

# Women's Emancipation in Romanian Society and the Recognition of Her Rights in Couple Relationships

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**ABSTRACT:** International documents contain explicit provisions for public recognition of the phenomenon of violence against women in the family and society. They also contain provisions for the implementation of national policies to respect gender equality and combat domestic violence. A fairly long period has passed since the emancipation of women, the recognition of rights of all Romanian citizens, regardless of their gender, and the introduction of legal measures against domestic violence. However, the patriarchal mentality and gender violence continue to prevail in certain environments and communities, including educated couples with above average financial status, sometimes even public persons. The perspective of domestic violence has evolved alongside society, and the status of women has changed as the roles she has assumed have diversified and allowed her, through incremental legislative changes, to move from the role of mother and wife, to the role of an equal partner. Thus, the woman became a partner with equal rights over family decisions, a co-participant in the budget of a family, and an expert in education, health, arts and communication. Recently, women are becoming appreciated managers with equal access to leadership and decision-making positions in any field of expertise. Equal opportunities and respect for women's rights must be further supported because society, at an international level, must not forget the echoes of misogyny revealed by the #MeToo movement in the United States. Additionally, we should not omit that the provisions of the Istanbul Convention relating to the concepts of violence and gender equality are currently controversial topics for many states. Our country has taken important steps in changing specific legislation and aligning it with the international norms but women continue to be disadvantaged by the socialization models conveyed transgenerationally. Consequently, in the family environment, it is perpetuated that women should adopt responsibilities related to household work and raising children, whereas in the society, jobs predominated by women are poorly paid compared to those specific to men.

**KEYWORDS:** gender-based violence, discrimination, domestic violence, patriarchy, feminism

## Introduction

An emblematic gender difference is the patriarchy, whose historical antiquity exceeds that of the Judeo-Christian tradition. Max Weber (Weber 1978, 879-880) said about patriarchy that it signifies paternal authority over wife and children. The patriarchal model manifested in our society for almost two millennia considered women inferior to men and therefore incapable of providing for themselves. Women were obliged to submit to male authority, to the father during childhood and then to brothers or husband in adulthood. The man had the obligation to ensure the physical protection of the

weaker members (women, children), to procure the necessities of daily life, being able, in return, to dispose of the women in his family, as he deemed necessary.

In a generic sense, it is a regime of power subordination in which broad categories of people are denied their fundamental rights in favor of a patriarch (symbolic father). The patriarch holds the economic and decision monopoly, being the sole beneficiary of power and freedom of choice.

I think it is important to analyze how this “ideological parent” manifests and how it metamorphosed over time, especially since certain gender inequalities are still manifested today. Our society still needs to solve certain aspects to provide equal opportunities for development and progress for all its members.

### **The evolution of women rights**

For a very long time in history, women did not have the right to make important decisions. They were mere executors of men's wishes and their daily activities involved raising children, preparing food, making clothes and all other household activities. Their role was important, but they were only associated with the domestic space, they were forced to keep quiet, remain uneducated, and that's why they didn't have equal access to education and political rights like men. They did not have the opportunity to debate the problems they faced in society. Moreover, sex life was valued differently. The woman was required to be absolutely faithful in monogamy while the man was allowed to have extramarital affairs.

For women, their biological membership automatically meant a life dominated by persecution. Men, however, were associated with the public space and this meant their opportunity to consolidate their position of strength in social relations. For a long time, domestic violence was institutionalized through marriage laws that favored the man, giving him full power over his wife and children. In Romania, even the Civil Code of 1865 of the Old Kingdom explicitly stipulated that, in spousal relationship, the supremacy of the man should be respected as he was considered the “head of the family”. It was only in the late 19th century, during economic evolution, that the feminism of “equality” appeared, which manifested itself strongly through marches, public statements, gender-themed works. Feminists demanded the recognition of women's legal and political rights, equal access to education, the right of women to support themselves economically and to defend themselves from the abuses of dominant men.

Romanian feminism (the first wave) followed the steps of Western feminism and was implemented by educated, emancipated women, familiar with the ideas of international visionaries. Their ideals were related to the provision of unrestricted access to education and the recognition of rights for all categories of women, regardless of their social class (Miroiu 2004, 60).

Patriarchy began to decay with the attainment, at the beginning of the 20<sup>th</sup> century, through the efforts of feminists, of the right to vote and participate in politics, to manage personal property, to have access to training and to practice a profession. There was still discrimination against women: wages did not respect the principle of equality between the sexes for the same work, domestic activities remained strictly the prerogative of women, and access to resources was, in most cases, going through men. Cultural beliefs about gender roles placed men in positions of control, domestic violence was a taboo, same as marital rape and sexual harassment.

Communism came with a different vision of the role of women in society. The Stalinist dictatorship and then the Ceausist dictatorship did not allow the penetration of the second wave of international feminism because they considered it a bourgeois ideology, stupid and incompatible with the values of the party. Traditional patriarchy in

gender relations has been replaced by state patriarchy combined with a pseudo-egalitarianism of gender. Women had access to education, they were encouraged to work outside the home, for the progress of the socialist society, together with men, in factories. However, the “head” that could make decisions in every aspect of people’s lives was the state, and it was patriarchal. The state supported women through the network of nurseries and kindergartens and thus offered them the opportunity to take up paid employment. At the same time, the state encouraged women to have many children, to increase the birth rate and thus ensure for the future the growth of the labor force that will be directed by the party. Through the 1966 decree banning abortions, women were given the “sacred mission” to increase the country’s population at an accelerated rate. This mission proved unrealistic and beyond the powers of overburdened families. The effects of this decision? Thousands of empirical, so-called surgical interventions were done in secret, which resulted in many women dying. The orphanages were filled with abandoned children, some disabled, being born after failed attempts of illegal abortions.

In the private space, patriarchal relations were maintained and therefore women continued to have full responsibility for the care of the household, to be devoted mothers and wives. Domestic violence was a taboo because the “new man” had to be presented in a favorable light, thus problems and abuse were hidden “under the rug”.

The promotion of women before the 1989 Revolution was imposed according to the model of the communist URSS and only represented a formal target in the party's program. It proved to be an unfounded political artifice that did not offer real chances for the affirmation of women (Trandafir 2013, 823).

Party propaganda tried to valorize, from an ideological point of view, the target categories represented by women, peasants and minorities. Focusing on them, the party wanted to prove its power to change the social order considered unfair until then and to appear caring and protective of all the country's citizens (Cîrdei 2012, 77). Of course, it was all just a slogan devoid of practical content, and in fact all social classes suffered, except the members of the ruling party. The pressure of the state and the restriction of personal rights and freedoms were felt by the entire population.

After the Revolution, however, women ceased to represent a party objective and the job market changed dramatically, to their disadvantage. The sectors occupied by female labor were not considered strategic and since they were not supported by measures to increase the efficiency and allow for development, the sectors were restructured, leaving women unemployed. Left without compensatory wages, women were forced by unfavorable circumstances to accept disadvantageous jobs, in the sphere of services or in the public domain which was usually poorly remunerated (UNIFEM 2006, 9).

The proportion of women without any kind of income was four times higher than that of men and 48% of them earned below the survival limit or had no income (Gender Barometer Romania 2000). Although the situation was downright tragic, affirmative or gender quota policies, in favor of women, were vehemently rejected from the start because they were associated with the politics of the communist system. A system that was entrenched and had to be erased from social practice.

Out of desperation, some of the women were forced to become prostitutes or, in search of better-paying jobs in the West, exposing themselves to the risk of becoming victims of human trafficking for sexual or labor exploitations.

The burden of economic issues led married women or in relationships with aggressive partners to accept humiliation and violence from them because they had no alternative to resist the financial pressure and inequality. In addition, the trust in the morality of the Orthodox religion was imposed, requiring women to listen to their

husbands. The unity of the family was sought at any price, with any sacrifice, to make children lives better. Therefore, women remained in violent, subservient relationships with their partners. We can say that, during this period, modern patriarchy manifested, one through which women were economically subordinated.

Who protected the women in this situation? We can say that Romania's accession to the EU and the adoption of a community *acquis* was the best opportunity to save women due to the activist agenda proposed by the second wave of Western feminism, entered directly into the legislation of our country. The adoption of the legislation was achieved without any political party including in its program the themes and issues promoted by these norms or being concerned with women's rights (Miroiu 2004, 259).

And how could the political class have been interested in women's rights, when women were poorly represented in the political class and their voice was not heard? The data provided by the Permanent Electoral Authority showed a proportion of 10.1% women in the Parliament in 2000.

Studies (Childs and Krook 2009; O'Brien and Rickne 2016) demonstrate that gender quotas at the level of legislation or at the level of political parties are needed to increase the political representation of women. However, in Romania, all the legislative projects that proposed various versions of gender quotas were vehemently rejected, and thus the percentage of women's representation in Parliament was only 18.5% in 2018 (Băluță and Tufiș 2021, 5). From a legal point of view, the Constitution and other provisions of special laws, promotes gender equality in terms of civil, economic, political, religious rights. A law supporting these ideas is: Law no. 202 of April 19, 2002, republished, regarding equal opportunities and treatment between women and men. The state legally protects these relationships of equality, but without guaranteeing that gender-based discrimination does not continue to manifest itself in certain aspects of family life and community relations.

After 1989, the Romanian society was invaded by misconceptions that reinforced false models of femininity and masculinity. The woman came to be treated, rather, as a sexual object, and her concerns were not related to her intellectual or professional training, but to the achievement of certain standards of beauty. At the same time, the man is obliged to have a high salary or a lot of money, a status, in order to be desirable to the female population. With such an approach, the woman loses her position as an equal partner in rights, she is not capable of independence in procuring financial resources and in making decisions about her own life. Therefore, the woman condemns herself to the position of a dependent subordinate. She is only desirable if she looks good physically and is liked by a man who is economically well-positioned.

Patriarchy was reinterpreted after the fall of the communist regime, and Miroiu (Miroiu 2004, 247) presented this break in the balance of rights and forces between women and men. The break is due to a different appreciation of men's work and initiatives in relation to women's activity. From the start, men are better paid at work, their ideas and proposals are considered more important and successful, and their careers develop much faster. Giddens (Giddens 2001, 254) showed that economic imbalance and inequity manifests in the distribution of sexes in the fields of the economy. Where wages are lower, women are predominantly employed, even though they have higher education in a higher proportion than men. This way, the differences between the average salaries of men and women are perpetuated.

The gap has perpetuated, over time, also in terms of the distribution of domestic activities (Research carried out by EIGE in 2017, in Romania). Thus, 75% of women cook and carry out domestic activities daily for at least 1 hour, while, only 41% of men are involved in such domestic duties. Among couples with children, domestic activities are conducted by women on an even higher proportion (79%).

The inequality of time allocated to household activities automatically leads to social behaviors and opportunities that differentiate women from men. Men participate in more social activities, play sports, have more time to take certain courses and improve their careers. Women are overburdened with raising children, caring for the elderly/sick in the family and with household responsibilities. Thus, they lose opportunities for employment, relationships and implicitly have fewer chances to achieve economic independence and develop in their careers.

Nowadays, technology that helps housewives to better allocate their effort to household chores should come to the support of women. Services for the care of dependent people should relieve some of the pressure to solve these needs. This would not change the gender inequalities, but women would be helped, to a certain extent, in the performance of some duties that remain, at present, their exclusive task. In reality, there are many communities where home appliances are unaffordable because they are considered too expensive, and support services for the elderly/ill dependent on care and constant supervision are undersized and poorly funded by the state. Women are still feeling the burden of managing a poor household. In a study carried out by Eurostat in 2020, Romania is on the first place in the poverty list, and 1 in 3 Romanians are at risk of poverty or social exclusion.

In 2018, only 9% of the more than 172,000 patients who needed palliative care were able to benefit from it (Ziare.com, 21.03.2018). While, at the international level, the trend is to adapt the legislation of the pro-euthanasia concept, in Romania, “the voices of professionals in the medical sector and representatives of cults deny the need for such intervention in social relations and promote palliative services as the only ethical options for patients, but which are insufficient. Romanians continue to die in unworthy conditions of this century, rejected by society, or choose assisted suicide in a state that allows this.” (Chirvăsuță 2022)

Women bear the brunt of these institutional shortcomings and continue to sacrifice their careers and personal development, making up for serious failures in the social service system or protection policies. Women living in poverty are also particularly affected by violence from their partner, but studies have not been able to identify why men with low financial incomes feel more frustrated. On the one hand, men might be frustrated as they are not able to live up to their own or their family's expectations, thus becoming aggressive. On the other hand, women might see no hope of getting by without the economic support of their partner and thus remain prisoners in a dysfunctional relationship in an economic system that deeply disadvantages them (Heise, 1998). And yet, the victim of domestic violence does not fit into a restrictive pattern because the phenomenon does not bypass couples with a high level of education or those with above-average economic possibilities.

### **What is happening today with women's rights in Romania? What is happening at European level?**

On the one hand, an alarm signal for Romania is highlighted in the World Bank Report (Romania Gender Assessment, 2018): a large number of young women are neither employed nor in partaking any form of education or professional training. They are thus becoming a risk category. On the other hand, domestic activities continue to be unequally distributed between women and men, our country has a high infant mortality rate, especially in the Roma communities, and the lack of sex education among young people led to Romania being ranked first in teen pregnancies.

However, the legislative improvements in Romania for respecting gender equality and combating domestic violence, as well as the functioning of institutions dedicated to this field, are worth noting. For example, in Romania there are: the National Agency for

Equal Opportunities between Women and Men, the Commission for Equal Opportunities for Women and Men at the level of the Chamber of Deputies, the General Council for Combating Discrimination. In parallel, the network of services for victims was developed, a network supported by local authorities, and intersectoral teams were also created in the field of preventing and fighting domestic violence at the level of all counties and sectors of the city of Bucharest.

A comparative study was carried out in 16 states where levels of violence were in some states low and in others high showed that the size of the phenomenon of family violence depends on the state's interest in the protection of the victims. Interest can be manifested through legislative measures, the establishment of shelters and the operationalization of counseling services. Thus, in states where specific protection measures were instituted, levels of violence against women were lower (Counts et al., 1992). The Agency for Fundamental Rights of the European Union (FRA) presented in 2014 a study on the forms of violence manifested at home, at work, in public and online against women. The results revealed that: "at a European level, 22% of women who are or were in a relationship, also suffered physical and/or sexual violence from their partner. In Romania, the percentage is not very different, falling within average values, 24% of women in Romania were victims of physical and/or sexual violence from their partner. 1 in 3 women in Europe (33%) reported cases of domestic violence to the Police or other support services, and a third of European victims of physical and/or sexual violence by their partners sought medical attention, only 6% shelter and 4% specific support services. The authors of the survey identified as possible problems for this poor access to institutions: the lack of information about services, the positioning of support locations far from the victim's home, the inadequate offer of organizations that cannot offer a certain type of help that the victim needs, at that moment."

The results presented by the FRA in 2014 illustrate very poor access, at European level, to specialized services for victims of domestic violence and a lack of information on the underlying causes. It is clear that new research efforts are needed to identify the specific problems and what improvements need to be made to the system because it is resource-intensive and, unfortunately, inadequate.

The most recent national study on the phenomenon of domestic violence also showed that, even in Romania, the frequency of contacting services is low and there is distrust in their ability to support, in the long term, the needs of the victims. It is about the National Study on the prevalence of different forms of violence against women, carried out in the first months of 2021. The results were presented by the National Agency for Equal Opportunities between Women and Men, during May 2021 as follows: "57% of respondents know of the existence of domestic violence law; 70% know what a protection order is; 56% know what a temporary protection order is, and 7% of the respondents state that they have turned to state institutions or non-governmental organizations to receive any form of help related to domestic violence issues. The police is the institution that most of the respondents turned to, precisely 92%. A little over a quarter of the respondents turned to the General Directorates of Social Assistance and Child Protection, and 14% turned to Centers for helping victims of domestic violence or to other institutions or organizations." The conclusions of the research also reaffirmed the fact that the victims report the acts of domestic violence only to warn or calm the aggressors, as in the moment, they do not want to take legal measures to against the perpetrators, nor to separate themselves from them because they do not feel ready to cope with the separation process. The help received from state institutions, in their opinion, does not give them personal security in the long term.

### Conclusions or “what needs to be done?”

I consider this brief history of the evolution of the gender issue necessary because certain discriminatory behaviors are manifested even now and they are resistant to change. These discriminatory behaviors have deep roots in the collective mentality and, following their course and historical motivation, it is possible to intervene more effectively with measures adapted to reality and needs.

Periodic quantitative and qualitative research must be carried out, to know the current social roles assigned to women and men, the areas in which gender disparities are manifested, and to form the basis for the development of effective strategies and policies.

The application and monitoring of these public policies as well as the financing of the protection measures that should be implemented is another problem and the solution can only be guaranteed by the involvement of a considerably larger number of women in politics, in Romania. They must demand the promotion of gender equality and respect for women's rights in all sectors of life.

How should women be encouraged to get more involved in politics? How can the mentality of a society with such a history be changed? Perhaps everything must start from education, the promotion of gender equality during the first years of school, the specialization and professionalization of women, equal opportunities for affirmation, the adaptation of social services and the exchange of good practices with states where women's voices have begun to be heard and to matter in public policies.

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