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CROUCH, TOUCH, PAUSE, ENGAGE: THE ENGAGING OF HUMAN RESOURCES MANAGEMENT DURING RESTRUCTURING

Dr Andries J. du PLESSIS*
Mr J. SINGH**

Abstract: *This article reports on stress during restructuring in a tertiary institution in New Zealand and compares it with South African legislation. The aim of this research is the engaging of HR to minimise the impact of stress on staff effectiveness and performance.*

Data was collected using a quantitative instrument distributing the survey electronically to 291 staff from "Faculty A" at a Tertiary Education Organisation in Auckland; the response rate was 20.3%.

The findings of the study demonstrate high positive results to factors that cause stress within organisations during organisational restructuring. Stress can enhance a person's performance; excessive stress can have a reverse impact on a person's health resulting in lower productivity. Stress was not managed up to staff expectations during the restructuring and the impact was more severe than was expected.

Keywords: *Human resources management engagement, stress, impact, performance*

Introduction

The Rugby World Cup 2011 was held in September and October 2011 in New Zealand. Construction companies, hospitality organisations, training organisations and numerous other businesses stressed to get everything ready and in order for the event. There is the other side of the coin as well, the financial side. It is a well known fact that there was a downturn in the global economy experienced by all organisations, large or small. This downturn in the economy was one of the reasons for restructuring causing stress within organisations and it was at an all time high. Budget cuts, limited resources and

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layoffs have led to a tremendous increase in stress among people within the workforce due to the uncertainty that prevailed in the environment (Du Plessis et al., 2013; Belmonte, 2008). The Department of Labour (New Zealand) confirmed that the Health and Safety in Employment Act 1992 was promulgated to include all employers and work places. The Act was amended in 2002 to specify “work-related stress” (Rudman, 2016). It puts the emphasis on the need to address stress management within the work place as the amended Act allows an employee to sue their employer for causing undue stress. Therefore, to reduce risk and ensure the best performance by staff it is important for an organisation’s Human Resource (HR) department to engage on all levels to minimise stress within their organisations.

Restructuring has three main dimensions. The first comprises of the transformation in the way teaching and learning occurs within educational organisations. The second dimension comprises of the transformation in the occupational situation of staff including conditions of school structures, conditions of lecturers’ work in organisations and the decision making processes. The third dimension comprises of transformation in the distribution of power between schools and its clients or in the governance and incentive structures under which academic institutions function (Dimmock, 1999). Marriott, Du Plessis, Pu (2011) state further that educational organisational restructuring is becoming necessary due to globalisation and internationalisation of education. With increasing students travelling overseas to acquire a qualification, there is a constant requirement for educational organisations to change their business practices by reshaping their basic ways including the design, management style and delivery of their academic practices. This view is also supported by Du Plessis and Frederick (2008; 2012) and Du Plessis, Frederick and Maritz (2013).

If referred to the word “staff” in this article, it includes management, administration and lecturers in a Faculty (it will be referred to as “Faculty A”). Staff members are unsure about their job security at the chosen Tertiary Education Organisation (TEO) due to restructuring taking place. Job security is one of the stress factors identified by **Clausen and Petruka (2009)**. During this period of changes and uncertainty it is important to manage stress. These stress factors have to be identified and addressed by the HR department. By managing stress while providing a better work environment and support, “Faculty A” staff would be able to perform more effectively in their respective roles (Kardam, 2005). This in turn could help the organisation in performing to its utmost potential as a tertiary institution.

This research discusses HR’s engagement in stress management issues among staff during organisational restructuring to enhance human resource efficiency and how neglecting stress within an organisation can have a significant impact on staff performance. These issues need to be addressed so as to provide guidelines to management for a better working environment.

When an organisation undergoes restructuring, redundancy is considered as one of the main stress factors that staff experience during such a process. In South Africa the Basic Conditions of Employment Act is clear about compensating staff as a result of redundancy. This, however, was not defined in any New Zealand statute until the Employment Relations Act (ERA) was amended in 2004 (Rudman, 2016). The ERA

now requires all collective employment agreements to encompass an employee protection provision to defend any staff/employee that is made redundant. Staff that is made redundant due to the restructuring should be financially compensated as part of the redundancy entitlements if stated in their employment contracts. This would help support staff for part of a period that they will be jobless (Du Plessis, 2015).

When making staff redundant as a result of restructuring, it is also vital for an organisation to justify the dismissal for redundancy by illustrating valid grounds for terminating a particular position. Poor performance should not be considered a factor for making staff redundant as redundancy cannot be adopted by an organisation as an excuse to dismiss staff when the actual problem could be lack of performance or misconduct (Du Plessis, 2015; Rudman, 2016). Hence, management should keep this in mind when carrying out such tasks. After a staff member was made redundant an organisation should also not replace that position or employ someone else to do similar work as it could result in unjustifiable termination leading to court proceedings, according to Rudman (2016).

Data was collected from all eight departments of the TEO's "Faculty A" staff. The reason for selecting and examining the three categories of staff was to ensure an adequate sample size for the research and to fairly represent "Faculty A" in different discipline areas which forms the basis of this research. All proposed plans, implementation processes and outcomes have been assessed, documented, tabled and graphed.

Problem statement

The problem is: what stress factors could be managed to enhance staff performance in an organisation during restructuring and what is the impact of stress on staff. This research also identifies how stress and performance relate to each other and also identifies the relationship between stress and job performance. New Zealand is a huge rugby supporting nation hence the analogy used similar to the terminology referees used during the World Cup in 2011 of Crouch, Touch, Pause and Engage. The role of the HR department in addressing (crouch) identifying (touch) and discussing (pause) and then engaging to minimise the impact of stress is also highlighted in this article.

Rationale and aims of the study

According to Scott (2008) stress within an organisation is inevitable and hard to escape. However adopting certain stress management strategies can help lower stress within an organisation which forms the rationale for this study.

The aim of this study is to highlight HR's role to recognise and classify issues and factors having an impact on staff during restructuring. There are five main areas in this research, but due to limitation of the length of this article only the last three (c, d, e) are reported on in this article:

- a) To theoretically study organisational stress management.

- b) To identify the factors that cause stress within an organisation by carrying out a survey.
- c) To determine the impact of restructuring on staff.
- d) To get information from Faculty staff by carrying out a survey about how stress relates with staff performance.
- e) To determine methods and guidelines by which stress can be managed among staff to improve staff performance and in-turn an organisation's efficiency.

Three hypotheses were derived from these areas but only H3 is discussed in this article:

H1- Restructuring has raised stress during the restructuring of "Faculty A" and had an impact on staff.

H01- Restructuring has not raised stress during the restructuring of "Faculty A" and had an impact on staff.

H2- Stress correlates with staff performance in an organisation during restructuring.

H02- Stress does not correlate with staff performance in an organisation during restructuring

H3- Stress can be managed among staff during organisation restructuring.

H03- Stress cannot be managed among staff during organisation restructuring.

Literature review

Poor stress management can lead to loss of job interest and responsibility among staff, poor competency and reduced staff performance. Organisational stress has also been related with significant work related outcomes comprising of organisational commitment, job satisfaction including staff withdrawal behaviour (Du Plessis, 2014; Fairbrother & Warn, 2003). Managers within an organisation can either prevent or then create stress among staff they manage as a result of their management style. Thus, managers must have a good understanding of the kind of behaviour they must demonstrate so as to manage staff in the least stressful manner. Hence, HR managers and managers play an important role in identifying and dealing with organisational stress.

According to a study carried out at the Otago Polytechnic (New Zealand), organisational restructuring has a significant impact on employee commitment. Brauch as cited in Theissen, (2004) mentions that in the current age of restructuring and downsizing work commitment is viewed differently. Many staff within organisations supports the change process simply to secure their jobs rather than having any attachment to it. Work commitment plays an important role impacting staff performance and their efficiency from a manager's point of view. Organisations can effectively manage and maintain staff commitment during restructuring by communicating periodically with staff, planning in advance, respecting staff seniority

and ensuring that the organisation's values and objectives are clearly aligned and communicated (Du Plessis, Toh, Chen, 2013; Theissen, 2004).

Restructuring if not undertaken appropriately can cause distress among staff within an organisation. Stuart as cited in Raukko, (2009) mentions that organisational restructuring and change can cause trauma, catastrophe and abuse among staff. The same author further indicates that organisational restructuring can have a negative impact on staff as it can lower their morale, increase stress levels, lead to loss of control and direction, create uncertainty and anxiety as well as reduce staff loyalty within an organisation. It can also have an impact on management functions comprising of training, recruitment, planning, staff compensation and organisational development (Du Plessis et al, 2013; Du Plessis 2009; Belohlav & LaVan, 1989).

Badenhorst (2016) as well as Appelbaum, Henson and Knee, (1999) state that organisation downsizing if not planned properly can result in psycho social problems among staff not affected by downsizing collectively known as "survivor syndrome". Such survivors tend to become narrow minded, risk averse and self absorbed which results in lowered self-esteem and loyalty in-turn affecting the organisational functioning. They continue to state that many organisations fail downsizing due to poor management and the existence of unmanaged resistance.

During organisational restructuring, social change in an organisation can also arise when there is disparity between the organisational environment and systems. Social change refers to an action such as restructuring that affects and influences a group of people with shared values and characteristics. The change is likely to have a negative impact on staff and systems when disparity between the organisation environments is increased and a positive impact when it is reduced (Badenhorst, 2016).

Certain amount of stress is essential for an individual's development, growth, change, performance at work and in their personal lives. Brief, as cited in Larson, (2004) states that stress to an extent can help enhance our effectiveness and performance. An example would be a promotion which can be quite an exciting yet a challenging experience. Stress if not managed properly can lead to individual stressors which are harmful to both staff as well as their organisations. Hence the more stressors that prevail within the work environment even as a result of restructuring, the more stressed out staff will feel which in turn can result in lowered performance according to Badenhorst (2016).

Therefore, excess stress of any kind can result in physical, psychological and behavioural problems leading to poor work performance and frustration. This is because excess stress enables us to perform well only to a certain extent after which a person's performance tends to decline (Badenhorst, 2016).

When stress is high within an organisation for example during organisational restructuring, it is important for managers to think and act in a positive manner. This helps reduce stress among subordinates and other staff members as staff tend to act in accordance to how management reacts during such times. The methods and guidelines stated below are of double the importance for managers as compared to other staff comprising of lecturers and administration staff (Badenhorst, 2016; Du Plessis, 2014; Nadia, 2009).

Enhance communication

- Staff roles and responsibilities must be clearly defined.
- Staff must be made aware of their job prospects during restructuring to minimise ambiguity.
- Communication should be carried out regularly and efficiently among staff in a pleasant manner.

Conduct staff discussions

- Staff should feel that they are valued by discussing scheduling of work activities and rules within the organisation.
- Encourage staff participation in decision making.
- Assign appropriate workload among staff that matches their skills and abilities.

Provide staff incentives

- Reward staff for their achievements.
- Offer career development prospects for staff.
- Congratulate staff verbally and by offering certificates of merit based on their performance.
- Create a friendly work environment.

Develop a social environment

- Social gatherings among staff should be carried out from time to time.
- Harassment at work should not be accepted (Marriott, Du Plessis, Nielsen, Sukumaran, 2013; Belmonte, 2008).

Methodology

Sample Selection

Based on the topic of this research it was anticipated to carry out the study among staff members within an organisation where restructuring has currently been undertaken to determine their stress levels and its impact on staff. Hence, “Faculty A” staff was selected for carrying out this research as some departments of the organisation have already undergone restructuring while other departments are still in the process. Thus staff members from eight departments (in total 291 staff) in the same Faculty were considered the appropriate sample for this research as they had all been influenced by the restructure to a certain extent. According to CRS, (2009) “the larger the sample size, the more certain you can be that their answers will truly reflect the population”.

Questionnaire Development

The questionnaire was developed and categorized in six parts. The first part comprised of demographic data pertaining to participant's age, category, level and duration of service. The second part comprised of eight common factors that cause stress during organisational restructuring which included work overload, job security, longer work hours, role knowledge, inter role conflicts, lack of training, lack of management support and organisational commitment. The participants had to answer questions pertaining to each of the eight factors.

The questionnaire contains 32 questions subdivided into the eight most commonly occurring organisational stress factors. Each question within the questionnaire is assigned 5 marks. Hence the total marks for the 8 stress factors would be 32 (i.e. no. of questions) x 5 (i.e. no. of marks) = 160 marks overall. Part of this questionnaire was developed on a study carried out by Theissen (2004), which was based on the impact of organisational restructuring on employee commitment at the Otago Polytechnic in New Zealand.

The remaining four parts of the survey included the factors that cause stress within an organisation, the impact of restructuring on staff, identifying how stress relates with staff performance and determining how stress can be managed. These last four parts of the survey were not given any rankings.

Questionnaire Data Collection

Data pertaining to this study was collected electronically via e-mail that was sent by the researchers to all "Faculty A" staff members of the TEO. The staff members comprised of lecturers, administration staff and management. The e-mail included a link to an online survey that was sent out to 291 participants out of which 59 staff members completed the survey thus a response rate of 20.3% was achieved.

Data Analysis

The data pertaining to the surveys were exported to Microsoft Office Excel for analysis. All data was imported from an online tool called Survey Monkey which was used to carry out the surveys electronically via e-mail. Many tables and charts were developed using Excel to portray the results of the survey. Some of the data was also quantitatively analysed using Statistical Package for Social Science (SPSS) programme. The SPSS programme was selected due to the numerous advantages that it provides for analysing quantitative data. The degree of errors was reduced as data was directly collected online and not entered manually as in the case of physical (hard copy) surveys. The data from the survey was analysed by means of descriptive statistics comprising of percentages.

Analysis of the results

The focus of this research is to highlight HR's role to recognise and classify issues and factors having an impact on staff during restructuring by obtaining staff's perspectives and the engagement of HRM to minimise and to manage stress. The analysis indicated that staff members are dissatisfied in general. It is alarming that 62% of the respondents responded that management did not plan and did not support the changes carefully in

the organisation while only 22% rarely feel that management has been as honest with bad news as good news about changes to the organisation during restructuring.

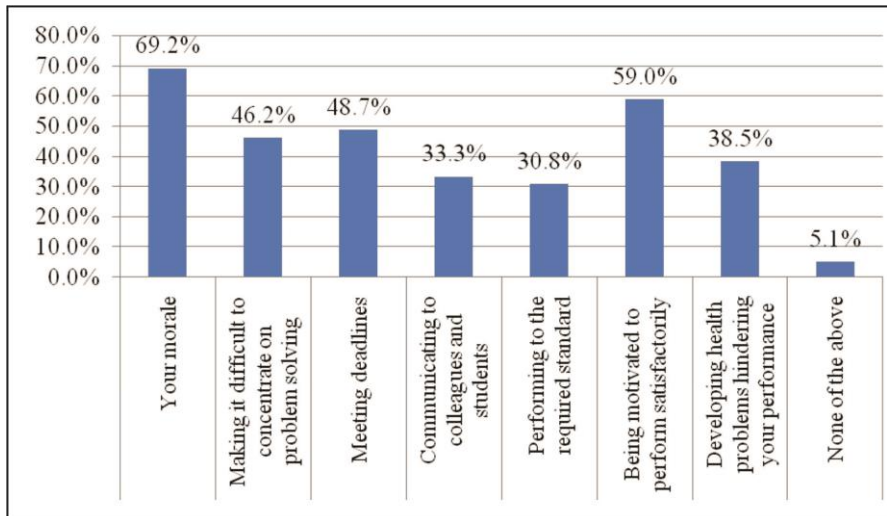
This research has identified that the majority (55%) of the respondents distrust management decisions regarding the future of the organisation and trust therefore is only 24%, while 21% feel this way from time to time. It can therefore be deduced that the staff do not trust senior management in making sensible decisions for the organisation's future. It should be of great concern for management that 80% of the respondents disagree with some of the organisation policies relating to its staff and only 23% of respondents are always loyal, while more than half (55%) is unsure and only feel loyal from time to time

The impact of restructuring on staff

The respondents were asked: "According to you, has stress affected your job performance in your morale, problem solving, meeting deadlines, communicating to colleagues and students, performance, motivation, developing health problems or none of them"?

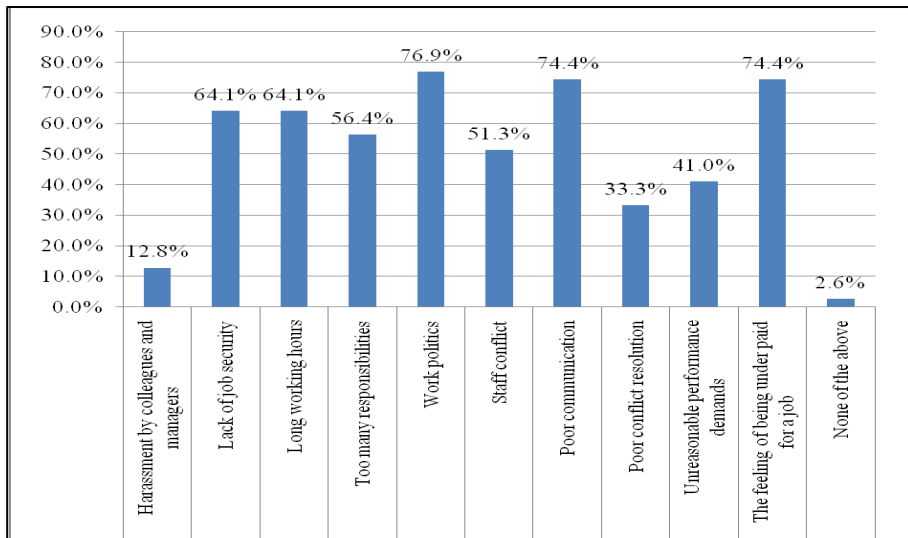
It was found that the impact of restructuring was severe on morale relating to job performance which was given a rating of 69.2%. It can be deduced that morale is linked to the percentage of respondents (78%) who indicated that they consider to leave the organisation, in other words to loyalty. A lower consensus showed being motivated to perform satisfactorily at 59% and meeting deadlines at 48.7% along with difficulty to concentrate on problem solving at 46.2% were other job performance affected areas as a result of the restructure.

Figure 1: Job performance affected areas



To further determine the impact of stress on the staff the question was put to them: “Which of the following stress factors have you experienced during the restructuring process”? This question required respondents to mark as many of the stress factors that applied to them. Three main areas of concern for management that they should address are: work politics at 76.9% followed by poor communication at 74.4% and the feeling of being underpaid for a job at an equal rating of 74.4%. These were considered as the top three stress factors by staff as a result of restructuring. A lower consensus, but still a factor for concern for management, showed lack of job security at 64.1% and longer working hours with an equal rating of 64.1% as other stress factors as a result of the restructure. Management will have to address longer working hours as soon as possible because of the consequences it might have with the OSH Act. On the other hand harassment by colleagues and managers was given the lowest stress factor priority at 12.8% by the respondents.

Figure 2: *Stress factors during restructuring: impact on staff*



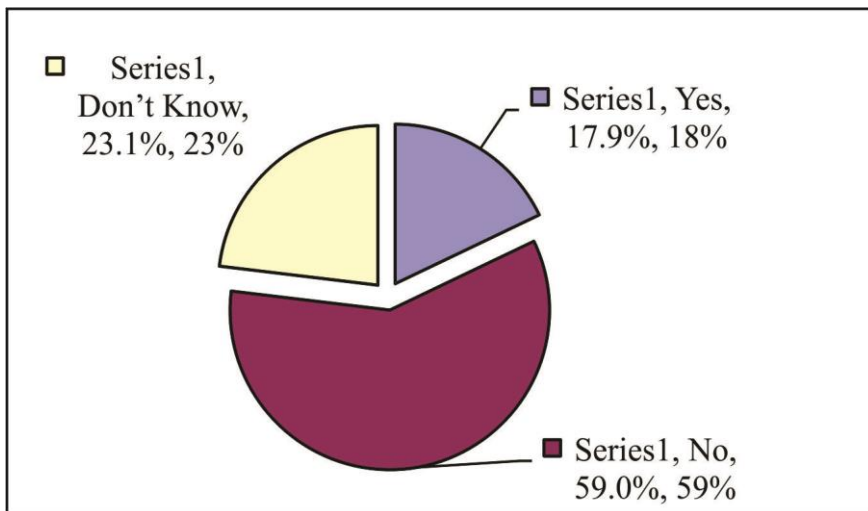
How stress relates with staff performance

Performing to the required standard was given the lowest priority of 30.8% by the respondents and is something that management must take seriously into account. It can be deduced that the respondents lost some of their interest in standards due to the continuous re-structuring at the TEO. It is another serious area for management to address and it is definitely linked to the problem with morale and loyalty (see Figure 1 above).

How stress can be managed among staff to improve staff performance and in-turn an organisation's efficiency

The survey participants were asked the question “In your opinion, do you believe that stress was managed properly during the restructure”? This question required participants to answer by agreeing to the statement as in “Yes” or then disagreeing to the statement as in “No”. The result shows that the majority of the respondents (59%) disagreed to the fact that stress was managed properly during the restructure. Only 17.9% of respondents on the other hand disagreed with the statement and believed that stress was managed properly during the restructure while 23.1% neither agreed nor disagreed with the statement. See Figure 3 below.

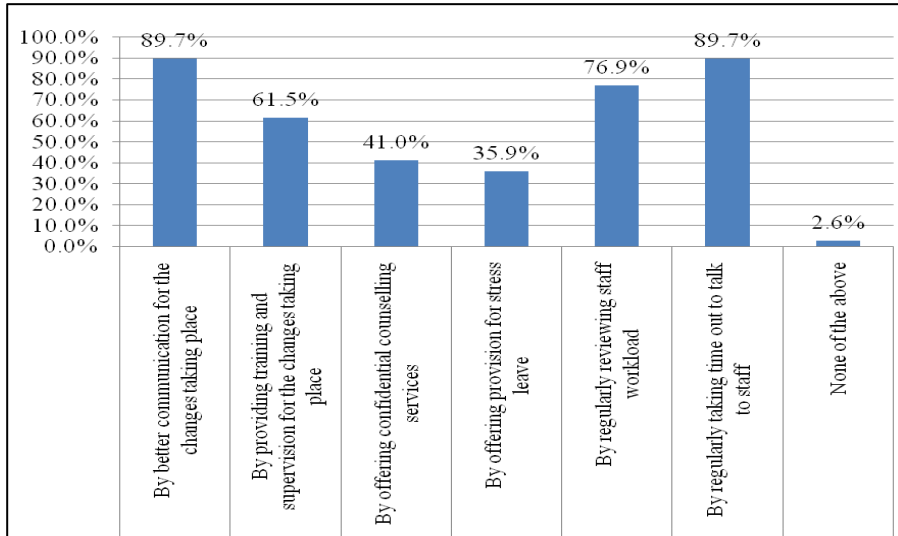
Figure 3: *Stress management during restructuring*



Another question was: “In your opinion, how can stress be managed and minimised in an organisation during restructuring”?

The results (Figure 4 below) illustrate that communication for the changes taking place along with regularly taking time out to talk to staff were given the highest and equal rating of 89.7% by respondents in order to minimise and manage stress more effectively during restructuring. A slightly lower percentage showed that regularly reviewing staff's workload at 76.9% and providing training and supervision for the changes taking place at 61.5% along with offering confidential counselling services at 41% were other stress management techniques. Offering provision for stress leave was given the lowest priority of 35.9% by respondent's which is still at a high and is something that management must take into consideration.

Figure 4: How to manage stress during restructuring



H3- Stress can be managed among staff during organisation restructuring.

When asked how stress can be managed and minimised in an organisation during restructuring, besides the stated areas in Figure 4 above, staff commented on the following issues shown in the summary below (Table 1):

Table 1: Staff comments on managing stress and minimising thereof

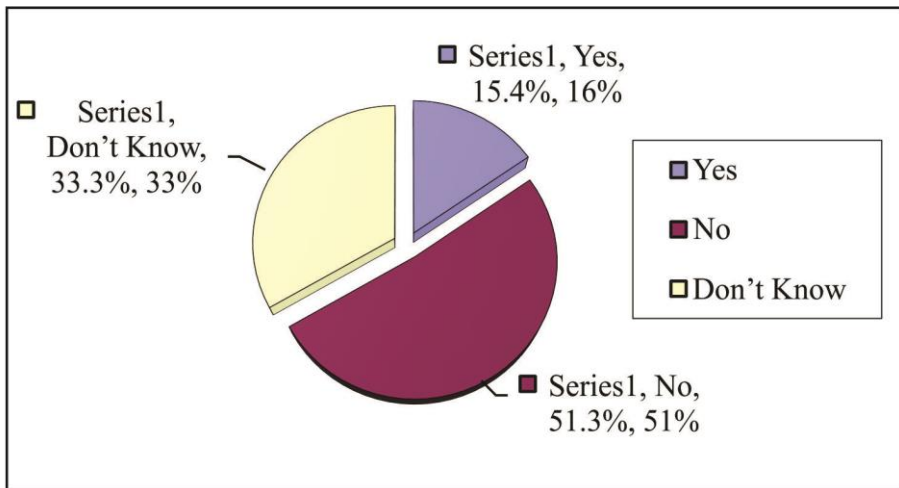
Other:-
<ul style="list-style-type: none"> By speeding the process as far as practicable.
<ul style="list-style-type: none"> By understanding the organisation BEFORE restructuring takes place.
<ul style="list-style-type: none"> By ensuring equal workloads as some particularly admin staff are doing much higher workloads than others, only because they are more capable which is unfair.
<ul style="list-style-type: none"> By managers ensuring support and encouragement that is given to administration staff.
<ul style="list-style-type: none"> Making senior management aware of people's stress.
<ul style="list-style-type: none"> The rationale for changes is no longer clear. There are no clear institutional goals. ACT on staff feedback. Some staff members know much more than their managers. We know the consequences if it goes wrong - qualifications are compromised and students migrate for e.g. latest Bach of Acc and Fin experience.
<ul style="list-style-type: none"> Any change is stressful, no matter how many communications there are. But certainly lots of communication will help alleviate the stress to an extent.

The role of the HR department in addressing (crouch) identifying (touch) discussing (pause) and then engaging to minimise the impact of stress

The respondents were asked the question “In your view, has staff received adequate training to keep up with the changes within the organisation”?

The result shows that more than half of the respondents (51.3%) disagreed to the fact that they received adequate training to keep up with the changes within the organisation. An insignificant 15.4% of respondents on the other hand agreed with the statement that they received adequate training, while surprisingly a third (33.3%) of respondents neither agreed nor disagreed with the statement. It can be deduced that the high percentage of respondents neither agreeing nor disagreeing with the statement is because the restructure is still in process and many staff members at present still don't know the outcome of the change and how it is likely to affect them and their current role according to the feedback obtained from the questionnaire. This is no excuse for the HR department not to do training of the staff to minimise stress. In addressing changes during training sessions, the stress it caused staff could be identified by HR. Discussion and or communication during training sessions will also be a stress reliever for some staff. If the HR department is actively engaged in the restructuring process, stress could be minimised and staff would have trust and confidence in them to openly talk to them as they would to counsellors.

Figure 5: Staff training



Recommendations for the leadership team of the TEO

Although offering of stress leave was given the lowest priority of 35.9% by the respondents it is something that management must take into consideration to offer to employees.

McPherson, (2008) and Du Plessis (2014) state that educational institution's morale is usually low among staff members as they complain about salaries not matching inflation and due to extreme work pressure during restructuring. Therefore, management can ensure staff morale is attained by following a number of basic procedures such as:

- regularly checking the flow of communication;
- monitoring leave to ensure that staff get a break from the daily work routine;
- listening to any issues that staff have;
- regularly determining levels of control; and most importantly
- asking staff themselves as to what motivates them.

To boost staff morale the leadership team should implement a schedule of morale boosters:

- conduct annual parties;
- publicise staff achievements and contributions;
- encourage staff to pursue further education;
- give staff authority to perform their tasks independently where and when possible;
- empower staff;
- greet staff at the start and end of the day;
- offer special anniversary gifts to acknowledge staff that have been within an organisation for "X" amount of years;
- have a honour day to honour staff contributions;
- conduct meetings at different venues and display employee of the month either monthly or then quarterly on the organisation top achievers board and
- reward high achievers.

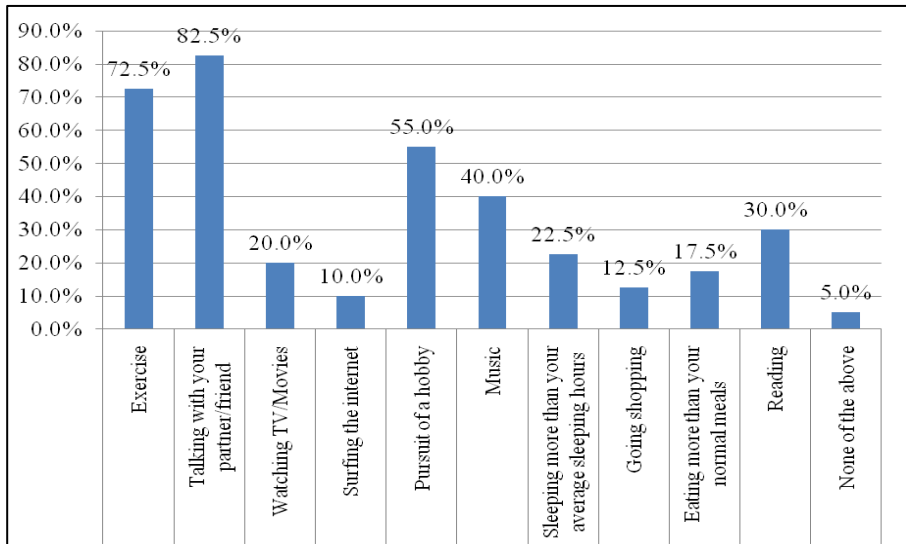
The HR department should give guidelines and encourage staff members, during training sessions, to overcome stress and they could advice staff members to follow any of the methods in Figure 6 below.

The respondents made some recommendations to management in answering the question: "If you experienced stress during the restructuring time, which of the following do you think assisted you in overcoming your stress"?

The results (in Figure 6 below) illustrate that talking with a partner/friend (82.5%), exercising (72.5%), pursuit of a hobby (55%) and listening to music (40%) are some of the ways of reducing and overcoming stress within an organisation during restructuring.

The final recommendation is that stress could and should be managed firstly by HR which engagement was pointed out and discussed above and then by the leadership team. Figure 4, above, depicts the areas and how this should be done by HRM and the leadership according to the respondents.

Figure 6: Overcoming stress methods



Conclusion

The TEO's leadership team and HR department should use the results of this survey to identify the impact that restructuring has on such staff and their performance. The leadership team of the TEO could also be informed how the stress experienced by staff during the re-structuring including the influence/affects it had or still has on them can best be managed. It was also expected that a greater response rate would be achieved if the research had the backing and support of such an organisation's body. Organisation support when carrying out surveys helps to develop trust and confidence among the respondents while encouraging staff to see the need of such an exercise.

H3 is that stress can be managed among staff during organisation restructuring of "Faculty A". This hypothesis is found to be positive and the null hypothesis is rejected. The three main research areas (of the five) as well as H3 to determine the impact of restructuring on staff; to get information from "Faculty A" staff by carrying out a survey about how stress relates with staff performance; to determine methods and guidelines by which stress can be managed among staff to improve staff performance and in-turn an organisation's efficiency during restructuring are all answered. In

summary, some of the key issues that respondents raised with regards to the restructure were as follows:

- 60% of respondents did not feel secure of their jobs at the TEO during the restructure.
- 78% of respondents feel that after the restructure their new role interferes with their personal life and interests (e.g. social, religious and family) which are neglected due to lack of time causing stress.
- 81% of respondents feel that the scope of promotion is limited within staff roles due to restructuring, increasing their stress levels.
- 55% of the respondents distrust management decisions regarding the future of the organisation.
- 80% of respondents find it difficult to agree with some of the organisation's policies on important matters relating to its employees and only 23% of respondents are always loyal, while more than half (55%) is unsure and only feel loyal from time to time or often.

The respondents also raised some further issues with regards to the restructure which are as follows:

- Unfavourable work politics during the restructuring process.
- The feeling of being threatened by the restructure.
- A conventional, autocratic and authoritarian approach/style in carrying out the change at the TEO.
- How the stress caused, due to the restructure, has affected staff performance by lowering their morale.
- A total of 89.7% of the respondents responded that stress can be managed and minimised during restructuring through better communication. Regularly reviewing staff workload was also regarded important by 76.9% of respondents to manage stress.
- Management should reduce the fear of failure at all times as it leads to many people not performing up to expectations and standards

Stress factors are very closely related to a person's perception of their work environment. Stress management should be the responsibility firstly of the HR department and then the leadership team to ensure that their entire staff can perform to their utmost potential by monitoring and managing all stressors within the work environment. There must be clear and two way communication with feedback to overcome some of the stressors. If a solution to a problem is not found, it can lead to lower efficiency, poor staff morale and a considerable impact on the physical and psychological health of staff. Some recommendations were given in the previous section.

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PROFILES OF ACTIVE INDIVIDUALS IN RELATION TO A SERIES OF WORKING CONDITIONS

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***Abstract:** In this paper, we analyse profiles of the active population in relation to some new situations of working time overload and from the viewpoint of labour intensity: the relationship between certain socio-demographic characteristics, the experimentation of some new situations such as the ones described above and the behaviour in relation to employers and labour market, in general. All these types of situations that might occur on the job can be framed into the wider category of “working conditions” and represent, together with the factors with negative impact that can be grouped under the heading “working relationships”, the main factors generating stress on the job. The impact of these factors is heightened on one hand by the general socio-economic context and on the other hand by certain individual characteristics of the employees. The data show that a relatively significant share of the individuals included in the sample of our research experimented on the job stress generating situations, among which the most encountered one is work overload, either by compulsory overtime or by increasing the work intensity or sometimes because of both. On the other hand, the general economic context represents a cause for on the job stress, because of the increased pressure on the employer and employee.*

***Keywords:** profiles, active population, job loss, working time, work overload*

Introduction

The following analysed social data were gathered within the research regarding discrimination in Romania, developed by the Association for Socio-Economic Development and Promotion CATALACTICA, within the SOPHRD/97/6.3/S/54973: “Support for Women Discriminated on the Labour Market” (December 2010 – November 2013) with financing from the Social European Fund 6.3 “Promoting Chances Equality on the Labour Market”.

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The quantitative research of the project was realised on a representative sample for population aged between 18 and 65 years, in the five development regions of interest for the project: Bucharest-Ilfov, North-East, South-East, South-West Oltenia and West. The projected and achieved volume of the sample was of 5000.

- *Sample volume*: 5000 working individuals aged between 18 and 65 years;
- *Representativeness*: the sample is representative for the non-institutionalised adult population from the five development regions, with a representativeness error of $\pm 1.64\%$, at a confidence level of 95%;
- *Field survey*: data were gathered in the year 2011;
- *Type of sample*: probabilistic, two-stages sample, with stratification in the first stage;
- *Stratification criteria*: *development regions* (Bucharest-Ilfov, North-East, South-East, South-West Oltenia and West) and the *type of locality*, according to the number of inhabitants (rural locality with less than 1500 inhabitants, rural locality with over 1500 inhabitants, towns with under 30 thousand inhabitants, towns with 30 to 100 thousand inhabitants, towns with 100-200 thousand inhabitants and large towns with more than 200 thousand inhabitants);
- *Sample structure*: After applying the stratification criteria and obtaining a proportional share with the one of the population aged between 18 and 65 years, for the region Bucharest-Ilfov was maintained the proportional repartition (800 questionnaires out of the 5000), and for the rest 4200 was used a disproportion coefficient of 70% for the urban area, and of 30% for the rural area. (The total number of localities included in the sample projected in this manner is of 91, from among which 44 in the urban area and 47 in the rural area – their selection is random, for each segment after applying the stratification criteria mentioned above and the disproportion coefficient);
- The total number of sampling points is of 295 and for each sampling point the average number of questionnaires was of 15 for the urban area and 25 for the rural area. The sampling points from the urban area are represented by voting sections (the lists used were the ones for the election of the President in 2009) and for the rural area the sampling point was the village. The designed sample contained also “reserve” sampling points (both for the urban area and for the rural area), extracted on the same stratification criteria as the actual sample;
- *Sampling*: probabilistic selection of the voting sections within the segments of the urban area. For the selection of the individuals, both urban and rural area, was used the systematic method with statistical step;
- *Validation*: the sample was validated based on the NIS and Eurostat data available for the year 2010;
- The questionnaires were applied at the residence of the subjects, in accordance with the methodology;
- By data processing was used a weighting variable for the return to the proportional, representative form of the sample’s structure, in accordance with the stratification criteria.

Profile of Active Individuals in Relation to the Working Situations and Conditions

In the paper, we analyse the profiles of active population in relation to the experimentation of some overload of the working time or from the viewpoint of labour intensity. More specifically, the questions we pose and intend to answer refer to the relationship between certain socio-demographic characteristics, the experimentation of some situations like the above described and behaviour in relation to employers and labour market, in general.

All these types of instances that might occur on the job and which could be framed in the wider category of “working conditions” represent, together with the negative impact factors that can be grouped in the category “working relationships”, the main factors generating stress on the job.

The impact of these factors is heightened, on one hand, by the general socio-economic context and, on the other hand, by certain individual characteristics of the employees. The strong imbalances of the relationship between the labour supply and demand, in some instances, such as the recent economic crisis, leads to amplifying the impact of stress generating factors on the job and to the emergence of new stress generating factors like jobs’ restructuring, changes in the contractual conditions or employee layoffs. In this context, we intend to analyse the correlation between forms of labour market exit and the frequency of experimenting certain instances on the job.

Regarding the relationship between labour conditions and relations on one hand, and the individual characteristics of the employees on the other hand, we intend to analyse if the incidents of working time or tasks overload is different for those with various educational backgrounds of different gender or dissimilar family budgets.

Active population in the sample – as expected, the structure of the employed individuals’ sample, according to initial occupation, the highest share is the one of employees with average or low (under-average) skills, a relatively important share (10% out of total employed individuals) being represented by those involved in day-labour or in labour with seasonal character.

Inactive population in the sample– includes pensioners, unemployed, the jobless and the homemakers, as well as those pursuing a certain form of education at the time of data gathering (students). Pensioners represent over half of the total in this category, while one third of the inactive population registers homemakers.

Table 1. Basic occupations in the sample

	N	%
Pensioners	937	51%
Unemployed	200	11%
Inactive, homemakers	599	33%
Pupils, students	91	5%
Total:	1827	100%

Out of the inactive individuals, currently, almost one third have already retired from the activity for less than two years. Over one third of those retired in the last two years were included into the category skilled workers, craftsmen, mechanics, drivers and the lowest share is the one of the categories: employers, managers, free-lancers, consultants, respectively military, police officers, firemen, aviation and customs' officer.

Regarding the occupational path of those retired from activity, there are significant differences depending on the position previously held. From those retired in less than two years, the current pensioners are to a share of 75% from the category with medium or high skills. Between the current unemployed, the most important share is held by skilled workers, followed by workers in services', trade and tourism, respectively unskilled workers in non-agricultural sectors. If aggregated, these three categories represent 70% out of those who declared to be unemployed at the time of data gathering.

Those who at the time of data gathering state to be jobless represent, in a share of over 50%, skilled or unskilled workers. Together with those who worked in trade/tourism, these two categories accumulate three-quarters from the total of the jobless ones who are not considered as unemployed. The share of the jobless is almost double compared with the one of the unemployed in the case of unskilled workers which shows the increased social vulnerability of these categories of low skilled workers.

Three quarters of the current students have worked in seasonal jobs or in fields with high personnel fluctuation and based on short-term contracts, such as trade, tourism or public catering services (pubs, restaurants). Considering that the data were collected in April and May 2011, we can assume that part of these individuals might have found employment again, as summer was approaching, in the seasonal jobs.

In the context of the heightened severe economic crisis during 2010, it is interesting to analyse to what extent exiting the labour market represented an effect operationalised in collective or individual layoffs.

How the Loss of the Last Job has occurred.

For almost two thirds of unemployed individuals, exiting the labour market occurred by retirement (48%) or by activity end based on the agreement of the parties (15%), while almost one third declare to be laid off and a tenth to have submitted their resignation and 4% to have been the subject of firing.

One fifth of those who have been individually fired consider that it occurred for subjective reasons, due to the existence of some faulty working relationships, while over three quarters consider that the firing grounds were objective.

The very significant share of those laid off (25% out of the total individuals exiting the labour market for the last two years) provides a measure regarding the importance of the economic crisis impact on the labour market. The reasons for which individuals resigned are diverse, but among these, the most important seems pertaining to dissatisfaction regarding the level of payment for their work and the working conditions.

In the context of the economic crisis and of its effects on increasing the precariousness of job supply, it seems somewhat surprising to have a relatively significant share of individuals resigning for reasons as the above-mentioned ones, under the conditions in which just 5% from them declare to have opted for this action because they have identified a better job. The fact that almost half of those who resigned justify their option based on the low wage level, respectively on the hard-working conditions illustrates that the quantitative aspect of the job supply precariousness is double by their qualitative precariousness, as well.

Table 2. Main reasons for resignation

	N	%
I didn't like what I was doing	6	3%
No promotion opportunities	2	1%
Much too small salary	51	28%
Hard/inadequate working conditions	29	16%
I didn't get along with the boss/colleagues	8	4%
I have found a better job	9	5%
I was asked/forced to	5	3%
Others	72	40%
Total:	180	100%

From another viewpoint, the phenomena associated to the economic crisis, and the layoffs and salary cuts trigger a relatively high rate of conflicts brought by employees to court. At the time of the data gathering (2011), 13.8% from the total respondents, either employed or unemployed/inactive for less than two years, state that the organisations they work or have worked for were individually or collectively sued by employees or by the trade unions.

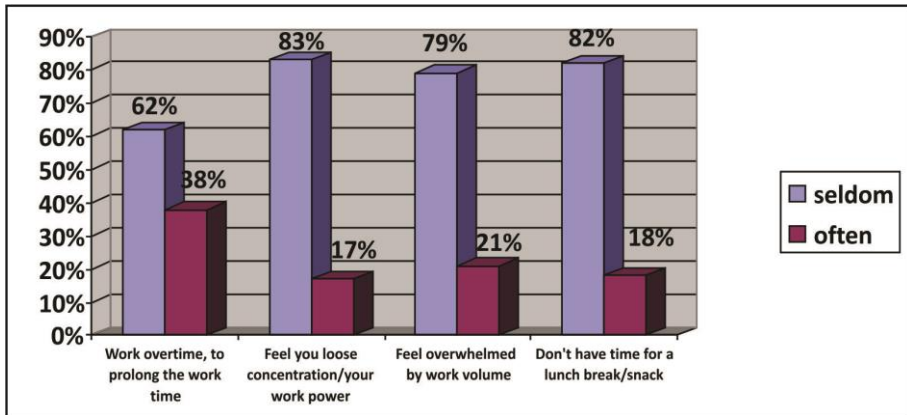
It would be expected to have currently a higher weight of conflicts employer-employee in court, considering the layoffs from the public field mentioned above.

Profiles of Employees Experimenting Overload Instances of the Working Volume/Time

More than one third (38%) of the interviewed individuals state that they have experimented instances of working overtime often and very often, one fifth from the respondents declaring that they have felt frequently overwhelmed by the working volume. In order to simplify the analysis, the answers were re-coded and thus resulting a binary-type variable with the variants: very seldom/never + seldom, respectively often + very often.

Less than one fifth of the respondents experimented often and very often, the instance when they did not have time to take their snack/lunch at the job and only 17% stated that it happened frequently to lose work power and concentration on the job.

Figure 1. The frequency of the four instances' emergence in the case of jobless persons, who became inactive for less than two years



It is interesting to notice that for each of these issues experimented on the job, the recorded values for individuals inactive for less than two years are very close to the ones registered for individuals who declare themselves as employed at the time of data gathering. Moreover, the outcomes are close to those recorded for the same categories of answers in a research performed before, in the year 2010¹ (the differences are of maximum one percent, for each of the categories). Thus, there seems to be a certain time consistency regarding the frequency at which such instances emerge, which seem to be related to certain structural aspects of the labour market and not accidental phenomena. The frequent emergence order for the four instances is the same in the case of former and current employees. Both for the former employees and the current ones, overtime and extended working hours are situations that emerge with a relatively high frequency on the job. Also, less than one fifth of the former/current employees have experimented often and very often the situation of not having time even for just a snack during the working day.

The analysis of the incidence of these negative conditions on categories of individuals laid-off or resigning ones, and pensioners or individuals resigning based on parties' agreement, reveal sensibly different profiles for the two categories.

¹ The previous research (2010) was achieved by the same team of researchers. See for results: Tomescu C., Căce S., (coord). „Studiu asupra fenomenului de mobbing și a altor forme de discriminare la locul de muncă în România” [Study about the mobbing phenomenon and other discrimination forms on the job in Romania, Romanian language], Expert Printing House, 2010: 80

The relationship between the way in which the retirement from activity occurred and the frequency of volume or working time overload

The correlations presented in this article are valid for the respondents who are pensioners, unemployed, inactive plus homemaker, pupil plus student and are inactive for less than 2 years, the exit from activity occurring either by dismissal, resignation, layoff, or by labour contract end based on parties' agreement or retirement.

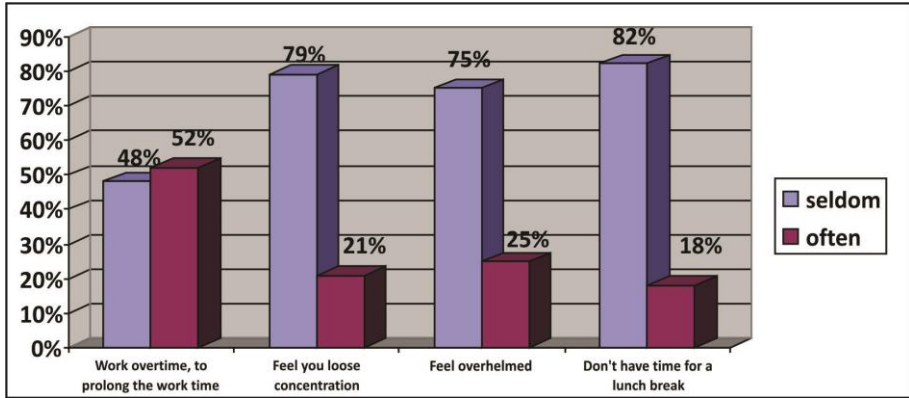
Resignation, dismissal and layoff are exceptional situations and have a higher degree of unpredictability in relationship to labour contract end, based on the agreement of the parties or by retirement.

The four instances experimented by the respondents described above depending on which the profiles of inactive individuals will be built, are as following: the obligation of working overtime, the situation of losing the concentration/work power capacity on the job, the instance of feeling overwhelmed by the working volume, and the situation of not having enough time for lunch or even just a snack on the job.

The activity ending by firing and the link to the frequency of instances of on the job overload.

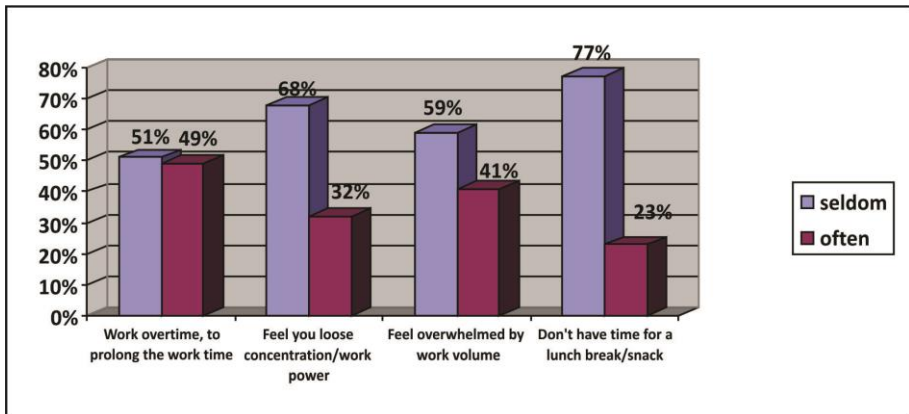
Those who left by individual firing seem to have experimented to a higher extent the instance of having worked overtime, as well as the one of feeling overwhelmed by the working volume. It is interesting to notice that the fact that those individually fired have found time to a higher extent, against all the other categories analysed in this chapter, for lunch (just 3% of them declare that they frequently didn't have time for eating during the working time on the job!). Even though there aren't enough data for building a profile for the ones dismissed from their positions based on certain behavioural patterns, the number of cases is rather small, thus the hypothesis of a reverse correlation might be logically inferred between the allocated time to the job tasks and the probability of being dismissed in the context of an increased necessity of rendering efficient the activity during time of crisis.

Figure 2. The relationship between activity ending by firing and the frequency of on the job overload



In the case of those who resigned from their last job, all mentioned instances appear with a significantly higher frequency against the values for the entire sample of those who terminated their activity for more than two years. Those who resign feel to a higher extent, against all other categories, overwhelmed by the working volume and represent the category stating to the highest extent the frequent loss of the work power and concentration on the job. The single situation in which a somewhat higher frequency emerges for another category is the one of those who left by individual firing and it is related to overtime.

Figure 3. The relationship between activity ending based on dismissal and the frequency of on the job overload:



Regarding all other categories that exited from activity for less than two years, it is noticed that the lowest frequency of all types of instances of the job overload is

represented for the category of those who left by retirement, as well as the low frequency in all considered instances for all these categories in relationship with the first two analysed above (dismissed, respectively resigning individuals).

For the variable ‘overwhelmed by the work volume’ significant statistical differences are noticed between the categories: laid-off, end by parties’ agreement, respectively, by retirement.

At the same time, significant differences from the statistical viewpoint exist for the three groups mentioned above also regarding the variable “not having time for lunch break”.

Figure 4. The relationship between the form of ending activity (layoff, parties’ agreement, retirement) and the frequency of the situation of feeling overwhelmed by the working volume:

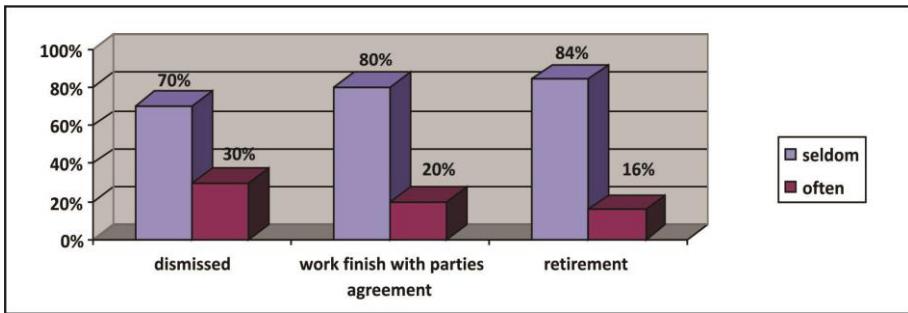
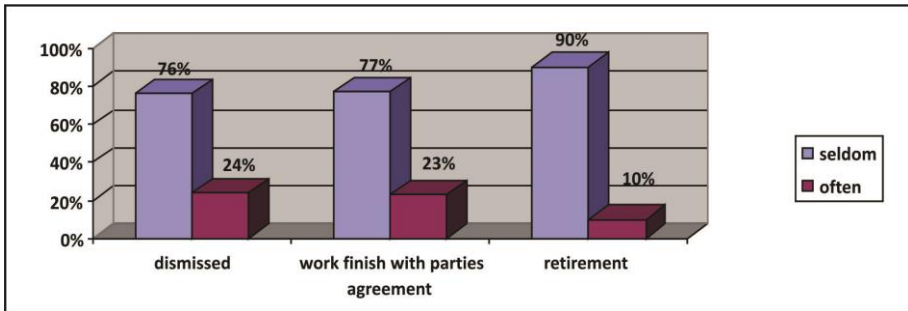


Figure 5. The relationship between the forms of ending activity (layoff, parties’ agreement, retirement) and the frequency of the instance of not having time for lunch break:



Hence, there is a statistically significant link between the way of ending the activity and the frequency of instances as those mentioned above. Those who were dismissed or resigned, as well as those laid off are those who were most often subjected to working overtime, and to having to fulfil a task volume which was felt as huge and leading to no

time for lunch break during a working day, and they were therefore most often those who felt that they lose their concentration and work power.

At the opposite pole, those who exited active life are placed, by going into retirement. Doubtless, one of the factors that determine these differences pertains to the different structure of the sample of those exiting by retirement that as seen previously contains in a share of 75% individuals with average or high-skills, and to very low shares former employees with low-skills or unskilled workers. It is to be assumed, if we speculate, that the respective individuals had superior positions in the hierarchy of power relationships at the job and availed themselves of levers more important in relationship to less skilled individuals and lesser length of service for defending themselves against abuse, such as work overload.

Association with various socio-demographic variables of the emerging frequency of the mentioned above situations of overloading the working time/volume:

Overtime

- *Gender association* is significant from the statistical viewpoint: those stating that they have worked overtime often/very often are rather more men (56%), while women say to a less share that they have worked overtime often or very often (44%).
- *The association with the educational level* is not a significant one from the statistical perspective. Irrespective of the educational level, the weights of pertaining to the two sub-groups do not differ significantly (the repartition in the two sub-groups is approximately identical for all levels of education).
- *The association with the marital status* is significant from the statistical viewpoint. In the frequent instance of working overtime are preponderantly individuals living in common-law relationships (over half of the category). This situation is less often encountered in the case of widowers and of married couples (only 37% from them declare that they work frequently overtime).
- *The association with the family budget* is also a significant one from the statistical viewpoint. Overtime is delivered to the largest extent by those who have a family budget not exceeding 700 lei and by those whose family budget exceeds 4000 lei. The smaller share of the working overtime individuals is placed on the income per family interval between 700 and 4000 lei, while the highest share is recorded by those with incomes over 8000 lei – almost three quarters from them declare to work overtime at their job often and very often.

How often is it occurred to you that you are losing work power/concentration?

- *Gender association* is not statistically significant: men and women declare to equal extent that they felt loss of work power/concentration.

- *The association with the educational level* is also statistically insignificant: irrespective of the educational level, the weights of pertaining to one of the two sub-groups do not differ significantly (the distribution into the two sub-groups is approximately identical for all educational levels);
- *The association with the family budget* is also statistically significant and shows a very similar pattern to the association with the frequency of working overtime, with the amendment that both shares and amplitude of the interval where these instances are sensibly lower. In the situation of losing work power and concentration often and very often are found to a share of 23% those with family budgets of fewer than 700 lei, respectively 23% of those with family budgets between 4000 and 5000 lei, while one third of those with a family budget exceeding 8000 Lei are found in this instance. Under one fifth of those with family budgets between 1000 and 4000 lei declare that they experiment frequently such instances at the workplace.

How often did you feel overwhelmed by the work volume?

- *The association with the family budget* is the only one with statistical significance. The distribution of answers follows a pattern comparable with the one recorded in the case of the other variables analysed in this under-chapter, respectively higher frequency for the margins of the income interval and lower frequency for the average values. Those experimenting, to a larger extent, the frequent situation of feeling overwhelmed by the work volume are those with household incomes of less than 1000 lei, respectively those with incomes above 4000 lei and the highest percentage is recorded in the case of those with incomes of over 8000 lei.

How often did you miss lunch break/having a snack at the workplace?

In the case of this variable, the only statistically significant association emerges linked to the family budget. Those from families with incomes sensibly above the average experiment to a larger extent the situation of not taking lunch breaks during the working day. It is interesting to notice that, if for the other instances emerging at the workplace, the higher frequency was registered in the case of those with incomes sensibly under the average, and in the case of those with the highest incomes, in the case of this last analysed variable the pattern of answers' distribution changes significantly. In other words, those with precarious resources work more than the majority, to an extent comparable to the one of those with high incomes, and they feel to equal extent as the latter the pressure of work overload at the workplace, however, they still find time to take a snack, as compared with the ones with incomes above average who manage to take a snack to a less extent.

Conclusions

A relatively important share of the respondents experiment or have experimented at the workplace stress generating instances, among which the most often encountered one is the one of work volume overload, either because of the obligation of work overtime or because of increased work intensity or simultaneously both instances. It is remarkable

that two categories of individuals at the extremes of the family budget interval are faced to a larger extent, with situations as the one described above.

If, referring to those with a family budget of under 700 lei, most of these individuals find themselves in power relationships with low negotiation power and are forced to accept instances such as the ones presented above, for most of those at the other extreme of the incomes' interval, the higher work volume is expected to have correlations with the increased complexity and responsibility degree corresponding to their job tasks.

On the other hand, by analysing the data collected during the field research, it results that the impact of the crisis faced by the economy and society for the last three years is significant also regarding the configuration of some profiles of the active population in relationship with the experimentation of some overload instances of the working time and/or from the viewpoint of work intensity. At the same time, the general context triggered by the economic crisis represents a reason in itself for stress on the job, because of the increased pressure on the employer who transfers this pressure also at the level of the employee.

Next to the direct effects of the crisis on the labour market, an operationalised effect based on indicators such as the percentage of 25% of the respondents who declare to have exited the labour market during the last two years by collective layoffs increases the pressure on those continuing to be active on the labour market.

Moreover, even under the conditions of the severe precariousness of the job supply, of hard working conditions, the perception of the imbalances regarding the relationship between the work volume and difficult working conditions on one hand, and the level at which this work is paid, on the other hand, is an important enough motivation for one tenth of those exiting the labour market for the last two years to opt for resignation (a very hazardous option, in the mentioned context and under the conditions in which just 5% from these resigning individuals motivate their action by finding a better workplace).

Just the same, both those who left by resigning from the last workplace and those who were laid off or fired declare, to a larger extent, that they have frequently experimented instances such as task and overtime overload, against those who exited the labour market without any hindrances, either by retirement or based on parties' agreement. However, at least regarding the pensioners' category, in the comparative analysis with the first group, other factors should be considered such the more advanced age and experience (length of service) at the workplace, which provide to those close to pensioning a superior statute and, by correlation, better working and contractual conditions.

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INTERNATIONAL REGULATION FRAMEWORK REGARDING THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN¹

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***Abstract:** The paper overviews international conventions focused on eliminating the discrimination of women. Particular attention is paid on the progresses registered by Romania in this respect. The existing institutional building and legislative framework support implementation of the assumed responsibilities. The monitoring and evaluation of women's situation in Romania is still lacking, as the last progress report was submitted in 2003. Political long-term commitment in this direction could improve the current situation especially from the women's state of affaires monitoring point of view.*

***Keywords:** women, discrimination, discrimination against women, CEDAW*

1. Introduction

The specialised literature uses a series of terms regarding differences between men and women (sex or gender discrimination, equality of chances or of treatment) or differences between human beings (equal opportunities). The situations of woman's vulnerability are complementary included but failure to use them in consensus with the unanimously accepted definitions of the international conventions (discrimination) or lacking definition in such documents (equality) create both ambiguities and the perception of pertaining to a general panacea concept for solving the issues that women face.

Regarding sex, it is one of the longest surviving concepts, used with priority in pointing out the biological differences between men and women. Because the concept has a

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long-established meaning as presented above, the implementation of the “gender” term was welcomed as it is “*a symbolic system by which bodies enter into sociality (...) referring to the way in which a certain culture defines these differences, to the distinctions in the way women and men live their lives and to the manner in which individuals see their and others’ lives in the terms of the woman-man dichotomy*” (Grünberg, 2011, p. 209).

The efforts for promoting equality between men and women imposed the understanding, assuming and responsibility assumption of actions corresponding to promoting specific measures. Equality means more than promoting a way of equal behaviour towards men and women. It became “*a basic principle and the end scope in the fight for acknowledging humane rights for women*” (Holmström and Karlbrink, 2001, p. 434). In acknowledging the actuality of this topic, in 2007, was instituted the European Year of Equal Opportunities for All.

Based on these considerations, the article reviews the main definitions and regulations reflected by international conventions to which Romania is signatory party. The purpose of such an approach is to contribute to clarifying terms, highlighting progress, and identifying the position of our country, in relation to the transposition of measures that contribute in combating women discrimination.

2. International conventions regarding the fight against discrimination

The United Nations Organisation (UN) is the initiator of the main international regulations with impact on the protection of women. Beginning with the International Universal Declaration of Human Rights (1948)¹, the acts reflecting world interest about women are: the Convention on Political Rights of Women (20 December 1952)², The Convention on the Elimination of All Forms of Discrimination against Women (18 December 1979)³ and the Declaration on the Elimination of Violence against Women (20 December 1993)⁴. Other UN conventions targeting other vulnerable groups, but with direct impact on women⁵ are:

- Declaration of the Rights of the Child (20 November 1959)
- Declaration on the Elimination of Discrimination against Women (7 November 1967)
- Declaration on the Rights of Mentally Retarded Persons (20 December 1971)

¹ Adopted by the General Assembly of the United Nations, Resolution 217 (III) of 10 December 1948.

² Adopted by the General Assembly of the United Nations, Resolution 640 (VII) of 20 Decembrie 1952. The resolution was enforced on 7 July 1954

³ Adopted by the General Assembly of the United Nations, Resolution 34/180 of 18 December 1979. The resolution was enforced on 3 September 1981

⁴ Adopted by the General Assembly of the United Nations, Resolution 48/104 of 20 December 1993.

⁵ Convention.

- Declaration on the Rights of Disabled Persons (9 December 1975)
- Convention on the Rights of the Child (20 November 1989)
- Proclamation on Ageing (16 October 1992)
- Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women (6 October 1999)
- Optional Protocol to the Convention on the Rights of the Child on the sale of children, children prostitution and child pornography (25 May 2000)
- Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict (25 May 2000)
- Convention on the Rights of Persons with Disabilities (13 December 2006)¹ (Stănescu, 2013, p. 65)

A series of conventions and protocols are dedicated to the general situations of vulnerability (torture, discrimination, human trafficking) that might affect human beings irrespective of their sex. From among these we mention the International Convention on the Elimination of All Forms of Racial Discrimination, adopted in 1965 and ratified by Romania on 15 September 1970.

From the viewpoint of focusing national efforts for solving the issues faced by vulnerable groups, the situation of women represented an absolute priority (Stănescu, 2013, p. 66) as can be seen from the Table hereunder:

Table 1. Chronological Table about the time allotted between the adoption of some UN declarations and conventions regarding children, women, disabled persons and elderly

Nr.	Issue	Declaration ²	Convention ³	Number of years
1.	Child	1959	1989, 2000 (optional protocol)	30
2.	Women – political rights	1948	1952	4
3.	Women - discrimination	1967	1979, 1999 (optional protocol)	12
4.	Women - violence	1993	-	-
5.	Person with disabilities	1971	2006	35
6.	Elderly	1992	-	-

Source: Stănescu, S.M., 2013, Institutional Framework Impacting Social Economy, in *Social Economy Review*, vol. III, nr. 3/ 2013, p. 66

¹ http://www.un.org/documents/instruments/docs_en.asp?year=1969

² The complete titles of the declarations/conventions are available in the enumeration from above.

³ Ibid. 96

In the following we analyse UN regulations with direct impact on improving the situation of women, in view of highlighting the progresses recorded in acknowledging the role of women in society.

According to Article 2 of the Universal Declaration of Human Rights (1948), “*everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction on any kind such as (...) sex*”. The declaration mentions that all are equal against discrimination (art. 7), the right of all to marry and to found a family (art. 16 para. 1), everyone’s right to work and free choice of employment (art. 23 para. 1), everyone’s right to education (art. 26 alin 1) and the right “*to freely participate in the cultural life of the community*” (art. 27 para. 1) (** UN, 1948).

The Convention on Political Rights of Women (1952) represented a first step in the process of implementing the regulations regarding equality between men and women. The main promoted originality elements were the right of women to vote (art. I) and be elected (art. II). Women’s right to work was reiterated, as it was mentioned also in the Universal Declaration of Human Rights. According to article III, women may hold any public office (** UN, 1952). Once the above-mentioned convention was ratified, women gained on short-time the access to the political life, but on long-term a complex process of official reflection on the role of women within the society was triggered from a wider perspective than the reproductive one.

Romania ratified the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) (1979) in January 1982, in the third wave of countries to sign the Convention. An optional protocol of CEDAW was signed by our country on 6th September 2000 and ratified in June 2003 (** CEDAW, 2003, p. 3).

According to CEDAW, “*discrimination against women*” represents “*any distinction, exclusion or restriction made on the basis of sex, which has as effect or purpose impairing or nullifying the recognition, enjoyment or exercise by women, irrespective of their marital status, on a basis of equality of men and women, of human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field*” (art. 1) (** UN, 1979). CEDAW details recommendations of measures that the signatory states must adopt within the national legislation, in the political and public life, in the right of maintaining or changing nationality, in education, in labour force employment, health, and in other fields of the economic and social life, for protecting women from the rural area, in marriage, and in family relationships.

Article 11 of CEDAW details the measures that signatory states must adopt for eliminating the discrimination of women in the workforce. Among these, we mention “*equal treatment in respect of work of equal value*” (letter d), and “*the right to protection of health and to safety in working conditions*” (letter f) (** UN, 1979).

The CEDAW recommendations for the member states include “*to modify social and cultural patterns (...) with a view of achieving the elimination of prejudices and customary and all other practices which are based on the idea of inferiority or the superiority of either of the sexes, or on stereotyped roles for men and women*” (art. 5 letter a) and “*to ensure that family education includes a proper understanding of maternity as a social function and the recognition of the common responsibility of men and women in the upbringing and development of their children*” (art. 5 letter b). In

Romania, due to the lacking interministerial drafting and correlation of action plans (at least between the Ministry of the National Education, the Ministry of Labour, Family, Social Protection and Elderly, Ministry of Culture, and Ministry of Health) the implementation of these recommendations is difficult to evaluate, as there is the risk that they remain only at the level of national desirability.

The signatory countries are monitored and requested to submit regular national reports regarding the *“legislative, judicial, administrative or other measures which they have adopted (...) and on the progress made in this respect: within one year after the entry into force for the State concerned; and thereafter at least every four years and further whenever the Committee so requests (art. 18, *** UN, 1979).”*

CEDAW represented a step forward in acknowledging the rights for women. On short-term, the signatory states were encouraged to make efforts regarding the implementation of the recommended measures. On long-term was continued the complex process of reconsidering the roles and place of women within the society. Monitoring the undertaken steps at the level of each country poses the issue of operationalizing the measures stipulated by the Convention and of identifying sets of national specific indicators which are comparable at international level.

On the basis of the regulation frameworks mentioned above, UN continued the efforts of acknowledging and respecting the rights of women. In accordance with the Vienna Declaration and Plan of Action,¹ *„the human rights of women and of the girl-child are an inalienable, integral and indivisible part of universal human rights. The full participation of women in political, civic, economic, social and cultural life, at the national, regional and international levels, and the eradication of all forms of discrimination on grounds of sex are priority objectives of the international community” (*** UN, 1993a).*

According to the Declaration on the Elimination of Violence against Women (1993), “violence against women” represents *“any act of gender-based violence that results in, or is likely to result in, physical, sexual or psychological harm or suffering to women” (art. 1).* Women may be victims of violence within the family, community, at the workplace, in educational institutions, or when violence is perpetrated or condoned by the state. (art.2). A special form of violence is *“sexual harassment or intimidation at work” (art. 2 letter b).* The signatory states are called upon to *“condemn violence against women and should not invoke any custom, tradition or religious consideration to avoid their obligations with respect to its elimination” (art. 4).* Among the recommended measures to the signatory states is included also *“to promote research, collect data and compile statistics, especially concerning domestic violence” (art. 4 lit. k) (*** UN, 1993b).* The last periodical report submitted by our country in 2003 regarding the CEDAW monitoring, was criticised with respect to the statistical data, and the recommendation regarding this aspect was of including relevant statistics and their improvement with new data referring, for instance, at the condition of the elderly or disabled women (***) CEDAW, 2006, p. 6).

From the institutional viewpoint, the adequate approach of the specific issues related to women represented the main reason for which, in 1946, was decided on the creation

¹ Adopted by the World Conference on Human Rights, Vienna, 25 June 1993

within the UN of a sub-commission dedicated exclusively to the statutes of women. Among the notable achievements of this structure we mention the alteration of the Universal Declaration of Human Rights, respectively by eliminating all discriminatory elements towards women. The initial form of Article 1 was altered from “*all men and brothers*” in “*all human beings are born free and equal in dignity and rights*”. At the same time, in the preamble of the Universal Declaration is reasserted the belief in the equality between men and women. The sub-commission played a key-role in initiating and in the ratifying by the member-states the UN Conventions (Achimescu *et al.*, 2011, p. 178).

3. European Regulations regarding the fight against discrimination

From the viewpoint of the European regulations, significant regarding the issue of discrimination are the Council Directive 2000/43/EC from 29 June 2000 regarding the implementation of the principle of equal chances irrespective of their race or ethnic origin, and the Council Directive 2000/78/EC from 27 November 2000 which sets the guidelines for the equal treatment on employment and occupation. The member-states resorted to two types of solutions against the mobbing phenomenon: adopting specific legislation for combating the phenomenon (Belgium and Sweden), or strengthening complementary prevention and combating measures (Germany and Italy) (Tomescu, Cace (coords.) 2010, p. 32-35).

In accordance with article 17 of the Council Directive 2000/43/EC and to article 19 of the Council Directive 2000/78/EC, it was resolved that member-states submit to the European Parliament and to the Council until 19th June 2005 and thereafter after a period of five years each information required to draft the report regarding the implementation of the Directive (***) Council Directive, 2000a, (***) Council Directive, 2000b). The European Commission submitted to our country a letter of “default of the Romanian authorities (no. C (2012) 39996 final) issued on 22 June 2012 in the Case 2012/2099, for failure to comply with the obligation as member-state of the EU to correctly and completely transpose the Directive 2000/43/EC” which received as reply the commitment to solve “by mid-year 2013” (***) Government of Romania, 2013). In 2013, was adopted the Emergency Ordinance 19/2013 for altering and amending the Governmental Ordinance no. 137/ 2000 regarding prevention and sanctioning all forms of discrimination. The Ordinance mentions that “*undergoing a legislative process of correctly transposing the other aspects underpinned by the European Commission would imply a longer period of time, which would lead to exceeding the term assumed by the Romanian authorities against the European Commission*” (*ibid.*.” The risk is identified for similar procedures to be undertaken by the European Commission because of the delay in transposing European Directives (idem) “*which might result in payment of a lump sum, as well as of penalties with interest accrued*”.

One of the most recent European regulations is represented by the Convention of the European Council of Preventing and Combating Violence against Women and Domestic Violence (2011). In accordance with the other provisions, corroborated with

this regulation, our country revised the National Strategy for Preventing and Combating the Violence Phenomenon within the Family..

4. Regulation of the fight against discrimination at national level

During the communist period, the promotion of women's non-discrimination was less represented by legislative measures on grounds of the "assumption according to which opting for the general principle of the equality of sexes and the exclusion of elimination is enough" (Zamfir *et al.*, 1999, p. 269). The mechanisms of promoting non-discrimination included "political orientation and the representation quota" (*ibid.*, p. 269-270).

Romania made efforts for the alignment with the international conventions by transposing within the national legislative framework of the provisions included in the UN Conventions and European Directives.

Regarding the implementation of the provisions included in CEDAW, Romania submitted the second and third periodical reports as a unitary document in 1992 thereby covering the period since 1987 on (** CEDAW, 1999, p. 2). The fourth and fifth reports, corresponding to the progresses recorded in the period 1992-1999, were submitted to the Committee for Eliminating the Discrimination against Women in 1999 and these two reports were debated within the 23rd Session (2000).

Table 3. National Reports submitted by Romania

No.	States parties	Date due	Date of submission	Considered by Committee (session (year))
1.	Initial report	6 February 1983	14 January 1987 (CEDAW/C/5/Add.45)	Twelfth (1993)
2.	Second periodic report	6 February 1987	19 October 1992 (CEDAW/C/ROM/2-3)	Twelfth (1993)
3.	Third periodic report	6 February 1991	19 October 1992 (CEDAW/C/ROM/2-3)	Twelfth (1993)
4.	Fourth periodic report	6 February 1995	10 December 1998 (CEDAW/C/ROM/4-5)	Twenty-third (2000)
5.	Fifth periodic report	6 February 1999	10 December 1998 (CEDAW/C/ROM/4-5)	Twenty-third (2000)
6.	Sixth periodic report	6 February 2003	10 December 2003 (CEDAW/C/ROM/6)	Thirty-fifth (2006)

Source: Status of submission and consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women, as at 31 August 2006; <http://www.un.org/womenwatch/daw/cedaw/cedaw%20report%20submission%20status%2031Aug2006.pdf>

The sixth periodical report, regarding the period 1998-2002, was forwarded in 2003 and debated within the 35th Session (2006). The report highlights the progresses recorded in the

development of the institutional building by setting-up the National Agency for the Protection of Family, of the Pilot-Assistance and Protection Centre for Victims of Domestic Violence and of the Family Information and Consulting Centre¹ and is based on the statistics in the 2002 Census of population and housing (** CEDAW, 2003, p. 3-6).

In accordance with the comments received from the Committee for Eliminating Discrimination against Women, based on the sixth periodical report, a series of progresses were remarked upon, some concern-raising issues were identified, and recommendations were made for which the monitoring outcomes are expected in the next national report. The highlighted positive aspects are:

- Legislative changes (passing Law 202/2002 regarding the equality of chances between men and women with subsequent alterations and amendments², the Emergency Ordinance 137/2000, regarding prevention and sanctioning of all forms of discrimination, Law 217/2003 regarding prevention and combating violence in the family and Law 678/2001 regarding prevention of human trafficking³),
- Adjustment of the institutional building with respect to the issue of women (set-up, in 2005, at central level of the National Agency for the Equality of Chances between Men and Women, with territorial representativeness, and in 2004 of the National Agency for Family Protection, and of the National Agency for Roma in 2005, and of the National Agency for the Prevention of Human Trafficking and of Monitoring the Assistance for Victims of Human Trafficking⁴),
- The adoption of the National Strategy for Equality of Chances between Men and Women for the period 2006-2009, of the National Strategy for Preventing and Combating Domestic Violence 2005-2007, and of the National Strategy against Human Trafficking for the period 2006-2010⁵.
- Changes of the Civil Code regarding the increase in the minimum marriage age to 18 years of age (**, CEDAW, 2006, p. 2).

¹ Their attributions and the ones of the National Authority for Child's Rights Protection were taken over by the National Authority for Family and Child's Rights Protection..

² Law no. 202 from 19 April 2002, republished, regarding equality of chances and treatment between men and women, published with the Official Bulletin no. 150 from 1 March 2007.

³ Altered by Governmental Emergency Ordinance no. 41/ 2011, for altering Law no. 678/ 2001, regarding prevention and combating human trafficking published with the Official Bulletin, Part I, no. 304 from 3 May 2011.

⁴ Conform Hotărârii Guvernului nr. 1584/2005 pentru înființarea, organizarea și funcționarea Agenției Naționale de Prevenire a Traficului de Persoane și Monitorizare a Asistenței Acordate Victimelor Traficului de Persoane. Denumirea actuală este Agenția Națională împotriva traficului de persoane, conform Hotărârii Guvernului According to the Governmental Resolution no. 1584/2005 for establishing, organising and functioning of the National Agency of Preventing Human Trafficking and for Monitoring Assistance for Victims of Human Trafficking. The current name is the National Agency against Human Trafficking, according to the Governmental Resolution no.460/2011, regarding the organization and functioning of the National Agency against Human Trafficking.

⁵ The update version is the National Strategy against Human Trafficking for the period 2012-2016.

The report of the Committee for Eliminating the Discrimination against Women, compared with Romania's sixth periodical report identified a series of concern-raising reasons. For each of them a recommendation was formulated. Our country is required to assume all obligations resulting from the quality of signatory state and to return with details about the registered progresses on the occasion of the seventh report. The seventh report was planned for February 2007, but the eighth periodical report was planned for submitting in February 2011. It was resolved to submit a single joint report in February 2011 (***, CEDAW, 2006, p. 2-7).

Table 4. Main reasons of concern and recommendations of the Committee for the Elimination of Discrimination against Women, against Romania's sixth report for implementing CEDAW

No.	Weaknesses	Recommendations
1.	institutional cooperation in achieving the CEDAW goals;	communicating the conclusions of the report to all relevant institutional actors and with responsibilities in assuming accountability according to CEDAW;
2.	limited statistical data that do not allow for evaluating progress;	Improvement of data collection
3.	insufficient knowledge about the recent progresses in the legislative and policy frameworks by the population;	organising a national campaign of information and of raising awareness about the new legislative provisions for protecting women-victims of domestic violence or of discrimination;
4.	insufficient knowledge about CEDAW and of the optional protocol by experts in the legal and judicial field;	improved information of the experts in the legal and judicial field about the CEDAW provisions by awareness-raising campaigns;
5.	insufficient resources and visibility of the National Agency for the Equality of Chances between Men and Women in promoting the rights of women at central and national level;	allotment of necessary resources for strengthening the role of the National Agency for Equality of Chances between Men and Women as institutional mechanism of promoting the rights of women;
6.	poor representation of women in high-level and decision structures;	improving women representation in management and decision positions;
7.	insufficient protection of victims of domestic violence, especially in the rural area;	rural supporting victims of domestic violence, especially of those living in the rural area; allocation of necessary funds; an operational 24/7 emergency line
8.	the volume of human trafficking phenomenon in Romania;	the analysis of the human trafficking phenomenon from its origins on;
9.	persistence of high levels of abortion and infant mortality despite made efforts;	implementing programmes that would allow access of women to health services, and family planning counselling/services;
10.	The situation of Rroma ethnic women;	hollistic approach for eliminating the multiple and cross-sectional discrimination forms faced by the Rroma women, including here the

No.	Weaknesses	Recommendations
		approval of the budget for supporting the implementation of the action plan for Rroma's Inclusion Decade 2005-2015;
11.	the situation of women on labour market, the continued concentration in poor paid jobs of the public sector (health, education) and wage differences between men and women both in the public and private sector	continued efforts for eliminating gender barriers in employment;
12.	situation of women in the rural area faced with limited access to education, employment and health services	directing policies towards women in the rural area, inclusively by setting-up a calendar in the National Strategy for Equality of Chances between Men and Women for the period 2006-2009;
13.		inclusion in the following report of information regarding elderly women and women with disabilities

Source: *** Convention of the Elimination of All Forms of Discrimination against Women, Committee on the Elimination of Discrimination against Women, 2006, *Concluding comments of Committee on the Elimination of Discrimination against Women, Romania*, p. 2-6

Among other measures adopted by our country towards implementing responsibilities assumed according to international conventions, we mention the adoption of the Ordinance no. 137 from 31 August 2000 regarding the prevention and sanctioning of all forms of discrimination with the subsequent alterations and amendments. The normative deed contains principles and definitions of the guaranteed rights, by virtue of complying with the principle of citizens' equality, of privileges' and discrimination exclusion (art. 1).

The sections of the Ordinance approach forms of discrimination in complementary fields, where it can unfold: economic activity, regarding employment and occupation (section I), regarding access to public administrative and legal services, to health services, to goods and facilities (section II), access to education (section III), freedom of movement, right to chose residence and access to public places (section IV) and right to personal dignity (section V). The regulation of the functioning and organisation of the National Council for Combating Discrimination (CNCD) (section VI) represents an institutional indicator of the national arrangement for implementing the provisions of the international conventions. However, we underpin that there is no explicit reference to women, albeit the most recent convention dedicated to women (the Declaration on Eliminating Violence against Women) has been adopted already in 1993.

In accordance with international provisions, but also with the recently adopted Convention of the Council of Europe regarding prevention and combating violence against women and domestic violence (2011), our country revised the National Strategy for Preventing and Combating the Domestic Violence Phenomenon (MLFSP, 2012a, p. 2).

The legislative changes implemented at the beginning of the year 2013 detail aspects related to the functioning terms within CNCD but do not compensate this deficit (**Emergency Governmental Ordinance 19/2013¹, ** Law 189/2013², ** Romanian Parliament, 2013). A possible answer might be related to the fact that the adopted measures answer to the request addressed by “the letter of the European Commission regarding the default of the Romanian authorities (...) for failing to comply with the obligation as member-state of the European Union to correctly and completely transpose the Directive 2000/43/EC” in the assumed time interval under the reserve that “undergoing a legislative process for the correct and complete transposition of the other aspects mentioned by the European Commission would mean a longer period of time, which would lead to exceeding the term assumed by the Romanian authorities in front of the European Commission (**Romanian Government, 2013).

Among the steps undertaken in adopting at national level the international regulations, we mention the adoption of Law 612/2002, on formulating a statement about the recognition by Romania of the competence of the Committee of Eliminating Racial Discrimination in accordance with article 14 of CEDAW passed by the UN General Assembly at New York on 21 December 1965. In accordance with the Law 612/ 2002 our country recognizes the “competence of the Committee of Eliminating Racial Discrimination to receive and examine claims from persons under the jurisdiction of the Romanian State and who claim they are victims of infringement by Romania of any of the rights provided by the International Convention of Eliminating All Forms of Racial Discrimination” (art. 1). However, this does not grant to the committee the “competence to examine claims (communications) of some persons invoking the existence and infringement of collective rights” (art. 2). As these fall under the competence of CNCD.

5. Conclusions

The article analysed the main international regulations with impact on improving the situation of women, inclusively by combating discrimination and their transposition within the Romanian legal framework. We are faced also in the future with a series of obstacles in implementing the protection measures for women against discrimination and in monitoring the recorded progresses. The determinant factors of this situation include: the low number of women represented represented in decisional for a the weak coordination of the public and private milieu, stereotypes related to the role of women in society, the “way in which the provisions of the international conventions regarding human rights and the national context intersect with each other”, cultural differences, the responsibility of the state and, last but not least, the perception of women regarding the situations they are faced with (Vonica-Răduțiu, 2003, p. 15-16).

¹** Emergency Ordinance 19/2013 for altering and amending the Governmental Ordinance no. 137/2000 regarding the prevention and sanctioning of all forms of discrimination.

²** Law no. 189 from 25 June 2013 regarding the approval of the Emergency Ordinance of the Government no. 19/2013 for altering and amending the Governmental Ordinance no. 137/2000 regarding the prevention and sanctioning of all forms of discrimination.

The failure in solving these aspects expose women from Romania to various forms of discrimination from which the most acutely felt is the one on the labour market, both on employment and in maintaining a job. The data regarding Romania show that even though men are preponderantly represented in the informal sector (51.1%), the chances of a male individual to work in the informal sector are by 29% less than in the case of women” (Pisică *et al.*, 2012, p. 267).

Promoting life-work balance depends a lot on the supply of services available to women for caring for little children (crèches, kindergartens, schools) or for family members exposed to various risks (disability, incurable disease, immobilised to bed). In the absence of such support measures, women give up practically their jobs in favour of caring for children, or for family members. A sociological report regarding the situation of youths in the rural area underpins that this situation is the more acutely felt in this environment. The lack of kindergartens with extended programme exposes mothers to the risk of no longer being able to take a job at a certain distance from their residence. (***) MLFSP, 2012b, p. 80, 147, 149).

Women’s job satisfaction is a topic insufficiently researched in Romania. A study regarding social economy in two development regions (Bucharest-Ilfov and South-East) highlighted very high values of satisfaction for women employed within the social economy, against men. The reasons are related to the perception according to which “work in a social economy entity has outcomes at social level, succeeding indeed to help people. Women believe at a personal level that such jobs provide for opportunities of professional development, recognition, success, and financial satisfaction,” (Achimescu *et al.* 2011, p. 196).

Romania ratified the main UN conventions regarding the situation of women. With respect to the adoption of European regulations, delays are found, albeit progresses were recorded at the level of institutional building and at the one of the legal framework. Among the most recent alterations we mention the abolishment of the National Agency for Women’s Protection and the transfer of attributions to the Directorate for Child’s Protection. At the same time, the legal framework was reviewed just as the National Strategy for Combating Domestic Violence.

The last national report submitted in 2003 regarding the monitoring of progresses recorded by Romania in implementing CEDAW identifies a series of concern-raising reasons. The monitoring of the situation of women especially in the areas identified as problematic by the Committee for the Elimination of Discrimination against Women and implementing the recommendations received to this end might contribute to decreasing discrimination and improving the quality of life for women in Romania.

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DISCRIMINATION AGAINST WOMEN ON THE ROMANIAN AND EUROPEAN UNION LABOUR MARKET

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Abstract: *In the present article, there is examined the issue of discrimination against women on the labour market, taking into account three essential aspects: employment, wages and promotion to managing positions. For gathering the data, there was resorted to the statistical analysis and a sociological field research, among a representative population, constituted of 1,500 subjects, from the South-West Oltenia Region. Some of the collected data is commented in the present work. The official statistics shows that the share of women who occupy this area is of 52.4%, lower than the national average, of 56.2%.*

Over 28% of the questioned people considered that the gender discrimination represents the main impediment of employment, to which there are added other reasons too, such as: the lack of qualifications and studies, prejudices and household chores etc.

The statistical data attests the fact that, within EU, women have been averagely remunerated with 16.4% less than the men, while in Romania, a man earned 9.1% more than a woman. The sociological field research showed that women are disadvantaged as regarding the choosing of profession, almost 40% of the inquired subjects stating that they are unable to work in certain fields, which are exclusively occupied by men.

Moreover, it was noticed that women have a more reduced share in the economic and political management. For example, in the Romanian Parliament, the share of women is of 18%, that of the men of 82%. This situation is also met in other countries, as Italy, where 69% of the parliamentarians are men and 31% are women.

Keywords: *the concept of discrimination, prejudice and discrimination, theories on discrimination, discrimination in work, discrimination in social life management*

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Introduction

Discrimination is a widely spread social phenomenon, deeply rooted in the history of the human society, with manifestations specific among the feminine population. We mention that, in almost all the countries of the world, the females represents half, or even more, of the entire population, which shows the dimensions of the phenomenon of discrimination and its multiple manifestations. Furthermore, the discrimination against women phenomenon is much more accentuated in the societies that have a lifestyle based on the traditional values and norms (religious/laic), than in the modern societies, open to innovations and organised on democratic principles (the observing of individual rights and liberties, equality of citizens before the laws etc.).

In the fifties, under the influence of social movements, the negative connotation is developed with respect to the term of discrimination. The initial, neutral meaning, synonymous with the distinction, took over a pejorative connotation. Now, it is about differentiation actions either abusively or illegally, by separating a social group and treating another in a disfavoured manner, one way or the other. At the same time, the term of non-discrimination emerges, with the entire associated conceptualisation. (Stoiciu, G., Popescu, R., Caramalau, R., 2016, p.14)

One of the most frequent forms of discrimination against women is met on the labour market, which we are going to examine, on three aspects: employment, wages and promotion to managerial positions.

In its linguistic acceptations, the notion of discrimination has mainly a positive connotation. The verb *to discriminate* means to distinguish, to differentiate, to separate, to segregate, all these being considered synonyms. Therefore, the meaning is an ascertaining and descriptive one.

In the political sciences field and law, the notion of discrimination is preponderantly referring to value and norm. It gains a major and imperative meaning, with a prophylactic and reparatory character, owing to the fact that the act of discrimination is evaluated in the social context as a reprovable, unequal, undesirable, rejecting action. The fact that there is explained by its usual reference to a real phenomenon, that of limitation, bullying, or infringement of the rights of a certain category of citizens (groups, minorities, populations), within a local or national community.

Thus, through discrimination, there is ignored a moral value (the collective good) and infringed a law norm or principle (the equality of all the citizens before the law). In art. 16, called "Equality in rights", from the Romanian Constitution, there are underlined the reasons of the mentioned principle: "(1) All the citizens are equal before the law and public authorities, without privileges or discriminations; (2) Nobody is above the law; (3) The Romanian state guarantees the equality of chances between women and men" [...] (The Romanian Constitution, art. 16).

Since 2000, in our country, there has been adopted a legislation, specific for the official fight against discrimination. Thus, Ordinance no. 137/31st of August 2000 on the prevention and sanctioning of all forms of discrimination, starts from the principle of equality, which excludes the privileges and the discrimination in exercising the citizen

rights. Moreover, it is defined the notion of discrimination, through which “it is understood any distinction, exclusion, restriction or preference, based on race, nationality, ethnicity, language, religion, social category, beliefs, sex, or sexual orientation, belonging to a disadvantaged category, or any other criterion that has as purpose or effect the restriction or the elimination of recognition, use or exercising, in conditions of equality, of the human rights and fundamental freedoms, or the rights recognised by the law, in the public, economic, social and cultural area, or in any other areas of the public life”. (Ordinance no. 137, art. 21). In addition, there is mentioned that the unjust and degrading treatment of a person, group of people, or community, is sanctioned with civil penalty, in case they do not fall under the provisions of the penal law [art. 2.2].

Discrimination also triggers the manifestation of inequality between people, derived from the deliberately negative appreciation of their ethnic, racial, political, religious, sex, age etc. belonging. It encompasses different types and forms of manifestations – from the most peaceful, to the most violent. Generally, discrimination addresses the relations between individuals, sexes, groups, institutions, social classes, organisations, communities, religions, states, nations etc., manifesting itself on the microsocial level (e.g.: family discrimination), the macrosocial level (e.g.: the ethnic groups), and globally (e.g.: between human races). Racial and gender based discrimination represent the most frequently met ones, in different societies, reason for which they aroused the interest of the specialists, to investigate them rigorously.

The discrimination affects persons dignity and has influences over what is defined as auto-discrimination. Auto-discrimination implies the lack of hope, of a strategically vision as a response to the applied differentiated treatment, to the diminution of the perceived prestige level associated with the social category of membership and to the resignation to the situation. (Panait, A., 2011, p.13).

In the sociological literature, there is made the distinction between prejudice and discrimination, as, for example, does the American sociologist Norman Goodman, who underlines the following: “*Prejudice* refers to people’s attitudes and ideas, *discrimination* to their behaviour. Briefly, discrimination represents the unequal treatment of people, based on their belonging to a social group or category. Traditionally, discrimination refers to the *behaviour* that injures the object (objects) of discrimination?”. (our note) (Goodman, 1998, p. 202)

The theoretical and normative background

Discrimination is a life characteristic, reflected by certain theories and interpreted in an approbatory or disapprobatory manner, according to the political and philosophical orientation of each author. We can assert that discrimination has become a studied issue and a public intervention problem, when its forms of expression gained unbearable, pathological, or explosive valences. Habitually this is the case of racial and sex discrimination.

As a social phenomenon, discrimination can be approached from several points of view, specific to history, sociology, law, political sciences, statistics, ethics, philosophy

etc. It results that there are a lot of theoretical perspectives of analysis. The merging of juridical research with the statistical and sociological one, can offer us a conclusive image on the discrimination of women, and the evolution of this phenomenon in the contemporary world. Thus, for example, law places at our disposal the normative background, which sanctions the discriminatory actions. This illustrates the type of reaction that state and society have, at some point, when the values that they cherish and cultivate are threatened. Practically, we deal with a concrete answer for the factors that might perturb the social order, factors that violate human dignity. Statistics offers us evidences of quantitative data, based on which there are calculate the area and the amplitude of the phenomenon, on national level. Sociology confers the causal or functional explanation of the phenomenon, the proposal of solutions, based on which, the results unravelled by the empirical investigations (due to the examination of qualitative or quantitative aspects), along with the identification of the vulnerable social groups etc.

The discrimination against women can be explained in sociology, from the perspective of several theories, such is the theory of roles, the functionalist theory and the determinist theory. The first indicates the fact that men and women carry out different roles in the society, some of them natural, biological, others attributed by the institutions and the groups that they belong to. The functionalist theory (whose eminent representatives were, in anthropology, B. Malinowski and R. Brown, and, in sociology, T. Parsons and R. K. Merton) sustains that all the activities from a society fulfil a certain function, meaning that they satisfy different needs of the people (from the instinctive, primary, to the soul, spiritual ones). The way they are satisfied varies from a society culture to the other. The culture is what teaches people the values, such is the good, the justice, the freedom, the truth, solidarity etc., along with their opposite. Consequently, it is possible that, in certain societies, the racial discrimination and that against women to be perceived as natural, normal, as something appropriate, especially if it generates from a saint, venerable tradition.

The determinist theory implies the unfolding of the cases that generate certain effects, as the phenomenon of discrimination against women. Moreover, it is explained the importance of different factors involved in such a process, and the role each of them had, in producing the effect.

For the same reason, we can invoke the comprehensive theory of Max Weber, which is based on the signification of meaning and the significations of human actions, therefore, the exploitation of the subjective universe, of motivations and reasons that mobilise people to act in a certain way or another. Why, for example, in a particular circumstance a woman is appreciated, while, in a different context, she is treated offensively?

The definition of concept of discrimination, in the traditional meaning of the term, does not exclude some ambiguities and controversies, supplied especially by the confusion between the types of discrimination and the forms they manifest, or the use of specific syntagms, such the ones of *positive discrimination* and *inverse discrimination*. The first is a specific type of discrimination, which regards: "The assuring of advantages special for individuals, only because they belong to certain social categories"(Goodman, 1998, p. 202)

Basically, it is started from the hypothesis that a social group can be vulnerable or disadvantaged, and, then, the members need to be helped. An edifying example, from our society, is the admission of the Romany to the university education, on places especially preserved for them, for which only they can candidate.

The research of discrimination in USA, leads Norman Goodman to the conclusion that, in this society, there is manifested another type of discrimination too, that is the *institutional discrimination*. The thinker considers the fact that the deficiencies in the activity of an institution, such are the educational and health care, can generate discriminatory situations between the individuals. Thus, school can prepare students that are capable, or others, incapable, to access to power, to gain influence and social prestige, to increase their wealth.

We appreciate that, besides the already mentioned meaning of the institutional discrimination concept, we can also talk about a new, real one, with unequal treatment coming from the same type of institution (e.g.: the same public institutions receive different governmental funds, but they have the same internal needs).

According to the determinist way of thinking, we are in the position to consider that, to the origin of certain discriminatory actions, there are collective traditions and prejudices, ignorance and ill-intention, the fake judgements and wrong reasoning, the stereotypes and the prejudices of particular certain of people. They are concluded in what we can call types of *spontaneous discrimination* (opposed to the deliberated one), which appears naturally, by default, in the individual behaviour, usually having a hereditary treat, being transmitted through education, from the previous generations to the nowadays ones. Consequently, for example, most of people, especially the ones living in the rural regions, agree with the idea that the role of women is to carry out activities related to family (care and bring up of children, prepare food etc.), while men should perform economic or political activities. Such a mentality is as common, as nobody asks why men do just some of the household activities, while women do different ones, in the family (e.g.: the preponderant frequency of the maternal leave, although the laws give the right to paternal leave too).

The stereotypes and prejudices fuel the conservative mentalities and discriminatory practices. Certain psychological research attest that the prejudices are founded on fixed ideas, incompatible with the entire change, within a society. Furthermore, R. Descartes was evidencing that the prejudice is at the core of our errors in knowledge. The disturbed conceptions lead to the formulation of labels, positive or negative, about individuals and groups, circumstances – a process explained by the American sociologist, William I. Thomas, through the theory of social *labelling*.

According to this theory, people do not make judgements according to the reality, but to a previous definition, taking fake, or exaggerated appreciations, as: “the Muslims are fanatic and terrorist”, “the Romany are lazy, thieves or dirty”, “the Chinese are meticulous”, “women are incapable of leading”, “men are more intelligent than women” etc. These labels do not resist against a test of the full concordance to the reality, and, therefore, they do not own the value of recognised truth.

If sociology is based on the diagnosis and practical solving of some forms of discrimination, met in different social groups, the law desires the attenuation or the elimination of discriminatory behaviours, by formulating coercive norms and negative sanctions. The sociological study concern discrimination as social phenomenon, while law addresses the individual infringement of certain normative acts, or legal provisions, and the punishment of the guilty.

The problem of people discrimination is reflected in a multitude of normative documents, national and international (elaborated within UNO, the European Union etc.). Among the well-known international documents, we are mentioning:

- The Universal Declaration on Human Rights, U.N.O., 1948;
- European Council Directive 78/2000 on the access of the persons with disabilities on the labour market;
- European Council Directive 43/29th of June 2000 on the implementation of equal treatment principle of persons, irrespective of their race or ethnicity;
- United Nations Convention on the rights of persons with disabilities (published in the Romanian Official Gazette, the 26th of November 2010);
- European Council Directive 78/27th of November 2000 establishing a general framework for equal treatment in employment and occupation.

“Romania adopted several regulations which contribute to the improvement of women’s situation, particularly in terms of fighting against discrimination and family violence and to promote the equal opportunity of the men and women. One cannot speak of an integrated approach of the specific problems of the women, although such initiative was forwarded by the National Agency for Family Protection”. (Achimescu, V., Cace, S., Stanescu, S.M., 2011, p. 110)

In our country, there were created the National Council for fight against Discrimination, through the Governmental Decision no. 1994 from 2001, an autonomous state authority, within the Romanian Parliament. The national legislation that refers to the phenomenon of discrimination includes:

- Labour Code;
- Governmental Emergency Ordinance no. 102/1999 on the special protection and employment of the persons with disabilities;
- Governmental Decision no. 967/1999 on the constituting and functioning of Commission on the Equality of Chances between women and men;
- Governmental Decision no. 1273/2000 on the national action plan for the equality of chances between women and men;
- Law no.202/19th of April 2002 (republished)on the equality of chances and treatment between women and men;

- Governmental Emergency Ordinance no. 96/14th of October 2003 on the protection of maternity at work;

“In the European Union member-states there are legislative provisions aiming to fight against discrimination and mobbing phenomenon. The member-states have the obligation to comply with the objectives stipulated by the European directives but they have a certain freedom when transposing the directives into the national legislation, depending on the specific national circumstances. The European legislation for combating discrimination and psychological harassment on the job brings benefits to workers within the European Union because it provides extended protection for all types of discrimination and harassment. The equality of treatment on the job and regarding working conditions are key-elements in guaranteeing equal chances for all individuals. These key-elements contribute to full participation of individuals to the economic, cultural and social life, and to the development of their professional and social potential”.(O. Banu, 2016, p.75)

- “Discrimination is regulated by several laws and provisions which allow the processual approach of this phenomenon both the by the civil and by the penal courts of law (particularly through the National Council for Discrimination Control). If a person feels discriminated it can forward a complaint to CNDC (the result may be a fine for the person guilty of discrimination or rectification of the situation), or it may sue (and demand compensations) or it may do both things. In all cases, the basic law which interprets the facts and makes decisions is the framework law for Discrimination”. (Campeanu, C., 2011, p.6).

The research methodology

For knowing the degree of discrimination against women in the nowadays society, it was resorted to the secondary analysis of the data given by a field sociological research, made within the project “Equal chances on the labour market from Oltenia – integrated solutions” (Research report, 2015). The empirical investigation was based on a poll and statistical analysis. The gathering of field information was made through a questionnaire, filled in at the domicile of the subjects.

The volume of the sample had 1,500 persons, aged between 18 and 65, from all the 5 counties of Oltenia, of both sexes, with the domicile both in the urban, and rural regions. The sample was a stratified one, being projected according to the structure and the share of the population from the established area. It was resorted to the statistical step of three, the margin being of $\pm 2.3\%$.

The main objectives aimed the identification of those discriminatory practices that are met on the labour market and the evaluation of the extent in which the feminine employees face difficulties related to their profession, career and income. The purposes were, equally, cognitive and applicative. The initially formulated hypotheses were verified during the empirical research. Among these we mention:

- The female labour force from the South-West Oltenia Region is less occupied than the masculine one, a situation that generates extended unemployment among women;
- Between men and women, there is a discrepancy on addressing the wages, which creates advantages for the first ones;
- The wage disadvantage of women, as compared to men, is even greatly present in the private environment, than in the public, state, institutions;
- The discrimination of women is met to a great extent as regarding both the choice of professions that they wish, and the jobs;
- The promotion of women to different leading positions of the social life is generally widely accepted by the citizens, and benefits by a favourable sustaining nowadays;
- The women have the leading role in the political and socio-economical life, less than the men do.

Further on, we are going to resort to the data provided by field sociological investigation, realised within the mentioned project, concomitantly to the evidencing of statistical data, relevant for the issue on the discrimination against women.

Results and comments

a) Gender differences on addressing female employment

One of the major problems of the European Union is the low rate of female employment in useful social activities. From the statistical data, presented by Eurostat, it results that five countries have the lowest rate of feminine employment: Greece (43%), Italy (50%), Croatia (53%), Spain (54%), Romania (56%). At the opposite side, there are the northern countries of the European continent, where, over 70% of the feminine population has a job: Sweden (77%), Germany (72%), Denmark (72%), Finland (72%) and Luxemburg (71%). (Eurostat)

The research done on the sample of 1,500 persons, from Oltenia South-Western Region, showed that 69% of them work, but the degree of occupation is lower for the female population, with 11% less than the male one. The resulted discrepancy confirms the first hypothesis of the study, meaning that the women's chances of employment on the labour market are lower than those of the men, a situation that amplifies the dimension of unemployment among them.

The rate of unemployment in the five counties of Oltenia was of 6.25 (at the moment of the field sociological poll), being in accordance to the rate of the national rate of unemployment (almost 6% during 2015, according to the data of the Romanian National Institute of Statistics). Unemployment among the population from Oltenia has been a perpetuated phenomenon over several years, and affects especially the young population and the active female labour force. It is worth mentioning that, in 2015, the population of the region had 2,250,000 dwellers, from which approximately 49% was active population (1,112,000 persons) , and only 33.5% of its total number was

registered as employed, that is more than 372,118 persons had a job, according to the estimations made by National Institute of Statistics. It has to be mentioned that over 31% of this region population was living in Dolj County, which was registered 688,885 dwellers (in the same year), from which 51.6% were women (355,438 persons), and 48.4% were men (333,447 persons). The rural population was representing 45.9%, and the urban one, 54.1% (Oltenia Regional Department for Statistics).

In the past years, the unemployment in Dolj has affected almost 25,000 persons, among which over 10,400 were women. It ought to be remembered that, in March 2012, Dolj County was on the top of the counties from Romania with the highest rate of unemployment (8.71%), being, along with Vaslui (9.64%), Mehedinți (9.54%), Teleorman (8.72%) and Covasna (8.52%), while the national rate of unemployment was below 6%. The counties of Dolj and Mehedinți contributed directly to the supplying of the unemployment rate in South-West Oltenia Region (7.48%), which placed it on the first position, among the other eight administrative regions of Romania. Consequently, there were harsher conditions of women occupation, accentuating the sex differences, on addressing the employment.

According to official statistics, the rate of feminine employment in South-West Oltenia Region was of 52.4% in the past years, being lower than the national average – which was of 56.2%. The higher shares of the feminine unemployment were registered, according to the field sociological research, among the uneducated persons (30.2%), and of those with only secondary and vocational studies (22%). The same research showed that the people who do not work, did not look for a job, in a percent of 54% (among which only 25.4%, “permanently”), and 26.5% did not look, because they lack confidence that they could find anything, manifesting passivity and scepticism.

In order to see to what extent there is, in the social life, a discrimination against women, on the labour market, it was resorted to the elaboration of a sociological questionnaire, consisting of specific questions. Firstly, it was requested an evaluation of the sex of the persons who could not find work easily, the expressed opinions resulting from their own impressions, or life experiences. Then, the inquired subjects were requested, in an open-answer question, to explain the reasons, or the causes, that prevent the women from having access on the labour market, to a great extent. To the question: *From your so-far experience, who are the people for which it is the most difficult to find a job?*, there were evidenced the following categories of answers:

- 49.4% considered that the employment difficulties are equally shared by women and men;
- 36.5% indicated the fact that women find a job with greater difficulty;
- 7.9% noticed that this difficulty is met only among men;
- 6.2% could not make an appreciation.

It is clear that, within the public opinion, the situation of women employment on labour market is an actual problem, in the Romanian society. It is noticed not only by the 36.5%, but also by the 49.4%, thus, we can assert that over 85% of the adult

citizens, make a connection between the condition of being a woman in Romania, and the difficulty to enter the labour market, to a greater extent than the men.

Certainly, the employment on the labour market depends not necessarily on the gender, but on a series of personal factors (interest, competence, willingness, professional skills etc.) and socio-economic ones (available jobs, economic investments, employment policies, educational institutions and professional training etc.). This is mainly the reason for which we considered to be necessary to request the investigated population to explain why women find a job with more difficulty, in the nowadays society. The asked question: *If women find a job with more difficulty, which do you think there are the causes for these complications?*. It did not provide predetermined answers, therefore, there were formulated the following priority reasons/causes of the studied phenomenon:

1. Gender discrimination – invoked by 28.2% of the questioned persons;
2. Lack of qualifications/necessary studies – noticed by 11.7%;
3. Prejudices/stereotypes–evidenced by 9.8%;
4. Housework (only done by women) – sustained by 8.7%.

There are also present other special reasons, but not less painful, which impede the female employment, such is the lack of experience, maturity, age, corruption etc.

Consequently, we have a confirmation of the fact that women are preferred on the labour market, to a lesser extent than the men, only because they are the representative of the female gender – appreciated 28.2% of the 1,500 questioned adults. To the same motivational area, there are included the categories of answers from the 3rd and 4th position, due to the fact that they belong to a specific emotional mentality, increasing the share of the people who underlined gender based discrimination to 37.7%. From the total number of persons who explained why women find a job with more difficulty, owing to discrimination that they deal with, in the present society, 67% were given by the females, and 33% by males. The conclusion is that the field research confirmed the first hypothesis of the study, so there is a well-substantiated reason of the initial appreciation.

Although the opinion that women are discriminated on labour market is publically recognised in our country, yet, the mentality that, in a family, the husband has to work, and the woman to take care of the house and children, represents a stereotype shared by 78% of the questioned. Only 1.8% considered that both husband and wife need to share their responsibilities, regarding the house and the children, along with the jobs. The family is appreciated as a primordial social value, as something holly, because more than 71% of the subjects stated that whoever “is more preoccupied only with his family” enjoys the greatest prestige and respect in the society (as 39.5% of the men and 60.5% of the women declare). The employing for earning a salary is also a social prestige value, but only for 16.8%, a fact that explains why people choose family, instead of work, probably considering that, theoretically, it is better for the women to work, but they are afraid that it might happen to the detriment of the family life.

b) Gender differences on addressing the salary

The difference of wages, between women and men, is a widely met issue, not only in our country, but in other 28 countries of the world, with a quasi-general character.

From the data published by Eurostat, it results that women were paid, in 2013, on average, with 16.4% less than the men from the European Union, being noticed a slight decrease of the wage difference, between men and women, as confronted by 2008, when the average of the difference was of 17.3%.

It should be observed that the smallest differences in salaries are in Slovenia (3.2%), Malta (95.15%), Poland (6.4%), Italy (7.3%), Croatia (7.4%), Luxemburg (8.6%), Romania (9.1%) and Belgium (9.8%). On the other hand, the highest salary differences were in Estonia (29.9%), Austria (23%), Czech Republic (22.1%) and Germany (21.6%) (Eurostat Press release), in the last 3 states the level of socio-economic development and exercising of democracy, of promoting a civilised behaviour in the society being a constant characteristic. Nonetheless, as concerning the economic activities, the work payment, there are notable differences between the female labour market, and the male labour market, the latter being in advantage, with regard to the payment.

During 2008-2013, there occurred a contradictory phenomenon, on one side of accentuation of the wage differences, and, on the other side, of diminution of them. The most important increases were registered in 9 states members of the EU, from which we mention: Portugal - cu 3.8% more, that is, from 9.2% in 2008, to 13% in 2013; Spain- with 3.2% more; Latvia- with 2.6% more; Italy with 2.4% more etc. The most significant decreases of the wage differences between men and women, in the same time interval (2008-2013), were in Latvia (from 21.6% to 13.3%), Poland (-5%), Czech and Malta (each with -4.1%), along with Cyprus (-3.7%) (Eurostat Press release).

Between women and men, there were also observed differences on addressing their representation on different categories of jobs. The analysis of the statistical information presented by Eurostat validates an axiomatic truth, which is that: “although they represent 46% of the employed, women were under-represented as managers, only a third being females in 2013, in the EU. Furthermore, women were over-represented as administrative employees, in services and sales, constituting two thirds of the persons employed in these jobs” (Eurostat Press release). Actually, from three managers, two are men, and from three clerks, two are women.

The EU statistics show that a man, in Romania, earns with 9.1% more than a woman, employed in our country, which situates us on the 7th position in a European states top, made on the differences between men and women.

The field research, made in Oltenia, evidenced three categories of opinions, among the analysed population, from the point of view of the women’s wages are perceived, confronted by those of the men. Thus, it was proved that:

- a) usually, women earn more than men – appreciated 44.5% of the respondents;
- b) usually, men earn more than the women – appreciated 42.9% of the subjects;
- c) generally, the men’s and women’s wages are equal – 3%.

The fact that 44.5% believed that women earn more than the men, is not surprising, if we consider that many women left for work, to other countries, better developed economically, from Europe, where the salaries are obviously higher than in Romania.

On the other side, the percent of only 3%, who considers that the salaries are equal, indicates the recognisable conclusion, within the public opinion, that the wage differences are predominant, but not to the women's favour, as it was assumed, but to the men's favour, although the national statistical data sustains that the Romanian men have, on average, a 9% higher salary than the women. Nevertheless, the difference between the share of each option (44.5% - 42.9%) is, basically, insignificant. Yet, such information prove that there is a difference between men and women, on addressing the monthly payment, confirming the first two general hypotheses of the field study. Provided that we also add the fact that 69% of the respondents do not know cases of women who, for the same type of work, to be less paid than the men, it means that the majority opinion – based on personal life experiences – does not match to the official statistical data. We underline that the opinion is an impression, a belief, and not solid knowledge, which can be verified, if confronted to the reality.

Thus, if we refer to the citizen's opinions, they are divided relatively equal in percentages, on addressing the evaluation of men's and women's salaries, with a slightly increased share of those who believe that women's salaries are higher, being in discordance to the second particular hypothesis of the field research.

The persons who sustained that they know cases of women who are less paid than the men (30% of the sample), also mentioned that their job is in the private economic sector (84.7%), which confirms as true the third particular investigation of the field sociological investigation.

c) Gender differences on addressing the chances of access to the social life leadership

A great number of the population from Oltenia (88.6%) expresses their faith in the ability of women to occupy leadership positions, in different fields, which means a high level of appreciation. Only 4.8% proved to be sceptical or negativist to this respect, being still tributary to conservative mentalities, or individual prejudices.

The fields in which women deserve to be promoted to a greater extent, are considered the politics (26.4%), education (21.2%), economy (17.7%), public administration (10.3%), justice (5.7%), cultural institutions (5.1%), and the public health ones (4.8%).

Although the attitude of the Romanians towards women is an open and valuing one, yet, in reality, there is noticed an insufficient representation of them to the leadership of different institutions and social life fields. The phenomenon is met in the other EU states members too. For example, in Luxemburg and Cyprus, women represent under 20% of the total number of managers from these country. The EU females have so far represented, on the average, 33% of the total number of managers (in 2013). The countries, in which manager women have a higher share, are Hungary (41% of the

managers), Latvia (44%) and Poland (38%). Generally, two of three managers from the EU space are men (Eurostat Press release), a fact that proves obvious for the existence of discrimination in the business leadership from the national economies.

Additionally, in the political life, the men are predominant in the leadership positions, as in many other socio-economic and political fields. It is edifying the structure on genders of the Romanian Parliament, resulted after the general elections from the 11th of December 2017. For comparison, with a similar institution from an occidental country, we chose the Italian Parliament.

The gender structure of the Romanian Parliament

464 members

<i>Senate</i>				<i>Chamber of Deputies</i>							
Gender				Total							
Male		Female		Male		Female		Total			
No.	%	No.	%	No.	%	No.	%	No.	%		
116	85	20	15	136	100	268	81	60	19	328	100

Gathered data

Gender				Total	
Male		Female		Total	
No.	%	No.	%	No.	%
384	82	80	18	464	100

It results that the women represent 15% of the Romanian Senate's members, and 19% of the Chamber of Deputies' members. Their share in the highest and most representative leading institution of the country, is of 18%, and the share of men is overwhelming – of 8%, from the total number of 464 members of the Romanian Parliament, although the proportion between the male and the female population, in our country, indicates a higher share of females (almost 51.2%)

The gender structure of the Italian Parliament

945 members

<i>Senate</i>				<i>Chamber of Deputies</i>							
Gender				Total							
Male		Female		Male		Female		Total			
No.	%	No.	%	No.	%	No.	%	No.	%		
218	69	97	31	315	100	434	69	196	31	630	100

Date cumulate

Gender				Total	
Male		Female		Total	
No.	%	No.	%	No.	%
652	69	293	31	945	100

A sex disproportion, similar to that from Romania, but not with the same amplitude, can be noticed as regarding the women from the Italian Republic Parliament, where the men also have the uppermost position: 69% in the senate, 69% in the Chambers of Deputies and, naturally, 69% of the Parliament members. The share of women in the Italian Parliament is of 31%, the percentage being the same for the Senate and the Chamber of Deputies.

It results that the degree of representation of the female population, in the parliamentary institution, as a leading institution of a country, is, in Romania, of 19%, and in Italy of 31%, being remarked a difference of 12%, to the advantage of the Italian woman, as confronted by the Romanian ones. Yet, it ought to be remembered that the Italian Parliament has a double number of members (945 members), as confronted by Romania (464 members).

Conclusions and propositions

1. The solutions identified by the interviewed, concerning the reduction of discrimination against women, on the labour market, refer to the necessity for them to have the studies or the qualifications requested in certain jobs (19.5%), to show trust in their own strength (11.7%), to benefit from help/support (4.6%), and even to migrate to another country for work (4.4%), or to have their household chores, left to their care by their families, reduced (2.9%).

A special responsibility is attributed to the authorities from the women's residence, which have to become involved more for the creation of new jobs (considered 19.3%), for the attraction of investments (9.1%) and for the support of the entrepreneurial women (4.9%). Almost 40% of the inquired subjects considered that women do not have the freedom to choose their profession, as men do, accompanying their appreciation with convincing examples: the heavy industry (22.6%), the top well-paid positions (17.8%), the general leading positions (9.7%), army/police (9.4%), church (9.2%), political jobs (indicated by 8.3%). The main propositions that appear, on addressing the elimination and the diminution of the of women's professional discrimination, regard the change of attitude of the social environment, meaning that women ought to be treated equally, as the men are (10.6%), and to reconsider the role of the woman in the nowadays society (7.7%), a wish that can be fulfilled, both educationally and legislatively. The professions appreciated as the most appropriate for women are those that belong to the educational and public health fields. According to the opinion of the respondents, women might become professionally accomplished, the same as the men, if they benefited by the chance equality (13.3%), support and respect (6.9%), if they were more courageous, had more trust in themselves, were more perseverant (6.9%), and if they had a professional training according to their aspirations (4.4%).

The managers and the administrators might be convinced to employ more women, if they were given fiscal facilities (26.5%), through the elaboration of legislation, adequate for this purpose, and even through the resorting to certain special constraints/sanctions.

2. If synthesising the above mentioned information, the share of occupation of the female labour force, in Oltenia Region, is of 52.4%, lower than the average for Romania (56%), as it is attested by the statistical calculations. The same conclusion is drawn from the sociological field research too, which shows that the share of the employed women is lower than that of men. Romania is on the 5th place in EU-28, as regarding the share of female employment, although the female population in our country is more numerous than the male one (F= 51.2%; M = 48.8%). On the 1st of January 2015, there were, on average, 95 men for 100 women, according to the calculations made by the National Institute of Statistics. The share of the female population is higher than the male one, in 41 counties, and in Vaslui County only, the male population is more numerous than the female one (102 men, and 100 women).

The female population exceeds 52% in 20 counties, among which, Dolj County. Until the age of 49, there is a higher number of men, than of women, and, after this age, the number of women exceeds that of the men (National Institute of Statistics). The difference of employment on the labour market, between the two genders, is maintained to the detriment of the women, who, the older they get, the less chances of access on the labour market they have, becoming possible victims of the social exclusion phenomenon.

3. One of the primordial objectives for the strategic development of the EU-28 is that, until 2020, the share of employment, for the population aged 20-46, to reach to 75%. The Eurostat information reveals that, on the EU level, the share of women employment was of 62.6%, in 2013 (from which 31.8% had part-time jobs), while the men registered a higher share of occupation, of 74.2%, and a lower percentage of part-time employers (8.1%). As it has already been mentioned, the lowest rates of female employment were registered, in 2015, in Greece, Italy, Croatia, Spain and Romania. On the opposite end, there were the northern countries, which had the highest rate of female employment: Sweden, Denmark, Finland, Germany (Eurostat Press release).

Thus, Romania occupies a relatively middle position, in the group of the 28 states members of EU, having a share of employment of 56.2%, which situates it on the 5th place, from this point of view. Generally, Romania, and the 5 counties of Oltenia particularly, put a lot of effort into exiting the zone of the EU states that face the lowest share of women employment.

4. From the point of view of the citizens, the principle of equal remuneration, for equal work, regardless the sex of the dwellers, can be applied under the circumstances of observing the equal chances (21.8%), of adequate legislation (7.2%), of imposing a unique wage grid (5.3%), and of women's preference for the state institutions, for employment (2.5%).

5. Although the highest share of the respondents could not appreciate that it should be done for the promotion of women to leading positions (62.2%), yet, for the other 37.8%, there emerged several solutions, meant for solving this issue: the granting of equal chances with the men (9.7%), more publicity of the women, in mass-media (9.7%), the elaboration of an adequate legislation (5%), their superior training, through

studies and qualifications (2.9%), the support of women, in their household chores (1.4%) etc.

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PUBLIC POLICIES AND NGOs ACTIONS FOR ROMA INCLUSION

Lucian SFETCU¹

Abstract: *The Roma communities in the European Union and in Romania are confronted with several important problems such as the lack of jobs, limited access to health care services, low education level, overcrowded houses, no property over the houses and land they use and, in general, a high level of passiveness regarding the problems confronting them and a very low level of civic involvement. In Romania, over 200 non-governmental organizations are presently undertaking both integrated actions, part of some national and international policies and programs, and singular actions with the purpose of responding to contextual needs of some Roma groups or communities. The main directions of activity of the non-governmental organizations involved in the promotion and supporting of Roma population's participation in economic activities are progressing in accordance with the speed and quality of the social economy principles' development and implementation. This article describes the legislation from Romania and from the European Union, that addresses the Roma. The article highlights the role and the actions of several important and active NGOs supporting Roma population in it's integration efforts, in order to intensify the participation of the vulnerable groups of population in economic activities in general, and in their communities in particular.*

Keywords: *Roma, NGO, legal framework, social inclusion*

I. Introduction

Although Roma exists in Europe for many decades, they still face many difficulties in integration, difficulties that have long been on the public agenda of many countries (Cace et. al., 2013). Although ethnic integration has become a legitimate objective of the state and is considered to be a public good, public opposition regarding the integration of Roma fell too little in intensity (Rughiniş, 2007) and there are few prospects for change in the near future. European Union Member States share a common responsibility to contribute to increasing social inclusion of Roma people and provide them equal opportunities for access to education, health and vocational training. In 2006, Ionescu and Cace (2006) estimated that the Roma represent up to 10 percent of the total resident population of Romania. There are a considerable number of organizations promoting social inclusion of the Roma in Romania, active in various fields.

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Compared to other EU countries, Romania hosts the largest number of Roma people. According to the Population and Housing Census in Romania, by the National Institute of Statistics, the Roma represent, in 2011, 3.3% of the total resident population, this percentage represents 621 600 inhabitants. Although statistics show that in Romania live less than 600,000 Roma people, experts in the field estimate that the number is estimated to reach 10% of the total resident population of Romania (Ionescu and Cace, 2006), while representatives of this minority in Romania mentions that live between 1.5 and 2.5 million Roma people.

Roma communities in Romania have problems such as lack of jobs, low education, limited access to health services, overcrowded houses, lack of ownership of houses and land they use and generally an increased level of passivity in the problems they face and at the same time, a very low level of civic involvement.

II. Specific problems of the analyzed vulnerable group

Roma is one of the largest ethnic minorities in the European Union. Estimates show that there are 10-12 million Roma living in different Member States, often in difficult living conditions (EC, 2011). Discrimination, poverty, social exclusion, lack of education, lack of access to basic healthcare, homelessness etc. are just some of the issues facing Roma people daily throughout the European Union (EC, 2005).

Although in the past decade there have been developed anti-discrimination policies and initiatives in terms of improving living conditions and social integration of the Roma, at the European level this minority is still the group most discriminated against compared to other minorities, and the more exposed to social exclusion. According to the EU study Minorities and Discrimination Survey 2009, on average 50% of Roma respondents were victims of discriminatory situations in the previous year, and 20% were victims of an attack racial (EU-MIDIS, 2009). In addition, Roma are also faced with social-economic exclusion: Roma are the largest, but at the same time, the poorest ethnic minority in Europe. High unemployment, low education and poor sanitary conditions are correlated with poverty and even severe poverty. Roma are victims of the vicious cycle of poverty: lack of jobs or low income prevents them from investing in their children's education, health or improving living conditions and the lack of these elements generates, in turn, poverty. A World Bank study shows that in Bulgaria, Czech Republic, Romania and Serbia, chances of graduating secondary school education are four to six times lower for Roma than the majority population; high unemployment - only 50% of Roma have a job in Romania, this percentage is lower in Bulgaria and the Czech Republic; compared to the majority population, the proceeds are more limited - ranging from 39% in Romania to 69% in Bulgaria (De Laat and Bodewig, 2011).

According to the 2002¹ census, 41% of declared Roma were unskilled workers in agriculture, fishing and forestry and 31% fell into the category of skilled workers, foremen, technicians and associate professionals, compared to 25% and 7.8% for Romanian and Hungarians. Mariea Ionescu and Sorin Cace (2006) show the importance

¹ Available at <http://www.anr.gov.ro/html/Statistici.html> sau pe www.insse.ro.

of cultural values of the Roma people and family (family structure, social solidarity networks). They also highlight aspects of the Dependency Trap and accentuated the inequality between Roma women and men. The consequences of this situation is observed in all other spheres of life of Roma communities: from the most common type of occupations, to high unemployment or illiteracy (25.4% versus 1.4% minority Hungarians or 5.7 % minority of Ukrainians), health and housing. Also, the low levels of education of Roma compared to Romanian people or other national minorities is one of the main obstacles to be faced when trying to insert the Roma in the labor market, along with discrimination and segregation. Census data from 2002 shows that 34.3% of Roma have not completed any level of education, while 35.8% have completed primary education and 23.3% completed only secondary school.

The EU objectives, formulated in the EU Commission communication on the framework for national Roma integration policies, promote the need for an integrated approach to counter the problem of Roma exclusion. These objectives are grouped around four main areas of socio-economic inclusion. They are, above all, national policy areas: - education: increasing efforts to include all Roma children in the primary school system and to support them to complete the primary school cycle; - Employment: increasing efforts to destroy the gap between Roma and other citizens in terms of employment; - Health: increasing efforts to reduce disparities in health status between Roma and the general population; - Housing: intensifying efforts to destroy differences in access to housing and public utilities such as water and electricity.

Roma still suffer from discrimination that is felt in all the key areas mentioned above. Discrimination leads to poverty and fewer opportunities to find employment and become active participants in social actions. Poor achievement in education is an "open door" to find jobs unskilled and poorly paid, especially in informal sector employment, which causes more diverse issues: living conditions impoverished, lack of access to adequate health services, housing and other basic services. Sustainable solutions to social and economic problems of the Roma can be developed using a comprehensive approach, involving coordination of actions aimed at housing policies, education, healthcare and jobs.

Regarding the Roma access to the labor market, particular forms of discrimination they face in this area have been clearly coded in the metaphor of "glass box": "A glass box¹ excludes Roma from well payed jobs, denies Roma access to major segments of the labor market, blocks Roma from access to work better paid, isolates Roma at work and

¹ This metaphor initiated in a study of Roma exclusion from the job market, initiated by the European Center for Roma Rights in 2007 as a new term that paraphrases the "glass ceiling", a metaphor that suggests discrimination against women and ethnic minorities, particularly invisible factors that limit mobility to higher positions. "Glass ceiling" refers to all kinds of obstacles preventing women to progress to positions of officers or directors, while the "glass box" reflects discriminatory blocking Roma to employment "Roma specific", excluding them from entry into other sectors of employment (eg office work). Realities described and analyzed in the study were selected from the experience of Central and South Eastern Europe, but the practice of indirect discrimination that still suggests the metaphor can be found throughout Europe.

separates Roma in arrangements segregated activities that have to do only with Roma" ("the Glass Box: Exclusion of Roma from Employment ", European Centre for Roma Rights¹, 2007).

Because Roma are among the groups considered vulnerable in the labor market, the ANOFM has tried to reduce unemployment rates. Following activity reports of the ANOFM, we can observe a steady decrease in the number of Roma people included in professional programs organized by the ANOFM until 2010, followed by an increase in this number since 2011: 2,283 in 2006², 1,613 in 2007³, 1,109 in 2008⁴ and 755 in 2009⁵, 677 in 2010⁶, 898 in 2011⁷, 1,227 in 2012⁸ and 946 in 2013⁹.

In order to meet the needs of Roma, ANOFM started the Caravan for Roma employment. The program being implemented since 2005 by the ANOFM in collaboration with ANR and consisting of visits to Roma communities to inform them about their rights and obligations, and the services provided by the ANOFM to facilitate insertion in the labor market. 70 971 people attended to the Caravan for Roma employment activities in 2006¹⁰, the number of participants is steadily decreasing until 2009¹¹, when 19 412 people were registered. Unfortunately, the reports from the coming years no longer include such data.

A study by the Soros Foundation (2011), shows that 38% of employed Roma work as unskilled workers, 32% work as skilled employees, 9% are employed in agriculture and 13% traditional occupations.

III. Public policies for Roma

1. EU legislation

The European Parliament resolution of 11 March 2009 on the social situation of the Roma and the improving of their access to the EU¹² labor market noted that improving inclusion of socioeconomic Roma minority in the enlarged Europe of 27 Member States has depended on policies that have produced limited results. The document outlines the actions that must be taken into account to speed up inclusion and to really

¹ European Roma Rights Center is one of the partner organizations in the "Roma Decade Initiative".

² ANOFM, Activity report for 2006.

³ ANOFM, Activity report for 2007.

⁴ ANOFM, Activity report for 2008.

⁵ ANOFM, Activity report for 2009.

⁶ ANOFM, Activity report for 2010.

⁷ ANOFM, Activity report for 2011.

⁸ ANOFM, Activity report for 2012.

⁹ ANOFM, Activity report for 2013.

¹⁰ ANOFM, Activity report for 2006.

¹¹ ANOFM, Activity report for 2009.

¹² Available at: <http://www.europarl.europa.eu/sides/getDoc.do?type=TA&reference=P6-TA-2009-0117&language=EN>.

improve the situation of Roma. The recommendations offered in the document are closely linked to the ten common basic principles, as employment strategies and labor that have recently been proposed in the European strategy for growth in 2020 and addresses the problem of marginalized groups.

Parliament resolution calls on the target-policies which invite the stakeholders interested on the Roma community problems to participate as decision-makers, ie as equal partners in the development and implementation of inclusion policies. Regarding Roma women, the Parliament calls on the member states to improve access to vocational training, vocational training to adapt to the needs of local labor markets, thus providing Roma women sought employment skills. In connection with what was mentioned above, there is a need to discourage unskilled labor mobility, which would only increase discrimination against Roma women and limit their further progress in the labor market. All policies aimed at Roma women should lead to economic independence by promoting structures that can become freelancers and have access to microcredit. There should also be promoted measures to establish SMEs and social cooperatives. Supporting entrepreneurship can help Roma community to integrate their capabilities into the formal economy. Significant incentives could be offered to encourage them to enjoy their cultural skills (establishing cooperatives for producing, food, arts and crafts) and their language (becoming cultural mediators and interpreters).

In addition, the development of a community-based service that will extend the knowledge and skills of Roma women should be encouraged. All these initiatives are specific to addressing social economy. The real access to the formal labor market for Roma women (stimulating economic independence) is stipulated as a prerequisite for improving their social and family status. Suitable training programs and opportunities for specialization should prepare Roma women in terms of the necessary skills and confidence to compete equally with men for jobs, to combine family duties with their jobs and to improve their status in the family hierarchy. The multidimensional problems encountered by Roma women in their daily lives, their subordination in the structure of the patriarchal family (not to mention domestic violence, prostitution and human trafficking) could be overcome with the development initiatives of occupation labor, initiatives to boost self-assertion, thus reducing their risk of abuse. Moreover, fostering opportunities for specialization can help to break the "glass box" that limit their opportunities to evolve in and/or outside their own communities, having careers in which women belonging mass society have easy access. Parliament emphasizes the imperative need for the member states to initiate and invest in implementing these policies for disadvantaged groups (thus activating the social economy), which are directed towards intensifying auto aid more addictive than the benefits of social security.

Successive European Parliament resolutions have contributed significantly to attract attention primarily on individual and complex needs of the Roma community and, secondly, the need to develop an EU policy for the Roma community. On 05/04/2011, the European Commission said via press release "EU framework for national Roma integration strategies up to 2020", a comprehensive policy document that addresses the issue of social inclusion of marginalized Roma communities in Europe. The press release defines and coordinates responsibilities of the member states and the candidate

countries regarding Roma citizens, offering general guidelines for national social inclusion policies. Propose a "robust monitoring mechanism" to assess the progress of each individual inclusion policies of the member states. Both the positive and negative aspects of national strategy for Roma will be reported to the Commission, Council and Parliament and this will be a valuable opportunity to disseminate the rules of good Roma Inclusion, to learn from setbacks and critics and engage in sharing best practices among member states. According to EU policy for the Roma community, national Roma integration strategies should be developed a) in accordance with the common basic principles for Roma inclusion; b) in line with the broader European Strategy (economic development) 2020; c) in accordance with NRP¹s. EU Communication emphasizes the importance of funding allocation of national resources. It also notes that "... up from 26.5 billion euros of EU funding is currently programmed to support member states' efforts in social inclusion, including to support efforts to help the Roma."

Fundamental Rights Agency (FRA) will work with member states in designing appropriate monitoring methods for creating comparative data. This institution has extensive experience working with a variety of interested organizations across the EU, with local authorities and mass organizations defending the rights of ethnic minorities, benefiting from a secure database and research experience on site. Identifies and promotes positive initiatives alike, contributing significantly to the dissemination of good practices in social inclusion in the EU. At the same time, stresses the importance of creating policies with and not only for Roma, enhancing their active involvement in raising barriers to their disadvantage and exclusion:

Decade of Roma Inclusion, initiated in 2003 by the World Bank and the Open Society Institute, was launched in Bucharest in 2005 as a strategic document for 2005-2015. By "Decade", signatory governments² have proposed to accelerate efforts to improve the situation of Roma, by involving them in decision making and evaluation in a quantifiable manner. The areas for action are: education, housing, employment and health.

The Decade of Roma Inclusion ("Decade of Roma Inclusion 2005-2015", launched in 2005) is a positive reference example for enhanced cooperation between supranational institutions, government representatives and civil society at national Roma inclusion. The initiators of this great multilateral project were originally eight governments in Central and South-East that attracted support from the World Bank Institute for Open Society, Council of Europe Council Development Bank, European Development Programme of the United Nations, OSCE (Organization for Security and Co-operation in Europe) and the European Commission. During the process, countries joined. Countries that currently support the project are Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Czech Republic, Hungary, Republic of Macedonia, Montenegro,

¹ National Reform Program

² Founding Governments: Bulgaria, Croatia, Macedonia, Montenegro, Czech Republic, Romania, Romania, Slovakia, Slovenia and Hungary. Any other government can join through the development and adoption of national action plans.

Romania, Serbia, Slovakia and Spain. The Decade is the first multinational project in Europe that focuses on improving current socio-economic status of the Roma community. The Decade priority axis are focused on four areas of intervention: education, employment, health and housing. The fields are, of course, interrelated and policies with satisfactory results in one area will necessarily affect positively the others. Planning is headed by the Decade International Steering Committee (ISC), which is composed of representatives of the participating governments, international organizations and partner Roma organizations. Each year, one of the participating governments holding the Presidency of the Decade. In Romania, ANR (National Agency for Roma) is responsible for coordinating Romania's involvement in the project Decade of Roma Inclusion. During each Presidency, organized international workshops which provide an opportunity to present, discuss and disseminate best practices.

Europe 2020 Strategy for growth and employment (which replaces the Lisbon Agenda), came to light in March of 2010, defines five major goals and three approaches to "economic growth". Growth is defined as "intelligent, sustainable and inclusive". Two of the goals address the issue of socio-economic exclusion. One says raising the rate of employment for the population aged 20 to 64 years from 69% to 75%, while the other promises to reduce the number of Europeans living below the poverty line by 25%, raising over poverty 20 million of the 80 million people today. The European Commission has drawn up ten guidelines for the economic and employment.

In this context, it calls on the active inclusion, social policies as appropriate measures to increase the participation of vulnerable groups of population to the economy in general and to their community in particular. Active inclusion means helping people who cannot handle an ordinary job due to disability physical, mental or learning, to become active in other ways, such as community activities and voluntary, subsidized employment, community groups. The belief that supports this vision is the realization that each is endowed with skills and potential to contribute to society and the local community to which he belongs. Active and valuable contribution to the community should be seen as a job itself and not just a temporary path to employment on the labor market. "Inclusive economy" advocated by the EU 2020 strategy is based on measures of social activation dissemination and engagement by the whole society, to involve all groups at risk of poverty and exclusion (disadvantaged, disabled, suffering discrimination) labor market. To achieve this, the EU 2020 Strategy has set as one of its priority lines plan "inclusive growth". The plan for "inclusive growth" focuses on reducing the high rate of poverty in Europe and attracting labor market social groups with low employment rates of labor (women, nomads legal, youth and the elderly) and helping them to cope with and manage change by improving competence levels through vocational training and lifelong learning. Statistics indicate women, young and older workers as having a low employment rate (it is worth mentioning the employment rate for women: 63% of women compared with 76% of men aged between 20 and 64 years). In addition, 8% of people working do not earn enough to rise above the poverty line. The poverty rate was high even before the crisis (more than 80 million people at risk of poverty, including 19 million children), but with the economic crisis, the

situation has worsened (youth unemployment exceeds 21%)¹. Two major initiatives were launched to address all the issues mentioned above: a) Agenda for New Skills and Jobs and b) European platform against poverty and social exclusion.

"The active participation of Roma in shaping Roma policies and their implementation should have been included as the fifth goal of integration framework" (EU framework for national Roma integration strategies up to 2020). Roma policies can not be extended to remote communities that are targeted to benefit from them. Significant participation of Roma professionals in formulating and implementing policies for Roma is crucial to their success, to encourage a sense of ownership and responsibility... inclusion is not possible without participation." (Open Society Institute - Brussels, the paper "Policies EU Roma Inclusion", policy Review, July 2011). Launched by the Open Society Foundation, these initiatives are operational programs devoted to promoting equality and integration of marginalized Roma communities, with particular emphasis on women and children rights. They offer general institutional development grants for Roma non-governmental organizations and grants for specific projects that facilitate dialogue and exchange of best practices.

2. National legislation

Public policies in Romania are in line with social policies promoted at the European Union level. The Romanian Government has recognized the scale of the Roma issue and acknowledged the need for consistent policies to mitigate it, which materialized in the Strategy for Improving the Roma. This strategy was developed by the Romanian Government, in collaboration with representatives of the Roma population, with international institutions, particularly the European Union. The strategy was based on seven principles: the consensus principle, the principle of social utility, the principle of sectorial distribution, decentralized execution principle, the principle of legal compatibility, identity differentiation principle and the principle of equality. The aim of this strategy was to significantly improve the situation of Roma in Romania, by promoting social inclusion measures. The strategy's objectives were: (1) institutionalizing political objectives assumed by the government in empowering the Roma issue and the central and local authorities in implementing concrete measures to improve the situation of Romanian citizens of Roma origin; (2) support training and promote intellectual and economic elite of Roma, to act as a facilitator of social integration policies and modernization; (3) eliminate stereotypes, prejudices and practices of certain officials of central and local public institutions that encourage discrimination against Romanian citizens of Roma origin compared with other citizens; (4) producing a positive change in public opinion about the Roma ethnics, based

¹ According to the EU poverty map (EU - Statistics on income and living conditions), 114 million people in Europe were at risk of poverty or exclusion in 2009 (80 million at risk of poverty, while 40 million went through the experience of severe material deprivation). The social groups that face the highest risk of poverty and / or social exclusion are: children, the elderly, single parents, single women, people with no qualifications, unemployed and inactive persons of working age, including all those with disabilities, people living in rural and nomads. Ethnic minorities, including Roma, can not be identified through official EU statistics but some national sources indicate that they face an increased risk of exclusion.

on principles of tolerance and social solidarity; (5) fostering Roma participation in the economic, social, educational, cultural and political development of society through involvement in sectorial assistance and community development; (6) prevent institutional and social discrimination of Roma citizens in their access to services offered by the company; (7) the arrangements for ensuring equal opportunities for Roma in order to achieve a decent standard of living.

The purpose of the Government Strategy for inclusion of Romanian citizens belonging to Roma minority for the period 2012-2020 is to ensure socio-economic inclusion of Romanian citizens of Roma minority by implementing integrated policies in education, employment, health, housing, culture and social infrastructure. At the same time, the Government Strategy aims at empowering the central and local Roma minority and civil society to increase the socio-economic inclusion of Romanian citizens belonging to the Roma minority.

Government Strategy objectives are: - ensuring equal access and free access of Romanian citizens belonging to Roma minority to quality education at all levels in the public education system to support economic growth and society development based on knowledge; - promote inclusive education within the education system, the prevention and elimination of segregation and the fight against discrimination based on ethnicity, social status, disability or other criteria that affect children and young people from disadvantaged groups, including Roma; - stimulating the increase of employment of persons belonging to Roma and increasing the attractiveness for investment; - stimulating health promotion measures to help increase the access of citizens belonging to the Roma minority to public health services and increasing life expectancy; - provision by central institutions, local and social partners, of decent living conditions in economically and socially disadvantaged communities, and access to public services and little infrastructure; - the preservation, development and cultural identity (language, customs, heritage) of the Roma minority; - development by institutions of measures that meet the social needs of disadvantaged groups, including members of the Roma minority in the fields of community development, child protection, justice and public order.

The expected results of the implementation of the Government Strategy for inclusion of Romanian citizens belonging to Roma minority for the period 2012-2020 are: - the number of initial and ongoing training programs of teachers in inclusive education increased by 30%; - the number of children belonging to the Roma minority who participate in preschool programs and support for leaving compulsory education increased by 30 percentage points; - 30% increase in the number of places for Roma granted admission to school/university; - the systematic monitoring and reduction of cases of school segregation; - an increase by 60,000 of the number of employed persons belonging to the Roma minority; - an increase with 25,000 in the number of employed Roma minority women; - setting up a unit within the Ministry of Health, called the Technical Assistance Unit for Coordination, Monitoring and Evaluation of health mediators; - increasing the number of health mediators by 25% compared to 450 in 2011; - 5,000 homes built for beneficiaries belonging to the Roma minority; - 5,000 rehabilitated housing for Roma; - Establishment of the "Museum of Roma Culture and Civilization"; - Establishment of the "Roma State Theatre".

The Sectoral Operational Programme Human Resources Development establishes the structural intervention in human resources through the European Social Fund. The overall objective of the programme is the development of human capital and increasing competitiveness, by linking education and lifelong labor market and ensuring increased opportunities for participating in a modern labor market, flexible and inclusive labor market for 1,650,000 people. The programme is structured on the following priorities: education and training in support of growth and development of knowledge based society; lifelong connection to the labor market; increasing adaptability of workers and enterprises; modernize public employment service; promoting active employment measures; promoting social inclusion and technical assistance.

These strategies represent the views of both the government and the institutions with attribution in the socio-economic integration of Roma and the non-governmental organizations aimed at supporting the social integration of Roma. The latter have a very important role in reducing social exclusion of the Roma, are actively involved in the implementation of strategies and, at the same time, developing parallel programs that respond to other needs of the Roma population in Romania.

IV. National Intervention models

1. "Împreună" Foundation

"Împreună" Foundation was founded in 1998 with the mission to improve the lives of community members in need, at risk of marginalization and social exclusion. The main activity of the organization is the provision of social services for vulnerable groups, granted at the "Împreună" day center, which includes: day center for children in need, counseling and support for parents, seniors club, the office of information and counseling for disadvantaged people, intergenerational computer club workshop, lucrative and income generating activities.

Services for vulnerable groups by the organization, especially for women and Roma groups

1. "Împreună" Day Center for children in need

Services:

- education (school homework, educational activities, computer club);
- serving lunch;
- developing social skills and independent living;
- information and social counseling;
- psychological assessment and counseling;
- socializing and leisure.

2. Seniors Club

Services:

- information and social counseling;
- psychological assessment and counseling;
- socializing and leisure;
- occupational therapy - handicraft workshop.

2. Community Development Agency Buzău “Association”

The mission of the organization is to contribute to the comprehensive and sustainable development of disadvantaged local communities by ensuring full access of their citizens to political, economic, social and cultural rights through efficient and multidisciplinary human resources and economic conditions.

Programs / projects / actions developed by the organization:

1. April 8 - International Roma Day; The Association supported the organization and holding of cultural and artistic activities, with culture theme, history and traditions of Roma, work in schools with Roma students.
2. May 9 - Europe Day; intercultural contest show, in partnership with schools in the county.
3. Since inception, the association ensures permanent access for citizens from Roma communities to civil rights through by offering support for legality obtaining identity documents and marital status, as well as property deeds to homes owned, the costs being borne by the association.
4. Campaigns to prevent and combat all forms of discrimination; actions carried out in 15 schools in Buzau and Ramnicu Sarat, but also in rural areas. These activities were conducted within the project "Say No to Discrimination", in partnership with the County Police Inspectorate and the CNCND Territorial Office of Buzau.

3. Community Cultural Center "Anton Pann" Association

Community Cultural Center "Anton Pann" Association aims to unite in its ranks most intellectuals, young Roma and non-Roma and with them establish and highlight priorities regarding measures necessary to promote socio-economic and cultural development of the Roma ethnic group, and legal ways and means of achieving them, to improve the situation of Roma in local communities.

Community Cultural Center "Anton Pann" Association is campaigning for expression, preservation and development of Roma through cultural and artistic activities, by means of mass communication (press, TV, radio), by facilitating the use of Romani in private, collective and public by organizing lectures, demonstrations and grant award for promoting multiculturalism, integration of Roma culture in general circulation exchanges in Romania and worldwide.

In order to meet the objectives laid down by the statute, the Association developed the following activities, among others:

1. Legal advice and guidance of Romanian citizens of Roma origin in the compilation of identity and property documents.

2. Information in schools, colleges and other institutions to monitor cases of discrimination and segregation.
3. Meetings with high school students and eighth graders to guide them to schools and universities to continue their studies.
4. Information, guidance and counseling for graduates graduates (classes VIII and XII) in further learning.
5. Support activities undertaken within the project "Together on the Labour Market", implemented by the National Agency for Roma, financed by the European Social Fund. Under this project we have identified 104 people who have completed training.

4. Roma Party "Pro-Europa", Tulcea Branch

The purpose and objectives of the association Roma Party "Pro-Europe" is the preservation, expression and development of the Roma minority, particularly language education, culture of the Roma minority, the means of mass communication in the mother tongue, as well as the beliefs of Romanian citizens of Roma minority, in accordance with the principles of equality and non-discrimination in relation to other citizens enshrined in the Constitution.

Programs / projects / actions developed by the organization:

1. "Participation of vulnerable groups in the social economy" co-financed by the European Social Fund, which aimed to increase, in local communities (including Roma people) across the country, the ability to achieve sustainable and inclusive local development.
2. "Together for a better society", financed by the European Social Fund, the objective was general improvement in the labor market participation of vulnerable groups and promoting social inclusion through the development of social economy activities and structures. In this project, we organized 13 training courses for different occupations.
3. "School - a chance for everyone", financed by the European Social Fund, had the overall objective of raising the level of education of Roma children in rural and urban areas and developing human capital to include their future on a modern labor market and flexible ensuring access to education and reducing early school leaving phenomenon.
4. "Social inclusion of Roma women", financed by the European Social Fund implemented in partnership with Roma Women Association of Romania, Institute for Research on National Minorities and the European Centre for Roma Rights, under which aims to promote social inclusion Roma women and improve their situation by developing structures and mechanisms to promote equal opportunities.

5. "Rom for Rom" Association

Association "Rom Rom" is a nonprofit organization active mainly in the educational and social fields. The main purpose of its activities is to support the promotion and development of Roma in all possible dimensions and develop the idea of volunteering as an expression of social solidarity, to support youth in general.

Programs / projects / actions developed by the organization:

1. Education Day Center "Pinocchio" aims to provide all children a pleasant learning and playing space, trying to improve school attendance and provide those who do not attend school the opportunity to learn.
2. School mediation: we conducted meetings with teachers of children enrolled in the center, in order to reduce the average dropout and improve the level of children education, especially those with a higher risk. Meetings with parents and families to share their progress and activities of children enrolled at the center.

6. Alliance for Roma Unity, Braila Branch (AURr)

The organization's mission is to contribute to improving the existing gaps between Roma and the majority, and to achieve full equality with other populations of Roma living on Romanian territory.

It campaigns for Roma to enjoy all their rights as citizens, without any discrimination against other ethnic groups or minorities within the territory of the Romanian state, to respect and promote multiculturalism, integration of Roma culture in circuit values in Romania and worldwide.

Programs / projects / actions developed by the organization:

- "A step forward" - financed by PHARE funds amounting to 20,000 euros, aimed at increasing access of Roma children in secondary education. The applicant for this project was AURr Braila, in partnership with the Local Council of Braila.
- "Together" - documentary film, which was achieved through a project funded by the US Embassy, worth \$ 10,000. The project aimed at increasing tolerance among children by knowing the customs and traditions of minorities. The film was distributed in schools as teaching material.
- "Reports of equality" - developed by the Prefecture of Braila in partnership with AURR Braila was financed by PHARE. The project was 45,000 euros. The main objective of the project was the training of 30 community workers and engaging them in local municipalities. Many of these workers were employed in the Community and partner municipalities are what experts now call for Roma.
- "The wheel"- the project was financed by PHARE and had a value of 47,000 euros. The project aimed at increasing access of Roma people in the labor market. The project has qualified 42 Roma as masons, painters, confectioner and social mediator.

Services for vulnerable groups by the organization, especially for women and Roma groups: From 2001 to the present, the organization has helped the Roma community members with various services, depending on the existing issues in the community at that time.

Even at the beginning of - 2001 - a big problem was the lack of local people to be the interface between public authorities and the community, to identify the problems Roma people are facing and make it known to the authorities. To meet this need, the organization, together with the Prefect Institution of Braila, developed and implemented

the first project in which they were qualified in the occupation of Community worker a total of 30 Roma persons, of whom 25 people in the county Braila and five people in the counties of the South East.

V. International models of intervention

1. ESPACE 16, Strasbourg

In June 2011, the city of Strasbourg decided to build a temporary living space for 20 Roma families from Romania, to help them to integrate in this city. This project, managed by the government of the city, assist these families through both the institutions and their staff and by involving NGOs. ESPACE 16 is located in the city center near the train station and the stations means of transport. This space consists of 26 caravans and buildings, which provides, in addition to living quarters, toilets, showers, washing machines and a meeting room. At the time of the move in ESPACE 16 families have signed a contract which established integration objectives and operating rules of this space. At the end of 2013, 22 families lived this space. Since March 2013 all over 16 years old were registered to attend French language courses during which they are made aware of them and various information about life in France. Over 50% of the inhabitants of this area understand the importance of these courses and consistently participates.

2. Alliance for inclusion of roma in education, Macedonia

The objectives of this program include improving academic performance, the rate of enrollment and stay in school, and increase the number of Roma students who complete courses at secondary and tertiary level enroll in education. The project aims to increase motivation among Roma children and improving self-esteem. In the first year of implementation of this project, 657 Roma students benefited from it, while they are at different levels of education. In the 2007-2008 school year, the program was implemented in 25 cities and 57 secondary schools, with about 64 mentors.

The results were not long in coming, so that in 2005-2006 the rate of enrollment of Roma students in secondary education grew by 22.9%. In 2006-2007 the rate of students graduating classes without leave or repeat them grew by 3.6%. 98.5% of students enrolled in the program have completed secondary education in 2007.

3. The increase in social and cultural capital in areas with a Roma population, Slovenia

This project, carried out nationally, was composed both of research and analysis of the situation of Roma in Slovenia, evaluation of projects undertaken and their results in terms of growth rate of inclusion of Roma, but also intervention activities as well as educational assistance, training of teachers, social workers and other experts in working with children of Roma, development of Roma children dedicated extra-curricular activities, etc. The project had significant results in the form of national and comparative analyzes on the inclusion of Roma people and the preservation of their culture. The project also aimed to highlight both good practices and bad examples because they are not replicated in other areas.

4. Local and Regional Roma Minority Councils, Croatia

Through this project, there were created local and regional councils composed of representatives of the Roma minority councils through which this minority to participate both in the government locally and regionally, and in making decisions, especially those concerning directly or indirectly members of the minority. These councils can propose new regulations or notify local, regional or even national interests of errors to be directed to breach of the constitution or laws. It also is the responsibility of the councils and the implementation of measures relating directly or indirectly Roma minority.

VI. Conclusions

Improving living conditions and quality of life of Roma is a priority for public authorities from Romania and other EU countries, and for many organizations who have made a point to support Roma to attain a decent living as close to the majority population of the EU Member States. This goal, however, is impossible if access to education, employment, social services, etc. is not provided. Among the causes and conditions that lead to poor integration of the Roma population there are close links, sustained efforts are needed to bridge the gap between the Roma population and the majority populations. The projects presented here and more others, are important steps made in this common endeavor that needs to become increasingly more consistent, organizations must work constantly supported by governments and public authorities.

In order to build effective policies, it is particularly important that they be based on the needs felt in communities, needs to be addressed in special projects undertaken by NGOs. Through practices adopted by civil society in its efforts for the social integration of the Roma, considerable attention should be given to activities that promote their culture and traditions. Through such an approach integration through diversity can be promoted, a type of effort you can have more success than to force Roma to adopt the culture of the majority population. By the interest shown by the active organizations in the social integration of Roma, understanding the importance of this integration is demonstrated through diversity. It is also important to involve in these efforts the people in the communities where the projects are implemented not only as beneficiaries but also as facilitators, as members of project teams, and possibly as models for others. The Romanian NGOs for Roma inclusion are supporting and completing the efforts invested by the public authorities in solving the different problems faced by the Roma population. The activities of these NGOs are addressing a wide area of issues, with the programs being implemented at local, regional or even national levels, according to the bottom-up principles of community development, and not necessarily following the central policies directed by the EU or the government (Cace et. al., 2012).

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EVOLUTION OF THE FAMILY STRUCTURES IN ROMANIA

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Abstract: *the article starts from some conceptual specifications concerning the definition and general social functions of the family. After that, it presents some of the main existing demographic trend in European space including Romania in the field of family demography. It is analysing some factors of modernization of the European family, but also some particular aspects of the relevant national context. The article uses data and information from international statistics (UN), Eurostat data, but also data from national censuses and statistics.*

Keywords: *modernization, social policies, national circumstances*

Introduction

The family, as social group, became object of study for the social sciences – sociology, anthropology and, also economy – as of the 19th century. The problem of the social support given to the families in difficulty became a properly consolidated chapter in family sociology and on social work, particularly in the fourth decade of the 20th century. For instance, some US sociological surveys on this subject have extremely practical objectives, pertaining to the necessity of understanding the social state and of establishing survival conditions for the families confronted with situations at the limit, generated by unemployment, poverty, social exclusion, children losing the economic support of the parents, etc. the history of family sociology shows some change of the research topics in time, while some basic themes persisted all the time, such as the economic dimension of the family life, change of components of the roles and positions of authority within the family, thematic of the social policies addressing family issues.

By mid-19th century, a first wave of papers regarding the crisis of the family institution has been published. The most critical topics referred to the decrease of paternal authority, moral decay of some family members, change of elements with social role within the families associated to the modern society, risks pertaining to the abusive behaviour of the spouses, of the parents towards the children, or the delinquent behaviour of the children from dismembered families.

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During the interbellum period, the popularization of the psychoanalytical methods of social investigation favoured the emergence of studies focused on the risks of the internal family life, as effect of the pressures generated by the interdictions imposed within the family life. Within that context, ideas related to the feminist ideology became widespread. Also at that time, the roles within the different types of family structures came into discussion, promoting the pattern of the large family, which brought into discussion, at a much broader theoretical level (compared, for instance, to the Elizabethan period in England, when the Poor Act was adopted – 1602), the topic of the responsibility of the society (of the market economy) and of the welfare state, particularly, towards the risk of poverty for the families with many children.

Subsequently, the topic of the responsibility of the so-called “providential” state was discussed, which is called upon to assume increasingly the traditional functions of the family (by educating the children, taking care of the ill, assisting the elder, etc.)

As of the eight decade of the 20th century, family crisis was the focus of the social analysts, topic which still persists in the present time. Many subjects were discussed (dysfunctions within the nuclear or single parent families, trends of family dissolution, traumas of the family dissolution process, child abandonment, etc.). Alternative life styles were presented, which became popular, particularly in the West – higher number of consensual couples, lower marriage rates, statistical increase of the celibate, increasing overt social affirmation of the homosexual couples, of family life deviancy (alcoholism, physical and verbal violence, irresponsible management of family resources, increasing rate of divorces, psychological traumas of the children coming from dismembered families, etc.). The sociological literature also has statements in favour of the advantages of the family life, on the background of the difficulties induced by the increasingly frequent economic crises.

The involvement of the state in the social protection of the family was marked, in time, by the enhancement of its economic importance and by the change of the target groups for the social policies.

In principle, two basic fundamental patterns of social assistance to the life family existed, over the past 3 decades, in the European welfare states, each individual country adopting either of them or a mix of the two. The Beveridge pattern – by universalist assistance of acknowledged social risks, was initially applied in the Great Britain. The Bismark pattern – assistance granted primarily to the families, employees on the formal labour market – was initially applied in Germany. The use of such patterns of social intervention starting from the legal norms regarding the family, contributed largely to the establishment of the middle classes in the West, the families usually having a broad statistical representation in all societies, and at least one family member being employed on the labour market. The welfare state expanded in most countries, after 1945, gradually changing its functions. While during the post-war period it focused mainly on social assistance with the purpose of alleviating the social dysfunctions (aiming peace among the social classes), more recently, the role of the welfare state is to ensure the redistribution of the welfare created by the market economy, by regulating and controlling the social transfers.

Irrespective of their stage of development or of their economic state, all countries employed the following main principles in the formulation of their social policies (Deme, 2006):

1. Social protection against the risk of losing the labour incomes of the employees (insurances for work accidents, pensions, unemployment).
2. Protection of the employee families (successor pension, healthcare insurances for the whole family).
3. Protection of family members which could not work (people with handicap, children).
4. Universal protection (healthcare insurances, social aid, allocations for children).

The social researchers are still concerned, nowadays, to study the evolution of family structures. Authors such as Milan (2013), Cohen (2011), Roberts (2007), Griver (2008), Jayson (2010), Levy et al. (2002), claim and debate new ideas about the effects of the post-modern culture on the family life. The life of the couples changed radically in the western societies, where the legally bound family tends to lose its dominant role within the society, becoming less and less represented statistically. Some alternative patterns of living together contest the traditional families.

The **concept of “family”** has a rather broad semantic sphere, comprehending different types of structures (number of family members, distribution of family members’ roles). The sciences of sociology, anthropology or psychology study all types of family structures. The exact definition of the family structures is relevant for the social sciences and for the juridical area, such structures generating a broad and complex social-economic problematic. In this article we will plead for one type or another of family definition, but we noticed that, the family structures of couples consisting of a man and a woman, with or without children, are statistically dominant in the European society.

Without exhausting the subject of family definition, we note some definitions that are relevant within the present context. Murdock (1949) defines the family as a social group characterized by common residence, economic cooperation and reproduction, which includes adult people of both genders, of which at least two have acknowledged (accepted) sexual relations, and one or more children, own or adopted, which they nurture and care for. Levi-Strauss (apud Damian, 1972) defines the family as a social group initiated by marriage, consisting of the husband, wife and children or other relatives, group reunited by moral, legal, economic, religious and social rights and obligations. Damian N. (1972) refers to the family as a group of relatives established by marriage, blood or adoption, which live together, develop common economic and household activities, are linked by spiritual relations (ideological and psychological) and by juridical relations, provided the existence of the state and law (in Buzatu, 2016).

According to the acceptations used in EU family and household censuses, the family nucleus can include two or more people who belong to the same household and whose kinship relations are of husband and wife, partners within a registered partnership, partners within a consensual union, or aren't and child (Regulation CE nr. 1201/2009).

In some European countries, the reference to the family are vaguer, mentioning structures of the following types: couple with no children, couple with one or more children, single parents with one or more children. In the modern age, the concept of family is usually limited to the direct relations (first degree) between the parents and children. By child they understand the biological son or daughter from the marriage (even from a previous marriage) or adopted (irrespective of the age), who usually lives in the household of one of the parents. The child living alternatively with one of the parents (when the parents are divorced), will consider as household, the one where he/she spends most of the time, its usual residence. The son or daughter having a spouse, a registered partner or a partner within a consensual union, living together with one or more own children, in the parents' house, is not considered to be a child. Legally, the family represents a group of persons between whom there have been established and exist rights and duties regulated by legal norms which state the conditions of concluding the marriage, the rights and duties of the spouses, the relations between the parents and the children, the manner of inheritance, the rights and obligations in the case of divorce, etc.

Main social functions of the family

The functions of the family define a coherent set of resembling activities, whose role is to ensure the identity of a group, its existence, its proper development and its relations with the social environment. "A thing or a phenomenon exists as long as it fulfils particular functions for which it cannot be replaced" (Bistriceanu, 2006). The family displays its functionality towards the society and towards the individuals which compose it by fulfilling several functions. The sociologists developed several classifications for the functions of this type; following are some essential ones:

- a) **Regulating the reproductive patterns, psycho-affective solidarity and integration of the sexual behaviour within the family couple.** Norms and restrictions are set within the family life (one wife for one husband, for instance), including by the promotion of particular conceptions about divorce or remarrying. This function relies on the existence of a psycho-affective solidarity within the couple, which can extend towards their progeny, if any. Until now, no other social structure didn't prove to be more socially desirable, in this respect, than the family. Beyond meeting the basic needs, the members of any family need psycho-affective balance and protection, for a proper social integration. The sexual relations should preferably manifest within family couples established on the basis of the free consent of the partners, resulting from mutual affection. In order to avoid the genetic degeneration of the humans, the sexual relations are regulated so as to avoid the incest (sexual relations between close relatives – although the kin categories are different in different societies), when families are established. Usually, the formal interdictions ban the marriage between parents and children, sisters and brothers, grandparents and nephews, uncles and nephews, cousins of the first degree.
- b) **Economic function, establishment of the premises for the production and consumption of goods and services within the family.** Within the traditional agrarian or preindustrial societies, the social and economic system depends heavily

on the economic function of the family (particularly in the peasant household or craftsman household). In the modern, industrial or post-industrial societies, the economic function of the family (regarding the dimension of producing consumption goods and services) was largely externalized, and the work that yields income is done mostly outside the household. The consumption function is performed largely within the family. This presumes the assignment of expenditures by categories of needs, which are satisfied within the limits of the family budget.

- c) Socialization, social control and intergenerational perpetuation of the cultural values. Society must reproduce biologically, but also socio-culturally; the first values assimilated by the young generations are transmitted via the process of socialization within the family. The family is also responsible for the establishment of the first facilities of caring, education, formation of children personality and for their protection.
- d) Juridical function, transmission of the social status and of other family advantages. The family members have legal rights and duties specified by specific laws. The family, next to the structures of the education and learning systems, provides the necessary conditions for children's start in life. It is the most important factor in the acquisition of the social state by the progeny. By being born in a specific family, a child can benefit of a better or less advantageous start (inheriting material goods or an acknowledged social position, growing within a specific family environment generated by the socio-professional profile of the parents, etc.). The juridical function of the family decreased much in its importance and social effects due to the increasing number of consensual couples, which stresses the individual responsibility.

Each society is characterized by a specific dominant family pattern, which regulates the relations between genders and the relations between the parents and their children. The most important criteria that distinguish the family patterns are:

- Socially-accepted manners by which two or more persons can form a family;
- Relations of authority and how they are used within the family;
- Regulation of the property on the family financial goods/values and of the inheritance.

Necessity of analysing and social assistance for the family life

Towards the end of the 20th century, the welfare state became not just a facilitator of the social peace, but also an important factor of the social development. Such a change led everything to:

1. Nationalization of the social support.
2. Family assisting not by goodwill of a person or institution, but by right guaranteed by law.

3. Consolidation of the social aid by the establishment of increasingly complex systems of social insurances.
4. Establishment, by compulsory public contributions, of the funds necessary for the support of social insurances and social work.
5. Private and community initiatives in the field of social work and social insurances are not excluded, the USA being an eloquent example for this (Zamfir E. and Zamfir C., coord., 1995).

The forecasts of the demographic evolutions within the EU show that the European population will age massively by 2060, mainly due to the low fertility and higher life expectancy. The role of migration in the alleviation of this process cannot be particularly consistent, at least for now, and it anyhow not reverse the current demographic trend. The economic and social consequences of the European population aging will affect the whole Europe. The low fertility will decrease the number of active people which to support the young generations and the elder. The increasing number of old people will require healthcare services, social work services, adapted dwellings and trained staff. Such demographic changes will generate additional pressure on the public budgets, implicitly on the public administration, to collect more rigorously the taxes and dues. The forecasts show that the regions that will have to solve the most difficult social challenges derived from the demographic evolutions, are the peripheral regions, the rural ones and the post-industrial ones, from where the population tends to migrate or is decreasing. The European Commission issued Communication [COM(2006) 571], “The demographic future of Europe – from challenge to opportunity”, which formulates some essential policies for:

- Promoting demographic renewal in Europe, by better conditions for the families and improved reconciliation of the work life with the family life;
- Promoting employment in Europe:
- More jobs and longer working lives of better quality
- A more productive and dynamic Europe by investments in education and research
- Sustainable public finances in Europe: guaranteeing adequate social security and equity between the generations
- Receiving and integrating immigrants in Europe

Social protection of the family in Romania.

By the adhesion to the European Community and by accepting the European Social Chart, Romania promotes some basic social rights, through: art. 13. The right to social assistance and healthcare; art. 14. The right to benefit of social work; art. 23. The right of the elder to social assistance; art. 30. The right to protection against poverty and social exclusion. The main target groups of the social work services in Romania are the children, the young people in difficulty and the juvenile delinquents, the people with disabilities, the old people, the addicts of drugs, alcohol or other toxic substances, the

people and families with no incomes, some categories such as refugees, immigrants, the Roma, the people in long-term detention, etc. the institution which provides assistance and support for the children, family, lonely people, old people, people in need, abused, marginalised or with disabilities, and to any person in need, is the General Direction for Social Assistance and Child Protection (D.G.A.S.P.C.), subordinated to the County Councils, or to the District Councils, in Bucharest. The mission of this public institution is to provide, to the people in its area of activity, a system of social assistance services which to answer the identified needs, and to provide universal and comprehensive social security.

The Direction for Child Protection comprises: Family-type department; Complex evaluation department; Adoption department; Monitoring department; Counselling and support for parents and children; Child phone department; Maternal assistance department; Coordination and information for street children; Juvenile delinquency; People trafficking department; Alternative services (night shelter for street children, day and night shelter for street children); Residential services for children (placement centres, emergency shelter for abused children, maternal centre; complex of community services).

The purpose of the Direction for Child Protection focuses on specialised interventions and development of adequate social work services for children in difficulty and their families, using all forms and means stipulated in the laws. DGASPC have responsibilities in the cases of abuse, bad treatments, neglect or exploitation, through work included, child trafficking, repatriation and social reintegration of the unaccompanied children, return of the families with children and support services as needed. DGASPC may play a complementary role to that of the tutoring authority in the case of the children whose parents divorce (HG 49/2011).

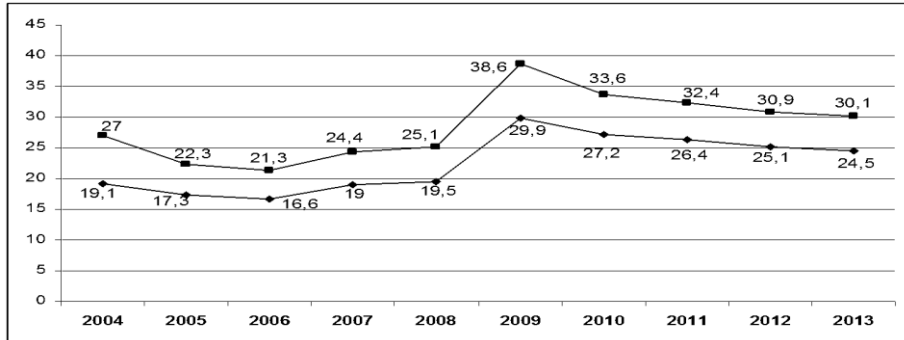
In Romania, the number of people receiving child rearing indemnity decreased by 0.9% in the first 9 months of 2015 (Ministry of Labour data). The number of people receiving child rearing indemnity was 138,882 between January 1st – September 30th 2015, 1,255 people less than in the corresponding interval from 2014. Almost half of these people (48.1%, i.e. 66,819 people) received the basic amount, of 600 lei monthly. Most beneficiaries were from Bucharest (16,639).

The funds spent for this benefit exceeded 1.186 billion lei and was 1.7% higher than in January 1st – September 30th 2014, although the number of beneficiaries decreased. The average monthly amount paid per beneficiary increased from 935 lei in January 1st – September 30th 2014, to 949 lei in January 1st – September 30th 2015.

The counties of Arad, Constanța, Brașov, Sibiu, Iași, Timiș, Ilfov, Cluj paid amounts higher than 950 lei per beneficiary, while Bucharest municipality paid 1,326 lei. Social insurances contributions are paid for the beneficiaries of child rearing indemnity. The amount spent for this purpose in January 1st – September 30th 2015, was 66,146,710 lei, higher by 1,076,587 lei (1.7%) than in the same period of the previous year (***) birth rate in Romania keeps decreasing...,2016). Both in 1992, and in 2002, the family nuclei with children (husband-wife, he partner-she partner and single parent) represented about two thirds from the total number of nuclei. In 2002, the number of single parent families was 2.7% higher than in 1992.

The economic dimension of the quality of life of the different categories of families from Romania, whose incomes come mostly from the system of social protection, is strongly imbalanced.

Chart 1. Dynamics of the ratio between the minimal guaranteed income (MGI) plus two state allocations and the minimal basket for decent consumption (MD), and the minimal basket of subsistence (MS), for the single parent family in Romania, urban areas, October 2004–2013



Legend: —♦— MGI 3 people/ MD 3 people; —■— MGI 3 people/ MS 3 people

Source: Mihăilescu Adina, 2015

For instance, in Romania in 2013, the single parent family of one adult person and 2 children, eligible for the minimal guaranteed income for 3 people, plus the state allocations for the two children, managed to meet the requirements of the minimal basket of consumption only in proportion of almost one third at the subsistence level, and almost a quarter at the minimal decent level (Chart 1) (Mihăilescu, 2015).

Modernization of the life as a couple in Europe

Within the current European area, some traditional elements of the family life stepped back (starting with the 1960s-1070s), in front of the modernizing trends. Such trends appeared on the background of the evolution of women's role and condition within the society, of the general development of the modern societies, of the change of many social values. Within a context of broad liberalization of the mentality and aspirations of each new generation of young people, the number of divorces within the traditional families reached unprecedented values: 70% in 2012, in Belgium, for instance. The average age of the partners within a marriage increased, but the young people tend to start their adult life much sooner, rather living alone or cohabiting, not by leaving parents' house at marriage. The classical marriage – man and woman, with or without children – still is the most frequent type of family, even in the West (***) *Regional demographic statistics, Eurostat, Statistics, 2016*

Single parent family. In 2011, in Europe, it was a high number of single parent families: 15.5 million (11.0% of the total number of families within EU 28 countries), with at least one child, under 25, living together with the parent. Such families are met mostly in the large urban centres. In Romania, this phenomenon is lower than in the western countries – 25.3% of the total families from Romania are single parent families, and one of four single parent families is family with a single father (highest such proportion within EU 28). In Bulgaria, Spain, Finland and Swede, the proportion of families with single father also was rather high. The single parent families were rather few in Greek, with the peak of 8.1% in the capital region Attiki. Similar situations were also noticed in southern Bulgaria (Kardzhali and Smolian), in Germany (Eichstätt in Bavaria), in Italy (Agrigento in Sicilia and Barletta-Andria-Trani in Puglia) etc. (**Regional demographic statistics, Eurostat, Statistics, 2016).

Marriage and family-type pact. Although on a decreasing trend (see for instance France, Table 1), the marriage between men and women are still dominant, compared to the number of pacts. However, in December 2015, a number of 13 European states – Belgium, Denmark, Finland, France, Island, Ireland, Luxemburg, Netherlands, Norway, Portugal, Spain, Sweden, Great Britain – acknowledged legally and allowed marriage between same-sex partners. A number of 21 European states acknowledged some forms of civil reunion; in France, for instance, a pact of civil solidarity (pact, for short) shows a contractual form of civil union between two adult people living together. This is a marital union which doesn't involve the full responsibilities of a marriage. The legalization of such union structures has been voted by the French Parliament in 1999, to give legal status for the different-sex or same-sex couples which were living outside marriage. In 2012, in France, 94% of the couples joined by pact were of different sex (** 2016, Évolution du nombre de mariages et de pacs conclus jusqu'en 2015, INSEE, 2016).

Table 1 - Number of marriages and of family pacts in France, in 2000-2012

Year	Pacts between different-sex couples	Pacts between same-sex couples	Total pacts	Marriages between different-sex couples	Proportion of same-sex unions
2000	5 412	16 859	22 271	305 234	1.65
2001	3 323	16 306	19 629	295 720	1.05
2002	3 622	21 683	25 305	286 169	1.16
2003	4 294	27 276	31 570	282 756	1.37
2004	5 023	35 057	40 080	278 439	1.58
2005	4 865	55 597	60 462	283 036	1.42
2006	5 071	72 276	77 347	273 914	1.44
2007	6 221	95 778	101 999	273 669	1.66
2008	8 201	137 801	146 002	265 404	1.99
2009	8 434	166 089	174 523	251 478	1.98
2010	9 143	196 415	205 558	251 654	2.00
2011	7 494	144 675	152 169	236 826	...
2012	6 969	153 670	160 639	245 930	...

Source: ** 2016, Évolution du nombre de mariages et de pacs conclus jusqu'en 2015, INSEE, 2016

In 1960-2013, in the countries that currently form EU.28, there was a trend of decrease up to/beyond half, of the gross rate of marriage. The countries in which the trend of decreasing rate of marriage was more moderate, were those which already had lower values at the initial moment, 1960 (for instance, Ireland or Sweden, compared to Romania).

Table 2 - Gross rate of marriage – EU 28, selection - interval 1960–2013
(per 1000 inhabitants)

Country	1960	1970	1980	1990	2000	2010	2011	2012	2013
EU 28		7.9	6.8	6.8	6.3	5.2	4.4	4.2	...
Belgium	7.1	7.6	6.7	6.5	4.4	3.9	3.7	3.8	...
Bulgaria	8.8	8.6	7.9	6.9	4.3	3.3	2.9	2.9	3.0
Czech Rep.	7.7	9.2	7.6	8.8	5.4	4.5	4.3	4.3	4.1
Denmark*	7.8	7.4	5.2	6.1	7.2	5.6	4.9	5.1	4.9
Germany	9.5	7.4	6.3	6.5	5.1	4.7	4.6	4.8	4.6
Estonia*	10.0	9.1	8.8	7.5	3.9	3.8	4.1	4.5	4.3
Ireland*	5.5	7.0	6.4	5.1	5.0	4.5	4.3	4.5	...
Greek	7.0	7.7	6.5	5.8	4.5	5.1	5.0	4.5	4.7
Spain	7.9	7.3	5.9	5.7	5.4	3.6	3.4	3.5	3.3
France	7.0	7.8	6.2	5.1	5.0	3.9	3.6	3.7	...
Croatia	8.9	8.5	7.2	5.8	4.9	5.0	4.7	4.8	4.5
Italy	7.7	7.3	5.7	5.6	5.0	3.7	3.4	3.5	3.2
Cyprus	...	8.6	7.7	9.7	13.4	7.3	7.3	6.7	6.4
Latvia	11.0	10.2	9.8	8.9	3.9	4.4	5.2	5.5	5.7
Lithuania	10.1	9.5	9.2	9.8	4.8	6.0	6.3	6.9	6.9
Luxemburg	7.1	6.4	5.9	6.1	4.9	3.5	3.3	3.4	3.2
Hungary	8.9	9.3	7.5	6.4	4.6	3.7	3.6	3.6	3.7
Malta	6.0	7.9	8.8	7.1	6.7	6.3	6.2	6.7	6.1
Netherlands	7.7	9.5	6.4	6.5	5.5	4.5	4.3	4.3	3.8
Austria	8.3	7.1	6.2	5.9	4.9	4.5	4.3	4.6	4.3
Poland	8.2	8.6	8.6	6.7	5.5	6.0	5.4	5.4	4.7
Portugal	7.8	9.4	7.4	7.2	6.2	3.8	3.4	3.3	3.1
Romania	10.7	7.2	8.2	8.3	6.1	5.7	5.2	5.4	5.4
Slovenia	8.8	8.3	6.5	4.3	3.6	3.2	3.2	3.4	3.0
Slovakia	7.9	7.9	7.9	7.6	4.8	4.7	4.7	4.8	4.7
Finland	7.4	8.8	6.1	5.0	5.1	5.6	5.3	5.3	4.6
Sweden*	6.7	5.4	4.5	4.7	4.5	5.3	5.0	5.3	5.4
United Kingdom	7.5	8.5	7.4	6.6	5.2	4.5	4.5	...	...

Note: * - 2013 data

Source: *** 2015, Marriage and divorce statistics, Eurostat, Statistics explained

Within the EU 28 countries, in 2013, the highest gross rates of marriage were in Lithuania (6.9), Cyprus (6.4) and Malta (6.1).

The gross rate of divorces, in 1060-2015, is much lower than the rate of marriage, but it displayed a preponderant increasing trend, reaching two times, or even higher values in

countries such as Greece, Spain, Cyprus, Lithuania etc. In 2011–2013, the gross rate of divorces was significantly lower in Ireland (0.6 per 1000 people in 2012), Malta (0.8 in 2013), Italy (0.9 in 2012) than in some northern states, such as Latvia (3.5 per 1000 people in 2013), Lithuania and Denmark (both with 3.4 in 2013). In Romania the value of this indicator decreased from 2.0 to 1.4 per 1000 inhabitants. Divorce was not allowed by law in Italy until 1970, in Spain until 1981, in Ireland until 1995 and in Malta until 2011.

Table 3 - Gross rate of divorces – EU 28, selection, interval 1960-2013
(per 1000 inhabitants)

Country	1960	1970	1980	1990	2000	2010	2011	2012	2013
EU 28 (2)	...	0.9	1.5	1.6	1.8	2.0	2.0	...	...
Belgium	0.5	0.7	1.5	2.0	2.6	2.7	2.5	2.3	...
Bulgaria	...	1.2	1.5	1.3	1.3	1.5	1.4	1.6	1.5
Czech Rep.	1.4	2.2	2.6	3.1	2.9	2.9	2.7	2.5	2.7
Denmark	1.5	1.9	2.7	2.7	2.7	2.6	2.6	2.8	3.4
Germany	1.0	1.3	1.8	1.9	2.4	2.3	2.3	2.2	2.1
Estonia	2.1	3.2	4.1	3.7	3.0	2.2	2.3	2.4	2.5
Ireland	...	...	...	...	0.7	0.7	0.6	0.6	...
Greek	0.3	0.4	0.7	0.6	1.0	1.2	1.1	1.3	...
Spain	...	...	...	0.6	0.9	2.2	2.2	2.2	2.0
France (3)	0.7	0.8	1.5	1.9	1.9	2.1	2.0	...	...
Croatia	1.2	1.2	1.2	1.1	1.0	1.2	1.3	1.3	1.4
Italy	...	...	0.2	0.5	0.7	0.9	0.9	0.9	...
Cyprus	...	0.2	0.3	0.6	1.7	2.3	2.3	2.4	...
Latvia	2.4	4.6	5.0	4.0	2.6	2.4	4.0	3.6	3.5
Lithuania	0.9	2.2	3.2	3.4	3.1	3.2	3.4	3.5	3.4
Luxemburg	0.5	0.6	1.6	2.0	2.4	2.1	2.3	2.0	2.1
Hungary (4)	1.7	2.2	2.6	2.4	2.3	2.4	2.3	2.2	2.0
Malta	...	...	...	...	...	...	0.1	1.1	0.8
Netherlands	0.5	0.8	1.8	1.9	2.2	2.0	2.0	2.1	2.0
Austria	1.1	1.4	1.9	2.1	2.4	2.1	2.1	2.0	...
Poland (5)	0.5	1.1	1.1	1.1	1.1	1.6	1.7	1.7	1.7
Portugal	0.1	0.1	0.6	0.9	1.9	2.6	2.5	2.4	2.2
Romania	2.0	0.4	1.5	1.4	1.4	1.6	1.8	1.6	1.4
Slovenia	1.0	1.1	1.2	0.9	1.1	1.2	1.1	1.2	1.1
Slovakia	0.6	0.8	0.3	1.7	1.7	2.2	2.1	2.0	2.0
Finland	0.8	1.3	2.0	2.7	2.6	2.5	2.5	2.4	2.5
Sweden	1.2	1.6	2.4	2.3	2.4	2.5	2.5	2.5	2.8
United Kingdom	...	1.0	2.6	2.7	2.6	2.1	2.1	2.0	...

Note: 1. Divorce was not allowed by law in Italy until 1970, in Spain until 1981, in Ireland until 1995 and in Malta until 2011. 2. 1970-1990, excluding the overseas French departments. 3. 1960-1990, excluding the overseas French departments. 4. 2012 interrupted series. 5. 2011 interrupted series

Source: *** 2015, Marriage and divorce statistics, Eurostat, Statistics explained

The highest divorce rates were noticed in 2010-2011, that is immediately after of even during the global financial crisis which affected Europe too.

Increase of the number of births outside the marriage, in EU 28

Within the EU, the term of couple, according to the Census of the population and households, includes: married couples; couples with registered partnership; couples living in consensual union. According to EU acceptance, in 2011, a couple is formed when two people (irrespective of their gender) decide to live together as a married couple, within a registered partnership or consensual union (the latter form referring to the situation in which two people belong to the same household and have a marital-type relation, but are not married and don't have a registered partnership).

Many EU member states passed laws which guarantee the legal acknowledgement of partnerships, officialised concubinage and same-sex marriages (Regulation 1201/2009 EC). The gross rate of births outside the marriage, in EU 28 member states, multiplied several folds in almost all countries, except Croatia, where it increased just two times. Romania, where the data series regarding the gross rate of birth outside the marriage started in 2000, is in agreement with the general evolution of this indicator, although in 2000-2014, the growth was not that steep as in other European countries (the rate increased from 25.5 to 30.4 per 1000 inhabitants).

In EU countries, although the number of children born outside the marriage increased, the marriage still is the most usual type of family union which rears children. In 2011, the married couples with at least one child represented 33.2% of the total EU 28 families, more than five times more than the couples in consensual union with one child (5.6% of the total number of families). The married couples with at least one child represented over 40% of the total families from Poland, Ireland, Luxemburg, Croatia and Cyprus. The couples in consensual union with at least one child represented more than 10% of the total number of families in Sweden, Finland, Estonia, Island and Norway. In Greece, the married couples with at least one child were over 100 times more than the number of couples in consensual union with at least one child (***)*Regional demographic statistics, Eurostat, Statistics, 2016*).

Table 4 - Gross rate of births outside the marriage - EU 28, selection, interval 1960-2013 (per 1000 inhabitants)

Country	1960	1970	1980	1990	2000	2010	2011	2012	2013
EU 28	...	...	...	...	27.3	38.0	39.3	40.0	...
Belgium	2.1	2.8	4.1	11.6	28.0	45.7	50.0	52.3	...
Bulgaria	8.0	8.5	10.9	12.4	38.4	54.1	56.1	57.4	59.1
Czech Rep.	4.9	5.4	5.6	8.6	21.8	40.3	41.8	43.4	45.0
Denmark*	7.8	11.0	33.2	46.4	44.6	47.3	49.0	50.6	51.5
Germany	7.6	7.2	11.9	15.3	23.3	33.3	33.9	34.5	34.8
Estonia*	...	...	...	27.2	54.5	59.1	59.7	58.4	...
Ireland*	1.6	2.7	5.9	14.6	31.5	33.8	33.9	35.1	...

Country	1960	1970	1980	1990	2000	2010	2011	2012	2013
Greek	1.2	1.1	1.5	2.2	4.0	7.3	7.4	7.6	7.0
Spain	2.3	1.4	3.9	9.6	17.7	35.5	37.4	39.0	40.9
France	...	...	...	...	43.6	55.0	55.8	56.7	...
Croatia	7.4	5.4	5.1	7.0	9.0	13.3	14.0	15.4	16.1
Italy	2.4	2.2	4.3	6.5	9.7	21.5	23.4	24.5	26.9
Cyprus	...	0.2	0.6	0.7	2.3	15.2	16.9	18.6	...
Latvia	11.9	11.4	12.5	16.9	40.4	44.4	44.6	45.0	44.6
Lithuania	...	3.7	6.3	7.0	22.5	25.7	27.7	28.8	29.5
Luxemburg	3.2	4.0	6.0	12.8	21.0	34.0	34.1	37.1	37.8
Hungary	5.5	5.4	7.1	13.1	29.0	40.8	42.3	44.5	45.6
Malta	0.7	1.5	1.1	1.8	10.6	25.3	23.0	25.7	25.9
Netherlands	1.4	2.1	4.1	11.4	24.9	44.3	45.3	46.6	47.4
Austria	13.0	12.8	17.8	23.6	31.3	40.1	40.4	41.5	...
Poland	...	5.0	4.8	6.2	12.1	20.6	21.2	22.3	23.4
Portugal	9.5	7.3	9.2	14.7	22.2	41.3	42.8	45.6	47.6
Romania	...	...	...	...	25.5	27.7	30.0	31.0	30.5
Slovenia	9.1	8.5	13.1	24.5	37.1	55.7	56.8	57.6	58.0
Slovakia	4.7	6.2	5.7	7.6	18.3	33.0	34.0	35.4	37.0
Finland	4.0	5.8	13.1	25.2	39.2	41.1	40.9	41.5	42.1
Sweden*	11.3	18.6	39.7	47.0	55.3	54.2	54.3	54.5	54.4
United Kingdom	5.2	8.0	11.5	27.9	39.7	46.9	47.3	47.6	...

Source: *** 2015, Marriage and divorce statistics, Eurostat, Statistics explained

The, more or less, traditional family, launched in the global social life values strongly validated by millions of couples, during times of plenty and penury, of stability or crisis, of peace or war. However, together with the increasing disintegration and negation of the values of the classical families, it (and all the post-modern societies) seems to have problems that are increasingly difficult to solve – higher rate of divorces, alienation of the children from their parents, rebellion of the minor and teenager children against their parents, higher rate of juvenile delinquency globally, higher number of conflicting states and of tensions within the family, higher rate of violence within the family, etc.

The family, and the whole human society, became more exposed to risks of all kind. The correlations between some social disasters or decadence and the disintegration trends of the family life have been insufficiently studied. Such analyses are not lacking completely, however, from the studies focused on the analysis of the social change, or in the religious exegeses. The transformations within the family during the present time were also analysed by Romanian researchers. Authors such as Raluca Popescu (2009), Daniela Pescaru-Urse (2009) and others, analysed the way in which the life of couples evolved in Romania over the recent decades. The conclusion of these studies is that the Romanian family is currently in full process of modernization. The rate of cohabitation as well as the number of single parent families increased, together with the decrease of the legally- formed families. The transformations of the dominant family pattern in Romania during the recent years reflect the general European trend, even if they don't have the extent from the western countries. In Romania there still is a clear aspiration

towards marriage, the consensual cohabitation and the single parent families still being minorities with rather low numbers.

Families from Romania

Marriage and the marriage rate. For at least nine decades, the institution of marriage and family has been and extremely important issue in the life of the Romanian population. In the interval of 1930-1964, in only four years, the marriage rate was below 9% (1933, 1935, 1939 and 1940 – which were, except for 1935, years of national and global economic crisis; in 1940 Romania suffered a devastating earthquake and entered a war which lasted five years (Pisică, 2015).

In the post-war years, 1946-1960, in Romania and worldwide, the marriage rates reached unprecedented rates, exceeding 10-11%, except for 1947 (extreme draught and food crisis) (Pisică, 2015).

After 1966, when the communist regime applied compelling policies for demographic growth (Decree 770/October 2, 1966), cancelling the 1957 Decree which allowed free abortions, the marriage rate decreased significantly to 7% in 1969. Another decree modified the law of divorce, so as to deter radically the would-be divorced. The anti-abortion decree stipulated jail terms for the women and for those who helped or assisted abortions. Therefore, the number of unwanted children doubled in Romania in 1967, when the largest number of children, during the entire post-1944 period, was born. Gradually, until 1973, the rate of total fertility returned to 2.4 children in average born by a woman, while in the subsequent years it maintained at the levels previous to the decree.

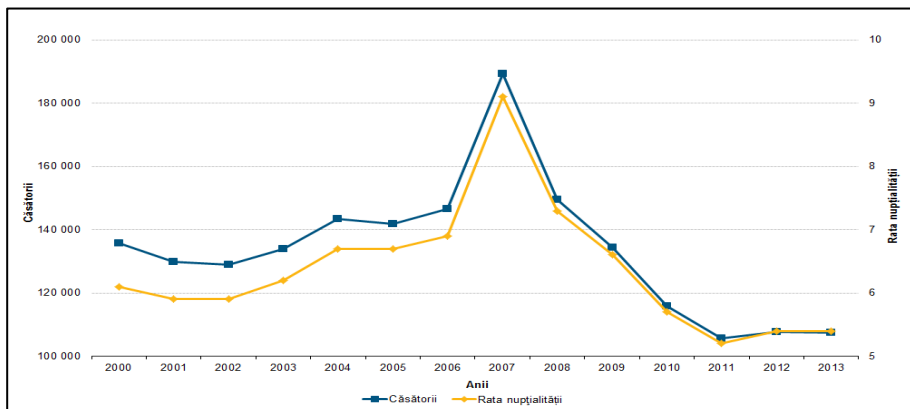
The anti-abortion decree rapidly increased the number of deaths due to complications following the “illegal” abortions – in 1966-1989 there were 9,452 such deaths, but due to juridical reasons, many such deaths were recorded as other medical causes, such as “kidney failure” “septicaemia”.

A similar effect was felt in terms of the social response to the anti-divorce or “family consolidation” legislation. For a while, the number of divorces decreased. Thus, in October 1st 1966-Mau 31st 1967, there were 4,512 divorce actions, which was 87.7% less than the similar period before the anti-divorce law. Subsequently, the couples with problems adapted to the new restrictions and the number of divorces returned to higher values. In 1964, Romania had the highest index of divorces related to the number of marriages, from Europe: out of five marriages, one ended in court. The capital city was on top, with half the number of marriages ending by divorce (Betea, 2012).

In present time Romania, the family plays an essential role in the life of the individuals, the formal marriage being a widely used way of establishing a family. The Family code was adopted by Law 4, of January 4th 1953, which was modified and completed by many subsequent laws (Law 23/1999, Law 272/2004 regarding the protection and promotion of children rights, Law 288/2007, Law 202/2010 regarding measures to accelerate the solution to court trials, Law 202/2010 – Small reform of the justice, etc.).

Art. 1 from the Family code shows that in Romania the state protects the marriage and the family; it supports, through economic and social measures, the development and consolidation of the families. The Romanian state defends the interests of the mother and child and is particularly careful regarding the rearing and education and the young generation. The family relies on the free consent marriage between spouses. Man and woman have equal rights between them and regarding the children. The parental rights are exercised only in favour of the child. In Romania, the consensual union is not as widely spread as in other EU member states and, it seems, there still isn't a consistent increasing trend of this phenomenon. The proportion of people living in consensual union at the 2002 and 2011 Censuses of the population and households, remained constant (4.5%). The young people get married at older ages, after finishing their education training, after getting integrated on the labour market and when they have the material resources to live within a couple. The increase of the average age at the first marriage also increased the age when the women have their first child, therefore the number of years when they can get birth to other children, with effects on the conjunctural indicator of fertility.

Chart 2. Marriages and marriage rate in 2000-2013 in Romania



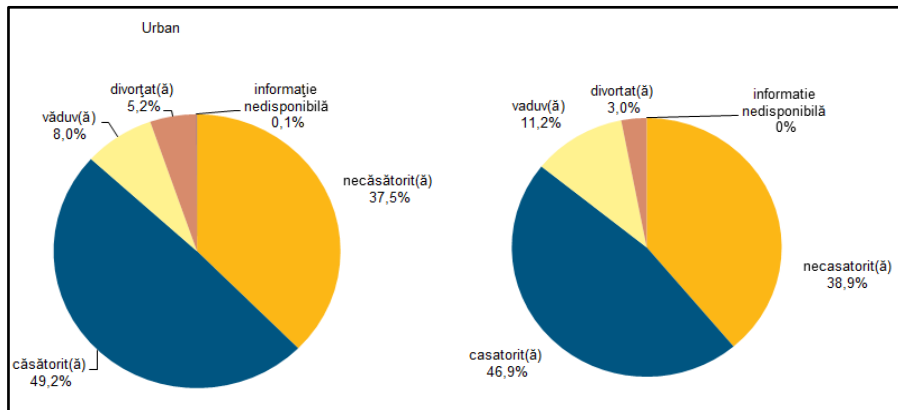
Source: *** 2015, Statistics explained, Eurostat (Baetica, 2015)

In Romania too, more and more children are born outside the marriage. The decision to have children no longer depends so much on the status of married person, on the opinion or disapproval of other people, being mainly determined by other criteria: finding the right partner, a proper income, having the material resources necessary to raise and educate the children properly, special circumstances in the life of the individual, etc. in 2013, in Romania, there were 107,507 marriages recorded, continuing a decreasing trend which started in 2007. After a decrease in 2000-2002, the number of marriages in Romania increased until 2007, when it peaked due to the laws which established a financial support for the couples that were marrying for the first time (Law 396/2006). The marriage rate oscillated between a minimum of 5.2 marriages per 1000 inhabitants in 2011, and a maximum of 9.1‰ in 2007. In 2012, the number of marriages was 44% lower than in 1990, 107,760 vs. 192,652 (INS). Brăila and

Teleorman Counties had the largest decrease of the number of marriages (61% decrease, 2012 compared to 1990). 2007 was the only year when the number of marriages was close to that from 1990, while in 2011, there was the lowest number of marriages. In 1990-2012, Iași County ranked the first in terms of number of marriages, with over 4,500 marriages in 2012. Covasna County was at the bottom, with 872 marriages in 2012. The largest decrease of the number of marriages was in Brăila and Teleorman Counties, with 61% less marriages in 2012, compared to 1990. At the opposite end, Ilfov County had the lowest decrease of the number of marriages compared to 1990 – 11%. It is followed by Cluj County, with 29% decrease over 22 years, and Timiș County with 30% decrease. In Bucharest, the number of marriages was 38% lower in 2012 compared to 1990, according to INS data (Pisică, 2015). The largest number of marriages in 1990-2012 was recorded in Iași County – 132,500, followed by Prahova County – 124,626 and Constanța County – 119,300. The lowest number of marriages was in Covasna County – 30,409 (Tacu, 2016).

Legal civil status. According to the results of the 2011 Census of the population and households, more of half of the resident population of Romania, aged 20 and over were married people (61.1%). Some 716.4 thousand people aged 20 and over live in consensual union. About three quarters of these people have never been officially married, 17.3% being divorced people, at the moment of the census.

Chart 3. Civil status – differences between rural and urban



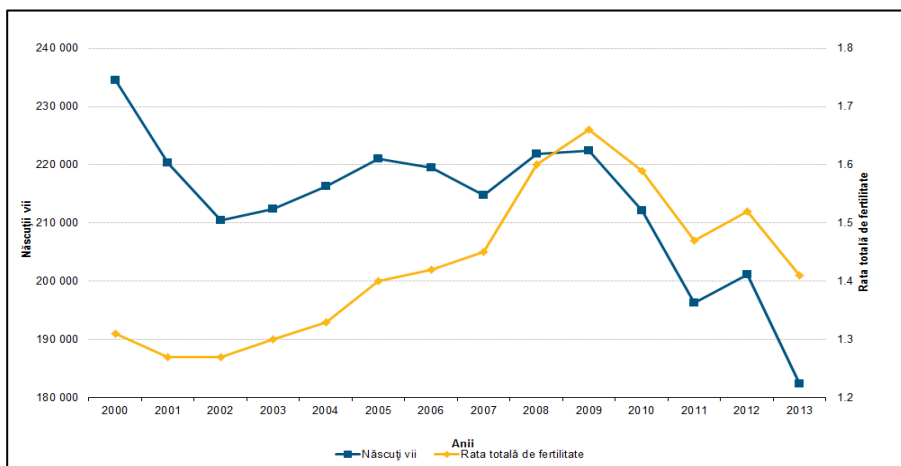
Source: *** 2015, Statistics explained, Eurostat, (Baetica, 2015)

The analysis of the average age at the first marriage shows a constant increasing trend and delaying of the marriage. In 2007, (first year after the implementation of the financial support) a slight increase of this age was noticed, determined by the marriages delayed due to financial reasons. The curve of the marriage rate follows closely that of the marriages number, peaking (8.8 marriages per 1000 inhabitants) in 2007, after which the rate of marriages decreased strongly due to the outbound migration after the accession of Romania to the EU and borders opening.

Birth rate. According to UN data, birth rate evolution in Romania was the following (** UN Population Fund, ** State of world population, UNFPA, 2006): the gross birth rate was 14.3‰ until 1966; after 1967, when abortion was banned, it increased to 27.4‰; in 1986-1989 the birth rate was around 16‰, decreasing to 10.4‰ in 2000 and even to 10‰ in 2002, after which it increased slightly. While in 1989 there were 369,000 children born, in 2013 there were just 182,313 children born. While the average number of births was 360,000 per year, in the last decade their number oscillated around 220,000 per year. In May 2010, infant mortality was 9.2‰, while in most EU member states it was below 5‰. After 2009, when there was some increase in the number of live births, there was a steep, almost brutal decrease of the number of live births (unprecedented in the history of Romania), until 2013, when the lowest number of live births after 2000 was recorded: 182,313 (Chart 4).

The total fertility rate increased starting with 2002 up to a maximum of 1.66 children per woman, in 2009, after which it decreased strongly until 2013, getting closer to the level of 2005-2006 years, when the birth rate was, however, about 20% higher than in 2013.

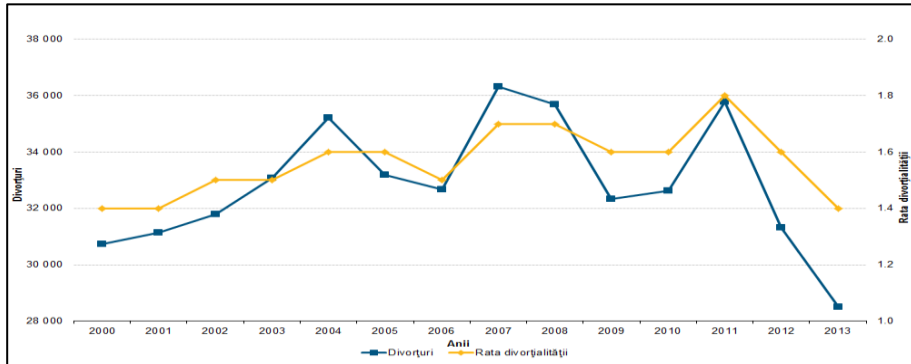
Chart 4. Live births and total fertility rate, in 2000-2013 in Romania



Source: ** 2015, Statistics explained, Eurostat (Baetica 2015)

Divortiality. After 2000, the number of divorces displayed an increasing trend, until 2004 (Chart 5). A new peak of this phenomenon was recorded in 2007.

In 2013, a total of 28,507 divorces were declared through final sentences or decisions of the public notaries and of the civil state officials. Compared to 2000-2012, the number of divorces and the rate of divortiality decreased (Ruscior, 2014), after an oscillating evolution with increasing trend in 2004-2011.

Chart 5. Divorces and the rate of divortiality, in 2000-2013 in Romania

Sources: *** 2015, Statistics explained, Eurostat, (Baetica 2015)

In 2013, not only the birth rate, but also the rate of divortiality decreased strongly, to 1.4 divorces per 1000 inhabitants. This happened because, in 2010, the reform of the Civil code introduced the possibility of administrative divorcing, which involved a much simplified procedure. This increased the freedom of expressing the will of separation, which increased the number of divorces in 2011. After 2011, the number of divorces decreased.

Conclusions

National particularities. Although, of rather many years, the pressure coming from the supporters of modernization tended to transform the event of *marriage* into a laic act, the collective mental of the Romanian people proved rather resistant to the change. In Romania, despite the laic trends to marginalise the religious expression of the spiritual life, marriage still is strongly influenced by the regulations originating from the religious sphere. Therefore, there still is a peculiarity of the marriages in Romania, namely the *seasonality of the marriage phenomenon*. Usually, the rate of marriages is minimal in March and April (during the Easter fasting), followed by a peak in the summer and autumn months, particularly as of the second half of August (after the fasting for Holy Virgin Mary), in September and October.

Table 5. Family nuclei in Romania, by type, Censuses from 2002-1992

	2002		1992	
Total	6369.5	100.0	6393.1	100.0
Conjugal couple, no children	2108.9	33.1	2065.3	32.3
Conjugal couple, with children	3404.0	53.4	3637.5	58.9
Single parent with children	856.6	13.5	690.3	10.8

Source: Cambir et al., 2009, Studiu privind evoluția fenomenului familiilor monoparentale în România, CNPS

The financial support for the couples at their first marriage, by Law 396/2006 also had a positive influence on the number of marriages in 2006 and 2007. The abrogation of this law rapidly decreased the number of marriages in Romania.

There are noticeable differences in the distribution of the resident people by their legal civil state, by area of residence. In the urban environment, the proportion of married people is almost half, while in the rural it is of just 46.9%. This probably explains the fact that the rate of divorces is much higher in urban areas than in rural ones, where the separation of consensual unions doesn't produce legal or statistical events. The widow persons are more frequent in the rural (11.2%, of the total rural population, compared to 8.0% in the urban areas). Over the past 15 years, the economic and social factors that can influence the formation/breakup of families in Romania, essentially determined the overlapping of a trend of modernization of the manners of establishment and maintenance of the families, over the underlying national tradition which still observes the Christian spiritual recommendations, thus proving a still rather strong resistance to change. With the absence of adequate social policies which, at least, to maintain the rate of demographic replacement, the birth rate decreased dramatically in Romania. Here in Romania, the same-sex marriages are not acknowledged officially.

UN warns that Romania might experience a 22% decrease of the population by 2050, one of the highest rates worldwide. The population of Romania already decreased below 20 million people (2017). This is a negative record, as of 1968 onwards, which will probably persist for the next 35 years. In terms of population decrease Romania ranks second, after Bulgaria, with 27% (from 7 to 5 million people), followed by several other Eastern Europe countries: Republic of Moldova, Hungary, Serbia, Croatia, Lithuania, Latvia. UN explanations for the drastic decrease of the population in Romania are the low fertility rate, infant mortality, with one of the highest rates in the EU, and the negative natural gain. Under such conditions, each woman should give birth at least to two children, so as to return to a population of 20 million. (Stan, 2015).

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