

# **CONTINUITY AND CHANGE IN FAMILY POLICIES OF THE NEW EUROPEAN DEMOCRACIES:**

## **A COMPARISON OF POLAND, HUNGARY, AND ROMANIA**

**PART I: INSTITUTIONAL LEGACIES AND PATH DEPENDENCE IN FAMILY  
PRACTICE - 1945 TO 2000**

*An NCEEER Working Paper by*

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## **Executive Summary**

This project aims to explain considerable variation in family policies across the three former communist states, Poland, Hungary, and Romania. We analyze historical legacies of the old regime and the early transition (1945-2000). We identify elements of continuity and change and trace patterns of convergence and divergence of family policies across countries and across time in each country. We aim to determine the impact of international vs. domestic factors on these welfare states and address the relationship between *path dependence* and *path departure* in post-communist (Cerami & Vanhuyse 2009) and European social policies. In doing so we draw on the rich tradition of historical-institutionalism (Amenta 2003, Pierson 2004, Inglot 2008), and examine the possibility of “transformative” incremental change (Streeck & Thelen 2005, Palier 2010). We argue, however, that comparative study of family policies will yield the best results when we pay equal attention to political agency (Lynch 2006, Häusermann 2010) and discourse (Schmidt 2009).

This project<sup>1</sup> aims to explain considerable variation in family policies across the three former communist states, Poland, Hungary, and Romania. Part One analyzes historical legacies of the old regime and the early transition (1945-2000) and Part Two examines developments during EU accession<sup>2</sup> and its aftermath (since 2000). We identify elements of continuity and change and trace patterns of convergence and divergence of family policies across countries and across time in each country. We aim to determine the impact of international vs. domestic factors on these welfare states<sup>3</sup> and address the relationship between *path dependence* and *path departure* in post-communist (Cerami & Vanhuyse 2009) and European social policies. In doing so we draw on the rich tradition of historical-institutionalism (Amenta 2003, Pierson 2004, Inglot 2008), and examine the possibility of “transformative” incremental change (Streeck & Thelen 2005, Palier 2010). We argue, however, that comparative study of family policies will yield the best results when we pay equal attention to political agency (Lynch 2006, Häusermann 2010) and discourse (Schmidt 2009).

Recent studies contest assumptions of post-communist convergence toward a neoliberal or globalized welfare model while stressing the impact of historical legacies (Inglot 2008, Haggard & Kaufman 2008) and domestic politics (Vanhuyse 2006, Cook 2007). Many family policy scholars present similar arguments (Fodor et.al. 2002, Aidukaite 2006, Glass & Fodor 2007, Saxonberg & Szelewa 2007) and offer new typologies (Szelewa & Polakowski 2008,

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<sup>2</sup> The signing of the Nice Treaty in 2000 marks the symbolic beginning of institutional reforms preceding the eastern EU enlargement.

<sup>3</sup> Our research involved archival work, library research (including books and articles in the three native languages) and extensive interviews at various locations in Poland, Hungary, and Romania during 2009-11.

Szikra&Szelewa 2010) to facilitate comparisons with western welfare regimes (Esping-Andersen 1999, Leitner 2003). Nevertheless, we still lack sufficient empirical, and especially historical data necessary for a full-fledged analysis of the antecedents and proximate causes of the most recent, and potentially transformative developments such as the adoption and gradual implementation of the first comprehensive family policy program in Poland, comprehensive overhaul of the cash transfers for the families in Romania, and the launching of the ambitious conservative family policy agenda in Hungary during its EU Presidency.

### **Case Selection, Research Design, and Major Hypotheses**

We selected Hungary due to its long legacy of population decline (Gábos&Tóth 2001) and an established reputation as Europe's leader in family protection (Gábos 2000, Haney 2002, Szikra 2011). Poland deserves attention because of its checkered history of "emergency social policy" driven by frequent regime crises (Inglot 2008) and also its resilient, traditional family-oriented society grounded in Catholicism. Although these two countries appear broadly similar in terms of democratization and socioeconomic development (Cook 2007, Haggard&Kaufman 2008) family policy comparisons reveal substantial differences between them, both before and after 1989 (Fodor et.al. 2002, Glass&Fodor 2007, Szikra&Szelewa 2010). Similar to Poland, Romania had a long history of underdeveloped family oriented programs, greatly impacted by coercive methods of population control under the Ceaușescu's regime. At the same time, just like Hungary but on a different scale, it has struggled with serious demographic challenges and social inclusion of the Roma minority. It is also one of the poorest EU member states with fragile institutions, now demonstrating opportunities and perils of enhanced foreign influence during the

latest round of EU expansion (Gallagher 2009).<sup>4</sup>

We view the three welfare states as “hybrid” or “layered” constructions (Inglot 2008, 24-34), consisting of the Bismarckian foundation, updated or added programs of the communist era, and the newest reforms since the 1989, including not only changes in the pension systems (Orenstein 2008), but also less visible transformations in anti-poverty programs and family policies. With the important exceptions of maternity and early child allowances in Hungary and Romania, the majority of family policy schemes belong to the second and third layers. They also illustrate “emergency” social policy making, marked by frequent changes and adjustments driven by a mix of political and socioeconomic considerations (Inglot 2008, 126-127). Our study seeks to uncover and analyze specific institutional (Thelen 2004, Steeck&Thelen 2005), political (Vanhuysse 2006, Cook 2007) and ideational (Schmidt 2009) influences and mechanisms that either obstruct or enable change in family policy. The institutional aspect of our analysis deals with the evolution of key family policy programs. Then we identify and examine the involvement political actors at the governmental (national and local), societal (NGO, civic, and religious organizations), and international (EU, World Bank, IMF) levels. Finally, we focus on the meaning and significance of evolving national family policy discourses, including state paternalism and conservatism (Bismarckian legacies of maternity care, protection of the traditional family etc.), gender equality, (de) *familialization*<sup>5</sup> (Leitner 2003, Szikra&Szelewa 2010), and children’s rights (Lewis 2006).

This study will scrutinize three major hypotheses. *Hypothesis 1* argues that the lasting power of institutional legacies in family policy varies significantly across the three countries due

<sup>4</sup> Romania joined the EU in the latest round of enlargement in 2007.

<sup>5</sup> The degree to which the existing policies rely on the family vs. the state or the market in the provision of benefits and services such as maternity and child-care (Esping-Andersen 1999, Leitner 2003).

to the timing, intensity, focus, and the scope of modernization of all major benefits and services for children, women, and the families during the communist period. In other words, the ways in which these programs were updated and institutionalized under the old regime explains their varying pathways. *Hypothesis 2* stipulates that *path departure* in contemporary family policies results from a combination of domestic and/or international factors. Patterns of continuity and change, however, will differ substantially across countries and specific programs within each country, precluding any complete convergence to a common “European” model. Opportunities for path-departing reforms after 1989 are highly contingent on domestic influences. Still, the extent to which various political actors at the national level are able to forge a stable policy agenda or adopt policy reforms has increasingly depended on the relative strength of newly emerged players such as local governments (Kerlin 2005), political entrepreneurs (Cook 2007), and social organizations, and their ability to engage with relevant EU institutions and programs. Finally, *Hypothesis 3* stipulates that the direction and stability of family policies in East Central Europe depends on the development of a consensual welfare discourse in response to the conflicting pressures of traditional state paternalism (and conservative *familialism*<sup>6</sup>), imported neoliberalism (welfare residualism or “implicit familialism”<sup>7</sup>) and to a much lesser degree, aspirational social democratic models (Ferge 1997&2008; Deacon 2000; Popescu 2004b; Golinowska et.al. 2009).

### **The Scope and Definition of Family Policy**

Family policy(ies) can either refer broadly to all possible social policies that, explicitly or

<sup>6</sup> The “male-breadwinner model” has been a typical feature of continental European welfare states (Esping-Andersen 1999, Leitner 2003).

<sup>7</sup> State-directed withdrawal from social spheres of alleged “private,” or family responsibility (Szikra&Szelewa 2008).

implicitly, target families with children (Kamerman&Kahn 1978, 3; Hantrais 2004, 132) or apply narrowly to one major benefit – family (child) allowances (Lynch 2006; Häusermann 2010, 210). Western scholars usually disaggregate family policies into various transfers and childcare regimes (Koven&Mitchell 1993, Jenson&Sineau 2001; Leitner 2003; Lewis 2006), but some East Europeans favor all-encompassing concepts, including health care, unemployment, poverty assistance, and housing (Balcerzak-Paradowska 2004; Szyszka 2008). Our middle-range definition consists of three elements: conventional cash transfers such as maternity (social insurance) payments (and leaves) and family (child) allowances; parental (home childcare) leaves and benefits; and childcare services (see Blome et. al. 2009, 165). Under “childcare services” we include children from approximately six months to six years.<sup>8</sup> In addition, we also discuss select benefits for low-income families. A sizable share of Roma and non-Roma populations in Romania and Hungary depend on such assistance for their livelihood. It also helps us understand the complexity of family policy in the context of a persistent societal divide between urban and rural populations in all three countries. We will also examine special tax deductions for working families to illustrate the emergence of new cleavages between different categories of benefit recipients since these benefits usually privilege higher income persons and exclude non-taxed occupations such as farmers. We refer to all these programs as “pillars” of family policy, classified according to their origins and place within the overall structure of the welfare state [see **Table 1**]. Moreover, as Hantrais notes, “not all governments explicitly identify the family unit as a target for policy or use the term ‘family policy’” (2004, 137). Indeed, while

<sup>8</sup> Many European countries include kindergartens in mandatory early education but the communist states often classified these institutions together with nurseries under one umbrella of childcare (Graniewska 2009, Hagemann et. al. 2011). Since the early 2000s most postcommunist countries have extended mandatory schooling to all six-year olds and similar regulations for five year olds are planned. Thus the actual boundary between child-care and educational systems is becoming even more blurred.



conducting a larger historical study of Central and Eastern Europe it is more useful to examine individual schemes and their trajectories since they may or may not coalesce into a more discernable and comprehensive national “family policy” agenda or strategy. Our explanation of cross-national variations focuses primarily on policy outputs but, wherever possible and applicable to our argument, we also analyze policy outcomes.

European nations still rely on the same conventional tools (cash transfers and child care services) to realize one or more of the three contemporary objectives of family policy: income (re) distribution, pronatalism (stimulation of fertility), and equal opportunities (or gender equality) (Hantrais 2004, 137). Hungary, Poland, and Romania have followed largely the same pattern but with considerable variation over time and in emphasis within and across these countries. Pronatalism, for instance, has dominated family policy agendas of Hungary and Romania for decades. In contrast, until the 1990s Poland faced the opposite problem of unusually high fertility that compelled the government to constantly adjust its employment policies to accommodate additional pressures on the labor market. In general, the policy of full employment under the command economy, with central planning of wages and benefits, and also unprecedented levels of mobilization of the female labor force influenced family policy development in all Soviet bloc nations. Thus, our study views the regulation of wages and the labor market, and especially women’s employment as a major goal of family policies under communist rule [see **Tables 2a-c**].

Furthermore, besides pronatalism and female labor mobilization, we also consider three additional objectives of governmental policy – social insurance protection for women, social assistance or poverty relief for low-income families, and child wellbeing and early education [**Tables 2a-c**]. The first of these has relied on the oldest, Bismarckian pillar of family policy that

initially consisted of traditional sickness/maternity insurance leaves and benefits but later, in some countries, expanded to include family allowances and childcare benefits. The second objective refers to the larger goal of income redistribution but we specifically examine family policy reforms that target the most vulnerable groups. We stress that in Central and Eastern Europe current policies of this kind originated in the 1960s and 1970s or even earlier (Zalewski 2005). Third, the emphasis on child wellbeing and early education deserves special attention primarily because, except in the cases of the Czech Republic and Hungary (kindergartens), it arguably represents the most neglected aspect of family policy in the region as a whole (Klimkiewicz 1981). Moreover, since the early 1990s, attention to children, or “child orientation” as a top priority of government action, has often competed against two other objectives, e.g. “gender orientation” and “family orientation.” The focus on women’s equality reflects traditional social agendas of the European left and as such has influenced the family policy discourse of the EU (Kleinman 2002; Krizsán&Zentai 2006; Lewis 2006) but in East-Central Europe this emphasis is frequently viewed as part of the compromised legacy of communism or Stalinism (Ferge 2008). In contrast, the competing agenda of the European conservative forces of the political right, in the west and in the east alike, often promotes, or defends, the traditional family model of a male breadwinner plus a female homemaker with multiple children.<sup>9</sup> Before moving on to the more detailed examination of these and other more recent developments, however, we first need to identify relevant institutional legacies of family policy and analyze their long-term impact in Poland, Hungary, and Romania from 1945 until 2000.

<sup>9</sup> See for example the multinational agenda of the European Large Families Confederation ELFAC: <http://sites.google.com/site/webelfac/Home>

## POLAND

### *Institutional Legacies: Emergence and Consolidation of the Major Pillars of Family Policy: Cash Transfers and Child Care Services*

The postwar history of family policy development in Poland encompasses four social insurance programs: maternity insurance, family allowances, childcare (parental) leaves, and birth grants – all incorporated into the centrally planned structure of employment and wages from the 1950s until 1989.<sup>10</sup> Only since the 1970s these schemes gradually acquired a common, official designation, first as “family benefits” (*świadczenia rodzinne*) and eventually, in the late 1990s and early 2000s, as “pro-family”<sup>11</sup> or “family” policy (*polityka prorodzinna* or *polityka rodzinna*). Childcare services developed along separate institutional tracks within the nationalized health care (nurseries, from 1950 until 2011) and educational (kindergartens, from 1932) systems. The pregnancy (maternity) leave and benefit, introduced along with sickness insurance during 1919-24 (separately for blue and white collar workers), and family allowances, established in 1947 for all employees,<sup>12</sup> both originated as Bismarckian-style benefits, administered by one central body – Social Insurance Institution (ZUS)<sup>13</sup> and supervised by a national ministry of labor and social welfare.<sup>14</sup> Full incorporation of the social insurance system into central planning subordinated these benefits to the national employment and wage policies

<sup>10</sup> The institutional history of the Polish and Hungarian social insurance is fully covered by Inglot (2008).

<sup>11</sup> The term *polityka prorodzinna* was first used in 1998-99 by the conservative government of the Solidarity Action Party (AWS).

<sup>12</sup> Public and private, plus agricultural workers (1950) and eventually private farmer households (1986).

<sup>13</sup> In Polish- *Zakład Ubezpieczeń Społecznych*, in existence since 1935.

<sup>14</sup> A central ministry of this kind existed during 1919-60, became a government committee in the 1960s, reemerged in 1972, and continued under different names through the 2000s (Inglot 2008, 84-96, 252-277).

(Inglot 2008, 151-56). The pregnancy benefit (renamed “maternity benefit” in 1974) expanded more slowly in several stages, 1946-47 (when all female workers received 100% of wages for twelve weeks), the early 1970s (extension to 16 weeks), the early 1980s (including private farmers), and recently in 2006-11 (extended leaves for both mothers and fathers).<sup>15</sup> Originally based on the assumption of limited female employment, in the immediate postwar period maternity coverage grew rapidly with the mobilization of women into the labor force<sup>16</sup> and provided basic assistance during the time of unprecedented rise in new births.<sup>17</sup> For two decades since the increasing demand for the protection of working mothers and for child support continued to outpace the supply of adequate social policies.<sup>18</sup> The Bismarckian legacy of unequal coverage of white collar vs. blue-collar employees persisted until 1974. Salaried personnel received full pay while industrial workers got insurance compensation contingent upon waiting periods and linked to various disciplinary sanctions by employers.<sup>19</sup> Moreover, private farmers and their households,<sup>20</sup> representing more than a quarter of the population, obtained maternity rights only in 1982 and family allowances in 1986.<sup>21</sup>

The family allowance program grew out of the Bismarckian principle of necessary “insurance” against a “risk” of having a “family” that required a wage supplement to the

<sup>15</sup> Data from Muszalski 1990, 1991; Balcerzak-Paradowska 2004, and the Ministry of Labor and Social Policy. The most recent changes in maternity insurance will be discussed in Part II of this paper.

<sup>16</sup> The Six-Year Plan (1950-55) called for additional 200,000 women workers per year (Fidelis 2010, 62).

<sup>17</sup> A record of birth ratio 19.5 per 1,000 in 1952, almost double the prewar rate of 1938 (Fidelis 2010, 192). Infant mortality after the war remained alarmingly high, leading to more demands for greater maternity protection (Ibid. 58). Until the 1970s Poland remained a predominantly rural country where large family models prevailed.

<sup>18</sup> Spending for maternity and related benefits declined from .1% of net material product (a communist era equivalent of the GDP measure) to .06% in 1965 (Inglot 2008: 155) and family allowance expenditure dropped even more – from 2.4% in 1956 to just 1.3% in 1968 (Ibid, 159).

<sup>19</sup> Most of these restrictions were introduced in the early 1950s during the Stalinist period.

<sup>20</sup> Forced collectivization of was abandoned in 1956. Collective and state farmers obtained social insurance in the 1950s and 1960s.

<sup>21</sup> From the 1990s run by a new Farmers Social Insurance Fund (KRUS) - almost totally financed by the general state budget.

breadwinner (Wòycicki 1930; Modliński 1947). It covered not only children (below 16 or 24 if in education) but also non-working spouses, who were fully eligible until 1959, and with restrictions even until 2003. Nonetheless, in practice this program became a favorite tool for controlling and equalizing wages, especially useful during political and economic crises (Muszalski 1992; Inglot 2008, 149, 171, 273).<sup>22</sup> The biggest growth in the relative benefit level took place only four times since its origins, at the very beginning in 1948-1950, in the early 1970s (especially for low income families), in 1981-84 - the period of Solidarity and the martial law, and finally in 1989-91, after the Round Table agreements raised it to 8% of average wage (Muszalski 1989; Inglot 2008, 150, 159, 256; *Porozumienia...*1989). Special prerogatives of the Ministry of Labor, and since 1990 of the Council of Ministers, made it possible to quickly implement these spikes, and subsequent cuts, in spending outside of the regular budgetary process. Cyclical expansion and retrenchment of this cash transfer produced peak expenditure of 3.25% of NMP<sup>23</sup> in 1982 and 2.4 % (2% GDP) in 1989, each followed by a sharp decline to 1.4% NMP by 1987, and only 1% GDP by 1994. The most dramatic path-departure, however, occurred in 1990-1994, when the number of eligible families dropped by 40% (Balcerzak-Paradowska 2002: 39 and our calculations) and never recovered since, with spending leveling off at a record low of .6% GDP. <sup>24</sup> More precisely, the beginning of the end of family allowances as the essential part of the social insurance pillar of Polish family policy dates back to 1992, when in the last months of its tenure the Solidarity-led governing coalition abandoned benefit indexation.<sup>25</sup> This move coincided with the introduction of the first income tax code, which,

<sup>22</sup> The allowances were financed from an additional tax on the enterprise wage fund. See also Table 1.

<sup>23</sup> Net Material Product – this is the communist era equivalent of the GDP.

<sup>24</sup> Data from Inglot 2008, 159, 256.

<sup>25</sup> Agreed upon during the Round Table talks in the spring of 1989. (*Porozumienia okrągłego stołu* 1989).

until 2007, failed to provide any tax deductions for children. In 1993 the electoral victory of the ex-communists opened the door for a full transition to a new system of targeted family benefits (*Program Reformy* 1995: 21-22).

The formation of family policy as a discernible, and expanding part of the Polish welfare state can be traced back to the fourteen year period, beginning with the introduction of the unpaid childcare (parental) leave in 1968 (within the structure of the ZUS) by the regime of Władysław Gomułka and ending with a comprehensive social security law for private farmers in 1982. In the meantime, in 1976 and 1978, respectively, the government of Edward Gierek introduced a new menu of two one-time *childbirth grants*, a social insurance payment and a universal scheme.<sup>26</sup> In 1981, a negotiated agreement between the Jaruzelski regime and the Solidarity union added a limited, 18-month, means-tested parental leave payment for both fathers and mothers.<sup>27</sup> From a broader perspective this period brought about the first official recognition of two lingering deficiencies in the fledgling family policy regime, i.e. the underdeveloped childcare programs for working mothers and inadequate protection for low-income households. Reasons given for the introduction of the 1968 unpaid childcare leave included rapid increase of married women with children in employment since 1960, diminished family care,<sup>28</sup> and employers' concerns over discipline, because too many mothers took sick leaves or extended vacations (Piotrowski 1968). Thirteen years later, after the introduction of the reformed paid leave<sup>29</sup> amid a deep political and economic crisis, the number of women using the program jumped to a record of 92% (95.5% for manual workers), with almost 80%

<sup>26</sup> In addition to a longstanding, trade union-financed grant in existence since 1958.

<sup>27</sup> Extended in 1982 to 24 months.

<sup>28</sup> Only 18% of working mothers and 30% of single mothers were able to rely on relatives' (grandmother etc.) help (Piotrowski 1968).

<sup>29</sup> For households below 25% average wage per family member, 40% for single women.

qualifying for the payment. Although strict means-testing reduced the number of recipients relatively quickly, below 18% by 1987, the scheme remained very popular among working women<sup>30</sup> until the early 1990s when participation began to drop sharply every year through 2000 (Muszalski 1990: 229-230; Balcerzak-Paradowska 2004, 252). This tendency coincided with a huge drop in fertility and rising female unemployment under conditions of the emerging market economy (Ibid. 251).

The growing popularity of the childcare leave during the period of high fertility, 1980-90, stems largely from the insufficient availability of nurseries and kindergartens. Officially, since 1924 the Polish government had regarded nurseries as the primary means of assistance for the still limited number of working mothers in industrial centers. After 1945 the communists continued the mandatory prewar law requiring infant care in factories employing more than 100 women<sup>31</sup> (Fidelis 2010: 58). Yet, despite rapid growth of new facilities under Stalinist rule, including district and rural centers, by the end of the decade barely 2.6% of children under three were enrolled, and in 1970 still only 4.7%. Overall, nurseries expanded slowly and cyclically with only two periods of accelerated growth, 1949-1956 and 1971-81. In the 1970s, the Gierek regime's plan to build an advanced "socialist welfare society" (Inglot 2008: 166) not only modernized cash transfers but also promoted childcare and early education. In the last decade of communism, however, the expansion of nurseries virtually stopped, after the enrollment reached just little over 5%.<sup>32</sup>

<sup>30</sup> In 1984 only 3,000 men participated in this program, mostly representing highly paid professions (Muszalski 1992: 229).

<sup>31</sup> The law "on the protection of maternity of employees" from 2 July 1924, art. 15, implemented in 1927-28. Ministry of Social Welfare called nurseries "the best form of care for the children of workers in industry." They grew from 14 in 1928 to 129 in 1936, covering 51,616 women and 4,457 children, with facilities in 60% of all factories in Poland. "Ochrona macierzyństwa robotnicy w przemyśle polskim." *Praca i Opieka Społeczna* nr. 4, 1936, p. 570-72.

<sup>32</sup> Data collected from the Central Statistical Office, Warsaw (GUS, Annual Statistical Books, various years).

Feminist scholars who emphasize the “retreat of the state” in Polish childcare policy (Heinen&Wator 2006, 207; Glass and Fodor 2007) are correct to note the alarming decline in attendance, to about 2.5% on the average in the 1990s, but they pay little attention to long-term trends and the antecedents of contemporary policies. The decline in enrollment started already in 1988 (by 20%) and later continued in correlation with an unusually sharp drop in fertility rates, from 2.15 per 1000 in 1988 to only 1.43 in 1998 (Kotowska 2002, 6).<sup>33</sup> Moreover, construction of new facilities basically froze at a very low level as early as 1981.<sup>34</sup> In comparison, in 1960 fewer than 15% of eligible children<sup>35</sup> in the country attended a kindergarten and 29.5% a decade later.<sup>36</sup> By 1980, enrollment reached the communist era record of c. 50% but remained at this level until the early 2000s. The data for the 3-5 age group looks much worse, however, with a peak of only 37% in 1987 and the record low of 24% in 1992. In addition, construction of new facilities peaked in 1975 and continued to decline ever since, with the biggest drop after 1989, especially in the rural areas.<sup>37</sup>

The second major aspect of the 1970s reforms focused specifically, for the first time, on low-income families with a new, two-tier structure of family allowances giving increased levels of support for poor households since December 1970<sup>38</sup> and more funding for welfare assistance. In practice this reform introduced a middle-category of “working low-income households,”

<sup>33</sup> This decline was only surpassed by Romania – from 2.31 to 1.32 in the same period. Hungary’s rate was 1.81 and 1.33 respectively.

<sup>34</sup> In 1989 Poland had only 37 more permanent nurseries than in 1981 (Central Statistical Office, Warsaw and authors’ calculation).

<sup>35</sup> Down from 18% in 1948/49 when most of the children attending had non-working mothers (Graniewska 2009: 56).

<sup>36</sup> In 1959-1968, the number of children attending grew by less than a third in the urban areas and less than 20% in the countryside.

<sup>37</sup> GUS Statistical Yearbooks, 1956-2000.

<sup>38</sup> Introduced immediately after the bloody rebellion of workers on the Baltic coast and expanded after the February 1971 strikes of the female textile workers in the Łódź region. From 1970 to 1989, the majority of the recipients belonged to the low-income category i.e. received higher benefit amounts. At the same time the regime introduced a “hidden” top tier of payments for the party apparatus, the military and the security services (Inglot 2008: 168).



distinguished from welfare recipients, a principle that eventually became fully institutionalized in 2003. Marginalized for ideological reasons during Stalinism and throughout the 1960s under the Gomulka regime due to prevailing emphasis on full employment and coercive labor practices, welfare relief efforts picked up significantly during 1968-74 and especially since 1980, eventually climbing from 0.5 to 1.3% of the state budget by the end of communist rule in 1988 (Zalewski 2005: 123). In 1990 public assistance moved to the jurisdiction of the local governments (communes), which also took over payment of all family benefits by 2006. Meanwhile, the number of persons using welfare programs of last resort peaked at around 3 million in 1992-93 and then declined to an average of 1.5-2 million for the rest of the decade (Zalewski 2005: 163).<sup>39</sup>

#### *Explanation of Institutional Path Dependence and Path-Departure in Polish Family Policy*

Two major social policy legacies in Poland consist of the “layering” of Bismarckian social insurance over communist socioeconomic planning and the cyclical pattern of expansion and retrenchment of the “emergency welfare state” (Inglot 2008). Maternity insurance is a good example of the former, while family allowances can serve as the prototype of the latter. Nevertheless, this argument falls short of a satisfactory explanation of path departure (Cerami&Vanhuyse 2009) or institutional “conversion” (Streeck&Thelen 2005) of family allowances to a means-tested, budgetary benefit just six years after its final upgrade into a universal, social insurance entitlement in 1989. More recent benefits such as childcare leaves demonstrated many similar “emergency” traits in the past and therefore also require further explanation of the reasons why they never evolved beyond the narrow framework settled during

<sup>39</sup> This figure may reflect the stabilization of the poverty rate at around 25-30% of households on the average (European Commission 2006 and 2008).

1968-81.

The failure to continue to improve the childcare leave since its latest expansion in 1981 is all the more puzzling given the shortage of nurseries, especially in the era of high fertility before 1989. A simple answer would point to the correlation of the slower nursery construction, along with a wider stagnation in family policy expenditures as a whole, and the periods of the lower economic growth in the late 1970s and early 1980s. Yet, this fails to account for the lack of progress after the economy revived again in the mid-1980s, and especially during the remarkable recovery of 1992-2000. Our analysis identifies a significant path departure in this area in 1980-81, at the time of the Solidarity revolution of 1981, but emphasizes much earlier policy origins, stretching back to the reforms of the 1970s. In contrast, kindergarten development seems to fit the classical model of path dependence somewhat better because of the discernable legacy of slow, but steady program expansion from a very low starting point in the postwar period until the mid-1970s, irrespective of the political, economic or even regime changes. Nonetheless, we still need to account for the subsequent stagnation in this area for more than three decades, through the late 2000s.

A closer investigation of the political context may shed more light on these developments. Social policy experts, various ministries of labor and welfare, and insider labor groups defending occupational benefits and privileges played a leading role in shaping social insurance decisions during and after communist rule (Inglot 2008). Moreover, a recent analysis by a feminist historian shows that Trade Union Women's Sections, abolished in 1949, successfully lobbied for the expansion of maternity leave (1946) nurseries, and kindergarten in Poland immediately after World War II (Fidelis 2010, 58). Nonetheless, she also documents a radical shift in the ideological position of the communist Women's League (*Liga Kobiet*),

ranging from supporting women's equality in the marketplace and better social protection for female workers during the 1950s to embracing official "maternalism" and familialism after the 1956 crisis, under the Gomulka regime (Ibid, 212-13). Thus beginning already in the late 1940s, this organization, as opposed to other "insider" lobbies for male workers (Inglot 2008) lost its independence and largely ignored the reality of lagging protection of working women and their families for decades.<sup>40</sup> Arguably, constant emphasis on motherhood, specifically in its basic Bismarckian incarnation as a "health" risk for pregnant female workers, constitutes the core, strongest and the most lasting legacy of Polish family policy. Fidelis (2010) rightly stresses the significance of the 1956 breakthrough in terms of ending the short-lived Stalinist experiment with gender equality-- i.e. official promotion of women as workers over their domestic roles during 1949-55. Yet, from the social policy perspective the most significant change occurred in the aftermath of the February 1971 strikes led by female workers in the textile industry of the Łódź region in central Poland. It involved not only a major political challenge to the regime (Inglot 2008, 165-67) but also a significant ideational change from protecting primarily working women (mothers) to the support for the family as a whole (Graniewska&Wieczorek 1976), with special attention given to low-income households (Graniewska 1972).<sup>41</sup> All this occurred under growing financial pressure generated by the upgrade of pensions that quickly became the most expensive of all social insurance programs, eventually crowding out schemes directed to families and children during the 1980s and beyond.

<sup>40</sup> In November 1970, on the eve of the major labor unrest in Poland, the chair of the Polish Women's League called for "the creation of the better atmosphere of understanding in all families for the vital importance of current economic tasks through intensified ideological work." There was no mention of social or family policy improvements. "Z V Krajowego Zjazdu Ligi Kobiet" 1971, 17.

<sup>41</sup> The early investment plans of the Gierek regime included large, multifaceted expansion of the welfare state and the social infrastructure (housing, child care services, health care, etc.) (*Polska 2000*, Golinowska, interviews 2009, 2010).

Recently published documents (Mianowska&Tylski 2008, Lesiakowski 2008)<sup>42</sup> show no evidence of any direct role of spontaneous women's protests in February 1971 in shaping the agenda of family policy reforms. Instead, the changes in maternity and family allowance programs, and later also birth grants and childcare leaves, can be traced to a relatively small group of experts of the Institute of Social Policy, under the Ministry of Labor and Social Affairs, sponsored directly by Prime Minister, Piotr Jaroszewicz, who personally negotiated the end of the 1971 unrest in Łódź and secured immediate Soviet financial assistance to help pay for socioeconomic concessions to the striking workers.<sup>43</sup> Nevertheless, rebellious workers, male and female,<sup>44</sup> did present explicit family policy demands for the first time during the August strikes of 1980 – most significantly in Gdańsk where three out of the famous 21 demands directly addressed family policy concerns: equalization of all family allowances to the level received by the party officials, the military, and the police), the extended and paid childcare leave, and the construction of new nurseries and kindergartens.<sup>45</sup>

Upon closer examination, these demands reflect the earlier, not yet fully implemented, agenda of the Ministry of Labor, drafted by many of the same government experts who now joined the Solidarity union as its leading social policy advisers and negotiators in the prolonged

<sup>42</sup> Polish labor historian, Krzysztof Lesiakowski, confirmed in an email correspondence with the authors that his archival research on the 1971 strikes by women in the Łódź district showed no conclusive evidence of specific family policy demands (maternity, family allowance, or child care services). The striking female workers insisted primarily on better wages and workplace conditions.

<sup>43</sup> Graniewska 1972, 1976; Balcerzak-Paradowska 1978; Golinowska interviews, 2009, 2010, *Tajne Dokumenty* 1970: 126-136.

<sup>44</sup> Symbolically represented by Lech Wałęsa and Anna Walentynowicz – the two labor leaders whose dismissal led directly to the Gdansk strikes and eventually to the establishment of the Solidarity movement.

<sup>45</sup> In August 1980 family policy demands appear in all three major strike centers – Gdansk, Szczecin (port cities and shipyard centers) and Jastrzębie (the mining region) with the main emphasis on the increase of the family allowance. Luszniewicz and Zawistowski 2008, 28, 68-102).

talks with the regime that eventually led to a substantial rise in family allowances<sup>46</sup> and expanded, means-tested childcare benefits in February 1981.<sup>47</sup> The compromise solution fell short of universality and promised only gradual extension of the latter program in the future, depending on the economic circumstances.<sup>48</sup> The same dynamics shaped the debate over family allowances, with the prevailing expert voices calling for the preservation of the general entitlement for everyone but with clear preferences for the poor – a basic continuation of the policy instituted in 1970-71,<sup>49</sup> backed by numerous sociological surveys and research conducted during the previous decade (Graniewska 1972&1976; Balcerzak-Paradowska 1978). In this way, the reinforcement of the pragmatic paternalism of the Gierek era helped, at least in the short term, to improve maternal and family protection in a meaningful way for all workers but without abandoning its underlying emphasis on low-income families, a category that now, during a protracted economic crisis, de facto applied to the majority of the impoverished population (*Raport: 5 lat po sierpniu* 1985).

The legacy of poverty relief as the main goal of family policy, further enhanced during the 1980s, appears to have been a major contributing factor in the decision to convert family allowances, and partially also childcare benefits into targeted, budget-financed programs in the early 1990s. The elimination of central wage and employment controls, and steady privatization radically transformed Polish economy, undermined the inherited mechanism of political crisis-management that employed family allowances as a significant part of bargaining between the state and the workers during labor unrests. Trade unions, severely weakened by market reforms

<sup>46</sup> Implemented in stages in conjunction with the compensation for price increases of food during 1981-83 (Inglot 2008, 171).

<sup>47</sup> For example, Andrzej Tymowski, Irena Wóycicka, and Helena Górska (Luszniewicz and Zawistowski 2008, 40).

<sup>48</sup> Ibid. 359.

<sup>49</sup> Ibid. 276-77.

and growing unemployment (Crowley & Ost 2002) put up only temporary resistance, emphasizing the 1989 principle of comprehensive social insurance rights but leaving specifics for the experts to decide.<sup>50</sup> The final push, however, once again came from the social policy establishment of the labor ministry and the ZUS officials who had never accepted family allowances as part of the newly reformed Social Insurance Fund (FUS) but rather viewed them as “residual” budgetary assistance for the needy families.<sup>51</sup> In this context the World Bank recommendation to ensure better efficiency and targeting of cash transfers in Central and Eastern Europe (Sipos 1995, 241), only reinforced the gradual, transformative and ultimately path-departing change in family policy fully implemented under the newly elected government led by the ex-communists (1993-1997).

Finally, slow development of childcare (nurseries and kindergarten) in Poland before 1989 coincided with the uneven pattern of women’s employment, including periodic shortage of work, especially in more desirable white-collar professions.<sup>52</sup> From the beginning of communist rule, and even since the 1920s, the development of childcare services, especially nurseries, had been closely tied to female labor mobilization. In the 1950s, the government restricted enrollment to children whose mothers were employed full-time, either in urban areas (factories) or rural (collective and state farms) (Graniewska 2009). This link diminished greatly after 1989 as large numbers of women suddenly lost jobs.<sup>53</sup> Moreover, communist Poland, despite

<sup>50</sup> In a public opinion poll commissioned by the Minister of Labor, Jacek Kuroń in September 1992, only 23.3% of respondents supported means-tested allowances for families below 60% of average income while 42.3% supported the status quo. Kuroń 1992, 13.

<sup>51</sup> See direct relation from these debates in Kroner, 1994: 12. Also Golinowska, interview, 2010, Szumlicz, interview, 2010

<sup>52</sup> In 1980-87 from 58% to 77% registered job seekers were women, many of them single mothers. (Muszalski 1992: 86-87.)

<sup>53</sup> In 1985 3,300 women job seekers had 65,000 offerings but in 1990 the proportion was 574,000 to 14,500 (Muszalski 1992, 86).

experiencing rapid population growth never developed a clear child-centered orientation in its social policy expertise or agenda (Muszalski, interview 2010) nor attempted to create any integrated system of childcare policies, falling rapidly behind many other Soviet bloc nations even during the best times of the 1970s (Klimkiewicz 1981). Instead, the ministries of health and education, respectively, always considered nurseries and kindergarten as their lowest priority, in comparison to their main missions of health care and elementary schooling. Thus, in 1990, when this responsibility shifted to the local governments without any further financial commitment, institutional stagnation and leadership vacuum set in for yet another decade beyond the fall of communism.

## **HUNGARY**

### *Institutional Legacies: Emergence and Consolidation of the Major Pillars of Family Policy: Cash Transfers and Child Care Services*

A consistent preoccupation with fertility rates, regardless of the type of the political regime, constitutes the most remarkable feature of Hungarian family policies. The historically grounded fear of the demise of the Hungarian nation has persisted, with brief interruptions, for over 70 years since the Treaty of Trianon dramatically reduced the size of the country in 1920. All family policies evolved to become a central pillar of the Hungarian welfare state at a comparatively early stage and successive political regimes embraced state maternalism, similar to some more developed western countries (Koven&Michel 1993). Extensive government involvement in this field focused on influencing mothers to have more children and other

concerns such as female employment and inequalities received much less attention. After 1989 again conservative governments interpreted family policies mainly as “population policies.” “Left-wing”<sup>54</sup> coalitions did try to break with the tradition. In the mid-1990s they attempted to impose austerity measures on family programs and in the mid-2000s highlighted child poverty but in both cases these efforts fell short of any major path-departing change.

Finding the “correct” family policy to serve the population goals became the main priority of decision makers who relied on three major institutional pillars: Bismarckian social insurance (maternity, birth grants), family-oriented benefits such as child allowances and childcare leaves, and a network of nurseries and kindergartens. Insured female workers have received leaves and benefits since 1891 and especially 1927, when Hungary adopted a 12-week maternity period at 100% of previous salary plus further 12 weeks as “breastfeeding leave,” with a smaller daily benefit, for a total of 24 weeks.<sup>55</sup> Thus by the mid-twentieth century the country had become an early European leader of social protection for certain categories of women employees and their children. Furthermore, civil servants and their families, similar to their counterparts in imperial Austria, received cash allowances since 1912, making this one of the first program of its kind in Europe. Workers obtained similar rights in the late 1930s, due largely to the resurgence of the nationalist ideology. Revived sentiments of the “greater Hungary,” fears of the “disappearance” of the Hungarian nation and looming armed conflicts with neighbors, all contributed to further expansion of pronatalist family policies at that time. The Durányi government introduced new benefits for workers and their families at the factory level in the atmosphere of national emergency that also stemmed from the alarming news of the lowest birthrate in Europe (Pietrzykowski 1939). In the end, however, war preparations trumped the

<sup>54</sup> The label “left-wing” applies to here to a coalition of ex-communist and liberal (market-oriented) parties.

<sup>55</sup> Wives of industrial workers qualified also with lower payments.



stated goal of creating a “family wage.”<sup>56</sup> Meanwhile, the so called “rural writers,” helped raise the pronatalist discourse to a new level, resulting in the creation of the Fund for the Protection of Families and the Nation in 1940 to promote child-rearing and employment among rural population (Csizmadia 1977; Szikra 2009). Supported by conservative women’s organizations, the Fund focused on large families, but only those of Hungarian and Christian origin, and provided loans for farm-animals, land purchase, and house construction (Ibid.). The third pillar of Hungarian family policy originated in 1891 with the legislation on public kindergartens.<sup>57</sup> Besides providing care for the children of factory workers, these institutions served the process of “Magyarization” of the non-Hungarian speaking community (Bicskei 2006, 156-157). Kindergartens became firmly integrated into the education system by the 1930s to enhance nationalistic education (Szikra 2011, 376). In 1938 Hungary had 1,100 institutions with access for 26% of the 3-6 year olds (OECD 2004, 14-16), compared to only 37 nurseries, primarily located in Budapest and urban areas (Központi Statisztikai Hivatal, 1938).

Following World War II the Stalinist rulers combined coercive and protective measures while maintaining the inherited benefit schemes. Although Stalinist propaganda emphasized the emancipation of women, the institutionalization of care developed at a very slow pace. Suppressed salaries and moderate (and uneven) development of cash-transfers kept living standards below the level of the mid-1930s (Ferge 1986, 47-53). This oppressive and exploitative social and political regime, therefore hardly deserves a label of a “welfare society” (Haney 2002). Only after the failed 1956 Revolution, a process of family policy modernization began in earnest, with the gradual extension of social rights to the agricultural population. Next came the

<sup>56</sup> The benefit was provided from the first child (also out-of wedlock), but at a very low amount of 5 Pengő/month (Fluck 1939).

<sup>57</sup> 1891. XV. törvénycikk a kisedővokról.

introduction of childcare leaves in the 1960s, improving childcare services in the mid-1970s, and new antipoverty measures in the late 1980s. Nonetheless, during all these periods the “population question” (*népesedési kérdés*) dominated the discourse and decision making among party elites and policy experts. Only occasionally female employment, household income, social inequalities, and the psychological needs of children received more attention. For example, independent decisions on the increase of family allowance occurred in conjunction with wage policies. Still, the dominant policy legacy of the postwar period consisted of a series of “family policy packages” under the umbrella of “population policy” (*népesedéspolitiká*). These typically included not just cash transfers but also healthcare measures and laws on abortion. Four crucial “family policy packages” were introduced in 1953, 1973, and 1984. In addition, the emblematic 1967 decision on extended maternity leave, (*gyermekgondozási segély, GYES*), represents a separate legislation that addressed the same lingering problem of declining fertility.

In 1953 the Stalinist regime of Mátyás Rákosi adopted the first significant package of “population-regulation” (*népességszabályozás*) measures.<sup>58</sup> The Decree of the Council of Ministers on “*further developing the protection of mothers and children*” introduced free trousseau (*csecsemőkelengye*) and one-time birth grants (*anyasági segély*) to all pregnant mothers in urban employment and in rural cooperatives. The latter also received family allowances but only for the second and subsequent children.<sup>59</sup> The 1953 decree also mandated protection of pregnant and breastfeeding mothers at the workplace.<sup>60</sup> Maternity leave

<sup>58</sup> 1004/1953. (II. 8.) M.T. számú határozat. This decree arguably constituted the first concise family policy act in communist Hungary.

<sup>59</sup> For agricultural workers the amounts were progressively raised only until the 6<sup>th</sup> child. Source: 6/1953. (II.8) M.T. számú rendelet. They received higher amounts to compensate for the lack of maternity leave plus a family allowance, but at lower amounts and only from the third child up to the age of 10. The amount was raised for industrial workers and made progressive with the number of children, up until the 12<sup>th</sup> child.

<sup>60</sup> The Labor Code also granted further protection to women and pregnant mothers. 53/1953. (XI.28.) M.T. számú rendelet.

(*terhességi gyermekágyi segély*) however, was limited strictly to twelve paid weeks (at 100% wage) with additional twelve of unpaid leave provided only when a nursery was unavailable.<sup>61</sup> Moreover, the decree called for the doubling of nurseries by 1954 and the creation of seasonal childcare in the agricultural areas targeted for collectivization.<sup>62</sup> Although 95 new nurseries with almost 4,000 places opened within a year, the increase in coverage was less impressive given the rapid growth in the population of small children. The enrollment rose from 2.9% in 1953 to barely 3.3% in 1954 (Központi Statisztikai Hivatal, 1954&1955), and reached the target of 6% only by the end of the decade (Központi Statisztikai Hivatal, 1959&1960.). Until 1954, the majority of nurseries were located in factories and neighborhood institutions lagged far behind. Kindergarten development slowed down considerably as well despite the fact that in 1953 the government mandated acceptance of all children of working parents from the age of two and a half. In 1955 enrollment reached 28%, just little above the pre-war level of 26.3% (1938) (OECD 2004, 14.)<sup>63</sup> During this period neither political leaders nor factory directors showed any sustained interest in childcare (Bicskei 2006, 165)<sup>64</sup> and thus, contrary to communist propaganda, the process of *de-familialization* or institutionalization of care work was stagnating. Rather, the 1953 decree clearly emphasized coercive measures in the regime's effort to regulate reproductive choices of the population. This was most evident in the tight control of abortion and the introduction of a new childlessness tax (*gyermektelenségi adó*). In addition, the differentiation between industrial and agricultural workers provided incentives for women to

<sup>61</sup> Ibid. 174.

<sup>62</sup> One nurse was recommended for ten children. "Moving nurseries" were to be developed for women working on building-sites. Opening hours were to be increased to 13 or 16 hours and the nursing staff should be employed „preferably” for 8 hours.

<sup>63</sup> 1953. évi III. törvényerejű rendelet a kisdédóvásról.

<sup>64</sup> Kindergartens run by factories became increasingly nationalized from 1955 on.

seek work in factories and, to a lesser extent, to join rural cooperatives.<sup>65</sup> Just as it was the case in other Eastern European countries (Fidelis 2010, 191), a liberal abortion law<sup>66</sup> was enacted after the death of Stalin, and the childlessness tax was abolished soon after the revolution, opening the way for a new, less coercive era of policymaking.

After the suppression of the 1956 Revolution, the regime of János Kádár adopted generous welfare measures to pacify the population (Ekiert 1996, 115; Inglot 2008, 185-87). In a famous speech at the 1962 Congress of the Party, Kádár explicitly referred to the difficult situation of families with many children, whose living standards “are to be raised more rapidly than the average”. He declared: “[W]e will increase maternity leave already in the following year and make it possible for mothers of small children to go on unpaid leave in order to care for their children until their third birthday, without damaging their employment rights” (MSZMP 1963, 78.). This speech drew on a report by the Committee of State Economies (*Államgazdasági Bizottság*) on the “population issue” (*népesedési helyzet*).<sup>67</sup> Its main concern was once again that Hungary “had the lowest fertility rate in the socialist bloc and also – following Sweden – one of the lowest in the whole Europe.”<sup>68</sup> Indeed, the total fertility rate (TFR) started to decrease at the end of the 1950s and reached the record low of 1.79 in 1962.<sup>69</sup> Two ways of tackling the problem included altering the “societal and political environment” of child raising and the extension of paid maternity leave to six months. The report also recommended expansion of nurseries but the party leadership omitted this from the official pronouncements. Instead, the

<sup>65</sup> This aspect of communist social insurance system is analyzed in more detail by Szalai (1992).

<sup>66</sup> 047/1956. (VI. 4.) M.T. számú rendelet and 2/1956 (VI. 24.) EüM számú rendelet.

<sup>67</sup> (Előterjesztés, 1962)..

<sup>68</sup> Ibid.

<sup>69</sup> The TFR continuously decreased from 1955, when it was 2.82. The rates are: 1957: 2.29, 1959: 2.08, 1961: 1.94. (Központi Statisztikai Hivatal, 1955-1962); (Gábor&Tóth, 2000 77-114.)

Politburo decided that “cultural institutions, the media and the radio should deal with goals of our population policy more and on a higher level”.<sup>70</sup>

Haney (2002, 91) argues that Hungarian demographers “launched an attack on welfare society” during the 1960s. Yet our research shows that their impact increased measurably only from the mid-1980s. Although the Party relied on their scientific expertise during the preparation of subsequent population policy instruments, only a limited number of their suggestions were implemented. While the newly emerging “rural writers” initiated the population debate, economists of the Central Planning Agency, backed by child psychologists, made the final decision. Still, the conservative turn to keep mothers at home was only possible with a consensus about nationalistic maternalism, inherited from before World War II and now embraced by the Party leadership. The debate on population policy in the weekly intellectual journal “Life and Literature” (*Élet és Irodalom - ÉS*), initiated and led by the group of so-called rural writers illustrates this historical phenomenon the best.<sup>71</sup> These writers linked the historical notion of “disadvantageous geo-political situation” after Trianon to the policies of the communist regime after 1962 (Heller et. al. 1988), and argued that the new emphasis on the living standards may lead to the growth of “petit bourgeois” mentality which caused falling of birth rates in the first place, along with the liberalization of abortion in 1956. In an argument reminiscent of both the Stalinist period and the late 1930s, they presented having children as a moral obligation to the (socialist) nation and (cautiously) accused the Kádár regime of losing touch with “socialist” values.

In 1964 the party used Péter György, the head of the Demographic Institute, (HCSO -

<sup>70</sup> Előterjesztés, 1962. *ibid*, p7.

<sup>71</sup> The leading figure of the debate was Gyula Fekete, a key figure of the Association of Writers (*Írószövetség*) before his imprisonment after the Revolution. He was released in 1957 and became vice-president of the Association in the early 1980s.

*Népesedési Kutató Intézet, NKI*), presented a compromise position in the official party newspaper, *Népszabadság*.<sup>72</sup> He acknowledged the negative social consequences of abortion but also argued that “demographic development generally lies in the free decisions of people.”<sup>73</sup> As fertility rates continued to decrease, the Politburo ordered a new, follow up report on the population issue in 1966. According to its “strictly confidential” minutes, it generated heated debates especially on the issue of abortion within the Party leadership (*Előterjesztés, 1966.*). Kádár himself agreed that the 1956 legislation on abortion was “too liberal.” When discussing stricter legislation, some members of the Politburo, however, agreed that Hungary should not follow the example of Romania under Ceaușescu’s coercive antiabortion measures. In the end Kádár refrained from banning abortion, but also rejected the demographers’ pleas for large increases in family benefits and services. Instead, the regime settled on a compromise solution consisting of a longer child-rearing leave (*gyermeknevelési segély, GYES*), introduced in 1967, and the unification of family allowance for all employees. The latter increased substantially in value and members of agricultural cooperatives became eligible, from the second child, in 1966.<sup>74</sup>

The introduction of NEM in January 1968 played a crucial role in the final decision about GYES.<sup>75</sup> With the turn to “intensive” economic growth (after “extensive” industrialization of the 1950s) fewer unskilled workers were needed and mothers were targeted for job reduction.<sup>76</sup>

<sup>72</sup> Heller et. al. (1988) imply that the Party pressured demographers to refrain from an open debate. But the evidence for this is lacking. See Szabady, 1964.

<sup>73</sup> Ibid. Leading demographers lobbied against abortion restrictions throughout state socialism (Interview with András Klinger 2010).

<sup>74</sup> It rose from 140 to 200 HUF for two children of co-operative-members. 16/1966.(VI.1.) sz.és 20/1968. (V.21.) számú kormányrendelet. Only full-time workers remained eligible for family allowance.

<sup>75</sup> The New Economic Mechanism (NEM) was authored by group of experts under Rezső Nyers, and introduced market-like mechanism into the Soviet-style planned economy.

<sup>76</sup> Interview with Mr. András Klinger, 2010, and also Ferge 1972.

The economic planners argued that mothers of small children frequently went on sick leave or were late from work, thus hurting productivity, in comparison with “more efficient” male workers. Child psychologists presented an additional argument in support of GYES by stressing the need to strengthen the “early bonding between a mother and a child.”<sup>77</sup> Experts also reported that neither the increase of the number of places nor the quality of the care in nurseries was satisfactory (*Összefoglaló* 1968).<sup>78</sup> Care at home was cheaper, they argued, and mothers on GYES would receive recognition as doing work at home that would be “beneficial to the whole society.”<sup>79</sup> At the beginning a flat rate of 600 forints was provided during 2 1/2 years (3 years from 1969) for civil servants and industrial workers, and 500 forints for members of co-operatives.<sup>80</sup> Similar to family allowances, only full-time employees, with a twelve-month work record before giving birth, were eligible.<sup>81</sup> Importantly, the years spent on GYES counted as “employment” in the calculation of social insurance rights. The payment was slightly above 30% of the average wage, thus it became popular mainly among low-skilled workers.<sup>82</sup> The number of recipients was 143,800 in 1969, but it soon doubled and reached its peak in 1977 with 290,030 beneficiaries (Központi Statisztikai Hivatal, 1978).

In an apparent paradox, when Kádár announced the introduction of GYES at the 1966 Congress of the Communist Party, he used this new program to illustrate the emancipation of Hungarian women: “The Party has to work persistently to make the emancipation of women (*nők*

<sup>77</sup> The “father of GYES,” economist János Tímár, acknowledged the involvement of a distinguished child-psychologist, Emmi Pikler, in the design of the program. She was the founder of an “infant-care institute” in 1946, which soon became a main methodological center. Later she was director of a special kindergarten for children of party-officials. (Tímár, interview 2010). Haney (2002, 96) refers to the 1965 Conference of the Hungarian Psychological Association devoted fully to the then new discipline of child psychology as being influential to the decision on GYES.

<sup>78</sup> This document mentions that 70% of the nurseries do not comply with the legislation.

<sup>79</sup> Ibid.

<sup>80</sup> 53/1967. (I.29.) Korm. számú rendelet

<sup>81</sup> In case of co-operatives 120 days of work was required.

<sup>82</sup> The average wage (*havi átlagbér*) in the public sector was 1928 HUF/month in 1968. See Jurth 1987, (Table 1) 131.

*egyenjogúsága*) come true. (...) This is part of the reason why further measures are to be taken to protect and help women as mothers and family members who carry a big burden of the domestic work” (MSZMP 1967, 34-35). Thus, the party championed monetary compensation for domestic work as a victory for women’s rights. The only recorded protest against this interpretation came from the Council of Hungarian Women (*Magyar Nők Országos Tanácsa-MNOT*) that cautiously lobbied for better female employment opportunities and childcare institutions, rather than GYES, as the preferable path to women’s liberation.<sup>83</sup> These concerns, however, were swept aside and disregarded in the final design and implementation of new family policies, including when the next; more comprehensive “population program” (*népesedési program*) appeared in 1973. The Party insisted on the separation of the “women’s question” (*nőkérdés*) and the “issue of mothers” (as a population question). The former involved mainly equal pay for equal work and women’s carrier possibilities announced at the 1970 Party Congress, with no mention of childcare services. The separation of policies regarding work and care represents the application of the “difference principle” in the communist politics of gender. As Fodor notes, protective measures directed to working mothers were based on their biological differences, and although they reduced male domination in the working sphere to a certain degree they “did relatively little to eliminate its practice” (Fodor 2003, 35).

Fertility rates reached a new low again by the 1970s, <sup>84</sup> demonstrating limited utility of GYES as a tool of population policy. Therefore, the 1973 program aimed at the “population increase” (*népesedési helyzet javítása*) through “the betterment of the financial situation of

<sup>83</sup> Tímár also refers to the initial opposition of MNOT which, in his interpretation, diminished within the first year of the program’s introduction (Tímár, interview 2010).

<sup>84</sup> Fertility rates increased to 2.06 in 1968 and decreased to 1.93 by 1973. (Gábos&Tóth 2000, 18.)



families with children,”<sup>85</sup> signaling a preference for antipoverty measures, not unlike similar measures introduced during the same period in Poland under Gierek, and even in Romania under Ceaușescu. In this way, family policies of the 1970s reflected a new emphasis on welfare concerns in general following the reassessment of NEM and its failures (Inglot 2008, 189-190). Yet, in a nod to conservative forces, the program also called for a “three-child family model”, to be promoted by the popular artists and the media.<sup>86</sup> At the same time, the long-standing conservative views on fertility became evident not only in the emphasis on the protection of “children to be born” (*születendő gyermek*) and the related restriction of abortion, but also in increased family allowances, GYES, and birth-grants.<sup>87</sup> Most of these cash-transfers were incorporated into the first unified social insurance act for all urban and rural employees, adopted in 1975.<sup>88</sup> GYES, formally financed by social insurance, remained outside of the institutional structure that administered pensions and sickness/maternity insurance. This distinction illustrates the decentralized pattern of administration of the Hungarian welfare state that enabled political leaders to successfully expand and modernize family-related programs in separation from other important social insurance schemes (Inglot 2008, 204).

The final, long-term population program of the communist period, introduced in 1984, displayed a strong imprint of the Hungarian demographers.<sup>89</sup> This time the main emphasis was on the social and educational background as a major factor affecting fertility rates. Officially, the government had been calling for increased fertility rates “in all social strata” but in reality new

<sup>85</sup> 1040/1973. (X.18.) számú minisztertanácsi határozat.

<sup>86</sup> They had to “emphasize positive elements of family-life and having children”. Ibid.

<sup>87</sup> Family allowance for two children was raised by 100 HUF, GYES was increased with 150 HUF in case of the first child, and 250 and 350 HUF in case of two or three children. Birth-grant was increased from 1400 to 2500 HUF.

<sup>88</sup> 1975. II. törvény a társadalombiztosításról. See also Inglot 2008, 190.

<sup>89</sup> (MSZMP KB 1984, 730-735.) Besides András Klinger, István Monigl from the Central Planning Bureau, and a representative of the Department of Protection of Mothers and Infants from the Ministry of Health played were involved in the design of the new program (Klinger, interview, 2010).

policies favored “those whose fertility rates decreased, that is, higher educated women.”<sup>90</sup> Already in 1972, conservative experts writing for *Life and Literature* pointed out that GYES was used predominantly by the low-income earners and the poor who had more children anyway (Heller et. al, 1988, 52). One of the “rural writers,” Domonkos Varga, even went as far as to argue for the need for “quality selection” (*minőségi szelekció*) in population policies (Ibid.)<sup>91</sup> Nonetheless, by the mid-1980s progressive sociologists, Pál Tamás and Zsuzsa Ferge, countered this trend with a critique that highlighted the growing problem of social inequalities. In the end, the 1984 program represented at least a temporary victory of the conservative-leaning coalition of demographers and welfare experts who viewed family policies and population policies as inseparable in the Hungarian context. Their ambitious aim was to reach a total fertility rate of 2.3 within ten years (starting from a low 1.76 in 1984), which would be sufficient for the “reproduction” of the population. The main recommendation was to try to influence people’s “mindset” (*tudat*) in which artists and educational institution were to play a leading role, promoting “the family [as] the basic unit of society, the natural frame of individual life, and the basis of the continuation of the nation” (MSZMP 1984, 732).

A tangible remedy against low birth rates among better educated mothers came in the form of new earnings-related parental leave (*gyermekgondozási díj - GYED*)-- designed to gradually replace flat-rate parental leave (GYES) with a more restricted, but also more generous benefit close to an average wage.<sup>92</sup> In 1986 GYED was extended from one to two years. Birth-

<sup>90</sup> Ethnic or income inequalities were removed from the official discussion due to ideological reasons (Klinger, interview 2010).

<sup>91</sup> This argument was supported by Endre Czeizel, a genetics expert, who appeared in the media in the late 1970s and early 1980s.

<sup>92</sup> GYED was introduced in 3/1985. (I.17.) Minisztertanácsi rendelet, at 2,500- 4,500 HUF.

grants and family allowances were also increased.<sup>93</sup> The introduction of GYED represented the last significant step in the process of family policy development in Hungary under communism, targeting primarily mothers of young children until the third birthday but neglecting child-care services. Indeed, the 1984 program paid little attention to nurseries and kindergarten, pointing to the “quantitative and qualitative development” and the need for parents to cover the cost of children’s meals, a policy change described as “modernization” (*korszerűsítés*). This approach reflected the belief of decision makers that education of the masses, together with cash-transfers for mothers who stay at home, would eventually lead to increased fertility. Emancipation of women was swept aside and the definition of the needs of women was reduced to maternity and child rearing both in discourse and in policy-making. (Haney 2002; Adamik 2000.) Furthermore, according to our estimates, the introduction of childcare leaves and benefits, at least initially, caused a significant drop in the percentage of children enrolled in nurseries, from 11.3% to 9.45% between 1966 and 1968, followed by an increase in the early 1970s and the peak in 1983 of 15.7%, but returning to the mid-1960s level in 1989/1990.<sup>94</sup>

The family policies of the 1980s focused primarily on the insured, working women. Recognition of the needy or low-income households surfaced primarily in the form of the “family protecting centers” (*családvédelmi központ*),<sup>95</sup> set up to “unify scattered care work and assistance, to register and provide legal help and consultation to families in social need” (*társadalmi segítségre szoruló családok*) (MSZMP KB 1984, 734). Nonetheless, repeated increases of family allowances throughout the late 1980s had a visible antipoverty effect. This

<sup>93</sup> Family allowances covering 20% of child-rearing costs were to be raised to 35-40% by 2000. In the 1980s birth grants increased from 2,500 to 4,000 HUF, and the automatic indexation of family allowance was planned as well.

<sup>94</sup> Statistical yearbooks, 1938-2001, Demographic yearbooks 1961-1964. GYED had a long term, weak but positive effect on fertility rates. See Gábos 2005.

<sup>95</sup> They later became “family help centers” (*családsegítő szolgálat*) and formed the basis of public social work by the late 1990s.

benefit reached the highest level of 40% of the average wage by 1990, following the collapse of the regime (Jarvis&Micklewright 1994, 18).<sup>96</sup> One of the last decisions of the communist government was to detach family allowance from employment and make it universal with the aim of protecting families from the effects of joblessness. Thus we can argue that during the 1980s family allowances became consolidated as an instrument of Hungarian social policy allowed it to be used effectively a political tool to ease painful transition to capitalism.<sup>97</sup> In the early 1990s spending on family policies rose to over 4.1% of the GDP, placing Hungary in a leading position in Europe (Gábos 2005). Separated from the rest of social insurance, as a budgetary entitlement, alongside GYES and GYED, this payment now constituted not only a major expenditure but also a key pillar of national family policy.<sup>98</sup>

#### *Path dependency and failed attempts of path departure since 1990*

During the decade following the regime change all attempts to radically transform family protection as a whole were unsuccessful. Succeeding conservative and “socialist” (ex-communist) governments, however, differed both in their reform plans and fundamental beliefs about the goals and emphases of family policy under democratic rule. The first elected government, led by the conservative-liberal Hungarian Democratic Forum (MDF) under Prime Minister József Antall, decided to keep the expensive, family-related cash-transfers in place, despite serious economic hardships,<sup>99</sup> and even expanded these further by adding a new parental

<sup>96</sup> Calculated for two children.

<sup>97</sup> Increased family allowance was used to counter-balance the loss of income of part-time employees in private sector while subsidies on basic goods was stopped and personal income tax introduced in 1988. Ministry of Finance, 1987 *apud.* Jarvis&Micklewright 1994, 20.

<sup>98</sup> From 1992 the parental leaves, GYES and GYED, and family allowances were paid from the central state budget.

<sup>99</sup> Keeping the level of spending, however, meant a decrease in real terms, because of the sharp fall of the GDP. More precisely: Spending decreased only slightly, from 4.36% (1991) to 3.85% (1994). Gábos, 2000: 104.

benefit to promote “motherhood as an occupation” (*főállású anyaság*), in March 1993. The Association of Large Families, an important conservative lobby created already in 1986, under communist rule, supported the MDF’s policies.<sup>100</sup> The new, means-tested leave, called the “child-raising benefit” (*gyermeknevelési támogatás, GYET*) targeted mothers with at least three children, up until the youngest child reached eight years of age,<sup>101</sup> at the level of a minimum pension (approximately half of the minimum wage) plus free secured insurance coverage (pensions and sick pay). Similar to family allowance, GYET was financed from the budget, not social insurance now heavily burdened by rapidly rising pension expenditures (Inglot 2008, 279, Table 4.10). Meanwhile, similar to Poland and Romania, local government took over ownership, and partial financing, of childcare institutions from 1991. 300 nurseries were closed down but a drop in the number of small children prevented a larger decline, with attendance stabilizing at around 11%. In contrast, kindergartens grew steadily in enrollment from 85% to 87% in 1990-95 (*Statistical Yearbooks, 1989-2008*).

Successive conservative governments, led first by the MDF and later, after 1994, by the main anticommunist opposition party – Young Democrats (*Fiatal Demokraták Szövetsége - FIDESZ*) insisted on the separation of family policy from “social policy” as a whole.<sup>102</sup> By doing so they embraced the discourse of their predecessors within the prewar and communist establishments who had championed population concerns and promoted continuous, often futile but politically popular, measures to increase fertility rates. Paradoxically, the accumulation of conservative policies, from the 1980s through the 1990s, had an unintended, beneficial effect on

<sup>100</sup> “There was a pro-family ambience [...] GYET was a consequence of our lobbying.” (Interview, Kormosné, 2010.)

<sup>101</sup> Originally GYET was not only means-tested but also linked to previous employment. It was detached from employment by the Horn-government in 1996 and from means-testing by the first Orbán-government in 1998.

<sup>102</sup> According to Zoltán Lakner (interview 2010), Secretary of State during the Antall-government and the first Orbán-government.

the poor and led to a more equal re-distribution of wealth. The Antall government managed “to keep roughly the same proportion of families with children above the poverty threshold”. Nevertheless, the main policy goal remained elusive since fertility went down throughout the 1990s (Gábos&Tóth 2001, 9).

Although legislation on the “protection of the fetus”<sup>103</sup> was accepted in 1992, abortion rights were more or less untouched. This was, according to Fábíán (2009, 210), due to the successful campaign lead by women’s organizations that joined forces with the opposition parties of Liberals and Socialists. With frequent references to an ideal “healthy family,” the policies of the Antall government continued to privilege well-to-do urban families.<sup>104</sup> Following up on this, in 1994, at the end of its term, the interim Boross government drafted long-term population policies, reminiscent of the plans developed ten years earlier, in 1984,<sup>105</sup> but it failed to carry them out due to the formation of a new “socialist-liberal” coalition of the ex-communist and the liberal parties. While still in opposition, these groups criticized the government for overly “generous” and expensive family policies and proposed to restrict family allowances to those “who need them the most” (Gyarmati 2010, 63). In the meantime, the World Bank and domestic social policy experts also called for “better targeting” of family allowances (Jarvis&Micklewright 1994, 26-30; World Bank 1996). Nevertheless, the socialist-led government of Gyula Horn opted for a more general austerity package that abolished the earnings-related parental leave (GYED) and restricted eligibility for both GYES and GYET. Initiated by Finance Minister Lajos Bokros, it was the first serious attempt in Hungarian history

<sup>103</sup> 1992. évi LXXIX. törvény a magzati élet védelméről.

<sup>104</sup> The Large Families Association referred to them as “well functioning” or “intact” families. Interview, Kormosné, 2010..

<sup>105</sup> 1031/1994 (IV. 30.) Kormányhatározat. The same two demographers, András Klinger and György Vukovich, and a major political sponsor of the 1984-85 population policy of the Communist Party, Imre Pozsgay, all now worked on this issue for the MDF.

to break with the long-standing consensus on family policy and its pronatalist principles, understood by many as de facto inseparable from the issue of long-term national survival. Yet, proposed policy changes were dictated not so much by any ideological alternative but rather by short-term government deficits, and, to a much lesser extent, also by a political need to provide a better safety net for the most needy through targeted cash-transfers (Gábos 2001, 9; Vanhuysse 2006). Eliminating GYED and making GYES and GYET means-tested caused a sudden, substantial decrease in spending on family policies, below 2% by 1997 (Gábos 2000, 116). In the meantime, the Constitutional Court delayed the implementation of most of the social cuts until 1996.

The Horn government adopted the 1997 Child Protection Act, attempting to shift the orientation of family policy from motherhood and the traditional family to children's rights.<sup>106</sup> This legislation created a network of "Child Welfare Centers" and regulated childcare services. Yet overall, his government considered budgetary problems its key priority. Unlike what happened in Romania (see next section below), the protection of children's rights and means-tested assistance for poor families quickly slipped down to the bottom of the agenda, not to mention the "protection of families" or declining birth rates. During the mid-1990s, for the first time in decades, it appeared that the population concerns vanished almost completely from the internal communication and policy documents of the policymakers in Budapest. This situation proved to be a temporary aberration, however. In 1998, the resurgent FIDESZ, under Prime Minister Viktor Orbán, successfully exploited public discontent with the austerity measures and called for immediate restoration of family-related cash transfers. The political turn of this party from liberalism to conservatism was to a large extent reflected in their preoccupation with the

<sup>106</sup> 1997. XXXI.törvény a gyermekek védelméről és a gyámügyi igazgatásról.

traditional Hungarian fear of demographic decline, the “*protection of families,*” and in consequence again with elevating family policies from a “*purely economic issue*” to the top of national agenda (Gyarmati 2010, 67). Immediately after winning power, FIDESZ adopted a comprehensive Act on the Support of Families, focusing exclusively on budgetary transfers such as family allowances, GYES, GYET, and birth grants, but excluding benefits based on (or related to) social insurance such as maternity leaves.<sup>107</sup> The new government promoted part-time work for women, thus trying to distance itself from a more traditional position of their predecessors from the early 1990s– the MDF – who openly called for the return of a traditional family model with “motherhood as a profession.”<sup>108</sup>

In general, the discourse and the policies of this period closely resembled the mid-1980s when explicitly middle class-oriented measures gained the upper hand, with an underlying goal to encourage the growth and fertility of “stable” working families. In addition to the restoration of earnings-related GYED,<sup>109</sup> the Orbán government re-introduced family tax deductions that eventually reached the level of 25% of all family-related cash-transfers by the early 2000s (Darvas&Mózer 2004, 1. ábra).<sup>110</sup> In the meantime, family allowances moved from long-cherished universality to a more restricted scheme. When a child turned six years old it automatically became a “schooling benefit” conditioned on enrollment in an educational institution, a policy largely aimed at the marginalized Roma population. Moreover, under FIDESZ government, both family allowances and GYES payments lost real value and, as the share of tax allowances in the overall package of family support expanded, low-income

<sup>107</sup> 1998. évi LXXXIV. törvény a családok támogatásáról. GYES and GYET were no longer subject to means-testing.

<sup>108</sup> Part-time employment was also made possible besides GYES and GYED, after the child reached 1.5 years of age.

<sup>109</sup> GYED had been restored already in 1997, following a Constitutional Court ruling, and its financing was included in the sickness insurance fund, and thus together with maternity leave became part of the new 1997 social insurance legislation, and included in the sickness fund but funded by budgetary transfers, not contributions.

<sup>110</sup> Tax allowance for families existed before the austerity package of 1995, but at a much lower level.



households were clearly losing out. Meanwhile, the poverty rate among children, still rather low by Eastern European standards, began to increase (Gábos&Tóth 2001, 11). At the end, the conservatives failed to deliver on their promise to improve fertility or long-term prosperity of the Hungarian families and despite their initial success in restoring the family policy consensus, opened the way for yet another victory of the “left” which tapped into egalitarian sentiments and a longing for effective state intervention on behalf of the economically deprived segments of the population.

## **ROMANIA**

*Romania - Institutional Legacies: Emergence and Consolidation of the Major Pillars of Family Policy: Cash Transfers and Child Care Services*

As counterintuitive as it may sound for a country branded as the land of malnourished and institutionalized children, communist Romania focused heavily on maternity and family policy. Demographic concerns surfaced already in the mid-1960s and the mixed results of the severely coercive pronatalist policies introduced in 1966 soon revealed the salience of financial incentives. Repressive measures soon backfired leading to increased infant mortality, child abandonment, and poverty among families with children. Between 1966-1985 gradual reforms of family allowances, maternity benefits, and birth grants expanded coverage and raised the values of cash transfers, yet a large segment of rural dwellers working in agriculture had been excluded until 1977, and remained underprivileged even after that. Maternity leave was the shortest in Eastern Europe, childcare leave non-existent, while nurseries and kindergartens provided poor

quality services in overcrowded facilities. Restrictive eligibility, financial incentives and penalties shaped the disciplinary aspects of family policies, mounting on the regulations that criminalized abortion and forbid commercialization of contraceptives. After 1989, considerable path departure occurred in both eligibility principles and institutional mechanisms. Domestic players prevailed in deciding who “deserves” the benefits, with the implicit aim to control fertility, while transnational agents significantly influenced institutional reforms in child protection, much more so than in Hungary and Poland. Still, Romanian family policies displayed more resistance to external pressures than one might expect from a latecomer eager to join the European Union. Mechanisms of redistribution and specific prerequisites on the implementation of the laws reflect these tensions. Moreover, some of the reforms led to unintended consequences.

Communist legacies and transition path-departures can only be analyzed in relation with the interwar foundations of family policies. The enlarged Romanian state<sup>111</sup> exhibited highly unstable and fragmented institutions, with different bodies responsible for pension insurance, social assistance, and health care services during 1919-1945. The ministries of labor, health, and their subordinate departments had been merging and splitting in an ad-hoc manner and leadership turnover was extremely high. Before December 1918, the new provinces of Transylvania and Bucovina had compulsory maternity leave and benefits,<sup>112</sup> although under different rules. In Romania proper, the maternity leave (*concediu de maternitate*) evolved together with the legislation on the work conditions for women and children, and it was

<sup>111</sup> In 1919 Romania took over Transylvania and grew from 131.353 km<sup>2</sup> (in 1914) to 295.000 km<sup>2</sup>, and from 6 to 15 million inhabitants.

<sup>112</sup> In Transylvania the Law XVII/1884 of the Hungarian Industries applied and the Austrian laws of 1883&1912 in Bucovina and Bassarabia.

administered separately from the pension scheme.<sup>113</sup> The 1912 legislation covered all industrial employees and manufacture workers for eight weeks at the level of sick-pay (50% of the average wage of the insured category of employees) with additional twelve for breastfeeding, paid at a lower rate, and conditioned by at least 26 weeks in insurance before childbirth. Agricultural laborers and farmers were left out. By 1923, maternity benefits accounted for 26.3% of the expenditures of the Sickness Fund (Marinescu 1995, 106-115). The social insurance reform of 1933 increased the total leave to twelve weeks, a typical length throughout Europe at that time, but since 1938 the contribution period expanded.<sup>114</sup> Nevertheless, expenditures increased at almost 30% of the Sickness Fund. Mothers had to use all twelve weeks or return the benefit (Marinescu 1995, 186-187). The framing of maternity as a health issue, the focus on the wellbeing of the mother and the child, supported by relatively generous, free medical assistance, reinforcement through financial penalties, and the exclusion of agricultural workers and farmers continued well after World War II. Yet, the problems underlying these policy approaches, most importantly high infant mortality and high incidence of dystrophy among children, persisted and reached alarming levels in the last decade of the communist regime.

The postwar development of family policies was profoundly shaped by Stalinist influence. Its lasting imprints included the Soviet-style rewards for “hero mothers” (1950) and the combination of the “inherited” short maternity leaves with the development of public nurseries and kindergartens. With a large rural population, poorly developed infrastructure and

<sup>113</sup> According to the Nenițescu Law of 1912, maternity benefits were administered by an autonomous Sickness Fund (*Casa de Boală*), with a distinct legal status, but under the coordination of the Central Insurance Fund (*Casa Centrală de Asigurări*). Maternity benefits were added to the compulsory social insurance (Bismarckian-inspired) scheme in 1902 (Marinescu 1995: 106-115).

<sup>114</sup> Mihail Ralea introduces the new *Law on Social Insurance* on the 22<sup>nd</sup> of December 1938.

administration, marked social divides along ethnic and class lines,<sup>115</sup> and persistent poverty; communist Romania faced redoubtable social policy challenges. Economic hardships were compounded by the obligation to maintain the SOVROM<sup>116</sup> companies and pay war compensation to the Soviet Union (Ionescu 1964; Chirot 1978; Ivan 2009; Bottoni 2010). Furthermore, the institutional instability carried over to the new regime, but with an important reorientation from the emphasis on social protection towards a more disciplinary policy design.<sup>117</sup>

Although the Constitutions of 1948 and 1952 asserted special state protection for the family,<sup>118</sup> between 1945-1960 family policies had low priority and the system of cash transfers remained underdeveloped, especially as compared to Poland and Hungary. Besides the lack of family allowances and paid child care leaves, even the highlight of Stalinism - the birth grants (*indemnizație la naștere*) were limited to the tenth (Decree 106/1950<sup>119</sup>) and later the seventh child (Decree 195/1951). Symbolic financial rewards for “hero mothers”<sup>120</sup> resembled privileges granted to the predominantly male “Heroes of Socialist Work.” In the same vein,

<sup>115</sup> On the status of ethnic minorities and the intertwining of class-divisions with ethnicity see Verdery (1985) and Năstasă (2005).

<sup>116</sup> Mixed Soviet-Romanian enterprises established during 1945-46 to facilitate payment of war compensation to the Soviet Union. They were dissolved in 1954, in conjunction with the withdrawal of the Soviet military forces from Romania.

<sup>117</sup> This is well-illustrated by the removal of the very word “social” from the name of the welfare ministry in 1967. The term “social regulations” was maintained in the name of the ministry between 1944-1967, then the name changed into *The Ministry of Labor (Ministerul Muncii)* in December 1967 and the responsibilities of health care services were transferred to the *Ministry of Health*.

<sup>118</sup> Art. 26 of the *Constitution of the People’s Republic of Romania*, April 1948 and Art. 83 of the *Constitution of the People’s Republic of Romania*, September 1952.

<sup>119</sup> Decree 106/1950 granted 20,000 lei to mothers who gave births to ten children, with the condition that at least eight of them were still alive (see also Doboș, 2010: 230).

<sup>120</sup> This system, copied from the Soviet Union, included grants for women who gave birth to and were raising ten or more children (a distinction of “Hero Mothers” and a lump-sum of 2,000 lei); women who gave birth to and were raising between seven and nine children received -- “Order of Maternal Glory”, which had three categories: category I (1,500 lei), category II (1,000 lei) and category III (500 lei); and women who gave birth to and were raising five or six children --the “Medal of Maternity” category I or II, but no financial premium. (Decree 195/1951).

Stalinist policies pushed women into the labor force but maintained traditional gender divisions in family life (Verdery 1996; Kligman 1998). The promotion of childcare services for workingwomen peaked in the early 1950s under the decrees on the expansion of nurseries and kindergartens.<sup>121</sup> Similar to the interwar period, the medical approach prevailed. The pledge that the Agricultural Cooperatives of Production (*Cooperativa Agricolă de Producție - CAP*, corresponding to the Soviet „kolhoz”) would develop childcare facilities became an important element of communist propaganda in rural areas,<sup>122</sup> but only a few CAPs followed through.

Similar to Hungary and Poland (Fidelis 2010, 191), the relaxation of abortion laws took place a few years after Stalin’s death, in 1957 and coincided with small improvements in maternity rights. Unlike Poland and Hungary, however, Romania continued its Stalinist-era industrialization policies with large numbers of women mobilized to work in the inefficient and underfunded light industry and services. After the postwar baby boom, fertility began to drop considerably: from 3.14 children/women in 1950 (as compared to 2.60 in Hungary and 3.71 in Poland), to 2.34 in 1960 (as compared to 2.02 in Hungary and 2.34 in Poland).<sup>123</sup> As a result, pronatalist policies started to gain more attention as well. The actual policy turn began rather timidly in 1960, with the introduction of family allowances for employees with permanent work contracts, starting with the second child. Employees in training or higher education were also covered, but not yet students, CAP members, or independent peasants. The amount depended on

<sup>121</sup> The Decision of the Council of Ministers H.C.M. No. 586/1951 on the functioning and budgeting of nurseries and nursery schools near state institutions, enterprises and in the agricultural sector (*Monitorul Oficial* Nr. 72/June 27, 1951); H.C.M. No. 3159/1953 on reducing the contribution of parents for public childcare (*Monitorul Oficial* Nr. 60/ Sep. 22, 1953); H.C.M. No. 3790/1953 on improving the functioning of the existing nurseries and the establishment of new nurseries (*Colectia de hotarari si dispozitii ale Consiliului de Ministri* Nr. 77/ Dec. 11, 1953). H.C.M. No. 368/1956 on the organization and financing of nursery schools (*Colectia de hotarari si dispozitii ale Consiliului de Ministri* Nr. 13/ March 17, 1956).

<sup>122</sup> For a detailed analysis of agricultural collectivization in Romania, see Roske 2009.

<sup>123</sup> For a comparison on the evolution of fertility rates in socialist countries from Eastern Europe see Doboş, 2010: 290-291.

the rank of the child (more generous for higher-ranking children), the number of children, the income-range of parents, and their residence in urban or rural areas (significantly lower in the latter).<sup>124</sup> A ceiling excluded earners above twice the average net wage. The payment was administered by the companies and, in the case of pensioners, by the territorial social insurance offices. Expenditures on family allowances and birth grants (*ajutor de stat pentru copii* – state benefits for children) increased from 1.1% of the national budget in 1955 to 12.2% in 1960, stagnating at 11-12% until the beginning of 1970s (Doboş 2010, 245). The pronatalist trend continued five years later with the reforms expanding maternity leave to 112 days, relaxing eligibility and increasing the replacement-rate of the benefit (Decree 880/1965).<sup>125</sup> Conditioned on work record,<sup>126</sup> mothers of children below two could also qualified for a paid medical leave to care for sick children.

The Constitution of 1965, announced by the new regime of Nicolae Ceauşescu,<sup>127</sup> was less explicit about the forms of state protection for families and children, and codified the right to maternity benefits together with other insurance-based entitlements for workers and the rights to health services.<sup>128</sup> Only after the 1966 Census,<sup>129</sup> pronatalism took a radical turn, driven by

<sup>124</sup> Part-time workers were eligible, but their benefits were computed as if they were full-timers.

<sup>125</sup> Starting from 1965, the maternity benefit was paid for 112 days at 90% of wage for more than 12 months of uninterrupted employment, 70% for 6-12 months, and 50% for less than 6 months (Decree 880/1965, Art. 15).

<sup>126</sup> This right was granted only to employees who had been working for at least 4 months during the last 12 months before childbirth, or at least 10 months during the last two years (see Decree 880/1965, Art. 17).

<sup>127</sup> Ceauşescu urged the adoption of a new Constitution to concentrate political power, combining the position of Secretary General of the Communist Party with the head-of-the state function. The same principle applied at the local level, so that county-level secretaries of the Party became *prefecți*, who supervised the activities of local authorities (Ivan 2009).

<sup>128</sup> “The right to material insurance is ensured [*se realizează*] for workers and functionaries through pensions and sickness benefits, [which are] granted through the public social insurance system, and for the members of cooperativist organization and other citizens’ organizations, through the forms of insurance organized by these. The state ensures medical assistance through its sanitary institutions. Paid maternity leave is guaranteed.” (Art. 20 of the *Constitution of the Socialist Republic of Romania*, August 1965).

<sup>129</sup> The results of the 1966 Census, published in March, showed that the fertility rate in Romania (1.9) was second lowest among the socialist countries of Eastern Europe, following Hungary (1.89) and much worse than Poland (2.43).

demographic concerns. Yet, its nature differed fundamentally from technocratic visions of government planners and demographers in Hungary. It rather represented the *sui generis* nationalist grandomania of the Ceaușescu leadership, embarking on a quest for a strong nation with a large labor force. The regime pursued this grand vision through highly repressive regulations, which were rather unexpected in a country perceived at the time as more independent and Western-oriented than the rest of the Soviet bloc. The decree 770/1966 prohibited abortion and withdrew contraceptives from the market, and it was shortly followed by the introduction of a celibacy tax, a financial penalty for childless couples, and also an increase in the costs of divorce. Criminal sanctions (Decree 771/1966) awaited not only persons committing abortions, but also those assisting in the procedure or even refraining from reporting it to authorities (Kligman 1998; Popescu 2004; Pălășan 2009; Soare 2010; Doboș 2010).

The initiative to prohibit abortion originated within the highest ranks of the Communist Party, disregarding the expert advice of the Commission for the Study of the Improvement of the Natural Growth of the Population (*Comisie de Studiu pentru Îmbunătățirea Sporului Natural al Populației*), led by the Minister of Health and Social Regulations.<sup>130</sup> The Commission recommended longer maternity leaves, more flexible work schedules for mothers with small children, family allowances for the first child with progressive increase for the third child, equalization of the amounts for urban and rural areas, and improvement of childcare services. All of these proposals, however, were rejected, except for the construction of nurseries and kindergartens. Although the opinions of political leaders differed, with moderates speaking out

<sup>130</sup> Voinea Marinescu, the Minister of Health and Social Regulations, resigned soon after the implementation of the Decree 770/1966 and in 1967 the ministry was reorganized.

as well, extreme, nationalist views criticizing declining public morals<sup>131</sup> and blind imitation of policies from abroad, prevailed.<sup>132</sup> As Popa (2006), Pălășan (2009) and Soare (2010) rightly remarked, the types of arguments used by Ceaușescu and his supporters demanding the prohibition of abortion reflected the patriarchal norms engraved in their peasant origins. Having children was a duty, not an option.

Following the Decree 770/1966, fertility rate jumped from 1.9 children/women to 3.66 in 1967 and 3.63 in 1968, than it gradually decreased to 2.19 by 1989. The initial increase, however, was unequal across social categories, with higher rates between manual and low-skilled service workers and rather moderate among intellectuals and professionals. Mesaroș (1975, 1977) reports the results of a sociological inquiry carried out in 1971-73, on a sample of 8,183 families from different geographical locations and social categories, asserting an “improvement” [*redresare*] of the average size of families, counting 4.8 persons for peasants and 3.8 for workers (as compared to 3.3 reported by the 1966 Census), and 3.4 for intellectuals (as compared to 2.8) (Mesaroș 1975, 683). In a later article, he shows that in 1971-73 only 3.6% of professional women had three or more children, as compared to 19.5% of unqualified workers and 44.6% of CAP members (Mesaroș, 1977, 99). Given that in 1970 almost 49.3% of the labor force belonged to the agricultural sector (*Anuarul Statistic* 1975), these figures point out a paradox: many of the newborn were in families entitled neither to maternity benefits nor to family allowances.

Reforming family policies could appear as a logical consequence of the anti-abortion decree, but modifications came slowly and focused initially on expanding nurseries and

<sup>131</sup> “In my opinion, with the decree on the legalization of abortions, we legalized prostitution through abortions and permission to divorce. (...) The problem of natality is not only a problem of somebody wanting or not children, but it is a social problem, everybody has duties for the society” (Nicolae Ceaușescu, interpellation at the meeting on the policy measures aimed to enhance population growth, 2<sup>nd</sup> of August 1966, reproduced from Soare, 2010, 128).

<sup>132</sup> See Alexandru Drăghici, *Minister of Internal Affairs and State Security*, interpellation at the meeting on the policy measures aimed at enhancing population growth, the 2<sup>nd</sup> of August 1966, reproduced from Doboș, 2010, 227; see also Pălășan 2009, 160.



kindergartens, along with the extension of coverage and upgrading already existing benefits for the higher-ranking children. The number of nurseries increased from 288 in 1965 to 430 in 1970, and kindergartens from 7,600 to 10,800 (Doboş 2010, 254). In December 1966 all newborns ranking three or higher became entitled to birth grants, now paid even for still births (Decree 954/1966). For the third and subsequent children maternity benefits<sup>133</sup> were paid at 100% replacement rate, regardless of the work record. In 1968, family allowances also increased and full time students became eligible (Decree 1045/1968),<sup>134</sup> starting a gradual trend that would benefit first higher ranking children (Decree 150/1969, Law 6/1971), and eventually raise expenditures on child benefits to 16% of the national budget by 1972 (Doboş 2010, 245). As part of their professional privileges, industrial workers and foremen received family allowances for their first-borns, regardless of income range. Nonetheless, CAP members and independent peasants had to wait almost another decade for the right to family benefits.

Following the World Population Conference held in Bucharest in 1974, the government commissioned several demographic and sociological studies on fertility, family life, and the working conditions of women.<sup>135</sup> In its aftermath, in the context of apparent labor shortages in rural areas,<sup>136</sup> a major policy shift occurred in 1977: CAP members, but not independent peasants, became eligible to financial aid for families with children and maternity benefits,<sup>137</sup>

<sup>133</sup> Art. 15 was introduced by the Decision of the Council of Ministers (*Consiliul de Miniştri*) and the General Assembly of Labour Unions from Romania (*Uniunea Generală a Sindicatelor din România*) No. 2489/1966.

<sup>134</sup> Since 1966, expenditures on family allowance and birth grants grew by 15% in 1968 and by 45% in 1969 (Doboş, 2010: 245).

<sup>135</sup> A new journal of sociology and demography was founded on the occasion of the 1974 conference: *Vîitorul Social [The Social Future]*. It regularly reported on social and demographic issues, sometimes introducing Western concepts from the fields of sociology of organizations and management studies. It was an important exception, given the elimination of Sociology and Social Work as academic disciplines.

<sup>136</sup> In the 1970s and 1980s scarcity of agricultural labor led to employment of soldiers, urban workers, and students at harvests.

<sup>137</sup> Law 5/1977 allowed independent peasants to participate in the public PAYG pension scheme with full contribution payments.

conditioned upon a work record of at least 15 days in the given month, and paid at only half of its regular value, slightly increasing for children ranking fifth or higher. Another set of regulations upgraded family allowances in the 1980s (Decrees 46/1982 and 410/1985), expanding coverage to first-ranked children, but keeping rural benefits substantially lower and excluding parents earning more than twice the average net wage. Conditionality was tightened: at least three months of continuous employment prior to claiming family allowance,<sup>138</sup> and at least 20 days of work (instead of 15) during the given month in order to receive aid for families of CAP members were necessary.

After 1982, the internal economic crisis, scarcity of basic goods, political oppression, and tightened control on family life and pregnancy deeply worsened everyday life in Romania (Verdery 1996; Chelcea 2002; Chelcea&Lăţea 2004). Nurseries and kindergartens were horribly overcrowded. As their number eventually decreased between 1980 and 1989,<sup>139</sup> parents often preferred to leave their small children with grandmothers, many of who were still living at the countryside (Grigorescu 1978; Kligman 1998; Popescu 2004a). Furthermore, Decree 65/1982 mandated financial contributions of parents for covering the costs of meals in childcare facilities. These fees, and the amount of subsidies provided by the enterprises, depended on the cumulated income of parents and the number and the ranks of children. Although benefits for children accounted for more than 20% of all national budget expenditures (Doboş 2010, 245) during the last years of the Ceauşescu regime, they did little to alleviate economic hardships of Romanian families. The strikes of miners in Jiu Valley, 1977, and the revolt of the industrial workers in Braşov in 1987, openly expressed popular discontent with the regime but, in contrast to Poland,

<sup>138</sup> In case when an employee lost a job due to economic restructuring or other conditions outside of his/her control, the benefit was paid for three months. However, in case of disciplinary firing the child allowance was cut and to regain eligibility, the person had to remain in a new position for at least three months (Decree 410/1985).

<sup>139</sup> The number of nurseries decreased from 902 in 1980 to 847 in 1989 and kindergartens from 13,500 to 12,000 (Doboş 2010, 254).

swift and brutal repressions prevented the development of large-scale social movements and radical changes in social policies.

### *Path departure and path dependence in Romanian family policy after 1989*

After the collapse of the communist regime in December 1989 the bleak legacy of coercive pronatalism, institutionalized children, high rates of infant mortality and child poverty, and differential fertility rates (much higher in rural areas and in the case of the Roma minority), refocused the government's and public's attention to children's rights rather than family-oriented policies. The abolition of anti-abortion policies and the introduction of more generous maternity benefits led to the perception that the women's rights issues were settled. The plight of abandoned children in run-down state institutions became the main focus of international attention and outside pressure on the new Romanian government escalated (Keil 1999; Morrison 2004). Several years of attempted reforms, finally yielded the creation of The National Authority for Children in 1997 as a separate institution, independent of the Ministry of Labor and Social Protection. The state's role as a legal guarantor of child rights<sup>140</sup> refocused on outsourcing childcare services. The few major changes that did take place shortly after December 1989 occurred mainly because they fulfilled the same criteria of emergency as child protection, and also helped alleviate unemployment among women: the introduction of paid childcare leave (*concediu plătit pentru creșterea copilului*) of January 1990 (Decree-Law 31/1990) and the new law on universal child allowances (*alocația universală pentru copii*) of 1993 (Law 61/1993).

According to Romanian scholars, throughout the 1990s family policies remained largely

<sup>140</sup> The *Constitution of 1991* mentions explicitly, for the first time, the rights of children to receive child allowance: „(1) Children and young persons enjoy a special regime of protection and assistance for the fulfillment of their rights. (2) The state grants child allowance and aid for taking care of sick or disabled children. Other forms of social protection for children are established by the law” (Art. 45, the Constitution of Romania, November 1991).

“reactive,” as they addressed the consequences of previous actions and responded to the political demands to “repair” the damage caused by the communist regime (Zamfir&Zamfir 1995), i.e. the expansion of labor rights, improving childcare services (Decision 360/1991 on the *Organization of nurseries and kindergartens*), and allowing women to return to traditional caretaker roles after decades of “brutal equalization” under the old system. Simultaneously, the ethos of heroic mothers raising five or more children was reframed to become a pejorative label, applied to uneducated women (many of them Roma) who allegedly commodified their children to receive welfare and subsist outside of the labor market. In this context, neither the civil society (focusing mostly on children’s’ rights and women rights), nor demographers recommended any policies to support large families. Policymakers showed less concern for decreasing fertility rates per se, and turned their attention to the situation of “unwanted” children and impoverished rural families, especially those from deprived segments of the Roma population, whose situation actually worsened after the regime change (Zamfir&Zamfir 1993; Szelényi&Ladányi 2002; Stewart 2002; Raț 2005; Fleck and Rughiniș 2008). Meanwhile, universal family allowance was conceptualized in terms of “children’s’ rights,” not as a “social investment” by the state (Lister, 2004) or social insurance for families. The pursuit of universality, even during a deep economic recession and at the costs of downgrading its real value, was perceived as a morally preferable alternative to means testing and, implicitly, the unequal treatment of children.

International pressure played a large role in these developments. The direct influence of the EU began to emerge only in 1995-1997, after the *European Agreement* and the formulation of the *Opinion of the European Commission on the Membership Requests* (July 1997, Brussels) submitted by Poland, Hungary, Romania, and Bulgaria. For Poland and Hungary, negotiations

for accession opened without any explicit social requirements. Romania,<sup>141</sup> however, was merely “*on the way to* [emphasis added] satisfying the political criteria set by the European Council at Copenhagen” (EC, Doc/97/18, 111) and needed to improve the situation of the Roma minority and that of children in orphanages (EC, Doc/97/18, 19).<sup>142</sup> While embracing the recommendations of the European Commission on child protection reform, and in particular residential childcare institutions, state officials also resisted the pressures of the World Bank (World Bank 1997; Teșliuc et.al. 2001; Zamfir interview 2009; Drăgotoiu interview 2010) to introduce selectivity and decentralization in the family allowance scheme and maintained relatively generous maternity and childcare leave benefits. The state retrenched from its caretaker role: the number of nurseries fell sharply from 847 in 1989 to 358 in 2000, and around two thousand kindergartens were closed (Romanian National Institute of Statistics, TEMPO database 2011).

The reestablishment of quasi-universality of child allowance in 1993 (Law 61/1993), under social-democratic leadership,<sup>143</sup> took place at the cost of reducing their real value. According to senior state officials, eligibility conditions and, implicitly, the mechanisms of administration required reforms to ensure equal rights for children and strengthen poverty prevention. Ever since 1960 family allowances remained under the administration of public employers and depended on a working contract for an undetermined period of time. By 1993, many parents could no longer fulfill that requirement due to mass unemployment and frequent

<sup>141</sup> The Opinion of the European Commission on the Membership Request of Romania, [http://ec.europa.eu/enlargement/archives/pdf/dwn/opinions/romania/ro-op\\_en.pdf](http://ec.europa.eu/enlargement/archives/pdf/dwn/opinions/romania/ro-op_en.pdf) retrieved in June 2011.

<sup>142</sup> As the concluding section stated: “Reforms undertaken for protection of children placed in orphanages constitute significant progress, but still need to achieve their full results” (EC, Doc/97/18, p. 111).

<sup>143</sup> The Party of Romanian Social Democracy (Partidul Democrației Sociale Române – PDSR), which included many former communist mid-ranking leaders, gained majority in the 1992 elections and formed the government under the presidency of the re-elected Ion Iliescu.

return to subsistence agriculture (Sandu 1996). The new law entitled the child, not the family, to the universal allowance, administered the benefit through educational institutions and territorial welfare offices, and in the case of school-aged children, conditioned entitlement on school attendance and distributed the paychecks through the schools. At the same time, the downgrading of benefits undermined the stated poverty-reduction goals, and expenditures on family allowances and social assistance benefits decreased from 2.6% of the GDP in 1989 to 0.8% of the GDP in 1994 (World Bank 1997). The 1997 reforms of childcare leave (Law 120/1997), under the newly-elected Romanian Democratic Convention (CDR) led by Emil Constantinescu<sup>144</sup>, illustrate the effects of similar domestic pressures to “correct” communist injustice that won over external calls for cost containment. The coverage expanded due to the replacement of work record with regular payment of social insurance as an entitlement condition. It was paid monthly until the child’s second birthday in the amount of 85% of the previous wage for employees, and 80% of the insured income for farmers and other insured persons. As the benefit was administered by the pension fund, eligibility conditions were tightened only by the pension reform of 2000 (Law 19/2000). Yet again, following a Bismarckian earnings-related logic, this scheme did not include progressive redistribution, unlike the Hungarian GYES, for example.

Financing mechanisms failed to prevent the erosion of family allowances, as opposed to maternity and childcare leave benefits. The 2000 pension reform increased the period of contribution to at least six months during the last year, and the benefit remained earnings-related, at 85% of the average wage, during the best paid six months of employment from the last year.

<sup>144</sup> The Romanian Democratic Convention (*Convenția Democratică Română* - CDR) was a center-right coalition led by Emil Constantinescu, elected as the president of the country in 1996. Despite its declared liberalism and split with the state-socialist tradition represented by Ion Iliescu and the social democrats, the CDR government continued to subsidize the industrial sector, provided anticipatory pensions as an alternative to long-term unemployment and introduced a supplementary allowance for families raising three or more children (Law 119/1997). See also Voicu&Voicu 1999.

In addition, the EU-mandated paternal leave for fathers<sup>145</sup> was introduced in 1999. The separation of the pension fund from other contributory benefits occurred eventually only five years later. In sum, throughout the years of “muddling-through” transition (Kovacs 2002), universal benefits partially filled the gap created by the lack of adequate means-tested programs for low-income or jobless families with dependent children. In 1997, the high incidence of poverty in large families, especially in the rural areas, was addressed by a new supplementary allowance (*alocație suplimentară*) for families raising three or more children, regardless of their income (Law 119/1997). While child poverty was officially recognized by then (Zamfir&Zamfir 1995; Popescu 2004a), policies favoring poor families generated little political support. Overall expenditures on social protection in 2000 accounted for only 13% of the GDP, as compared to 19.7% in Poland and 19.6% in Hungary (Eurostat 2011). From this perspective, changes in family benefits instituted during 1990-2000 may not qualify as path-departing *per se*, but rather as selective responses to the severe burden of communist legacies, especially in the area of child rights and, to a lesser degree, also in maternity protection. In this sense, postcommunist Romania fits the description of an “emergency welfare state” (Inglot 2008) and we may have to wait a little longer to offer a full assessment of these reforms.

## Conclusion

Disaggregated analysis of the six major components of family policy in each country – maternity insurance, family allowances, birth grants, childcare leaves, nurseries, and kindergartens – allows us to reach preliminary conclusions in reference to **Hypothesis 1**, suggesting significant variation in the lasting power of institutional legacies due to “the timing,

<sup>145</sup> Law 210/1999 on paternal leave (*concediu paternal plătit*).

intensity, focus, and the scope of modernization of these programs under communist rule and during early regime transition”. We summarize our major findings in **Tables 2a-c**. All three countries inherited comprehensive institutions of maternity protection, with Hungary as an early leader, followed by Poland and Romania, which also modernized this essential program in the 1970s but under different circumstances. The former reacted to the political emergency of labor unrest and the latter to the demographic emergency when coercive measures of the late 1960s proved insufficient to reach desired fertility goals. Increased propensity to rely on cash assistance in the postwar period has been visible the most in the development of family allowances. Poland stands out as the only country that initially treated this scheme as “insurance” and kept it within the social insurance system the longest, until 1995, but in reality used it mainly to regulate the labor market and address periodic political and economic emergencies. Hungary and Romania concentrated much more not only on raising wages with these additional transfers for children, but also aimed to foster greater fertility and help the needy. Likewise, Poland began to focus increasingly on low-income households in the 1970s and 1980s, de facto creating a two-tier system of benefits, similar to Romania, but with much less consistency and commitment until the mid-1990s. In Hungary, much more dependable policies, closely tied to population planning, and timely separation of family allowances from the rest of social insurance helped preserve this benefit at a relatively generous level throughout the communist rule. It also became accepted there in the 1980s as an indispensable part of poverty relief and remained universally available, with some adjustments after 1989. In Poland the collapse of centralized wage planning removed the strongest support for family allowances in the conventional form, making it possible for social insurance experts to successfully push for major reforms and permanent reductions in coverage. In contrast, internationally supported emphasis on children’s rights in Romania during



the early 1990s created a favorable climate for the re-focusing of family allowance from a fertility tool to a more universal form of assistance, but with an emerging bias in favor of the middle class and against the so-called “undeserving” poor. Thus, the acceptance of World Bank’s advice in favor of means-testing in child transfers, presented to all transition countries during that time, was highly contingent on historical legacies and domestic conditions.

Furthermore, under communism in all three countries birth grants served as official tokens of support for families ready to have children for the “nation.” Nevertheless, in Poland since the 1970s these benefits morphed into multi-dimensional, nearly universal handouts (from three different funds) during protracted economic crises whereas in Hungary and Romania they played a much less visible role as additional incentives in the pronatalist campaigns. Hungary, however, made extended childcare leaves the lynchpin of its family policy that derived from the pronatalist agenda of conservative forces within various ruling establishments. Indeed, together with family allowances, before 1989 the two major programs, GYES and GYED, had grown to become the most fundamental pillars of the welfare state in the country. In Poland, however, from the very beginning a similar program has been inseparable from employment policy and only during the Solidarity era mothers’ rights to better childcare assistance were recognized as an important goal of social policy. Yet, eventually, only the original unpaid leave remained accessible to all insured workers with benefit payments available exclusively to mothers from low-income households. In contrast, Romania yet again shows much more radical change – after decades of neglect it introduced a new, paid childcare leave in 1990 with major focus on better insurance protection for mothers and children’s’ welfare.

Finally, in the area of childcare services the continued shortage of nurseries for infants, at least since the late 1950s, represents, next to the relatively strong maternity protection, the

second major common legacy of all three countries. It stems in part from the period of post-Stalinist liberalization, i.e. ceding more control over family life to the parents themselves and recognizing the value of traditional motherhood, but also from a more pragmatic realization of the prohibitive costs of these facilities that everywhere had to adhere to elaborate standards of health care facilities. In contrast, the development of kindergartens illustrates substantially divergent pathways, with Hungary as a clear leader, especially since the educational reforms of the 1970s but even earlier. At the same time, despite significant progress during the 1970s and 1980s, both Poland and Romania lagged far behind. In a way similar to other components of family policy, the presence of large agricultural populations in both countries is reflected in the unequal policy patterns of expansion of kindergarten facilities. As we have seen above, in all three countries, Hungary before 1975, Poland before the 1980s, and Romania before 1990, cooperative and private farmers received much lesser benefits and services than the urban employees and their families. This particular legacy, and also the unequal treatment of the minority Roma in Hungary and Romania within the structure of the communist welfare states, only gradually began to capture government attention during the regime transitions of the 1990s. Furthermore, in neither country gender equality became a major concern of family policies under communism or in the decade following the regime change. While full-time employment of mothers was typical, the process of *de-familialization* of care (Leitner 2003) only gained substantial ground in case of children above three, with the highest coverage in Hungary. Thus all three countries relied heavily on families as caregivers, with the major difference that in Hungary such care-work became paid from the middle of the 1960s while in Romania and Poland unpaid care-work done by women remained typical.

## Appendix

**Table 1: Main Pillars of Family Policy in Central and Eastern Europe 1950-1989.**

<b>CASH TRANSFERS (for parents and children)</b>			<b>CHILD SERVICES</b>
Traditional Pillar	Central Pillar	Supplementary Pillar	Service Pillar
<b>Social Insurance/Wage Policy</b>		<b>Health System</b>	<b>Health System</b>
<i>Maternity leave and benefit (Bismarckian Social Insurance)</i>	<i>Family (child) leave &amp; allowance</i>	<i>Cash (means-tested) benefits for poor families</i>	<i>Nurseries (crèches) 0-3 age</i>
	<i>Birth grants</i>		<b>Education System</b>
	<i>Parental (child-care) leaves &amp; benefits</i>		<i>Kindergarten 4-6 age</i>

**Table 2a: MODEL OF FAMILY POLICY EVOLUTION IN CENTRAL AND EASTERN EUROPE- POLICY GOALS/OBJECTIVES AND POLICY TOOLS (POLAND, 1945-2000).**

### POLICY GOALS/OBJECTIVES

<b>CONVENTIONAL FAMILY POLICY TOOLS</b>	<b>Regulation of wages and the labor market (female employment)</b>	<b>Social insurance protection</b>	<b>Fertility control (pronatalism/demographic goals)</b>	<b>Social assistance (poverty relief) for families</b>	<b>Child well-being and early education</b>
<b>Maternity Leaves and Benefits</b>	moderate	<b>strong</b> (since the 1970, moderate before)	weak	weak	moderate
<b>Family Allowances</b>	<b>strong</b>	Moderate	weak	moderate	weak
<b>Birth Grants</b>	not applicable	weak	moderate	strong (since the late 1970s)	moderate
<b>Long Childcare Leave and Benefit</b>	<b>strong</b> 1968-89 only	moderate	weak	moderate	moderate
<b>Childcare – Nurseries</b>	weak (after 1956)	not applicable	weak	moderate (admission and preferences)	weak
<b>Childcare - Kindergartens</b>	weak to moderate – labor market effects (from the 1970s only)	not applicable	weak	weak ( few admission preferences and discounts for single mothers)	moderate (1970s-1980s)

**Table 2b: MODEL OF FAMILY POLICY EVOLUTION IN CENTRAL AND EASTERN EUROPE- POLICY GOALS/OBJECTIVES AND POLICY TOOLS (HUNGARY, 1945-2000).**

**POLICY GOALS/OBJECTIVES**

<b>CONVENTIONAL FAMILY POLICY TOOLS</b>	<b>Regulation of wages and the labor market (female employment)</b>	<b>Social insurance protection</b>	<b>Fertility control (pronatalism/demographic goals)</b>	<b>Social assistance (poverty relief) for families</b>	<b>Child well-being and early education</b>
<b>Maternity Leaves and Benefits</b>	moderate	<b>strong</b>	weak	Weak	moderate
<b>Family Allowances</b>	<b>strong</b> until 1975 moderate until 1990. not applicable afterwards (universal)	not applicable	<b>strong</b> after 1953 and moderate until 1990. Weak afterwards.	<b>strong</b> between 1985-1995, moderate before and afterwards.	moderate, linked to school attendance after 1998.
<b>Birth Grants</b>	weak until 1975, not applicable afterwards.	weak until 1975, not applicable afterwards	moderate	Weak	weak
<b>Long Childcare Leave and Benefit</b>	<b>strong</b> after 1967 (GYES) and 1985 (GYED). Tool for labor market withdrawal also in the 1990s up until today.	<b>strong</b> in case of GYES between 1967-1991, strong in case of GYED from 1985 up until today	moderate in case of GYES after 1967; strong in case of GYED after 1985 ongoing. (In intention and rarely in actual effect.)	moderate	moderate
<b>Childcare – Nurseries</b>	moderate (admission linked to employment)	not applicable	weak	moderate (preference in admission to disadvantaged children of working parents;	moderate (esp. after 1971)
<b>Childcare - Kindergartens</b>	moderate (eligibility not conditioned to but encouraging employment)	not applicable	weak	(reduced or no fees for poor and 3+ families)	<b>strong</b> (after the 1970s)

**Table 2c: MODEL OF FAMILY POLICY EVOLUTION IN CENTRAL AND EASTERN EUROPE-  
POLICY GOALS/OBJECTIVES AND POLICY TOOLS (ROMANIA, 1945-2000)**

**POLICY GOALS/OBJECTIVES**

<b>CONVENTIONAL FAMILY POLICY TOOLS</b>	<b>Regulation of wages and the labor market (female employment)</b>	<b>Social insurance protection</b>	<b>Fertility control (pronatalism/demographic goals)</b>	<b>Social assistance (poverty relief) for families</b>	<b>Child well-being and early education</b>
<b>Maternity Leaves and Benefits</b>	moderate	<b>strong</b> (since the 1970s)	weak	weak	moderate
<b>Family Allowances</b>	moderate before 1993, not applicable afterwards	not applicable	moderate	moderate, but no means-tested component	moderate, conditioned by school attendance after 1993
<b>Birth Grants</b>	not applicable	weak	moderate	weak	weak
<b>Long Childcare Leave and Benefit</b>	not applicable before 1990, <b>strong</b> after 1990	not applicable before 1990, <b>strong</b> after 1990	not applicable before 1990, moderate after 1990	not applicable before 1990, weak after 1990	not applicable before 1990, moderate after 1990
<b>Childcare – Nurseries</b>	moderate (eligibility conditioned by working parents)	not applicable	weak	moderate (admission and preferences)	weak
<b>Childcare - Kindergartens</b>	moderate	not applicable	weak	weak ( few admission preferences and discounts for single mothers)	moderate

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Câmpan, Daniela Enricheta. President, Union of Creches from Romania, Bucharest, 7 June 2010.

Codreș, Adina. Senior officer at the National Agency for the Protection of Children, Romanian Ministry of Labor, Family and Social Protection, former director of the Saint Catherin’s Orphanage from Bucharest – District 1, Bucharest, 10 June 2010.

Drăgotoiu, Adina. Director of the Social Inclusion Department within the Romanian Ministry of

Labor, Family and Social Protection. Bucharest, 9 June 2010.

Ernu, Simona. Consultant, Bernad Brunhes International, Bucharest, 8 June 2010.

Fleacă, Dănuț. Director of Department for Social Protection, Municipality of District 1, Bucharest, 10 June 2011.

Mălinoiu, Alina. Officer of the Romanian Ministry of Labor, Family and Social Protection. Bucharest, 9 June 2010.

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Popescu, Livia. Professor, Faculty of Sociology and Social Work, Babeș-Bolyai University, Cluj-Napoca, 12 October, 2009.

Preda, Marian. Head of the Presidential Commission for the Analysis of Social and Demographic Risks and Dean of the Faculty of Sociology and Social Work, University of Bucharest, Bucharest, 8 June 2010.

Roman, George. Director, “Save the children Romania”, Bucharest, 11 June 2010,

Stativa, Ecaterina. Researcher at the Institute for the Protection of Children and Families „Alfred Rușescu”, Bucharest, 10 June 2010.

Stănculescu, Manuela. Researcher, Quality of Life Research Institute (ICCV), Bucharest, member of the Presidential Commission for the Analysis of Social and Demographic Risks, 14 October, 2009.

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