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***The Discourse of the Romanian State in the
Transformation of Labor Legislation between 2003 and 2011:
The Post-Socialist Transition of the Labor Market and the Labor Code***

Doctoral thesis summary

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Summary

In recent years, the sphere of labor has become one of the most dynamic and contested areas of state intervention in society. In post-socialist Romania, the labor regime has undergone profound transformations, accompanied by legislative reforms, institutional reorganizations, and discursive shifts aimed at redefining the relationship between employee, employer, and the state. These transformations were not merely technical or legal in nature, but involved the mobilization of specific forms of authority, legitimacy, and visions of social organization.

The 2011 Labor Code reform was, in this sense, more than a one-off legislative intervention: it represented a discursive reconceptualization of the relationship between the state and labor, bringing into play ideas about labor relations regulation, the diversification of employment contracts, professional qualifications, performance, social protection, competitiveness, and modernity. While during the socialist period the state openly assumed the role of guarantor of workers' protection, after 1989 the state gradually adopted a different stance—apparently reduced to a technocratic role within tripartite negotiations among trade unions, employers, and the government. As I argue in this study, the state reconfigured labor relations in a way that favored capital.

This research is based on the premise that the state plays an active role in instituting a specific economic and social order through legislative reforms that are not merely the result of pressure from national and transnational social actors but also expressions of a hegemonic vision of labor. From this perspective, the 2011 Labor Code reform should not be seen solely because of the economic crisis or European integration, nor simply as a response to conflicting pressures from employers' associations and trade unions. Instead, this reform is analyzed as a discursive moment in which a neoliberal version of labor relations is produced and legitimized—one in which collective protection is marginalized, and responsibility is transferred to the individual.

The general objective of the research was to understand how the Romanian state, through its official discourse, contributed to shaping the symbolic and normative framework of labor relations during a period marked by political transition and economic pressure. Through this lens, the study aims to highlight the mechanisms through which public discourse presents social problems, defines legitimate actors, and naturalizes certain solutions, thereby constructing a dominant version of the labor order. This is a qualitative study, based on critical discourse analysis

(Fairclough, 2013) of official documents and public statements. Its goal is not to draw generalizable conclusions for all labor policy in Romania, but to trace how a specific reform trajectory was formulated discursively at a clearly delimited historical and institutional moment.

The research is guided by a central question regarding the ways in which the Romanian state, through its official discourse between 2003 and 2011, produced a legitimate and hegemonic version of labor relations. Supporting this direction, the study also addressed several secondary questions:

- What kind of actor does the state portray itself as in its own discourse, and what role does it assume in the reform process?
- How is the relationship between economic urgency and the legitimacy of reform constructed discursively?
- What role do themes such as flexibilization, Europeanization, and depoliticization play in the symbolic reconfiguration of labor in this discourse?

The research emphasizes the concept of institutional imagination, by which the state not only regulates but constructs a specific discursive role: performance, efficiency, and competitiveness are presented as neutral, universal values. The ideological dimension is covered over by appeals to expertise, crisis, and modernization—allowing the displacement of collective protections without overt conflict. Combined, these strands support the thesis that the state plays an active role in consolidating capitalist labor relations—not only through legislation but by shaping discursively what counts as acceptable or possible in the labor field, in the terms of critical discourse analysis (Fairclough, 2013). The official discourse imposes a dominant version of social reality in which flexibilization policies are presented as inevitable and alternatives—collective, union-based, or social—are relegated to the margins.

Theoretical conceptualization of the state in this research draws on Marxist political economy, particularly Nicos Poulantzas, who views the state not simply as an instrument of the dominant class but as a site of struggle where class interests and conflicts crystallize into a coherent and apparently neutral form. This framing allows interpreting state action not as passive adaptation to external pressure but as active production of a neoliberal social order—delegitimizing socialist heritage, naturalizing flexibilization, and replacing collective logic with individualization.

This thesis argues that the 2011 reform of Romania's Labor Code was not a mere technical response to the economic or institutional constraints of the (post-)crisis period, but rather the expression of a broader discursive process through which the Romanian state reconfigured its role in relation to the labor market and actively contributed to the institutionalization of a hegemonic neoliberal model of labor relations. In this process, the official discourse produced an image of the state as a neutral and rational actor, while at the same time delegitimizing the protectionist legacies of the socialist regime, assigning responsibility to the individual, and constructing flexibility as an inevitable solution to structural labor problems. Thus, labor legislation reform was articulated not only juridically, but also symbolically and ideologically. The state's role was discursively transformed from a guarantor of social balance to an administrator of the resources required for ensuring performance and competitiveness in a market depicted as natural and self-regulating. This dynamic, captured through critical discourse analysis, highlights the state's function as a producer and consolidator of capitalist relations in a context where alternative options were excluded from the realm of political and discursive possibility.

The next chapter (Chapter 2) presents the methodological framework of the study, explaining the type of analysis employed, the selection of objectives, and the researcher's positioning. Chapter 3 outlines the theoretical foundation, introducing the key concepts used in the analysis—ideology, hegemony, discourse, Europeanization, flexibilization, depoliticization—and how these relate to the literature on the post-socialist state. Chapter 4 examines the Explanatory Memoranda accompanying the amendments to the Labor Code between 2003 and 2011, identifying the main discursive directions and public justifications for the reform. Chapters 5 and 6 deepen the analysis of press releases and governmental speeches from 2011, focusing on the relationship between economic urgency, the redefinition of the state's role, and the individualization of responsibility. Finally, Chapter 7 offers the general conclusions, synthesizing the theoretical and empirical contributions of the study and opening the way for alternative perspectives on the relationship between labor, the state, and society.

In parallel with the thesis arguments in Chapters 4, 5, and 6, a discourse-analytic grid comprising six recurrent categories was developed—these themes often overlap across the three empirical chapters. Findings show that the discursive trajectories present in the *Statements of Reasons* fit the model of dialectical appropriation typical of post-socialist Central and Eastern European countries (Fairclough, 2013; Preoteasa, 2002). They also reflect ignorance toward

socialist experience (Oprea, 2009) and the adoption of a rudimentary knowledge of the labor market among local actors—contributing to social deregulation through the construction of a reform urgency (Pula, 2020; Ban, 2016). Additionally, empirical analysis demonstrates how the state actively contributes to the deregulation of the labor market through political discourses focused on flexibility and competitiveness.

The narrative of social deregulation in the labor market unfolds in two stages. First, the state publicly frames an economic emergency and institutional restructuring need—constructed via agreements with international actors. Second, social needs arising post-crisis are presented, alongside a strategy to meet them through flexibility and competitiveness. Institutional restructuring aligned with the European model illustrates the application of imitative modernization in former socialist countries and the construction of “capitalism without capitalists”

Pro-reform discourse in press releases includes explicit strategies for producing capitalist labor relations. The state presents itself as apolitical and protective, advocating a class-conflict-free market in which worker security is conditional on performance and any abuses are adjudicated in court. Employment relations are framed as conflicts between equals, with the state's role limited to ensuring a functional legal framework. Unions and academic critics challenge this representation, stressing that individual responsibility becomes a mechanism for risk transfer, structurally favoring both organization-level and system-wide.

Sociology plays a crucial role here: it must provide tools to understand the relationship between state, labor, and capital, and to develop analytic and discursive forms that bridge institutional and symbolic barriers among labor-field actors. Social change can be conceptualized and produced if we comprehend not only labor dynamics but also how the state imagines and communicates its role publicly. In this analysis, the notion that reform was the sole modernizing solution is itself a discursive construction. Beyond the dominant, capital-aligned version, more equitable alternatives in structuring labor relations can be envisioned and promoted—and sociology is essential for their articulation.

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