the law.

The employers have several obligations under this law. These include preventing the exposure of pregnant, breastfeeding employees and those who have recently given birth to risks that might affect their health. The employees under these categories should not be compelled to do work that is detrimental to their health or pregnancy state or to that of their new-born child. For all activities that might be of risk, the employer is obliged to make an yearly evaluation of the exposure to substances, procedures or working conditions in order to determine any risks to the safety and health of the employees mentioned above or to any effects on the pregnancy or breastfeeding.

In less than ten days after receiving notice from an employee who is pregnant, has recently given birth or is breastfeeding of her state, the employer is obliged to announce the local work inspectorate, which will send inspectors to evaluate the working conditions of the employee according to the law. Also, the employer will hold the confidentiality of the employee's state and will not make it known to any other employee unless with the written consent of the woman for as long as the pregnancy is not visible.

In case the workplace is of risk to the pregnant or breastfeeding employee, the employer must change the working conditions or change the working hours or even working place, according to the recommendations of the doctor and maintaining the current salary. In case this is not possible, the employees are entitled to maternal risk leave up to 120 days, before or after giving birth, as long as it does not overlap with other types of maternal leave. The benefits for maternal risk leave are paid from the state social

insurance fund and consist of the 75% of the average income of the ten months previous to the issue of the medical document. If the contribution was less than 10 months, the benefits will equal the gross minimum salary.

In case the pregnant employee cannot fulfill the whole working time due to health issues, she has the right, granted based on the family doctor's recommendation, to have her working hours reduced by one quarter, with the same salary that would be paid by the employer. Also, employers are obliged to grant the prenatal consult exemption up to 16 hours a month, granted that the analysis can only be done during working hours.

For the protection of their own health and that of their babies, employees are obliged to take a minimum of 42 days of postnatal leave.

Another obligation for the employer regards allowing the breastfeeding workers two one hour breaks for breastfeeding, up to the baby's first birthday. Mothers can opt for having their workday reduced by two hours, keeping the same salary paid by the employer. Pregnant, breastfeeding employees and those who have recently given birth cannot be obliged to work during the night. They can either be moved to day shifts or given maternal risk leave in case this is not possible.

It is prohibited to the employer to end the work relations with workers who are pregnant, have recently given birth or are breastfeeding (up to 6 months), out of reasons directly related to their state, as well as with employees in maternal risk leave, maternity leave, child-rearing leave (up to two years, three years for disable children), sick child care leave (up to 7 years, 18 for disabled children). Women who have been fired due to one of the states mentioned above have the right to contest the employer's decision in

court. In this case the burden of proof belongs to the employer, who must come with proofs to his own defense.

The employers who fail to follow the provisions of the law can be fined and it is the responsibility of the local labor offices, as well as the National Public Servants Agency and the public health officials, depending on the case, to set these fines according to the law.

The initiative for the law came from the social-democrats. During the parliamentary debates they motivate the need for a legislation to protect mother and pregnant employees by the need to comply with the obligations included in the government program, as well as the negotiation papers for Romania's European Union accession, especially the chapter on social policy and labor. There were voices during the debates expressing concern about Romanian birth rates, decreased steeply also by emigration of girls and young women. One of the extreme right nationalist party's deputies even proposed that women be checked before they are allowed to leave the country. The commission for chance equality between men and women was the only one bringing objections to parts of the law, especially that which allows multiple organisms to get involved in cases brought in court on non-compliance with the law, arguing that this creates red tape and burdens the employers with even more paper work.

3.2. Emergency Government Ordinance No. 148 of 2005 on Supporting Families with Regard to Child Rearing

The government ordinance starts with overall objectives that stand at the basis of its elaboration. First of all, it mentions the objectives of the government program, which speaks of the improvement of the life standards of elderly persons, which requires the financial consolidation of the public pensions system, through the externalization of benefits that are not related to contributions or insured social risks from the social insurance budget. Second, a stated necessity is to improve the socio-economic balance of families, by supporting them in child rearing, with the aim of increasing birth rates and lowering the abandonment of children. Third, it is obviously the necessary legal framework for changes to the state social insurance and state budget. These changes are of high importance due to the need to review the budget of state social insurance, in order to improve pensions and safeguard the interests of elderly persons, so that they can receive benefits that do not constitute a social risk and also in order to meet the commitments in the government program of 2005-2008 and those stipulated in the European Union adherence documents.

Starting from 2006, the persons who, in the year prior to the child birth, have earned professional incomes that are subject to income tax, were beneficiaries of a child rearing leave up to two years or, in the case of disabled children, up to three years, as well as a monthly benefit of 800 RON (currently around €200). From 2007 the amount equals 600 RON (around €150). The 12 months also can include time frames in which the persons have been in several situations, such as accompanying their spouse on a permanent mission abroad, receiving unemployment benefits, leaves or health social benefits, have

paid contributions to the public pension system, benefited from the monthly benefit for child rearing. By professional incomes the law refers to salaries, independent and agricultural activities income.

When the beneficiaries of the child rearing benefit have professional incomes, they are entitled to a stimulus of 100 RON (around €25), starting from 2007 (it was 300 RON, around €75 in 2006), and the larger benefit is suspended.

Starting from 2007 the child allowance for children under two, respectively three for disabled children, is 200 RON (around €50). The child rearing benefit and stimulus add up to the child allowance. Any of the parents can be beneficiaries of the benefit or stimulus, as well as the adopting parents, foster parents or tutors. Each of the first three births will benefit from the above policies. In case of overlapping child care leaves, the benefit will not cumulate.

The conditions for entitlement are Romanian citizenship, foreign citizenship or none, but with Romanian residency and the parent or care taker living with the child for whom he/she is receiving the benefit. The law includes a list of documents on the basis of which the benefit for child rearing, the stimulus and child allowance can be granted. The child rearing leave is granted by the employers. The documents and requests for the above social benefits are submitted to local mayor's office, which is responsible for the provision. During the time that the benefit is received, the contribution to health insurance funds is covered, as well as contributions to the pensions fund. The funds for the benefits, as well as administrative expenses are covered by the Ministry of Labor, Social Solidarity and Family. The employees of ministries, defense sector, public order and national security are also entitled to these benefits, but the funds for these are covered

by the state budget, through the ministries budgets and those of institutions in the defense, public order and national security sectors.

The new form of the law has been initiated by a democrat-liberal coalition government and motivated by the need to externalize existing benefits by paying child rearing support from the state budget. One of the key elements the labor commission underlines is the broader number of beneficiaries, once an increased child allowance is introduced, as well as the possibility for beneficiaries of child rearing leave to maintain their health insurance, which would be covered as part of the benefit. The democrat's objection was that by requiring the 12 month contribution prior to applying for child rearing leave, the law discriminates against different social groups that do not have incomes and that contravenes with the principles the legislation was first drafted on. In response, the initiator underlines that the aim of this government ordinance is to reconcile private and professional lives.

One of the liveliest discussions was on an article that includes students in the categories that can be considered for child rearing leave although they have not earned professional incomes during the last year. A group of liberal MPs insist on the fact that the law hardly protects mothers overall and that some of them are discriminated against, that there is a need for moral and material reparation. They were referring especially to students in high school, universities and professional formation, whom do not have financial resources for child rearing, which usually leads to child abandonment. As a reply, the democrats also emphasized the costs associated with introducing an increased child allowance and paying benefits to student mothers, which would burden the budget. It is true that one year later almost all benefits mentioned in the law have been decreased,

probably due to the budget burden they were mentioning. The debate went on for another day, with one side arguing that it's also against the principles of the law to give benefits to students, as financial rights should only be awarded according to professional incomes and discriminates against other categories of women who do not earn incomes, such as house wives. Moreover, some pointed out that it increases risks of leaving school and immense costs and that poor mothers will be helped by the increased allowance in order to keep their children (allowance of €50/month). The other side was arguing that the money would not be enough and student's children are at high abandonment risk under the conditions the new article is not amended. Finally, it was eliminated from the law.

Another issue was raised with regards to the stimulus for child rearing, which is given to parents who went back to work before the child's second birthday. The argument against it is that it does not stimulate in any way people to go back to the labor market, as the difference between the leave and the stimulus is large and some people earn less than the leave, so they will be somehow compelled to stay at home. The initiators repeatedly underlined that the stimulus did not exist before and that it was introduced in order to protect the child and allow parents to reconcile their professional and private lives.

There were also discussions of prolonging the child rearing leave up to three years due to lack of nursery homes and recommendation from social workers and doctors. However, this point was rejected because it would have overburdened the state budget. One proposal that was later included in the law is giving allowance to all children born in Romania, not just the first three of each mother. But the child rearing benefits remained limited to the first three births. This was motivated by the fact that the primary care-taker is the family and the state is just helping out, therefore it can choose to support families

only up to a certain number of children, after which it is their responsibility to make choices. One year later, the request for three years instead of two was brought into discussion again, with more or less the same arguments, but also adding the demographic issues, as the decreasing population will eventually reach a point where half will be pensioners, increasing the need for active population. In this respect, the three years of child rearing leave were seen as a stimulus for having children. Moreover, the legislation was further modified in order to grant parents on leave the right to have the period registered as work experience in their pension plans.

The law was re-sent to the commission three times before being signed in and it took one year until its form was definite. Moreover, almost each of the following years, the amounts of benefits have been change and the ratios of allowance, stimulus and benefit re-discussed. There is still discussion of prolonging the leave to three years or paying parents who raise children a salary up to seven years of age.

3.3. Law No. 202 on Equal Opportunities for Women and Men

It is important to also have a look at equality legislation in order to have a better understanding of the public discourse of the Romanian political class, especially in terms of defining equality and identifying the key components that need to be included in a law.

The legislation on equal opportunities for women and men is set to promote the equal chance between women and men, in order to eliminate direct and indirect discrimination under the gender criteria, in all public life spheres in Romania. It is important to underline that in Romanian the term gender is translated by “gen” in the academic

discourse, but in all laws, the term “sex” is used. Moreover, we have to keep in mind that the present law is concerned with regulating the public life and not including the private. That is actually stipulated in a separate article, which also states that the equal opportunities law does not apply in the case of religious cults.

Equality of chances is defined as the consideration of the different capacities, needs and aspirations of males and females and their equal treatment. Measures for promoting equality of chances between women and men and for eliminating direct and indirect discrimination are to cover labor, education, health, culture and information, participating in decision-making, as well as other fields, defined by specific laws.

Direct discrimination is defined as difference in treatment of a person to his/her loss, due to the belonging to a certain gender or due to pregnancy, birth, motherhood or granting of parental leave. Indirect discrimination is defined as the application of provisions, criteria or practices, apparently neutral, which, through their effects, affect persons of a certain gender, except for when these provisions can be objectively explained. The law also gives a definition for sexual harassment, positive discrimination and positive action and equal value work.

Direct and indirect discrimination on the basis of sex is prohibited. The law does not consider as discrimination the special measures for the protection of maternity, giving birth and breastfeeding, as well as stimulus measures for the protection of certain categories of males or females and the qualification requirements of activities where gender characteristics are specific to the conditions under which those activities are taking place.

There is a chapter on the equality of chances in the labor field. This includes non-discriminatory access to choice of profession, employment in all positions and at all hierarchical levels, equal pay for equal value work, professional counseling and information, promotion to any hierarchical level, work conditions that follow the criteria of health and security in the workplace, benefits and social protection and insurance.

It is the employer's obligation to insure chance and treatment equality of employees, as well as it is prohibited that he/she discriminates against persons of a certain sex in the working relations referring to announcing, setting of job interviews and selection of candidates for the occupation of available positions in the public and private sector, to ending the working relations, to establishing the job description, to establishing the salary, to giving evaluations, promotions, the right to form unions and any other conditions related to the work environment. To this respect, maternity is not a reason for discriminating against candidates when hiring and it is prohibited to ask for a pregnancy test, except for working places that are dangerous to pregnant or breastfeeding mothers.

Sexual harassment is also considered to be discrimination in the working place and it is prohibited to fire whistleblowers.

The following chapters cover equality of chances in access to education, health, culture and information, as well as decision-making. It is the Ministry of Labor and Social Solidarity that is given the responsibility of applying and monitoring the law in its field of expertise. Also, the Ministry of Health and that of Education are part of mainstreaming gender equality by seeking to pursue equality of opportunity and treatment in all their legal initiatives, as well as contracts with specific actors. Public Attorney, unions, National Statistics Office are all mentioned as actors in the application

and monitoring of the law. The first arena for mediating discrimination claims is the union and if that fails, the employee has the right to go to court. He/she can be awarded moral damage and employers found guilty can be fined, as failing to obey the law is a contravention.

Chapter 4. Analysis and discussion

4.1. Guidelines for Data Analysis

Titmuss (2000) develops an analytical framework that can help us better understand a social policy, based on some criteria. First, the question about the nature of the entitlement should be raised. It may be “legal, contractual or contributory, financial, discretionary or professionally determined.”(p. 44) Second, there is a question of who is entitled and what the conditions are, more precisely the “rules of entitlement”. Nonetheless, it is of importance to understand how the provision is made, by which methods. Moreover, the functions the policy intends the benefits to fulfill may be of compensatory nature, forms of protection, investment or integration. Such issues may be mentioned in the legislation’s analysis, but as stated above, the main research method we employ within this study is critical frame analysis.

The approach that we follow in the analysis is the MAGEEQ method, developed within the research project whose acronym it represents called “Policy Frames and Implementation Problems: The Case of Gender Mainstreaming.” In the chapter drafted by Verloo and Lombardo (in Verloo, 2007, p.33), the former’s definition of policy frame is quoted: “an organizing principle that transforms fragmentary or incidental information into a structured and meaningful problem, in which a solution is implicitly or explicitly included” (Verloo, 2005b, p.20). They further discuss the dimensions employed in a frame analysis, mainly those of “diagnosis” (what is the problem?) and “prognosis” (what is the solution). One other issue mentioned is “intersectionality”, as gender can be

associated also with other inequalities. Also, they underline the importance of the dimension of “voice”, as it is useful to understand who has the legitimacy of defining problems and setting solutions. Two following dimensions are those concerned with attribution of roles, either in diagnosis or prognosis. The questions asked here are whose is the problem and who should solve it. The issue of “location” touches upon where the problem is seen to take place and therefore how it can be approached. “Mechanisms” refer to how problems have been maintained and what are the ways to solve them. Sometimes diagnosis and prognosis do not click and different framings of the diagnosis and prognosis may be identified as a lack of “balance”, an inconsistency.

All these questions can be employed in the analysis of policy frames and comparisons between the different laws is intended to offer us a better view of representations of gender equality of Romanian legislators, through the window of maternity and labor, where a biologically specific condition of women meets a social artifact, mainly labor division and touches upon sensitive subjects, such as protection of the family. For a broader image of the dimensions of analysis, an annex following the MAGEEQ methodology of critical frame analysis has been added at the end of the paper.

4.2. Analysis

Within the law for the maternity protection in the working place, the main issue raised was the accommodation of needs of working mothers. The main voices in Parliamentary debates were coming from the governing party, at that time the social-democrats and the actors involved were the Commission on Equal Opportunities for

Women and Men and the Labor and Social Solidarity Ministry, that initiated the ordinance. The problem identified is the fragile position of pregnant, breastfeeding or women who have recently given birth on the labor market and at the working place. It was defined as a problem due to the risks it poses both to mothers and their children, but also because it is a factor that contributes to a high degree to women's exclusion from the labor market. The categories defined are those of employers and employees in one of the situations mentioned above. The mechanisms that might have contributed to maintaining and creating the problem are mainly related to employers' interests for profit rather than accommodation of needs. The location of the problem is within the organization of labor, as all the risks mentioned by the law are associated to the working place. The fragile position of women who need maternity protection is seen as a cause of them being in the working field. Moreover, it is the responsibility both of the employees and of the employers. The solutions are related to accommodating the working place conditions, working hours and responsibilities to the health needs of the categories of women mentioned by the law and also to creating means of income for those who cannot be accommodated. The means are to be achieved by a cooperation of the employer with other organisms, such as doctors and local labor inspectors. It is however overwhelmingly the responsibility of the employer to solve the problem. The beneficiaries are the mothers and their children. The protection of women is seen as a positive aspect both for increasing equality and fostering higher birth rates.

The legislation on support for families has quite different approaches. It is a law where provisions are not gender-specific, although during the debates, women were mentioned as main beneficiaries. The Law was initiated by a democrat-liberal

government, which stated the objectives from the very beginning. The problems that would be solved by the law were first of all related to demographic and welfare issues. The perspective of collapsing pension systems is seen as a treat that can be tackled by encouraging the increase in birth rates, ensuring therefore the existence of a working population by the time the “decree babies” would reach pension age. A secondary problem is the situation of families, which requires further support from the state. Nonetheless, adopting the law is seen as a solution to complying with external requirements, mainly from the European Union. The issue of gender is discussed in the debates, as most references are made to women and their needs for raising children. The discrepancy with the actual text of the law may be explained by the pressures of the Commission on Equal Opportunities for Women and Men, which had to sign the initiative. Issues of intersectionality are not directly mentioned, but the references to inequalities between different groups of women may refer to class or ethnicity. The location of the problem in this specific law is rather within the organization of citizenship. Following Titmuss’ (2000) recommendation, we should point out that the rules of entitlement here are based on contribution and that the function of the provision is one of investment rather than protection. The problem was obviously created by the choices of the population which led to fewer births, but the responsibility for the solution is shared by the citizen and the state. The solution is to financially stimulate the population to have children through different types of allowances. But the location of the solution is at the intersection of citizenship and intimacy.

Although not directly connected to maternity, the law on equal opportunities between women and men does offer further information on the problems associated to gender

equality. The law has specific definitions for the problems it identifies: direct and indirect discrimination and sexual harassment. Differences in treatment and chances are seen as the main manifestations of the problem. It is definitely a question of citizenship, although the law also touches upon labor. It does not, however, apply to the private lives of individuals. The victims are regarded as passive actors, while the problem is one of the society as a whole. The solution is the prohibition of all forms of discrimination and the creation of tools for punishing perpetrators. It is interesting that the mechanisms, within a labor setting, are to be raised within unions before going to court. The call for action is at most levels of the public sphere and requires public authorities to create favorable environments and policies to equality of opportunity, which can be regarded as mainstreaming.

4.3. Discussion

The most common frames within the first two laws mentioned above were demographic issues and accommodation of needs. The low birth rates of the past decades have created concerns about the sustainability of the pension system and both legislative initiatives state as their main objective the stimulation of increased birth rates. The issue of accommodation of needs is referred to with regards to the mother and child, in the first case to what considers health and safety, in the second in terms of conciliation of private and public life and prevention of child abandonment.

Equality as a policy frame is identifiable in the law on child rearing support, as it is highly gender-neutral. However, among the population and in the press, it is still being

referred to as the mother's law. The law on equal opportunities for women and men is concerned with equality of treatment as well and mentions that maternity cannot be grounds for any kind of discrimination. We can therefore regard the law for the protection of maternity in the working places as a form of positive discrimination. Within the parliamentary discussions, a different kind of inequality has also been mentioned, namely between women in different positions. While mothers who work and contribute to the state budget are covered by more generous benefits, housewives, students and women who earn no income or make no contributions have to make ends meet with the child allowance unless their husbands, if working, would be willing to take the parental leave so that the family can access the provisions for child rearing.

Conclusions

Having discussed the Romanian legislation that concerns protection of maternity, child-rearing and equality of opportunities, we can now draw the line and conclude that the social policies touching upon women's lives are mainly framed under the need for demographic balance and less by the creation of chances for women's participation in the public sphere. It might be far-fetched to say that little change has occurred, but looking at the pace of reform in Central and Eastern Europe with regards to welfare policies, the changes have been quite slow. In the case of Romania, we can even state that little have the representations changed. Ceausescu developed policies of reproduction that were meant to create a bright demographic future for Romania. The care of the state for the mother and child has not changed much before European Union accession and when policies were reformed, it was under external pressure. But the rationale behind these policies, the actual reason for taking the problem into consideration in the first place, was the same as twenty years ago: the need to increase birth rates.

Although mechanisms to promote gender equality have been created and on paper men are encouraged to care for their children as well, women's burdens have not been relieved by the recent changes in policy. The rationale for their protection as mothers is still that of encouraging them to have children rather than offering them better chances to compete on the labor market or in other spheres of the public life. The accommodation of women's needs is still designed for their roles as mothers rather than for their participation as full citizens.

References

- Baban, Adriana. 2000. "Women's Sexuality and Reproductive Behavior in Post-Ceausescu Romania: A Psychological Approach" in S. Gal and G. Kligman, *Reproducing Gender. Politics, Publics and Everyday Life After Socialism*. Princeton: Princeton University Press
- Bacchi, Carol Lee. 2001. *Women, Policy and Politics. The Construction of Policy Problems*. London: Sage Publications
- Deacon, Bob. 2000. "Eastern European Welfare States: The Impact of the Politics of Globalization", *Journal of European Social Policy* 10:1 146-161
- Dean, Hartley. 2003. "Welfare, Identity, and the Life Course" in J. Baldock; N. Manning, S. Vickerstaff (eds.), *Social Policy*. Oxford: Oxford University Press
- Esping-Andresen, Gøsta. 2000. *Three Worlds of Welfare Capitalism*. Cambridge: Polity Press
- Gerring, John. 2004. "What is a Case Study and What is it Good For?". *American Political Science Review* 98: 2 341-354
- Manning, Nick. 2003. "Social Needs, Social problems and Social Welfare" in J. Baldock, N. Manning, S. Vickerstaff (eds.), *Social Policy*. Oxford: Oxford University Press
- Manning, Nick. 2004. "Diversity and change in pre-accession Central and Eastern Europe since 1989". *Journal of European Social Policy* 14:3
- Patton, Michael Quinn. 2002. *Qualitative Research and Evaluation Methods*. Thousand Oaks: Sage Publications

- Tesiu, Roxana and Florentina Bocioc. 2005. *Equal Opportunities for Women and Men. Monitoring law and practice in Romania*. Open Society Institute. <http://www.cpe.ro/romana/images/stories/continuturi/eowm-report-romania.pdf> (accessed June 10, 2009)
- Titmuss, Richard. 2000. „Universalism versus Selection” in C. Pierson and F.G. Castles, *The Welfare State Reader*. Cambridge: Polity Press
- Verloo, Mieke (ed.) 2007. *Multiple Meanings of Gender Equality. A Critical Frame Analysis of Gender Policies in Europe*. Budapest: CEU Press
- Vickerstaff, Sarah. 2003. “Work and Welfare” in J. Baldock, N. Manning, S. Vickerstaff (eds.), *Social Policy*. Oxford: Oxford University Press
- Young, Eoin and Lisa Quinn. 2003. *Writing Effective Public Policy Papers. A Guide for Policy Advisers in Central and Eastern Europe*. Budapest: OSI/LGI
- National Institute of Statistics, Population Participation in the Labor Force. <http://www.insse.ro/cms/rw/pages/indicatoriAnuali.ro.do> (accessed July 28, 2009)
- Open Society Foundation. 2000. *Gender Barometer*. http://www.osf.ro/ro/program_articol.php?articol=17 (accessed July 28, 2009)
- Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places, Official Gazette 750 of October 27, 2003
- Emergency Government Ordinance No. 148 of 2005 on Supporting Families with Regard to Child Rearing, Official Gazette 1008 of November 14, 2005
- Law No. 53 of 2003, the Labor Code, published in the Official Gazette 72 of February 5, 2003

Law No. 25 of 2004 on Approval of the Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places, Official Gazette 214 of March 11, 2004

Law No. 202 on Equal Opportunities for Women and Men, adopted on April 19, 2002, Official Gazette 301 of May 8, 2002

Methodological Norms of April 7, 2004 for the Appliance of the Emergency Government Ordinance No. 96 of 2003 on Maternity Protection at the Working Places, Official Gazette 378 of April 29, 2004

Chamber of Deputies. Debate and adaptation of the Law project for the approval of Emergency Government Ordinance No. 96/2003 regarding protection of maternity in the working places

Chamber of Deputies. Debate of the Law project for the approval of the Emergency Government Ordinance No. 148/2005 regarding the support of families in child-rearing

Annex

Methodology of Critical Frame Analysis (from Verloo, 2007)

Voice

- voice(s) speaking
- perspective
- references: words/concepts
- references: actors
- references: documents

Diagnosis

- what is represented as the problem?
- why it is seen as a problem?
- causality (what is seen as a cause of what?)
- dimensions of gender (social categories/identity/behavior/norms&symbols /institutions)
- intersectionality
- mechanisms
- form (argumentation/style/dichotomies/metaphors/contrasts)
- location (organization of labor/organization of intimacy/of citizenship)

Attribution of roles in diagnosis

- causality (who is seen to have made the problem?)
- responsibility (who is seen as responsible for the problem?)
- problem holders (whose problem is it seen to be?)
- normativity (what is a norm group if there is a problem group?)
- active/passive roles (perpetrators, victims etc.)
- legitimization of non-problem(s)

Prognosis

- what to do?
- hierarchy/ priority in goals
- how to achieve goals (strategy/means/instruments)?
- dimensions of gender (social categories/identity/behavior/norms&symbols /institutions)

- intersectionality
- mechanisms
- form (argumentation/style/dichotomies/metaphors/contrasts)
- location (organization of labor/ intimacy/citizenship)

Attribution of roles in diagnosis

- call for action and non-action (who should [not] do what?)
- who has voice in suggesting suitable course of action?
- who is acted upon? (target groups)
- boundaries set to action
- legitimization of (non)action

Normativity

- what is seen as good?
- What is seen as bad?
- Location of norms in the text (diagnosis/prognosis/elsewhere)

Balance

- emphasis on different dimensions/elements
- frictions or contradictions within dimensions/elements