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**A Common Legacy, Divergent Paths:
Understanding the Transformation of Post-
Yugoslav Welfare States**

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Abstract

Four countries that had once been embedded in a common welfare state, the Socialist Federal Republic of Yugoslavia, have espoused different paths of institutional welfare transformation following Yugoslavia's dissolution. The author's PhD dissertation aims to understand the nature of the changes that have occurred in two welfare sectors (employment policy and family policy) in Bosnia and Herzegovina, Croatia, North Macedonia and Serbia, over the last two decades, by looking at changes in the characteristics of welfare programs and their implications on the capabilities of beneficiaries, as well as the levels of stratification they yield within these societies. Moreover, its other aim is to understand why such differences in welfare transformation came about. To that end, the dissertation applies Kingdon's Multiple Streams Framework (MSF) to identify important conditions that have contributed to streams converging and the opening of policy windows that resulted in agenda change.

Abstrakt

Čtyři země, které byly součástí stejného sociálního státu, socialistická federativní republika Jugoslávie, se vydaly po rozdělení země různými cestami transformace sociálních institucí. Disertační práce si klade za cíl porozumět míře a druhu změn ke kterým došlo v posledních dvou desetiletích ve dvou oblastech sociální ochrany (politika zaměstnanosti a rodinná politika) v Bosně a Hercegovině, Chorvatsku, Severní Makedonii a Srbsku. Konkrétněji se zaměřuje na změny charakteristik sociálních program a její implikace na možnosti příjemců, jakož i úroveň stratifikace, kterou programy v těchto společnostech způsobují. Jeho dalším cílem je navíc porozumět, proč k takovým rozdílům v transformaci institucí sociální ochrany došlo. Disertace aplikuje Kingdonovy (1984) Teorie tří proudů a identifikuje důležité podmínky které přispěly k propojování proudů a otevíráním oken příležitostí, který způsobily změny politických agend.

Keywords

Family policy, employment policy, Multiple Streams Framework, welfare state, agenda-setting, decision-making, Yugoslavia, Bosnia and Herzegovina, Croatia, North Macedonia, Serbia

Klíčová slova

Rodinná politika, politika zaměstnanosti, Teorie tří proudů, sociální stát, tvorba agendy, rozhodování, Jugoslávie, Bosna a Hercegovina, Chorvatsko, Severní Makedonie, Srbsko.

Scope of work: 576,439 characters

Declaration

1. I hereby declare that I have compiled this thesis using the listed literature and resources only.
2. I hereby declare that my thesis has not been used to gain any other academic title.
3. I fully agree to my work being used for study and scientific purposes.

Prague, 14 July 2022

Mirna Jusić

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1. Introduction

The countries of the Western Balkans have experienced tremendous changes in the past twenty years. Some of them plagued by the devastating effects of war and some by the legacy of authoritarian regimes, they are undergoing incremental democratization and market liberalization. Countries that were once a part of the same legal, political and cultural entity in the joint administrative organization of the former Yugoslavia are on different reform trajectories, as suggested by their different EU accession prospects, and as documented in the different accounts of reform efforts in each country.

Welfare systems in the countries of former Yugoslavia have also undergone significant institutional transitions. Countries have embarked upon such transitions from a seemingly common institutional legacy of what is, by some authors, described as a “hybrid” welfare state regime comprised of a conservative welfare state core in the South European tradition, with social insurance arrangements and the family as the main safety net, albeit with some universalistic elements (Stambolieva 2014).

Scholars of welfare states have long been occupied with understanding the nature and scope of welfare state changes, as well as why such changes come about. Different accounts have explored the ‘what’ and the ‘why’ behind the transformation in welfare state institutions in the Western Balkans as well (Deacon and Stubbs 2007; Stambolieva 2014). To that end, authors have highlighted variables such as the role of favorable initial conditions, the level of democratic consolidation or the level of external influence and have related them to different outcomes in terms of welfare provision.

To add to this debate, the author’s PhD dissertation has two aims. The first is to understand what kind of institutional transformation has occurred in the family and employment policy sectors in four countries of former Yugoslavia: Bosnia and Herzegovina (BiH), Croatia, North Macedonia and Serbia. To that end, by relying on the Capability Approach (CA) (Sen 1999; Nussbaum 2011), changes in the characteristics of programs and the implications they have on persons’ employment and childcare capabilities are analyzed, as well as the level of

stratification that they affect. Another aim is to qualify how policies have changed by applying concepts from welfare state literature. Policy changes are studied over a period of 25 years.

A second aim is to understand why such policy changes in the employment and family policy may have come about. Through the prism of Kingdon's (2011) Multiple Streams Framework (MSF), I seek to understand agenda changes by looking at the interactions of actors, ideas, and institutions underpinning the convergence of the problem, policy and political stream, and the subsequent openings of policy windows that have allowed for policy proposals to gain agenda status. As a result, this approach also allows for an understanding of the differences in policies pursued by individual countries in these two areas of social policy.

Methodologically, a comparative case study approach is applied, looking at the employment and family policy realms, and focusing specifically on unemployment benefits and active labor market measures in the employment policy realm, and on maternity/parental leave policies and early childhood education and care in the family policy realm.

The dissertation makes a few contributions to the research in this realm. First of all, the CA approach has thus far – to the author's best knowledge – not been applied to comparatively study social policies in this region. The application of the CA represents an innovative approach to gauging how policies may foster or hamper individuals' real opportunities and thus provides an alternative to concepts such as *decommodification* (Esping-Andersen 1990). Moreover, its' concept of conversion factors (e.g. class, gender, ethnicity, ability, place of residence) allows for a fine-grained analysis of the inequalities that social policies may effect. A second contribution is the application of the MSF. While the framework has been around for almost thirty years, its' application to welfare states in this region has been limited. It is a theoretically flexible framework that allows for the integration of ideas, actors, and institutions, recognized as important elements in welfare state literature. Its explanatory potential can thus help shed a new light on institutional transformations in this region.

The dissertation begins with the theoretical framework, which encompasses key concepts from literature on the welfare state, as well as theories which are used to better understand policymaking in the welfare realm. A methodological section subsequently lays out the data-gathering and analysis methods applied. Two chapters on individual welfare sectors, one on employment policy and one on family policy follow, which contain sections on the

employment and childcare capabilities of individuals, and sections that document policy changes that have occurred in each realm. This is followed by sections that attempt to understand why changes in policy agendas have occurred in these two realms through the prism of the MSF. A joint discussion considers the implications of policy changes for capabilities, discusses the nature of policy change that has occurred in each sector, and comparatively analyzes changes in agendas each sector by applying the MSF.

2. Theoretical Framework

2.1. The What, the How and the Why Behind Welfare States

2.1.1. The Emergence of the Welfare State

“What once were night-watchman states, law-and-order states, militarist states, or even repressive organs of totalitarian rule, are now institutions predominantly preoccupied with the production and distribution of social well-being.”(Esping-Andersen 1990, 1)

In the late 19th and early 20th century, many countries started creating the foundations of their modern-day welfare states. While different types of support provided to the poor and infirm had existed in earlier times, dating back to Charlemagne’s first poor law of 779, “deep societal, economic, and political transformations taking place,” in this period – not limited to industrialization, urbanization and demographic growth – mandated a comprehensive social policy response, as existing mechanisms of provision, including the family, feudal relationships, guilds, charities, churches or local governments, had weakened in the face of such transformation (Castles et al. 2010, 3).

In addition to gains amassed from increased productivity due to industrialization, the formation of nation states during the second half of the 19th century and their secularization, the experience of longer periods of peace, as well as the implementation of liberal ideas – including civil rights and democracy – created the “the institutional basis for the political articulation of ever-increasing social needs” (Castles et al. 2010, 4). Indeed, liberal thinkers acknowledged the benefits of social legislation in allowing an individual to reach their potential, while economic theorists began to accept the possibility of states raising taxes in order to finance social programs (Castles et al. 2010, 4). Conducive to such programs was also the simultaneous rise of the labor movement, which “itself became an important driver of welfare state consolidation” (Ibid).

Marshall (1950) famously conceptualizes three elements of citizenship – civil, political and social – and situates them within the 18th, 19th and 20th century, respectively. He thus illustrates the gradual recognition of the importance of social rights. Reflecting upon the UK, he points out how shifting values relating to civic rights ultimately impacted social rights. Starting with the late 16th century, a nationally designed and locally implemented system of Poor Laws and wage regulation slowly replaced membership in local communities and functional associations as a source of social rights. In the 18th century, the system of wage regulation rapidly decayed due to industrial changes and its incompatibility with the “the individualist principle of the free contract of employment” as a civic right in the economic sphere (Marshall 1950, 21–22). Due to societal changes, most notably the emergence of a competitive economy, the idea of social rights also dissipated from the Elizabethan times’ Poor Law, which had, at the beginning of the 19th century, guaranteed a minimum wage, family allowances, in combination with the right to work or to receive maintenance. The 1834 Poor Law subsequently offered relief only to persons unable to work and detached minimal social rights from citizenship, with poor persons’ claims treated as an alternative to the rights of citizens (Marshall 1950, 22–24). Such a cleavage between social rights and citizenship was reversed with the introduction of the right to education, which was seen as a prerequisite for civil freedom and thus compatible with civil rights as interpreted through the lens of individualism (Marshall 1950, 25–26). It was not until the 20th century, however, that social rights came to be on par with civic and political rights, and were thus “no longer merely an attempt to abate the obvious nuisance of destitution” (Marshall 1950, 47).

One of the most well-known reforms in the social realm was German Chancellor Otto von Bismarck’s introduction of health and pension insurance in the 1880s. Such reforms laid the basis for a broader introduction of social security systems in Europe and beyond, which were based on the principle of social insurance through contributions paid from waged employment. (Kuhnle and Sander 2010, 64–66).

The 1919 Versailles Treaty, which ended the First World War, underlined the spirit of the early 20th century in its Part XIII, which pertains to the formation of the International Labor Organization (ILO). The document states that universal peace, as stipulated by the League of Nations, can only be established if based upon the principles of social justice, and also points to the need to improve labor conditions (International Labour Office 1920, 1).

In the UK, the 1942 Beveridge Report, prepared by economist William Henry Beveridge, provided the conceptual foundation for a system of social security that was introduced by the country's Labor government after World War II. It envisaged a comprehensive social protection system that would provide universal coverage, be predominantly financed from the state budget (Kuhnle and Sander 2010, 79–80).

Beyond wars, another reason for the expansion of the welfare state in the Western World the immediate post-war period was also a reaction to the Great Depression, as “policy-makers from all mainstream political persuasions agreed that the public sector had a key role to play in ‘taming’ the capitalist economy.” (Anton Hemerijck 2020, 279)

Nevertheless, even within Europe, where the development of welfare states was the most advanced, were states quite different in terms of their responses to societal changes and social challenges. Distinct responses are usually attributed to differences in political contexts and cultures, in the extent of state-building, in social inequalities, in the constellations of actors involved, but also in the nature of socio-economic challenges (Castles et al. 2010, 4–5).

2.1.2. Conceptualizations and Classifications of a Welfare State

What the welfare state is and what it is meant to do is a contested matter. For instance, Esping-Andersen notes that “a common textbook definition is that it involves state responsibility for securing some basic modicum of welfare for its citizens,” yet “such a definition skirts the issue of whether social policies are emancipatory or not; whether they help system legitimation or not; whether they contradict or aid the market process; and what, indeed, is meant by 'basic'?” (Esping-Andersen 1990, 18–19).

While some authors espouse a “narrower view” of the welfare state, focusing mainly on social transfers and services and possibly incorporating housing (Esping-Andersen 1990, 1), the “broader view,” supported by Esping-Andersen (1990, 2), “often frames its questions in terms of political economy, its interests focused on the state's larger role in managing and organizing the economy,” not limited to aspects such as employment, wages, or the broader macro-economic policy. As such, it has been dubbed the “Keynesian welfare state” or “welfare capitalism” (Ibid).

With the rapid, worldwide expansion of welfare states during after World War II, and especially during the 1960s and 1970s, welfare states across the developed world became phenomena of interest for a great number of scholars. A particular preoccupation of such scholars has been to compare and classify them as to understand their development. Yet the absence of a commonly agreed-upon definition means that the way that the welfare state and its features are studied are not necessarily comparable, as “we cannot test contending arguments unless we have a commonly shared conception of the phenomenon to be explained” (Esping-Andersen 1990, 18).

Much social welfare state literature, especially comparative studies in this realm, started out with comparing the levels of social expenditure. Usually through quantitative analysis, they have sought to explain variations in expenditure by means of different factors, such as working-class mobilization, the ideological orientations of parties in power, the economic openness of a country, etc. (Esping-Andersen 1990, 19). However, the dominant criticism of such an approach considered that it, in fact, was not addressing the actual substance or content of the welfare state. Moreover, as all spending was weighted the same, it overlooked social cleavages that may be produced by the welfare state as it prioritizes spending on some groups of beneficiaries over others (Ibid).

A departure from the preoccupation with spending in welfare state studies came with Titmuss’s (1958) delineation between *residual* welfare states, which take on the responsibility for social protection only when the family or the market fail to provide for constituencies, and *institutional* welfare states, promoting universalistic and all-encompassing welfare (Titmuss 1958). Here, a basic distinction has been made between a Bismarckian and a Beveridgean type of welfare state, the former characterized by compulsory social insurance and employment-related social rights, and the latter with universal coverage (C. Pierson and Leimgruber 2010).

Influenced by Titmuss’s focus on the substance of welfare states, a groundbreaking classification was put forward by Esping-Andersen in his book *Three Worlds of Welfare Capitalism* (1990). Contextualizing the welfare state within the political economy and rejecting the dominant preoccupation with the levels of social expenditure, he argued that welfare states needed to be understood in terms of the extent of social rights rendered or the extent of *de-commodification*, where “citizens can freely, and without potential loss of job, income, or general welfare, opt out of work when they themselves consider it necessary” (Esping-

Andersen 1990, 23). In other words, de-commodification can be understood as “the right of protection against economic risks,” in the tradition of Marshall’s social citizenship (Anton Hemerijck 2020, 279). Another dimension emphasized was that of *stratification*, or how and to what extent the welfare state promotes and affects (in)equality and produces cleavages among social groups, considering also the role of the market and family in social provision in a given context (Esping-Andersen 1990, 21–26).

Based on these dimensions, and a rigorous empirical study of welfare state trends across countries, the author shows that advanced capitalist democracies not only group together in terms of how their welfare policies are built, but also in terms of the impact they yield on employment and the “general social structure” (Esping-Andersen 1990, 2). He puts forward a classification of three distinct types of “welfare capitalisms” (Esping-Andersen 1990, 26–28):

- *Liberal/Anglo-Saxon*: De-commodification is dominant and social rights are contained, as the system produces stratification across class-political lines (state welfare for the poor, market-differentiated welfare for the majority). Means-tested assistance with strict entitlement rules and modest universal transfers and social-insurance plans are at the core of this model. The United States, Canada and Australia are examples.
- *Conservative/continental*: Influenced by a legacy of corporatism and the Church, this type, while relatively de-commodifying, places a strong focus on the preservation of status differentials, with class and status earning different social rights, as well as the preservation of traditional family relations (male bread-earner, non-working women), subsequently reflected in poorly developed family services. Austria, France, Germany and Italy are examples.
- *Social Democratic/Scandinavian*: Its development fueled by social democratic parties, this regime promotes principles of universalism and de-commodification, so that “services and benefits be upgraded to levels commensurate with even the most discriminating tastes of the new middle classes; and, second, that equality be furnished by guaranteeing workers full participation in the quality of rights enjoyed by the better-off” (Esping-Andersen 1990, 27), leading to the enjoyment of identical rights by different social groups as a result.

Unsurprisingly, Esping-Andersen’s approach to studying welfare states was groundbreaking, as “differences among welfare states were not simply ‘more or less’ based on separate, one-dimensional aspects,” such as timing of reform or the size of social expenditure. “Rather, there

was a qualitative difference among them, with matching political ideologies” (Emmenegger et al. 2015, 5). Another contribution was the fact that the author demonstrated welfare states’ different political, economic, and social repercussions, as the “welfare state moves from a dependent to an independent variable that can explain other outcomes” (Emmenegger et al. 2015, 5).

Although Esping-Andersen’s framework has since faced criticism, mostly concerning the extent of its exhaustibility and exclusiveness, questioning its methodological underpinnings and whether or not such a typology has explanatory value in the first place (for an overview, see: Arts and Gelissen 2010, 572), it remains the most influential and used framework for understanding the nature of welfare states to date. In the meantime, it has accordingly been adapted and revised to address the question of hybrids or include new types (e.g. Mediterranean, post-Communist, etc.).

2.1.3. Grasping What Welfare State Do: Decommodifying, Defamilializing or Capability-Granting?

As emphasized by Kvist (2007), welfare state ideal types, in line with Esping-Andersen’s conceptualization, reflect “different political ideological notions of social citizenship as constituted by social rights and obligations,” in line with T.H. Marshall’s concept of social citizenship (1950), “that, in turn, manifest in specific configurations of benefit characteristics, such as generosity and eligibility” (Kvist 2007, 475).

Generosity and accessibility constitute *decommodification*, as conceptualized by Esping-Andersen. When welfare states are depicted as ideal types along these dimensions, the liberal welfare state ideal type provides meagre benefits targeted at those in need – i.e. benefits are not generous, and access to them is not easy. Conversely, the social democratic welfare state provides universal and generous benefits. The conservative/continental welfare state yields less accessible (selective) benefits, which tend to be generous. An ideal type not captured by Esping-Andersen’s trilogy is a combination of easily accessible, yet meagre benefits, which, according to Kvist (2007, 475), would denote a Beveridgean, labor model. Beyond these dimensions, to capture the degree and kind of policy change, Esping Andersen (1990) also emphasizes the level of *stratification* that reforms yield. In that sense, both the degree to which

social rights in place “diminish citizens’ status as ‘commodities’” and the degree to which the welfare states in these countries “enhance or diminish existing status or class differences” is important to consider (Esping-Andersen 1990, 4).

Yet the concept of *decommodification* itself – as applied by the author – has faced wide-ranging criticism from the so-called ‘gendered welfare state research’ tradition (Zagel and Lohmann 2020, 122) for not sufficiently taking into account a woman’s role as an informal childcare provider, as social policies indeed may (de)commodify the typically male breadwinner, but not the typically female child carer (Sainsbury 1994; Jane Lewis 1992; Lister 1994; O’Connor 1993; Orloff 1993; Mary Daly 1994). Rather, class dynamics are at the core of analyses of access to social provision. According to Daly (1994, 103), “bringing gender into the analysis forces us to rethink whether a class framework is by itself capable of accounting for how women as well as men experience the welfare state.” Daly (1994, 107) points out that the “gender blind” concept of decommodification operationalizes welfare states as granting independence – which contrasts with feminists’ emphasis on the welfare state as a site of dependence for women through the maintenance of a traditional male breadwinner model – and thus obscures gender variations in the provision of social rights. The concept’s scope is limited by the fact that many women live outside of the market and have, rather than being de-commodified, not been commodified. Their independence is “conditioned by their relationships and status within the family as much as by welfare state policies or labour market participation” (Mary Daly 1994, 108). Beyond differential treatment towards women as opposed to men (lower generosity of benefits, differential conditions of access, etc.), the main focus of interest of a gender approach to studying the welfare state is the relationship between paid and unpaid work and how the state is sustaining such division and contributing to a “poorer-quality, female citizenship” (Mary Daly 1994, 104). In other words, the concept disregards some of the main mechanisms in which a gender hierarchy is upheld in society (Orloff 1996, 53).

Feminist scholars have suggested two approaches to address the omission of gender within comparative welfare state literature (Zagel and Lohmann 2020, 125; Hook 2015). One approach suggests that gender and family be integrated together with class in existing theories (e.g. Orloff 1993; Korpi 2000) and include the role of the family and women’s unpaid work in the state-market relationship (Orloff, 1993); the second that comparative welfare state typologies should be dismissed and replaced by those based on gender and the family (Jane

Lewis 1992; Jane Lewis and Ostner 1994; Sainsbury 1994). To that end, what should be explored is how welfare states affect the resources that are available to women and men and women's dependence on men's incomes; if and how welfare state shape men's and women's differential structure of and access to paid and unpaid work (Mary Daly 1994, 111).

One of the most influential concepts that have sprung up in response to the concept of decommodification is *defamilialization* (Lister 1994). According to Lister's (1994, 37) definition defamilialization is "the degree to which individual adults can uphold a socially acceptable standard of living, independently of family relationships, either through paid work or through the social security system," thus emphasizing economic independence from the family. On the other hand, McLaughlin and Glendinning's (1994, 65) definition tackles independence also in the social and not just the economic sense: "de-familization is constituted by those provisions and practices which vary the extent to which wellbeing is dependent on 'our' relation to the (patriarchal) family." Following criticism from feminist scholars, Esping-Andersen (1999, 45) later refined his three worlds typology by integrating this concept, with "de-familialization" used "to capture policies that lessen individuals' reliance on the family; that maximize individuals' command of economic resources independently of familial or conjugal reciprocities." With the latter interpretation of the concept thus integrated into the mainstream welfare state literature, with its focus on economic independence, the further reading of the concept was strongly influenced (Zagel and Lohmann 2020, 130). Given this lack of conceptual clarity with regards to whether it takes into account social and economic dependencies or both, Zagel and Lohmann (2020, 131) argue that both should be taken into account due to the intertwined nature of economic and social outcomes of policies in practice. Leitner and Lessenich (2007), for instance, consider the concept to be *multidimensional*, with the state and market affecting both economic and social dependencies.

There is also the recognition among scholars that familization and defamilization should not be seen as opposite poles on a continuum (e.g. [Leitner 2003](#); [Lohmann et al. 2009](#); [Lohmann and Zagel 2016](#); [Zagel and Lohmann 2020](#)), but rather distinct concepts in themselves, as the fact that welfare states can yield both familizing and defamilizing policies suggests a lack of mutual exclusiveness (Zagel and Lohmann 2020, 131). Leitner's (2003, 358) application reflects this, as her 'varieties of familialism' (optional familism, explicit familialism, implicit familialism and de-familialism) emerge through the combination of the degrees of familizing and degrees of de-familializing policies; thus for instance, a combination of strong

familializing and strong de-familializing policies may result in so-called ‘optional familialism,’ wherein the state delivers both care services (e.g. childcare) and supportive policies (e.g. payments) to enable care within the family.

More recently, social policy scholars have begun to embrace a capability approach (hereafter: CA) (Sen 1999; Nussbaum 2011) to studying the effects of welfare states. *Inter alia*, this means that the real opportunities that individuals have to achieve what they intend to achieve are studied in their broader social, political and economic contexts (Robeyns 2017). Scholars have – for instance – applied it to studying work-life balance (Barbara Hobson 2014; 2018); parental leave policies (Kurowska and Javornik 2019a); and to comparative childcare policies (Yerkes and Javornik 2019; Javornik and Yerkes 2020).

Influenced by the works of Aristotle, Adam Smith, Karl Marx and John Stuart Mill, Sen developed the CA approach as a flexible and open-ended framework (Robeyns 2017, 24) where assessment is being made of the social arrangements that yield “a person's capability to achieve functionings that he or she has reason to value” and the inherent (in)equality of such an arrangement (Sen 1992, 4–5). It is thus counter to the idea of utilitarianism: Sen argued that a person’s individual utility (e.g. happiness, desire) focuses on achievement rather than freedom to pursue one’s well-being, while ignoring the presence of inequalities that may not be apparent from such utility (Sen 1992, 6). Another scholar who has significantly contributed to the development of the CA approach “into a partial theory of social justice” (Robeyns 2017, 24) is Martha Nussbaum, who advocates for the creation of lists of capabilities (much like lists of human rights). Sen, on the other hand, backs the notion that capabilities are open-ended and do not need to be listed, as he is both wary of how such capabilities would be identified and lists constructed “without appropriate specification of the context of their use (which could vary),” but also because he wants capabilities to be arrived at through public reasoning (Sen 2005, 157).

This innovative approach departs from the commonly applied analyses of the extent to which welfare policies *decommodify* individuals or *defamilialize* them. Differently from both approaches, CA doesn’t concern itself with the notion of ‘freeing’ oneself from the family – or the labor market – but the notion of having the freedom to achieve whatever one wants to achieve, which may, indeed, also be to take on the role of a carer or to have more flexible work arrangements (Javornik and Yerkes 2020; Kurowska 2018). The capability approach thus

“recognizes multiple lifestyles and values, thus moving beyond implicit commodification assumptions,” and looks at the real opportunities that individuals have to pursue them (Javornik and Yerkes 2020, 160). The openness of the CA framework allows for its integration with other concepts, however. In the context of defamilialization, Kurowska (2018, 43), for instance, suggests that countries may be analyzed and classified “according to the extent or ways that policy programmes provide ‘means’ that are designed to unburden the family from providing daily care for children and enable both parents to work and provide adequate daily care for children of parents who are active on the labour market.”

However, applying the CA approach to welfare provision has also been criticized for “inadvertently ‘personalizing’ welfare provision, absent of an understanding of a more overarching social contract or legitimate collective value framework of capacitating *solidarity* in 21st century advanced democratic polities” (Anton Hemerijck 2020, 279).

2.1.4. Understanding How Welfare States Change

As many developed countries advanced social security for their citizens in the aftermath of World War II, but subsequently had to cut social spending after the financial crisis of the late 1970s, a special focus of scholars became the nature and the scope of change that is taking place. Lacking consensus among scholars about how to measure the welfare state and its change is, however, “the main reason that scholars disagree on the direction and magnitude of recent change in social policy, that is whether reforms amount to fundamental or marginal change” (Kvist 2007, 474). For instance, there have been different, often conflicting conceptualizations of the extent of welfare state retrenchment (P. Pierson 1994), using different metrics (e.g. changes in spending, composition of taxation, etc.). According to Green-Pedersen (2004), the “dependent variable problem” of change – in this case of retrenchment – is a problem of different theoretical perspectives, which ultimately lead to different conceptualizations of the phenomenon. As Capano (2012, 454–55) argues, identifying the dependent variable of policy change is a highly demanding task “due to the constitutive multidimensional nature of policies, their dynamic nature, and the unclear character of their horizontal and vertical borders.” It is made even more challenging by the fact that a researcher is solving “a moving puzzle,” as the dependent variable is constantly shifting within a given stable – but not static – policy configuration or context.

Qualifying the nature of change in welfare state research has thus been especially difficult. For instance, with the ‘age of austerity’, conceptualizing change has predominantly focused on welfare retrenchment. However, with the argument that more than just retrenchment is taking place, other authors have advanced concepts of re-commodification, cost-containment or recalibration (Ferrera and Rhodes 2000; P. Pierson 2001; Anton Hemerijck 2006; 2010) to describe adaptive institutional transformation of welfare states. Recalibration (Anton Hemerijck 2010) may take on four different modes: *functional*, where the main functions of the welfare state are redefined; *distributive*, where welfare states cater to new social risks by redistributing (or extending rights) to new groups of recipients; *normative*, where new norms and values are advanced; and *institutional*, where institutions are reformed to redefine competences and responsibilities of governance structures, but also individuals, the state, the market and the family.

Whether welfare states have changed in an incremental or radical way has especially been the focus of scholars in the historical institutionalism tradition, such as Streeck and Thelen (2005, 20–29), who describe gradual, endogenous, transformative institutional change occurring through five modes: *displacement*, where emergent institutional models question dominant organizational forms and practices; *layering*, where new elements are added to seemingly unchangeable institutional elements; *drift*, where institutions not maintained over time gradually erode; *conversion*, where existing institutions are adapted and redirected towards new ends, functions or purposes; and *exhaustion*, where existing rules are undermined, gradually resulting in institutional collapse.

Another prominent notion has been that of de- (or re-)familialization, mentioned earlier, wherein changes in the role of the family as a provider of social protection in relation to the state is studied.

The temporal dimension of change is another preoccupation; as stressed by Capano (2012, 454), it is essential in order to determine whether or not change is linear, radical or irreversible, whether it is quick or slow, what the timing of the policy is, etc. Moreover, the sequence or the order of policy change has been a special focus of historical institutionalist scholars advocating the thesis of path dependence of welfare states and engaging in process tracing to account for the influence of path dependency influence on different policy trajectories (Capano 2012, 456).

Thus, as Clasen and Siegel (2007, 4) write, “whereas some diagnose far reaching transformations, others identify incremental adjustments and stepwise recalibration.”

2.1.5. The ‘Why’ Behind Welfare State Change

Numerous reasons why welfare states change have been hypothesized. As Baldwin (1990, 36–37) writes, “industrialisation, free trade, capitalism, modernisation, socialism, the working class, civil servants, corporatism, reformers, Catholicism, war – rare is the variable that has not been invoked to explain some aspect of its development.” In this section, an overview of the most common explanations for the transformation of the welfare state are provided.

2.1.5.1 *The Role of Structures*

In explanations of ‘systems’ or ‘structuralist theory,’ the system is seen to determine what happens, a “functional requisite for the reproduction of society and economy” (Esping-Andersen 1990, 13). To that end, industrialization has, for instance, been seen as necessary precursor to social welfare development, “because pre-industrial modes of social reproduction, such as the family, the church, *noblesse oblige*, and guild solidarity are destroyed by the forces attached to modernization, such as social mobility, urbanization, individualism, and market dependence” (Esping-Andersen 1990, 13). Consequently, the rise of the modern bureaucracy “as a rational, universalist, and efficient form of organization” that manages collective goods but, as a center of power, also wants to further its own growth, has also informed the “logic of industrialism” perspective, seeing the welfare state rise in response to the destruction of earlier social institutions by industrialization (Esping-Andersen 1990, 13). Such theory emphasizes cross-national similarities, as being an industrialist country, for instance, “over-determines cultural variations or differences in power relations” (Esping-Andersen 1990, 13).

Structuralist explanations looking at the role of capitalism are in similar vein. For instance, German economist’s Adolph Wagner’s “law of a growing public sphere” posited back in 1883 that, as a result of the vast changes in the economy and the society, there would be a rise in state intervention and subsequently, into rising expenditure. He predicted a transformation of the 19th century ‘watchman state’ into a ‘Kultur-und-Wohlfahrtsstaat’ [Culture and Welfare State] (Castles et al. 2010, 5). In addition to Wagner’s Law, Alfred Marshall also argued in the 1920s that a given level of economic surplus is required to deter scarce sources from investment

to welfare (Esping-Andersen 1990, 14). Structuralist Marxism is similar to structuralist liberalism, as the welfare state is perceived as a product of the capitalist mode of production; as such, it has faced criticism for failing to explain why capitalist countries allocate such a substantial share of their national products to the welfare state if it is only a result of “self-willed subordination to the system;” and, if it is indeed a result of a capitalist mode of production, why socialist countries have also developed welfare states (Esping-Andersen 1990, 14).

2.1.5.2 The Role of Actors

Given the limitations of structuralist theory in explaining the emergence and the development of the welfare state, many scholars turned to explanations that have actors at their fore. One of the most influential theories in welfare state literature is the *power resources* theory, advanced by Korpi (1983). According to the theory, different actors, especially the representatives of labor and capital, activate the resources at their disposal in a struggle for own material interests; the interests that prevail are reflected in the type of welfare system that is set up as a result (Walter Korpi 1983). The theory holds that the variation in welfare state development after World War II in countries that faced economic growth could be “largely explained by the distribution of power resources in society between major interest groups, by the nature and the levels of power mobilization, the structuration of labor movements, and patterns of political coalition-formation” (Arts and Gelissen 2010, 570). According to Esping-Andersen (1990, 16), the class-mobilization thesis thus not only posits that “parliamentary politics is capable of overriding hegemony, and can be made to serve interests that are antagonistic to capital,” but also that a welfare state, at least Social Democratic one, “will, in its own right, establish critical power resources for wage-earners, and thus strengthen labor movements” and thus affect the strength of power mobilization (Ibid).

Korpi’s power resources thesis has been critiqued for a number of reasons, as summed up by Esping-Andersen (1990, 17), including not taking into account the shift in power away from parliaments to neo-corporatist institutions; the limitations that other power structures and their mobilization (e.g. right-wing parties) place on the left/labor’s ability to affect the welfare state; and the model’s linear view of power, where increases in the number of seats, votes or the extent of unionization translates into a stronger welfare state. Esping-Andersen (1990, 18)

supports a more interactive approach has been granted by the Barrington Moore's class-coalition thesis, where political alliances between different actors, such as working-class movements and farmers or white-collar workers, has been studied in the context of the emergence of the social democratic welfare state. This has certainly influenced explanations of the welfare state that look at the strength of left-oriented political parties (and trade union organizing) in partnership with agricultural interests or the middle class in different countries (Iversen 2010, 185).

When studying the role of politics in relation to welfare reforms, scholars usually emphasize the ideological orientation of parties, with the expectation that more conservative policymakers will opt for greater retrenchment of social policies, while more progressive policymakers will incite reforms that provide greater levels of social rights. For instance, Kittel and Obinger (2002) show that conservative parties' participation in government limits social expenditure growth.

Scholars also look at the interplay between various actors and the formation of coalitions around certain social policy reforms, focusing usually on the potency of such coalitions. For instance, Immergut and Anderson (2007, 4) point to the importance of the role of politics in pension reforms, and how different types of government, their constitutions and political configurations impact countries' capacities to reform pension systems. Others hypothesize that whether or not a country has a stable government will determine to what extent reforms may be carried out, and what kind of reform is likely (often motivated by uncertain prospects of re-election). At the same time, a greater number of veto players "may encourage policy change by weakening the power of special interests that prefer inefficient reform outcomes," while making reform reversals less likely (Gehlbach and Malesky 2010, 957). Governments that have a small majority "are obliged to seek broader consensus" (Guardiancich 2013, 20). At the same time, while political fragmentation may, as in the case of the US (Hacker 2005, 42), protect social programs against radical change, it may at the same time also lead to a gradual deterioration of these programs ("policy drift") because of the inability to adequately respond to new social risks. In similar vein, Häusermann (2010, 7) posits that the more actors such as labor unions, businesses and political parties are fragmented, the greater the flexibility in the formation of a reform-specific coalition, with a greater likelihood of coalitional engineering. Moreover, in a context with a great number of veto points are present, the inability to promote broad cross-class coalitions lowers reform capacity.

Similarly, the “political exchanges and trade-offs” (Guardiancich 2013, 12) surrounding reforms are influenced by whether or not policymaking is divisive or inclusive, i.e. to what extent present and future veto players have been included in negotiations on important reforms. The expectation is that inclusive decision-making will yield more stable reforms and a greater responsiveness to changing socioeconomic conditions. Conversely, reforms resulting from limited bargaining are likely to create space for opportunistic behavior (Guardiancich 2013, 18–19). For instance, some scholars have dubbed Italy the “clientelist welfare state” (Lynch 2009) due to a closed-off system of bargaining which accommodates particularistic interests.

In the context of international development assistance, the interaction between local and international actors – such as United Nations agencies, international financial institutions (e.g. International Monetary Fund, World Bank) or the European Union (EU) – is hypothesized to influence changes in the welfare state. Here, theories of *policy transfer* as a mechanism behind reforms are deployed to explain policy change. However, the ability of these actors to effect domestic changes is hypothesized as having to do with their power – or leverage – to do so. The strength of external influence in the social welfare realm depends on the mix of norms teaching and resource leveraging/coercion that international “proposal actors” deploy (Orenstein 2008, 66; Jacoby 2008; Guardiancich 2013) at the time that policies were developed to diffuse new policy ideas and discourses, influence policymakers, and ultimately shape reforms in the welfare realm (see Cerami and Vanhuysse 2009; Schmidt 2010). The relative strength of leverage of international actors (Levitsky and Way 2010) promulgating reforms demonstrate through various mechanisms (such as development of policies, publications and events, financial support or technical assistance; as well as ‘hard’ or ‘soft’ conditionality) will shape reform outcomes in the welfare realm.

2.1.5.3 The Role of Institutions

For Esping-Andersen (1990, 27), the three welfare regimes were certainly the products of class and political struggle, but not only: the historical legacy of institutionalization of a particular regime is another important factor. In fact, most scholars today look at the interaction of institutions and actors such as political parties, labor unions or businesses in welfare state transformations.

Institutionalist analysis is also seen as a response to structuralist understanding of welfare state changes. Institutionalist thought was promoted by Polanyi (1944, 3), who argued that a self-regulating market economy cannot function as dis-embedded from society: “Such an institution could not exist for any length of time without annihilating the human and natural substance of society,” with humans being turned into commodities. Thus, rather than a deterministic understanding of how welfare states are shaped (e.g. by market forces), institutional thought emphasizes the role of social relations and institutions set up to regulate different areas of life.

A dominant school of neo-institutionalist thought in social welfare literature is historical institutionalism (hereafter: HI), where historical legacies are seen to predetermine institutional development (North 1990; Pierson 2000). Thus, welfare state development may be explained in terms of the legacy of historical institutional structures and practices. Institutional change is seen as occurring incrementally and in a continuous manner, especially as institutions, especially informal ones, are seen to be resistant to change (North 1990, 6). Such continuity is seen to be interrupted by “critical junctures”, usually seen to be caused by exogenous factors (e.g. an economic crisis, a change of political regime, etc.). Critical junctures are seen to result in path dependencies (R. B. Collier and Collier 1991; P. Pierson 2000).

Albeit a hugely popular explanatory framework in the welfare state realm, the main critique of HI has to do with its deterministic nature, as well as its emphasis on exogenous factors to explain institutional change. More recent conceptual frameworks in HI, such as the one offered by Streeck and Thelen (2005), seek to explain how change may occur through different transformational and endogenous pathways, rather than exogenous shock.

Other neo-institutionalist schools stress other elements when trying to explain institutional change. For instance, rational-choice institutionalists (hereafter: RI) see institutions as incentives conditioning the rational behavior of actors and thus institutional change as the product of such constraints (Simon 1955; 1956). They understand institutions as stable and static, given that rational actors’ behavior is determined by what are seen as fixed preferences; change is seen to occur by means of exogenous factors. One of the main critiques of the RI school is that it, as the HI school, cannot explain change endogenously due to the assumption of actors’ stable preferences ((Schmidt 2010). While, more recently, some RI scholars have considered the possibility of changing preferences and looked into preference formation, but

still “remains highly deterministic, as institutions determine politics which determine political outcomes” (Schmidt 2010, 7).

Besides HI and RI, sociological institutionalists (hereafter: SI) understand institutions as social and cultural rules and norms that frame the behavior of actors (March and Olsen 1989). As in HI, in the SI tradition, institutions are seen as culturally-specific “norms, cognitive frames, scripts, and meaning systems that guide human action according to a ‘logic of appropriateness’” (Schmidt 2010, 13). They are characterized by continuity, rather than change, and institutional change is also seen to occur exogenously, albeit there has been a recent shift to a more endogenous understanding of institutional change (Ibid).

2.1.5.4. The role of ideas

The recently coined ‘discursive institutionalist’ school (hereafter: DI) considers ideas – more specifically their central content and the interactive processes by which they are expressed and exchanged – to be the main drivers of institutional change (Schmidt 2010, 3). Institutions are thus dynamic, “simultaneously constraining structures and enabling constructs of meaning” (Schmidt 2010, 5).

Change is thus endogenous and dynamic, occurring through discursive interaction: the construction of ideas in a “coordinative” sphere, usually consisting of policy actors conceptualized by different scholars as “epistemic communities”, “advocacy coalitions” or “advocacy networks”, and their conveyance by political actors in a “communicative” public sphere, often for the purpose of persuasion or debate, but also possibly by members of the civil society for the sake of deliberation or participation (Schmidt 2010, 3–4). Ideas that are raised in the coordinative and communicative spheres may ultimately be placed on the policy agenda and adopted. The direction of policy change will depend on the nature ideas promulgated; for instance, neoliberal ideas constitute “the “belief in competitive markets enhanced by global free trade and capital mobility, backed up by a pro-market, limited state that promotes labour-market flexibility and seeks to reduce welfare dependence while marketizing the provision of public goods” (Schmidt and Thatcher 2013, 6).

Scholars in this neo-institutionalist school thus look at the substance of ideas, which may take on different forms, from policy ideas to paradigms or philosophical ideas. Moreover, they may

vary in type, such as “cognitive ideas justified in terms of interest-based logics and necessity” and “normative ideas legitimated through appeal to values and appropriateness” (Schmidt 2010, 3). Moreover, scholars may study how ideas are represented through discourse, through “frames, narratives, myths, collective memories, stories, scripts, and more” (Ibid).

Ultimately, neo-institutionalist schools depart in their conceptualization of agency, which is crucial for understanding change. RI sees actors as rational “in an unthinking manner” who respond to (institutional) incentives to maximize their interests, pursuing objectives in accordance with their notions of reality (Schmidt 2010, 16–17). For scholars in the HI tradition, agents are ultimately bound by structures. For instance, Pierson (1994) initiated the debate over welfare retrenchment, seeking to explain it through the idea of the “new politics of the welfare state,” whereby reformers attempting retrenchment sought to overcome the obstacles posed by the historical legacies of social programs – including the lock-in of certain policies and the interests of program beneficiaries – through various strategies such as blame avoidance to shield themselves against negative electoral outcomes. On the other hand, DI conceives of actors as “‘sentient (thinking and speaking) agents whose ‘background ideational abilities’ explain how they create and maintain institutions at the same time that their ‘foreground discursive abilities’ enable them to communicate critically about those institutions, to change (or maintain) them” (Schmidt 2010, 5). This recognized self-consciousness implies “subjective” interests based on ideas rooted in a particular “meaning context,” rather than objective ones (Ibid).

Receptivity to different ideas has been certainly shown to matter for policy change. For instance, in the context of countries in transition, ideas promoted by international actors may face constraints in the form of a country government’s receptivity to the norms and standards promulgated by such actors, which may prevent them from accepting their advice as legitimate, even if such advice has become normative internationally (White 2020, 70). For instance, with regards to the receptivity of gender equality norms, Zwingel (2012, 116) has found that violations of women’s rights, which are rooted in socio-cultural traditions, have been seen in many countries as a problem to be solved by the society rather than through international intervention and conformance to international norms, such as those promulgated by the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW).

On the other hand, as Schmidt (2010) points out, norms are also deliberated, challenged, and changed. “There is thus a discursive element to their creation and evolution [...] The process of international norm setting can therefore be a key domestic discursive instrument that through the very act of their discussion and debate change actors’ perspectives on an issue” (White 2020, 74).

2.1.5.5. *Adopting a mechanistic understanding of policy change*

To explain policy change, many scholars apply a *mechanistic* approach, whereby they attempt to identify relevant causal mechanisms. Causal mechanisms describe how causation occurs by emphasizing relationships between specific elements in a given process: they “tell us how things happen: how actors relate, how individuals come to believe what they do or what they draw from past experience, how policies and institutions endure or change” (Falleti and Lynch 2009, 1147). As policy change is a complex matter, comprising of “a flux of interrelated factors (actors, institutions, interests, routines) which influence each other,” (Capano 2012, 454), it is difficult to explain such change by pinpointing to a particular cause. Policy change is conceptualized as “a matter of combinatorial causes”(Capano 2012, 454), which means that mechanisms are better suited to explaining change than factors or drivers because they may produce different outcomes on the basis of context.

The mechanisms through which change comes about may thus revolve around the role of and the interaction between interests, institutions, or ideas. For example, in DI, it is through the *endogenous construction* – or the reframing or recasting of particular forms of ideas as represented through discourse – in the coordinative or communicative sphere that institutional change is explained (Schmidt 2010, 5). Scholars may stress processes of idea diffusion, deliberation, or persuasion (Schmidt 2010, 16). A prominent critique of DI is that it is difficult to grasp where ideational change comes from, which Carstensen (2011), for instance, makes an effort to explain, for instance, by showing how ideational change happens incrementally through new elements being added to old ideas. Moreover, critics of DI point out that ideas in themselves may not be a sufficient condition to result in institutional change. HI scholars, thus, may rather stress the mechanisms of positive feedback and increasing returns (P. Pierson 2000), where interests generated by social policy programs tend to result in increasing returns for maintaining the status quo, influencing the preferences of actors attempting reform, and are thus seen as mechanisms of institutional change (Cerami 2009, 43). Streeck and Thelen (2005,

21–30) have also linked their five types of gradual transformative change to a number of causal mechanisms. For instance, in the case of *layering*, a mechanism of “differential growth” is at play, through the introduction of path-breaking new elements to eventually crowd out or supplant old institutions; in the case of *exhaustion*, a mechanism of change may be decreasing returns, leading to path-departure.

Given the complexity of policy change, some authors have sought to identify and combine multiple mechanisms of institutional change. Cerami (2009, 36–37), for example, posits that institutional change can take on the form of ideational/communicative/coordinative mechanisms in the ideas’ realm, transformative adaptive mechanisms in the institutional realm, and the form of increasing returns in the domain of actors’ interests, implying “a highly relational and organizational process, since it involves a continuous recombination of existing relationships [...] between the actors and the environment in which they are embedded.” The restructuring of the welfare state is seen as a “continuous processes of construction, deconstruction and reconstruction of existing ideas, interests and institutions and with their associated organizational relations” (Cerami 2009, 51).

2.1.6. How actors, ideas and institutions come together: Drawing on the Multiple Streams Framework (MSF)

Different theories of the policy process seek to explain policy change and are thus highly relevant in explaining why the welfare state – and its different components – may or may not have changed. As suggested by Capano (2012, 457), “the variety of theoretical frameworks designed to explain policy change reflects different choices with regard to what are considered the most significant causal mechanisms in play within policy-making.”

Policy process frameworks point towards a variety of mechanisms of change. *Policy-oriented learning* (Sabatier and Jenkins-Smith 1988) is stressed in the Advocacy Coalition Framework (ACF). *Policy Diffusion* research looks at how policies are influenced by prior policies adopted in other countries or contexts (Gilardi 2016). In the case of *Policy Feedback Theory*, “policy, once enacted, restructures subsequent political processes” (Skocpol 1992, 58); it is through such ‘feedback effects’ that policy change occurs.

One framework that has increasingly been used to explain welfare state change is the Multiple Streams Framework (MSF), developed by John Kingdon in 1984. The MSF was originally developed to explain changes in agenda-setting, but has since been applied to the decision-making process, as well as policy implementation (Herweg, Zahariadis, and Zohlnhöfer 2018). The framework is made up of five structural elements, which are briefly described below.

Problem stream: The MSF sees problems to be conditions that differ from what are perceived as ideal states by policymakers or the public and are seen to require action. Whether a problem will actually receive political attention depends on a number of factors – including indicators, focusing events and feedback. Indicators (e.g. unemployment rates, crime statistics) may change for the worse, for instance, and result in a condition being perceived as a problem. Focusing events (Birkland 1998), sudden and rare events such as natural disasters, accidents or conflicts, may contribute to an agenda change. Feedback on existing programs may point to conditions that may become perceived as problems – such as a programs being ineffective or inefficient (Herweg, Zahariadis, and Zohlnhöfer 2018, 21–22). Actors in the problem stream include “problem brokers” (Knaggård 2015), who frame an issue as a problem and suggest to policymakers that it should be addressed. Once there is such a problem frame, the problem stream can be coupled with other streams (Herweg, Zahariadis, and Zohlnhöfer 2018, 22).

Policy stream: In the policy stream, policy communities in specific policy sectors generate policy solutions to a given problem. A policy community is defined by Herweg (Herweg 2016, 132) as “a loose connection of civil servants, interest-groups, academics, researchers and consultants (the so-called hidden participants), who engage in working out alternatives to the policy problems of a specific policy field.” The process of “softening up” (Kingdon 2011, 127) refers to members of the community discussing, altering or combining different ideas, and filtering out the best ideas, thus selecting a limited number of policy alternatives through argumentation (Herweg, Zahariadis, and Zohlnhöfer 2018, 23). Usually, ‘criteria for survival’, such as technical feasibility, public acceptance, financial viability, value acceptance, or adherence to international norms, determine which proposals will be chosen. Once viable policy alternatives exist, the problem stream is defined as ready for coupling with the other streams (Herweg, Zahariadis, and Zohlnhöfer 2018, 24).

Political stream: The political stream – located in the political system – is marked by processes of bargaining, as political actors seek to garner support for a proposal. Core elements of this

stream include the national mood, interest groups and the government (Kingdon 2011). National mood reflects the mood of the public to which policymakers seek to respond, and thus places emotions at the core of the political stream (Zahariadis 2015). Interest groups and their campaigns are important because their potential opposition – and extent of power – may influence whether or not a given proposal is placed on the agenda or adopted. Governments and legislatures (and administrators) and their receptiveness to policy proposals also shape whether or not a proposal may be placed on the agenda or adopted. The latter are seen as the most relevant actors in the policy stream (Herweg, Huß, and Zohlnhöfer 2015), as they are the ones to make the decision. Once political support for a proposal is obtained, the political stream is considered as ready for coupling (Herweg, Zahariadis, and Zohlnhöfer 2018, 26).

Policy windows: Kingdon (2011, 165) envisaged agenda change – and the coupling of the three streams – to be more likely with the opening of a policy window or an “opportunity for advocates of problems to push through their pet solutions, or to push attention to their special problems.” Agenda windows – perceived as rare events – are seen to open in the problem or political streams. In the former case, it is about ‘consequential coupling,’ as an issue rises to attention due to significant changes (e.g. rapid rise in unemployment rates); in the latter case, it is about ‘doctrinal coupling’, where changes in the composition of government or legislature spur shifts in the receptiveness to new issues and promotion of solutions (Zahariadis 2003, 72). ‘Commissioning’ is another form of coupling, where policy windows are seen as “changes in signals from the broader policy environment to creative and intentional agents who, in response, adjust their selection rules for adjudicating among the options available in the policy stream” (Ackrill and Kay 2011, 77). Policy windows are criticized for their conceptual vagueness, as they may be difficult to identify ex-post unless they are dramatic events (Herweg, Zahariadis, and Zohlnhöfer 2018, 28).

Policy entrepreneurs: Kingdon (2011, 179) defined policy entrepreneurs as “advocates who are willing to invest their resources—time, energy, reputation, money—to promote a position in return for anticipated future gain in the form of material, purposive, or solidary benefits.” They may be any policy-relevant actors who push for their proposals to be accepted within the policy stream and subsequently attempt to couple their solutions with the problem and political streams. Agenda windows represent opportunities to initiate action, and require entrepreneurs to act quickly and find politicians receptive to their solutions (“political entrepreneurs”), as

well as deploy various instruments and tactics to have their problem – and solution – accepted (Herweg, Zahariadis, and Zohlnhöfer 2018, 28–29).

Beyond these elements, MSF has six core assumptions. *Ambiguity* refers to the inherent vagueness of problem definition, as given circumstances can be interpreted in a variety of ways and may have many solutions. *Time constraints* imply that policymakers and institutions are unable to tackle all issues at the same time and their attention will thus be limited. Under conditions of ambiguity and time constraints, policy actors exhibit *problematic preferences*, which are not fixed and are shaped by available information. *Unclear technology* refers to inconsistencies in how members of organizations perceive their position and responsibilities and imply fuzziness with respect to the boundaries of authority or jurisdiction. This is in a context of *fluid participation* – the continuously changing nature in the composition of decision-making bodies. MSF also assumes the *independence* of the three streams due to their different dynamics; but they are seen to converge for a solution to be able to make it onto the agenda (Herweg, Zahariadis, and Zohlnhöfer 2018, 18–19).

The framework has risen in popularity in recent years due to its analytical richness and is being empirically applied across a variety of countries and policy issues (Jones et al. 2016). Unsurprisingly, the advantages for studying welfare state changes within the confines of the MSF are manifold. Importantly, ideas are at the core of the MSF. For instance, problems, as seen by public or policymakers, contain “perceptual, interpretive element” (Kingdon 2011, 110), and are thus socially constructed (Herweg, Zahariadis, and Zohlnhöfer 2018, 21). It is also compatible with HI, as the MSF incorporates path dependency in the ‘criteria of survival’ against which proposals are judged. Thus, if a proposal differs significantly from a previous policy, characterized by the mechanism of increasing returns, it will most likely not be seen as a viable alternative (Herweg, Zahariadis, and Zohlnhöfer 2018; Spohr 2016). MSF also incorporates agency in a complex way, be it through ‘problem brokers’ that frame problems; ‘policy communities’ and ‘policy entrepreneurs’ that put forward a solution; or ‘political entrepreneurs,’ alongside interest groups, that bargain for certain proposals to reach the agenda.

Due to its analytical richness, the MSF is deemed particularly useful for the sake of this PhD research and will thus be applied to the context of changing post-Yugoslav welfare states, as elaborated in Section 3.

2.2. Conceptualizations of the Yugoslav welfare state

Following World War II, in a drive towards modernization, coupled with industrialization and urbanization (Stubbs and Zrinščak 2009, 286), the leadership of the Socialist Federal Republic of Yugoslavia (SFRY) effectively built upon a Bismarckian-type system of social insurance, which had been established in parts of the country under Austro-Hungarian rule in late 19th century and spread to other vicinities during the 1918-1941 Kingdom of Yugoslavia, including the right to pensions and protection from unemployment.

The common institutional legacy of welfare institutions in what are today seven different countries is usually referred to as the “Yugoslav welfare model” (Stambolieva 2011). The Yugoslav model is considered to have developed in a distinct manner from a Soviet-style welfare state model, following a split between the Soviet and Yugoslav leadership in 1948. Subsequently, the country is seen to have turned to Western Europe for inspiration, developing what is described as a hybrid, “mixed Bismarckian-Beverigean system” that combined elements of social insurance with universalistic welfare provision (Stambolieva 2015, 382).

While the Yugoslav welfare system privileged the male breadwinner, a wide range of benefits and services were made available. Thus, “a dual system of social protection was built, with ‘self-management’ workers having multiple privileges based on social insurance, but also with an outer belt of social rights available to other citizens that was based on universal or means-tested entitlements” (Arandarenko and Golcin 2007, 168). The system was composed of pensions, health insurance, disability insurance and various non-contributory cash benefits, such as child, family, maternity, disability, war veteran and housing benefits. In addition to contributory and non-contributory benefits, workers also enjoyed substantial job protection, subsidized holidays and transport, subsidized, low-cost housing, and even privileged access to health services in the case of larger enterprises in some republics (William Bartlett 2013, 248). Through the institution of the Centers for Social Work (CSWs), social services were provided throughout the country. Such a system of social insurance had taken into account a wide range of social risks, but was low in coverage (William Bartlett 2013).

Beyond the obvious economic challenges, the social welfare system was also marked by a number of dualisms: one between industrial workers and small farmers; and between more (Slovenia, Croatia) and less developed republics and autonomous provinces (Kosovo, Macedonia and BiH) (Stubbs and Zrinščak 2009, 287). In other words, not all workers were treated the same by the Yugoslav system of social welfare, and not everyone could enjoy the same levels of welfare given large regional discrepancies in terms of economic performance.

Socialist Yugoslavia had “built an exemplary Bismarckian welfare state on shaky economic grounds” (Arandarenko and Golicin 2007, 167). Similar to other parts of Europe, following an economic crisis in the late 1970s and early 1980s, as real wages fell, job maintenance became the “main element of social welfare” (Bartlett 2013, 248). According to Stambolieva (2011, 350), “there were times when the goals of the welfare system seemed too ambitious compared to the economic reality and either became a serious burden to the public spending or their realization was threatened.” This was especially so towards the end of the country’s existence.

After the country’s dissolution, wars and violent conflicts in BiH, Croatia, Kosovo (then a part of Serbia) and to a lesser extent, Macedonia threw transitions in these countries “into reverse” (Bartlett 2013, 251). All countries became characterized by stagnant economies following a trend of deindustrialization after the collapse or physical destruction of industry during the 1990s (Ibid). With industry jobs destroyed and trade unions traditionally weak, new – and more precarious – jobs were created in the service sector. With lower levels of economic activity, unemployment rates soared and have consistently remained high in BiH, North Macedonia and Serbia. Coupled with informal work, poor labor market outcomes negatively impacted traditional social insurance schemes. A changed economic structure inevitably resulted in various forms of social stratification. According to Bartlett (2013, 251) “reduced rates of labour force participation reflect not only discouraged worker effects but also the reversion to more patriarchal cultural patterns of social interaction and the return to a more traditional role for women in the family.”

Due to a mix of elements that may belong to different welfare regimes, the countries of former Yugoslavia have been difficult to fit into Esping-Andersen’s welfare state categorization. Post-Yugoslav states are commonly described as hybrids, due to the presence of both conservative, liberal and universalistic elements (Stambolieva 2015; Cerami and Stubbs 2011). In a recent contribution that seeks to theoretically conceptualize the nature of Croatia’s changing welfare

state, Dolenc (2017, 55) speaks of the compensatory nature of social policies towards war veterans and describes Croatia as “a specific clientelist variant of a conservative welfare regime, sustained by veteran mobilizations, while at the same time eroded by the dependency, resentment and a myriad of other social impacts of these programmes.” A contribution by Dobrotić and Vučković (2016) similarly stresses the compensatory nature of Croatia’s family policy and classifies Croatia’s conservative welfare state as *explicitly familialist*, characterized by a reliance on the family as the main provider of care.

While single country studies are more common for the region of Southeast Europe, comparative studies that seek to explain or understand the change in social welfare institutions in the region are relatively rare. There are, however, a few exceptions. In a volume on international intervention in social policy in Southeast Europe (Deacon and Stubbs 2007), authors focus on the role of international actors in the formulation of new social policies, i.e. the transnationalization of policy-making processes, in nine countries of the region. In addition to international relations literature and theories of policy transfer and diffusion, the volume finds its underpinning in a ‘weak’ strain of HI, rejecting path-dependency, but taking into account historical contingencies “in favor of a more open approach sensitive to the interactions between agents, structures, institutions and discourses” (Deacon and Stubbs 2007, 2). The analysis seeks to explore ‘configurations of characteristics’ that bear an influence on social policy (Deacon and Stubbs 2007, 2). The existence of a wide variety of international actors, who may work with local actors on reforms that simultaneously have divergent perspectives, is emphasized. The ability of international actors to influence policies is attributed to the strength of the economy and the state and the strength of civil society in the public sphere (Deacon, Lendvai, and Stubbs 2007, 226). Institutional contingencies are also seen as influential. However, authors see the Bismarckian legacy to be overridden in some contexts, where international actors have more leverage, such as Kosovo and North Macedonia, but still dominant in others, such as Slovenia, Serbia and BiH, “entrenched enough to provide an institutional obstacle to change” (Deacon, Lendvai, and Stubbs 2007, 231). In conclusion, authors explain the diversity of outcomes of case studies through factors “differentially important in shaping social policy,” which include the institutional legacies; neo-liberal interventions; war and post-war reconstruction that led to a broad welfare mix and parallelism (with other actors, such as international and local NGOs, claiming parts of the social care field); and proximity to or the impact of the EU (Deacon, Lendvai, and Stubbs 2007, 236).

Stambolieva (2014) has compared the development of welfare states in Slovenia, Croatia, Serbia and North Macedonia, focusing especially on the sectors of pension, health care, the labor market and social protection policies. The study aims to understand how different welfare outcomes came about as well as to explain welfare state trajectories by identifying (combinations) of factors (Stambolieva 2014, 11–12). Relying on a most similar case design, the study uses comparative method to observe changes of the dependent variable – in this case the welfare state, which differs across similar countries – as well as to identify and correlate explanatory variables. The author thus looks at changes across policy areas in each country, connecting findings to generate a bigger picture of welfare state change (Stambolieva 2014, 33). Independent variables hypothesized include: 1) initial conditions of transition (especially economic development), inherited strength of welfare system and different circumstances of secession; 2) economic transformation and progress; 3) success of democratic consolidation, especially the types of party/political profiling; 4) the intensity of international exchange (e.g. IFI loan/aid conditionality, EU integration). The inquiry suggests that none of the variables can individually claim explanatory supremacy, but their combined effect allows formulation of some plausible assumptions concerning welfare outcomes (Stambolieva 2014, 34). For instance, economic prosperity and democratic consolidation are conducive to the preservation of existing welfare structures, as democratic consolidation has increased the opportunity for active political participation and control of government action. IFI’s reform proposals have found fertile ground in systems that are “economically less viable, financially dependable and democratically defective,” while the EU integration process increased the likelihood of incorporating a social dimension, albeit in an uneven manner (Stambolieva 2014, 291). The findings are summarized in Table 2.1.

Table 2.1. *Summary of findings of Stambolieva’s (2014) research on post-Yugoslav WS*

	Slovenia	Croatia	Serbia	North Macedonia
Variables	Favorable initial conditions; strong economic base; solid democratic consolidation; Weak external influence	Favorable initial conditions; Moderate economic base; Moderate democratic consolidation; Strong external influence	Semi-favorable initial conditions; Weak economic base; Defective democratization; Moderate external influence	Unfavorable initial conditions; Weak economic base; Defective democratization; Strong external influence
Policy-making approach	Neo-corporatist	Accommodating	Paternalistic	Neoliberal
Welfare outcome	Mixed conservative	Mixed Bismarckian/	Predominantly conservative system	Liberal (residual) system with some

	(Bismarckian) and social-democratic (Beveridgean) system	Beveridgean system with some liberal elements		conservative remnants
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Source: Stambolieva 2014, 293

While recognizing it as a useful point of reference, Stubbs and Zrinščak (2019, 286), see's Stambolieva's study as "over influenced by historical institutionalism and welfare regime theory." They suggest going beyond welfare state conceptualizations and "jettisoning the idea of coherent, path-dependent, welfare regimes, in favour of the concept of complex, unstable, welfare assemblages, or welfare 'patchworks.'" This is because the region's "radically unfinished, fluid, 'welfare settlements' are a contingent product of complex interactions between agency, structure, institutions and discourses" (Ibid). In their study of welfare reforms in BiH, Croatia and Serbia, the authors apply the 'agency, structure, institutions, discourse' framework (ASID) to identify what they term 'drivers of inertia,' not limited to a 'relative indifference of political parties to the issue of social welfare,' who have prioritized nationalist ideas, 'neo-liberal economic reform frameworks,' and clientelist networks that have captured services and resources (Stubbs and Zrinščak 2019, 299).

3. Operational and Methodological Framework

3.1. Conceptualizing what kind of change has occurred

Building upon previous research on welfare states in the region, this dissertation analyzes the development of policies in different realms of social welfare in the countries of former Yugoslavia. Its aim is twofold: First of all, it looks at what changes have taken place in individual policy realms and how such change may be qualified. Second, it seeks to understand why change may have occurred, by looking, more specifically, at why certain policy proposals made it onto the agenda of policy-makers and others did not. In that sense, it makes an attempt at “demonstrating [...] variability of welfare state forms and trajectories of development as well as providing the basis of a methodology for understanding the factors contributing to that that variability” (Castles et al. 2010, 2).

These sectors are family policy – inclusive of leave policies and childcare provision through early childhood education and care (ECEC) systems; and employment policy – inclusive of passive and active labor market measures. Concentrating on reforms in different sectors of social policy realm, rather than welfare states as such, is justified because the aim is understand differences in institutional transformation, and potential conditions shaping them, in individual sectors. According to Clasen (2005, 13) “by observing programme-specific changes over a relatively long period of time, the relevance of multicausal explanations will become obvious for an understanding of reform trajectories.” The two sectors chosen are indicative of ways in which governments choose to address a multitude of new and old social risks.

Individual reforms are traced over a 25-year period in three sectors of welfare in four countries of former Yugoslavia. The period studied begins in 1996, after the end of the wars in BiH and Croatia and ends with 2020. In Serbia, the analysis is limited to the period after 2000, when the transition began after the fall of the Milošević regime.

To meet the first aim of the dissertation, the kind of change that has occurred is investigated. To comprehend such change, I study changes in different dimensions of social policies in the two sectors of welfare that may, together, be seen to reflect the extent of capabilities granted

to unemployed persons or parents. Going beyond the concept of *decommodification* (Esping-Andersen 1990), for the reasons laid out in the theoretical framework, I look at the extent to which policies are *capability-enhancing* or *capability-reducing*, in line with Sen (1992; 1999). This is because the capabilities approach (CA) allows us to understand more comprehensively the effects of policies on the individual.

The integration of CA in this study provides added value for a number of reasons: 1) it analyzes individuals' real opportunities for doing and for being within their broader social contexts; 2) provides an innovative approach to identifying the extent to which social policies in individual countries foster or hamper individuals' capabilities; 3) relying on CA's concept of conversion factors, illustrates how important characteristics of social policies interact with other policy realms (Zagel and Lohmann 2020, 142) to, in turn, effect inequalities in capabilities along different lines (e.g. socio-economic, gender, ethnicity, ability, or place of residence); 4) and also casts a light on differences in conditions that shape individuals' capabilities. Integrating the CA approach has – to the author's best knowledge – not been applied to comparatively study (multiple) social policies in this region.

3.1.1. Adopting a capability approach to study welfare change

Within the CA, a core distinction is made between *capabilities* – the real freedom or opportunities for individuals to do and be – and *functionings* – what they have achieved. CA defines both in a value-neutral way (Robeyns 2017, 38–41). Other important elements are *conversion factors*, or the factors determining the degree to which an individual can transform certain *resources* or *means* – goods and services - into functionings. Such conversion factors may be *personal* (physical condition, gender, skills, ability, etc.), they may be *social* (social norms, public policies, practices, power relations, etc.), or *environmental* (a person's surrounding environment, such as roads or infrastructure). Public policies may also be interpreted as *structural constraints* that people may face, e.g. if they encourage discrimination against certain groups (Robeyns 2017, 65).

As such, CA starts with the *ends* (capabilities) rather than the *means* given to people, as means cannot be deemed a proxy for people's opportunities precisely because of difference in conversion factors; some ends may not depend on material means at all (Robeyns 2017, 45–49). CA scholars typically look at capabilities and functionings in an “evaluative space,” which

accounts for *sets of different functionings* that individuals could potentially achieve (e.g. being in employment and taking care of children, or the choice between the two) (Robeyns 2017, 52). Given CA's weight on relational aspects, *agency* (Giddens 1984) or "the way in which individuals perceive, interpret, and respond to their social situation" (Javornik and Yerkes 2020, 144) is usually integrated in CA analyses focusing on individuals' actions, especially in interaction with conversion factors.

Given that the application of the capability framework requires to be specified to be effectively applied to a particular social issue (Robeyns 2017, 29), this research predominantly relies on the specification or operationalization of the CA with respect to the childcare function, as developed by Javornik and Yerkes (2020, 142) in their study of parents' childcare capabilities in Sweden and the UK. The authors, *inter alia*, look at how the provision of ECEC services "shapes the conditions under which parents can access and engage with employment and other opportunities (e.g., education)." As such, *childcare capabilities* are an encompassing term for parents' ability to meet various *valued functionings*, such as using childcare as a means for work and care reconciliation, to foster the development and socialization of their child, to engage in education, training, job search or volunteering. A similar approach taken by Kurowska and Javornik (2019a) and Javornik and Kurowska (2017) is adopted to study leave policy, which focuses on the extent to which leave policies, as a component of work-family policy, create opportunity structures for individuals to achieve their valued functionings. They argue that the way in which leave policies are designed, in interaction with a given context of conversion factors, aggravates or decreases gender and income inequalities (Kurowska 2018, 84). The authors' analysis in both works is thus mainly focused on the *means* that policies define to be available to individuals in order to pursue certain ends (Javornik and Yerkes 2020, 145–46; Kurowska and Javornik 2019a, 84). Three interconnected valued functionings are explicitly defined (Javornik and Kurowska 2017, 623–24): to be able to remain in the labor market while having a child; to care for the child; and to be cared for by both parents.

Similarly, I apply this approach to the employment realm by looking at how *employment capabilities* or *capabilities for work* (or the real opportunities individuals have to find employment that they would consider as adequate – are fostered by employment policies in the region. Due to necessity to narrow the scope of research, this study is limited to looking at persons' capabilities after they become unemployed (not while they are unemployed in inadequate jobs). In line with Bonvin and Perrig's (2020, 141) suggestions of what parameters

are needed for people's *capability for work* or "their real freedom to have a job that they have reason to value," the following (non-exhaustive) functionings are proposed for the employment realm: for individuals to be able to be a recipient of unemployment benefits (or another income security scheme) that would provide them with sufficient resources while looking for employment that they find adequate; and to be able to engage in active labor market measures provided by public employment services on a voluntary basis to improve their qualifications and competences. To that is added the ability to refuse what are deemed by the individual as unsuitable job offers, without a penalty (Bonvin and Perrig 2020, 156; Olejniczak 2012, 150).¹

However, a slightly different conceptual perspective is taken with respect to how social policies are situated within the CA framework than the one embraced by Javornik and Yerkes (2020, 145), who see "family policy as a means for parents to arrange childcare in a valued way," or Kurowska and Javornik (2019a, 84), who operationalize parental leave as a "social policy-derived means embedded in specific cultural and socio-economic contexts." Both types of childcare policies – and employment policies – are, in line with Sen's initial elaboration of the CA, conceived here as social *conversion factors*. This is because policies inevitably interact with personal and environmental conversion factors to shape the conversion of means into capabilities, and act as structural constraints when they negatively affect individuals in pursuing certain functionings (Barbara Hobson 2018; Robeyns 2017).

More specifically, ECEC, leave policies and employment policies in the countries of the region codify the rules on the social rights that are available and who has access to them, and thus enable or constrain individuals' choices in a variety of ways, interacting with other conversion factors, such as personal characteristics or cultural norms. In other words, policies may or may not *yield* means (or inputs), such as services and benefits, that are then, in interaction with other conversion factors, converted into capabilities; moreover, they often explicitly cause stratification. In similar vein, building upon Sen's distinction between process and opportunity freedom, Bovin and Laruffa (2017, 13–14) note that whether or not a social institution may or may not be considered to be empowering can be discerned by whether or not it guarantees equal participation to those targeted by it (*process*), and whether or not it improves their quality of life (*opportunity*). Javornik's and Kurowska's (2017, 623) rationale for conceptualizing

¹ Some authors also emphasize the importance of the "freedom to participate in designing employment policy and regulations for reasonable work" as a *process freedom* emphasized as important in the context of CA (Olejniczak 2012, 150).

policies as means is that such an approach allows them to distinguish between gender and class inequality in real opportunities that may result from either the design of the parental leave as a means or from the conversion factors (such as parental orthodoxies, work cultures or economic constraints) that impact the translation of those means into real opportunities. However, the argument here is that the separation into ‘means’ and ‘conversion’ factors is not necessary, as a distinction between different conversion factors can also be made.

It is important to note, however, that both perspectives can be applied (Kurowska 2018, 37). Hvinden and Halvorsen (2018, 879) state, for instance, that personal traits, social arrangements, and environmental structures as capability inputs (or means) and as conversion factors “are not intrinsically distinct from each other. It is rather a question of the researcher’s *perspective*: what we are choosing to focus on as capability inputs and what we – given this focus – are seeing as potentially important conversion factors, i.e., factors affecting the transformation of these inputs into achieved functionings.”

3.1.2. Gauging the capabilities granted

The following dimensions of are looked at as part of *capabilities for work*:

- The *availability* of active labor market policies (ALMPs) and unemployment benefits;
- The *accessibility* of benefits, i.e. entitlement conditions and conditions concerning conduct.
- The *generosity* of unemployment benefits and ALMP measures;

CA is applied in the context of ECEC services and leave policies by looking at five dimensions of childcare specified by Javornik and Yerkes (2020) and Kurowska and Javornik (2019):

- The *availability* of different types of leaves (maternity, paternity, parental), and ECEC services;
- The *accessibility* of leaves / ECEC, or entitlements or conditions attached to accessing both types of measures.
- The *affordability* of ECEC and the *generosity* of leaves;
- The *quality* of ECEC services;
- The *flexibility* of accessing ECEC services or using one’s right to leave.

These dimensions – in both policy realms – are seen to contribute to individuals’ capabilities to organize childcare or find employment in a way they choose to. All dimensions contribute, to varying degrees, to specific childcare capabilities (see, e.g. Javornik and Yerkes 2020, 143), and employment capabilities (or capabilities for work). The details with respect to how each dimension is operationalized, and with the support of which indicators, is elaborated further in the two thematic chapters on employment and family policy, Chapters 4 and 5.

3.1.3. Gauging the extent of stratification or inequalities in capabilities

Beyond these dimensions, to be able to capture the degree and kind of policy change, it is also important to look at the level of *stratification* that reforms yield (Esping-Andersen 1990). In the discourse of the CA, stratification may be conceptualized as *inequalities in capabilities* (Nussbaum and Glover 1995). To these, specific *conversion factors* may contribute.

In the case of ECEC, gender and class are taken into account (Javornik and Yerkes 2020, 146–47), but also parents’ place of residence, ethnicity and children’s special educational needs (SEN). These are predominantly analysed by looking at policies not only in interaction with each other (e.g., ECEC and leave), but also at available outcome indicators, such as data on urban and rural differences in ECEC enrolment, differences in enrolment between children of employed and unemployed parents, on enrolment of children with SEN and of certain minorities – especially Roma. Given the extreme fragmentation of data and lack of comparability in the region, such indicators, however, unfortunately offer a partial picture.

The conversion factors considered for leave policy are somewhat different. Acknowledging the “opportunity imbalances” for parents with different socio-economic backgrounds to take up leave policies (Javornik and Kurowska 2017, 618; Warren 2015; B. Hobson 2011), but also the need to recognize that unequal power relationships between women and men lead to a distortion of the interdependence that is inherent to care relationships (Jane Lewis and Giullari 2005, 89), the types of conversion factors gauged are primarily those of class, gender, and parents’ employment status. Beyond these personal conversion factors, the analysis also considers the socio-economic and cultural contexts as conversion factors, as these may hamper the real opportunities of parents (e.g. social expectations of mothers, rather than fathers, to take leave and care) to take up leave (Javornik and Kurowska 2017, 623; Pfau-Effinger 2012).

Last but not least, the conversion factors considered in relation to employment policies relate to gender, with women in the region traditionally underrepresented in the labor market due to caring obligations; age, with young people being in a particularly difficult position in finding employment due to insufficient work experience; ethnicity and ability, as ethnic communities, such as the Roma, and persons with disabilities frequently face discrimination in both the education systems and the labor market, and thus face obstacles in finding employment through employment services; and the ‘insider’ vs. ‘outsider’ status of job-seekers, as persons without histories of social contributions are more likely to be excluded from benefits.

Thus, to capture stratification or inequalities in capabilities, I try to capture the difference between groups in terms of their capabilities in each realm. As elaborated earlier, policies are seen as conversion factors that grant means/entitlements and thus increase or decrease capabilities. They interact with conversion factors such as gender, class, ethnicity or ability. Here, policies are seen to be conversion factors that potentially cause inequalities in capabilities between different groups, and thus effect stratification. How inequalities in ‘real opportunities’ between different groups are operationalized is elaborated in more detail the two thematic chapters on employment and family policy, Chapters 4 and 5.

3.1.3 Gauging how institutions have changed

Finally, one may conceptualize the nature of change that has occurred through concepts such as retrenchment, restructuring, or recalibration; if change has been incremental or radical; path-dependent or path breaking. Here, we can look whether capabilities have increased or decreased over time, and whether inequalities in capabilities between groups have increased or decreased over time.

An in-depth scrutiny of welfare state mix, i.e. the different and changing roles of the state, private and civic sectors in the delivery of social rights, is out of the scope of this study, especially as the focus is on the extent to which social rights are delivered and the ways in which they influence social stratification in a given area of welfare. Thus, it is not directly tackled when conceptualizing the kind of change which has occurred in different areas of welfare. A more exhaustive, comparative scrutiny of the welfare mix in this region is needed.

3.2. Conceptualizing why policy change comes about

It would be an understatement to say that the countries of former Yugoslavia have experienced a very tumultuous period since the 1990s, with complex transition processes extending into the present. Many forces, both endogenous and exogenous, have shaped welfare reforms, and it is difficult to pinpoint all of them. In line with Cerami (2009), I understand the processes of change to be shaped by the interaction of *actors*, *institutions*, and *ideas*.

I apply the Multiple Streams Framework (MSF) to understand how certain proposals in the employment and family policy realms in the region were placed onto the agenda of policy-makers. The framework is well-suited for studying changes in agendas (and subsequent policy decisions). It is also theoretically flexible, as it can integrate actors, ideas and institutions, and thus doesn't posit ideational and institutionalist approaches against each other. The ideational element is particularly strong in the MSF, allowing for a fine-grained analysis of how ideas promulgated by different actors resulted in welfare reforms in the countries of former Yugoslavia. At the same time, the MSF does not include rigid, deterministic assumptions, or limit the study of policy change to particular contexts or countries; it also allows for a comparative analysis of policy processes (Béland and Howlett 2016).

The MSF has been applied to the wider region of Southeast Europe only occasionally, and rarely in the social policy realm (Djordjevic 2020; Kaminska et al. 2021). Thus, its application to studying welfare state change in former countries of Yugoslavia in this study is a contribution to the relevant literature in the region to date, as the framework's analytical potential helps shed a new light on the developments in the social policy realm in these countries.

In this research, the focus is mainly on studying *agenda change*, rather than the *decision change*, which would focus on the conditions behind policy adoption, such as the strength of a political coalition, the existence of veto-players, combining of different solutions in a policy package for greater acceptance by political actors, etc. While a study of decision changes would provide for a fascinating glimpse into the dynamics of adoption in countries of the region, given the study's focus on two areas of policy-making over a long period of time, it is simply beyond the scope of this research to focus on both. The study only touches upon decision-making when pointing out that certain solutions were ultimately adopted as policies.

While most MSF studies do not contain explicit, testable hypotheses (or “theoretical expectations”) (Zohlnhöfer, Herweg, and Zahariadis 2022), Herweg, Zahariadis and Zohlnhöfer (2018, 30) suggest general ones in relation to the five elements of the framework, which are embraced in the case of this research. Here, the caveat should be added that, while this study does not have the ambition identify causal mechanisms behind agenda change given the scope and complexity of policy changes studied, but rather seeks to understand how agenda change came about, the proposed theoretical expectations are followed as they connect the core elements of the framework and their relationships, and thus allow for a powerful and fine-grained application of the framework and subsequent interpretation of policy-making in the employment and family policy realm.

In summary, I apply the Multiple Streams Framework and the hypotheses, here treated as general expectations, to several countries and specific cases to which it hasn’t been applied before. Table 3.1. summarizes how the study’s aims have been operationalized.

Table 3.1. Understanding Policy Change: Operationalization

What:
Policies – and their changes – foster or hamper employment and childcare capabilities, as well as inequalities in capabilities between different groups.
How:
Policies can change in different ways (e.g. incremental vs. far-reaching reforms; recalibration; retrenchment)
Why:
<p>Policy agendas change due to interactions of conditions:</p> <p><i>Problem stream:</i> Changes in indicators/focusing events/feedback (and the extent to which they put government’s reelection at risk) draw attention to issues [may open policy window]</p> <p><i>Policy stream:</i></p> <ul style="list-style-type: none"> - Extent to which proposals fulfills ‘selection criteria’ - Extent of policy community integration <p><i>Politics stream:</i></p> <ul style="list-style-type: none"> - Extent of congruence of general ideology of government legislature with given proposal - Changes in legislature, election of new government, interest group campaigns, change of national mood [may open policy window] <p><i>Policy entrepreneurs</i></p> <ul style="list-style-type: none"> - Entrepreneurs’ extent of access to core decision-makers - Entrepreneurs’ persistence.

Source for MSF: (Herweg, Zahariadis, and Zohlnhöfer 2018, 30)

3.2.1. The Problem Stream

With regards to the problem stream, Herweg, Zahariadis and Zohlnhöfer (2018, 30) suggest that a “a problem broker is likely to be more successful framing a condition as a problem the more an indicator changes to the negative, the more harmful a focusing event is, and the more definitely a government program does not work as expected.” In the region, many authors have emphasized the importance of socioeconomic conditions as justification for reform in the social realm (Dobrotić, Matković, and Zrinščak 2013; William Bartlett 2013; Stambolieva 2014; Jusić and Numanović 2015). Leaning on the hypothesis above, it can be, for instance, expected that problem brokers are more likely to be successful at framing a condition as a problem in the face of tight fiscal constraints due to budget deficits, or high levels of unemployment. The nature of the framing, i.e. the kinds of ideas promoted by brokers, will essentially contribute either to retrenchment or enhancement of social rights. The importance of ideas is thus paramount to understanding what problems get recognized as problems and, as Béland (2016, 232) suggests, “why one policy idea triumphs over others at a certain point in time.”

Here, the role of international actors is especially important to consider, as they have often served as ‘problem brokers’ (and policy entrepreneurs); more specifically, International Financial Institutions (IFIs), such as the World Bank and the International Monetary Fund (IMF) have drawn attention to conditions such as high unemployment rates or high public spending, and have advocated for neoliberal reforms favoring economic efficiency and austerity measures (Stubbs and Zrinščak 2019).

3.2.2. The Policy Stream

Herweg, Zahariadis and Zohlnhöfer (2018, 30) suggest that, in the policy stream, the hypothesis may hold that “if a policy proposal does not fulfill the selection criteria, the likelihood of gaining agenda status, and thus being coupled, decreases significantly.”

In the regional context, one should situate policy communities that operate with certain selection criteria in the broader institutional context, as it also has an impact on what is deemed a selection criterion. Weber’s (1947, 328) concept of rational-legal authority relies on “a belief in the ‘legality’ of patterns of normative rules and the right of those elevated to authority under such rules to issue commands (legal authority).” The strength, competence and independence

of public administration, as well as its adherence to formal rules in a universalistic manner (Hallin and Mancini 2004, 55) is seen as conducive to robust welfare systems that are resistant to ad-hoc alterations and interventions of different actors. Thus, in contexts where the quality of governance is higher (Dahlberg et al. 2022), it may be expected that policy proposals in the social welfare realm will be assessed in line with more stringent ‘survival criteria.’

Another hypothesis that Herweg, Zahariadis and Zohlnhöfer (2018, 30) offer is that, “as the integration of policy communities decreases, it becomes more likely that entirely new ideas can become viable policy alternatives.”

When it comes to policy communities in the post-Yugoslav policy-making experience, the nature of external influence is frequently highlighted. This has very much to do with underdeveloped national ‘knowledge regimes’ (Campbell and Pederson 2010). As Béland (2016, 231) explains, “ideas can come from a wide variety of sources, institutional variation from country to country explains why some types of actor are more influential in some contexts than others.” Thus, as Béland notes, in France, it is the state bureaucrats and experts are more involved in creating policy proposals, where this is more a role for think tanks due to the “decentralized and pluralist model of expertise stemming from the nature of American political institutions” (Ibid). In the countries of former Yugoslavia, due to traditionally weak investment in research, policy communities tend to be made up to a greater degree of representatives of academia or research institutes, to some degree of representatives of the civil society (e.g. emergent policy research or advocacy organizations) and to a significant degree of representatives of international organizations.

Given their greater clout in the form of knowledge, resources and access to decision-makers, international actors and their ideas have come to dominate policy subsystems. Myriad international actors have acted as “intermediaries” and “brokers” in shaping social policy in these countries (Deacon, Lendvai, and Stubbs 2007, 223). Such actors have been able to deploy a mix of norms teaching and resource leveraging/coercion (Orenstein 2008; Jacoby 2008; Guardiancich 2013) at the time that policies were developed to diffuse new policy ideas and discourses, influence policymakers, and ultimately shape reforms in the welfare realm (Cerami and Vanhuyse 2009; Schmidt 2010). It is difficult to stipulate that international actors, in themselves, may contribute to a greater disintegration of a given policy community and thus may introduce new ideas as viable policy alternatives. In the case of the countries of the region,

one may assume that already existent, underdeveloped and largely disintegrated policy communities have made it possible for international actors to easily exert their influence within the policy communities.

To describe the ideas inherent to the proposals that international ‘proposal’ actors are trying to push through, we can also rely upon the concept of a “policy paradigm,” defined by Béland (2016, 737) as a “a set of structured assumptions about existing policy problems and the instruments capable of solving them,” that “constitutes both the model used to construct the solutions for the problems it is designed to address as well as the definition of those problems.”

3.2.3. The Political Stream

Herweg, Zahariadis and Zohlnhöfer (2018, 30) posit that, in the political stream, “policy proposals that fit the general ideology of a government or the majority in a legislature have a better chance of gaining agenda status.” When studying the role of politics in relation to welfare reforms, scholars usually emphasize the ideological orientation of parties. In the case of former Yugoslavia, as in some other parts of Eastern Europe, a party’s ideology is perceived not to matter, due to a lack of developed programs or clarity and consistency in advocating positions (Guardiancich 2013).

Thus, rather than focusing on the congruence of policy proposals with the ideology of the government in the traditional sense, it may be important to look at how particular types of policy proposals may benefit specific constituencies that are close to the ruling parties. In the countries of former Yugoslavia, a new class of politicians and bureaucrats has emerged post-breakup, determining which “social risks or status groups to accommodate” and which ones to neglect (Cerami and Vanhuyse 2009, 7). Authors in the region stress the importance of clientelist networks in the delivery of social programs (Dolenc 2017; Obradović 2017; Cerami and Stubbs 2011; Stubbs and Zrinščak 2015). Groups that are accommodated include war veterans in BiH and Croatia, as well as public employees as “the sole source of protected permanent employment” (William Bartlett 2013, 252). Such particularism may effectively prevent local policy entrepreneurs (and their international sponsors) from shaping innovative reforms and is expected to lead to more commodifying and stratifying social policies due to the more “concentrated” nature of benefits and services (Guardiancich 2013, 19). As mentioned earlier, Guardiancich (2013, 18–19) also points out that more inclusive policy-making leads to

solutions that are more stable, and more responsive to changing socioeconomic circumstances, while those that are not can create space for opportunistic behavior.

Thus, the role of political norms and values is paramount to understanding what policy proposals will be ‘pushed through’ onto the agenda and which ones may not. Following the theoretical expectation above, one may thus anticipate that policy proposals that are congruent with the maintenance of clientelistic networks are more likely to be placed onto the agenda.

In that vein, and in line with the MSF, it is also important to consider civil society as an important interest group in the welfare domain in some countries of the region (Stambolieva 2014) that could potentially shape policy agendas. One may expect that the weaker civil society, the less it will be able to make use of policy windows to place issues onto the agenda, or effectively protest against welfare retrenchment in the political stream.

3.2.4. Policy windows and entrepreneurs

Herweg, Zahariadis and Zohlnhöfer (2018, 30) suggest three hypotheses in relation to the opening of policy windows. First, “the policy window opens in the problem stream as a result of at least one of the following changes: change of indicators, focusing events, or feedback.” Second, “the more a condition puts a policymaker’s reelection at risk, the more likely it is to open a policy window in the problem stream.” Third, “the policy window opens in the political stream as a result of at least one of the following changes: changes in legislature, election of a new government, interest group campaigns, or a change in the national mood.” This research embraces such expectations in the context of the policy changes studied.

In relation to policy entrepreneurs, Herweg, Zahariadis and Zohlnhöfer (2018, 30) posit that “policy entrepreneurs are more likely to couple the streams successfully during an open policy window if (a) they have more access to core policymakers and (b) they are more persistent.”

In this research, this may, beyond local CSOs and other actors that may act as policy entrepreneurs, especially be expected in relation to international actors. The extent to which they may couple streams and make use of policy windows will depend on their leverage within the policy community and among the decision makers. One may thus expect that the relative strength of leverage of international actors (Levitsky and Way 2010) promulgating reforms

through various instruments (such as development of policies, publications and events, financial support or technical assistance; as well as ‘hard’ or ‘soft’ conditionality) may explain their ability to push through new proposals and shape reform outcomes in the direction that is aligned with the ideological orientation espoused by a given international actor.

3.3. Research approach: Characteristics and justification of methods used

3.3.1. Research Design: Comparative Case Study Approach

Methodologically, a comparative case study approach is applied at the level of countries’ welfare realms. The first realm is employment policy, within which the study focuses on two specific sub-domains – unemployment benefits and active labor market measures. The second realm is family policy – within which the study looks at the sub-domains of leave policy and early childhood education and care.

According to Knight (2001, 7039), “a comparative case study is a research approach to formulate or assess generalizations that extend across multiple cases.” Comparison is crucial, as it allows the researcher to “control (verify or falsify) whether generalizations hold across the cases to which they apply” (Sartori 1991, 244). As Sartori describes, “the experimental method has limited applicability in social sciences, and the statistical one requires many cases. We are often faced, instead, with the ‘many variables, small N’ problem [...] and when this is the case our best option is to have recourse to the comparative method of control” (Sartori 1991, 245). As Collier (1993, 105) notes, comparison “sharpens our power of description, and plays a central role in concept-formation by bringing into focus suggestive similarities and contrasts among cases.”

Four countries from former Yugoslavia have been chosen based on a most similar system design. According to Sartori (1991, 250) “in the most similar system strategy, the researcher brings together systems that are similar as possible in many features (properties) as possible, thus allowing a large number of variables to be ignored (under the assumption that they are equal.” The countries studied are seen to have a very similar institutional legacy in the welfare realm stemming from the Yugoslav period (which is discussed in detail in sections 4.3. and 5.3), but their welfare institutions have changed in different ways in these two policy realms and four sub-domains of interest.

The countries studied are Bosnia and Herzegovina (hereafter: BiH), Croatia, North Macedonia² and Serbia. Although it could be argued that the other countries of Yugoslavia are comparable (maybe with the exception of Slovenia, due to its traditionally much greater level of economic development and prevalence of stronger democratic values), they have been excluded due to objective limitations (resource and time constraints, and language barriers).

Some basic characteristics of the four countries are summarized in Table 3.2. While there are differences in economic strength and level of reform progress (if using EU integration as a proxy), they are not considered to have a crucial impact on the development of institutions in individual welfare sectors. The key difference between the countries is the fact that BiH is a decentralized country with a complex power-sharing model, comprising of two entities – the Federation of BiH, further divided into 10 cantons – and Republika Srpska (RS), a centralized entity.

Table 3.2. *Basic characteristics of countries considered*

	BiH	Croatia	North Macedonia	Serbia
Population size (2020)	3.28 million	4.05 million	2.07 million	6.89 million
GDP per capita (2020)	6,082 USD	14,132 USD	5,845 USD	7,730 USD
Unemployment rate (2020)	15.3%	7.5%	17.2%	9%
Gini coefficient (SILC), 2020	41.4	28.3	30.7	33.3
Responsibility for policymaking	Entity/cantonal level	State level	State level	State level
EU integration progress	Potential candidate status (status-quo)	Member since 2013	Candidate status, negotiations stalled	Candidate status, negotiations started in 2014

Sources: Population, GDP per capita figures, and unemployment data (based on ILO data): (“World Bank Database” 2022) Gini coefficient: EU-SILC survey (Eurostat 2022d) Gini for BiH, estimate for 2015: (Jusić 2018, 16)

In total, the study looks at five welfare systems, because in BiH, the level of inquiry is the entity government (FBiH and RS) that is in charge of policies in these two domains

² Macedonia changed its name to North Macedonia in 2019 in order to resolve a dispute over its name with Greece, which had dragged on for decades and had also negatively affected the country’s EU accession prospects. Throughout the text, the name ‘North Macedonia’ is used.

(competences are also shared with cantons in FBiH). With five systems, and two policy realms, divided up into two sub-parts, the study looks at a total of 20 cases.

A greater number of cases is considered a useful way to remedy the ‘small N’ problem, as to be able to achieve a more general understanding of how different conditions have interacted with each other to effect agenda change in these four countries. As explained earlier, the study does not intend to identify and test specific causal mechanisms or claim causality behind conditions deemed important for policy change, but does seek to understand, by looking at the interactions of different conditions, why agenda change came about. Beyond illuminating policy-making processes in these countries, such an approach also contributes to the empirical literature applying the MSF framework.

3.3.2. Data gathering methods

To gauge the capabilities granted within each welfare realm, available indicators that reflect the different family policy and employment policy dimensions of interest are relied upon, combining statistical data and insight from legislation and available secondary research. The indicators in the family policy realm are mostly in line with those used by Javornik and Yerkes (2020) and Kurowska and Javornik (2019b), slightly modified to cater to the specificities (and available data) in these particular country contexts, as elaborated in further text. Those in the employment policies are in line with indicators that are usually gauged to be relevant by different international organizations, such as the OECD and ILO.

Here, it is important to stress that the comparative analysis combines policy with outcome indicators. The debate on whether such an approach is merited or not is well-developed in welfare state literature, especially in relation to research that seeks to generate welfare state typologies; some authors suggest that instead of a mix of policy and outcome indicators, only policy indicators should be used in order to study a social policy intervention (W. Korpi 2000) as to gauge whether similar policies could result in different outcomes under different contextual conditions (Saxonberg 2013, 26). Kurowska (2018, 42) challenges the notion that all analyses shall aim to assess policy impact, but also the notion that outcome indicators cannot be combined with policy indicators, as “the dilemma here is not about whether or not outcome indicators should be used, but how to choose (the most) accurate outcome measures as indirect policy indicators.” Precisely because of the CA’s focus on the interaction between conversion

factors (including institutions and socio-economic and cultural contexts) and how they convert means into capabilities, rather than purely on the characteristics of policies, is a combination of outcome and policy indicators merited (Kurowska 2018, 43). As such, the aim is not to gauge the policy impact of (*capability enhancing* or *capability reducing policies*) on certain outcomes, especially having in mind the myriad conditions, including cultural norms, parents' preferences or a sense of entitlement to a service (Barbara Hobson 2014), that could be contributing to certain outcomes, but rather to recognize how such policies could potentially be capability enhancing or reducing, especially in interaction with the conversion factors of interest.

Despite the fact that the countries of the Western Balkans region have, in recent decades, begun to improve the types and availability of family and employment policy data they generate, difficulties prevail. One limitation of the study is the lack of and non-comparability of some data across the countries, given different methodologies in data-collection that some of the countries' statistical offices apply. This primarily pertains to BiH, where some sources of data, such as data from the European Union Statistics on Income and Living Conditions (EU-SILC) survey, have not been available to date. This is why this analysis builds on various available data sources (e.g. Eurostat database, the 2019 European Commission/Eurydice report, national statistical offices, national employment offices), while referring to the findings of others studying individual components of policies in the region.

To better understand *policy change* and decision-making processes, and thus support the application of the MSF, policy-making processes that led to specific changes in both realms are studied over a course of 25 years.

Different sources are used for the purpose of 'triangulation', as advocated by scholars in this realm (Zohlnhöfer, Herweg, and Zahariadis 2022) and social scientists in general. This is done through the following data-gathering methods:

- Semi-structured interviews have been conducted, mainly with policy experts from academia and civil society from these countries, some of whom are former government officials, others who have worked closely with international organizations, and all of

whom have been a part of the policy communities surrounding welfare reforms in their respective countries.³

- Primary documents – relevant laws, bylaws, and policy documents (such as strategies);
- Available literature from the region detailing reform processes;
- Statistical data on social and economic conditions.

Analysis has been facilitated by using the MAXQDA software, used for qualitative analysis data analysis. To capture ideas behind ‘problem frames’, documents (policy documents and reports of international organizations and national experts) have been coded in accordance with identified ideas.⁴ Such coding has subsequently allowed for a systematic analysis, in line with the key theoretical expectations as expressed in the Operational Framework.

Most studies that apply the MSF are single case studies (Zohlnhöfer, Herweg, and Zahariadis 2022). The aspiration to have a comparative study that would highlight some commonalities and differences between countries in terms of how policy change came, across different sectors of social policy, has the drawback that more detailed tracing with respect to each instance of policy change within a given sector was not possible due to objective constraints of time and resources. Nevertheless, policy changes situated in policy subsystems in individual countries are analyzed in-depth by drawing on a variety of sources, as are instances of different policy proposals that may or may not have made it onto the agenda. This allows for a fair reflection on the course of events in different countries and allows for a thorough application of the MSF.

³ Semi-structured interviews with twenty-one experts from the four countries have been conducted between 2018 and 2022. Annex I contains the interview guide that was followed; in individual cases, interviews were tailored to the interlocutor and their particular insights into reforms in respective policy areas. Approximately, half of the interviews were done in person, while half had to be conducted online due to the COVID-19 pandemic.

⁴ Codes include ‘training and skills’, ‘capacity’ ‘EU agenda’, ‘work-life balance,’ ‘natality,’ ‘activation,’ ‘social rights,’ ‘gender equality,’ ‘patriarchy,’ ‘austerity.’

4. Employment policy

4.1. Employment policy reforms: Core concepts

While the term “employment policy” can have wider connotations, encompassing economic policies tackling employment-related issues in a broader sense, it is used in this research interchangeably with the term labor market policy. As such, labor market policy interventions constitute passive measures (or supports, referring to EU terminology) and active measures. Unemployment benefits and unemployment assistance, as one type of passive support,⁵ represent a crucial source of social security in the case of joblessness. The distinction between the former and the latter is that unemployment benefits are usually based on contributions paid towards unemployment insurance, while the latter are granted by some countries (and are common in countries of the European Union) in the case a person has insufficiently contributed towards unemployment insurance to receive unemployment benefits or if their right to receive unemployment benefits has expired. Thus, unemployment assistance is more of a poverty-preventing measure (Stovicek and Turrini 2012, 3). The main function of passive measures like unemployment benefits, from an economic point of view, has been to act as so-called “automatic stabilizers” and smooth aggregate economic shocks. This stabilizing function is granted especially if conditions of entitlement to such passive measures are sufficiently encompassing, i.e. provide a sufficient number of unemployed persons with income security (Stovicek and Turrini 2012, 4).

Active labor market programs or measures (ALMPs) refer, on the other hand, to different forms of support in the process of job seeking. These may include different types of training programs, employment incentives, sheltered and supported employment measures, rehabilitation measures, direct job creation, as well incentives for start-ups and other types of support (Eurostat 2013, 15). They are seen as being distinct from services, or labor market interventions that refer to job-search, job-counselling or job placement activities, public employment agencies (PES)’ services for employers, information services, case-management, and other activities conducted by the PES (Eurostat 2013, 7, 14). ALMPs constitute an important element of activation strategies, which have the aim of increasing the labor force,

⁵ Redundancy or bankruptcy compensation, as well as early retirement benefits, may be other types of passive support offered by states (Eurostat 2013, 20) They fall outside of the scope of this research and will thus not be addressed in detail.

improving the employability of workers, but also reducing the potentially negative effects of unemployment and social assistance benefits, which are commonly seen to disincentivize unemployed persons to accept employment if their wages would be equivalent or lower than the benefits.⁶

Initially, the concepts of activation and ALMPs were used almost interchangeably, as ALMPs were seen as a way of curbing structural unemployment. This changed during the 1970s and 1980s to reflect the experience of some OECD countries that high spending on ALMPs does not necessarily mean lower structural unemployment (and vice versa), and that ALMPs function in interaction with unemployment benefits and some conditionality requirements. As a result, the dominant discourse among economists during the 1990s that a shift is needed from passive to active measures, also promoted in the OECD's influential 1994 *Jobs Study*, has changed in the meantime to embrace a broader view of activation (Martin 2014, 3–4).

In Europe, activation approaches constitute an important part of the European Employment Strategy (EES), and EU countries' progress in this realm is continuously monitored as part of the European Semester, the EU's annual economic and fiscal policy coordination cycle. As of 2008, the EU has also been promoting the concept of 'active inclusion,' which, in addition to making labor markets more inclusive and facilitating access to quality services to help persons who are unemployed or inactive get back to work, includes the component of combining adequate income and job search support (European Commission 2008).

The design of unemployment benefits and ALMPs, as well as their interaction in countries' employment strategies differ. Some authors have thus attempted to classify European countries into different models. For instance, the *Nordic* model (e.g. Denmark, Finland, Sweden) features both unemployment benefits and assistance; conditionality is flexible; generosity is high and coverage is broad; but there are strict job-seeking and availability requirements in place. In the *Continental* model (e.g. Austria, Belgium, France), access to such passive measures is much

⁶ A number of empirical research studies have confirmed the assumption that generous unemployment benefits (those with high replacement rates) may contribute to unemployment due to disincentive effects, but this generally pertains to benefits of a longer duration (e.g. see (Tatsiramos and van Ours 2014). Other studies find that such assumptions hold in the context of a low demand for labor (Avdagic and Salardi 2013). Nevertheless, relative generous benefits “may also prompt people to participate in the labour market to qualify for such benefits, an effect often referred to as the entitlement effect” or invest in skills (Sjöberg, Carroll, and Palme 2021, 582–83).

stricter; generosity is lower, with a shorter duration and lower replacement rates than in the Nordic model; while ALMPs are important. The *Southern* model (e.g. Spain, Italy, Portugal) mainly features insurance benefits, with unemployment assistance being less common; conditionality is strict and coverage low; while generosity depends on the prior job span and paid contributions. Job-seeking requirements are minor, but there is a more pronounced conditionality with respect to ALMP participation. The *Central-Eastern* model (e.g. Greece, Bulgaria, Czech Republic) features mainly insurance-based benefits, with strict conditionality, low generosity (except in the first year of unemployment), poor coverage, and relatively strict job-seeking and active participation requirements. Last, the *Anglo-Saxon* model (e.g. Ireland, UK, Malta) features more widespread assistance benefits than insurance-based benefits; census-based access; flat-rate benefits paid in a longer duration and with broad coverage; and strict job-seeking requirements with ALMPs playing a less important role (Stovicek and Turrini 2012, 9–11).

When it comes to the generosity of benefits and their duration, ILO's 1988 Employment Promotion and Protection against Unemployment Convention (no. 168) stipulates that benefits should be equal to no less than 50% of a worker's previous earnings in case of a worker, if benefits are based on contributions, with the possibility of fixing a maximum (e.g. in relation to the average wage); and where benefits are not based on contributions or previous earnings, that they be fixed at no less than 50% of the minimum wage, or the wage of an ordinary worker, at a level that would provide an essential minimum in terms of covering basic living expenses (prioritizing whichever would be the highest level) (International Labor Organization 1988, art. 15.1). The Convention doesn't specify the duration of a qualifying period to obtain the right to the unemployment benefit where such benefits are conditional, specifying only that "this period shall not exceed the length deemed necessary to prevent abuse." (art. 17.1.) The Convention also recognizes that the initial duration of the benefit "may be limited to 26 weeks in each spell of unemployment, or to 39 weeks over any period of 24 months" (art 19.2.a.). The convention also recognizes that the right to the benefit can be withdrawn in certain situation, such as if a person refuses to accept suitable employment, which is assessed in relation to different condition, such as the age of persons, length of services in former employment, experience, length of unemployment period, situation in the labor market, personal or family situation, etc. (art 21.1).

Countries within the EU differ in terms of benefit conditionality and generosity. Venn (2012, 15) finds that, in most EU states, the requirement to obtain benefits is shorter than 12 months of employment and/or contribution (some countries require 12 months; only a few over 12 months). Generosity varies among EU countries: Esser et al. (2013, 17–18) find that gross replacement rates in the EU27 spanned from 80% in Luxembourg to only 13% in the UK for a single person family earning an average wage. On average, they were around 50% in the Eurozone countries, and somewhat below 40% in other EU countries (Esser et al. 2013, 9–10). A noted trend is that legally determined replacement rates, which often have ceilings, have not followed a rise in wages over the years, leading to a fall in the effective replacement rates (Ibid). While there were variations in the duration of benefits (usually longer than 24 months in the Eurozone, around 30 weeks in other EU countries), at least 26 weeks were offered. Means-tested or flat-rate unemployment assistance was only provided by 15 countries, with others having social assistance schemes in place; such benefits generally had lower net replacement rates than insurance-based benefits (Esser et al. 2013, 9–12). According to Bouget and Vanhercke (2016, 104), a variety of categorical minimum income and unemployment social assistance allowances exist across Europe, with a frequent type of cash benefit for the long-term unemployed being a guaranteed minimum income scheme as a means-tested allowance that is almost always conditional upon job search and readiness to work.

Countries differ in terms of how they design, finance and administer passive employment measures. For instance, voluntary, state-subsidized programs, common to Nordic countries, entail unemployment insurance administered by unions and mutual associations based on membership fees, and supplemented with subsidies from the state. Targeted programs, complementary to regular unemployment insurance in some EU countries, refer to means or income-tested, minimum unemployment assistance, paid out for longer periods of time. Mandatory unemployment insurance programs which are comprehensive in nature come in two types: ones providing comprehensive basic security constitute flat-rate benefits with a broad coverage (e.g. as seen in Ireland or Malta); and ones that provide comprehensive income security, where benefits are adjusted to income levels, but with maximum ceilings (e.g. as seen in Bulgaria, Czech Republic, Estonia, Hungary). Finally, mandatory unemployment insurance programs, which are corporatist in nature, refer to employer-union co-administered state unemployment insurance programs, where income protection depends on one's occupation (e.g. Germany, Austria) (Esser et al. 2013, 4–7).

Countries have also developed different approaches to administering labor market policies. For instance, countries may differ with respect to whether the disbursement of unemployment benefits (and other benefits) and provision of employment services is performed by the same institution; the extent of decentralization of employment services; or the extent to which employment services may be contracted out to private employment agencies (Martin 2014, 14–23).

In general, scholars tend to distinguish between different types of ALMPs and activation approaches, usually depending on whether they seek to invest in human capital and skills or provide (usually) negative incentives. Bonoli (2010, 11–12) has identified four ALMP ideal types, as described below:

- *Incentive reinforcement*: Refers to tools such as tax-credits, in-work benefits, benefit reductions or conditionality, and sanctions, which seek to strengthen work incentives for persons receiving benefits. These are typical to English-speaking countries.
- *Employment assistance*: Includes placement services, counselling, job search programs and placement services, which seek to remove obstacles to employment and encourage the entry or return to employment. These are typical to English-speaking countries, as well as Nordic countries and Continental Europe.
- *Occupation*: Refers to job creation schemes in the public sector or to non-employment related training programs that aim to keep the unemployed occupied and limit the depletion of their human capital during spells of unemployment. Such schemes were common in Continental European countries during the 1980s and early 1990s.
- *Human capital investment*: Refers to basic education or vocational training programs that would help the unemployed improve their chances of finding employment through upskilling. These services are the most developed in Nordic countries.

It should be pointed out that active labor market measures have been shown to differ in their effectiveness. A meta-analysis of recent ALMP evaluations has shown that ‘work first’-type programs, where job search assistance and incentives are provided to enter employment quickly are different from training programs focusing on human capital development or public sector employment programs (Card, Kluve, and Weber 2018, 928). Training programs have exhibited small, and in some cases, even negative short-term impacts, but show larger impacts in the medium or long-run (e.g. two years after completing a program), whereas ‘work first’

programs have more stable impacts. Employment programs in the public sector (e.g. public works) have exhibited negligible and even negative impacts in both the short and the long run. The meta-analysis also finds that female participants and those that belong to the category of long-term unemployed have larger program effects, while program estimates for young persons and older workers tend to be less positive. Human capital programs tend to be more successful for the long-term unemployed, whereas work first programs have been shown to be relatively more successful for participants that are categorized as disadvantaged. ALMPs in general are shown to have larger impacts in circumstances of higher unemployment and slower growth (Card, Kluve, and Weber 2018, 928).

Countries within the EU have different approaches to the ways in which job-seeking, readiness to work requirements and ALMPs are combined with benefits. Most European countries provide limited reasons for refusing job offers, which may include having to care for family, health reasons, or inadequate wage levels in comparison to benefits, the average or the previously earned wage. Some countries are stricter in that jobseekers taking part in ALMPs have to actively look for a job and should be available to work; in others, they have to be available, but not seek for a job, or do not have to be available. Most European countries have introduced sanctions for rejecting suitable job offers or participation in ALMPs without a valid reason. Those that feature the strictest conditions of conduct have introduced sanctions for rejecting suitable job offers or participation in ALMPs; these may be amplified in case of multiple rejections. Moreover, some have introduced the requirement of regular reporting to the Public Employment Services (PES) or partaking in individual counselling and job-search planning (Venn 2012, 15–20). For the long-term unemployed in the EU, the receipt of social assistance benefits is usually made conditional upon job-search requirements and acceptance of a job offer, and often includes education and training (Bouget and Vanhercke 2016, 104).

Experts in this realm suggest that the receipt of benefits should be made conditional upon active job-seeking or participation in ALMPs only in the case of sufficient demand for labor; when demand is low, investments in employability of jobseekers – i.e. their education and training – should increase (Martin 2014, 26–27). Indeed, the imperative of accepting any job has been challenged on ethical grounds, especially in a case where benefits are withdrawn, or jobseekers face other types sanctions, but there are no adequate job opportunities. Such workfarist approaches to activation have been common in countries of Central and Eastern Europe. The Constitutional Court of the Czech Republic, for instance, overturned a public service program

in the country in 2011 for violating the Human Rights Charter (Saxonberg and Sirovátka 2019). The question also remains to what extent persons receiving various types of social assistance, especially those receiving disability benefits or taking care of family members, should be activated. For instance, in the UK, the 2008 introduction of stricter criteria for those out of work to access disability benefits on the basis of regular fit-to-work assessments⁷ have led to a reduction in the number of beneficiaries, but attempted suicides by disability benefit claimants have more than doubled in a period of seven years (Bulman and Polianskaya 2017).

4.2. Conceptualizing and Measuring Individual Dimensions of Employment Policy through the CA Lens

One may assume that, to meet one's capabilities to work, the more available, accessible and generous active and passive measures are (and the better the quality of concrete active labor market measures), the greater the real opportunities of unemployed persons may be to find a job they have reason value. According to the 1988 ILO Convention on Employment Promotion and Protection against Unemployment (no. 168), "each Member shall declare as a priority objective a policy designed to promote full, productive and freely chosen employment by all appropriate means, including social security. Such means should include, *inter alia*, employment services, vocational training and vocational guidance" (International Labor Organization 1988, art. 7). At the same time, stringent conditions related to conduct (e.g. having to accept any job or participation in any active labor market program) may hamper individuals' employment capabilities. Nevertheless, this is not to suggest that no conditions of conduct should exist; a system of "mutual obligations," where individuals – in return for income and employment assistance provided by the government – are "encouraged and supported to actively seek work or take up training opportunities to improve their job prospects," (International Labor Organization, International Social Security Association, and Organization for Cooperation and Development 2021, 5), can also serve to foster capacities, if fairly designed to allow unemployed persons sufficient choice in terms of what type of job offers to accept and what type of ALMPs to participate in, for instance.

The following section outlines how individual dimensions of capabilities are studied in relation to active and passive labor market measures. Here, it is also important to point out that active

⁷ In 2008, the incapacity benefit (IB) was phased out and replaced with an employment and support allowance (ESA).

and passive labor market measures are just one aspect of a government's wider employment policy, which also relates to tax policy, employment protection legislation, but also to education policy and its link to the labor market, investment policy, etc. Thus, even in the case of well-developed labor market measures, other 'conversion factors' (such as a lack of access to quality education, or a lack of quality jobs) may hamper a person's real opportunity to find employment they may value, especially in labor markets that are marked by duality, and the prevalence of insecure, precarious jobs, as in the Western Balkans.

4.2.1. Capturing the Extent of Capabilities Granted through Unemployment Benefits and ALMPs

The *availability* of unemployment benefits may be expressed as the extent of the coverage of persons who are unemployed and who are covered by such benefits, i.e. the extent of provision of such benefits. This is similar to what is known as "pseudo-coverage rate," or the ratio of total benefit recipients and the unemployed in a given period (OECD 2018). If looking at OECD data, coverage rates spanned from 113% in Belgium to 16% in Romania in 2018 in case of unemployment insurance, and, on average, 43% among EU Member States. When unemployment assistance was added, the span was much greater – ranging from 263% in Germany to 16% in Romania (which doesn't offer such assistance)⁸ (Organization for Cooperation and Development 2022). A higher availability of unemployment benefits denotes greater availability of income security for persons unemployed, as well as improves unemployed persons' real opportunities to find employment they value. In the context of the Western Balkans, where informal employment is high, small coverage rates may also imply that most jobseekers, precisely because they lack income security, may be forced to work informally to make ends meet. Due to difficulties in identifying social assistance recipients who are deemed to have unemployment status, and lacking availability of comparable data in this realm in general, this research will only look at coverage of persons who are registered as unemployed with PES by unemployment benefits. Thus, it is important to point out, as Polakowski and Szelewa (2008, 7), that all persons who are unemployed will never be covered by unemployment benefits, as "they already may be clients of social assistance for instance, disability scheme or early retirement." Nevertheless, data on unemployment benefits will be supplemented with available information on social assistance schemes (for this and other

⁸ Values can exceed 100% because people who are not unemployed according to ILO definition (i.e. not actively searching for a job) can claim benefits (OECD 2018).

dimensions relating to unemployment insurance), to illustrate, to the extent possible, how such a system complements the system of unemployment insurance.

The *availability* of active labor market measures, similarly, refers to the coverage of persons registered as unemployed by active labor market measures, i.e. various programs such as training measures, employment incentives, sheltered and supported employment and rehabilitation measures, job creation, and start-up incentives (Eurostat 2013, 15). To that end, the share of the persons registered as unemployed who are partaking in such measures in a given year in the total number of persons registered as unemployed is shown. Moreover, another dimension of availability included refers to the availability of a *variety* of programs – in other words, not only just one type of schemes (e.g. employment incentives), but different measures that may provide support for and meet the needs of different profiles of jobseekers. At the same time, labor market services, such as job-counselling or job placement activities, are outside of the scope of the study.

The *accessibility* of unemployment benefits refers to different entitlement conditions to benefits, such as a previous contribution period. Given the importance of conditionality related to conduct that is usually attached to such benefits, the strictness of requirements related to job-seeking, accepting job offers or participating in ALMPs to keep benefits is also considered, as well as the severity of sanctions in case of refusing job offers (Polakowski and Szelewa 2008, 10). Conditionality of conduct is seen to be a component of access precisely because such conduct is a requirement that needs to be met by the unemployed to obtain benefits. The lower the accessibility and the greater the conditionality of benefits, the more reduced are deemed the real opportunities of the unemployed to engage in employment they have reason to value. Requirements are gauged by looking at countries' laws and bylaws; here, it is important to stress that the actual implementation of such conditions in practice may differ from what is legally prescribed due to a lack of capacities of PES to enforce rules, for instance, which here cannot be captured.

The *accessibility* of ALMPs refers to different conditions that may be attached to accessing such programs, such as unemployment status, belonging to a certain category of the unemployed, but also different conditions of conduct, such as regular reporting, development of an individual employment plan, or having to accept participation in certain types of programs. The low accessibility of programs may reduce jobseekers' real opportunities to

engage in programs they may find useful, e.g. for building their competences, and subsequently find employment that they may value.

The *generosity* of unemployment benefits refers to the replacement rate of the unemployment benefit and its duration. Here, one may refer to ILO's 1988 Employment Promotion and Protection against Unemployment Convention (no. 168) and the recommendation that benefits be fixed at no less than 50% of the minimum wage, or the average wage, at a level that would provide an essential minimum in terms of covering basic living expenses, and that their duration should constitute at least 26 weeks. According to Polakowski and Szelewa (2008, 8), "if the level of benefit is high it means that the function of it is to sustain the standard of living, if low - it aims at guaranteeing the fulfilment of the most basic needs. [...] From the perspective of job-searching, the high level may give more opportunities, while the low level of a benefit may lead to the accumulation of difficulties." To that end, provisions on replacement rates and duration from countries' legislation are considered.

The *generosity* of active labor market policies is gauged through the level of spending on such measures as a percentage of countries' GDP, i.e. the spending on programs such as training, employment incentives, sheltered and supported employment and rehabilitation measures, job creation, and start-up incentives (Eurostat 2013, 15). This is a standard indicator used by Eurostat, or the OECD. Here, it is important to note that data availability is poor and there are some differences in how countries calculate such expenditures; available figures can thus only provide a general insight of the extent of effort of countries in this realm.

For ALMP, another dimension that would be important to take into account is that of *quality*. This dimension could, at least to some extent be gauged from the different types of evaluations by which countries attempt to measure program effectiveness of such programs – and whether such evaluations are then used to improve the programs. Yet not all countries have completed performance evaluations, the types of evaluations conducted differ and may not be directly comparable, or they have been completed only for specific programs. Moreover, it is not clear to what extent such evaluations (where performed) are subsequently used to improve programs. Thus, this dimension is excluded as a very general (and piecemeal) conclusion could be derived.

4.2.2. Capturing the Extent of Inequalities in Real Opportunities / Stratification with respect to Unemployment Benefits and ALMPs

As mentioned earlier, the conversion factors considered to be important in relation to employment policies are gender; age; ethnicity; level of education; and extent of ability. Important is also an 'insider' vs. 'outsider' status of jobseekers, as the latter are more frequently employed on an irregular basis and tend to have no or shorter contribution histories than persons in standard (permanent) employment.

When it comes to inequalities in relation in terms of real opportunities with respect to labor market measures, the following dimensions are considered:

- 1) With respect to unemployment benefits, differences in access to unemployment benefits for different groups, such as the extent to which different groups other than previous workers who have contributed into the system of unemployment insurance can qualify for the unemployment benefit (e.g. caregivers, persons attending schools, persons who have completed military service) (Polakowski and Szelewa 2008, 7);
- 2) With respect to unemployment benefits, differences in the generosity of benefits depending on the extent of contribution;
- 3) The extent to which labor market measures (ALMPs) target groups that are traditionally disadvantaged in the labor market, such as women, youth, minorities, persons with lower levels of educational attainment or persons with disabilities; and differences with respect of access to ALMPs between such groups.

Here, it is, again, important to stress that available data across countries is partial, and not always comparable. Thus, it is difficult to present and to compare data on participation in programs, in a systematic way, or even to quantify the extent of effort of individual countries. Rather, the information presented should, again, be considered to provide just a general insight into this topic.

4.3. Yugoslavia's employment policy

Prior to the establishment of the Kingdom of Yugoslavia, some features of employment policy could be found in individual states, such as Serbia, Slovenia or Croatia. For instance, a 1910 Law on Shops in Serbia foresaw the possibility of establishing employment exchanges for a

better allocation of the labor force, or for workers to use subsidized public transport when travelling for the sake of finding a job. At the same time, the Communist party and labor unions in Serbia organized around demands to grant workers greater security in the case of unemployment, including public works. Labor unions in Serbia and Croatia also financially supported members who were unemployed from their resources (Petrović 1982, 313).

After the establishment of the Kingdom of Yugoslavia in 1918, two important laws in the welfare realm were passed. One was the Law on the insurance of workers, which pertained to pensions. The other one was the Law on the protection of workers, which was the equivalent of a labor code. As such, it also entailed some basic employment measures. The law did not explicitly guarantee the right to unemployment benefits, but since it did pertain to the work of the employment exchanges - the equivalent of today's public employment services - it did state that the latter may provide the unemployed with support in the form of allowances, food, overnight housing or other types of support. The law also stated that the insurance of workers in the case of unemployment would be regulated later (Petrović 1982, 317).

Employment exchanges were financed from a tax introduced in 1922 "as a specific fund for the unemployed. The service was financed almost entirely by employers and insured workers" (Petrungaro 2014). Their main function was to mediate in employment; support unemployed workers; and provide transport subsidies for unemployed workers (Petrović 1982, 319).

After the law was adopted, a number of acts that pertained to support that employment exchanges may provide to unemployed workers, including financial ones, were passed. The most important one was a decree from 1927 on the organization of work mediation, which was followed by an order. However, the acts that were issued between 1927-1933 prescribed facultative support for workers, without a minimum insurance in the case of unemployment. The first attempt to truly introduce insurance in the case of unemployment is contained in an order on support for unemployed workers from 1935 (valid until 1937), which was later reissued in the form of a decree (1937). According to this document, workers had the right to regular financial support (including support for the family), as well as other types of support (one-off, travel, etc.). One of the conditions to receive such support was that the worker had been covered by social insurance for a given period of time, which also determined its duration (Petrović 1982, 319–21). It is important to stress that such developments in employment policy were the result of demands coming from the Socialist workers' party of

Yugoslavia, which insisted upon a compulsory state insurance of all workers that would also pertain to unemployment (Petrović 1982, 316).

Thus, after the establishment of the Socialist Federal Republic of Yugoslavia, there was already an institutional basis for employment policy. There were, however, some novelties. Employment mediation was initially, until 1947, delegated to trade unions, when the state again took over in order to mediate the employment of workers, and especially activate new ones, in new industries (Petrović 1982, 322). With economic reorganization during the 1950s, public employment services were established, and new acts adopted on unemployed persons' income security including Decrees Respecting Material Benefits and Other Rights of Wage and Salary Earners Temporarily without Employment (1952). As a result, with the adoption of the Law on the Workers' Employment Service (1960), unemployment benefits were to be administered by PES (Livingston 1964, 756). In 1962, a new Law on the Organization and Financing of Social Insurance separated health, disability and pension insurance from insurance in the case of unemployment and family circumstances (pertaining to a child benefit). Thus, unemployment insurance started to function as a separate system, administered by employment services, albeit excluded from social insurance as such (Petrović 1982, 324). Indeed, according to the 1965 Framework Law on the Organization and Financing of Employment, financial support during temporary unemployment is treated as social assistance, and not social insurance, even though workers were paying contributions for such insurance and conditions for receiving such benefits depended on a workers' service/contribution period. Nevertheless, the fact that benefits were also asset-tested in most of the republics (except for Slovenia and Croatia) undermined their function as a form of insurance (Petrović 1982, 325). During the 1960s, the system at the time was also marked by significant conditionality and low and declining coverage (also dependent on the financial position of individual republics), which raised concerns over income security that the system was granting to unemployed persons. Indeed, after public discussion on the matter – also in relation to ILO conventions that the country had signed – greater security for unemployed workers was granted by the 1974 Yugoslav Constitution, whereby the right of workers to compulsory insurance would, besides health and pension insurance, also entail compulsory insurance in the case of unemployment (Petrović 1982, 325–26).

Overall, one may say that Yugoslavia developed rather strong, functioning institutions for dealing with unemployed persons. Especially after the adoption of the new Yugoslav

Constitution during the 1970s, such individuals had access to rather generous rights, not limited to employment, material compensation, healthcare, child benefits, and even some active employment measures, such as requalification or rehabilitation (Stambolieva 2014). Rights, especially to material compensation, however, were seriously affected with the rise in joblessness in the 1970s and 1980s, and the subsequent decentralization of unemployment insurance to the republics and autonomous provinces, causing divergence in rights offered.

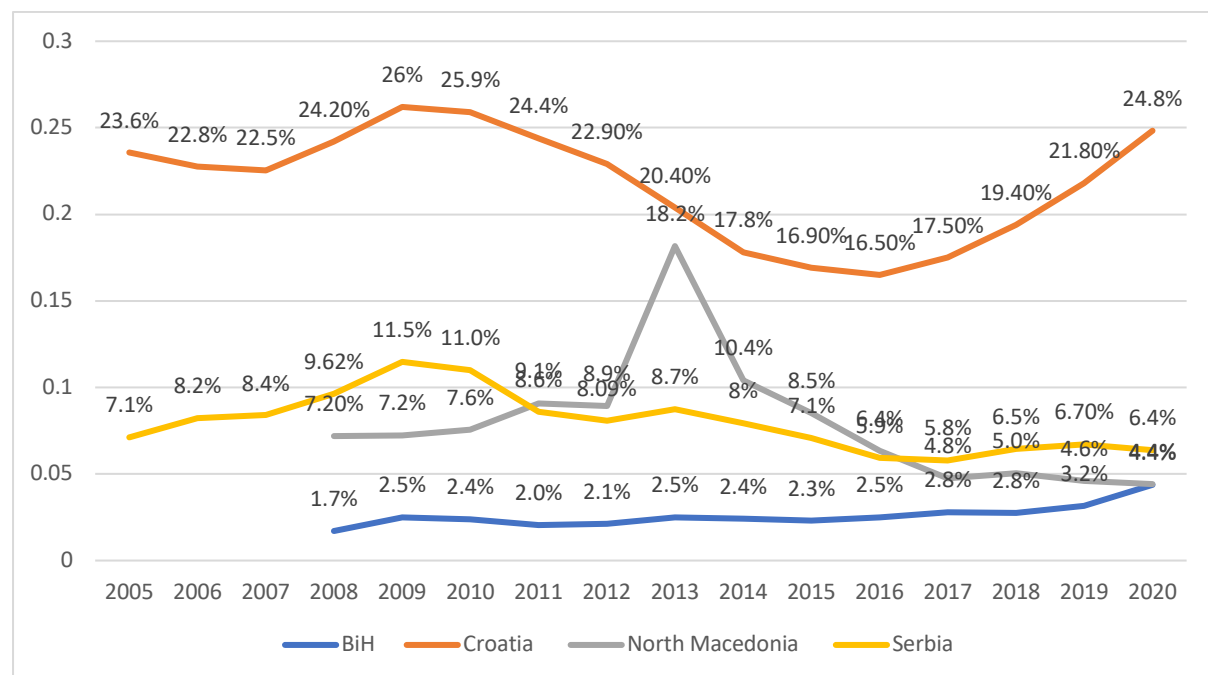
4.4. Employment Capabilities and Stratification

4.4.1. Capabilities with respect to unemployment benefits

4.4.1.1. Availability

The *availability* of unemployment benefits is expressed as the extent of coverage of persons who are registered as unemployed by unemployment benefits. Graph 4.1 provides an overview of the availability of unemployment benefits in the region.

Graph 4.1. Coverage of persons who are registered as unemployed by unemployment benefits



Sources: Annual reports of Croatian Employment Service (Croatian Employment Service, 2006-2021), monthly bulletin of National Employment Service in Serbia (National Employment Service of Serbia 2020; 2021), detailed statistical reports of Labor and Employment Agency of BiH (Labor and Employment Agency of Bosnia and Herzegovina 2022); Annual reports of North Macedonia Employment Agency (Employment Service Agency of North Macedonia, 2008-2021). Earlier years not covered due to lacking availability of data.

Note: Refers to annual average, except for North Macedonia (end of year data)

The availability of benefits across the region is quite low, especially when compared to the average for EU countries of 43% in 2018⁹ (OECD 2018). The rates are the lowest in BiH, albeit increasing slightly in recent years, and the highest in Croatia; they show a declining trend in North Macedonia and Serbia. According to Gerovska Mitev (2015, 10), in North Macedonia, this benefit has in practice only been paid to persons becoming unemployed due to redundancy or company insolvency. Due to rigid entitlement criteria, it was predominantly workers from previously state-owned company who are made redundant that could access this right, with a steep decline in unemployment benefit recipients after such companies closed or were privatized (Ibid).

Coverage is low because the majority of unemployed are first-time jobseekers or the long-term unemployed. Moreover, in most countries, many persons who were inactive in the (formal) labor market would register with PES in order to receive health insurance. This was, for instance, the case in North Macedonia until 2009, when registration was transferred to the health insurance fund (Vidovic et al. 2011). In FBiH, healthcare registration is still performed with the PES, while in the RS, it was recently transferred to the health insurance fund. PES pay health insurance for persons who are receiving unemployment benefits in the case of Serbia, while they do not perform this function in Croatia.

In all four countries, unemployment assistance schemes do not exist, but unemployed persons may have access to means-tested social assistance. However, the coverage of such benefits is quite low. In North Macedonia, a means-tested guaranteed minimum income, linked to the minimum wage, has replaced an earlier social assistance scheme as of 2019. In 2020, 27,553 persons were beneficiaries of such income (Mojsoska-Blazevski 2021, 37), while there were, on average, 132,559 persons registered as unemployed that same year (Employment Service Agency of North Macedonia 2021). In Croatia, persons in need have a right to a guaranteed minimum income after their unemployment benefit runs out; there were a total of 57,335 users of such benefits in Croatia in 2020 (Ministry of Labor, Pension System, Family and Social Policy of Croatia 2021) and 150,824 persons registered as unemployed, on average, that year (Croatian Employment Service 2021). In BiH, there were 16,165 recipients of a permanent

⁹ As mentioned earlier, the ‘pseudo-coverage’ in some European countries also includes persons not considered to be unemployed and can thus exceed 100%.

social allowance in 2020 (Agency for Statistics of BiH 2021);¹⁰ 415,231 persons were, on average, registered as unemployed that year (Labor and Employment Agency of Bosnia and Herzegovina 2022). In Serbia, the number of users was 218,166 in 2020 (Statistical Office of the Republic of Serbia 2022); that same year, 509,179 persons were registered as unemployed, on average (National Employment Service of Serbia 2021). It is important to point out that not all social assistance beneficiaries are registered as unemployed - they may be members of the household who may not be able to partake in the labor market, including children, pupils, students, caretakers, or retirees. For instance, out of the 57,335 recipients of GMI in Croatia, 26,246 had the status of an unemployed person (Ministry of Labor, Pension System, Family and Social Policy of Croatia 2021, 13).

4.4.1.2 Accessibility

Table 4.1 provides an overview of the conditions tied to accessing unemployment benefits in the region, including both entitlement conditions and conditions of conduct. As persons can lose benefits for a variety of reasons in various countries, such as acquiring the right to a pension, becoming a student, starting (self-)employment, etc., the conditions covered here have specifically to do with refusing job offers or participation in ALMPs.

Table 4.1. *Conditions for accessing (and keeping) benefits*

Country	Provisions
BiH: FBiH	<p><i>Entitlement:</i> At least 8 months of continuous employment or 8 months total employment during the past 18 months.</p> <p><i>Conditions of conduct:</i> A person loses the right to benefits if they refuse suitable a job offer without justification or refuses to participate in training organized and financed by PES at the same level of qualifications of the unemployed, or if they do not complete the training without a justified reason; if they do not report to the PES in two consecutive deadlines and doesn't provide a justification for such actions; or do not meet the requirements of active job search.</p>
BiH: RS	<p><i>Entitlement:</i> Minimum 8 months of continuous employment insurance record in the past 12 months or 12 months, with breaks in the past 18 months.</p> <p><i>Conditions of conduct:</i> Right is terminated in case of unjustified refusal of job offer in place of residence, or up to 50 kilometers from place of residence, which corresponds to their qualifications and working ability; unjustified refusal to respond to the call to participate in</p>

¹⁰ For BiH and North Macedonia, refers to beneficiaries and their households.

	<p>public works or in alleviating the consequences of force majeure (in this case only, the beneficiary can re-register with the PES after six months; justified reasons include sickness, care for sick family member, care of child up to three years of age, and have to be documented); unjustified refusal to respond to the request of the PES or Pension Fund to engage in professional training, upskilling or requalification for a profession that would correspond to beneficiaries' level of qualifications, if this would lead to a permanent employment contract; if they do not report to the PES once in 30 days; in case of unjustified refusal upon call of the PES to be informed about possibilities of employment.</p>
Croatia	<p><i>Entitlement:</i> Minimum 9 months of employment in the past 24 months before becoming unemployed.</p> <p><i>Conditions of conduct:</i> Refusal to participate, or unjustified termination or non-completion of educational program assessed to be in line with personal and professional abilities and financed by PES to improve employability of person; requirements on active job search and availability for work is not in line with dynamic determined in professional plan; refusal of job offer within or up to 50 km from place of residence (with transportation costs covered by employer), or farther (if costs of appropriate accommodation are covered), within acquired level of qualification and work experience (and in line with professional plan, after it is agreed upon), or if person's conduct leads to refusal to employ person by the employer (exceptions for childcare obligations). Refusal to accept job offer that is deemed to correspond to long-term unemployed persons' assessed personal and professional needs.</p>
North Macedonia	<p><i>Entitlement:</i> Minimum 9 months of employment insurance record (or intermittent 12 months over 18 months).</p> <p><i>Conditions of conduct:</i> Refuses to report to or refuses job offer with employer found by PES; refuses full or part-time work in line with level of qualifications; refuses to participate in training, requalification, upskilling or subsidized employment; refuses temporary employment in exceptional circumstances (floods, earthquakes, etc.) and engagement in public works; does not report to the PES within period specified by law; does not respond to PES' invitation for unjustified reasons; and refuses employment in a position that requires a lower level of professional training than theirs if they had worked in such position immediately before becoming unemployed, or have declared that they would accept employment requiring a lower level of qualifications.</p>
Serbia	<p><i>Entitlement:</i> Minimum 12 months of continuous employment insurance record (or intermittent 12 months over 18 months).</p> <p><i>Conditions of conduct:</i> Person loses the right to benefits if they are deleted from the PES register or cease to be considered by PES as unemployed, e.g. for reasons such as not reporting to PES within prescribed deadlines, not submitting evidence on active job search upon PES' request, refusal of offer for mediation for suitable job, not reporting with employer found by PES; refusal</p>

	signing an individual employment plan or not acting in line with the plan; refusal, or by own fault, terminating participation in ALMP; not responding to call by PES. Persons erased from the register have the right to be re-registered after 6 months.
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Sources: National legislation on mediation in employment and rights during unemployment.

Generally speaking, the requirements to obtain benefits is in line with typical duration in most EU countries of less than a year of employment and/or contribution in all countries except Serbia, where it is 12 months; is more flexible in Croatia, where employment during the last two years is taken into account. However, shorter employment / contribution histories are tied with less generous benefits, as will be discussed below.

Requirements related to job-seeking, accepting job offers or participating in ALMPs to keep benefits are strict, and in some countries, multiple refusals of job offers or participation in ALMPs are not allowed, thus denoting a high severity of sanctions. Moreover, “there are still gaps both in specifying the exact meaning of certain requirements,” such as independent job-search requirements or what is considered as a justified reason for rejecting job offers, and what is deemed to be ‘suitable work,’ or after what period of unemployment participation in ALMPs is mandatory (Vidovic et al. 2011, 38). While some countries are more specific in terms of conditions, others have yet to specify them better. Problematic is also the “blanket denial of benefit entitlements” (Vidovic et al. 2011, 38), or even deletion from the unemployment record as a sanction in case of non-compliance. This is not in line with the approach of most EU countries, where benefits are suspended for some weeks, after which they may be recovered (Vidovic et al. 2011, 38), and as also illustrated in Section 4.1. Importantly, “the participation in ALMPs cannot in fact be made mandatory if the funding is not guaranteed” (Vidovic et al. 2011, 38).

Nevertheless, the ability of PES to enforce severe sanction in the region varies. Thus, the capabilities of unemployed persons to find and engage in employment they value are primarily hampered by what can be deemed as generally low accessibility of unemployment benefits due to strict entitlement conditions in countries where engaging in regular employment and contributing into the system of unemployment insurance has been difficult due to a traditionally low demand for labor and strong presence of an informal economy, especially in the case of BiH, North Macedonia and Serbia. It is also important to point out that given the low coverage of unemployed persons by unemployment benefits, “PES have much less scope for putting

pressure on clients who do not receive benefits and thus PES ‘demanding’ requests de facto concern only a small group of clients” (Vidovic et al. 2011, 21).

Given the fact that a small minority of those registered as unemployed are covered by unemployment benefits, the system of permanent social allowances in the region is also marked by stringent accessibility conditions, due to the means-tested nature of such allowances. Conditionalities of conduct directly related to one’s job search activities have been introduced in Croatia, where persons of working age (with some exceptions) that receive the basic minimum income have to be registered as unemployed with PES or lose their right to the guaranteed minimum income if not an active job seeker. In North Macedonia, GMI beneficiaries, as well as their unemployed family members, have the obligation register with the ESA and to sign with the PES an Individual Employment Plan (Mojsoska-Blazevski 2021, 37). In Serbia, “able-bodied social assistance beneficiaries should prove that they are actively looking for a job in order to qualify for social assistance” (Arandarenko 2012a, 257).

4.4.1.3. Generosity

The *generosity* of unemployment benefits is operationalized through the replacement rate of the unemployment benefit and their duration. Table 4.2 provides an overview of the generosity of unemployment benefits in countries of the region.

Table 4.2. *Generosity of unemployment benefits*

Country	Provisions	
	Replacement rate	Duration
BiH: FBiH	Benefit rate fixed at 40% of the average net entity salary in FBiH during the last 3 months.	Between 90 and 730 days, depending on total time in employment (from 8 months to 35+ years).
BiH: RS	Benefit constitutes 45% of a person’s average salary in three months before becoming unemployed for those with up to 15 years of contribution and at 50% for those with a longer contribution period. May not be less than 80% of the minimum wage, or more than one average net salary in the RS in the previous year.	Between 30 days and 730 days, depending on total time in employment (from less than a year to 35+ years).

Croatia	<p>Calculated based on average gross wage earned during the previous 3 months before becoming unemployed. In the first 90 days of unemployment, 60% of the calculation base, subsequently 30%.</p> <p>The highest amount depends on average salary in Croatia in previous year; benefit level during first 90 days cannot be higher than 70% of the average wage and cannot be higher than 35% of the average wage for the remaining period.</p>	Between 90 and 450 calendar days, depending on the total time in employment (from 9 months to 25+ years). Persons 32 years in employment and with no more than 5 years until pensionable age entitled to benefits until gain employment or entitlement to retire.
North Macedonia	50% of a person's average annual wages for the first 12 months, falling to 40% of wages over the remaining months, with a ceiling of 80% of the national wage.	Between 30 and 365 days. Longer periods of receiving such benefits pertain to persons who were left without a job 18 months prior to qualifying for a pension, provided they have 15 years of insurance.
Serbia	Monthly amount calculated as a base of the daily financial allowance (circa 8.5 EUR) multiplied by a personal coefficient, which is a ratio between person's wage during the last 12 months and average wage in Serbia; wage cannot be lower than circa 191 EUR nor higher than circa 442 EUR. The base and the two amounts are harmonized with the annual consumer price index for the previous year.	Between 90 and 365 days, depending on duration of employment (from one to 25+ years). Duration of 730 days can exceptionally be granted if persons missing two years to qualify for a pension.

Sources: National legislation on mediation in employment and rights during unemployment.

The *generosity* of unemployment benefits does, in almost all cases, correspond to the 50% of the minimum wage, or the average wage, at a level that would provide an essential minimum in terms of covering basic living expenses (prioritizing the solution that denotes the higher level), as stipulated by ILO. In some instances, their duration is shorter than the minimum of 26 weeks, as stipulated by ILO, in case of workers who have contributed for shorter periods. A worker who has contributed to the system of social insurance for 5 years receives benefits for a duration of 26 weeks in BiH, 30 weeks in Croatia, 17.4 weeks in North Macedonia and 26 weeks in Serbia. According to Vidovic et al (2011, 24), “the extremely low level of benefit

rates” significantly restrict the potential for PES to ‘demand’ effort from job-seekers and use them as a motivation lever.

As can be seen from the table, due to low ceilings, unemployment benefits in some countries do not reflect previous contribution histories. In FBiH, as emphasized by Centers for Civic Initiatives, the system does not consider the level of individuals’ contribution to unemployment insurance, “but instead distributes benefits to everyone in an almost same minimum wage amount [...],” making this benefit “closer in nature to social assistance rather than unemployment benefits” (Centers for Civic Initiatives 2013, 45). According to some authors, given the meagerness of benefits, “it is fair to say that the unemployment benefits system in BiH does not provide adequate social security to the unemployed and does not have a stabilizing role in the economy” (Jusić and Numanović 2015, 93).

In most instances, benefits have changed over time to become less generous in terms of their levels. This is, for instance, especially the case in Serbia, where the replacement rate has been reduced from 60% a worker’s previous wage in 2003 to what is effectively below 50% of the workers’ average wage in 2018. (Aleksić, Arandarenko, and Ognjanov 2020, 108). This has led to the function of UB as a “legitimate and economically efficient temporary instruments that allows beneficiaries to maintain a necessary minimum level of consumption while they actively search for a new job,” to be undermined (Ibid). However, there are also some exceptions. The RS entity in BiH has recently instituted the option of granting a month of unemployment to persons who have less than a year of unemployment insurance; extending the duration from 1 to 2 years for persons who have more than 35 years of employment insurance. It has also slightly increased the replacement rate to 45% (from 35%) of a person’s salary prior to becoming unemployed in the RS for those with 15 years of contribution and 50% (from 40%) to those with a longer contribution period.

In general, the low wage replacement rates and short duration of benefits in the region, combined with a low coverage, “together constitute a situation of low income security and motivate people to work in the informal economy, even though they are registered as unemployed. Attempts to make low-paid work legal and compatible with the receipt of unemployment benefits are as yet only nascent” (Crnkovic-Pozaić and Feiler 2011, 5).

Croatia stands out as it has regulated several other allowances through its Labor Market Law. Thus, not only unemployment benefits, but financial allowance and coverage of transportation costs during training and qualification at a workplace, one-off supports and coverage of cost of transport and relocation cost, a special allowance for job-seekers with disabilities, and allowance during training or qualification without concluding a employment contract is foreseen. This grants an additional layer of security to those who are registered as unemployed.

It is important to point out that social assistance schemes that would serve as an alternative source of support to those that do not qualify for UBs are generally very meagre. The amount of the GMI in North Macedonia is determined at circa EUR 65 for the individuals that hold the right to the assistance; GMI is increased according to an equivalence scale for other household members, up to a total of five members (Mojsoska-Blazevski 2021). In Croatia, the base is set at circa 132 EUR, which corresponds to 100% of what an adult may obtain (Government of Croatia 2022b). In FBiH, where social assistance amounts are determined by cantonal laws, it spanned between 41 and 77 EUR a month in 2019 for an individual, depending on the canton (Federal Ministry of Labor and Social Policy 2020). In the RS, it is set at 17% of the base, which is the net salary in the previous year for an individual, i.e. around 83 EUR in for 2020¹¹. (*Zakon o Socijalnoj Zaštiti [RS Social Protection Law] 2022*) In Serbia, the benefit is set at a base of circa 51.2 EUR, which corresponds to 100% of what one person receives (it is also adjusted with the consumer price index twice a year; nominal values are determined by the relevant ministry) (Aleksić, Arandarenko, and Ognjanov 2020, 65)¹². A single-member households and households with two adult members can receive permanent social assistance only during 9 months of the year. Benefits in Croatia are received by all individuals in a given household and may thus be lower or higher depending on the profile of the recipient (e.g. their ability to work, whether they are a child, or a retiree, etc.). In general, adult recipients of social assistance who are able to work and are registered as unemployed, only have the means to meet their basic needs.

¹¹ Benefits in both entities increase depending on the number of household members, albeit not in the full amount granted to the main beneficiary.

¹² In Serbia, the main beneficiary (usually the head of the household) receives 100% of the base, while every next adult receives 50% of the base and a child 30% of the base. The base increased from circa 51.2 EUR in 2011 to 72.5 EUR in 2019 (Aleksić, Arandarenko, and Ognjanov 2020, 65).

4.4.2. Inequalities in capabilities with respect to benefits

With respect to unemployment benefits, when looking at the different types of persons who may register as unemployed, entitlements are granted only to persons with a history of unemployment insurance contributions who have been employed or self-employed in all countries. These include foreign citizens and persons without citizenship who have been employed and have contributed towards unemployment insurance. Moreover, persons who are registered as students cannot be registered as unemployed and lose their status of unemployed person if they become students. In Croatia, parents on maternity, parental, adoption or foster care leave whose leaves have ended upon their employment being terminated also have this right. Nevertheless, there are generally few special provisions for granting unemployment benefits to other categories.

One exception is Croatia's a special program, which falls under activation measures, titled "Permanent seasonal worker." In line with the Labor Market Law, persons with employment contracts of a defined duration concluded on a seasonal basis, who have worked with one employer in continuity, and thus have a right to an extended pension insurance, also have a right to a financial allowance for six months. The allowance is determined at a base of the average three gross salaries of the employee prior to ending employment; seasonal workers receive 60% of the base during the first 90 days and 30% of the base for the remaining period. A ceiling is set at 70% of the average net salary in Croatia in previous year for the first 90 days, and 35% of the average net salary for the remaining period. It cannot be lower than 50% of the minimum wage. Such allowances effectively constitute a type of unemployment benefit for seasonal workers with irregular contribution histories.

Croatia also grants, in line with the Labor Market Law, a special financial allowance for persons with disabilities who are registered with PES as unemployed, who have completed at least elementary school and are at least 15 years of age. The benefit is set at 10% of the net minimum wage.

On the other hand, some groups have been granted privileged access to unemployment benefits. For instance, similar as in the pension realm, war veterans and other war-related categories in BiH have been entitled to special privileges: In FBiH especially, their 1992-1995 service has been compensated by generous unemployment benefits. A special unemployment benefit (“

demobilized soldiers' allowance") was granted by a law to demobilized soldiers registered as unemployed for a maximum of three years, depending on years of military services, adopted just before the 2006 general elections. The "introduction of the 'demobilized soldiers' allowance' has produced quick increase of registrations with PES and exponential growth of benefits with spending rising almost 3-fold between 2006 and 2008," with PES spending most of their funds on this group of beneficiaries (Vidovic et al. 2011, 27–28). The law, which expired in 2010, was considered counter-productive, as it did not stimulate active job search. "Most of the targeted group are working in the grey economy, but they were receiving monthly benefit and free health insurance and were given a priority for employment and self-employment in any of the active labour market programmes" (Vidovic et al. 2011, 28). In Croatia, unemployed war veterans of the Croatian war acquired the right to unemployment benefits during the 1990s; the unemployment benefits are means tested and paid in the amount of circa 146 euro per month, increased for each day of participation in combat (Government of Croatia 2022a).

With respect to unemployment benefits, differences in the generosity of benefits depend on the extent of contribution (except for FBiH); the differences between the highest and lowest levels have been reduced through the introduction of ceilings – and floors – in those countries that have introduced the latter. The lowest amounts, which tend to be tied to the minimum wage, still are considerably higher than the levels of permanent social assistance received by individuals. Thus, for instance, in Serbia, the permanent social assistance for a one-person household was only 31% of the minimum wage or 15.5% of the average wage in 2019 (Aleksić, Arandarenko, and Ognjanov 2020, 66), with the gap between the social assistance levels and levels of minimum wage increasing during the last decade. At the same time, an unemployed person with the right to UB would be entitled to a benefit no be lower than around 67% of the minimum wage, according to calculations for 2019 (Aleksić, Arandarenko, and Ognjanov 2020, 107).

Moreover, some countries have introduced workfarist elements for persons receiving social assistance that additionally disadvantage them in relation to recipients of unemployment benefits. For instance, the adoption of a 2014 decision in Serbia that opened up the possibility for social services – the centers for social work – to engage recipients of social assistance in unpaid community service, public works or volunteering, has been criticized as violating the "implicit contract" between the state and social assistance recipients. This is because the

maximum amount of social protection assistance in Serbia has been set at a level below the nationally-defined rate of absolute poverty and assistance is paid to families with adults who are able to work during nine months in a year, with the assumption that they may work in seasonal or irregular jobs during the remaining three months. The 2014 decision thus directly endangers such “mechanisms of survival” with the obligation of having to participate in community service, for instance (Aleksić, Arandarenko, and Ognjanov 2020, 67).

Effectively, ‘insiders’ in the labor market – salaried workers with sufficiently long unemployment insurance histories – have been able to enjoy a higher level of income security in comparison to ‘outsiders,’ persons with uneven employment records, who haven’t been able to sufficiently contribute into the system. While it is difficult to estimate the number of ‘outsiders’, ILO qualifies own-account and contributing family workers, who are assumed to have a lower levels of quality working conditions and social security as ‘vulnerable workers.’ Estimates for the region suggest that 19% of workers in BiH, 7% in Croatia, 17% in North Macedonia and as many as 24% in Serbia were vulnerable workers in 2019 (International Labor Organization 2022).

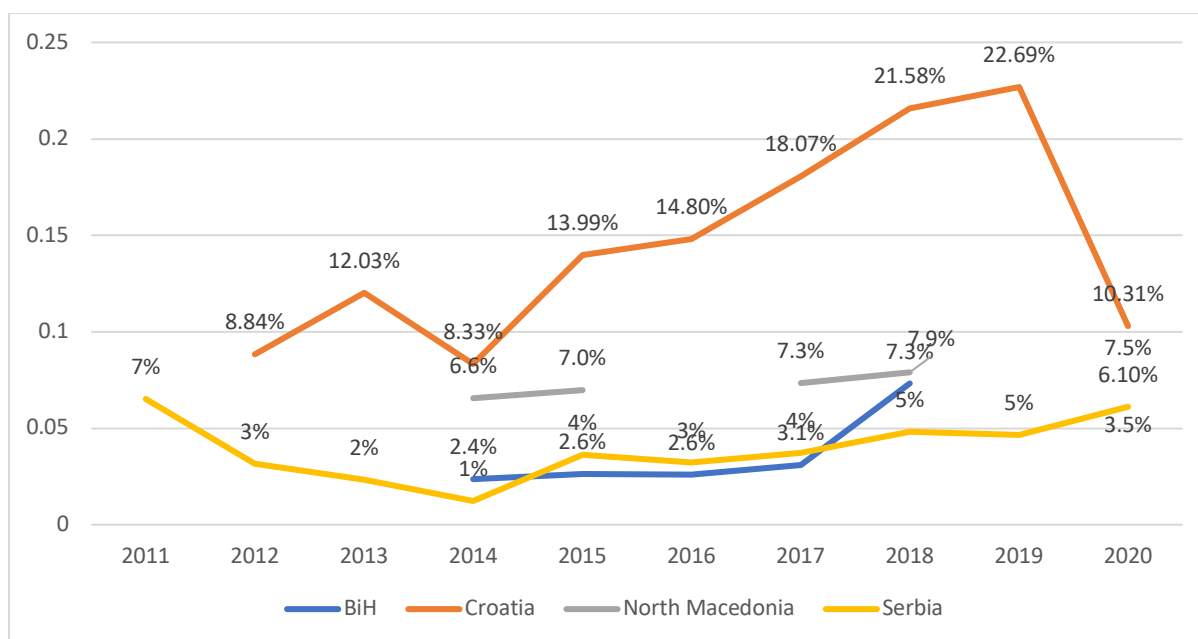
When looking at specific conversion factors, gender also plays an important role – with women traditionally much less represented in the labor market than men, primarily due to discrimination faced in the labor market, as well as and care responsibilities. Strict entitlements to unemployment benefits also affect young persons, who have short or no insurance contribution histories.

4.4.3. Capabilities with Respect to ALMP Measures

4.4.2.1. Availability

The *availability* of active labor market policies (ALMPs) expressed as the extent of coverage of persons registered as unemployed by ALMPs (Graph 4.2).

Graph 4.2. *Coverage by active labor market policies (measures 2-7)*



Sources: Annual reports of Croatian Employment Service (Croatian Employment Service, 2006-2021); For Serbia, (Aleksić, Arandarenko, and Ognjanov 2020) For BiH and North Macedonia, CPESSEC Statistical bulletins no. 4-11 for measures (Center of Public Employment Services of Southeast European Countries 2021; 2019b; 2019a; 2016; 2017; 2015; 2013), employment agency reports and statistics for unemployment data (Labor and Employment Agency of Bosnia and Herzegovina 2022); Employment Service Agency of North Macedonia, 2008-2021)

Note: Refers to number of people partaking in measures (entrants) compared to average number of people registered as unemployed. LMP measures 2-7 refer to training, employment incentives, start-up incentives, public works and sheltered and supported employment and rehabilitation. Prior years not included due to lack of comparable data.

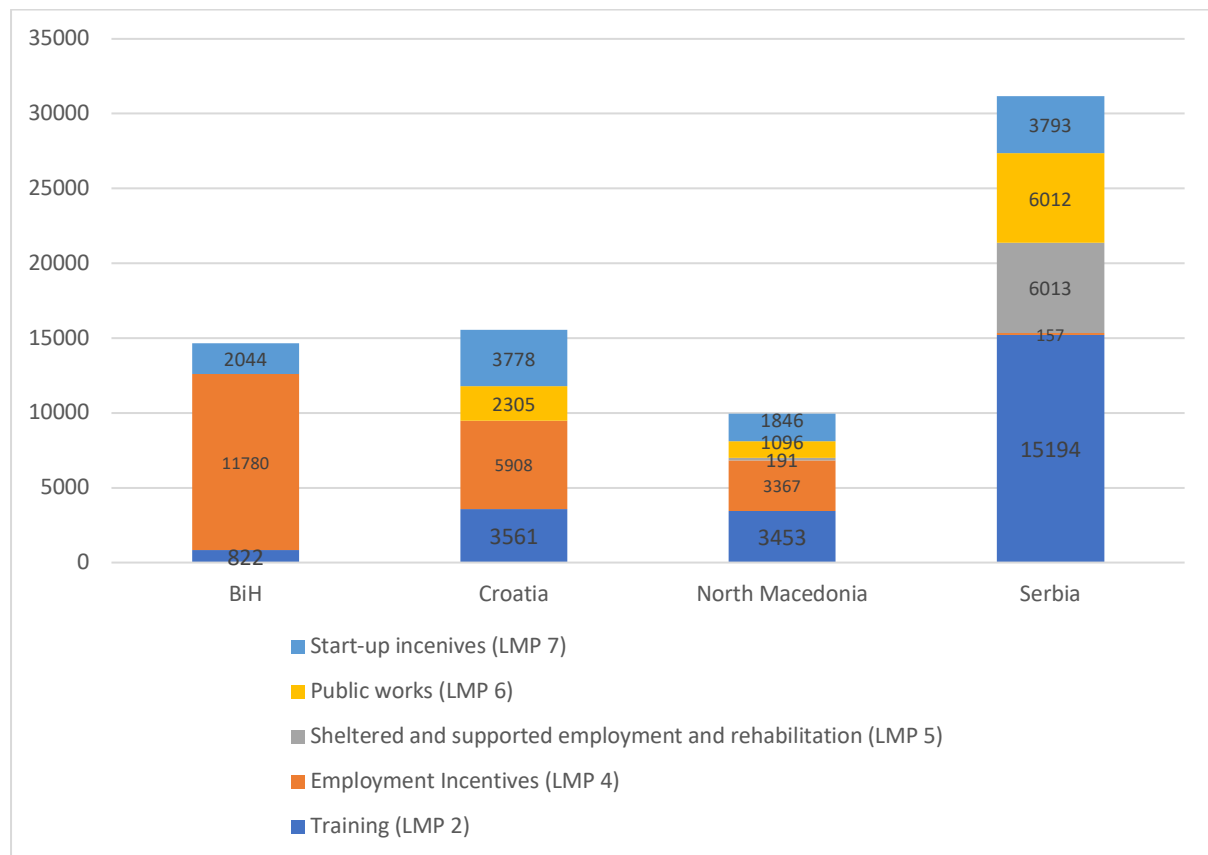
In general, coverage of unemployed persons by ALMPs is shown to be quite low in the region, with Croatia performing better than the other countries, especially so in recent years.¹³ While there is no recent data on the EU average, percentages on the activation of persons registered as unemployed by LMP measures (2-7) tends to range significantly between member states, from 53.2% in Luxembourg to only 4.3% in Greece in 2019; around one half of member states have involved at least 20% of persons registered as unemployed in measures in 2019 (Eurostat 2022a). Low coverage rates in the region bring into question the effectiveness of countries' activation strategies and hamper jobseekers' capabilities to find employment. It is important to point out that unemployment rates – and the number of registered unemployed – have been declining in the region in the past 10 years. Thus, while the number of participants

¹³ Except for 2020, where a slump in participants was related to the COVID-19 pandemic (Croatian Employment Service 2021).

in measures has also gradually increased over the years in all countries, a decline in unemployment has also contributed to the generally increasing coverage rates over the years.

The types of ALMPs that are available to jobseekers and their respective coverage differ in terms of their variety between countries, as can be seen in Graph 4.3.

Graph 4.3. *Participants by types of LMP measures (2-7) in 2020*



Source: (Center of Public Employment Services of Southeast European Countries 2021, 45)

In BiH, the ALMP portfolio is dominated by subsidies for employers, whereas measures that would focus on skill-building are generally underrepresented. In other countries, a more diverse portfolio of ALMPs is noticeable, with Croatia, North Macedonia and especially Serbia placing a greater focus on training measures. Public works are, unlike in BiH, prevalent in Serbia and Croatia; moreover, Serbia differs from other countries when it comes to the inclusion of persons with disabilities in ALMPs (through sheltered and supported employment and rehabilitation measures).

Countries differ in the extent to which labor market services have been developed and are offered to persons registered as unemployed. While “simpler and more cost-effective programmes, called ‘employment services’ or ‘job search assistance’ (encompassing job-search, counselling and other basic job brokerage functions),” have generally been underdeveloped in the region (Vidovic et al. 2011, 71), this has been changing as of recently. Countries, have, for instance, introduced profiling of those registered as unemployed that facilitates their activation and placement into different programs. In Serbia, what are deemed ‘non-financial’ measures have been shown to encompass a broad range of unemployed persons (Aleksić, Arandarenko, and Ognjanov 2020, 5). In Croatia, PES has continuously worked on improving its capacities. (Vidovic et al. 2011; Crnkovic-Pozaic and Feiler 2011)

The situation in BiH in terms of PES capacities has also improved in recent years: According to Numanović (2021, 22), PES “have put more effort in 2018 and 2019 into strengthening counselling services, profiling of jobseekers and developing and introducing individual employment plans as a means of intermediation.”

4.4.2.2. Accessibility

The *accessibility* of ALMP measures refers to different conditions that may be attached to accessing such programs, as well as conditions of conduct related to participation in ALMPs. When looking at the national legislation in the realm of employment mediation, persons who can access ALMPs usually have to comply with conditions of active job search, regular reporting to the PES, participation in preparing and signing an individual employment plan (IEP) and generally have to be available for work. Most countries have introduced sanctions in case persons drop out of programs for unjustified reasons.

In North Macedonia, the category of non-active jobseekers is excluded from access to ALMP. Persons may regain status of an “active” jobseeker at own request, but participation in ALMPs was not granted automatically, as persons would have to have the “active” status for a minimum of 6 months.

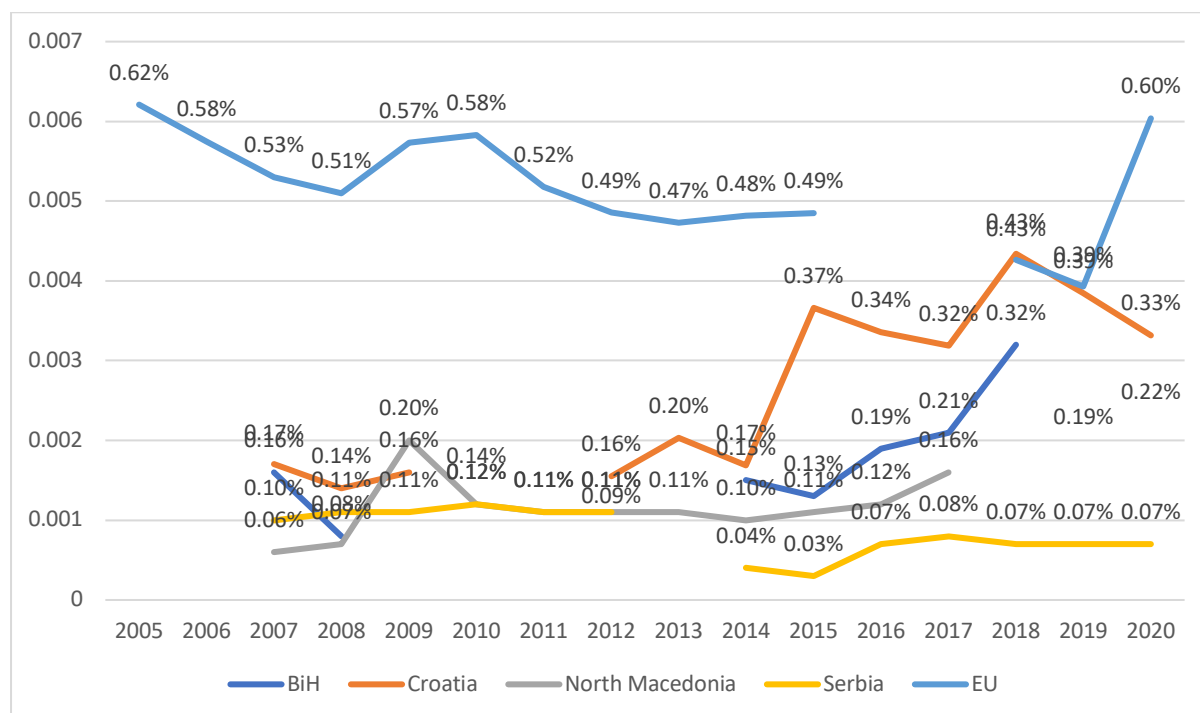
The actual implementation of the conditions of conduct attached to participating in ALMPs has depended on the capacities of the PES, and has been shown to be generally weaker in North Macedonia, BiH or Serbia (Vidovic et al. 2011).

As mentioned earlier, some countries have also introduced stronger workfarist elements. For instance, with the adoption of a 2014 decision that allows centers for social work to engage social assistance recipients in community service or public works, recipients of social assistance have had to engage in communal cleaning, construction or other public works in order to receive benefits (Kljajčić 2017). According to one research, between 2014-2018, at least 9346 persons receiving social assistance in Serbia were obliged to engaged in public works under the condition of losing their right to cash benefits. At the same time, only 138 recipients that engaged in such activities became employed as a result (A11 Initiative for Economic and Social Rights 2018). As pointed out before, such workfarist approaches have been heavily criticized for hampering persons' right to choose, especially if they simultaneously result in benefit cuts and do not represent an adequate job opportunity. Similarly, in Croatia, recipients of guaranteed minimum income (BMI) may lose their right to social assistance if do not participate in community-work upon the invitation of the local government. Workfarist approaches that condition jobseekers to participate in a certain type of ALMPs (such as public works), rather than a broader array of measures, hamper individuals' employment capabilities, as they have to engage in activities that they may not value and that may not contribute to their career prospects.

4.4.2.3. Generosity

The *generosity* of ALMP measures is operationalized as spending on ALMPs as a percentage of GDP (Graph 4.4).

Graph 4.4. Spending on ALMPs as percentage of GDP



Source: For BiH, (Center of Public Employment Services of Southeast European Countries 2021; 2019b; 2019a; 2017; 2016; 2015; 2013), for Serbia (Aleksić, Arandarenko, and Ognjanov 2020), for North Macedonia, (Ministry of Labor and Social Policy of North Macedonia 2019, 33), for EU and Croatia (as of 2012), (Eurostat 2022a), Estimates for North Macedonia and Croatia (2007-2010), Serbia (2007-2009) for earlier years:(Vidovic et al. 2011)

Note: For North Macedonia, pertains to measures and services, for other countries, only measures.

Throughout the region, spending on ALMPs has slightly increased over the years and the capacities of PES have been strengthened thanks to technical assistance and financial support of internationally sponsored projects (Vidovic et al. 2011, 2011:44). Nevertheless, in comparison to average spending within the EU on active employment measures, it remains low, especially having in mind the generally much higher levels of unemployment throughout registered in the countries of the region in comparison to the EU average.

4.4.4 Inequalities in capabilities with respect to ALMPs

The extent to which ALMPs target groups that are traditionally disadvantaged in the labor market, such as women, youth, minorities, persons with lower levels of educational attainment or persons with disabilities, as well as differences with respect of access to ALMPs between groups, may be indicative of inequalities in capabilities with respect to accessing and benefiting

from such measures. As mentioned before, due to a general lack of data in this realm, we can only have a partial picture of the extent of such inequalities.

In all countries, ALMPs are to some extent geared towards categories/groups that are usually disadvantaged in the labor market. The table below provides an overview of some such measures (4.3).

Table 4.3. *Targeting of ALMP measures towards unemployed persons disadvantaged in the labor market*

Country	
BiH	Young people without work experience; women; long-term unemployed; war veterans and children of unemployed war veterans; persons belonging to jobless households; persons with disabilities; Roma; single parents, foster parents and children from foster homes, custodians, children of parents with special needs; returnees.
Croatia	Young people; long-term unemployed; persons older than 50 years of age; persons with disabilities; the Roma; Croatian returnees; Special groups among those unemployed including: single parents, young persons who have left orphanages; victims of family violence; Croatian war veterans; parents with four or more children; parents of children with disabilities; asylum-seekers; recovering addicts, and other groups that would be at risk of social exclusion or long-term unemployment.
North Macedonia	Young persons with lower levels of educational attainment; victims of family violence; children without parental care; homeless; former drug addicts; parents of street children or children on the street; the Roma; former convicts; persons unemployed long-term; parents of 3+ children; parents of children with disabilities; beneficiaries of social assistance; persons with disabilities.
Serbia	Young people; women; workers older than 50 years of age; redundant workers; the Roma; persons with disabilities; persons with no or low levels of educational attainment; persons unemployed long-term; internally displaced persons; beneficiaries of social assistance; single parents; unemployed parents.

Sources: (Gerovska Mitev 2017; Croatian Employment Service 2021; Vidovic et al. 2011; Numanović 2016)

In general, all countries seek to include groups that are traditionally seen as disadvantaged in the labor markets. Thus, in Serbia, over 90% of beneficiaries of ALMP measures (which are limited in scope due to limited funding) have been disadvantaged or vulnerable groups, yet this was “easier to achieve given that they constituted at least 80% of all unemployed” (Aleksić, Arandarenko, and Ognjanov 2020, 5). Nevertheless, there are differences in the extent to which

other groups that are traditionally seen as the hardest to employ are encompassed by ALMP measures. For instance, BiH and North Macedonia have generally been shown to have a weakly targeted and diversified ALMP portfolio (Numanović 2016, 41). According to Gerovska Mitev, during the 10-year period of the VMRO-DPMNE party in North Macedonia, ALMPs were designed in such a way as to target only those who could be more easily activated, rather than those more difficult to employ (Gerovska Mitev 2019, 123). Nevertheless, in recent years, the participation of some vulnerable groups in ALMPs, such as the Roma, has increased (Mojsoska-Blazevski 2021, 16). In BiH, the bulk of ALMPs relates to employment incentives that are generally open to all jobseekers, rather than those that would be harder to employ. According to Numanović (2016, 47), “although there were some improvements regarding the diversification of ALMP target groups, the most vulnerable and hard-to-employ categories, such as low-skilled persons, women who are heads of households and others, are insufficiently targeted through employment programmes.” In Serbia, there have been some positive trends in recent years. For instance, the inclusion of unemployed Roma persons in ALMPs has increased: the Roma constituted only 2% of persons included in LMP measures in 2011, that share increased to 8% in 2019 (Aleksić, Arandarenko, and Ognjanov 2020, 52).

ALMPs have increasingly been geared towards youth in the countries of the region. Croatia has introduced various ALMPs targeting youth under the European Youth Guarantee (EYG), which it joined with its accession in 2013. North Macedonia also began implementing a Youth Guarantee Scheme in 2018. Serbia adopted the Youth Employment Policy and Action Plan for 2009-2011, with the attention of gearing some 41% of all ALMPs towards first-time jobseekers, and launching the program ‘First Chance’ in 2009. (Vidovic et al. 2011, 58). As of 2013, Serbia started implementing a “Youth services package”, inspired by the EYG, albeit being a “significantly cheaper version” thereof (Aleksić, Arandarenko, and Ognjanov 2020, 37). The scheme mainly foresaw a closer cooperation between PES and unemployed youth, with PES drafting an IEP and conducting an employability assessment, whereupon young people were included in available ALMPs, some of which were targeted at youth specifically (e.g. “professional internship”) (Ibid). Despite the introduction of this scheme, the share of youth in total participants engaged in ALMPs declined from 51% to 31% between 2011 and 2019, which can only in part be explained by the general reduction in the share of youth in the total population of those registered as unemployed. Moreover, a program targeting youth, “First chance,” was discontinued, significantly contributing to the reduction of unemployed youth in the number of ALMP participants (Aleksić, Arandarenko, and Ognjanov 2020, 37).

Both BiH and Serbia are currently in the process of preparing the roll out of a Youth Guarantee.

Despite the discrepancies in employment rates between women and men in the region, countries have not adopted ALMPs that would specifically target women, except activities of promoting female entrepreneurship (Numanović 2016). This is generally because of the high heterogeneity of the group of unemployed women, with differences in terms of age or level of education (Aleksić, Arandarenko, and Ognjanov 2020, 32). Nevertheless, most countries show positive results with respect to the gender structure of ALMP participants. For instance, women constituted between 51-55% of participants in ALMPs between 2011 and 2019 in Serbia (Aleksić, Arandarenko, and Ognjanov 2020, 33).

All countries have special legislation on the professional rehabilitation and employment with persons with disabilities, which also covers employment promotion and designates special funds towards that end. Nevertheless, the extent to which persons with disabilities are included in ALMPs varies between countries. For instance, Serbia has involved a significant share of persons with disabilities who are registered as unemployed in such measures; between 16% and 26% of persons with disabilities who were registered as unemployed were included in measures between 2011 and 2019, as opposed to 3% to 6% of all persons registered as unemployed (Aleksić, Arandarenko, and Ognjanov 2020, 46). In BiH, on the other hand, measures that would be tailored towards unemployed persons with disabilities have remained underdeveloped (Miljević 2012, 62). In Croatia, PES and the Fund for Vocational Education and Employment of Persons with Disabilities implement specific measures geared towards persons with disabilities, and provides employment subsidies and incentives to employers to keep persons with disabilities in employment (Vidovic et al. 2011, 63). Similarly, in North Macedonia, a special fund for persons with disabilities, which functions under the Employment Service Agency, finances a measure by which the employment and training of disabled persons is subsidized for employers (Mojsoska-Blazevski 2021, 46).

Some conditions related to active job-seeking have unfairly impacted certain groups. For instance, the decision to differentiate between active and passive jobseekers in North Macedonia has been detrimental to many unemployed persons, especially the most disadvantaged groups, including the Roma (Gerovska Mitev 2019, 130). Recipients of permanent social assistance have also faced more stringent conditions in relation to participating in some types of ALMPs, such as public works. As described earlier, workfarist

elements have been introduced to activate such groups, generally considered as hard-to-employ categories, especially in Croatia and Serbia.

A specific group that has been targeted with different ALMPs are war veterans (and war-related categories) in both entities in BiH, who have had the advantage in terms of participating in different training schemes and receiving subsidies for starting businesses (Labor and Employment Agency of Bosnia and Herzegovina 2020). This has also been the case in Croatia, where special labor market measures targeting war veterans, e.g. in the form of employment incentives, have been implemented (Cazes et al. 2006, 27; Croatian Employment Service 2021).

4.5. The course of policy change in the employment realm

4.5.1. Bosnia and Herzegovina

Following the breakup of Yugoslavia and the 1992-1995 war, BiH retained a social insurance-based unemployment benefit scheme, with benefits conditional on a specified insurance period. During the past two decades, the maximum duration of receipt of unemployment benefits has generally been shortened, and replacement rates have remained low. A recent exception have been 2019 amendments to RS Law on Mediation in Employment and Rights During Unemployment, where the generosity of benefits has slightly been improved.

At the same time, policy changes have been made to extend privileges to certain groups, such as war veterans and other war-related categories. In FBiH, for instance, a special unemployment benefit of maximum duration of three years, depending on years of military services, was granted by a law to demobilized soldiers just before the general elections. The benefit proved to be a heavy financial burden for the FBiH public employment services. (Vidovic et al. 2011, 27; Obradović 2017, 97).

With active labor market policies having gained traction among policy-makers, spending on ALMPs has slightly increased in recent years and the capacities of PES have been strengthened, also thanks to technical assistance and financial support of internationally-sponsored projects (Vidovic et al. 2011, 44), including those supported by the World Bank and ILO. Thus, conditions of conduct have also become more stringent, and sanctions have been introduced in

case one is not actively searching for a job, regularly reporting to PES, refusing to accept a job offer for unjustified reasons or participating in ALMPs. Nevertheless, “active labour market measures are poorly developed and implemented because of the lacking skills of PES employees, budget allocation procedures (residual approach), and the complicated organizational structure of the PES in BiH” (Vidovic et al. 2011, 42). A residual approach means that funds for ALMPs (allocated from unemployment insurance contributions and government budgets) are used to cover administrative costs and expenditures on passive measures, so that “other activities, including active labor market measures, are funded out of what is left” (Vidovic et al. 2011, 46).

Workfare approaches have not been implemented in BiH to date, due to weak institutional and financial capacities of PES (Jusić and Numanović 2015; Numanović 2016). Nevertheless, recent developments in FBiH include the 2018 adoption of a new Rulebook on records in the area of employment, which obliges persons registered as unemployed to comply with active job-seeking conditions, and for the first time introduces the obligation to prepare an individual employment plan. In 2017, the RS also adopted (and amended in 2019) the Rulebook on conditions, criteria and manner of implementation of active labor market policies, which defines different types of ALMP measures and procedures of formulating an individual employment plan. In both documents, a greater emphasis has been placed on job-counselling and a more client-based approach. Both entities have also introduced new counselling methods in recent years, with the support of international donors; as a result, there has been an increase in the number of active job-seekers engaged in the counselling processes. In the RS, there has been a significant rise in the number of individual employment plans prepared by PES, while in FBiH, the progress in this realm has been slower due to the decentralized nature of the entity, with cantons adopting their own standards and indicators.

Nevertheless, while somewhat more pronounced in the RS, increasing conditionality in terms of the obligations of the registered unemployed has to date not been a prominent feature of BiH employment measures. Reforms in both entities in the employment realm can be characterized as very gradual and incremental.

Table 4.4. Employment policy in BiH: Overview of important policy changes

Year	Entity	Policy	Changes
2005	FBiH	Changes to Law on Mediation in Employment and Social Security of Unemployed Persons	Changes in duration of unemployment benefits: shorter duration for persons employed for 5 years or less; longer for persons employed 15 years or more Replacement rate slightly increased for some benefit recipients Stricter unemployment definition Stricter reporting criteria and obligation to participate in ALMP
2006	FBiH	Special unemployment benefit scheme for war veterans	Specific benefits introduced for war veterans.
2010	RS	Changes to the RS Law on Mediation in Employment and Rights During Unemployment	Decreased duration of benefits for shortest insurance period; increased duration of needed insurance to qualify for maximum period; Stricter reporting criteria and obligation to participate in ALMP
2010	RS	Rulebook on Active Job-Seeking in the RS	Obligation of preparing a personal employment plan for job-seekers defined
2017/2019	RS	Rulebook on Conditions, Criteria and Manner of Implementing ALMPs in RS	ALMPs, individual employment plans more closely defined.
2018	FBiH	Adoption of new Rulebook on Records in the Area of Employment	Persons registered as unemployed obliged to comply with conditions of active job seeking; individual employment plan introduced
2019	RS	Changes to the RS Law on Mediation in Employment and	Extension of maximum period of benefit duration (extending right to 1 month of benefits to persons with less than 1 year of unemployment insurance; extending the duration from 1 to 2 years for

		Rights During Unemployment	persons with 35+ years of unemployment insurance). Increase in generosity of unemployment benefits (rise in replacement rates, calculation of floor based on 80% of minimum wage rather than 20% of average wage).
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4.5.2 Croatia

Unlike BiH, Croatia’s employment policy has experienced fast-paced changes. Due to structural changes in the economy and high unemployment rates, a National Employment Policy, and a program of incentives for new job openings were adopted in 1998, as a result of which the Croatian employment services developed new employment policies (Bejaković 2002, 96).

At the same time, the generosity of benefits was lowered, so that the maximum duration of benefits was reduced during the 1990s from 30 months to a maximum of 450 days; and subsequently down to a maximum of 312 days (unlimited for persons with 30+ years of service). As of 2002, legislation was changed, relaxing eligibility requirements, reducing the number of required months to qualify for a benefit from 12 to 9 months within the last two years. While the unemployment benefit was formally 100% of the average salary in the three months preceding one’s unemployment as of 2002, a ceiling set by the Ministry in charge meant that it was practically a flat rate benefit that could, at most, amount to 25% of the average national wage (Bejaković 2002, 99). At the same time, the floor was set at 20% of the average wage between 1997 and 2008; in this period, the maximum benefit fell from 44% of the average wage in 1997 to 22-26% between 2002 and 2008 (T. Matković 2019).

In 2008, benefit ceiling levels were linked to the average wage in the country (70% in the first three months, subsequently 50%) while the floor was defined at 50% of the minimum wage. However, attempts to raise the generosity of benefits “had to be reversed as a result of the large numbers of new unemployed” due to the 2009 recession (Crnkovic-Pozaic and Feiler 2011, 22). Thus, after “only half a year of the introduction of new increased benefits the Government had to step back and reduce the benefit again to the minimum wage” (Vidovic et al. 2011, 26) The ceiling was set at the minimum wage (and 80% of the minimum wage), but was

subsequently linked back to 70% of the average wage (35% after three months) (T. Matković 2019).

As of 2014, self-employed persons are also covered by unemployment insurance. At the same time, with an increase in the retirement age, conditions for persons who had a right to an unemployment benefit were made more stringent, so that benefits until retirement would be paid only to those who had five years left to retire; in practice, the number of beneficiaries was drastically reduced (T. Matković 2019).

Croatia has a long history of employment policies that are active in character, not limited to mediation, counselling or requalification. Active labor market policies were introduced in 1992 (Kerovec, 1995); with a clear and articulated strategic commitment to activation, a diverse portfolio of ALMP has been developed over the years. While doubts regarding the effectiveness of their design have remained, ALMPs represent a “a substantial shift from the traditional bureaucratic delivery of employment services,” towards more customer-oriented ones, more closely aligned with the provision of cash benefits and social services, as well as with regional priorities (Bejaković 2002, 97).

At the same time, Croatia has introduced more stringent conditions of conduct, not limited to active job search, periodical reporting to the PES, and being available for work, which has also been reflected in the changes to the definition of an unemployed person. While, during the 1990s, active labor market policies and activation in particular were not dominant approaches to employment policy (Puljiz 2001, 67), as of 2002, individuals registered as unemployed are required to fulfill the obligations set by a professional work plan. Although different forms of monitoring have been altered throughout the years in order to improve their effectiveness, conditions of conduct have generally become stricter since.

Croatia adopted a National Action Plan for Employment (2005-2008) in 2004, which was aligned with the European Employment Strategy; since then, a number of different operational documents have been adopted in this realm. As the process of EU accession picked up, Croatia’s government also drafted a Joint Assessment of Employment Policy (JAP), a participatory, strategic-planning process that was guided by the European Commission and which set priorities in the employment realm, next to a Joint Memorandum on Social Inclusion (JIM), focused on different areas of social protection. The JAP was “essential for adjusting and

developing the employment system in Croatia so that it will be able to implement the European Employment Strategy” during the country’s accession and, together with the JIM, formed the basis for the 2011-2012 National Employment Promotion Plan (Vehovec and Tomić 2012, 104). Nevertheless, the progress that was expected as part of JAP “was seriously undermined by the economic crisis.” (Ibid).

In 2012, Croatia adopted a Law on Employment Promotion, with the aim of “strengthening employability and acquiring knowledge and skills necessary for work.” The Law regulated different incentives to employers who employ persons registered as unemployed, such as freeing the employer from the obligation to pay social contributions for a certain duration of time, incentives for employers in case they sign contracts for professional training with unemployed persons, as well as incentives for hiring seasonal workers.

A typical workfare measure that pertains to recipients of the guaranteed minimum income was also introduced in 2013 with changes to the Law on social protection, whereby individuals who do not participate in community-work, upon the invitation of the local government, may lose their right to social assistance. The 2013 changes to the Law also foresaw loss of such income if persons are unable to find employment within two years, but such a provision swiftly erased due to the inability of the majority of beneficiaries (most of whom have low levels of educational attainment) to find work (T. Matković 2019). In-work benefits as incentives to take on (low-wage) jobs, with a slow phasing out of minimum income, have been introduced instead.

Although Croatian PES are considered to have a “mature institutional infrastructure in the employment realm”, the wide, legally prescribed scope of measures (Matković, 2019) has meant a need for further capacity-building.

Table 4.5. *Employment policy in Croatia: Overview of important policy changes*

Year	Policy	Changes
1996-1998	Changes to Law on Employment Mediation and Rights During Unemployment	Maximum period of receiving unemployment benefits reduced. Benefit set at 80% of net salary (60% after 78 days).

		Floor on unemployment benefit set at 20% of average national wage [ceiling determined by decision of responsible Ministry]
2002-2006	Changes to Law on Employment Mediation and Rights During Unemployment	Introduction of active job search criteria; not limited to fulfilment of professional plan; Stringency of entitlement criteria reduced (2002) in terms of employment duration to qualify for benefits Rights to unemployment benefits for persons employed 10+years increased. Benefit generosity increased to 100% of net salary (ceiling/floor remain)
2008	New Law on Employment Mediation and Rights During Unemployment	More beneficial calculation of employment period for part-time employed Reduction in number of required months to be eligible for benefit Benefit becomes more generous with altered ceiling.
2009-2010	Changes to Law on Employment Mediation and Rights During Unemployment	Duration of unemployment benefits extended for additional 1-4 months Unemployment definition becomes stricter Generosity of benefits temporarily reduced
2011	Changes to Law on Employment Mediation and Rights During Unemployment	Benefit ceiling linked back to average, rather than minimum wage, but ceiling reduced to 70% of average wage, 35% after first three months (from 50%).
2012	Adoption of Law on Employment Promotion	Law intends to increase employability and incentivize employment, covers employment incentives for employers and active labor market policies.
2013-2014	Changes to Law on Employment Mediation and Rights During Unemployment	Unemployment definition stricter Greater frequency of individual consultations Self-employed persons covered by insurance Conditions for benefits to be paid until retirement stricter Benefit duration temporarily extended during the economic crisis (between 1 and 4 months)

2013	Changes to Law on Social Protection	Obligation to participate in community work or lose right to social assistance, find employment within two years [subsequently changed]
2017	Changes to Law on Employment Mediation and Rights During Unemployment	Frequency of consultations relaxed.
2018	New Labor Market Law adopted, replacing Law on employment mediation	Provisions from Laws on employment mediation and rights during unemployment and Law on Employment promotion integrated into new law.

4.5.3 North Macedonia

Due to unfavorable socioeconomic conditions, such as economic decline and high unemployment rates, North Macedonia increased the conditionality of its unemployment benefits during the 1990s. The generosity of benefits has also been tightened over the years: For instance, the duration of the right to an unemployment benefit was reduced from 18 to 14 months maximum as of 2003, and to 12 months as of 2006.

In the 1990s, North Macedonia was without a consistent employment policy or strategy, implementing partial and short-term employment measures (Janevska 2002, 115). In 2003, the country adopted an employment promotion law; the 2004-2005 National Action Plan for Employment foresaw the organization of the PES network and the establishment of the employment Service Agency (2004) to improve the provision of employment services (Cazes et al. 2007, 28). However, “ALMPs started being consistently used only since 2007, having very limited mainly ad-hoc or donor-driven initiatives before that.” (Vidovic et al. 2011, 42) With the 2007 allocation of 5% of employment contributions towards ALMP and the introduction of annual operational plans on ALMP, the commitment towards activation was strengthened further. In this process of implementing ALMPs, the government was supported by international actors, including the EU, UNDP and the World Bank (Vidovic et al. 2011, 42)

In order to reduce the burden on PES, as of 2009, the government transferred persons registering for health insurance but not actively looking for work to the Health Insurance Fund, thus reducing the number of persons were registering as unemployed just to receive insurance

(Gerovska Mitev 2019, 129). The government went a step further to differentiate between persons actively looking for a job (who must report to the PES each month), jobseekers that have to register every six months, and persons who have rejected an employment offer from the PES twice in a row, in 2012. As a result, the number of persons registered as unemployed was halved, as non-active jobseekers were no longer treated as registered unemployed – and were excluded from access to ALMP. Although they may regain the status of an “active” jobseeker at their own request, participation in ALMPs was not granted automatically, as persons would have to have the “active” status for a minimum of six months; such an “arbitrary modification has been detrimental to many people” (Gerovska Mitev 2019, 130)

With 2014, amendments to the Law on Social Protection, recipients of social assistance were obliged to actively seek work by registering as unemployed with PES and would lose the right to the benefits in case of refusing a job offer or a training offer by the PES.

After the election of a new government in North Macedonia in 2018, an ambitious social policy agenda was rolled out. Inter alia, this has included the implementation of a ‘Youth Guarantee’ as of 2018. In 2019, a guaranteed minimum income scheme replaced earlier social assistance; it was made conditional upon active participation in the labor market for recipients who are able to work.

Table 4.6. *Employment policy in North Macedonia: Overview of important policy changes*

Year	Policy	Changes
1997	Adoption of Law on Employment and Insurance in Case of Unemployment	Persons not in compliance with active search requirement lose unemployment status for up to 2 years
2003	Changes to Law on Employment and Insurance in Case of Unemployment	Duration of benefit reduced from 18 to 14 months.
2004	Changes to Law on Employment and Insurance in Case of Unemployment	Period of sanction when losing unemployment status reduced from 2 to one year

2006	Changes to Law on Employment and Insurance in Case of Unemployment	Maximum benefit duration reduced from 14 to 12 months.
2012	Changes to Law on Employment and Insurance in Case of Unemployment	'Active' and 'passive' unemployed separated with only the former exercising right to ALMPs
2014	Amendments to the Law on Social Protection	Obligation of active job-search for persons receiving social assistance

Note: The Law on employment and insurance in case of unemployment has been changed close to 30 times since its first adoption in 1997. Therefore, only changes that are directly relevant in terms of capabilities are covered.

4.5.4 Serbia

Prior to the change of government in 2001, the unemployment benefit system was considered to be generous towards incumbent workers, with a high premium being afforded to seniority (Arandarenko 2002, 172). The minimum level of the benefit was half of the average monthly wage in the Serbia, without a ceiling; beneficiaries could receive 70% of their previous average wage, plus 2% per year of service. The upper limit of benefit duration was 24 months. Legislation was changed in 2001 to reduce the replacement rate to 60% of a person's last salary and to introduce a benefit ceiling at the average wage level, with a further cut in 2003 (introducing a decreasing compensation rule after three months; reducing ceiling to 80% of average wage and floor at minimum wage; as well as benefit duration to 12 months except for persons with long service) (Ibid).

Such changes were considered to be necessary also because of a high influx of unemployed persons entitled to benefits due to restructuring or bankruptcy. Such employees were covered by so-called Transitional/Solidarity Funds in the early 2000s (Mijatović 2005b, 302), whereby they tended to opt for "almost universal" and generous severance payments rather than apply for unemployment benefits (Vidovic et al. 2011).

As a result of the economic crisis, conditions regarding unemployment benefits were tightened further in 2009. The duration of unemployment benefits was reduced from 24 to 12 months, as well as the replacement rate (from 200% to 160% of the minimum wage maximum). On the other hand, various incentives to work were introduced, such as a self-employment lump-sum subsidy, and an in-work benefit for those who find employment (Arandarenko 2012a, 7). The

generosity of benefits further decreased with later amendments to the Law on Employment and Unemployment Insurance (2015, 2017).

Active employment policies became more pronounced with the change of government after 2000, as there was a drive to modernize programs and tailor them to the needs of beneficiaries (Arandarenko 2002, 170). During this period, Serbia also adopted its own National Employment Strategy (2005-2010), as well as a National Action Plan on Employment (2006-2008), which signaled a clear change towards greater activation and implementation of ALMPs. The 2003 Law on Employment and Unemployment Insurance introduced the provision that unemployed persons refusing suitable job offers or participation in ALMP would be deleted from the unemployment registry. Nevertheless, insufficient funds (due to the residual nature financing) and a lack of institutional capacity of PES hampered the implementation of activation measures in general and made control of beneficiaries' obligations difficult (Mijatović 2005b, 316–18).

A new Law on Employment and Unemployment Insurance (2009) made conditions of active job search even stricter, and include the adoption of an individual employment plan, periodic communication with PES, engaging in active job search efforts, attending job interviews, or participating in ALMP. A novelty was also the definition of unemployment, with the distinction between active job-seekers, who could be considered unemployed, and 'other' persons who are looking for a job but could not be considered unemployed or who want to change employment. In practice, this has meant that 'other persons' can apply for job offers through PES, but that employers cannot obtain financial support for them in the form of incentives. (Gerovska Mitev 2017).

Given the lacking institutional capacity to enforce obligations related to active job search, conditions of conduct have not significantly underpinned Serbia's employment policies in recent years. Nevertheless, stronger workfarist elements have been introduced by a 2014 Decision on measures of social inclusion of social assistance benefit recipients, which, as mentioned earlier, granted the possibility to centers for social work to organize, in cooperation with local authorities, public works, community service or volunteering that social assistance recipients would have the obligation to participate in. This "*de facto* institutionalized the possibility of introducing social assistance conditioned by work, including unpaid work [...]," which was not explicitly stated in the Law on social protection that regulates social assistance

adopted in 2011 (Aleksić, Arandarenko, and Ognjanov 2020, 67). Even though 57 civil society organizations submitted a request to the government to stop the implementation of this decision, they did not receive a response (A11 Initiative for Economic and Social Rights 2018). The Institution of the Ombudsman of Serbia also sent to the Constitutional Court in 2014 a proposal to evaluate the constitutionality and legality of the Decision, as it introduced additional obligations not listed in the Law on Social Protection, and because community service was properly defined, which could result in legal insecurity and open up space for abuse of recipients (Aleksić, Arandarenko, and Ognjanov 2020, 67).

While ALMPs have gained traction among policymakers, their development has been rather gradual (Vidovic et al. 2011, 43), with limited funds dedicated towards programs. Thus, Serbia adopted an ambitious National Employment Strategy for the 2011-2020 period, which was inspired by the Europe 2020 strategy, and also had a stronger focus on training to increase labor force employability (Arandarenko 2012a, 252). However, “in the conditions of financial crisis, followed by fiscal consolidation, the Ministry did not have sufficient influence to fight, within the Government, for a greater budget for active labor market measures as foreseen by the Strategy” (Aleksić, Arandarenko, and Ognjanov 2020, 4). While the Strategy had foreseen that 0.4% of the GDP would be spent on ALMPs until 2013 (to be increased at around of 0.5%), for the entire duration of the strategy’s implementation, spending has been at or below 0.1% (Ibid).

During this period, building capacity of PES to provide ALMP services and measures has continually been strengthened, usually with the support of international donors. Serbia adopted its first Strategy of Career Guidance and Counselling in 2010, and its PES have engaged in a number of projects with donors, including GIZ, USAID, and ETF, and the EU under the regional Instrument of Pre-accession Assistance (Aleksić, Arandarenko, and Ognjanov 2020, 76–77, 93). Moreover, Serbia’s implementation of employment measures and services has also been “supported by private employment agencies [...] where almost 60 of such companies signed the contract with PES for providing services most often training” (Vidovic et al. 2011, 43)

Table 4.7. Employment policy in Serbia: Overview of important policy changes

Year	Policy	Changes
2001	Changes to Law on Employment and Realization of Rights of Unemployed Persons	Replacement rate reduced to 60% of person's last salary with benefit ceiling at average wage level, 2% increase in benefits for each year of employment scrapped.
2003	Adoption on new Law on Employment and Unemployment Insurance	Introduction of decreasing compensation rule after 3 months. Replacement rate reduced to 50% of person's salary. Ceiling introduced for 80% of average wage and floor at minimum wage. Reduced duration to 12 months [except long periods of service]. Obligation to accept suitable job offer or participate in ALMP. Duration of contribution period needed to receive unemployment benefits extended.
2009	New Law on Employment and Unemployment Insurance	Stricter unemployment definition (distinction between unemployed as active jobseeker, and 'other' persons looking for a job). Stricter reporting, obligations and participation in ALMP, adoption of individual employment plan. Generosity of benefits reduced with introduction of provision that benefit cannot be lower than 80% of minimum wage, nor 160% higher than minimum wage introduced. Shortening of duration of unemployment benefits.
2014	Adoption of Decision on Measures of Social Inclusion of Social Assistance Benefit Recipients	Introduction of provision that allows Centers for social work to organize, in cooperation with municipalities, community service, volunteer programs and public works for social assistance recipients.
2015	Changes to the Law on Employment and Unemployment Insurance	Reduction in benefit by changing the base to average wage of unemployed person in past 12 months, rather than 6 months.

2017	Changes to the Law on Employment and Unemployment Insurance	Changes in generosity of average amount of benefits (effectively below 50%), as well as minimum and maximum amounts, due to new calculation methodology tied to consumer price index. Previous ceilings and floors related to minimum wage scrapped.
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4.6. Using the Multiple Streams Framework to Explain Policy Change in the Employment Policy Realm

If one was to summarize changes in employment policies in the region, one can say that there has been a dominant turn towards activation and active labor market policies, with some common features shared by the countries, such as introducing stronger conditions of conduct, developing a portfolio of ALMP measures (with generally weak targeting) and strengthening the role of public employment services (PES). Moreover, there has been a general decrease in the generosity and an increase in the conditionality of unemployment benefits. Through the application of the MSF, the following sections will attempt to cast a light on the dynamics of policy change in this area and thus contribute to understanding of why policy changes came about.

4.6.1. The Problem Stream

It would be an understatement to say that policies in the employment realms in the four countries studied have been shaped by difficult socio-economic conditions.

After Yugoslavia's dissolution, countries faced tremendous challenges. With large human and economic losses due to wars BiH (1992-1995) and Croatia (1991-1995), general political instability, rampant inflation, the disintegration of economic networks and breakdowns in production, and the failure of large state-owned enterprises and unsuccessful privatization processes, the economic transition brought with it sluggish growth, great joblessness and increasing shares of undeclared work. Faced with an increasing number of beneficiaries and falling contribution rates, the sustainability of social welfare systems was endangered.

Following the breakup of Yugoslavia between 1990-1992, FR Yugoslavia (then made up of Serbia and Montenegro¹⁴) faced international sanctions, drastic falls in economic output and significant record hyperinflation. During Milosević's authoritarian regime of the 1990s, the economy remained stagnant, and the informal economy grew. Registered unemployment rose by 200,000, mainly due to job losses in state-owned companies (Mijatović 2005b, 297). At the beginning of reforms in 2000s, the labor market was characterized “by clear signs of striking inefficiency, which included high and growing unemployment, slow but steady decline in formal employment, coupled with growing hoarded labour in the public and ‘social’ sectors, a very rigid formal labour market, low wages and widespread wage arrears, as well as widespread informal employment” (Arandarenko and Golicin 2007, 176). According to Arandarenko (2012a, 237), “transition- and privatization-induced deindustrialization and lack of investment in the real sector have caused a general decline in the demand for labor.”

The Macedonian Republic had the highest unemployment rates in former Yugoslavia, amounting to a fifth of the labor force during the 1970s and 1980s (Janevska 2002, 107). After its independence from Yugoslavia in 1991, North Macedonia faced a number of challenges. A difficult economic transition ensued after the loss of access to the common Yugoslav market and after ethnic tensions resulted in a brief conflict between ethnic Macedonians and Albanians in 2001. As a result, unemployment soared, and had to be absorbed by the social welfare system. North Macedonia faced the onset of economic decline, privatization of public enterprises and huge joblessness in the early 1990s, with unemployment rising throughout the 2000s.

Following the 1992-1995 war, BiH has continuously been challenged by high and persistent structural unemployment, with survey-based unemployment fluctuating between 20% and 27%, and registered unemployment ranging between 40%-48% (with decreases only in recent years). As a result, “the consequences of this state of affairs include a low labor force participation and high structural unemployment, migration of the working age cohort to other countries, the unresolved status of workers ‘lost in transition,’ as well as social insecurity and a high poverty rate” (Jusić and Numanović 2015, 6).

¹⁴ The country was subsequently called the State Union of Serbia and Montenegro from 2003 until Montenegro's independence in 2006.

Due to structural changes in the economy – not limited to the closure or privatization of state-run companies, slow-paced creation of new jobs and the 1991-1995 war, Croatia also faced a surge of joblessness during the 1990s. Employment decreased by some 20 percent in the 1991-1997 period (Bejaković 2002, 85). As Dobrotić, Matković, and Zrinščak (2013, 223–24) note, “the 1990s were marked by a transition from socialism to market economy and democracy, accompanied by a fall in GDP, rising unemployment and inequalities, the widespread use of earlier retirement, and reduced social spending.”

Following the early phases of the transition, what remained were high levels of unemployment and labor markets that were marked by duality, with large discrepancies in terms of the labor rights and career prospects of various groups. Such dualities “include at least the following divisions: formal versus informal labour market; public versus private sector employment (including the remaining socially-owned sector); modern versus traditional labour market; wage employment versus self-employment, standard versus vulnerable employment; and paid versus unpaid work” (Arandarenko 2012a, 246). Indeed, the share of informal workers in the total number of persons employed has been persistently high, albeit it has declined in recent years. According to Arandarenko (2012a, 244), “informal employment is linked to low income, poverty and vulnerability, as well as to a lower education level,” and while it provides a safety net for the workers, “it is still predominantly an involuntary employment of last resort.”

Following a slow recovery and subsequent economic growth during the 2000s, countries of the region faced again significant economic difficulties during the 2008-2012 financial crisis, with prolonged or multiple recessions. This, in turn, resulted in policies of fiscal consolidation. As of 2009, both BiH and Serbia entered two rounds of stand-by arrangements with the International Monetary Fund (IMF) in 2009 and implemented fiscal consolidation measures.¹⁵ North Macedonia drew funds under the Precautionary Liquidity Line of the IMF in 2011, yet did not have to enter into a comprehensive arrangement with structural reforms aiming at fiscal consolidation, as did BiH and Serbia. Croatia faced six years of recession in the aftermath of the crisis. Immediately after joining the EU in 2013, Croatia was placed in the Excessive Deficit Procedure by the European Council in 2014 due to a “severe macroeconomic imbalance;” subsequently, “the most important instruments of economic policy were effectively taken away

¹⁵ In BiH, this was followed by an extended three-year arrangement under the Extended Facility Fund in 2016, and in Serbia, by a Policy Coordination Instrument in 2018.

from the independent responsibility of the Croatian Government and handed over to the European Commission” (William Bartlett 2015). This effectively meant further painful savings in the public sector.

One may argue indeed argue that all elements usually assumed to direct the attention of policymakers to a problem were in place – indicators, focusing events and feedback. Indicators undoubtedly pointed to a growing problem of unemployment; focusing events took on the shape of economic crises (coupled with political crises in the aftermath of conflict); and feedback from existing economic and social policies indicated that they were not bearing desired results. This inevitably directed the attention of policymakers to the problem of persistently high unemployment.

Thus, it was not difficult for problem brokers to frame the condition as a problem. These usually consisted of government officials, representatives of political parties, experts, but – maybe most importantly – international organizations. In the early to mid-1990s, international actors – International Financial Institutions such as the World Bank and the IMF, United Nations (UN) agencies, and the development agencies of governments of different countries – started to provide significant support, initially in the form of humanitarian aid and financial support for reconstruction and recovery in war-affected areas, and subsequently in the form of technical and financial assistance (and loans) to implement widescale reforms of democratization and economic liberalization. Serbia’s authoritarian regime faced international sanctions during this decade due to its involvement in the wars in BiH and subsequently in Kosovo, and it was only after the overthrow of the Milošević regime in 1999 after large-scale protests that a transition could begin. International problem brokers – especially representatives of international financial institutions such as the World Bank and the IMF – simultaneously assumed the role of ‘policy entrepreneurs’ in the social realm, not only pointing out the need to address problems, but also offering solutions to decision-makers.

Tied to the overarching problem of high unemployment, another issue that came to be framed as a problem in the early 2000s were the ‘disincentives’ of social programs. Emphasized especially by the IFIs, the idea that some groups were being disincentivized from working by generous social programs became a dominant mantra in various reports of international organizations, with indicators on ‘high’ levels of social spending usually emphasized – and feedback effects of the ‘too generous’ existing policies frequently highlighted – and with

uncertain evidence offered as to whether persons receiving social assistance were truly being disincentivized by such measures in reality. Such frames were subsequently embedded in high-level government documents, such as the Poverty Reduction Strategy Papers (PRSPs), overarching economic strategies developed by all governments in the region in the early 2000s with the support of the IMF and the World Bank.

Examples of the disincentives frame are many. An 2010 IMF report for BiH concludes for instance, the system of unemployment benefits in FBiH, “though covering only 1.5 percent of registered unemployed does not provide sufficient incentives for quick re-entry in the workforce [...] the unemployment benefit is slightly higher than the net minimum wage, which combined with the generous maximum length of the payout period discourages active job search”¹⁶ (International Monetary Fund 2010). In another example, a 2008 World Bank report recommends, in the case of North Macedonia, that unemployment benefits that extend beyond 12 months¹⁷ be merged or replaced with a social assistance scheme (Kuddo 2008, 8).

In the context of the problems of high unemployment and disincentives, as framed predominantly by international brokers, another problem frame came to the fore as problem brokers-turned-policy entrepreneurs started offering solutions: that of lacking capacities of public employment services (PES). Problems with capacity, illustrated with high numbers of persons unemployed per PES officer, as well as problems of burdensome administration that prevented PES from assuming a more active role in offering services to the unemployed, came to be emphasized as problems by various international organizations in the early 2000s.

Another frame that was specific to the context of BiH and Croatia has been that of ‘compensation’ for a specific group of beneficiaries, namely the war veterans and war-related categories, which was used by political parties in power in the two countries after the wars. According to Dolenc (2017, 60) “the relationship between the state and veterans is premised on a ‘moral asymmetry’ whereby veterans suffer the absolute sacrifice, which the state only relatively compensates via material benefits.” The benefits that were subsequently adopted were framed as ‘rights’ rather than ‘welfare’ to reflect their deserving nature (Dolenc 2017, 60).

¹⁶ The difference between the net minimum wage and unemployment benefit in FBiH in 2010, as calculated by this author, was some 5 euros in favor of the benefit.

¹⁷ These were granted to unemployed persons who had a few years prior to retirement.

In more recent years, and in light of persistent problems of youth and long-term unemployment, but also the difficulty of finding adequately trained workers in some sectors, another, more recent problem frame has been that of ‘skills mismatches’ due to what is perceived to be general lack of coordination between education/training and labor market institutions (Will Bartlett and Arandarenko 2012). ‘Problem brokers’ promulgating this frame have mostly been actors such as the European Commission, the European Training Foundation, but also local think tanks and policy experts working on employment and education policies.

As mentioned earlier, Herweg, Zahariadis and Zohlnhöfer (2018, 30) hypothesize that “a problem broker is likely to be more successful framing a condition as a problem the more an indicator changes to the negative, the more harmful a focusing event is, and the more definitely a government program does not work as expected.” Given the severity of socioeconomic conditions, problem brokers were expectedly successful at framing unemployment as a problem, even though the ‘disincentives’ frame was quite narrow in its focus on only one potential reason for unemployment that could be attributed to employment policies. Moreover, framing the problems by relying on ideas from the neoliberal paradigm subsequently contributed to policy proposals that clearly favored the retrenchment of social rights.

Moreover, policy windows indeed seem to have opened in the problem stream “as a result of at least one of the following changes: change of indicators, focusing events, or feedback” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30). One may argue that policy windows in the region have predominantly been opening in the problem stream, and mainly as a result of indicators relating to levels of unemployment and focusing events in the form of economic crises.

Similarly, the experience of the countries in question tends to show that as the problem of unemployment ceased to be considered as prominent, given a decline in unemployment rates in recent years throughout the region, it became much harder for policy entrepreneurs to apply frames and, in turn, offer solutions such as more significant investment in ALMPs, for instance. Such a decline is usually contributed to a mix of factors. For instance, in Serbia, a decline in unemployment rates was primarily shaped by “macroeconomic and structural reforms, especially in the realm of creating a more enabling business environment, incentivizing direct

investments, reindustrialization and sectoral policies” (Aleksić, Arandarenko, and Ognjanov 2020, 5). Moreover, BiH, Serbia and North Macedonia have faced a more rapid outflow of migrants, mainly to EU member states, given more relaxed conditions for engaging in employment in the EU for citizens of Western Balkan countries, which has – in combination with improved economic conditions that led to greater employment – also contributed to a decline in unemployment (e.g. see: (Aleksić, Arandarenko, and Ognjanov 2020, 16). Thus, it become more difficult to convince policy-makers of the need to make significant changes, by increasing the availability, accessibility, generosity or quality of ALMPs, for instance.

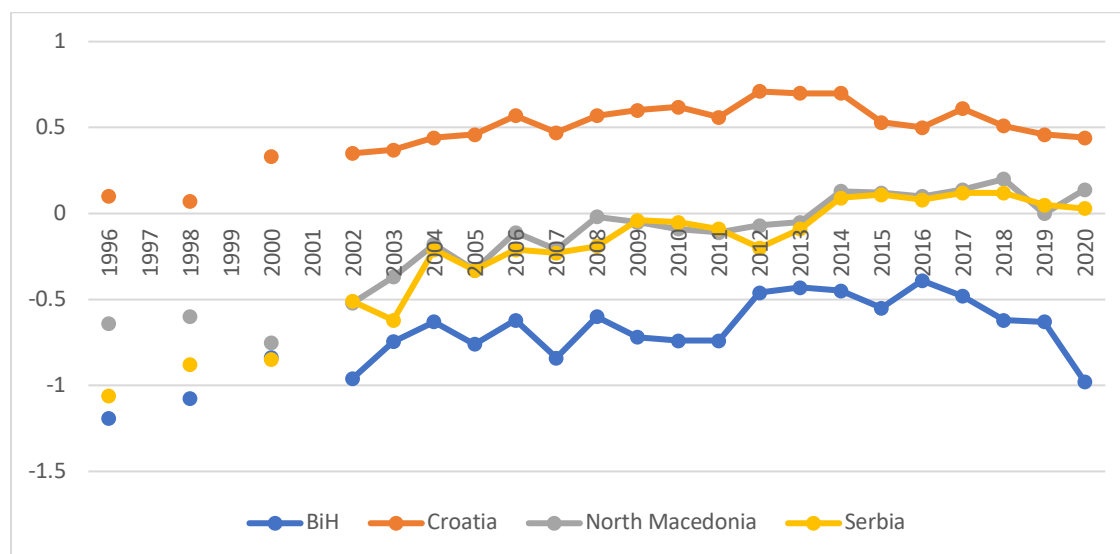
The general expectation that a condition puts a policymaker’s reelection at risk, the more likely it is to open a policy window in the problem stream (Herweg, Zahariadis and Zohlnhöfer 2018, 30) has also been supported in the context of policy changes in the employment realm, since results of elections in the region have generally been linked with two related conditions: high levels of economic instability brought about unemployment and poverty; and high levels of corruption and clientelism within governing structures (e.g. (Stambolieva 2014) in the case of North Macedonia).

4.6.2. The Policy Stream

In order to understand how policy-making has taken shape in the four countries studied, it is important to discuss policy communities in their broader context. Importantly, this also refers to the quality of institutions in place and their role in gauging the acceptability of policy proposals, but also their impact on the policy communities. As explained earlier, the strength, competence, and independence of public institutions, as well as the extent to which they adhere to formal rules in a universalistic way (Hallin and Mancini 2004, 55) is seen as being conducive to robust welfare states that can resist ad-hoc alterations and interventions.

Governance quality in the region may be appraised by relying on the World Governance Indicators of the World Bank (2020), which summarize “views on the quality of governance provided by a large number of enterprise, citizen and expert survey respondents.” The indicators for the countries of the region are shown in Graphs 4.5-4.7.

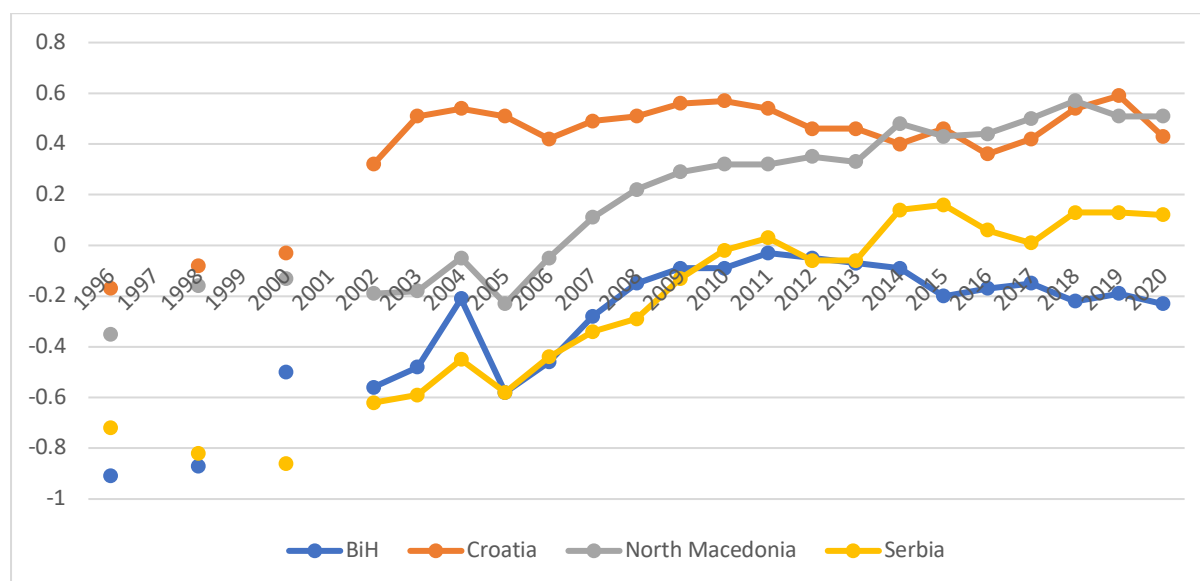
Graph 4.5. *Government effectiveness*



Note: Estimate of governance indicator (ranges from approximately -2.5 (weak) to 2.5 (strong) governance performance)

Source: WGI dataset (World Bank 2020)

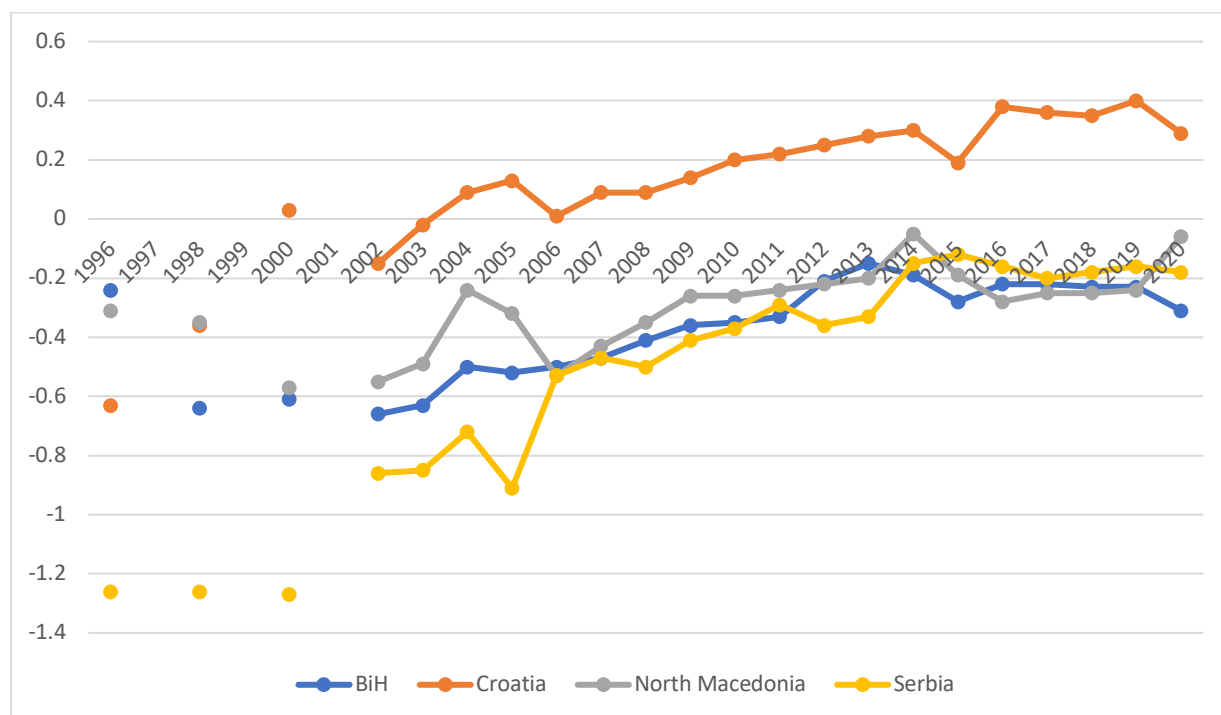
Graph 4.6. *Regulatory quality*



Note: Estimate of governance indicator (ranges from approximately -2.5 (weak) to 2.5 (strong) governance performance)

Source: WGI dataset (World Bank 2020)

Graph 4.7. Rule of law



Note: Estimate of governance indicator (ranges from approximately -2.5 (weak) to 2.5 (strong) governance performance)

Source: WGI dataset (World Bank 2020)

As can be seen from the graphs above, the quality of governance in the region is generally poor, with gradual improvements over the course of the last 25 years. Croatia significantly distinguishes itself from the other countries on two of the three dimensions, with North Macedonia’s performance assessed as being stronger in regulatory quality than Croatia’s in some of the recent years. BiH generally remains the worst performer among the four countries in all three areas, but rule of law estimates for BiH, North Macedonia and Serbia remain similar.

Policy communities thus operate in a context where the ideal of evidence-based policy-making is difficult to expect, with weak ‘knowledge regimes’ (Campbell and Pederson 2010), marked by underinvestment in policy research and a lack of demand for it, scarce and poor quality of public data, a lack of human capital in terms of policy experts, as well as generally difficult access to decision-makers (Analitika 2018). According to a recent report by the OECD (2022, 13), while indicators measuring evidence-based policy-making in the Western Balkans public administrations (excluding Croatia) have shown improvements in terms of adoption of regulations and application of tools of regulatory policy management since 2017, “all administrations still face major challenges in ensuring fully harmonized and effectively

functioning government planning and co-ordination systems,” not limited to planning, monitoring, reporting, application of regulatory impacts assessments or public consultation.

In general, knowledge regimes in the countries of the region have weakened in the aftermath of Yugoslavia’s dissolution. While during Yugoslavia, “research units and institutes formed integral parts of many ministries at the federal and republic level [...],” such structures were downsized or closed in the early 1990s. “Drastic cuts in funding, the new political elites’ lack of trust in these structures, and the irrelevance of their expertise in the ‘planned economy’ left these institutes with no legitimate place in the policy process” (Buldioski 2009, 57–58). Only a few institutes remained in Zagreb, Sarajevo and Belgrade, which limited their work to specific sectors, while academic institutions “produce virtually no policy advice” (Buldioski 2009, 58). Thus, processes of “softening up,” where members of a policy community negotiate on policy proposals and assess them on a variety of ‘survival criteria’ is rather far from what Kingdon (1984) had in mind when applying the MSF in the US policy-making context.

Nevertheless, policy communities in the employment realm in these four countries have developed and grown in size, thanks to a large extent to the role that various international organizations played in the region, which have not only built up the capacity of civil servants in policy-making, but also civil society actors to engage in analytical work. Thus, a number of research-oriented civil society organizations emerged throughout the region, often filling a void left by government research units and public research institutes. The concept of a ‘think tank’, modelled after Anglo-Saxon organizations, was promoted by organizations such as the USAID and the Open Society Foundation’s Think Tank Fund program, the latter providing institutional funding to organizations in the region over a period of some 10 years.

At the same time, various international actors have assumed a strong role in policy communities in the region. Buildioski (2009, 60), for instance, points to the mushrooming of consulting agencies, contracted by the EU, the UNDP or the World Bank, in the region: “These firms, like individual specialists, do not set any policy agenda on their own. They engage in specific stages of a policy cycle by drafting identification studies, providing technical analysis or by evaluating a given policy, government programme or law. Though churning out products with policy relevance, most of the specialists’ intervention to the policy processes is short-term and limited to the narrow scope of their expertise.” It is important to add that, across these four countries, international organizations – and consulting agencies working for them – were often

the same ones, which resulted in similar policy solutions being promoted in different country contexts.

The dominant turn towards activation and active labor market policies was indeed very much the result of a strong role played by international organizations in policy communities. In the late 1990s and early 2000s, the most active in this realm were the World Bank and ILO, albeit the two organizations spread somewhat different ideas. The World Bank was very much focused on providing advice to reduce ‘disincentives,’ such as through the introduction of conditional cash benefits, whereby the participation of the unemployed in active job-search and labor market measures would be a condition for accessing benefits, or through the general introduction of sanctions to encourage job-search activities among the unemployed. On the other hand, ILO’s focus seemed to be more on the need to strengthen PES capacities.

In such a context, the policy communities operating in the employment realm were heavily influenced by ideas related to the problem frames of high unemployment and disincentivized recipients of social benefits, and the solutions of increasing conditionalities and decreasing generosity of benefits. As a result, such solutions were frequently found on government agendas, and countries of the region started to introduce more stringent conditions to accessing unemployment benefits and reduced benefit generosity. In all countries, such processes in of reducing social rights began during the 1990s (and early 2000s in Serbia, after the change of government).

However, the ‘disincentives’ discourse must be understood in a broader context, where countries were encouraged to pursue an ‘economic’ approach to the transition. Thus, they became part of a wider drive to make cut spending in processes of restructuring. For instance, as articulated in North Macedonia’s 2002 Poverty Reduction Strategy,¹⁸ poverty reduction measures “should be based primarily on the *economic policy* (economic stabilization, investment activity, rapid economic growth, as well as, creating new employment possibilities, as a summary result from all of the above).” As the effects of such measures would take some time, for groups “who will continue facing the risks for their social security, *programs and measures for risk diminishing* should be designed (re-training, loans, etc.) as well as *adaptation*

¹⁸ The Strategy was prepared by national experts and representatives of relevant ministries with the support of the technical and financial assistance of the World Bank and the British Department for International Development (DFID).

for living with risks should be provided (social transfers)” (Ministry of Finance of the Republic of Macedonia 2002, 68–69). The Strategy mentions changes to legislation¹⁹ that create “normative and legal assumptions [...] for stimulating the unemployed persons to actively seek jobs, via reducing the benefits during unemployment and sharpening the criteria for getting such benefits” (Ibid, iv). ALMPs, beyond providing temporary employment or helping workers retain skills, were “to stop, i.e. reduce the misuse of pecuniary assistance and other benefits for unemployed persons,” by ending rights for those working informally, or not engaging in job-seeking, and by making benefit payment conditional on participation (Ibid, 119).

This “predominant economic logic” to social reforms was particularly present in North Macedonia, where IFIs had significant leverage during the period of early transition (Gerovska Mitev 2013, 193), but measures such as the reduction in social expenditures, targeting of social assistance towards the poorest categories of the population, or reducing the generosity and increasing the conditionality of various benefits were felt throughout the region.

The ‘disincentives’ frame – and subsequent solutions to cut down benefits and ‘activate’ the unemployed – was used in relation to the problem of unemployment in the aftermath of the economic crisis as well. As a result of such solutions, further reductions and increasing conditionalities became noticeable around the time of the 2008 economic crisis, when the ‘disincentives’ discourse promulgated by the World Bank was coupled with austerity agendas, advocated also by the European Commission and the IMF. As countries faced a deep, long recession, and most pursued policies of fiscal consolidation, the need to make employment conditions more “flexible” by amending employment protection legislation to allow for easier firing (and hiring) of workers became a dominant mantra. This was supposed to “enable a positive employment response in case of an economic upturn,” but was overlooked at that time is that “supply-side policies are unlikely to have a positive effect in conditions where aggregate demand is insufficient to bring the economy to a position where capacity constraints are beginning to bite” (William Bartlett 2015). As a result of such policies, labor laws in BiH, Croatia and Serbia were significantly changed.²⁰ In such a context, tackling ‘disincentives’

¹⁹ Labor market reforms implemented as part of the Social Sector and Labor Market Structural Reforms Project, implemented with the support of the World Bank.

²⁰ In North Macedonia, the Labor Relations Law was changed in 2005, and subsequently in 2008, to increase labor market flexibility (Mojsoska-Blazevski et al. 2009, 61).

and ‘activating’ workers became part of the same ideology focusing on the supply side of the labor market, despite the obvious difficulties of activating workers in a context of low demand.

North Macedonia’s 2010-2016 National Employment Strategy (2015, 31–32), prepared with the support of ILO, the World Bank and UNDP, is a case in point, as changes to unemployment benefits are explained in the following manner: “The law has been amended several times in order to reduce the disincentive that compensation can have to the active job search of the unemployed. Nevertheless, certain categories of persons receiving cash benefits have the right to receive it until they meet the conditions for retirement or finding a job, which makes them completely passive and / or stimulates them to accept informal work.”

Paradoxically, despite a general drive to reduce ‘disincentives’ and spending on benefits in general, some countries have introduced special unemployment benefits for specific war-related categories, such as the war veterans in FBiH and Croatia. It is important to stress that such decisions were made without significant involvement of policy communities; usually timed around elections, they effectively belong only in the political stream, as will be elaborated later.

In the aftermath of the economic crisis, a greater focus was placed on activating social assistance beneficiaries. For instance, in the case of North Macedonia, a report prepared by a World Bank team points out that the country is “introducing behavioral conditions for receiving social assistance in an effort to incentivize active behavior in the labor market and to promote building of human capital” (Gotcheva, Isik-Dikmelik, Morgandi, Strokova, Damerau, Naceva, et al. 2013, 6). However, the report finds a very low benefit coverage of recipients able to work, so that “an activation agenda aiming uniquely at SSN beneficiaries would reach only a relatively small share of the work-able who are out of jobs” (Ibid, 16). A similar report for Serbia also finds that “FSA claimants are only a small segment of all inactive, and their activation will hardly have a significant impact on labor supply.” (Gotcheva, Isik-Dikmelik, Morgandi, Strokova, Damerau, Jasarevic, et al. 2013, 55) Both reports identify disincentives or barriers to activation inherent to the design of social assistance programs and suggest measures, not limited to increasing conditions of conduct with respect to active job-search and availability for work.

The ‘disincentives’ frame has rarely been tied to solutions that would increase incentives to work other than cutting benefits, especially in the initial period of the economic transition. For instance, the high level of taxes on low-wage earners (due to the lack of progressive income taxation in the region) were generally neglected (and subsequently also not implemented), as were other solutions that could increase incentives to work, such as the lack of in-work benefits. In the aftermath of the economic crisis, both local and international experts started to point to the need to look for other sources of disincentives. In the case of Serbia, measures that were suggested by Arandarenko (2012a, 263) could include, “for low wage earners, raising the relative level of net minimum wage by increasing the zero-income tax bracket to the full amount of the minimum wage, as well as introducing in-work benefits. In general, it would be important to significantly reduce the current level of the labour tax wedge for those making an average wage and less.” Lowering the tax burden on low-wage workers as a solution to incentivize recipients of social assistance to take up employment is also recognized by World Bank experts for North Macedonia and Serbia, for instance through the “introduction of a more gradual labor income disregard [...] with the increase in earned income” (Gotcheva, Isik-Dikmelik, Morgandi, Strokova, Damerau, Naceva, et al. 2013, 56), such as in-work benefit schemes.

Importantly, despite studies showing that caretaking responsibilities seriously hampered the capabilities of the unemployed recipients of social assistance recipients to engage in employment (Gotcheva, Isik-Dikmelik, Morgandi, Strokova, Damerau, Naceva, et al. 2013, 20), there has virtually been an absence of solutions promulgated in the policy discourse related to investment in childcare to ‘activate’ caretakers. For instance, through a World Bank project, the government in North Macedonia introduced cash transfers for recipients of social assistance that were conditional upon secondary school attendance of children in the household in 2009. “Initially, a possible condition of pre-school attendance was discussed but unfortunately, the network of public pre-school institutions is very limited, and hence such policy was deserted” (Mojsoska-Blazevski et al. 2009, 43). Only recently has more attention been paid to the need to invest in childcare in the region, as to allow all women to (re-)enter the labor market, also among international organizations (Atoyan and Rahman 2017).

As the role of the EU came to be more prominent already in early 2000s in Croatia, and in the second half of the 2000s in the other countries, solutions offered by policy communities in the employment realm also became recalibrated in the direction of EU strategic documents and

standards. Employment reforms, including the need to foster ALMPs and strengthen the PES, became increasingly important in light of countries' EU accession aspirations and the need to harmonize national legislation with the social *acquis communautaire*,²¹ such as its Chapter 19 on social policy and employment. With the more active role of the European Union (starting after the Thessaloniki EU-Western Balkans Summit of 2003, where the EU's support for the region's European was proclaimed), the activation discourse became more frequently coupled with the various versions of the European Employment Strategy's employment guidelines, the Europe 2020 Strategy, and the principles of 'active inclusion' promoted therein.

But to what extent the stronger presence of the EU and its experts within the policy communities in the region could really go against the dominant neoliberal agenda in the region has been disputed. In North Macedonia, Gerovska Mitev (2013, 193) sees EU accession as opportunity, not only because of standards it promotes in the social realm, but because it "might be used as a critical and opposing voice against the prevailing economically led social reforms." At the same time, she points out that "the pre-dominant neo-liberal agendas in social policies of the current candidate countries, mainly advocated by the international financial institutions, present an additional challenge which puts the further Europeanization of social policies in these countries at risk" (Ibid). Indeed, shifting away from the dominant neo-liberal paradigm has been a challenge, especially after the economic crisis. As Jusić and Obradović (2019, 52) point out in a study on the social dimension of EU accession in the region, "post-crisis, EU institutions effectively took on the language of fiscal consolidation of the IMF, with whom governments of the region entered into borrowing arrangements." Authors point to the case of BiH and its 2015-2018 Reform Agenda, which was "drafted with the support of the EU Delegation and was marked by a push to flexibilise labor legislation (these and other social and labor market reforms were to be agreed upon with the IMF and the World Bank)" (Ibid).

What the EU involvement in the region has been able to effect is a more strategic approach to social policy making. For instance, the EU led the process of preparing the Joint Inclusion Memorandum (JIM), concentrating on social inclusion, and the "Joint Assessment Paper," focusing specifically on employment realm, as part of which accession countries at the time

²¹ Croatia is the only country of the region to have completed the process in 2013. BiH is still only a prospective candidate, while Serbia and North Macedonia have obtained candidacy status. Serbia begun accession negotiations with the EU in 2014 and has been progressing with reforms at a slow pace, while North Macedonia's start of accession negotiations has continuously been blocked, first by Greece between 2005-2019, and subsequently by Bulgaria, since 2020.

(the 2004/2007 “New Member States” and Croatia) implemented National Implementation Plans (NIPs) on social inclusion and Annual Employment Promotion Plans. According to Stubbs (2009, 9), these participatory processes resulted in “number of positive changes in social inclusion policy in Croatia, among which were: improved and more meaningful stakeholder communication and increased transparency, as well as a degree of improved communication between respective line Ministries.” The JIM also encouraged norm diffusion and placed new issues onto the agenda of decision-makers, such as anti-discrimination and the employment of persons of disabilities or national minorities (Ibid). In North Macedonia, preparations for the JIM/JAP were marked by “initiatives of creating working groups for drawing up the Joint Inclusion Memorandum,²² putting an emphasis on social inclusion and social prevention, as well as on anti-discrimination higher on the political agenda” (Donevska et al. 2007, 75).

With the JIM/JAP process discontinued, the momentum for a more strategic approach to social policy-making within the policy community seems to have been lost. The EU introduced another (short-lived) round of participatory, strategic planning processes, the Employment and Social Reform Programmes (ESRPs) in Serbia, North Macedonia and Montenegro between 2014-2016.²³ These processes were later discontinued in favor of the drafting of annual Economic Reform Programs (ERPs), obligatory for all candidate and prospective candidate countries as of 2015 (Jusić and Obradović 2019, 14–15). The ERPs define countries’ medium-term strategic priorities and objectives, including structural reforms, and are subsequently assessed by the European Commission and European Central Bank; assessments are shared with the Council of Ministers of the EU. ERPs initially focused mainly on economic reforms, but began to incorporate more reforms in the social and education realms, as the Commission’s annual reviews also began to assess countries’ progress in the relation to the European Pillar of Social Rights (2017) as of 2019. According to Jusić and Obradović (2019, 34–35), who have analyzed three cycles of annual ERP documents in the region, “‘ALMP’ is the lowest common denominator of all ERP documents in the WB region [...] in line with greater activation efforts, there is a strong focus on restructuring institutions under the PES,” while “the overhaul of income support schemes during unemployment is almost entirely absent” from such documents.

²² The country didn’t end up organizing the process due to the stalled negotiations process.

²³ North Macedonia organized another round of the participatory ESRP process to revise the initial document adopted in 2017, and published a revised ESRP (2022) in 2019.

When it comes to policy changes related to active labor market policies, these have usually taken the shape of national employment strategies and operational plans, which contain specific programs implemented on an annual basis. One difference in relation to other countries when it comes to activation has been North Macedonia's decision to divide groups of unemployed into active and non-active jobseekers in 2012, with only latter having access to ALMPs. Such a decision may have been influenced by the recommendations of international experts, as it was, for instance, suggested that, in the context of high unemployment and limited budgets for ALMPs, targeting with ALMPs the long-term unemployed may not be an efficient solution, as it is less likely that they would find employment (Lehmann 2010, 44–45).

Due to the lacking capacities of PES, a general absence of know-how when it comes to policy design in this realm, and drive for cost-effectiveness of the measures, ALMPs were frequently designed as more general policies, rather than ones that would target specific groups that were hard to employ in all four countries. For instance, in the case of North Macedonia, Gerovska Mitev (2019, 133), suggests that only those who could be more easily activated were targeted by such measures: “The projectisation of the active labour market policies and their targeting towards more active beneficiaries has further distorted the goals and purpose of policies for vulnerable people.”

In fact, it seems as if the most disadvantaged – those receiving social assistance – were only to be ‘incentivized’ to engage in ALMPs through sanctions, rather than by creating programs that would meaningfully improve their chances to find decent work. In the aftermath of the economic crisis, the workfarist elements of activation became increasingly prominent, Serbia and Croatia providing the most obvious examples, by introducing the obligation to work or engage in ALMPs for recipients of social assistance in 2014 and 2013, respectively. In Serbia, this was paradoxically framed in the context of a ‘social inclusion,’ as it was embodied in the Decision on measures of social inclusion of recipients of social assistance in 2014, and its provision on the possibility of obliging social assistance recipients to engage in community service, volunteering, or public works. Thus, an “initially ambivalent and potentially empowering provision” resulted in “restrictive interpretation of human and labor rights of social assistance recipients, that emphasized that such measures would first and foremost prevent the abuse of social assistance” (Aleksić, Arandarenko, and Ognjanov 2020, 67). North Macedonia also introduced the obligation for recipients of social assistance to register with

PES and to actively seek for a job, where the right to social assistance would be lost in the case of two refusals of job offers or trainings by PES. The discourse of disincentives was, again, dominant, as the government perceived a strong “dependence” of users on social assistance allowances (Ministry of Labor and Social Policy of North Macedonia 2015, 36).

On the other hand, ALMPs have increasingly been geared towards youth in the countries of the region. Besides the notion that investment in ALMPs targeting youth would be cost-effective (Lehmann 2010), this can also be attributed to ideas stemming from the EU’s Youth Guarantee, which Croatia and North Macedonia are implementing and BiH and Serbia are preparing to roll out, with the support of ILO. Moreover, in line with the recognition of skills mismatches in the labor markets in the region, a greater focus has been placed on the skill-building aspect of ALMPs in general, which can also be noticed in the countries’ annual ERPs (Jusić and Obradović 2019).

International donors have simultaneously provided technical assistance and financial to strengthen the PES to be able to implement ALMPs (Vidovic et al. 2011, 44). Such efforts have “mainly focused on issues such as enhanced orientation towards clients, improved labour market information, training of staff, use of new technologies and institutional reforms” (Vidovic et al. 2011, 124). Moreover, international actors have directly cooperated with governments in drafting rulebooks and other bylaws that regulate the types of services that PES provide, for instance job counselling or the preparation of individual employment plans.

Referring back to the theoretical expectations, the events and conditions in the policy streams in these countries support the notion that the disintegration of policy communities makes it easier for new ideas to become viable policy alternatives (Herweg, Zahariadis, and Zohlnhöfer 2018, 30). Policy communities have, as explained earlier, been undermined by myriad factors, not least the weakened and underdeveloped national ‘knowledge regimes.’ Given their greater clout in the form of knowledge, resources and access to decision-makers, international actors and their ideas have come to lead policy subsystems. The World Bank has previously been seen to dominate the social policy-making space, “having, or attempting to have, the greatest influence on social policy using loan conditionality or cross-conditionality with the IMF to secure change” (Deacon, Lendvai, and Stubbs 2007, 226), which has also been confirmed here. On the other hand, the research also supports previous findings on a more limited role of the EU in the (social) policy community, especially in initial phases of the transition (Deacon,

Lendvai, and Stubbs 2007, 226). In the employment realm, underdeveloped and largely disintegrated policy communities have made it possible for international actors to easily exert their influence within the policy communities. Given the extent of their leverage, consisting of a variety of instruments of ‘hard’ and ‘soft conditionality’, international actors have thus been able to successfully diffuse new policy ideas and discourses in policy communities, emphasizing especially the policy paradigm of ‘activation.’

The theoretical expectation that “if a policy proposal does not fulfill the selection criteria, the likelihood of gaining agenda status, and thus being coupled, decreases significantly” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30), has been supported as well. Policy proposals circulating in fragmented policy communities, which have been undermined by a broader context of poor governance, have easily fulfilled the selection criteria (of mainly cost-effectiveness and political feasibility) suggested by international actors. For instance, as pointed out by Donevska et al. (2007, 78), “reforms in social policy seem to be constantly prepared and decided with international financial organizations, where only fiscal needs and capabilities are being considered. This has contributed towards a situation where many important policy proposals and ideas have been rejected, such as those coming from the trade unions.” Indeed, proposals were placed onto the agenda despite the obvious fact that the implementation of activation and active labor market policies was frequently not feasible from the perspective of the weak capacities of PES. As Matković writes (2017, 30), “the gap between the size of the vulnerable population and the institutional capacities brings into question activation and other active labour market policies as a general strategy.”

4.6.3. The Political Stream

To understand the political stream, it is necessary to reflect upon the turbulent changes in the political realm in the four countries of the region. Yugoslavia, similar to other countries of Central and Eastern Europe, experienced the collapse of a communist political system and a socialist economy. However, the transition from central planning to a market economy and from one-party rule to democratic pluralism was complicated by ethnic conflicts and wars. Such ethnic strife was also reflected in dominant parties’ identities, pushing existential matters into the background.

After the 1992-1995 war in BiH, two entities – the predominantly Serb, centralized entity of Republika Srpska (RS) and predominantly Bosniak-Croat, decentralized entity of the Federation of BiH (FBiH) assumed competences in many important functions, including social welfare. With generous international financial and technical assistance post war, the country slowly began to recover, and its' GDP growth picked up pace, yet implementing reforms remained a challenge in many important sectors. BiH politics have generally been marked by stability in that three dominant ethnic political parties representing Bosniak, Croat and Serb constituencies, have almost continuously remained in power over the course of 25 years.

In Croatia, the 1990s politics were marked by authoritarian tendencies of a government, led by a conservative, right-wing party, the HDZ. In 2001, after the death of President Tuđman, the progressive Social Democrat Party (SDP) came into power. Nevertheless, it was overthrown in 2007 by the conservative HDZ again, with the two parties exchanging their positions since then. Currently, HDZ remains in power since 2016.

In the 1990s, Serbia was effectively frozen in terms of reforms, led by the authoritarian leader Milošević, and facing numerous international sanctions for its involvement in the wars in BiH and Kosovo. It was only after the overthrow of Milošević following October 1999 protests that a suspended economic transition (Mijatović 2005a, 16) could begin. A progressive coalition, made up of Serbia's Democratic Party (DS) and Democratic Party of Serbia (DSS), came to power in 2001, but remained in government only until 2004. After the assassination of Serbia's progressive Prime Minister Đinđić in 2003 (DS), Serbia has had relatively broad coalition governments, including a Social Democrat one between 2008-2012, led by Boris Tadić (DS). Since 2014, Serbia has been ruled by the conservative Serbian Progressive Party (SNS), led by Aleksandar Vučić; since its initial win in 2014, the party has retained the absolute majority of seats in parliament.

North Macedonia has also faced a tumultuous political transition, marked by internal ethnic divisions between the Macedonian majority and Albanian minority, which resulted in a brief conflict in 2001. The political transition has also been influenced by external factors – such as Greece's objection to the country's name, which had stalled its EU accession perspective for some 15 years. The nationalist Internal Macedonian Revolutionary Organization - Democratic Party for Macedonian National Unity (VMRO - DPMNE) party led the government between 1998 and 2002 and again between 2007 and 2016. The more progressive Social Democratic

Union of Macedonia ruled between 1994 and 1998, and 2002 and 2007, winning the elections again after the overthrow of the VMRO-DPMNE in 2016. Since 1998, parties in power have formed coalitions with parties representing the Albanian minority.

When looking at the types and timing of decisions concerning employment policies in the region, the hypothesis that “policy proposals that fit the general ideology of a government or the majority in a legislature have a better chance of gaining agenda status” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30) indeed has not been very relevant in the region if we try to position parties on the political spectrum. This may be because party ideologies surrounding matters of employment in the region are loose, and without clear constituencies (due to generally weak trade unions), with dominant parties declaratively supporting Social Democratic values, yet acting pragmatically when faced with the demands of international actors.

In North Macedonia, the centre-right VMRO-DPMNE government “strictly followed the recommendations of the World Bank and the IMF to accelerate structural reforms by improving the investment climate, decreasing the informal economy through a reduction of social security contribution rates and introducing a flat tax rate on personal income (and abolishing the previously progressive tax system)” with a motto that “the best social policy is a sound economic policy,” which was in line with their electoral program (2006-2010) (Gerovska Mitev 2019, 125). This, in itself, would be in line with theoretical expectations that parties following conservative ideologies would be in support of policies favoring retrenchment. However, as explained by the author, their entry into power in 2006 had meant “little difference to existing patterns of social policy” (Gerovska Mitev 2019, 124). As Arandarenko and Golicin (2007, 170) explain in the case of Serbia’s Democratic Party (DS) and Democratic Party of Serbia (DSS), which came to power after the fall of the Milošević regime in 2000, “there have been quite significant movements and swaps of positions along this spectrum, with the DS belonging officially to the Socialist International but advocating fast and uncompromised reforms; and the DSS belonging to the camp of popular parties, but advocating slower and more labour-friendly reforms.” In Croatia, it was the progressive, Social Democratic Party government that came to power in 2000 that introduced painful social spending cuts, in line with advice from the World Bank and the IMF, and subsequently also during parts of Croatia’s prolonged recession after the economic crisis.

How particular types of policy proposals may benefit specific constituencies that are close to the ruling parties is a more appropriate angle from which the reform processes may be studied. For instance, the introduction of rather generous unemployment benefits and ALMP services for groups such as the war veterans may appear to be an anomaly to the general course of reforms in the employment realm. However, governments have, in effect, compensated war veterans for years of service during the war. As Clasen and Clegg (2007, 172) write, membership categories are “socially constructed and politically managed.” Given the importance of clientelist networks in the delivery of social programs (Dolenc 2017; Obradović 2017; Cerami and Stubbs 2011; Stubbs and Zrinščak 2015), it is hardly surprising that proposals to accommodate war veteran groups were placed onto the agenda in the political stream – and subsequently also adopted – without much involvement of policy communities. Considering that clientelistic norms seem to be an important part of political party ideologies in the region, the expectation that policy proposals that are congruent with the maintenance of clientelistic networks are more likely to be placed onto the agenda are thus supported.

In general, employment policies can be said to have been marked by weak processes of political bargaining, with political parties adopting an ‘activation agenda’ as a policy justified by argumentation borrowed from international actors’ policy recommendations. Given that unemployment was recognized as a pressing problem in opinion polls, and that unemployment benefits and social welfare benefits had never had a significant coverage to begin with, opposition from the wider public was not expected, especially as changes to conditionality and generosity and the activation measures were, even by decisionmakers, seen as ‘technical’ measures. Such limited bargaining has, in turn, resulted in policies that have not been sensitive enough to the socio-economic context (Guardiancich 2013, 18–19), especially the needs of the most vulnerable groups among the unemployment.

Instances where policy windows have opened in the political stream as a result of “changes in legislature, election of a new government, interest group campaigns, or a change in the national mood” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30) are generally fewer than in the problem stream, with the exception of major regime changes (Serbia in 2000, Croatia in 2001, North Macedonia in 2016), which created opportunities for more ambitious reforms.

Changes that have may opened a policy window in the political stream due to interest group pressure are rare, due to the generally weak role of civil society and its limited ability to

influence policy-making processes. In Croatia and BiH, war veteran groups have been granted generous entitlements, usually prior to elections. As Dolenc (2017, 66) points out in the case of entitlements for veterans during the HDZ's 1990s rule, "arguably much of the generous package would not have happened without veterans organizing and putting pressure on the state." What resulted was "a powerful client-patron axis charged both with symbolic meaning and material benefits." Dolenc (2017, 72) calls war veteran groups a veto player and key interest group that is able to shape the country's political dynamics in the welfare realm. In BiH, war veterans also constitute "important pressure groups in the country's political system." (Obradović 2017, 103).

With the role of civil society traditionally weak in the region (Stambolieva, 2014), trade unions, as an important actor in this realm have not been able to influence far-reaching changes in the realm of employing policy. The region's trade unions have generally faced fragmentation and declining membership, and have typically being stronger in the public, rather than in the private sector (Vehovec and Tomić 2012, 110; Arandarenko 2012b, 258; Jusić and Numanović 2015). While all of the countries of the region have established Economic and Social Councils as mechanisms of social dialogue, the extent to which trade unions as one of the social partners are able to push through their initiatives is frequently questioned. As pointed out by Arandarenko (2012a, 258) in the case of Serbia, "the asymmetry in power and legitimacy of the industrial relations actors makes it very difficult to achieve an efficient level of coordination of industrial relations. This is also why it has never been possible to conclude a full-blown tripartite agreement in the form of a social pact, despite the re-peated attempts." In the case of employment policy, civil society has rarely been able to shape policy processes beyond the policy stream. The expectation that the weaker the civil society, the less it will be able to directly influence the political stream, is thus supported.

4.6.4. Policy entrepreneurs and their role in coupling streams

Policy entrepreneurs in the region have been able to couple streams together and thus connect problems and solutions, making use of policy windows to affect agenda change. In the employment realm, coupling mostly fits the notion of so-called "consequential coupling" (Zahariadis 2003, 72) or coupling in response to windows that have opened in the problem stream, where a solution is sought that would suit the problem placed on the agenda. As policy windows in the problem stream are considered to be of limited duration, "even in the case of

consequential coupling, the problem will be coupled to a pre-existing solution that is somehow linked to the problem” (Herweg, Zahariadis, and Zohlnhöfer 2018, 27). Coupling problems to pre-existing solutions is a good description of agenda-setting in the employment realm.

Considering the expectation that “policy entrepreneurs are more likely to couple the streams successfully during an open policy window if (a) they have more access to core policymakers and (b) they are more persistent,” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30) insights into policy changes in the employment realm point to the key role that international actors’ leverage played in pushing policy proposals through. A case in point here is the strong influence of IFIs in the initial stages of political and economic transition in the region, but also in the period surrounded the economic crisis. As pointed out by Gerovska Mitev (2019, 124) for North Macedonia, social policy-making during the initial phase of transition (1991-2000), “followed the reform requirements of the international financial institutions (IFIs), which undermined the legacies of the previous social policy (e.g. generational solidarity in the pension system and universality of the social protection system).” This has resulted in a “subordinated and detached social policymaking process” marked by retrenchment (Ibid).

5. Family policy in Post-Yugoslav Countries

5.1. Family policy

5.1.1. Core concepts

Family policy is rather broadly defined, “an amalgam of policies directed at families with children and aimed at increasing their level of well-being” (Gauthier 2002, 456). Some scholars challenge the logic behind excluding adult children and intergenerational relationships from family policy, especially as “the growing numbers of frail older adults rather than growing number of children are putting pressure on families’ ability to provide care” (Dykstra and Djundeva 2020, 331–32; see also Kroger and Yeandle 2013). But the broad consensus among scholars “to define family policy as policies associated with families with children” (Mary Daly 2020a, 26) may have to do with the fact that caring for older family members is seen as less of a responsibility of the family as a social institution, and especially as the legal obligation to care for one’s elderly relatives is only present in some European countries (Mary Daly 2020a, 27).

The subject of family policy may be perceived either as a set of individuals or as a collective structure (Mätzke and Ostner 2010). As Daly points out, “family as a set of roles and relationships” is emphasized in the former, more novel understanding of the family; while family as a structure/mode of organization is the focus of the latter. Feminist literature has made a strong contribution to looking at the family through the prism of individuals, as it “sought to move beyond the conception of family as a unit(y) of common interests among members to highlight internal processes, often associated with power imbalances between family members, that have an impact” (Daly 2020, 29; also see Williams 2004). Disaggregation is also important from the perspective of the child (Mary Daly 2020b).

A traditional distinction in family policy scholarship is whether or not family policies are implicit or explicit (Kamerma and Kahn 1978). The latter refers to policies that are designated with the intention to meet certain objectives pertaining to the family and its members. The policies and measures that are usually perceived to fall under the umbrella term family policy include cash transfers, tax allowances and credits, various types of employment leaves

(maternity, paternity and parental) and arrangements granting parents flexibility when it comes to childcare, early childhood education and care (ECEC) and family services (Saraceno 2011b, 8–9). Implicit policies would refer to measures taken in other policy realms that may have an impact on families and their members, such as immigration policy. Thus, in what is dubbed as the “family well-being research tradition” (Zagel and Lohmann 2020, 121), the focus is on the family’s different social functions (social reproduction, socialization, child development, economic and social maintenance of the family) and how family policy supports them through different interventions (e.g. see Kamerman and Kahn 1978; Kaufmann 2002). Kaufmann (2002), for instance, identifies eight motives behind family policy interventions: institutional, natalist, eugenic, economic, societal, socio-political, women’s issues and children’s welfare.

According to Daly (2020a, 32), family policies are about supporting or *resourcing* the family as a unit and its individuals, and about *regulating* individual behavior and relationships. From the perspective of feminist authors, such regulation of individuals’ behavior and intra-family relations along generational and gender lines influences power dynamics and inequalities within the family unit, and, as such, exists in a “broader legal and institutional context that governs marriage and cohabitation, sexual relations and reproduction, and interpersonal dynamics and intimacies, including issues of violence and bodily integrity that are core feminist preoccupations” (Jenson 2020, 46).

Feminist scholars have especially contributed to the welfare state literature with explanations regarding the relationship between gender and the welfare state in relation to paid work (Zagel and Lohmann 2020, 122). Some of the concepts brought forward have been that of personal autonomy – “insulation from personal and/or public dependence” - (O’Connor 1993, 501) and of self-determination (Orloff 1993, 319) – “the capacity to form and maintain an autonomous household.” A prominent contribution has also been that of the male breadwinner model (Jane Lewis 1992), which refers to the “idea and norm of a ‘male breadwinner’ and of a ‘secondary’ female wage earner (...) built into the welfare system” (Lewis and Ostner 1994, 5). Lewis’ (1992) original application of the model pertains to different degrees of countries’ support to a gendered division of labor with respect to whether or not social rights are granted to women as wives or as individuals and the relationship between the paid and unpaid work. Various studies have applied it to, *inter alia*, demonstrate the decline of the male breadwinner model over time (Lewis 2001; Lewis and Giullari 2005). Nevertheless, as Zagel and Lohmann (2020, 126) point out, the model is sometimes difficult to pin down: “Although it is clear that the core of

the concept is about differences in policies, it sometimes seems to describe the state of gender relations in society more broadly.”

A typology of ‘breadwinners’ has been developed to include, beyond the male breadwinner model, the adult worker/universal breadwinner model; the caregiver parity model; and the dual-earner/dual carer model (Gornick and Meyers 2001; Ciccio and Bleijenbergh 2014). In the adult worker model (Lewis and Giullari 2005), women’s and men’s equal participation in the labor market is promoted, with childcare being allocated outside of the household. At the same time, unpaid care work remains undervalued (Ciccio and Bleijenbergh 2014, 10–11). The application of such a model is promoted by governments with multiple rationales, such as to “promote economic growth, tackle poverty, further gender equality (in the labour market), and combat the problem of deteriorating dependency ratios” (Lewis 2006, 9). Such a model has underpinned the notion that both genders should be entitled to the same social rights based on “sameness” rather than on “difference,” which is inherent to a male breadwinner model (Zagel and Lohmann 2020, 127). However, whether or not policies designed to support an adult worker take into account gender is questioned, i.e. work-family reconciliation policies that would alleviate women from some of the unpaid work they perform (Jane Lewis 2009). The caregiver parity model, traditional gender roles are maintained, yet more equally valued. Generous care allowances or other benefits compensate women for performing unpaid childcare. Here, the focus is on “difference” (Ciccio and Bleijenbergh 2014, 10–11). Last but not least, in the dual-earner/dual carer model or the universal caregiver model, gender roles inside and outside the labor market are fostered through an equal engagement of both genders in paid and unpaid work. Childcare is divided between the family and external actors, such as employers or the state, and paid and care work are valued equally; as such, this model also implies workplace transformations to accommodate working parents (Gornick and Meyers 2001; Ciccio and Bleijenbergh 2014, 10–11).

Beyond Esping-Andersen, another ‘mainstream’ welfare state scholar, Korpi (2000) has integrated gender in his analysis by conceptualizing various ‘family supports models:’ the general family support model, with the traditional division of labor between men and women; the market-oriented support model, where family is to be supported through the market rather than the state; and the dual-earner support model, where women’s employment is supported along with a socialization of care. Inequalities stemming from both gender and class are considered within this regime typology, where welfare states can be seen to effect gender and

class inequality patterns in an asymmetrical ways (Korpi 2000, 142). Methodologically, the approach is multidimensional in nature (Zagel and Lohmann 2020, 128), which means that various types of support (e.g. for the family and for dual earners) need to be considered simultaneously because they are dependent on each other (W. Korpi 2000, 140): for instance, if the focus of one policy dimension is on the support to women's employment, another one should focus on the support for unpaid family care.

5.1.2. Family Policy Developments and the Conditions Behind Them

The preoccupation with family policy and its various instruments not surprising given that family policy is seen levels of (intersecting) inequalities in society depending on how its designed. Nieuwenhuis (2020), for instance, shows how family policy affects not only horizontal (e.g. between women and men), but also vertical income inequality (e.g. between different types of households). Family policies have been shown to benefit different groups, such as children, lower-income households, those with lower levels of education, large families, or single parents (Nieuwenhuis and Van Lancker 2020, 13; see also Bradshaw and Finch 2002; Korpi, Ferrarini, and Englund 2013). Gender equality is obviously impacted: whether or not a woman is a mother has been shown to have important effects on her employment, with family policy playing an important role in terms of employment outcomes (van der Lippe and van Dijk 2002); here, the intersection of gender and class is also important to consider, as certain family policies may only benefit middle- or upper-class women, for instance (Hook and Li 2020).

Countries introduce various family policy instruments to support different aims. These may, *inter alia*, include poverty reduction, labor force participation, gender equality, support to child development, an increase in birth rates, or compensating for the cost of having children. Such aims change over time, and, as a result, instruments become sidelined (Jenson 2020, 46). Thus, demographic concerns – which commonly resulted in family planning or pronatalist policies – were dominant throughout the 20th century, but they do not underpin family policy objectives anymore. Horizontal redistribution (which resulted in universal family support) from families without to those with children, a prominent aim after the World War II, has also been sidelined in favor of vertical redistribution from rich to poor families (e.g., through means-tested benefits). More prominent are also measures to foster women's labor force participation, and

encouraged sharing of care among parents, thus reducing support for the male breadwinner (Jenson 2020, 46).

Leave policy is one of the main pillars of family policy. Maternity leaves, as one of the oldest modes of social security worldwide, provide income and employment protection for mothers after childbirth. Another type of leave is parental leave, which usually follows maternity leave, and can be shared among parents. In recent years, paternity, or job-protected leave for employed fathers, has been introduced in most EU countries, usually lasting from a few weeks up to a month around the time of birth. The main motivation for it is to improve gender equality and allow for a bonding period between the newborn and the father (Daly 2020a, 36). This area has been subject to increasing innovation, with countries seeking to promote fathers' uptake of the leave by allocating certain (non-transferrable) portions to the father (Daly 2020a, 36; European Commission 2017). In a review of leave policies, Koslowski et al. (2020, 19) note a recent move with respect to maternity leave towards either granting the birth-related leave to the mother, which can then be transferred (at least to some extent) to fathers; or towards dropping maternity leave in favor of a 'parental' leave, with some periods designated only for mothers and some only for fathers. With respect to parental leave, countries where parental leaves are an individual entitlement outnumber those where they are a family entitlement, while some countries also provide a mixed entitlement (part family and part individual). Various measures for encouraging fathers to use leave include entirely or partly individualized entitlements ('quota'), with non-transferrable unused leave; or bonuses (additional leave) if both parents take parental leave (Koslowski et al. 2020, 32–33).

Early childhood education and care (ECEC) is another primary form of family support. Initially developed during the 19th century (albeit with minimal availability) with the aim of provide care for poor children or children of working parents, governments began to assume more responsibility for childcare after World War II (Moss 2006; Scheiwe and Willekens 2009), and ultimately made a more substantial move during the late 20th and early 21st century from a care to an educational model, as to foster children's development and abilities (S. B. Kamerman 2006; Moss 2006; Vandebroek 2020). There has been an increase in the importance and spread of ECEC over time, with the growth of services for children up to the age of 3, and with the introduction of legal guarantees for ECEC for children. (Mary Daly 2020a; Vandebroek 2020; European Commission, EACEA, and Eurydice 2019). Nevertheless, some countries have decided to introduce home-care allowance as an alternative to ECEC – thus suggesting “some ambivalence and a tussle between making child development a public good as against supporting and buttressing the family as a unit and location for child-rearing” (Mary Daly 2020a, 35).

Another means of family support are cash benefits or financial support through taxation or vouchers. Initially introduced to curb poverty among families, they became a popular means among employers in some European countries to provide subsidies for fathers' wages and are thus seen to be in support of the male breadwinner model, with early family policies linked to the idea of a "family wage" (Daly 2020a, 30–31). Albeit initially universal in most countries, cash benefits tend to be means-tested or target the age or number of children (as part of pro-natal policy). Usually funded from general taxation, they are "an expression of solidarity with people who are raising children (and therefore oriented to horizontal equity)" (Mary Daly 2020a, 33). Conditional cash benefits have become a popular intervention of international organizations in developing countries, with such measures heavily criticized by feminist authors for reinforcing traditional gender roles and contributing to the rise in unpaid care work (Razavi 2020, 108–9). While cash benefits remain popular, there has recently been a trend towards the fiscalization of family support (Ferrarini, Nelson, and Höög 2013), "at its core an attempt to more closely link child and family income support with parental earnings and employment. The behavior of individual family members becomes more important as do the links between family policy and employment" (Mary Daly 2020a, 34).

Becoming more prominent within the family policy toolkit are also measures to enhance a work-life balance (hereafter: WLB). To meet the aim of reconciling work and family life, various measures have been applied: parents may be incentivized and supported to take time off from work for childcare – e.g., through various types of leaves or flexible working arrangements. Building on an earlier directive, in 2019, the European Council and European Parliament enacted the Work-Life Balance Directive, whereby Member States are to provide paternity leave for at least 10 working days after the birth of a child, to be compensated at a rate equivalent to maternity leave; to grant 4 months of paid leave; and expand the number of non-transferable months between the father and the mother from one to two months, allowing it to be taken flexibly. Flexible work arrangements for parents and caregivers for children up to the age of 8 have also been introduced. Moreover, either paid or unpaid leave of up to five working days per year is to be granted to carers.

Nevertheless, increased attention being placed on family-work reconciliation policies in particular has overshadowed goals of gender equality, despite the fact that "the problem of work–family reconciliation arises from asymmetric gendered behaviour (which may or may

not be voluntary): women have increased their hours of paid work to a much greater extent than men have increased their hours of household work, and this holds true for all developed countries” (Jane Lewis 2009, 3). In that process, the focus has generally been on the desire to employ a greater number of women, while the issue of gender divisions and the unpaid work that women perform in the household has usually been ignored, thus undermining gender equality. A number of authors thus criticize WLB policies for being more rhetorical/symbolic than substantive (Daly 2011; Lewis 2009; Lewis and Giullari 2005).

The ‘male breadwinner’ and ‘female homemaker model’ – inherent to many continental welfare states – has been challenged for some time now with changes in family formation and relations, the increased participation rate of women in the labor market, falling fertility rates, as well as rising long-term care needs. Such developments have also normatively redefined the roles of women and supported the transformation of welfare states towards the development of more encompassing family policies, covering childcare services and maternal and paternal leave policies. Since the 1990s, this has also resulted in increased spending on family policy in European countries, in the form of both benefits and services. For instance, Gauthier (2002) finds that, despite competing demands from other social policies such as pensions or unemployment benefits, family support has not decreased – but rather increased – since the 1970s in countries she studies, except for those belonging to the Liberal welfare type, where it has remained stable. Her main finding is that tremendous changes have occurred between the 1970s and 1990s when it comes to family policies, and that there is a lot of divergence between countries in terms of the policy paths pursued. Daiger von Gleichen and Seeleib-Kaiser (2018) have also noted that there has been a general shift from the male breadwinner model towards policy support for dual-earner households to support work-life balance.

Nevertheless, the ideal of the dual-earner, dual-carer household is far from being met. A fuzzy set ideal type analysis of the design of childcare policies in European countries by Ciccia and Bleijenbergh (Ciccia and Bleijenbergh 2014) shows, for instance, that the male breadwinner model and the caregiver model still remain the dominant normative models; only a small number of countries (Iceland, Sweden and Denmark) have formulated policies suggestive of a universal breadwinner model, where the state is in charge of delivering universally accessible and high-quality, publicly funded childcare services. As noted by the authors, “the universal caregiver model maintains its utopian character given that no European countries provides childcare services that offer mothers and fathers realistic opportunities to combine employment

and care, and to adjust their working hours to allow time for the care of children” (Ciccia and Bleijenbergh 2014, 73).

More recent trends in family policy include greater diversification in the types of family supports that are offered by states, albeit with cross-national variations. Services are seen to play an increasing part in this policy mix, owing to a greater concern with children’s development, well-being, and early education. According to Daly (2020a, 37) “... concerns around children’s development and resources have seen both greater access for (especially young) children to early education services and also targeting of income support on the most deprived families,” thus leading to a ‘foregrounding’ of resource distribution among generations (see also: (Daly 2020b).

Many conditions thus seem to underpin the choice of policy instruments and their transformation over time. Gauthier (2002, 467) attributes divergent responses of states to challenges such as changing family structure and dynamics, the increase of female labor force participation, changes in families’ and governments’ economic situation, political changes within the EU and global economic integration, as being contingent on countries’ different institutions, histories and political situation. Varying responses have been shown to be contingent on the type of institutional and legal context surrounding institutions such as marriage, parenthood and childhood, as well as how the family is conceptualized in a society (Daly 2020a, 29; Hank and Steinbach 2019) – and how it’s changing.

For instance, how the family (and the relationship between its members) is normatively perceived influences the types of policies that are being formulated, such as in perpetuating the male breadwinner through the provision of income supports to the father (Mary Daly 2020a, 32). The perpetuation of this traditional family form is in decline, albeit the family as a social institution or structure maintains its power, with “the characteristics of the family as an economic unit (rather than a particular physical structure such as based on marriage) that dominate and “with policy taken on a “more instrumentalist, economic cast – as against resourcing the family as having moral authority” (Daly 2020a, 38; Papadopoulos and Roumpakis 2017). This inevitably has to do with the “changing heterogeneity of parents in terms of preferences, family structure, class, opportunities and constraints in relation to decisions about care and employment” (Nieuwenhuis and Van Lancker 2020, 5–6). Indeed, family diversity is increasing, with a recent UN Women report has shown that only 38% of

households worldwide consist of two-parent households with children (UN Women 2019, 16). This calls for “a major regulatory adaptation if family policy and the resourcing of families is to respond to the reality of how people are living their day to day lives” (Razavi 2020, 108; see also Adema, Clarke, and Thévenon 2020).

The institutional context also matters. Morgan (2005), for instance, attributes variations in family policies to varieties of capitalism, or the ways in which economic and labor market institutions are organized, and how the interaction between government, capital and labor matters in how childcare is supported. For instance, whereas in a coordinated market economy, more extensively subsidized childcare is provided for families and is delivered by a well-paid and high-skilled workforce enjoying strong employment protection, in liberal market economies, where labor markets are deregulated and workers are without job protection or income security in case of unemployment, low-wage workers take up ECEC (K. J. Morgan 2005).

The structure of governance also matters for family policy. Federal states with decentralized governance, for instance, can often become grounds where ideological differences – in interaction with contextual conditions, such as the extent of urbanization – shape policy differences (Béland and Lecours 2005).

The circulation of ideas surrounding gender equality – together with contextual conditions such as demographic changes – have played a key role. Daiger von Gleichen and Seeleib-Kaiser (2018) note, for instance, that countries that have departed from the male breadwinner model early on were largely influenced by the normative aim of gender equality, backed by strong women’s movements and social democratic representation of in parliament. ‘Newcomers’ opted for such policies without such conditions; rather, such a policy shift has been contingent on instrumental reasoning surrounding the need to improve human capital through increased women’s participation in the labor market, as well as addressing demographic challenges (see also: Ferragina and Seeleib-Kaiser 2015; White 2020). The discourse surrounding gender equality has helped place the focus not only on children within the childcare realm, but on the rights of women as family caregivers or ECEC workers (Razavi 2020). A greater emphasis on gender equality is also visible from efforts of policymakers to grant longer (non-transferable) parental leave rights to men over the years.

The ‘social investment’ agenda (Garrizmann et al. 2017; A. Hemerijck 2017) has been crucial to how family policies have developed in the past two decades. This perspective promotes “the necessity to invest in human capital, to mobilize and to renew it along the entire life course in order to accompany the demands of changing production systems, and to address the new social risks not met by the old welfare state” (Garrizmann et al. 2017) Policies include ECEC, education and life-long learning programs and policies that support employment (e.g. ALMPs, flexicurity), especially for traditionally excluded groups (Morel, Palier, and Palme 2014). With a shift in focus on social investment, childcare has also been transformed in recent decades, and is now not understood only as a function of women’s ability to join the labor market, but as “a central for future human capital accumulation” (Ciccia and Bleijenbergh 2014, 3). The reasons why governments have chosen to promote the social investment agenda have often been instrumental. For instance, Morgan (2013, 74) finds that electoral calculations – as well as women’s increasing participation in party politics – have resulted in social policies as “power resources that politicians seek to deploy for electoral purposes.”

Indeed, ECEC has been significantly affected by the social investment agenda - with its focus on educational performance and achievement - in addition to other conditions, such as a growth in children’s rights, and gender equality (Daly 2020a, 34). The 2002 Barcelona European Council set objectives for the provision of childcare services to cover by 2010 90% of children between the age of 3 and school age, and 33% of children under the age of 3 (European Council 2002). The Barcelona targets are seen to have significantly influenced the growth of childcare under the age of three (Daly 2020a, 35). ECEC has recently been the subject of global policy discourses perpetuated by international organizations, owing to its “fit with the contemporary discourse on the ‘knowledge-based economy’ and as part of the push-back to the harsh neoliberalism of the 1980s” (Razavi 2020, 100; Mahon 2016).

5.2. Conceptualizing and Measuring Individual Dimensions of Family Support through the CA Lens

This section deals with two types of family policy, which are usually commonly depicted as ‘childcare policy’: early childhood education and care (ECEC) and leave policy (maternal, paternity or parental). Both types of policies have had a profound impact on the division of care work between women and men, and possibilities for family-work reconciliation. Moreover, they significantly impact children’s well-being and development. The section provides a detailed overview of how the different dimensions of ECEC and leave policy are conceptualized and measured from a capabilities approach (CA) perspective.

This analysis contributes to family policy research in the region in several ways. It aims to analyze, in comparative perspective, how and to what extent childcare policies in these four countries may enhance or hamper parents’ real opportunities – or capabilities – for organizing the childcare function in preferred ways (hereafter: childcare capabilities). Moreover, by relying on the CA’s concept of conversion factors, it aims to illustrate how important characteristics of childcare policies interact with other conversion factors (Zagel and Lohmann 2020, 142) to, in turn, effect inequalities in capabilities along different lines (socio-economic, gender, ethnicity, ability, place of residence). The added value also lies in the fact that the CA approach has – to the author’s best knowledge – not been applied to comparatively study childcare policies in this region. In the post-Yugoslav region, many single country studies have cast a light on the challenges that leave policies or ECEC systems face in this region and the implications that this has on families, but comparisons tend to be rare (one exception is Dobrotić, 2019).

5.2.1. Capturing the extent of capabilities granted to parents through leave

Availability pertains to whether or not the maternity, paternity and parental leaves have been codified in law, and thus instituted as a right that can be used by mothers and fathers. This is taken into account because different types of leave are not available in all countries considered.

Accessibility is reflected in statutory entitlements regarding leaves that may limit who has the right to take leave in the country. For instance, limiting access to leaves only to those parents with longer insurance contribution histories, or only to the full-time employed as opposed to

self-employed, occasionally employed or unemployed parents denotes a lower accessibility of leaves.

Generosity essentially refers to what is known in literature as full-time or full-rate equivalent (FTE/FRE) leave, or the duration of well-paid leave, where length of leave is multiplied by the wage replacement rate. The possibility for parents to enjoy individual rights to parental leave periods of generous duration and compensation is considered one of the crucial preconditions for achieving the universal caregiver model (Gornick and Meyers 2009). As such, generosity of leave has very much to do with the reservation wage; the reservation wage is the “net wage at which an individual considers employment to be worthwhile, reflects the utility of time with newborn child, including the value of home production, measured in the price of market production” (Javornik and Kurowska 2017, 621). Low generosity of leaves deepens economic inequalities as lower-income parents are more inclined to continue working due to income loss (Warren 2015). On the other hand, parents with higher levels of education face higher opportunity costs (Del Boca, Pasqua, and Proznato 2008) of taking leave (Kangas and Rostgaard 2007), especially in the face of benefit ceilings (Javornik and Kurowska 2017, 621).

Due to the income loss being lower if women take up leave as opposed to men because of generally lower pay, benefits paid at low levels become “a structural incentive for female childcare at home” (Leitner 2003, 372) and thus create opportunity gaps between women and men (Javornik and Kurowska 2017, 622). At the same time, it is important to note that various studies have shown that leaves that are too short or too long can have a negative impact on women’s likelihood to continue working; less than 6 months of leave and longer than 2 years of leave have been identified as the yielding a ‘downturn effect’ (Leitner 2003; Gornick and Meyers 2003; Javornik 2014).

The FTE/FRE rate is calculated in line with OECD methodology (OECD 2016). The generosity of duration is assessed in line with the latest EU Directive on work-life balance, mandating at least 14 weeks of maternity leave; 4 months of, compensated parental leave, out of which 2 months are non-transferrable; and compensated paternity leave of at least 10 working days around the time of birth of the child. Javornik (2014, 246) suggests that an ideal leave time (maternity/paternity/parental) would consist of a minimum of 6 months to a maximum of one year (to avoid a ‘downturn effect’ for women), whereas less than 6 months or more than 3 years would be considered far from optimal. Leave paid at 85-100% of previous earnings for a

minimum of six months would be considered the most financially sustainable, whereas leave paid at 70-100% for 3 months or less, followed by a means/tested flat rate, or unpaid would be considered the least financially sustainable.

Flexibility relates to how flexibly leave (usually parental leave) can be taken up – i.e. under which conditions and over which period of time. According to Javornik (2014), optimal flexibility would entail leave that can be used in sections over a longer period of time (minimum 5 years), yielding the possibility of different combinations; conversely, the least flexibility would resemble full-time familial care, without the option of gainful activity or with gainful activity having to be combined with familial care. More flexible leave is in line with the notion that greater flexibility of working hours and greater availability of quality, part-time work contributes to a dual earner, dual carer model (Gornick and Meyers 2009). According to the EU’s most recent Directive on work-life balance of parents and carers, working parents may request flexible working arrangements for children up to the age of 8.

5.2.2. Capturing the extent of capabilities granted to parents through ECEC

Availability of ECEC services relates to the extent of their provision to children, usually aged 0-6. The EU has paid increasing attention to the coverage of young children with such services, primarily for the sake of allowing women to participate in the labor force. The European Council’s 2002 ‘Barcelona targets’ stipulate that at least 90% of children between 3 years and mandatory school age, and at least 33% of children under 3 years of age, should participate in ECEC by 2010. The Education and Training (ET 2020) benchmark on preschool participation stipulates that 95% of children aged 4 until compulsory primary school age school will participate in ECEC. Both EU-level targets were reached as of 2017, with the EU-28 average for children up to 3 years old at 34.2% in 2017 and at 95.4% for children aged 4 to compulsory school age attending ECEC that same year (European Commission, EACEA, and Eurydice 2019, 35, 67). Moreover, according to Principle 11 of the European Pillar of Social Rights²⁴ “children have the right to affordable early education and care of good quality” (European Parliament, European Council, and European Commission 2017). The availability of ECEC is of crucial importance for parents’ – especially mothers’ – ability to work or engage in other activities, as well as for child development (Javornik and Yerkes 2020, 150).

²⁴ Proclaimed by the European Parliament, European Council and the European Commission in 2017.

To capture *availability*, Javornik and Yerkes (2020, 150) combine enrollment rates for children aged 0-2 and 3-6 with a country classification based on the type of provision (public, private for-profit or non-profit, etc.). They do so because enrolment rates, although most commonly used to capture availability, can be problematic because they conflate structural differences in care provision into a single outcome (Javornik and Yerkes 2020, 150). Indeed, “national statistics are not easily converted to a common standard, given the fact that each country has its own unique constellation of childcare arrangements,” with a fluid distinction between formal and informal, or public and private arrangements (European Commission 2009, 29).

This research opts for the approach of Javornik and Yerkes (2020). The focus is on ECEC delivered by public, private and voluntary entities. Home-based ECEC is not common in the region, and thus hasn't been considered. Eurostat data for enrolment rates for children aged 3 until compulsory education age is used, together with EU-SILC data for formal childcare for children aged 0-2. While Eurostat data may overestimate coverage for the 3-6 group by including, for instance, children in shorter programs who may already be included in regular ones of other ECEC providers (Dobrotić, Matković, and Menger 2018, 27), this is used instead of data from individual statistical offices, due to differences in ECEC programs, as well as the ones that statistical offices in the four countries opt include in ECEC coverage, justifying Eurostat's approach of including all programs defined as early childhood education. Comparisons are difficult for the age group 0-2, due to differences in terms of which sector is in charge of such care (e.g. social welfare vs. education); this is why the EU relies on EU-SILC survey for this age group, albeit its indicator on children under age 3 in 'formal care' also has its limitations due to differences in how ECEC programs are defined (European Commission, EACEA, and Eurydice 2019, 65) and because of the small sample sizes from which the data are compiled (European Commission 2013, 7). Despite its shortcomings, “EU-SILC remains a prominent source of data on childcare services, in particular with regard to enrolment rates” (Sirén et al. 2020, 637).

Accessibility of ECEC services is usually analyzed through the prism of inclusion and exclusion of certain categories of families from childcare policies, through the existence of certain conditions or the degree of selectivity of policies; as such it is “indicative of distributive justice” within the society (Javornik and Yerkes 2020, 147). However, it is important to note that targeted measures also serve to ensure that disadvantaged children, such as those coming from poor families, from one-parent households, from minority groups, or who have

disabilities or learning difficulties are given priority in accessing ECEC. Such criteria reflect the priorities of public authorities in the childcare realm and the extent of readiness to enhance the opportunities for such categories of children. Conversely, eligibility criteria that require both parents to be employed – which have roots in the historical connection between childcare and labor policy (Vandenbroeck 2020, 170) – “create an opportunity gap for parents in education or training or seeking a job, starting a business or volunteering” (Javornik and Yerkes 2020, 150). In European countries, priority admission rules tend to be decided at the level of local government or even the ECEC institution itself (European Commission, EACEA, and Eurydice 2019, 59), which may account for great territorial differences in provision.

Another important indicator of accessibility is whether it is guaranteed as a right. As to increase availability, an increasing number of European countries are offering a *legal place guarantee* to ECEC for children of a certain age (European Commission, EACEA, and Eurydice 2019, 9); others introduce compulsory ECEC education, usually prior to the start of compulsory primary education. According to Saraceno (2011a, 92), treating children as citizens entitled to rights “stresses societal responsibility to grant all children adequate family care and time, as well as non-family resources for the full development of their capabilities.”

Javornik and Yerkes (2020, 151) opt to study *accessibility* by looking at admission requirements, such as how places are allocated or the age of admission, also evaluating it in relation to leave policies. This comparative analysis also looks at admissions criteria in countries’ laws and bylaws, focusing on priority access and existence of guarantees.

Affordability is considered in relation to the level of fees parents pay for ECEC. How ECEC services are structured and provided affects fees in a crucial way. In the case of supply-side subsidies, governments may directly compensate eligible (public and/or private) providers for the cost of childcare provision. In the case of demand-side subsidies, parents receive credits or deductions through the tax system, vouchers that allow them to choose a provider, or may be compensated otherwise (Cleveland and Krashinsky 2004, 30–31); governments may also set fee ceilings (European Commission, EACEA, and Eurydice 2019, 58). In countries where ECEC services are delivered on the market, providers seek to maximize profit and do not have the incentive to cater to lower-income households, impacting accessibility (Javornik and Yerkes 2020, 151), e.g. in the case of the introduction of a demand-financing system in the Netherlands, when ECEC moved “towards wealthy urbanized areas, characterized by high

demand and high purchasing power” (Noailly and Visser 2009, 477). Conversely, Norway and France have countered such negative effects by instituting stringent regulations on standards and by providing direct public funding to providers (Lloyd and Penn 2014). In light of the diversification of ECEC provision in Europe (Penn 2014), affordability is crucial. It is also having guarantees in place, as “free ECEC in public settings may be limited and waiting lists may be long with complex priority rules” (European Commission, EACEA, and Eurydice 2019, 54). Almost half of European countries have free ECEC for at least a few hours a week for children aged 3 and up. Countries are more likely to institute policy measures to increase affordability (e.g. through fee reductions) rather than limit accessibility by setting priority admission, but some criteria may apply (e.g. income, being single-parent households, or being welfare recipients) (European Commission, EACEA, and Eurydice 2019, 56–57, 59). Affordable childcare promotes women’s employment, and fosters low-income and single parents’ childcare capabilities (Javornik and Yerkes 2020, 151–52).

For *affordability*, Javornik and Yerkes (2020, 152) combine data on net ECEC cost as a percentage of family net income for a dual-earner household, with an analysis of funding rules. Here, data on the cost of childcare is expressed in Purchasing Power Standard (PPS), relying on the analysis in the 2019 European Commission/Eurydice report. Childcare cost as a percentage of net family income is not used because of limitations in terms of data availability. Looking at funding rules, the analysis focuses on what kind of financing mechanisms are in place, to what extent they are conducive to affordability, and whether there are reductions in cost or free provision for certain categories of children (Sirén et al. 2020, 644).

In their meta-analysis of studies based on natural experiments, van Huizen and Plantenga (2018, 216) have found that ECEC program *quality* is of critical importance in yielding consistently positive child outcomes. Conversely, poor-quality ECEC can have negative effects on children’s cognitive, language and socio-emotional development (Melhuish et al. 2015, 4–5). Poor-quality ECEC is bound to limit parents’ childcare options, while high-quality ECEC incentivizes them to seek out institutional childcare (Javornik and Yerkes 2020, 152). Whether or not ECEC is publicly provided has shown to impact quality. Privately-provided services are subject to information asymmetry between providers and consumers. For instance, parents have been shown to overrate the quality of ECEC in comparison to expert observers (Mocan 2001); this opens up room for profit-driven providers to reduce quality (Noailly and Visser 2009, 477). One way to reduce asymmetry is to set minimum standards for ECEC providers.

In the EU, quality of ECEC is gaining in prominence, as signaled, for instance, by the EU Quality Framework for Early Childhood Education and Care, a part of the 2019 Council Recommendation of on High Quality Early Childhood Education and Care Systems.

The two dimensions studied in relation to quality include measures of *structural quality* and *process quality*. *Structural quality* relates to formal criteria, such as adherence to health and safety regulations, staff qualifications, group size and child-to-staff ratios, whether institution's pedagogical plan adheres with a country's educational guidelines, or the existence of external/internal evaluation. *Process quality* refers to relationships and interactions between children and educators and among children, and to what extent such interactions are conducive to learning (European Commission, EACEA, and Eurydice 2019, 14; Javornik and Yerkes 2020, 152). Due to limitations in accessing process quality data, scholars usually use structural quality indicators, which may be indicative of process quality: e.g., educated staff is more likely to foster a rich learning environment, while smaller groups allow for higher-quality interaction.

Given the uneven availability of data on process quality in the region, *quality* is analyzed – in line with Javornik and Yerkes (2020, 153) – from the perspective of structural quality indicators only, including group sizes, child-to-staff ratio, and the required qualifications level of staff. Beyond these indicators, whether or not systems of monitoring or evaluation of ECEC provision, as stipulated by legislation, is also considered (European Commission 2018, 8).

Last but not least, *flexibility* relates to the hours in which ECEC services are available, making it possible for parents to work irregular (or longer) hours, including holidays or weekends. It should be emphasized that long hours spent in ECEC may potentially have negative impacts on children's socio-emotional development; thus, “flexibility in child-care services presumes usefulness for parents, rather than children” (Javornik and Yerkes 2020, 153). In Europe, ECEC opening hours tend to be aligned with those of primary schools and rarely cover the full-time working week (European Commission, EACEA, and Eurydice 2019, 11), thus not lending sufficient flexibility to parents. In line with Javornik and Yerkes (2020, 153), *flexibility* is studied from the perspective of ECEC yearly time-tabling and operating hours (including provision during non-standard hours and holidays), as defined by regulations in individual countries, as well as by relying on Eurydice data on the number of hours children spend in ECEC, which have “greatly improved the possibility to assess these aspects within a comparative approach” (Sirén et al. 2020, 643).

5.2.3. Capturing extent of inequalities in real opportunities / stratification with respect to ECEC and Leaves

When it comes to leave, Javornik and Kurowska (2017, 624–26) identify an ideal parental leave infrastructure in order to be able to show how national leave systems create inequalities in capabilities, taking into account especially a mother’s opportunity to remain in the labor market and the father’s to take care of the child. Their model is effectively an ideal-type leave against *stratification*, as they take into account the following indicators:

1. *Equality of treatment*: Takes into account if equal access to paid time off for both parents is granted by policy. This implies equivalent benefits for fathers to those of mothers, as enhanced entitlements for the mother could disincentivize a couple to share leave. The authors conceptualize this as the ‘ratio of full-rate equivalent’ (FRE) of non-transferable leave for fathers to the FRE of an individual and non-transferable leave for mothers. Authors account for mothers’ more favorable treatment for medical reasons around pregnancy/childbirth, derogating from the principle of equal treatment and applying the “difference approach” in that respect (Javornik and Kurowska 2017, 625).
2. *Fathers’ access to financially viable, non-transferable leave*: Takes into account length and payment. This indicator is included because the replacement rate has been shown to determine fathers’ leave uptake. Authors calculate the Adjusted Replacement Rate (ARR) to account for the household income shock, which is dependent on the national living standard.²⁵ Countries with an ARR with at least 70% (considered financially viable) are included in the analysis. This is assessed against optimal length of non-transferable leave, which is considered to be at least 3 months.
3. *Financial viability of transferable (family/joint) leave*: As the income-replacement rate is considered to determine which parent will take leave, the rate looks at whether parents are incentivized to share leave or not. The ARR is adjusted for the gender pay gap, creating a Gender-sensitive ARR (GARR), where the ARR is multiplied by the ratio of women’s average earnings to those of men.
4. *Equality in effective income replacement rate*: Given that most countries have a benefit ceiling, considers the effect of a benefit cap on the leave’s financial viability, as ceilings

²⁵ National crude income replacement rates are multiplied by a country’s GDP index (in per capita in PPS).

disrupt gender equality across income groups. The ratio of the benefit cap to the average wage in the country is calculated (lower ratio denotes higher inequality)

5. *Congruency of leave and public childcare/childcare gap*: Considers whether mothers have real opportunities to resume employment after end of paid leave, taking into account the childcare gap (Javornik and Kurowska 2017, 626), the gap between the moment when parents can no longer take adequately compensated childcare leave (including maternity, paternity and parental leave) and the moment when their child obtains a guaranteed placement in ECEC, either as a legal entitlement or as compulsory ECEC (European Commission, EACEA, and Eurydice 2019, 43, 51–52), thus illustrative of the balance between leave policies and ECEC policies in a given context.

In addition to these components, this analysis integrates another component, reflecting the on-the-ground realities in the countries studied – in this case the prevalence of unemployment or employment in the grey economy:

6. *Equality between employed and unemployed*: Considers the difference in the income replacement rates and duration of leave benefits between parents who are claiming a leave and are employed, and those who are claiming maternity/parental benefits and are unemployed, without insurance.

This approach thus gauges how public policies on leave are “endorsing, legitimizing and re-producing ‘ethos’ of social norms and parenthood practices” and thus hampering or enhancing parents’ capabilities (Javornik and Kurowska 2017, 620). While there are other conversion factors that may limit the ‘agency gap’ (B. Hobson 2011) or the capabilities of parents to exercise their rights to use leave options (Javornik and Kurowska 2017, 621) – such as cultural expectations towards women and men (‘parental orthodoxies’), employers’ lack of flexibility that may lead to reluctance to take up leave, or a lack of organizational capacities/resources (Haas and Rostgaard 2011) – this research is limited to looking at the policy frameworks only. Future research in these four countries should look at how leave entitlements are “mediated through firms/workplaces, and translated into individual lives and households” (B. Hobson 2011, 148). Lastly, inequalities that may be faced by same-sex couples or couples who have adopted children have not been considered by this research and should be further explored.

Given that specific ways of measuring the extent of inequality in parents' childcare capabilities depending on various conversion factors have not been developed to date, to the author's best knowledge, the following assessment is suggested for ECEC:

1. *Inequalities in 'real opportunities' in terms of availability of ECEC in rural versus urban areas*: Looks at whether there is a guarantee of access to quality ECEC despite one's place of residence and if the government is taking proactive efforts to increase the number of ECEC facilities in rural areas.
2. *Inequalities in 'real opportunities' in terms of accessibility of ECEC for children with SEN*: Looks at whether policies are in place to ensure inclusion of students with SEN in ECEC; and, conversely, whether provisions *a priori* segregate SEN students into special educational facilities.
3. *Inequalities in 'real opportunities' in terms of accessibility of ECEC for Roma children*: Looks at whether policies are in place to foster the inclusion of Roma children (e.g. curriculum in own language, special measures to ensure the affordability of ECEC for the Roma community, etc).
4. *Inequalities in 'real opportunities' in terms of affordability of ECEC for low-income households*: Considers whether prices based on a sliding-fee scale, based on family income, or conversely, whether providers autonomous in setting rules, without legal guidelines or ceilings (Javornik 2014, 247) Also looks at whether mechanisms are in place to reduce price for ECEC disadvantaged households.

5.3. Yugoslavia's family policy

5.3.1. Leave policies

During the socialist period, family policy was made in line with the needs of working families. According to Puljiz and Zrinščak (2002), “the promotion of the rights of the employed was related to a policy of extensive industrialization and the ideology of the promotion of workers’ rights, as well as the ideology of equalization of men and women at work.” Thus, a woman’s right to maternity leave was slowly expanded throughout this period. It was “financed from a unique rate of social insurance contributions covering pregnancy and childbirth protection (alongside illness, pensions, an accident at work and child benefits),” and granted to mothers who were employed in government institutions or public enterprises (Dobrotić and Obradović 2020, 415). Initially set at 12 weeks, as of the 1970s, countries had the option of adopting own social policies, which meant that some countries introduced longer maternity schemes than envisaged by the federal legislation; at the end of the socialist period, leave policies ranged between 9 and 13 months, with benefit levels of 100% of the previous salary (Dobrotić 2019, 5). Maternity benefits were seen to be “relatively generous” for women working in the public sector (Puljiz and Zrinščak 2002).

Nevertheless, leave policies faced numerous shortcomings. Maternity leave wasn’t flexible to use, depending on a family’s situation (e.g. a mother’s work obligations) (Puljiz and Zrinščak 2002). Moreover, the way in which eligibility criteria were designed resulted in inequalities in access, as only those who were in ‘standard’ employment could take leaves, as opposed to those working on occasional or short-time contracts; the self-employed and farmers were able to access leave benefits only during the late 1980s and early 1990s; less generous leaves were introduced for some categories of unemployed mothers in Serbia and Slovenia during the 1980s (Dobrotić 2019, 5). Moreover, only those with a certain length of insurance history could access leave up until the 1970s, when this condition was discarded. Nevertheless, the level of benefits remained contingent on the length of previous insurance periods, with large differences between countries (e.g., based on average earnings in year prior to childbirth in BiH and Slovenia, as opposed to three months in Montenegro, Croatia and Serbia as of the late 1980s) (Ibid).

Leave policy was designed specifically with the mother in mind, with only Croatia and Slovenia introducing “additional maternity leave” as of the 1970s, with the possibility for fathers to take up leave (if agreed upon with the mother; and, until 1983, only if the mother was full-time employed in Croatia). With such design – and given socio-cultural expectations regarding the mother’s primary caregiver role – there were little incentives for fathers to take up leave (Dobrotić 2019, 6; see also Korintus and Stropnik 2011).

In terms of gender relations, the socialist period is generally thought of as having promoted women’s economic independence; however, a woman’s position in the private sphere was not sufficiently addressed, leading to a “double burden” of work and care (Dobrotić, Matković, and Zrinščak 2013, 223). Thus, leave policy “brought emancipatory entitlements linked to women’s participation in the labour market, while simultaneously maintaining gender inequalities in the private sphere” (Dobrotić and Obradović 2020, 416).

5.3.2. Early Childhood Education and Care

Countries of former Yugoslavia had introduced the first “playgroups” even before the joint country – first as the Kingdom of Yugoslavia, and subsequently as Socialist Federal Republic of Yugoslavia (SFRY)²⁶ – had been established. The most advanced in that respect were Croatia and Serbia. In Croatia, first ECEC institutions were established in the 19th century as private institutions run by individuals or churches, followed by the first institutions for children of workers (Serdar 2013, 4) in 1842, and, after 1874, the first public kindergartens. According to the Order on the Organization on Kindergartens (1878), such institutions were to “assist and complement the upbringing of children at home and prepare for school instruction by adequately developing their physical and psychological powers” (Mendeš 2015, 230). The Order, which laid out types of upbringing activities and standards (pedagogical training of staff, facilities, teacher-child ratios, etc.), can be considered as the beginning of state regulation of preschool education (Baran, Dobrotić, and Matković 2011, 524). In Serbia, the first pre-school institutions around the same time as Croatia, albeit in a territorially uneven manner, given that a part of the present-day country (Vojvodina) was part of Austro-Hungary, while the other part was not. Thus, “ideas about the institutional education of preschool children developed differently in regions of the present-day Republic of Serbia, depending on the historical

²⁶ The country was named Federal People’s Republic of Yugoslavia from 1946 until 1963.

conditions and socio-economic and cultural influences on the different territories” (Stojanovic, Kovacevic, and Bogovac 2018, 363–64). Vojvodina introduced the first “playschools” in the late 19th century and regulated preschool teacher training by the Law on Protection of Children in Vojvodina in 1891. With the adoption of the 1890 Regulation of Serbian Religious ‘Playschools’, the goal of the ‘playschool’ was defined as to help a child’s education before commencement of school at 7 years and foster different areas of development, also reiterated by a subsequent 1898 Law on National Schools (Ibid, 364-365).

During the early period of SFRJ, preschool institutions – called kindergartens – were initially influenced by Soviet pedagogical thought, with a greater focus on the ‘upbringing’ function and less on the educational function. With the adoption of the General Law on Education in 1959, the educational function of preschools was codified (Stojanovic, Kovacevic, and Bogovac 2018, 366), and a “developmental-humanistic paradigm was accepted as the basis for theoretical concepts of preschool education” which subsequently translated into the programs of nurseries and kindergartens (Ibid).

However, the network of preschool institutions was very slow to expand during the socialist period due to a lack of sufficient funding to establish and run such facilities (Baran, Dobrotić, and Matković 2011, 526) and significantly varied between and within the former republics due to its decentralized nature (Dobrotić 2019, 3), with ECEC services primarily provided in urban areas. According to Dobrotić’s (2019, 15) rough estimate of ECEC enrolment in 1990, enrolment was 7.7% in the predominantly rural BiH and 19.5% and 25% in more developed Serbia and Croatia, respectively; own calculations, using the same statistical data, yield a rough estimate of 16.9% for Macedonia in 1990 (*Statistical Yearbook of Yugoslavia* 1991, 38:433, 442). Serbia is especially illustrative of inter-regional variation, with ECEC coverage in its then autonomous province of Kosovo being only 3.5%, 27.4% in Serbia (without its autonomous provinces), and 35.1% in its autonomous province of Vojvodina (Ibid). Despite variation in provision between and within republics, the countries shared common framework legislation stipulating, *inter alia*, standards pertaining to programming, teacher training, and a (predominantly) contribution-based financing model (Vesić 1971, 104). While individual countries adopted laws and bylaws that regulated childcare further, they were generally similar, with norms in the poorer republics being modelled after those of the more developed ones (e.g. Marendić 2011, 22).

5.4. Childcare Capabilities and Stratification in Four Countries of Former Yugoslavia

This section focuses on the childcare capabilities that family policies, and their changes, have yielded in the four countries studied over the transition period. Capabilities are studied through the prism of the different dimensions described in 5.3. Beyond parents' capabilities and changes therein because of changes in policies, the stratification dimension – and changes in inequalities in capabilities over time – is considered.

5.4.1. Maternity, Paternity and Parental Leave Capabilities

5.4.1.1. Availability

The four countries studied have introduced maternity leave during socialism, yet not all have introduced both paternity and parental leaves after the dissolution of Yugoslavia. The current availability of leave is summarized in Table 5.1

Table 5.1. *Availability of different types of leaves (2020)*

Type of leave	BiH - FBiH	BiH – RS	Croatia	North Macedonia	Serbia
Maternity	Yes	Yes	Yes	Yes	Yes
Paternity	No	No	No	No	No
Parental	No	No	Yes	No	Yes

Source: National legislation

Due to the BiH's decentralized structure, the implementation of provisions on maternity/parental leave in FBiH has been highly uneven, as each canton was responsible to adopt legislation that specifies eligibility criteria and benefit amounts, in line with an entity-level Law on the Principles of Social Protection. Many parents were left without the right to leave as maternity benefits were decentralized from the entity to the cantonal level in the late 1990s. As the FBiH government lacks enforcement mechanisms, many cantons introduced leave with years of delay, some as recently as 2017, violating international conventions that the country has ratified in this realm.

The possibility for the father to take maternity leave in BiH was recognized as of 2002 in the RS and 2016 in FBiH. A father could use his right to such leave only in exceptional

circumstances before that, such as in the case of the mother's death or if the mother was prevented from using this right for objective reasons. Now, fathers can take 'maternity' leave starting with 42 days after the birth of the child, if the mother agrees to this, up to one year (for one child). The leave is not called a parental leave, and there is no individual, non-transferrable part of the leave for the father. In both entities, workers have the right to take "paid leave" for different reasons, not limited to the birth of a child (no longer than five days in the RS and seven days in FBiH of total paid leave in a year, unless otherwise defined), but this is not an explicit "paternity leave."

In Croatia, leave policy has seen the greatest overhaul due to the country's harmonization of own with EU legislation prior to joining the EU in 2013. In 2000, the parental leave was a mother's right, which she could transfer to the father. In 2008, however, this changed to a family right. After a series of reforms, Croatia introduced the right to four months of parental leave for both parents, with two non-transferrable months for the father (Dobrotić, Matković, and Zrinščak 2013, 226). Croatia has not adopted a paternity leave to date, although changes to existing legislation are underway to align leaves with the latest EU Directive on Work-Life Balance. As in other countries, workers have the right to take up to seven days of paid leave for different reasons, including the birth of a child.

In North Macedonia, in line with labor legislation, employed women have been entitled to a maternity leave of nine months (longer in case of multiple births). Maternity leave can be followed by an unpaid three-month parental leave, which may be used until a child's third year. However, as pointed out by Najchevska (2016, 29), "the wording of the relevant article of the law only refers to the mother." The Labor Relations Law stipulates that the "female worker" uses the "unpaid parental leave" and that if the parental leave is not used by the "female worker," the right to parental leave is used by the father or the child's adoptive parent (Ibid, art. 165 and 167). Paternity leave is not explicitly granted either; the father can take up to 7 days of leave around the time of birth, but this falls under "paid leave due to personal and family circumstances" which can be taken for other reasons as well (*Zakon Za Rabotnite Odnosi [Labor Relations Law] 2016*).

At the end of the socialist period, Serbia had granted 9 months of maternity leave. During the 1990s, leave was extended to 12 months for the first and second child, and, as a pronatalist measure, to two years in the case of the third child. With the introduction of new labor

legislation in 2005, a generous maternity and parental leave of up to 12 months was instituted, whereby maternity leave is granted up to the child's third month, and parental leave until the child's first year. Fathers also acquired the option of using parental leave after a child turns three months. Nevertheless, the country has not introduced an individual, non-transferable part of parental leave (Dobrotić 2019, 20). As in the other countries, there is no paternity leave, but workers can take up to five days of paid leave per year for different reasons, including the birth of a child.

5.4.1.2. Accessibility

Entitlement conditions to access paid leave (or benefits for unemployed parents) are shown in Table 5.2.

Table 5.2. *Entitlements to leave and/or benefits for employed, unemployed parents and self-employed parents*

	<i>Entitlement conditions</i>
BiH: FBiH	<p><i>Entitlement to leave (with benefits):</i> Most cantons require 6 months of interrupted contributions, with two cantons requiring 9 and 12 months.</p> <p><i>Rights for self-employed or unemployed parents:</i> Some have cantons introduced either one-off or monthly benefits for unemployed benefits. Self-employed parents have same benefits as unemployed parents.</p>
BiH: RS	<p><i>Entitlement to leave (with benefits):</i> 12 months of uninterrupted insurance.</p> <p><i>Rights for self-employed or unemployed parents:</i> In the RS, self-employed women who are covered by social insurance have the same right to salary compensation as other employed women. Unemployed mothers (exceptionally fathers) have access to year-long maternity allowance.</p>
Croatia	<p><i>Entitlement to leave (with benefits):</i> 9 uninterrupted months of previous insurance or 12 months in the 24 months before leave.</p> <p><i>Rights for self-employed or unemployed parents:</i> Self-employed parents have the same rights as employed parents. Parents who cannot meet these entitlement criteria have a right to a flat-rate benefits at the same rate as unemployed parents. Flat-rate allowance in the duration of 12 months for unemployed parents.</p>

North Macedonia	<p><i>Entitlement to leave (with benefits):</i> For receiving maternity allowance (and being entitled to unpaid parental leave) is at least 6 consecutive months of employment with paid social security contributions.</p> <p><i>Rights for self-employed or unemployed parents:</i> The right to a maternity allowance extended to mothers working part-time or on fixed-term contracts. No provisions regarding unemployed parents.</p>
Serbia	<p>Entitlement to leave (with benefits): 18 months of interrupted insurance contributions.</p> <p>Rights for self-employed or unemployed parents: Self-employed parents, as well as parents on part-time or fixed-term contracts and agricultural workers, can use the leave benefit during 12 months. Unemployed mothers (exceptionally fathers) receive parental benefits (one off for first child, in 24 installments for second child, and 120 installments for third and fourth child).</p>

Source: National legislation

As can be seen from Table 5.2., entitlement conditions differ between countries when it comes to the period of prior insurance required to qualify for maternity and parental. The strictest conditions are to be found in Serbia, with eighteen months of insurance needed, while North Macedonia and most cantons in FBiH require only six months.

During former Yugoslavia, leave could generally be taken up by parents who were in standard employment, which slowly started to change near the period of dissolution of the joint country. The four countries of the region have slowly begun to grant equal leave rights to parents who are not in standard employment, such as the self-employed or temporary workers. Nevertheless, Dobrotić (2019, 8) notes that while parents who are occasionally employed have formally gained access to employment-based leave benefits, they remain without adequate benefits in practice or have access to benefits intended for unemployed parents.

According to Dobrotić (2019, 9), “citizenship-based benefits have become more inclusive in the last 20 years, i.e. gradual reforms of their eligibility criteria widened the circle of potential beneficiaries.” While at first introduced as a right of registered unemployed parents or regular students, they have been extended to all parents (mothers) with a permanent residency who do

not have a right to claim employment-based leave benefits. Citizenship-based, flat-rate benefits are provided and typically paid for the same duration as maternity and parental benefits for employed or self-employed parents, with some exceptions. Serbia introduced universal, citizenship-based benefits in the early 2000s, which are detached from parents' employment status. However, parents welcoming a fifth or every subsequent child do not have access to such benefits; from 2018 on, benefits for a third and fourth child are paid over a 10-year period (Dobrotić 2019, 8–9). Conditions were also introduced for the receipt of such benefit, such as that a child has to be vaccinated, attend a mandatory preschool program / primary school. Moreover, in case of a divorce or end of partnership (unless the relevant ministry decides otherwise) the benefits can be suspended. The government also extended, as of 2018, access to a year-long maternity allowance to mothers (and fathers, in exceptional circumstances) who are unemployed at the time of birth, but had received income in a period of 18 months before the birth of the child (e.g. through self-employment; agricultural work or short-term contracts). In North Macedonia, “the right to maternity leave is not available to all childbearing women and does not prioritize the most marginalized,” but rather only women in formal employment. Women working in agriculture are thus, for instance, excluded from maternity compensation (Reactor - Research in Action 2019, 8).

5.4.1.3. Generosity

Generosity is expressed through the indicator of full-time or full-rate equivalent (FTE/FRE) leave, where length of leave is multiplied by the wage replacement rate. The FTE rates for a select number of years for the four countries are shown in Table 5.3 for maternity leave and Table 5.4 for parental leave. The tables pertain to parents who meet eligibility criteria for a previous insurance period and for first child.

Table 5.3. *FTE rates for maternity leaves (1990-2020)*²⁷

	1990	2000	2010	2020
BiH - FBiH ²⁸	12	0-10.8	0-10.8	4.8-12
BiH - RS		12	12	12
Croatia	7	7 (ceiling)	7	7

²⁷ Calculations consider that maternity leave starts 28 days before childbirth. 4.3 weeks of leave represent one month of leave.

²⁸ Note for BiH: Due to the decentralized nature of FBiH, there is a variety in the provision of maternity leave among cantons. In some, maternity leave benefits hadn't been introduced until recently. Moreover, some cantons have ceilings on benefits.

North Macedonia ²⁹	9	9	9	9
Serbia	9	13	4	4

Source: National legislation, Dobrotić 2019, 8, (Dobrotić and Obradović 2020, 419)

Table 5.4. FTE rates for parental leave (1990-2020)

	1990	2000	2010	2020
Croatia	-	6 (flat-rate benefit)	6 (ceiling)	8 (ceiling)
Serbia	-	-	9 (ceiling)	9 (ceiling)

Source: National legislation, (Dobrotić 2019, 8)

In recent years, the generosity of benefits has generally declined in the countries (except for North Macedonia). According to Dobrotić (2019, 10) three types of reforms have been enacted: 1) a general decrease in leave benefits or their withdrawal; 2) an upper ceiling on benefit level, affecting higher-earning parents; 3) changes in criteria to qualify for employment-based benefits in their full amount, affecting parents in occasional/temporary employment.

In Croatia, ceilings on maternity/parental benefits have reduced benefit levels. It is currently at 70% of the average net salary. The FTE leave depends on the insurance period: for 12 months of uninterrupted period, FTE was 12 months, and for six and three months of insurance, it was 5.5. months in 2019 (Dobrotić 2019, 11).

In Serbia, while benefit replacement rates are at 100% of the workers' previous wages, changes to legislation in 2017 have meant that compensation was capped to three average monthly salaries (from previous five), which effectively reduces the generosity of payments for parents who earn more; generosity is also reduced because the average last 18 months of earnings are considered as the base for calculating benefits. Moreover, the gross rather than the net salary is taken as the base, which further reduces the generosity of benefits (Reljanović 2018). The extent of insurance thus conditions the length of FTE leave: FTE is 13 months for an insurance period of 18 months; 8.7 months for an insurance period of 12 months, 4.3 months for 6 months of insurance and only 2.2. months for an insurance period of 3 months.

²⁹ The salary compensation is capped at (rather generous) four average monthly wages (estimated at around 1,400 EUR).

In North Macedonia, salaries are compensated from the state budget and amount the worker's average pay in 12 months preceding leave; however, the salary compensation is capped at (rather generous) four average monthly wages (estimated at around 1,400 EUR). Due to the government's pro-natality agenda, an additional benefit in the form of a parental allowance for the third child was introduced that was almost four and a half times higher than for the first child (Gerovska Mitev 2019, 126).

Maternity leave is not well-paid in FBiH. The move to decentralize maternity benefits and have them be regulated by cantonal legislation has meant that the “newly established benefits are less generous, typically ranging from 40% to 80% of the previous earnings.” (Dobrotić and Obradović 2020, 420) Thus, according to Obradović (2021b, 354), “the amount of maternity allowance in the FBiH ranges from symbolic KM100 (€51.2) paid as a one-off benefit to 40% of the FBiH average wage paid for a maximum six months period.” Payments of such benefits depend on available funds in budgets of cantons' and thus vary from year to year, may be suspended or delayed. (Dobrotić and Obradović 2020, 421). The system is more generous in the RS entity than in FBiH. Unlike the maternity leave compensations, maternity benefits for unemployed mothers (parents) and different child benefits are covered by the Child Protection Fund. Parents can receive full salary compensation during maternity leave, which is paid by the employer and refunded by the Fund.

Benefits for unemployed parents in the countries of interest are generally flat-rate benefits ranging from 1/10 to 1/3 of the average net salary, usually paid in the same duration as leave benefits for employed parents. (Dobrotić 2019, 8). Nevertheless, their length increases depending on the number of children in Serbia and Croatia. Thus, for instance, in Serbia, the benefit for the first child is paid as a one-off benefit in the amount of two average net salaries, while for the second child, it is paid 24 months, and for the third and fourth child 120 months. The benefit amount also increases with the number of children, ranging from 20.1% of the average net salary for the second child to 36.2% of the average salary for the third and fourth child. (Dobrotić 2019, 9). In FBiH, benefits for unemployed mothers are “paid at a very low level either as a one-off benefit or through a shorter period of six months after childbirth, and conditioned with strict eligibility criteria (e.g., a one- to three-year residency period, means-tested)” (Dobrotić and Obradović 2020, 421). While unemployed mothers were previously in a rather disadvantaged position in relation to employed mothers (receiving some 36 euros per

month) in the RS, with 2017 changes to the child protection law, this benefit was increased to circa 207 euros per month, reducing the differences in benefits between employed and unemployed parents. They thus receive some 50% of the average wage for 12 months (or 18 months in the case of multiple births, a third or consecutive child).

5.4.1.4. Flexibility

Flexibility of parental leave take-up in the region is very low, with restrictive conditions and short period of time over which leave can be extended, postponed, or taken in multiple parts. The exceptions are Croatia, where parents can use the parental leave up to the child's eight year, and North Macedonia, where (unpaid) parental leave can be used up to a child's third year.

In other countries, leave can typically be extended in the case of more children. For instance, in Croatia, leave can constitute up to 30 months in case of twins, the third and every subsequent child (with lower benefits in case of extended leave) (Dobrotić 2019, 8). In Serbia, since 2005, leave for a third and every subsequent child was 21 months; as of 2018, this extended leave was only granted to parents in standard employment (with self-employed parents, temporary or occasional workers or agricultural workers limited to 12 months of leave) (Dobrotić 2019, 8). In BiH, there is no 'parental leave' per se; an extension of maternity leave (18 months) is granted in the case of multiple births, and the third and subsequent child in the RS. All countries have special provisions allowing for a longer duration of leave (and more flexible working arrangements) in case of care for a child with disabilities.

5.4.2 Levels of stratification perpetuated by leave policy

When it comes to *equality of treatment*, or equal access to paid time off for both parents, where fathers opt to take leave instead of the mother, they generally have access to almost the same FTE (shortened for the immediate period around pregnancy and childhood, which is in line with international standards) as mothers. However, only Croatia has a non-transferable part of leave for fathers (of two months); this makes equality of treatment in the region quite low.

By the same token, fathers' accessibility to financially viable, non-transferable leave is low or non-existent. Given that the replacement rate has been shown to determine a father's leave

uptake due to higher earnings, an Adjusted Replacement Rate (ARR), which accounts for a household's income shock and is dependent on the national living standard,³⁰ suggests a financially unviable, non-transferable leave of 65% ARR if fathers have lower than 70% of the average net salary (in that case 100% replacement rate); for those who have a higher salary, the ARR would be only 45.5%. Countries with an ARR with at least 70%, and with an optimal length of at least 3 months of non-transferable leave, are considered to yield financially viable access to fathers. In Croatia, the length of the non-transferable leave is two months.

As the income-replacement rate is considered to determine which parent will take leave, the *financial viability of transferable (family/joint) leave* pertains to whether or not parents are incentivized to share a leave or not. The GARR (gender-sensitive ARR, adjusted for the gender pay gap) for Croatia,³¹ relying on the calculation of the ARR without a ceiling (65%) is 57.5%. For Serbia and North Macedonia, the GARR is 36.2³² and 32.7,³³ respectively. There are insufficient data on BiH to make an assessment. To be considered financially viable, the GARR should be equal to 75% or higher (Javornik and Kurowska 2017, 628).

When it comes to the *equality of effective income replacement rate*, most of the countries have introduced ceilings at the level of the average wage in the country. Croatia has introduced a ceiling of 70% of the average wage, and one canton in FBiH has a cap of 80% of the average wage. Conversely, in Serbia, the cap is at three average monthly salaries, albeit this only pertains to parents in standard employment. In North Macedonia, salary compensation is capped at four average monthly wages, and in Republika Srpska, there is no benefit ceiling for parents in standard employment. In other words, if looking at the ratio of the benefit cap to the average wage in the country and considering the optimal ratio of the benefit cap to the average wage in the country to equal to 2 or higher to yield equality in effective income replacement

³⁰ National crude (legally defined) income replacement rates are multiplied by a country's GDP index (in per capita in PPS). In the case of Croatia, this is 1 (or 100% leave replacement rate) multiplied by the country's GDP index in PPS for 2019, namely 0.65 (Eurostat 2022d). In case of higher wages than 70% of the net average, this would be 0.7×0.65 , which yields a 0.455 or 45.5% ARR.

³¹ ARR is multiplied by the ratio of women's average earnings to those of men. Thus, 0.885 (the ratio of women's average earnings to men's average earnings in Croatia for 2019) is multiplied by the ARR of 0.65. Gender gap information taken from: (Eurostat 2022e).

³² For Serbia, the GDP index in PPS was 40% in 2018, and the crude replacement rate for leaves was 100%, making the ARR 40%. The ratio of women's average earnings to men's average earnings in 2018 (earlier data not available) was 90.4%, making the GARR 36.2%. Source: (Eurostat 2022d; 2022e)

³³ For North Macedonia, the GDP index in PPS was 36% in 2014, and the crude replacement rate for leaves was 100%, making the ARR 36%. The ratio of women's average earnings to men's average earnings in 2014 (earlier data not available) was 90.9%, making the GARR 32.7%. Source: (Eurostat 2022d; 2022e).

rates (Javornik and Kurowska 2017, 628), Republika Srpska, followed by North Macedonia, followed by Serbia, can be considered to yield equality in effective income replacement rates.

Congruency of leave and publicly offered childcare can be expressed through the indicator of the childcare gap – or the period after a well-paid leave parental leave ends and (guaranteed/compulsory) childcare begins. In all four countries, this period is very long (See Table 5.5), especially when compared with some European countries (e.g. Sweden), where no gap exists. For BiH, Croatia and Serbia, it is shorter than in North Macedonia due to the inclusion of the preparatory ECEC programs into the calculation. However, even in these countries, it could be argued that the gap is effectively even longer, as 150-250 hours of compulsory ECEC education per year may not be sufficient to provide parents with the capability to choose a preferred form of care. In families where both parents are employed, this gap has to be filled by private and usually expensive childcare; or informal/family childcare support needs to be secured. According to Javornik and Kurowska (2017, 628), for optimal congruency between leave and public childcare, there would be no gap thanks to a national entitlement to public childcare before or immediately after a financially sustainable leave ends. In these four countries, the large childcare gap impacts mothers’ real opportunities to resume employment after the end of paid leave, which inevitably leads to gender inequalities.

Table 5.5. *Childcare gap*

	BiH	Croatia	North Macedonia	Serbia
Childcare gap	4 years	4.8 years	5.3 years	4.6 years

Source: European Commission, EACEA, and Eurydice 2019, 52

Looking at the extent of *equality between employed and unemployed* through the prism of the difference in income replacement rates and duration of leave between parents who are claiming leave and are employed, and those who are unemployed and without insurance, data from the four countries suggests rather high levels of inequality in capabilities. Table 5.6 shows the differences in replacement rates.

Table 5.6. *Difference in replacement rates and (maternity+parental) leave length between employed and unemployed parents (for first child)*

	Employed parents	Unemployed parents
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	RR	months	RR	months
BiH: FBiH	40-100%	12 (maternity only)	Depends on canton. One-off benefit to 40% of average net salary	One-off to 12
BiH: RS	100%	12 (maternity only)	42%	12
Croatia	100%	7+8	36.6%	12
North Macedonia	100%	9+3	none	none
Serbia	100%	3.9+8.2	200%	one-off

Note: For unemployed parents, flat rate benefits are expressed as a share in average net salary. Replacement rates and/or length of leave tend to be higher for more children in some countries (Croatia, Serbia, BiH RS entity). In Serbia, the benefit is paid as a one/off benefit in the amount of 2 average net salaries. In Croatia, if only one parent uses the leave, it is reduced to 6 months. In Croatia and Serbia, there are ceilings on parental leave (80% of average salary in Croatia, 3 average salaries in Serbia).

Source: National legislation, Dobrotić (2019; 2021)

Results for all six dimensions of stratification indicate that all countries face high levels of gender inequality. In the case of Bosnia and Herzegovina, where parental leave for fathers is not an individual right, Dobrotić and Obradović (2020, 423) speak of practices of exclusionary citizenship related to childcare, limiting women’s choices to engage in the labor market or divide the childcare burden with men. While Serbia has transformed most of the maternity into parental leave, parental leave remains defined as mother’s right in Serbia, without fathers’ individual right to parental leave, thus denoting “leave policy design with a weak potential to increase father’s use of leave and result in more equal redistribution of care responsibilities in the private sphere” (Dobrotić 2019, 13). In Croatia, despite the introduction of non-transferable two months of leave for the fathers, fathers rarely use them due to low parental benefits. It is thus not a surprise that only some 7.6% of fathers used leave in 2018 (after the parental benefit was slightly increased in 2017) (Dobrotić 2019, 13). In North Macedonia, “available data reveal that the percentage of men’s share/take-up rate of parental leave is 0.6%, as opposed to the high 99.4% for women” (Reactor - Research in Action 2021, 13).

Inequality between parents who are employed and those who are unemployed is significant in all countries studied. Despite the introduction of citizenship-based benefits which are not contingent on previous insurance periods or employment status, there is a significant difference in their lengths and amounts in comparison to those of parents in standard employment.

Moreover, it is important to note that citizenship-based benefits have remained gendered and are primarily defined as a mothers right or as a right of the family (Dobrotić 2019, 13).

In some countries – such as BiH – another line of stratification emerges between parents employed in the private and the public sector. Labor legislation gives employers the possibility to pay salary compensation up to a parent’s full salary amount, which public institutions and state-owned companies usually do for the duration of maternity/parental leave, in line with collective agreements. Private companies rarely grant such compensation. Also, as “eligibility criteria for employment-based maternity benefits became stricter, some mothers such as those in unstable private-sector employment began to face a high risk of being left without maternity benefits” in BiH (Dobrotić and Obradović 2020, 423). In North Macedonia, “taking into consideration the high level of undeclared work in the country, as well as high unemployment, it may be assumed that the maternal leave scheme is fully used mainly in the public sector” (Gerovska Mitev 2015, 10).

Last but not least, BiH is unique in the “remarkable territorial inequalities in the regulation and implementation of maternity benefits as these ceased to exist as a statutory right” in all parts of the country (Dobrotić and Obradović 2020, 423).

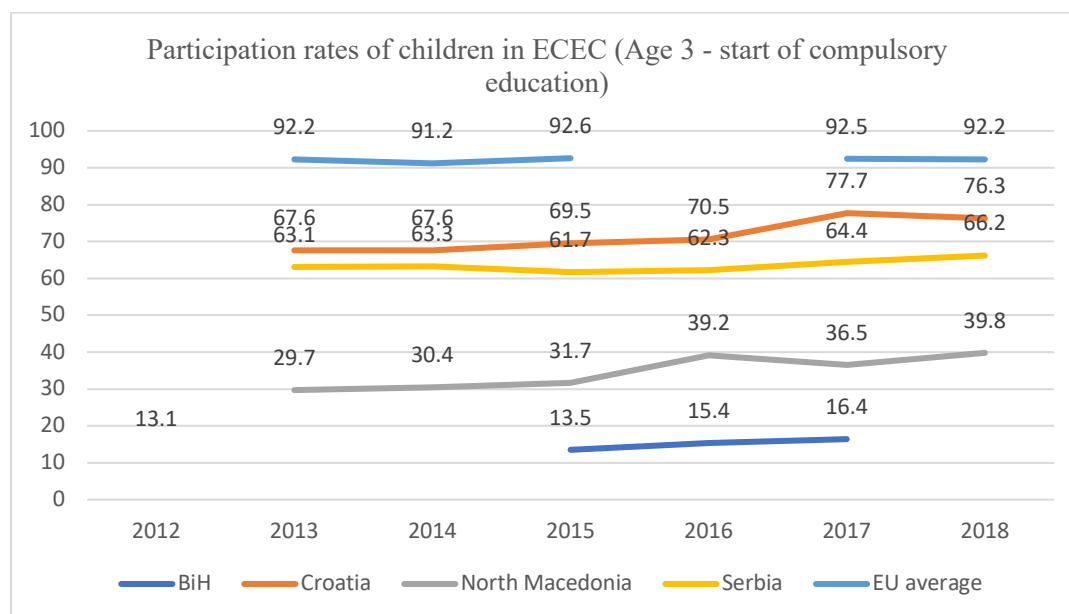
5.4.3. Early Childhood Education and Care Provision

5.4.3.1 Availability

In the four countries, ECEC is organized as a public or private service for children aged 6 months until 2 (nurseries) and 3-6 (kindergartens) years of age. The system of ECEC provision is integrated, so that one type of authority (a ministry in charge of education) is in charge of ECEC delivery for older and younger children of ECEC age (in North Macedonia, the competences are shared between the Ministry of Labor and Social Policy and the Ministry for Education and Science). Municipalities are charged with the establishment of institutions and financing. Integration is also reflected in countries’ educational guidelines, which pertain to both groups of children and thus allow for a natural transition from a younger to an older group. Framework guidelines are not always binding, however, as in the case of BiH (European Commission, EACEA, and Eurydice 2019, 98). Private institutions have to adhere to the standards and norms set by relevant ECEC regulation.

In Graphs 5.1 and 5.2, the participation rates for children from age 3 to the start of primary education and for those under the age of 2 are shown over the years.

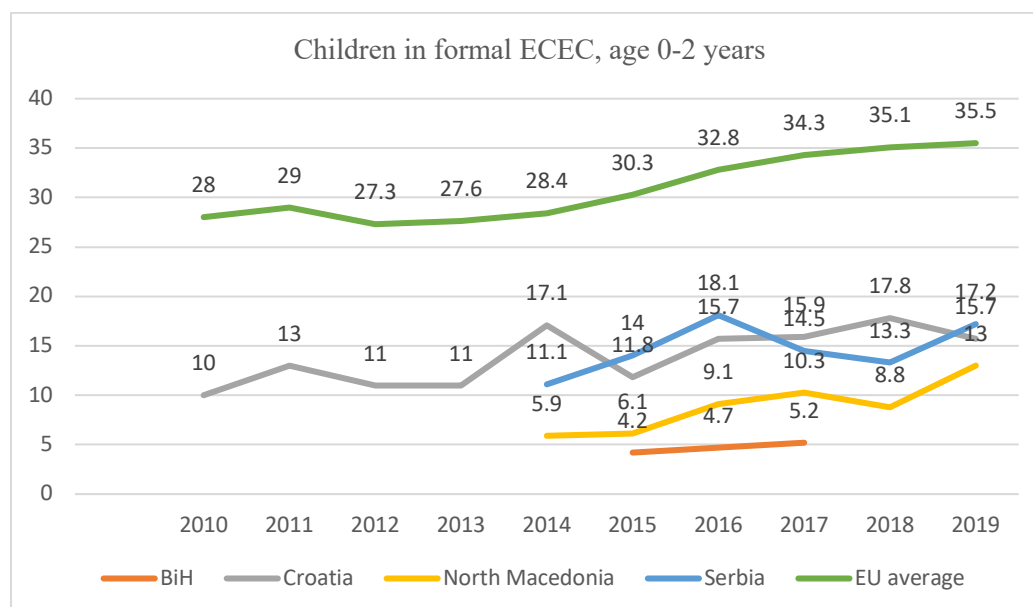
Graph 5.1. *Participation rates for children from the age of 3 to the start of primary education [% of population of corresponding age group] and children in formal care*



Source: (Eurostat 2022e); For BiH: Multiple Indicator Cluster Survey (2011-2012) for 2012, age group 36-59 months (UNICEF 2013b), Agency for Statistics of BiH (2018) estimates for 2015-2017³⁴

³⁴ On file with author.

Graph 5.2. Participation rates for children aged 0-2 in formal care [% of population of corresponding age group]



Source: Eurostat EU-SILC data (Eurostat 2022c), for BiH: Agency for Statistics of BiH (2018) estimates for 2015-2017

For BiH, there are no comparable averages; nevertheless, a rough estimate, relying on available statistical data of the number of children in individual age groups enrolled in ECEC during the academic year 2017/2018 and the estimate of the number of live births by the Statistical Office of BiH between 2010-2017, indicates extremely low participation rates: 5.2% for the 0-2 age group, 16.5% for those aged 3 until the start of primary education, and an overall enrolment rate of 11.8% (Agency for Statistics of BiH 2018a; 2018b). Strikingly, even though ECEC is compulsory and free of charge in the year before starting primary school in FBiH, and it is recommended in the RS, a very small share of 5- and 6-year-olds participate in the pre-primary program. While the participation rate is the highest in Croatia, it still has among the lowest participation rates in the EU.

Statistical data for the academic year 2017/2018 show that most children were enrolled in public institutions. However, enrolment in the private sector is increasing, especially in BiH, where the percentage of children in private preschool institutions increased from 15% to 30% between 2011 and 2017 due to a rapid rise in the number of private providers (from 50 to 134) versus only a slight increase in public ones (from 173 to 187) (Agency for Statistics of Bosnia and Herzegovina 2019; 2018; 2017; 2016; 2014; 2013; 2012; 2011). In Croatia, an increase in

the number of private providers has been more noticeable in less-developed municipalities (Dobrotić, Matković, and Menger 2018).

In recent years, all countries have a trend of increasing coverage. In BiH, following the legal institution of compulsory preschool education in the year before starting primary school in 2007, more children started attending in ECEC. An increase in coverage has also been driven by a mushrooming of private institutions after the war. Preschool enrolment in North Macedonia is also said to be “gradually expanding from a low base” (European Commission, EACEA, and Eurydice 2019, 2).

Available research for Serbia suggests that increasing participation rates are also due to a decreasing number of children of ECEC age (due to decreasing fertility rates), rather than increased capacities of ECEC facilities (UNICEF 2012, 10). In Croatia, the number of ECEC facilities increased by some 35% between 2004 and 2016, which led to a significant rise in the number of children attending ECEC, precisely because “each generation of preschool children in Croatia is smaller than the previous one” (Dobrotić, Matković, and Menger 2018, 1).

5.4.3.2. Accessibility

The extent of accessibility of ECEC institutions can be understood as the extent to which these institutions are open to all children, irrespective of their circumstances. As explained earlier, universal access to ECEC services is best secured through the existence of a childcare guarantee, whereby all children (of a certain age) would have the legal right to attend the programs of such institutions. Universality can also be achieved through the existence of compulsory (usually pre-primary-level) ECEC, meaning that all children – and not just those whose parents would like them to be enrolled – would have to have a secured ECEC spot.

While none of the countries has ECEC offered as a right with a guarantee, parts of BiH, Croatia and Serbia have instituted free-of-charge, compulsory ECEC for the year before primary school. The programs differ in their delivery: in Croatia, the program runs for 8 months, with a total of 250 hours. A shorter program of 150 hours is delivered in some municipalities that are not able to deliver the extended program (European Commission, EACEA, and Eurydice 2019, 48). In BiH’s RS entity, where the program is recommended but not compulsory, a 3-month program is usually available (European Commission, EACEA, and Eurydice 2019, 45).

In FBiH, individual cantons have adopted their own ECEC legislation; therefore, provision inevitably differs in different localities. Indeed, in two of the cantons in FBiH, such programs do not exist as the cantons' legislation has not been harmonized with the state-level one to date; in one, such programs are provided sporadically, on a project basis (Miković 2019, 40). The state-level, framework ECEC law in BiH doesn't prescribe a minimum number of hours; programs usually last around 150 hours throughout the year, which, according experts, is not sufficient as preparation for primary school. Moreover, many localities lack adequate facilities to deliver such programs (APOS0 2011, 7, 9). Despite the fact that ECEC is compulsory and free of charge in the year before starting primary school in FBiH – and recommended in RS, a very small share of 5-year-olds (19.4%) and 6-year-olds (7.8%) attended ECEC in 2018 (European Commission, EACEA, and Eurydice 2019, 199). Conversely, in Serbia, 90% of children aged 5.5 to 6.5 is covered by such a program (UNICEF 2012, 9).

Criteria stipulating access to ECEC have some commonalities, but also differences, in the four countries. Table 5.7 provides an overview of access criteria as stipulated by state-level (and in BiH, also entity-level) laws on ECEC.

Table 5.7. *Criteria on ECEC access*

ECEC laws	Priority groups of children
<i>FBiH [pertains to state-level law]</i>	In line with state-level law, cantonal laws stipulate that ECEC institutions regulate enrolment in their own rules; and that they are to ensure equal opportunities for all children in that respect.
<i>Republika Srpska [own law]</i>	Point-based selection process in case of lack of capacity for children: children of parents who have disabilities; from single parent households; from families with 3+ children; from families receiving different social benefits; belonging to ethnic minority communities. Children without parental care; and with developmental difficulties not subject to point-based selection process.
<i>Croatia</i>	Children of employed parents; from one-parent households; of disabled veterans and victims of Homeland war; from families with 3+ children; with developmental difficulties; from foster families; from families receiving child allowance.
<i>North Macedonia</i>	None (defined at municipal level)
<i>Serbia</i>	Children victims of violence; from poor households; without parents; from single-parent households; ill; "living in non-stimulating conditions"; with educational difficulties; or with siblings with educational difficulties; who are referred by the social services; of parents who are employed or students; who are a third child (and their younger siblings) in a household; with siblings enrolled in the same institution.

Source: National legislation

As public ECEC provision is provided by local governments, they may set their own criteria. For instance, local governments in Croatia listed as many as 60 enrolment criteria in an ECEC

survey. However, only a small number of localities apply all of these criteria: research show that the most commonly applied criterion pertains to children of employed parents. Clear scoring criteria are generally absent. More developed local governments are able to enrol, on average, a greater number of children coming from priority groups (European Commission, EACEA, and Eurydice 2019, 6). The enrolment of children of employed parents is frequently prioritized by ECEC institutions in the other countries as well.

5.4.3.3. Affordability

Table 5.8 shows 2018/2019 data on the average monthly ECEC fees for children under the age of 3 in the four countries.

Table 5.8. *Average monthly ECEC fees for children under the age of 3, 2018/2019 data*

	BiH	Croatia	North Macedonia	Serbia
Fees in PPS	135	129	67	0-96

Source: (European Commission, EACEA, and Eurydice 2019, 58).

Note: PPS refers to Purchasing Power Parity.

ECEC fees in the region are low when compared with other European countries, especially so in North Macedonia and Serbia. In BiH and Croatia, where fees are regulated by local governments, they differ from locality to locality. The average price of full-time publicly provided ECEC is considered to be quite high in BiH; it “amounts to 18% of the average net salary” in both entities (Obradović 2021b, 358). One of the reasons frequently cited for poor enrollment of children in ECEC services in BiH is their prohibitive price for most households (APOS0 2011, 9). Nevertheless, it’s important to note that even in North Macedonia, where subsidies for ECEC are considerable and thus lower the price, a 2010 estimate suggests that the annual cost of full-day ECEC was almost one half the annual average income in the country (Waljee, Wood, and Grout-Smith 2015, 24).

In general, ECEC fees tend to be high when set by the market – and in the absence on regulations on fees (European Commission, EACEA, and Eurydice 2019, 57). In some of the countries in the region, “the private self-financing sector constitutes a significant proportion of ECEC provision for children under the age of 3,” such as in BiH (European Commission, EACEA, and Eurydice 2019, 41). Indeed, statistical data show that, in the 2017/18 school year,

“29.7% of children attended private ECEC institutions” (European Commission, EACEA, and Eurydice 2019, 41). In Croatia, private child-care centers constituted 22.8% of ECEC institutions in 2016, with differences between counties in terms of the prevalence of private childcare. “An increase in the number of private child-care centres is less noticeable in the most developed local self-government units” (Dobrotić, Matković, and Menger 2018, 3). Due to the unavailability of places in public ECEC institutions, parents have increasingly relied on more expensive, private ECEC institutions. While there are some instances of local (or cantonal) governments providing subsidies to private providers for enrolling children on the waiting list for ECEC (for instance in Sarajevo, Belgrade, some towns/cities in Croatia), thus ensuring greater affordability in addition to accessibility, private childcare is generally not affordable. In Croatia, where local government units finance both public and private ECEC institutions, the co-financing of private institutions is often not as generous as with the public institution (Dobrotić, Matković, and Menger 2018, 6–7). In Serbia, “the number of private ECEC facilities has almost doubled since 2016 (from 172 in 2016 to 304 in 2019),” while the number of children attending private facilities in 2020 is almost eight times higher than in 2011 (Perišić and Pantelić 2021, 330). This can, inter alia, be explained by “the inclusion of private ECEC facilities in the ECEC subsidies system in certain municipalities/cities” (Ibid).

The most commonly applied instruments in the region are subsidies and reductions. In Serbia, ECEC care is significantly subsidized: parents cover 20% of the economic price of ECEC and local governments the remaining 80% (UNICEF 2012, 15–17); the real, annual cost of full-time ECEC is estimated at 1,500 EUR, while the free-of-charge 3-4 hour program delivered in some localities is estimated at 500 EUR per child. With 2017 changes of the ECEC law, local governments are to cover “up to” 80% of the price, opening up the possibility of an increase in parents’ co-financing; nevertheless, according to one interlocutor from Serbia, local government financing of 80% of the cost continues to be the dominant practice.

In North Macedonia, parents are charged 25% of the full economic price of an ECEC place (Waljee, Wood, and Grout-Smith 2015, 24). For full-time care, the subsidy received by families is ten times more than for a half-day program (van Ravens 2010, 8). Budgetary responsibility for ECEC is decentralized to local governments, with state government providing block grants that are calculated per ECEC institution based on the number of children enrolled and the used capacity of the institution; funding is mainly to cover overhead costs. The allocation formula ignores the location of the ECEC institution, the kind of services that are provided and the costs

they entail (e.g. whether the facility provides half or full day care, meals, etc.), as well as the share of children of ECEC age in each local government. Indeed, “[...] it has been increasingly recognised in recent years that this system of funding serves to exacerbate existing inequities in the system” (Waljee, Wood, and Grout-Smith 2015, 19).

Due to the decentralized nature of ECEC provision, the extent to which local governments subsidize the economic cost of ECEC differs from locality to locality in BiH. Poorer localities can generally allocate fewer funds for ECEC institutions, which increases the share of family co-financing, creating a hurdle for disadvantaged households (Peeters 2016, 12). While the Framework ECEC law in BiH foresees that competent authorities finance at least part of the procurement of didactic materials, professional development of employees, development of preschool programs and their evaluation, a part of the cost of specialized programs and publishing activities, it is the local governments, as founders, and parents who cover most of the cost of ECEC. Some cantons do not even foresee ECEC in their budgets; when ECEC is financed, this usually relates to the compulsory pre-primary program (Miković 2019, 77).

The price of publicly provided ECEC tends to differ from locality to locality in Croatia as well; in most instances, parents have to pay a certain share of the price for ECEC, with local governments, who are almost exclusively responsible for ECEC financing, subsidizing the rest. Monthly fees range from circa 66 to 93 EUR in 80% of local government units, while the average economic price is estimated at 231 EUR a month (Dobrotić, Matković, and Menger 2018, 6–7). With regional differences in salaries and living standards, the share of ECEC fees in parents’ net salaries is slightly higher in more developed counties (Dobrotić, Matković, and Menger 2018, 6–7), but more developed localities also “define a number of criteria allowing parents to exercise the right to a higher subsidy in accordance with the higher fiscal and administrative capacity of these local self-government units” (Ibid, 7-8). Some local governments (37%) also co-finance ECEC for children living in their territory who are attending facilities in neighboring localities, albeit such co-financing is less than the co-financing granted for ECEC programs in their territory (Ibid).

In order to improve affordability of ECEC, countries do not apply instruments such as payment ceilings, or income-based sliding-fee systems. In BiH, Croatia and Serbia, the compulsory pre-primary programs are free of charge. Countries have, however, introduced some measures to improve affordability for children from disadvantaged households (such as measures for Roma

children, children living in poverty, children with disabilities or without parental care), usually through the financing of their attendance by the state.

5.4.3.4. Quality

Table 5.9 displays one indicator of structural quality: the maximum children per group and per staff, and the required qualification levels of staff, in line with country legislation.

Table 5.9. Qualifications levels for core ECEC staff

Country	Qualifications
BiH	BA level
Croatia	BA level
North Macedonia	No minimum qualifications for caring for children under 3; BA level for pre-primary staff
Serbia	Secondary school for caring for children under 3; BA level for pre-primary staff

Source: (European Commission, EACEA, and Eurydice 2019, 150); national legislation

Structural quality in all four countries appears satisfactory, especially with respect to the level of qualifications required for staff. Core practitioners in BiH and Croatia, for both younger and older groups of children attending ECEC, have to have completed BA-level education (in some cantons in FBiH, MA level), at least, while staff needs such qualifications to teach older children in North Macedonia and Serbia. BiH, Croatia and Serbia also foresee a compulsory one-year induction phase for new ECEC staff. The induction period in BiH is compulsory for core practitioners and for assistants, which makes BiH one of only four countries in Europe with such a requirement, considered to be positive given that assistants are not required to have initial CEC training. (European Commission, EACEA, and Eurydice 2019, 81).

While the share of university-educated workforce in the total ECEC workforce has been growing in North Macedonia (from 24% in 2007 to 36% in 2013), 48% of the workforce in 2013 had only completed secondary-level education (Waljee, Wood, and Grout-Smith 2015, 24). Evaluation reports have shown that there are low levels of actual ECEC-related qualifications among the ECEC workforce, “and the systems of career structures, pre- and in-service training, status of the profession, inspection and supervision have been weak, particularly in comparison to the workforce in other levels of education” (Waljee, Wood, and Grout-Smith 2015, 24) UNICEF has proposed the adoption of teacher licensing every five years as a way of quality

assurance, which was included in an amendment of the Law on Child Protection (Waljee, Wood, and Grout-Smith 2015, 24).

Some countries have also introduced mandatory continuing professional development (CPD). In Serbia, mandatory continuing professional development for ECEC educators is a legally instituted requirement, with core practitioners having the obligation of undertaking at least 64 hours per year of such activities. In BiH and Croatia, CPD a professional duty for all staff, but not mandatory in terms of hours (European Commission, EACEA, and Eurydice 2019, 84). Research points to a lack of quality training centers and programs for CPD in BiH (Peeters 2016, 5). Research in Croatia also points to a low number of days spent in CPD, with ECEC employees frequently having to bear the cost of CPD themselves, lack of options for CPD, and lack of access to CPD for employees (with managers or experts having more privileged access) (T. Matković et al. 2020, 12–13).

A hurdle in most contexts remains the general lack of attractiveness of the ECEC profession in the countries studied. “In BiH the wages and the status of the professions are low, there is also a lack of autonomy for the teacher and together those factors make a job in ECEC a not attractive option” (Peeters 2016, 7). While there has been an overall rise in ECEC teachers working in regular programs between 2004 and 2016 in Croatia, researchers project that the system will need to employ another 9,148 preschool teachers for the country to meet the Barcelona Objectives and requirements stipulated by the National Educational Standard for ECEC by 2030 (Dobrotić, Matković, and Menger 2018, 4).

Table 5.10 displays other indicators of structural quality: the maximum children per group and per staff, in line with country legislation.

Table 5.10. Select indicators of ECEC quality: Maximum children per group and per staff

	BiH						Croatia						North Macedonia						Serbia					
age	0	1	2	3	4	5	0	1	2	3	4	5	0	1	2	3	4	5	0	1	2	3	4	5
per group	6	12	16	21	24	25	5	8	14	18	20	23	8	12	15	18	20	25	7	12	16	20	24	26
per staff	3	6	8	11	12	13	5	8	14	18	20	23	4	6	8	9	10	13	7	12	16	20	24	26

Source: (European Commission, EACEA, and Eurydice 2019, 154)

Legal regulations regarding child-to-staff ratios and group sizes are also generally in line with what are considered to be good practices. However, they may not reflect the on-the-ground

realities, with overcrowding in ECEC institutions reported in urban areas in some of the countries, where the demand is much higher. In urban areas in BiH, this ratio tends to be higher, with groups with more than 25, or 30 children per educator (Peeters 2016, 7). Croatia introduced a new national ECEC standard in 2008, which led to a decrease in the average number of children per group and an improvement in the teacher-child ratio between 2007 and 2016. However, recent research has shown that the lowest criteria for group size in the national ECEC standards were met only in the case of 23.1% children in nurseries, and 70.3% children in kindergartens (Dobrotić, Matković, and Menger 2018, 3). More recent research also shows violations of the criterion for group size to be prevalent, especially in the case of nurseries, and especially so in groups with children who have developmental challenges (T. Matković et al. 2020, 12). In North Macedonia, in 2019, the actual overall average child/staff ratio has also been higher than what is envisaged by regulations (Mojsoska-Blazevski 2021, 30).

Most countries foresee the external evaluation of either structural or process quality, or both. According to the European Commission, both are necessary for high-quality ECEC provision (European Commission, EACEA, and Eurydice 2019, 122). Croatia and Serbia evaluate both types of quality. In BiH, inspection bodies – which are in charge of evaluating primary education – focus only on compliance with requirements and standards, i.e. structural quality. No external evaluation of ECEC settings is foreseen in the case of North Macedonia (European Commission, EACEA, and Eurydice 2019, 124–25). In Croatia and Serbia, overview reports have been prepared by top-level inspectorate/evaluators; in BiH, there is no aggregation of data (European Commission, EACEA, and Eurydice 2019, 134). Apart from North Macedonia, countries also have internal evaluation regulations in place. According to a recent report, the framework for internal evaluation is considered to be strong in BiH and Serbia, which means that it is compulsory, with a specific frequency for evaluation, a defined outcome, and no requirement for ECEC to develop their own strategy (European Commission, EACEA, and Eurydice 2019, 127). Croatia has a non, compulsory standardized self-evaluation process (of 2012/2013) ((European Commission, EACEA, and Eurydice 2019, 127).

Evaluation systems generally need improvement. In BiH, the system of external evaluation has been assessed as satisfactory, but a self-evaluation instrument for ECEC is said to be lacking (Peeters 2016, 10). Pedagogical institutes differ in size and capacity for expert oversight of ECEC institutions (IBF International and British Council 2005, 29). This may result in differences in quality throughout country. In Serbia, one research points out that, in the past

decade, only two national evaluations of preschool education had been conducted (Miškeljin 2016, 39). North Macedonia has also seen progress in terms of inspection and supervision in recent years. With the introduction of the 2009 Early Learning Development Standards (ELDS), supported by UNICEF, a foundation was set for quality assurance and an inspection framework. “This represents substantial progress from a situation in which coherent inspection and supervision had largely fallen through the cracks of ministerial and decentralised responsibilities” (Waljee, Wood, and Grout-Smith 2015, 21). Nevertheless, as pointed out by the 2018-2025 National Education Strategy, the “quality assurance system is non-functioning.”

A positive trend in all four countries has been a drive to adopt more child-centered approaches as precondition for better process quality, adopting standards to that end. For instance, through The ‘Performance quality standards for educators, pedagogues and directors’ for ECEC institution were adopted in BiH promote child-centered approaches to teaching (Peeters 2016, 8). In North Macedonia, process quality has also been aided with the adoption of the ELDS. Although there was a plan to update the ELDS, to take into consideration diversity and inclusion (Waljee, Wood, and Grout-Smith 2015, 34), this has not been done to date; the update has been announced by the 2018-2025 Education Strategy (Ministry of Education and Science of the Republic of North Macedonia 2018, 29). “Learning through play” approaches – either through free or structured play, are also to be found in guidelines in Croatia, BiH and Serbia, and North Macedonia for older students (European Commission, EACEA, and Eurydice 2019, 102). Moreover, as a way to assess children’s progress, it is mandated (or at least recommended) that educators are to keep records of continuous observations in all countries.

Decentralization poses an obstacle to quality in all four countries. In North Macedonia, the ECEC system is marked by “weak and uneven capacities of municipalities to deliver on their new responsibilities” including the implementation of the national framework for preschool education. (Waljee, Wood, and Grout-Smith 2015, 20). In BiH, education is a competence of the entities, and in FBiH, ten cantons. As a result, most administrative units have their own pedagogical institutes that are in charge, *inter alia*, of curricula development, teaching methods, teacher training, or performance assessments, which has resulted in regional differences in terms of the programs being delivered.

5.4.3.5. Flexibility

The average number of weekly hours that children spend in ECEC is shown in Table 5.11.

Table 5.11. Children’s average number of weekly hours spent in ECEC, 2017 data

	BiH	Croatia	North Macedonia	Serbia	EU28 average
Age 3 – start of compulsory education	n/a	35.3	n/a	n/a	29.5
Age 0-2	n/a	39.4	38.0	33.7	27.4

Source: Eurostat, EU-SILC data (Eurostat 2022b) (European Commission, EACEA, and Eurydice 2019, 69)

In the four countries, full-time ECEC translates into (almost) full-time working hours, as foreseen by legal provisions. Indeed, the number of hours provided, as indicated by Table 6, is higher than the EU28 average in 2017.

However, ECEC services are generally not provided during ‘irregular’ hours, such as during evening or night hours, on weekends or during holidays. For instance, research from Croatia research shows that only 29% of local government units offered regular ECEC services beyond regular working hours, i.e. offered “duty hours,” and usually only in the morning. Moreover, in 11% of localities in Croatia, only half-day programs were available (Dobrotić, Matković, and Menger 2018, 8). Similarly, in North Macedonia, the opening hours are not seen to be conducive to working patterns of parents (e.g. opening, but also closing relatively early in the working day). Moreover, very few ECEC institutions are open during the weekend. While the possibility of shiftwork has formally been introduced, it is a costly option for ECEC providers in terms of staff and other resources, and thus implemented by only a few (De Hanau and Mojsoska-Blazevski 2019, 10). Given the general lack of flexibility when it comes to service provision, some parents – especially those working irregular hours – may thus face difficulties in reconciling their working and care duties.

Another challenge that parents in some of the countries face is their children’s attendance in compulsory ECEC programs in the year prior to starting elementary school. In BiH, such education programs offer rather inflexible models in terms of the hours provided – usually, when available, they range from 150-190 hours total, from a few hours a week to concentrated blocks of hours delivered each day for a few months. Similarly, in Croatia, while the pre-

primary program usually runs for 250 hours (October-May), some localities are only able to offer a reduced program of 150 hours (European Commission, EACEA, and Eurydice 2019, 48). When provided only a few hours a week, such programs may create logistical issues for working parents.

5.4.4. ECEC and inequalities in capabilities

ECEC systems in all four countries produce significant lines of stratification. These exist along socio-economic and ethnic lines, as well as in relation to special educational needs or place of residence. Regional variation in the availability of services reveals great inequalities in parents' capabilities in all four countries, with the conversion factor of place of residence playing an important role. Such differences are predominantly attributed to large discrepancies in financing abilities of ECEC systems. Rural populations are generally poorer and tend to be located in municipalities with lower fiscal capacities, adding a socio-economic dimension to inequalities in childcare capabilities. There is generally no guarantee of access to quality ECEC, and governments appear to be taking very gradual efforts to increase the number of ECEC facilities in rural areas.

There is a general lack of ECEC facilities in rural areas. In BiH, they are considered “almost fully absent” (APOS0 2011, 9), as less than 8% of children from rural areas attend ECEC education, according to 2012 data (World Bank 2019, 19). Moreover, the compulsory, pre-primary programs, conceived as a way to “bridge the ever greater social gap and ensure at least similarly equal chances for success for each child” (APOS0 2011, 10) are not delivered in all parts of the country, as many vicinities lack financial resources and organizational capacities to implement them (APOS0 2011, 7, 10). In Croatia, between 2014-2016, 146 local government units where 7.2% of children of kindergarten age live, and 311 local government units where 17.4% of nursery-age children live, had no ECEC programs (Dobrotić, Matković, and Menger 2018). While the distance between an ECEC facility and a child's place of residence should, by regulations, be less than a kilometer, 182 local government units had ECEC facilities that covered an area of more than 50 square kilometers (Dobrotić, Matković, and Menger 2018). Coverage rates have thus grown unevenly, with less developed counties and local governments expanding their ECEC capacities at a slower pace, which is fostering regional disparities even further (Dobrotić, Matković, and Menger 2018, 2). In North Macedonia, where preschool facilities are largely concentrated in urban areas (Waljee, Wood, and Grout-Smith 2015, 3), 2018/2019 MICS data showed 46.6% attendance for children in

rural, as opposed to 19.9% in rural areas (State Statistical Office of North Macedonia and UNICEF 2020, 178). State-level funding is distributed to ECEC based on whether a physical facility exists in a given area, rather than need, which leads to “a clear anti-rural bias, and, almost by implication, an anti-poor and anti-minority bias” (Gerovska Mitev 2015, 8). In Serbia, the Strategy for the Development of Education until 2020 foresaw the opening of new ECEC institutions in underdeveloped rural areas, this aim has not substantially been met. While general coverage is growing (around 63% in 2019 in total), a 2014 UNICEF MICS survey for Serbia found this indicator to be only 27% for rural areas (Kolarević 2020).

Inequalities in ‘real opportunities’ in terms of accessibility of ECEC are very present in the case of children with special educational needs (SEN).³⁵ ECEC regulations in all four countries promote inclusion and usually stipulate that children SEN have some sort of priority access, including the financing of their attendance in ECEC. However, countries also leave providers the option of organizing special units for such children, and thus separate them into special classrooms. For instance, in BiH, despite provisions on inclusion foreseen by the Framework ECEC Law, the same law foresees the possibility of running programs in special ECEC units when such programs cannot be organized in a ECEC institution. This is similarly defined by ECEC laws of lower levels of government.

Inclusion is poorly practiced. For instance, in the case of inclusion in Serbia, there is said to be an “abstract recognition of rights”, as “rights are not operationalized through the participation of children in education, guaranteed by the Convention on the Rights of the Child, but remain on the level of political proclamation” (Miškeljin 2016, 43). In BiH, regular ECEC providers usually do not to have the preconditions and capacities (including in-house experts) to work with children with SEN. As a result, included are only children with what are assessed to be lighter disabilities (Institution of the Ombudsman for Human Rights of Bosnia and Herzegovina 2010, 46–48; 51; 57). In North Macedonia, funding mechanisms encourage the inclusion with disabilities, but this often leads to a segregation in activities, as ECEC facilities “lobby for ‘special units’” (Waljee, Wood, and Grout-Smith 2015, 15). Very few ECEC providers are prepared to accept children with SEN, also because they lack adequately trained

³⁵ Different terms are used for the category of children in the legislation and norms in individual countries. Most documents contain the term “with special needs”, which may refer to both children with disabilities or developmental challenges, but may also refer to gifted children who are in need of individual plans. Here, the term “special educational needs is used,” as it is the term most commonly used in relation to children’s needs in the educational sector in the European Union.

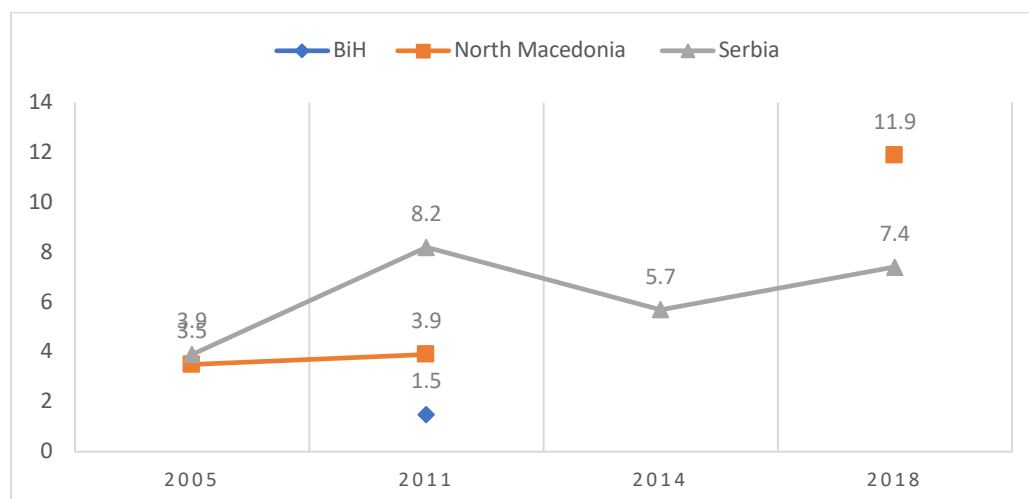
teachers and specialists (UNICEF 2013a, 41). In Croatia, children are either included in mainstream groups with regular programs, groups with special programs – or special institutions.

While reliable data on inclusion of children with SEN are missing, partial statistical data point to very low ECEC attendance for this group. According to the country's statistical office, the number of children 'with disabilities' included in ECEC in 2017 was 218 out of a total of 45,286, entailing only 0.62% in North Macedonia. In BiH, for the same year, statistical data indicate that 543 out of 25,844 children enrolled in ECEC, or 2.1%, were children 'with disabilities.' (Agency for Statistics of Bosnia and Herzegovina 2018). In Serbia, 5% of children of ECEC age were recorded as having a disability; however, only 1.2% children were actually enrolled in ECEC (UNICEF 2012, 15). A 2012/2013 estimate for Croatia shows that 4,983 or 3.52% of children enrolled in ECEC were 'children with difficulties,' out of which 4,015 were included in mainstream education and 579 were in special groups (Eurydice 2018).

The exclusion of Roma children from ECEC remains significant. Some governments have adopted regulations on their inclusion (e.g. Croatia's or Serbia's guidelines that mandate teaching in minority languages) yet efforts generally remain inadequate. In North Macedonia, Roma children are faced with discrimination from other children attending ECEC and their families, which contributes to their low enrollment (Gerovska Mitev 2015, 8). While children's rights and equitable ECEC provision "are percolating through government at national levels, evidenced by the language used in documents and in the effort to distribute resources more equitably as well as to reach the most marginalised children and communities," "a 'project funding' mentality with respect to some marginalised populations, in particular the Roma, persists" (Waljee, Wood, and Grout-Smith 2015, 17).

The number of children from Roma communities attending ECEC is low in all four countries, and especially in BiH, North Macedonia and Serbia. Graph 5.3 shows UNICEF's MICS data on Roma enrolment in ECEC over the years for BiH, North Macedonia and Serbia.

Graph 5.3. *Percent of Roma children aged 36-59 months attending ECEC*

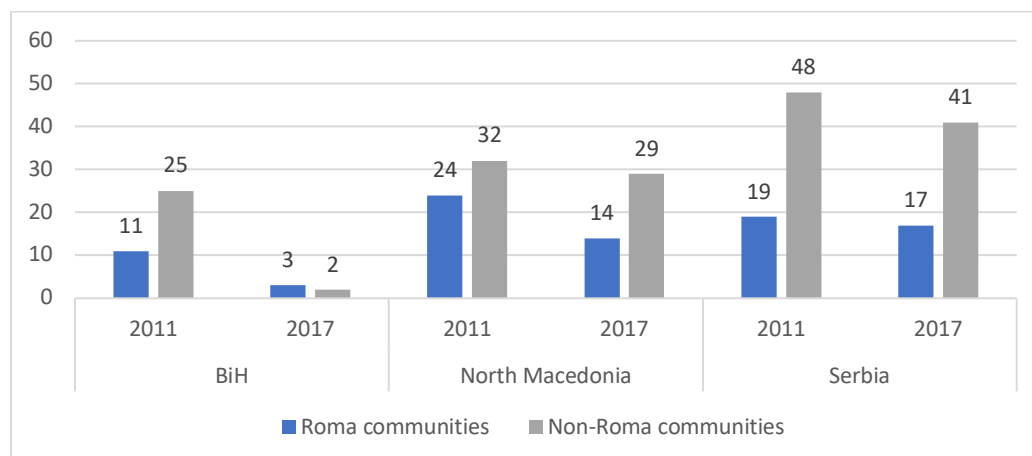


Source: MICS Surveys (State Statistical Office of North Macedonia and UNICEF 2006; Ministry of Health, Ministry of Education and Science, and Ministry of Labour and Social Policy of the Government of Republic of Macedonia 2012; The Ministry for Human Rights and Refugees of Bosnia and Herzegovina and the Agency for Statistics of Bosnia and Herzegovina 2013; Statistical Office of the Republic of Serbia and Strategic Marketing Research Agency 2006; Statistical Office of the Republic of Serbia 2010; Statistical Office of the Republic of Serbia and UNICEF 2014; Statistical Office of the Republic of Serbia and UNICEF and UNICEF 2019; State Statistical Office of North Macedonia and UNICEF 2020)

Note: 2010 instead of 2011 data for Serbia

Data from the UNDP-WB-EC Regional Roma Surveys (2011, 2017) also indicate low pre-primary enrolment rates among children from Roma communities in comparison with their non-Roma peers from neighboring communities, overall greater than the MICS surveys. BiH displays somewhat unusual results, with sharp drops in enrolment for both groups of children (which is not in line with statistical data), which could potentially be attributed to calculations being made based on new census data, published in 2013. In Croatia, the survey was conducted only in 2011, and suggests an enrollment rate of Roma children in ECEC of 21% (UNDP, World Bank, and European Commission 2012).

Graph 5.4. *Adjusted net pre-primary enrolment rate among children from Roma and neighboring non-Roma communities [% of population, ages 3-6]*



Source: UNDP-WB-EC Regional Roma Surveys, 2011 and 2017 (UNDP, World Bank, and European Commission 2012; 2018)

When it comes to inequalities in ‘real opportunities’ in terms of affordability of ECEC for low-income households, available data also shows that ECEC institutions frequently prioritize the enrollment of children of employed parents, fostering facilities’ traditional care-taking purpose. Households with working parents are socio-economically better off, implying class-based stratification in access.

Indeed, a large gap in access that has emerged between children of employed and unemployed parents, and children who belong to richer and poorer households. In BiH, access to ECEC services is negligible among vulnerable and marginalized groups (APOS0 2011, 9), with only 2% of enrolled children have parents who are unemployed (Institution of the Ombudsman for Human Rights of Bosnia and Herzegovina 2010, 51). In North Macedonia, “... access to formal kindergarten is increasingly compressed to one and the same, small sociological group that claims most of the roughly 17500 places in formal KG on a permanent basis” (van Ravens 2010, 22). Only 25% of children come from families “where one (21%) or both (4%) parents are unemployed” (Gerovska Mitev 2015, 8). In Croatia, ECEC the proportion of attendance of children of employed parents “grew from 76.0% in 2005 to 82.7% in 2016,” suggesting lower ECEC accessibility for children of one or two unemployed parents (Dobrotić, Matković, and Menger 2018, 3). Even though enrolment criteria in Serbia give priority access to children from various vulnerable groups, the 2014 MICS has shown that, in the 3-5 age group, 81.6% of

children from the richest households, as opposed to 8.6% of children from the poorest, attended ECEC (Statistical Office of the Republic of Serbia and UNICEF 2014).

Affordability clearly contributes to exclusion. All countries foresee some types of fee reductions or waivers for children from disadvantaged households, which differ depending on the country (e.g. children from households living in poverty, with many children, where the parents or children have disabilities, without employed adults, beneficiaries of social assistance, children victims of domestic violence, etc.). Nevertheless, making use of such mechanisms may not be easy. Due to decentralized competences for ECEC, providers in BiH and Croatia are autonomous in setting rules, without legal guidelines or ceilings, whereas such national-level guidelines exist in Serbia and North Macedonia. In BiH, while disadvantaged pupils should, by law, have access to partial or full waivers, such waivers may in practice be difficult to obtain because of the complex paperwork required or selective criteria (Peeters 2016, 11–12). Indeed, instances where parents from poor households use such subsidies are few (APOS0 2011, 7). In North Macedonia, a mere 4% of children enrolled in ECEC use receive a full or partial fee waiver, which is means-tested; this share corresponds to the share of children whose parents are unemployed (Gerovska Mitev 2015, 8). In Croatia, research has shown that local governments considerably subsidize prices for some groups of children, albeit with great differences, and with as many as 49 criteria identified based on which parents may receive a higher subsidy than what is usually allocated for ECEC. These mainly pertained to households with more children attending a facility, those receiving social benefits, having a disability, or single-parent households. A greater number of criteria for receiving a subsidy were defined in more developed localities (Dobrotić, Matković, and Menger 2018, 7–8). In Serbia, 59% of parents covered the full fee, 20% paid a reduced fee, while 21% were exempt from paying fees in 2019 ((Perišić and Pantelić 2021, 332)

Parents from disadvantaged households have also been shown to have insufficient access to information regarding the significance of free-of-charge, compulsory pre-school programs in BiH (APOS0 2011, 7). Thus, “there is a need for more capacity building on working with disadvantaged families and their children” (Peeters 2016, 3). In North Macedonia, data also suggests that the mothers of almost all enrolled children had completed secondary or higher education; international surveys in educational achievement have shown that “maternal education is the single most powerful predictor of children’s performance in education” (van Ravens 2010, 33). Thus, we can speak of a ‘Matthew effect’, where scarce public services are

crowded out by those who are more likely to afford them (Pavolini and Van Lancker 2018). While ECEC programs have been shown to “yield the highest returns when they are targeted at the disadvantaged,” such children remain excluded (van Ravens 2010, 6), contributing to an intergenerational transmission of poverty (van Ravens 2010, 34).

5.5. The Course of Policy Changes in the Childcare Realm

5.5.1. Policy Changes in Leave Policies over Time

5.5.1.1. *Bosnia and Herzegovina*

In the context of a complex institutional and political set-up, “Bosnia-Herzegovina has experienced the greatest post-1990 erosion of maternity leave rights among the post-socialist countries” (Dobrotić and Obradović 2020, 412). Governance structures differ between the two entities, which significantly impacts the kind of leave that is delivered. The country features a “... devolved system of maternity leave benefits, a unique institutional characteristic in Europe” (Dobrotić and Obradović 2020, 413), with the RS and cantons in FBiH instituting own leave policies. This has led to extreme diversity in the extent of rights granted to parents.

In FBiH, the right to take leave is regulated by the Labor Law, while maternity benefits used to be regulated by health insurance legislation. In 1997, during a reform of the healthcare system, the FBiH government made the move to decentralize maternity leave benefits in the case of employment, transferring them from health insurance to the tax-financed system of social protection. The FBiH Law on the Principles of Social Protection, Protection of Civilian War Victims and Protection of Families with Children, which was adopted two years later, introduced benefits to compensate for the salary to an employed mother during maternity leave, and benefits for mothers who are not employed. The law left it up to the cantons to regulate this area in more detail, and only introduced the clause that benefits for working mothers should be determined as a percentage (to be set by cantons) of the earned wage in the period of six months before birth, valorized in line with the salary increases in the canton for a given period (Art. 93).

Cantons were supposed to subsequently adopt or harmonize own legislation to regulate these rights in their vicinities. Most cantons introduced maternity leave benefits in one or two years following the adoption of the FBiH law. However, many cantons did so with a great delay (for

instance, two as late as 2015 and 2017), effectively stripping mothers of the right to compensation during leave, making them reliant on their employers for voluntary payments of maternity benefits (usually, in the public sector), or forcing them back into employment due to a lack of compensation (Obradović, Jusić, and Oruč 2019, 13–14). At the same time, “the FBiH’s government has no mechanisms or interest to ensure implementation of maternity (and child) benefits at the cantonal level” (Dobrotić and Obradović 2020, 420). This has also meant sometimes stark differences in the generosity and accessibility of maternity benefits. While citizenship-based benefits (for unemployed mothers) have also been introduced by most cantons, they tend to be of very low generosity, as explained earlier.

More recently, the FBiH has made a move to centralize benefits by adopting in 2022 the FBiH Law on Support to Families with Children. The law is to “put an end to discrimination based on territorial principles and introduce a uniform FBiH maternity benefit paid to unemployed mothers” (Obradović 2021a, 1). The benefit will be granted at 30% of the average net wage for the previous year and will be means-tested. Intended for mothers registered as unemployed or in education, it can, in exceptional circumstances, also be used by the father. The law also envisages that maternity benefits for employed mothers would be “returned” to health insurance, but this requires changes to the Law on health insurance. If such changes are made, this “would ensure equal maternity protection for those in employment, based on the same social insurance principles, as in the RS entity” (Ibid, 2).

Indeed, the RS has pursued a completely different path in terms of the design of leave. While maternity leave is regulated by the entity’s Labor Law, the Law on Child Protection regulates maternity leave benefits. The 1996 establishment of the Fund for Child Protection was an important milestone for the entity’s system of social insurance. The Fund covers maternity leave compensations, maternity benefits for unemployed mothers (parents) and different child benefits. The Fund refunds the salary compensation during leave to the employer. Thus, “benefits remained attached to the social insurance system” (Dobrotić and Obradović 2020, 420)

Significant changes were made to the RS Child Protection law in 2017, by which the generosity of maternity benefits for unemployed mothers was significantly raised. At the same time, conditions for accessing maternity leave benefits based on employment were made stricter,

requiring a previous, uninterrupted period of 12 months of social insurance in the entity, from an earlier 6 months.

Given the country's slow EU accession process, leave policies have not particularly been impacted by EU standards and priorities, especially relating to gender equality. Bosnia and Herzegovina still hasn't instituted a parental leave, but in 2002 in the RS and 2016 in FBiH, the right of the father to use the 'maternity' leave instead of the mother was recognized.

Table 5.12. *Leave policy in BiH: Overview of important policy changes*

Year	Entity	Policy	Changes
1996	RS	Changes to Labor Law Adoption of Law on Child Protection Establishment of RS Fund for Child Protection	Generous leave paid at 100% of previous wage, leave duration of 12 months, 18 months for multiple birth or third and subsequent child.
1997 / 1999	FBiH	Overhaul of maternity leave benefits in FBiH during healthcare reform (1997) adoption of FBiH Law on principles of social protection (1999)	Maternity leave benefits taken out of health insurance system in 1997, as of 1999 to be regulated by law on social protection. Cantons expected to harmonize their laws with entity law, which many did with long delays.
2002	RS	Changes to Labor Law	Fathers' right to use 'maternity leave' introduced
2016	FBiH	Changes to Labor Law	Fathers' right to use 'maternity leave' introduced
2017	RS	Changes to the Child Protection Law	Increase of generosity of benefits for unemployed mothers – benefits can be received for 12 months; for multiple births and every third and consecutive child for 18 months. The benefit set at 405 KM. Conditions for accessing maternity leave benefits based on employment were made stricter, requiring a previous, uninterrupted period of 12 months of social insurance in the entity, from an earlier 6 months. Unemployed mothers with right to benefit have to have been unemployed six months before receiving benefit.

2019	RS	Changes to the Child Protection Law	Provision that unemployed mothers with right to benefit have to have been unemployed six months before receiving benefit is scrapped. Employers are to be refunded the full 100% of the gross wage of the mother, up from the earlier 80%.
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5.5.1.2. Croatia

During the 1990s, a preoccupation with demographic renewal (featured in a 1998 national program on demographic development) was also reflected in the family policy realm, such as in the introduction of three-year maternity leave for mothers with three or more children (Puljiz and Zrinščak 2002).

With a change of government in 2000, the realm of family policy experienced significant changes as well. In 2001, the right to a three-year leave in the case of the birth of twins, third and subsequent child, was scrapped; in the case of multiple births, a two-year paid maternity leave for employed and self-employed mothers were instituted. Moreover, a new, six-month paid maternity leave for all mothers was introduced, irrespective of their employment status, which was “significant for making birth rights more universal” (Puljiz and Zrinščak 2002).

Croatia, like BiH, has introduced citizenship-based benefits by introducing a flat-rate benefit in 1996 for unemployed mothers, first only for multiple births or the birth of a third and subsequent child. In 2000, it granted the right for six months to all unemployed parents and then extended it to 12 months after 2004.

Benefit generosity has been reduced over the years. The first ceiling on maternity/parental benefits was introduced in 1993, followed by the transformation of the parental benefit (then ‘additional maternity leave benefit’ for the duration of six months of leave) into a flat-rate benefit in 1997, which led to a “rapid fall in their real value” (Dobrotić 2019, 11–12). In 2008, changes to legislation were made whereby a limit on the maternity benefit was been removed, and the parental leave benefit became earnings-related, but capped at a low level (Dobrotić 2015, 367).

Leaning on EU norms in the family policy realm, the measure was introduced to grant two additional months of maternity leave in case fathers exercised at least three months of maternity leave in 2008. However, at very low benefit levels, very few fathers opted to use this right (Dobrotić, Matković, and Zrinščak 2013, 224). In 2013, due to the need to harmonize domestic legislation with the EU directive in this realm, a reform of parental leave took place, whereby each parent has the right to four months of parental leave, with a two-month, non-transferable quota. However, the low levels of parental benefits prevail, again casting doubt on the use of this measure by fathers (Dobrotić, Matković, and Zrinščak 2013, 368).

Currently, changes to legislation are underway to introduce a paternity leave of 10 days, in line with the EU Work-Life Balance Directive, as well as raise the ceiling on parental leaves.

Table 5.13. *Leave policy in Croatia: Overview of important policy changes*

Year	Policy	Changes
1995	Labor Law adopted	12 months of maternity leave restructured, so that six months are maternity leave, followed by parental leave until the first year. Fathers can take the right to leave in case the mother is working. After child's first year, one of the parents has right to unpaid leave until child's third year. Introduction of right to paid three-year maternity leave in case of birth of twins, third or subsequent child.
1996	Law on Maternity leave for Self-Employed Mothers and Unemployed Mothers	Introduced a flat-rate benefit for unemployed mothers, and self-employed mothers, in case of birth of twins or third and subsequent child.
1997	Changes to Labor Law	Earnings-related benefit during second six months of leave replaced by flat-rate, low benefit.
2001	Changes to Law on Maternity leave for Self-Employed Mothers and Unemployed Mothers / Changes to Labor Law	Three-year leave in case of twins, third or subsequent child scrapped. In the case of multiple births, a two-year paid maternity leave for employed and self-employed mothers instituted. Six-month paid maternity leave for all mothers, irrespective of their employment status.
2004	Changes to Law on Maternity leave for Self-Employed Mothers and Unemployed Mothers	Extending right to maternity benefits for unemployed parents to 12 months, until third year of child in case of twins, third or every subsequent child.

2008	New Law on Maternity and Parental Assistance	<p>Maternity / parental leave set at 100% of base for wage replacement (ceiling withdrawn). In case parent doesn't have full 12 months of employment, reduced to 50% of base.</p> <p>Instead of 'additional maternity leave', parental leave recognized.</p> <p>Parental leave is earning-related, but at a ceiling of 80% of determined budgetary base per month.</p> <p>Parental leave lasts six months for first and second born child; 30 months for birth of twins, third and subsequent child.</p> <p>If father uses leave for 3 months, can be extended for 2 months.</p> <p>Provision that leave to be used by both employed / self-employed parents equally, unless they agree otherwise.</p> <p>Introduction of flexible use of leave (in parts, twice a year at most). Parental leave can be used until 8th year of child's life.</p> <p>Maternity benefit for unemployed women can be transferred to father in case mother becomes employed. Benefit set at 50% of base.</p>
2013	Changes to Law on Maternity and Parental Assistance	<p>Harmonization with EU Directive 2010/18/EU on implementing the revised Framework Agreement on parental leave.</p> <p>Parental leave extended to 8 months for first and second child, but only if leave is used by both parents; 30 months for birth of twins, third and every subsequent child.</p> <p>Provision that leave should be used by both parents equally; if leave is used by only one parent, leave is used 6 months instead of 8 (30 month leave remains), thus introducing 2 months of non-transferrable leave.</p>
2017	Changes to Law on Maternity and Parental Assistance	<p>Parental leave benefit ceiling raised.</p> <p>Maternity benefits for unemployed mothers set at 70% of the base.</p>

5.5.1.3. North Macedonia

Since the beginning of the transition, North Macedonia has maintained relatively generous, social-insurance based maternity leave policies. In line with labor legislation, employed women have been entitled to a maternity leave of nine months (15 months in case of multiple births). Maternity leaves are considered to be generous, with 100% replacement rates of the previous wage paid by the Health Insurance Fund. The Labor Relations Law also includes the

clause that women who return to work from maternity leave earlier can receive a 50% compensation in the duration of the remainder of the maternity leave, on top of their salary.

Maternity leave can be followed by an unpaid three-month parental leave, which may be used until a child's third year. Fathers may use the maternal/parental leave instead of the mother; the father's non-transferable right has not been introduced. The 2013-2020 National Strategy for gender equality for North Macedonia has foreseen the introduction of parental leave, but it has not been introduced to date (Reactor - Research in Action 2021). Paternity leave has also not been introduced, as mentioned earlier.

Benefits for unemployed parents or parents with irregular employment histories have not been introduced. However, as part of a pro-natalist agenda, the government introduced in 2010 a universal, parental allowance for the third child, an unconditional universal flat rate transfer to be paid until the child's tenth year (Gerovska Mitev 2019, 126). The allowance for the third child was later made means-tested, and subsequently discontinued (Mojsoska-Blazevski 2021, 36), albeit it still paid for beneficiaries that had already acquired the right.

In light of an ongoing process of amending the Labor Law, the former Minister of Labor and Social Policy announced in 2018 changes with respect to making leaves more flexible and allowing for greater gender equality (Kotevska 2019). According to a government report for the UN Committee on the Elimination of Discrimination against Women, the Law "is being amended and made compliant to the Parental Leave Directive that refers to the equal application of parental leave for both parents, that is, for both women and men, hence eliminating the traditional role of women and men, as well as to the recognition of the joint responsibility of both genders in the raising and upbringing of children." (Ministry of Labor and Social Policy of North Macedonia 2018, 4). Changes to the law that are considered are introducing a total of 12 months of leave, out of which five months would be envisaged for the mother, and the remainder will be parental leave (Deutsche Welle 2021). According to a draft of the law from 2021, two months of non-transferrable leave for the father, the introduction of a paternity leave of 10 days, as well options for flexible work arrangements for childcare are envisaged.

Table 5.14. *Leave policy in North Macedonia: Overview of important policy changes*

Year	Policy	Changes
1998	Changes to Labor Relations Law	Women can return to work earlier before expiry of maternity leave; entitled to reimbursement of leave pay at 50%
2005	New Labor Relations Law	Paid maternity leave for nine months, or 12 months in case of twins and multiple births.
2014	Changes to Law on Labor Relations	Parental leave of three months as right of the mother introduced. Fathers may use right if mother doesn't use it.
2015	Changes to Law on Labor Relations	Period of paid maternal leave in cases of the birth of more than one child extended to 15 months. Unpaid leave of 3 months can be used until child's third year.

5.5.1.3. Serbia

At the end of the socialist period, Serbia had granted 9 months of maternity leave. During the 1990s, leave was extended to 12 months for the first and second child, and, as a pronatalist measure, to two years in the case of the third child. With the introduction of new labor legislation in 2005, a generous maternity leave and 'leave for childcare' of a total of 12 months was instituted.³⁶ Fathers also obtained the option of using parental leave after a child turns three months. Nevertheless, mothers in Serbia remain the main beneficiaries of leave, as the country has not introduced an individual, non-transferable part of leave (Dobrotić 2019, 20).

The generosity of maternity benefits has also changed. With the adoption of the 2002 Law on financial support for families with children (and its subsequent changes in 2005 and 2009), compensation for maternity/parental leave was based on a parent's earnings in the 12 months preceding the leave, while the benefit was determined as the sum of past earnings divided by 12 (if duration was shorter, 50% of the average wage were calculated for the missing months). The compensation ranged from 100% for six or more months of employment, to 30% for less than three months, with a guaranteed minimum pay (official minimum wage) applied in the case of at least six months of employment. A ceiling was set in the amount of five national average wages.

³⁶ Leave policies are organized in a different manner by granting maternity leave until three months after birth, followed by parental leave, until 365 days. Women have to start maternity leave 28 days before day of childbirth.

In 2017, the government made amendments to the Law on financial support for families with children, which have been mired in controversy. The law has been criticized for reducing the generosity of leave payments: by capping the benefits at three average monthly salaries (from five); by considering the last 18 months of earnings as the base for calculating benefits (which yields low benefits for persons who had worked shorter than that); and by taking the gross, rather than the net, salary as the base for calculation (Reljanović 2018). However, the minimum benefit level was not defined, which yielded very small benefits for some parents (Dobrotić 2019, 12). The government justified such changes in generosity as a solution to observed manipulation with women's wages once a pregnancy is confirmed, with women receiving higher wages (that subsequently declined once leave ended), or with pregnant women entering employment in the six-month period preceding childbirth to secure compensation (Pejin Stokić and Bajec 2018, 2). While the self-employed had access to equal rights to an extended period of leave (21 months for birth of third and every subsequent child) as employed parents, this was reversed with changes to the law, which shortened the extended leave for the self-employed to 12 months (Dobrotić 2019, 13).

A positive aspect of the new law has been to extend access to a year-long maternity allowance to mothers (and fathers, in exceptional circumstances) who are unemployed at the time of birth, but had received income in a period of 18 months before the birth of the child (e.g. through self-employment; agricultural work or short-term contracts). However, they are not entitled to the minimum guaranteed for women employed for at least six months. Another novelty was to limit access to the extended leave for parents with three or more children only to parents who are in standard employment, deepening social inequalities (Dobrotić 2019, 7).

The recent changes of the Law on financial support for families with children have resulted in a petition by the association "Moms rule" to the Constitutional Court of Serbia to appeal the changes to the law, including the provision whereby the guaranteed minimum maternity benefit is provided only to employed women with at least six months of insurance contributions, and the requirement of a longer contribution history for women in agriculture (24 months) as opposed to other women (18 months). After the Constitutional Court ruled in 2020 that the amendments were unconstitutional, the Law was amended in 2021 to address these issues (Pejin Stokić and Bajec 2021, 1–2).

Table 5.15. Leave policy in Serbia: Overview of important policy changes

Year	Policy	Changes
1990s	Changes to Labor Law	Leave extended to 12 months for first and second child, two years in the case of the third child. Maternity leave could only be 9 months for the fourth and subsequent child.
2002	Law on financial support for families with children	<p>Maternity benefit extended to self-employed women.</p> <p>Women receive maternity benefit with a wage replacement rate of 100% (previously, benefit would be 80% in case of fourth and subsequent child). Maximum benefit set at five average wages in country, minimum at guaranteed minimum pay in country.</p> <p>For persons employed less than 12 months, income for months missing taken as 50% of average monthly income in country in month preceding begin of leave.</p> <p>Introduction of ‘parental allowance’ as one-off payment for second, third and fourth child (increases with order), adjusted monthly for CPI, and means-tested.</p>
2005	New Labor Relations Law	Maternity leave until three months after birth, followed by “leave for childcare” until 365 days. Maternity leave and leave for childcare for third or subsequent child granted in duration of two years. Leave for childcare / parental leave can be claimed by father as well.
2009	Changes to Law on financial support for families with children	Parental allowance extended to first child as well. To be adjusted twice a year based on CPI.
2017	New Law on financial support for families with children	<p>Reduced generosity: Maternity benefits capped at 3 average monthly salaries; 18 months of earnings considered as base for calculating benefits; gross rather, than net, salary taken as the base for calculation</p> <p>Extended access to a year-long maternity allowance to mothers (and fathers, in exceptional circumstances) who are unemployed at the time of birth, but had received income in a period of 18 months before the birth of the child (e.g. through self-employment; agricultural work or short-term contracts), but not entitled to the minimum benefit guaranteed for women employed for at least six months.</p> <p>Necessary contribution history for women in agriculture raised to 24 months.</p>

		Access to the extended leave for parents with three or more children limited only to parents who are in standard employment
2021	Changes to Law on financial support for families with children	All employed mothers entitled to the guaranteed minimum maternity leave benefit; the necessary contribution history for women working in agriculture reduced from 24 to 18 months.

5.5.2. ECEC policies

5.5.2.1. Bosnia and Herzegovina

After the war in BiH ended in 1995, the initial period of transition was marked by a slow revival of ECEC operations, complicated by the wartime destruction of ECEC facilities. Another great challenge became the highly decentralized educational system instituted after the war, with a state-level ministry, the Ministry of Civil Affairs, only in charge of coordination activities and the country's adherence to international standards. The RS Ministry of Education came to be in charge of preschool education in this entity; in the FBiH, preschool education became the competence of cantonal ministries of education. The District of Brčko's education department took charge of preschool education in this special administrative unit. In total, the country has as many as 14 ministries that are responsible for ECEC and most administrative units have their own pedagogical institutes.

The respective governments proceeded with adopting their own legislation of preschool education in the late 1990s. This legislation was mainly outdated, relying greatly on the concepts of preschool education from former Yugoslavia, where the function of care, rather than education, was given precedence, and where ECEC institutions mostly had the function of facilitating (female) employment. Many bylaws, such as pedagogical rules in individual vicinities, remained in place from the period before the war. ECEC was, moreover, sidelined in the face of general education reform.

In the early 2000s, the Organization for Security and Co-operation in Europe (OSCE) was designated as the main coordinator for education reform in the country. It facilitated the preparation of the 2002 Strategic Education Reform Document, and later, with UNICEF and national experts, formed an expert team that drafted the 2004 Strategic Directions for Development of Preschool Upbringing and Education in BiH. In the justification surrounding the need to develop ECEC in BiH, the document adopts a social investment language, with

emphasis on the importance of ECEC for child development, but also its' cost-effectiveness in terms of fostering economic development and reducing negative social consequences (unemployment, addiction, crime, etc.). The document emphasized that the main function of ECEC in BiH had been a "socio-protective" rather than an educational one, where the latter had been neglected due to "negative societal attitudes, prejudices and traditional views with regards to this segment of upbringing and education," combined with restrictive economic savings and stabilization measures (Ministry of Civil Affairs of BiH 2004, 6). It advocated for a holistic approach to the learning process, and, importantly, stated that, in the year prior to starting elementary school, ECEC shall be compulsory for all children of pre-primary age (Ministry of Civil Affairs of BiH 2004, 6). Beyond these important changes, the strategic document recommended better-quality training and stricter licensing among ECEC educators to raise quality of services, as well as a more explicit division of responsibilities in relation to financing.

According to the country's 2004 Poverty Reduction Strategy Paper (PRSP), prepared through a process led by the IMF and World Bank in BiH, creating "preconditions for preschool education to be considered a part of the educational rather than the social sector" was stressed, with the aim of increasing, by 2007, the number of children included in education by 30% and by 2010, by 50%. Another aim was to open ECEC institutions in rural areas (International Monetary Fund 2004, 163).

As a result of an education reform efforts headed by the European Commission, the Framework Law on Preschool Education and Care was adopted in 2007. The law introduced, for the first time, compulsory ECEC for children of pre-primary age, in line with the 2004 Strategic directions. According to Miković (2019, 36), this legal provision "represents thus far the most concrete move in terms of providing equal chances to all children of pre-primary age." The law also set the main aims and principles, standards, and norms as a foundation for curricula development, management, the development of professional standards, monitoring and evaluation, financing and other matters related to ECEC.

Other of government were supposed to adopt their own laws that would be harmonized with the state-level one six months from its enactment. However, even to date, two cantons (Herzegovina-Neretva and West-Herzegovina) out of 10 have not adopted laws that would be harmonized with the state-level one, while one (Una-Sana) has adopted it but it is still not in

force. Most of the others have done so with delays. The implementation of the legislation has remained uneven throughout the country (Ministry of Civil Affairs of BiH 2017, 4). The drafting of new bylaws, which are essential for the actual implementation of ECEC laws, is also taking a long time (Miković 2019, 169).

The RS government, opposed to what was perceived as a further transfer of competences from the entity to the state level, refused to harmonize their own law with the framework law. While the RS entity did adopt an ECEC law, first in 2008 and then in 2015, these laws did not, in any of its provisions, refer to the state-level Framework ECEC law. In practice, the two laws are deemed harmonized, with the exception of no compulsory, but rather a recommended, pre-primary program in the RS.

Parallel to policy making processes of the early 2000s, the international community (not limited to the European Commission, UNICEF and World Bank) has also provided significant support to institution building. For instance, it supported the establishment of the state level Agency for preschool, elementary and secondary education (APOSO) in 2007 as a central-level agency in charge of ensuring quality of preschool education, which replaced the earlier inter-entity Agency for Standards and Evaluation in Education. Since its establishment, the APOSO has been very much involved in the development of all policies related to ECEC in BiH, as well as the organization of trainings for ECEC professionals. In these processes, it has greatly been aided by UNICEF, which has supported a range of capacity-building programs for public administrators, school managers and educators. In 2012, APOSO adopted facultative qualitative ECEC standards for educators and managers of ECEC institutions.

With the adoption of a common core curriculum for ECEC, first in 2009, and subsequently a revised one in 2018, the country is slowly moving towards more learning outcome-oriented education. Nevertheless, the implementation of such programs has been slow (Nikolić 2013; Ćurak 2014; Pribiševo Beleslin 2014).

In recent years, a significant reform includes the Platform for the development of preschool upbringing and (2017-2022), prepared with the guidance of UNICEF and adopted by the Council of Ministers in 2017, as a basis for drafting strategies, plans and other relevant documents by ministries of education. The document aims, *inter alia*, at increasing the coverage for the compulsory pre-primary programs to 100% until 2022, and they would be

provided in continuity throughout the academic year for at least 180 minutes a day (Ministry of Civil Affairs of BiH 2016, para. 6.2). Even though its representatives had participated in its drafting, the RS Ministry of Education and Culture has stated that the RS had not authorized the drafting of this document, and that they have adopted their own Education Strategy in April 2016, which is to serve as a foundation for the development of policies in the realm of ECEC (Ministry of Civil Affairs of BiH 2018, 7).

Overall, despite many reforms in the realm of ECEC, the country continues to have a rather fragmented ECEC system that has resulted in significant inequalities in terms of access to quality preschool education, depending on one's locality. Moreover, while various policies – mainly spearheaded by international organizations – have set ambitious aims pertaining to coverage and inclusion, there has barely been an improvement in BiH's very low ECEC coverage over a period of 25 years. This signals underinvestment in ECEC, especially in public provision.

Table 5.16. *ECEC in BiH: Overview of important policy changes*

Year	Policy	Changes
2004	Strategic Directions for Development of Preschool Upbringing and Education in BiH	Compulsory ECEC for all children of pre-primary age announced
2007	Framework Law on Preschool Education and Care	Compulsory ECEC for pre-primary education introduced. Provisions introduce standards in relation to curricula development, management, the development of professional standards, monitoring and evaluation, and financing. Other governments to harmonize legislation with state level one.
2008	RS law on ECEC law adopted [new law adopted in 2015]	The law includes provision that ECEC <i>may</i> be organized in the year before commencing primary school.
2009	Adoption on agreement on common core curriculum for ECEC programs	Governments of RS, cantons in FBiH and Brčko sign agreement on common core curriculum for ECEC programs.
2018	Revised common core curriculum for ECEC	APOSO develops revised common core curriculum, with stronger emphasis on learning-oriented outcomes.

Note: Different levels of government have adopted laws and bylaws that regulate this area over the course of the years. Here, some of the most important changes are emphasized.

5.5.2.2. Croatia

During the period of independence from Yugoslavia, a declarative commitment to improving the quality of ECEC institutions was guided by programmatic guidelines and a concept on ECEC in 1991. The latter was, however, not implemented due to a lack of funding, institutional support and bylaws at that time (Baran, Dobrotić, and Matković 2011, 533).

The Law on preschool upbringing and education, hereafter the ECEC law, was adopted in 1997 and envisaged a new pedagogical standard for ECEC. However, such a standard was adopted only in 2008 (later amended in 2010), replacing a document from 1983. The ECEC law was subsequently amended in 2007 and 2013, with the latter amendments introducing compulsory ECEC programs in the year before beginning primary school.

Despite the absence of enforceable quality standards in this twenty-year period, Baran et al (2011, 533) highlight that the quality of care did, in fact, improve, if judged by improving child/teacher ratio. Nevertheless, the development of ECEC has mainly been dependent on initiatives and capacities of local vicinities, resulting in large regional discrepancies in terms of coverage and the quality of programs (T. Matković and Dobrotić 2013, 72).

In 2015, the National Curriculum for early and preschool upbringing was adopted. The Curriculum has a child-centered orientation, focused on the child's environment, and focuses on their development, active learning, and interests (Slunjski 2015, 2). It promotes the idea of the instructor's full autonomy, as well as professional responsibility and competences in choosing what to teach, and thus substituted the earlier, more structured 'plan and program.' However, due to confusion in ECEC institutions, two documents remained in parallel – a curriculum and a "plan and program", a "dualism" that "reflects insufficient understanding of the very philosophy behind the curriculum" (Slunjski 2015, 4).

In recent years, there has been an increase in investment into ECEC at state level. As of 2018, the state-level Ministry for Demography, Family, Youth and Social Policy was able to secure funding from the European Social Fund, mostly intended for building and reconstruction,

improving material conditions and improving services, which resulted in “significant investments in the ECEC system” (UNICEF 2020, 9). Moreover, the 2019 adoption of the European Council’s Recommendations on high-quality ECEC systems, together with “an intense public debate on questions of emigration and demographic trends in Croatia, have led to an increase in public interest in the delivery of ECEC” (UNICEF 2020, 9–10).

Table 5.17. *ECEC in Croatia: Overview of important policy changes*

Year	Policy	Changes
1997	Law on preschool upbringing and education	Area more comprehensively regulated, new pedagogical standard envisaged.
2008	Adoption of new pedagogical standard	Replaces old standard from 1983
2013	Changes to the Law on preschool upbringing and education	Introduction of compulsory ECEC in the year prior to starting primary school. ECEC to be performed in line with a national curriculum.
2015	National Curriculum for ECEC adopted	Stronger child-centered orientation to learning promoted.

5.5.2.3. North Macedonia

The situation is somewhat unique in North Macedonia, as the competences for ECEC are shared: The Ministry of Labor and Social Policy (MLSP) is in charge of policy-making and oversight of ECEC, including organizational matters, while Ministry for Education and Science is in charge of ECEC programming and teachers’ professional development (European Commission, EACEA, and Eurydice 2019, 36). Municipalities are in charge of ECEC delivery, including its establishment, financing and oversight of spending. Some challenges within managing the sector pertain to coordination between the two ministries remain (Waljee, Wood, and Grout-Smith 2015, 20).

After the dissolution of Yugoslavia, North Macedonia’s ECEC system was, as some other policy areas, affected by a lack of financial resources, which resulted in underinvestment and low capacities. To bridge the gap between urban and rural areas in ECEC delivery, 350 community-based Early Childhood Development Centres (ECDs)³⁷ were established in 2000

³⁷ Unlike a standard kindergarten, such facilities offered half-day programs for children of pre-primary age.

in a total of 196 rural localities, funded by the World Bank and UNICEF. Nevertheless, due to the 2001 conflict as well as the fact that the “the initiative lost momentum as the financial and logistical support of the international agencies was phased out” (van Ravens 2010, 39), most of them closed. While the international organizations had expected that recurrent costs of the centers would be covered by governments and from user fees (structural contributions), such centers remained “clearly underfunded,” with municipalities providing the space for them, but rarely contributing funding to cover operational costs and materials (van Ravens 2010, 40). In 2017, only 2 public and 5 private ECD centers remained, educating 175 children or 0.5% of the total enrolled that year (De Hanau and Mojsoska-Blazevski 2019, 11).

In the process of ECEC reform, UNICEF has played an important role. It has helped authorities set up broader “frameworks, structures and systems for more accessible, equitable and quality” ECEC systems (Waljee, Wood, and Grout-Smith 2015, 33). It has supported education authorities in formulating the policy framework for ECEC, which consists, *inter alia*, of the Law on Child Protection and important bylaws, such as the 2008 Early Learning Development Standards (ELDS). Another contribution has been UNICEF’s research on different groups’ access to ECEC, such as rural poor, Roma or children with disabilities (Waljee, Wood, and Grout-Smith 2015, 10).

In the 2004 “National Strategy for the Development of Education 2005-2015” one of the articulated priorities became “early development of children.” The Strategy’s aim was to increase the intake of preschool-aged children (with an aim of 100% coverage in the year before school) (Ministry of Education and Science of the Republic of Macedonia 2004, 31). The adoption of the strategy is deemed significant because it is the first time that the “need for the large scale expansion of early childhood education and a focus on marginalised groups” was recognized (Waljee, Wood, and Grout-Smith 2015, 18).

A major policy feat of policy actors working in the ECEC realm was the 2013 amendment to the Law on Child Protection, by which the possibility of diversified early childhood development services was introduced (e.g. public, private or non-governmental ECD centers) (Gerovska Mitev 2015, 8). ECD centers thus became formally recognized as a form of pre-school education. Moreover, the law integrated a “focus on holistic development (based on the ELDS), mechanisms for quality and inclusion, and equitable funding approaches” (Waljee, Wood, and Grout-Smith 2015, 18) and also introduced new standards with regards to licensing,

accreditation, inspection and teacher training. (UNICEF 2013a, 38–39). The law also foresaw the option for full or partial co-payment (between 30-100%) by the state for specific categories of vulnerable groups, in case of family income lower than national minimum wage and in case of children from one-parent homes (De Hanau and Mojsoska-Blazevski 2019, 9). Subsequently, 27 sub-laws were adopted, which operationalized the delivery of ECEC further, supported by technical assistance, policy advice as well as data-collection by UNICEF (Waljee, Wood, and Grout-Smith 2015, 18). Such reforms – supported by UNICEF, other donors and civil society – are seen to have contributed to the increase in coverage of children aged 3-6 by ECEC from 34% to 40% between 2013-2014 (Gerovska Mitev 2015, 8).

In 2014, the Curriculum for early Learning and Development was adopted. The Curriculum, based on the ELDS, sets the conceptual foundations and principles for ECEC planning and learning outcomes in different realms of child development, to be implemented on an independent and individualized basis by ECEC educators.

The 2018-2025 Education Strategy has announced the improvement of the content and quality of ECEC provision, its coverage and inclusiveness, human resources capacities, as well as overall organization, management and coordination (Ministry of Education and Science of the Republic of North Macedonia 2018, 29–30). The Strategy also foresees the introduction of a compulsory final year of preschool education.

More recently, there has been a greater focus on teacher training and qualifications. With the support of UNICEF and the World Bank, study programs in preschools and teachers' qualifications in terms of formal education are being revised (De Hanau and Mojsoska-Blazevski 2019, 10).

Moreover, there has also been an increase in investments into ECEC by the government, which is said to be a “result of governmental measures supporting the opening of new kindergartens, particularly in smaller and rural municipalities, but it also reflects significant efforts from donor and civil society organizations (i.e. UNICEF), for the informal education and care of children.” (Gerovska Mitev 2015, 8). The opening of new kindergartens has been particularly pronounced in the last few years, supported by a World Bank loan for the “Macedonia Social Services Improvement Project.” One of the aims of the project has, *inter alia*, been to improve access to ECEC for children from disadvantaged families, as well as improve the quality of ECEC

(De Hanau and Mojsoska-Blazevski 2019, 11). The government aims to increase the capacity by 7,500 places and thus reach an enrolment rate of 50% (Mojsoska-Blazevski 2021, 31).

Table 5.18. *ECEC in North Macedonia: Overview of important policy changes*

Year	Policy	Changes
1997	Law on preschool upbringing and education	Area more comprehensively regulated, new pedagogical standard envisaged.
2000	Adoption of Child Protection Law	Adoption of comprehensive law which, <i>inter alia</i> , regulates the area of ECEC.
2008	Early Learning Development Standards	With support of UNICEF, government adopts new standards on ECEC.
2013	Amendments to Child Protection Law	Diversified types of ECEC service providers recognized by law. New standards with regards to licensing, accreditation, inspection and teacher training introduced.
2014	Curriculum for Early Learning and Development.	National curriculum adopted, based on early development standards. Greater focus on learning outcomes.

5.5.2.4. Serbia

The ECEC system in Serbia has seen a very gradual change towards greater availability and affordability of the services. In the realm of ECEC, the government has adopted several policies and important strategic documents over the years in view of increasing enrollment.

During the 1990s, ECEC was in the jurisdiction of as many as three different ministries - Ministry of Education, Ministry of Social Affairs and Ministry of Health – in line with the Law on Social Care of Children (1992), which had defined their responsibilities. “Therefore, parts of existing practice (non-governmental sector provision, private kindergartens) were not adequately regulated by law” (Stojanovic, Kovacevic, and Bogovac 2018, 369). Early childhood education and care was of uneven quality, due to the absence of a system of quality standards and oversight mechanisms. The system of professional development and promotion of ECEC educators was underdeveloped, with weak initial vocational education, while employee standards were low and ECEC facilities lacked adequate equipment (Stojanovic, Kovacevic, and Bogovac 2018, 370).

In 1994, the government adopted Guidelines for the education of children until 3 years of age; in 1996, Guidelines for preschool education for children of 3 to 7 years of age, as well as Guidelines for the education of children of national minorities were adopted. According to Stojanović, Kovačević and Bogičević (2018, 367), a traditional understanding of children's and adults' roles in ECEC were transformed by these documents because they emphasized "the developmental importance of active learning, the acquisition of a diverse personal experience and the active construction of knowledge." An influential aspect of the 1996 Guidelines for preschool education for children of 3 to 7 years of age was the fact that they introduced not one, but two equal models for early childhood education: Model A and B. Programs that would be based on Model A would adopt a constructivist, child-centered approach, whereas those modeled after B would denote a teacher-centered, instruction-based approach (and would entail educational standards and learning outcomes related to children's acquired knowledge and skills) (Stojanovic, Kovacevic, and Bogovac 2018, 367–68).

After the change of government in the early 2000s, preschool education was assigned as a competence of the Ministry of Education in 2003 under a new Law on the Basic Principles of the Educational System, thus re-introducing ECEC into the education system. The law also introduced new conditions related to the licensing of teachers, and also signaled a more open and flexible approach to ECEC by placing greater responsibility on the educator for programming, encouraging the participation of parents and greater diversification of programs. A stronger focus was placed on standardization and quality assessment (Stojanovic, Kovacevic, and Bogovac 2018, 370). The law was subsequently followed by a number of new by-laws (and their changes), such as on licensing or continuing education (Banković 2014, 256)

In 2006, with changes to Law on the Basic Principles of the Educational System, a free-of-charge, compulsory preparatory preschool program for children aged 5.5 to 6.5 years was introduced as an essential part of the education system.

The 2010 Law on Preschool Education marked an important policy change, as the principles and delivery of ECEC were laid out in more detail, and ECEC goals were explicitly formulated, including support to overall child development and well-being, to the family's educational function, to continuing education and inclusion within the community, and to children's social development. As emphasized by Perišić and Pantelić (2021, 329), "the Law has made a crucial

step forward in advocating equal rights and access to ECEC for every child by giving priority to children from vulnerable social groups (e.g., Roma children, children with disabilities...).”

At the same time, the law also set the upper limit on the fees that parents would pay for ECEC, amounting to a maximum of 20% of the service, which made such programs more affordable. Nevertheless, with 2017 changes to the Law on ECEC, greater autonomy was given to service providers in setting prices; nevertheless, in practice, local governments continue to subsidize 80% of the economic cost of ECEC.

In 2014, the government adopted Regulations on Defined Conditions for Securing the Social protection of Children in Pre-school Institutions” which introduced the position of a social worker in a kindergarten setting as to support socio-economically disadvantaged children by coordinating with parents and other institutions. Thus, for the first time, social workers were started working the preschool institutional setting (Stokic Pejin and Bajec 2015, 10–11).

Serbia’s Education Development Strategy in Serbia until 2020, adopted in 2012, set as one of its aims to increase the coverage of children aged 3-5.5 years to 75%. The government set goals to, *inter alia*, finalize the accreditation and standardization of ECEC institutions, to create a local system of social care for children in ECEC, and to introduce half-day programs for children aged 4 to 5.5 for a period of least 9 months. This strategic document also signaled a shift towards the introduction of more diversified ECEC programs.

In 2018, the Ministry adopted Guidelines of diversified programs of preschool education. Supported by UNICEF, the Guidelines signaled the introduction of more diverse and flexible public ECEC programs which can be organized within adequately equipped facilities within the communities, of different frequencies and lengths during the week (UNICEF 2017, 2).

As in the other countries, the development of ECEC has been supported by various international organizations. As pointed out by Perišić and Pantelić (2021, 329), “in the last decade, driven by a strong commitment to EU integration and organizational and financial support from the OECD, UNICEF, and other international organisations, Serbia has started with reforms aiming to respond to the growing demand for a better and more equitable education system.” For instance, UNICEF in Serbia has provided continuous support in the

form of technical assistance and policy advice, as well as investment in facilities in rural areas (UNICEF 2017, 3).

Table 5.19. *ECEC in Serbia: Overview of important policy changes*

Year	Policy	Changes
1994-1996	Guidelines for the education of children until 3 years of age [1994] Guidelines for preschool education for children of 3 to 7 years of age [1996]	New standards set for provision of ECEC programs.
2003	Law on the the Basic Principles of the Educational System	ECEC reintroduced into education system.
2006	Changes to Law on the Basic Principles of the Educational System	Introduction of compulsory preparatory preschool programme.
2006	The General Foundations of the Preschool Programme	National curriculum adopted.
2018	Guidelines of diversified programs of preschool education	National guidelines envisage introduction of diversified ECEC programs.
2010	Law on Preschool Education and Upbringing	ECEC more comprehensively regulated.
2017	Law on Preschool Education and Upbringing	Provision that ECEC is funded in part by the state “up” to 80% (instead of earlier 80%).

5.6. Using the Multiple Streams Framework to Explain Policy Change in the Family Policy Realm

The past two decades have seen significant policy changes in the family policy realm in the four countries studied. In general, the changes can be summarized in the following manner:

- A general expansion of access to maternity leave benefits in most countries, making the benefits somewhat more universal in nature, with fluctuations in the generosity of benefits;
- Some (albeit limited) efforts to reduce gender-based stratification caused by leave;
- A very gradual expansion of ECEC services;
- A drive towards the professionalization of ECEC services, focused on improving the quality of programs, and the introduction of compulsory pre-school education programs in BiH, Croatia and Serbia in the year prior to commencement of elementary school.

Nevertheless, there are significant differences between the countries in the extent and in the ways in which family policies have changed, as has been illustrated in the previous section. In this section, the attempt is made to understand such policy changes by applying the Multiple Streams Framework (MSF). As with the application of the MSF to changes in employment policy in Chapter 4, the dynamics of policy changes are discussed and assessed in line with the general hypotheses proposed by Herweg, Zahariadis and Zohlnhöfer (2018, 30).

6.6.1. The Problem Stream

Very differently from the employment realm, where steep unemployment rates were vital indicators that captured the attention of governments, and were strongly felt by the public, issues in the family policy realm have been much less frequently framed as dramatic problems in need of immediate action. A few dominant problem frames can be identified in the four countries relating parental leaves and the provision of childcare.

The most prominent is the ‘demographic decline’ frame, which has been present in the countries from the onset of the transition, especially in Croatia, North Macedonia, Serbia and the Republika Srpska entity in BiH. Such a frame is tied to strong patriarchal values inherent to all four societies and became especially visible in the beginning of the transition. As

Dobrotić et al. (2013, 223–24) explain in the context of Croatia, the government was led by a conservative, right-wing party, which emphasized the role of men in state liberation and state-building. To the fore came a “national ideology and a pro-natalist discourse, assigning women’s reproductive function as their primary role,” and thus “an explicit discursive turn toward re-traditionalization promoted by strong political actors” (Ibid, 224). It is thus not surprising that the 1996 National Program of Demographic Renewal, which introduced a three-year maternity leave for mothers with three or more children, “explicitly begins with the constation that Croatia, after a century of no freedom, finally has its own independent state and that demographic renewal is the most important for this state” (Puljiz and Zrinščak 2002). Similarly, in BiH, the war-time introduction of a generous maternity leave in the RS that could be extended for 12 months in case of the third or fourth child was “framed within pronatalist discourse, clearly reflected ethnonational narratives that underpinned the 1992–1995 war” (Dobrotić and Obradović 2020, 418). Interestingly, however, in the FBiH entity, which features highly decentralized policymaking in the family policy realm, demographic decline frames have not been prominent in discussions surrounding family policies, even in cantons which have introduced more generous rights in this realm.

Such frames were mainly promoted by local ‘problem brokers,’ usually politicians who were relying on the indicators provided by demography experts from academia. Among other types of pro-natalist measures, such as different types of child benefits, they were also tied to the solution of improving the access of maternity benefits for unemployed mothers and increasing the generosity of benefits for mothers who would bear more children, as in North Macedonia, Croatia or Serbia. The problem frame of demographic decline has persisted throughout the region throughout the period studied, and in relation to the area of family policy; in recent years, it has also been tied to stronger migration of young persons to countries of the EU. For instance, in the context of a recognized need for a greater expansion of ECEC services, the ‘demographic’ argument has also been raised in discussions in Croatia (UNICEF 2020).

Conversely, the ‘gender inequality’ problem frame, albeit present, has been weakly tied to the realm of family policy throughout the region. The exception is Croatia, where gender equality was emphasized in the context of childcare in light of the country’s EU accession process. Only recently has it been emphasized with respect to parental leave in North Macedonia, in the context of the drafting of a new Law Labor Relations. In most countries, the ‘gender equality’ frame has been tied to women’s poor labor market participation, as well as the need for families

(i.e. men) to have a work-life balance, and has only partly been related to the need to divide up the childcare obligation more evenly. ‘Problem brokers’ have included civil society organizations, together with some international organizations who have usually provided funding for CSO activities in this realm.

Another, less pronounced frame has been the frame pertaining to the rights of mothers (an access to ‘social rights’ frame). This frame was present in Serbia, where CSOs representing mothers pointed towards the problem of arrears in maternity benefit payments by employers and advocated for such payments to be paid by the government. In this case, the inability of mothers to exercise their rights (or the burdensome ways of doing so) was stressed.

The most difficult problem to frame for its problem brokers seems to have been the ‘poor ECEC availability and accessibility’ problem frame – and to a lesser extent, a ‘poor quality’ ECEC frame. Aided by indicators related to ECEC enrolment (usually compared against those of EU neighbors), UNICEF has been the most vocal ‘problem’ broker in this realm, joined in recent years by other actors such as the European Commission (for instance, in its assessment of countries’ annual ERPs), in some countries the World Bank, and, as of recently, organizations promoting gender equality, such as UN Women. Grass-roots society organizations focused on the enrollment of different groups of children typically excluded from education have also served as ‘problem brokers’ at different times. In the case of ECEC in BiH, Dobrotić and Obradović (2020, 423–24) note that “until recently the ECEC policy was [...] promoted only on a project basis by some international organizations. While the political landscape of the post-Dayton period is dominated by numerous international actors, they follow heterogeneous agendas, and none of them has shown a genuine interest in a coherent childcare policy.” When applied, this frame has usually been framed through the prism of the child’s right to access education and women’s poor labor market participation due to caring duties, and – very rarely – the EU’s social investment paradigm.

Referring back to the hypothesis by Herweg, Zahariadis and Zohlnhöfer (2018, 30) that “a problem broker is likely to be more successful framing a condition as a problem the more an indicator changes to the negative, the more harmful a focusing event is, and the more definitely a government program does not work as expected,” one may argue that all of the elements usually assumed to direct the attention of policymakers to a problem were generally not in place when it comes to family policy. For symbolic purposes, and congruent with nationalistic

impulses of building strong ‘nation states’ following ethnic conflicts, indicators of ‘demographic decline’ were most frequently used by ‘problem brokers’ – usually the political leaders themselves – in public discourse. Given strong patriarchal values in all four societies, the other frames – relating to gender equality, access to rights, or ECEC availability, accessibility, or quality – were not prominent enough to allow ‘problem brokers’ interested in ECEC to successfully frame the such conditions as problems. While one cannot speak of specific focusing events in relation to family policy, feedback from existing programs (usually available in the form of reports of international organizations pointing to the poor quality of ECEC services across the region, or gender inequalities tied to women’s caretaking responsibilities) were also not sufficient to attract attention.

Thus, in relation to the expectation that “the policy window opens in the problem stream as a result of at least one of the following changes: change of indicators, focusing events, or feedback” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30), one may argue that in the absence of pointedly eye-catching indicators, major focusing events or feedback in the family policy realm, the policy windows in the problem stream have been fewer. While the problem frame of ‘demographic decline’ certainly shaped the policy processes in the family policy realm, one may argue that such a problem frame was used instrumentally by policymakers to take attention away from other pressing problems, such as high unemployment and endemic corruption, indicating to the public that the government cared about the future of its nation.

One may also argue that conditions in the family policy realm did not, indeed, put policymakers’ re-elections at risk, making policy windows in the problem stream less likely to open (Herweg, Zahariadis, and Zohlnhöfer 2018, 30).

5.6.2. The Policy Stream

Different, and to some extent also overlapping, policy communities may be identified in the family policy realm: those promoting solutions related to enhancing gender inequality; those working on ECEC reforms; and those concerning themselves with demographic measures to promote greater fertility rates. In the realm of family leaves, experts from the civil society, representatives of public institutions, and some international actors, such as the European Commission or ILO, came to be its most prominent actors. In the realm of ECEC, international actors such as UNICEF and the European Commission (in some countries also the World

Bank), together with representatives of public institutions and experts from the education realm (e.g. pedagogy and psychology experts, school directors and teachers), have been active members in policy communities. Policy communities concerning themselves with demographic decline have usually been representatives of different public institutions working on or advocating for broader strategies of demographic revitalization, together with invited academic experts in demography. Here, it is important to note that different actors have also been present in different policy communities at different times. For instance, as Dobrotić, Matković, and Zrinščak (2013, 224) emphasize in the case of Croatia, “the EU was almost completely absent during 1990s, while the IMF and the WB were involved in defining ‘gender-blind’ economic and social policy, notably pension and healthcare reforms.”

Solutions offered by policy communities working in the family policy realm were mainly sidelined in favor of those offering solutions to curb demographic decline. Thus, a common trend in most countries – the expansion of access to maternity leave benefits, making the benefits somewhat more universal in nature – can be traced back to natality agendas. This was, for instance, the reason for the RS’ government extension to and subsequent substantial increase of maternity benefits to all unemployed women (in 2017), whereby the government justified the move not only in terms of reducing inequalities between mothers, but also in terms of declining fertility rates and substantial outmigration of young people (e.g. (Kulaga and Miljić 2017; President of the RS 2018). In Croatia, in the context of very strong pro-natalist discourse, three-year maternity leave for mothers with three or more children was introduced in 1998 (Puljiz and Zrinščak 2002) as a “combination of political and economic circumstances promoted a traditional and ‘romantic’ vision of gender distribution, praising ‘ideal’ notions of masculinity/femininity, and gender equality was not perceived as a public issue” (Dobrotić, Matković, and Zrinščak 2013, 224). In North Macedonia, during the 10-year reign of VMRO-DPMNE, the governments’ conservative ideology emphasized the family as the main source of childcare; as a result, an unconditional universal flat rate transfer was introduced in 2010 for the third child, that was almost four and a half times higher than the child benefit (Gerovska Mitev 2019, 126). Serbia’s government introduced universal, very generous parental allowances, which were initially only granted for the second and subsequent child.

At the same time, an obstacle to governments’ pronatalist ambitions in the family policy realm has been a slow and painful economic transition, and thus very influential demands from IFIs to curb public spending. Indeed, “because of the pressure to reduce public costs advocated by

the World Bank” (Dobrotić, Matković, and Zrinščak 2013, 224) in the 1990s in Croatia, compounded by a difficult economic situation, the government reduced the generosity of maternity benefits by introducing a ceiling and introduced a flat-rate benefit for parental leave. Puljiz and Zrinščak (2002) point out that “these are restrictions that very unfavorably resonated with the public,” and at the same time weren’t justified due to the fact that family policy represented a minor area of all social expenditures.

With the 2017 Law on Financial Support for Families with Children, Serbia also increased entitlement conditions in terms of previous insurance period and reduced the generosity of maternity and parental leave benefits. This was justified as a way to tackle observed instances of manipulation in the labor market, where women’s wages were raised once a pregnancy was confirmed, or with pregnant women entering employment in the six-month period preceding childbirth to secure compensation (Pejin Stokić and Bajec 2018, 2), practices that had also been pointed out by experts (Stanic and Matkovic 2017). The changes to the Law did come at a time when the country was still implementing the Stand-by arrangement with the IMF, as part of which a number of laws were changed to conform with general aims of fiscal consolidation to reduce the public deficit (Arandarenko, Krstić, and Žarković Rakić 2017, 3; Reljanović 2018).

As with employment policies, family policies have been discussed in the context of different solutions to problems emphasized, depending on the period. For instance, the gender equality agenda in the region became dominant only as of the 2000s, when improving gender equality and reducing gender-based discrimination became important requirements in the context of EU accession. At that time, all of the countries started adopting different strategic documents and establishing advisory bodies (such as parliamentary committees) tasked with implementing measures to enhance gender equality.

Nevertheless, real efforts to reduce gender-based stratification caused by leave policy to date have been evident mainly in Croatia. EU gender equality policies have considerably shaped Croatia’s family policies as the country prepared to become an EU member and had to transpose EU rules into national legislation. However, while Dobrotić, Matković, and Zrinščak (2013, 225) see the EU as the dominant driver of reforms, especially after Croatia received the status of an EU candidate in 2004 begun negotiations in 2005, they also point out that there was no “radical break with the past.” The process of Europeanization meant “a long negotiation process and even considerable resistance to some aspects of EU involvement, backed by

significant Euro-pessimism. This does not speak against the importance of the EU influence in the field of gender but gives it a ‘proper’ weight.” (Dobrotić, Matković, and Zrinščak 2013, 225). As Croatia entered the final phase of EU negotiations after 2008, “substantive compliance-related charges were introduced.” In the family policy realm, harmonization with EU legislation included the introduction of individual entitlement to parental leave, fully transferable but paid at a low level (Dobrotić, Matković, and Zrinščak 2013, 226). The need to harmonize domestic legislation with the EU directive in this realm was also the impetus behind the 2014 decision to grant each parent the right to four months of parental leave, with a two-month non-transferable quota.

In the other countries, leave policies have not particularly been impacted by EU standards and priorities relating to gender equality, also because of a more ambiguous EU accession prospect. For instance, in BiH, “parental leave has never been discussed as a possibility at the policy level (not even in the context of the EU negotiations and a need to align with the parental leave directive)” (Dobrotić and Obradović 2020, 422). The ability to extend maternity leave to the mother, introduced in 2016 in FBiH as part of the changes to the entity Labor Law, was, however, justified by the need to harmonize entity legislation with that of the EU. Nevertheless, as one interlocutor pointed out, there was no substantial discussion on the matter in the public sphere.

In North Macedonia, recent years have seen an expansion of “CSO-led initiatives on increasing access to leave for fathers and to getting fathers more involved in the upbringing of their children” (Kotevska 2019, 32–33). The think tank Reactor has been prominent in these efforts, and has “included paternity and parenthood leave as one of its four key demands for the new Labour Law,” which was subsequently supported by the Minister on Labor and Social Policy in 2018. Reactor and other CSOs have also called for greater flexibility of working arrangements in relation to childcare (Ibid). Interestingly, “this issue was also part of the electoral programmes of some of the political parties that took part in the December 2016 parliamentary elections, including the winning coalition, which formed a government in June 2017” (Kotevska 2019, 43). As mentioned earlier, the Government, discussing changes to the Labor Law, has referred to enhanced gender equality as a reason for introducing parental leave.

In Serbia, the possibility of fathers for taking parental leave, as introduced in the Labor Law, was also justified through pragmatic arguments relating to EU accession, rather than gender

equality. Nevertheless, multiple interlocutors interviewed for this research have pointed that discussion surrounding the introduction of a non-transferrable part of parental leave for the father have been infrequent in policy discussions surrounding changes to legislation and could not be placed onto the agendas of policymakers thus far. Interlocutors attributed to this to strong patriarchal values within the society. Nevertheless, with the 2017 changes to the Law on Financial Support for Families with Children, the reconciliation of parenting with work life is – for the first time – explicitly stated as a purpose of this law. Such WLB discourse may point to the influence of the EU accession process on leave policy in the country (Stropnik and Dobrotić 2018).

In the realm of childcare, policy solutions have focused on the need to expand access to ECEC and improve the quality of ECEC services. The expansion of ECEC, despite strong advocacy from the policy communities and in the face of high demand from parents in urban areas, has been very slow throughout the region, and has mostly resulted in the introduction of obligatory pre-primary programs (in BiH, Croatia and Serbia), rather than significant investments in the expansion of the ECEC network or greater access for disadvantaged groups of children. What can be noted in this realm are persistent efforts by international organizations – especially UNICEF – to place the problem of poor availability of ECEC services, and the ensuing low coverage by such services, onto the governments’ agendas. A case in point was the process of recognizing alternative types of ECEC providers (such as the Early Development Centers) by the Child Protection Law in North Macedonia. Although such centers had been established by UNICEF and the World Bank in 2000, it was not until 2013 that the Law was changed to formally recognize them.

Where international organizations had much more influence in the region was in providing technical assistance to relevant ministries to gradually professionalize and improve the quality of ECEC services. This took place through continuous processes of cooperation within the policy communities (relevant ministries, CSOs, experts) on different strategic documents, laws and bylaws, usually facilitated by UNICEF or other international actors (e.g. European Commission, OSCE, World Bank). Such processes were, moreover, led under the auspices of internationally sponsored education reform projects; thus, rather than seeing ECEC as a childcare function only, international actors promulgated reform solutions through the prism of the ‘right to quality education.’ According to Waljee, Wood, and Grout-Smith (2015, 9),

“UNICEF has moved alongside, and heavily contributed to, the government’s priorities and agendas for early childhood development” in North Macedonia.

In relation to the hypothesis by Herweg, Zahariadis and Zohlnhöfer (2018, 30) that, “as the integration of policy communities decreases, it becomes more likely that entirely new ideas can become viable policy alternatives,” one can say that the events and conditions in the policy streams in these countries have conformed with the expectation that fragmented policy communities have opened up the space for international actors to exert their influence. However, while international actors have been able to, at least some extent, diffuse new policy ideas relating to ‘gender equality’ and the need to improve access and quality of ECEC within policy communities, they were not as successful in placing these issues onto the political agenda. In most countries, actors favoring demographic aims have been more successful in influencing the agenda than those favoring solutions in relation to gender equality because of the overarching importance of pro-natalist discourses in the political stream.

The theoretical expectation that “if a policy proposal does not fulfill the selection criteria, the likelihood of gaining agenda status, and thus being coupled, decreases significantly” (Herweg, Zahariadis, and Zohlnhöfer 2018, 24) is supported. Indeed, one may say that proposals promoting gender equality have had a difficult time gaining agenda status when assessed against the important criterion of political feasibility, except when the pragmatic criterion of adhering to EU norms took precedence (mainly in Croatia in the context of leave). Conversely, pro-natalist measures, the ‘pet projects’ of politicians, easily fulfilled the criterion of political feasibility, even when they weren’t cost-effective. Given the political drive towards re-traditionalization and the emphasis on the family as the main childcare provider, investing in ECEC facilities and programs was thus a less viable alternative. One may assume, as with employment policy, that the narrow ‘survival criteria’ applied in the family policy realm were influenced by the general context of poor-quality governance that policy communities were situated in, which made it difficult for policy actors to come together and promulgate more egalitarian and forward-thinking approaches to childcare.

5.6.3. The Political Stream

When looking at the types and timing of decisions concerning family policies in the region, this research supports the hypothesis that “policy proposals that fit the general ideology of a

government or the majority in a legislature have a better chance of gaining agenda status” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30). In the family policy realm, the drive to support a traditional family model and thus the greater accessibility and generosity of parental benefits can be attributed to deeply-rooted conservative and nationalistic ideologies of the parties that have adopted them.

A case in point is the introduction of the universal, flat-rate parental allowance for the third child in 2010 in North Macedonia, which denoted a departure from the general effort to cut spending and target social assistance, had a clear aim of population growth at its core (Gerovska Mitev 2019, 127): “The introduction of these untargeted social transfers by the ruling VMRO-DPMNE party goes hand in hand with the main priorities of their ideology, namely, the preservation of the traditional family.” The same party, during its 10 years in power, refused, for instance, to ratify the Council of Europe’s (CoE) Istanbul Convention on Preventing and Combating violence against Women (which the country had signed in 2011): “This long delay was primarily influenced by the rebuttal of the former ruling party, which refused to ratify the Istanbul Convention and for almost a decade promoted a strong ‘re-traditionalisation’ of the society through unfavorable policies and public discourse” (Reactor - Research in Action 2021, 3). It was only ratified in 2018, after a new government came into power.

Similarly, as Dobročić and Obradović (2020, 424) point out in the case of BiH, “reinforced gender and social inequalities in employment and care [...] can hardly be overcome within the context marked by a lack of genuine interest for gender equality as well as a dominance of ethnicised discourses and power of ethno-nationalist elites seeking to satisfy their own agendas.” Thus, it was not a surprise that during a 1997 health sector reform in FBiH, as part of which maternity leave benefits were effectively discontinued in some cantons, such “maternity benefits were understood as a minor ‘technical’ issue, subordinated to the then important topic of the division of the territorial organization and financing of the healthcare system” (Ibid, 421). Topics related to nationhood and ethnicity “overpowered already weak interest for gender equality” and “sought the re-traditionalization of gender relations,” making such a reform possible (Ibid, 421).

Not surprisingly, gender inequality problem frames and the solution to extend parental leaves to fathers did not take a strong hold among decision-makers in the region. Where they were placed on the agenda (and subsequently adopted), pragmatic arguments shaped political

debates – such as the need to change legislation as part of EU accession processes. While parties of a Social Democratic orientation in Croatia and North Macedonia have more readily supported gender equality discourses, real steps taken towards that end (in Croatia) during both the Social Democratic and conservative governments have been conditioned by pragmatic considerations concerning the country's EU accession process. In North Macedonia, the progressive, Social Democratic government appointed a Labor and Social Policy minister who put forward an ambitious social policy agenda, which gender equality was a part of (Ministry of Labor and Social Policy of North Macedonia 2018; Reactor - Research in Action 2019; Kotevska 2019). Provisions on more equitable parental leave, which were promoted by civil society actors, thus made it into the draft of the new Labor Relations Law.

In the family policy realm, as in the employment realm, the political stream has been marked by limited and non-inclusive bargaining. A stark example thereof are the closed policy processes in North Macedonia during the rule of the VMRO-DPMNE party (2006-2016), whose policy-making style was marked by fast-track procedures, allowing “only limited input from practitioners and the public” (UNICEF 2013a, 23), and excluding opposition parties and civil society. “Only voices that affirmed the government's actions were acclaimed and supported” (Gerovska Mitev 2019, 125). Moreover, the government engaged in “electoral tuning of welfare spending,” setting social transfer amounts in discretionary ways (Ibid, 133). More recently, with a change of government following large-scale protests and early elections in 2016, policy-making processes have become more inclusive, and CSOs and social partners have been involved in discussions on a number of important social policies. In Croatia, the initial period of transition was marked by limited bargaining processes, but policymaking became more inclusive after a new government came to power in 2000, and the country's pre-accession process started to accelerate. During this time, opportunities emerged for women's organizations to cooperate with the government in the drafting of national gender equality policies (Dobrotić, Matković, and Zrinščak 2013, 225). In general, one may anticipate that in many instances, solutions such as extending parental leave rights, improving gender equality or improving childcare possibilities, were not considered in the political stream precisely because of processes of limited political bargaining (Guardiancich 2013) that gave priority to solutions that fit neatly with governments' pro-natalist agendas and could meet immediate electoral aims.

Moreover, some matters simply did not make it onto the agenda of policymakers at all – such as an overarching reform and investment in ECEC services. Rather, changes in this realm have been profoundly gradual, many of them focusing on more technical matters, such as teacher training and licensing, or changes to curricula. Baran et al (2011, 535) attribute the incremental changes to the system of ECEC in Croatia over the last century to path dependency, given that the system, from its initiation, primarily aimed to offer a care function to allow parents to work, while education and child development was not its central aim. Similarly, in North Macedonia, placing ECEC partly within confines of social protection is “a reflection of the continuing prioritisation of care over education in the kindergarten system” (Waljee, Wood, and Grout-Smith 2015, 3). While international actors, together with national experts, have continuously offered solutions that would emphasize the role of education and children’s rights to access quality preschool education, such solutions would require a complete overhaul of the system, which has not been a priority for political actors. Decision-makers also did not have to face the opposition of parents, due to various reasons: the female employment rates were low to begin with and have not considerably changed; working mothers are still generally able to rely on the support of relatives in childcare; and the more affluent, employed parents have relied on the services of private ECEC institutions that have (in BiH, Croatia and Serbia), experienced a significant rise in numbers, especially in urban areas.

In relation to the hypothesis that “the policy window opens in the political stream as a result of at least one of the following changes: changes in legislature, election of a new government, interest group campaigns, or a change in the national mood,” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30), this research shows that policy windows have opened to facilitate policy change in the family policy realm predominantly in the political stream. Here, mainly changes of government – and new government’s priorities – have facilitated agenda change, for instance in the above-mentioned cases of North Macedonia, or Croatia. In Croatia, “the political goal of EU membership opened an additional window of opportunity for women’s organizations, some scholars and part of the media to put new issues on the public agenda” (Dobrotić, Matković, and Zrinščak 2013, 225). Even a return to power of a right-wing coalition in 2004, EU accession had become so firmly established on the political agenda that reforms continued. Even in the face of backlash from coming from the Catholic Church and religious communities against anti-discrimination legislation, for instance, such legislation was adopted “due to the overarching EU argument (the claim that the law must be passed in order to ‘buy’ EU membership) and support from a considerable part of civil society” (Dobrotić, Matković, and

Zrinščak 2013, 226). Thus, EU accession thus served to open up a rather long policy window in the political stream, as part of which changes, like a father's and mothers' equal entitlement to parental leave, could also be placed onto the agenda.

Policy windows in the political stream have also opened thanks to CSO campaigns, such as in Serbia. The campaign "Right for Mothers," started by the CSOs 'Serbia on the Move', 'Parent' and 'Center for mothers' in 2014 (Serbia on the move 2017), aimed to change legislation so that mothers, who were frequently receiving maternity benefits with long delays from their employer, would receive such benefits directly from the state (the employers were in charge of payments, and subsequently reimbursed by the state). As part of the campaign, 250 mothers talked to 250 parliamentarians and tried to convince them that a change of law was necessary. Mothers received support from 150 parliamentarians, as well as the ministers of social policy and finance. Representatives of the initiative were subsequently invited to partake in the working group that worked on amendments to the Law on Financial Support to Families with Children. With the change of law in 2017, maternal benefits started to be directly disbursed by the state, rather than the employer.

After the Law was adopted, however, it was heavily criticized by various CSOs, mainly because of provisions that restricted the floor of the leave benefit only for employed women who had at least six months of contribution history; because eligibility restrictions were introduced for a benefit for taking special care of a child (in case of children with disabilities); and because longer contribution histories were introduced for women working in agriculture (Pejin Stokić and Bajec 2021, 1). As a result, the Association "Moms Rule" filed a petition with the Constitutional Court of Serbia to appeal these provisions; several CSOs and the country's Commissioner for Protection of Equality also filed a similar petition with the Court. In 2020, the Court ruled that these provisions were indeed unconstitutional. The law was amended and a new law was adopted in 2021 (Ibid, 2).

In relation to family policy, significant changes in the national mood as another catalyst of policy windows in the political stream have not been observed. Given the strong presence of patriarchal values within all of these countries, such changes have been difficult to expect (Reactor - Research in Action 2021, 3). For instance, as according to one survey conducted in North Macedonia, "about one-third of women believe that their primary roles are to give birth and care for the home and family, rather than to work in the formal labor market." Thus,

“women and men in North Macedonia perpetuate gender norms and beliefs” (Sproule et al. 2019, 5) A UNICEF report for North Macedonia focusing on ECEC points to parents’ skepticism regarding the benefits of having children in ECEC as opposed to having them cared for at home, as shown by different surveys. According to the report, “this is the primary structural cause of lack of realisation of children’s right to appropriate support for their development needs,” as “prioritising care over development in the early years not only mutes demand for appropriate ECE services but also inhibits childrearing practices that promote and support smooth integration into the school system” (UNICEF 2013a, 40–41).

5.6.4. Policy entrepreneurs and their role in coupling streams

Findings from the family policy realm show that policy entrepreneurs in the family policy realm have, with some exceptions, generally had a difficult time coupling the streams to affect agenda change. While it is expected that policy entrepreneurs would be more successful in doing so with sufficient access to core policymakers, and with sufficient persistence (Herweg, Zahariadis, and Zohlnhöfer 2018, 30), one may argue that it was the insufficient leverage of actors (especially local CSOs) – combined with the prioritization of other types of reforms, seen as more urgent, by the international organizations– that made agenda change difficult. Maybe the most prominent change that UNICEF and the European Commission have been able to affect in BiH, Croatia and Serbia has been the introduction of mandatory pre-school attendance of children in the year prior to beginning primary school, which was adopted as part of a wider education system reform.

A significant opportunity for change has nevertheless been afforded by the EU accession agenda in Croatia, which local policy entrepreneurs working on gender equality issues were able to use to push for reforms in the family policy realm. In the other countries, with the prospect of EU accession highly ambiguous, the impact of the EU has been less felt. Gerovska Mitev (2013, 192) points to two reasons for the limited impact of the EU in the case of North Macedonia: the weak social dimension of the EU accession, which “has been demonstrated through a lack of concrete policy reorientation attached to the pre-accession instruments,” and “the ‘unique’ candidacy status of Macedonia – i.e. an EU candidate country without a negotiation process.” For instance, the country’s inability to organize a JIM/JAP process due to stalled negotiations slowed down “the adoption of a more strategic policy approach towards sensitive issues, such as social inclusion and anti-discrimination” (Gerovska Mitev 2013, 192)

This has similarly been the case for BiH, a potential candidate country since 2003. In Serbia, negotiations with the EU have been going on since 2015, but the country has yet to open Chapter 19 of the *acquis* on social policy and employment.

But Europeanization and European integration has not meant unconditional leverage to significantly change family policies to allow for greater childcare capabilities of parents in Croatia and other recent Member States either. As Spehar (2012, 364) points out, “policies that do not focus on the centrality of the gendered division of care work and the need to share family responsibilities end up becoming market-oriented policies that encourage flexible forms of employment.” While some important reforms, such as a right to a non-transferrable part of parental leave, were placed on the agenda of decision-makers in Croatia, substantial changes in terms of a more equitable division between women and men in childcare, a work-life balance and a stronger position of women in the labor market have yet to happen (Dobrotić, Matković, and Zrinščak 2013, 227)

As in the realm of employment, the role of civil society has remained traditionally weak in the family policy realm and has had a difficult time to affect political agendas. Civil society organizations promoting gender equality in Croatia were able to shape family leave policies more actively in the context of EU accession (Stambolieva 2014; Dobrotić, Matković, and Zrinščak 2013). In Serbia, civil society actors were able to change the Law on Financial Support to Families with Children (twice in a row) with very effective campaigns; in the first case, they were able to “find politicians who are receptive to their ideas,” so-called ‘political entrepreneurs.’ (Herweg, Zahariadis, and Zohlnhöfer 2018, 28) In North Macedonia, the Federation of Farmers has been pointing out for years towards the problem of women working in agriculture being left out of Health Insurance Law, and thus having no right to paid maternity leave. Only recently has the Ministry of Labor and Social Policy announced that consultations are underway to address this issue (Ognjanov 2022). The organization Reactor has been successful in placing the issue of equitable parental leave on the policy agenda in North Macedonia (with the changed Labor Relations Law yet to be adopted). In BiH, while protests by mothers concerning changes to provisions regarding maternity or parental leave benefits have sporadically taken place, such efforts have generally not been able to affect changes. Civil society groups that demand greater rights in the family policy domain have had less success in mobilizing and putting pressure on decision-makers than other groups, such as the war veterans in Croatia or BiH, for instance. Pointing to the stronger mobilization capacity of

the latter and referring to Schneider and Ingram's (1993) theory of social construction of target populations, Dolenc (2017, 72) points out that veterans "represent an advantaged group which is amply compensated by the state, while policies directed towards children and mothers, who are socially construed as 'dependents,' usually amount to lip-service: verbal displays of concern that are not followed by adequate allocation of resources."

6. Discussion

6.1. Policy Changes and their Implications for Childcare and Employment

Capabilities

The comparative analysis of employment and childcare capabilities of individuals in countries that once used to belong to Yugoslavia casts some similarities, but also some important differences between the countries.

In the employment realm, most countries have experienced a decline in the generosity of unemployment benefits, usually through the introduction on low ceilings on benefit amounts and decreases in the duration of benefits. Conditions for accessing benefits have generally remained constant, but conditions of conduct have been made more stringent in all countries (slightly less so in BiH). In the realm of ALMP, countries have seen an improvement in availability of such measures, albeit such improvement is not significant (except for in Croatia). The generosity of measures has remained low in all countries, with Croatia faring better in that respect and moving closer to the EU average. In terms of inequalities in capabilities that policies on unemployment benefits yield, evident are large differences between ‘insiders’ and ‘outsiders’ in the labor market, especially those working in irregular jobs and without sufficient contribution histories. ALMP measures, in the way they are designed, also yield inequalities, as they are often not sufficiently targeted to specific groups (e.g. long-term unemployed, Roma, persons with disabilities in some countries, women).

Table 6.1. provides a very general summary of the policy changes that have impacted employment capabilities.

6.1. Overview of changes in capabilities as a result of policy changes in employment policy

	BiH: FBiH	BiH: RS	Croatia	N. Macedonia	Serbia
Availability					
UBs	(-)	(-)	(-)	Decreases	Decreases
ALMPs	Slight improvement	Slight improvement	Improvement	Slight improvement	Slight improvement
Accessibility					

UBs	No significant change in terms of entitlement. Decreases in terms of conditions of conduct	Increases in terms of entitlement. Decreases in terms of conditions of conduct.	Increases in terms of entitlement. Decreases in terms of conditions of conduct.	No significant change in terms of entitlement. Decreases in terms of conditions of conduct.	Decreases in terms of entitlement. Decreases in terms of conditions of conduct.
ALMPs	Decreases in terms of conditions of conduct.	Decreases in terms of conditions of conduct.	Decreases in terms of conditions of conduct.	Decreases in terms of conditions of conduct. Non-active job-seekers cannot access ALMPs.	Decreases in terms of conditions of conduct.
Generosity					
UBs	Slightly increases	Increases	Decreases	Decreases	Decreases
ALMPs	Improvement	Improvement	Improvement	Slight improvement	(-)
Inequalities in capabilities (IIC)					
UBs	Increase in IIC between 'insiders' and 'outsiders.'	Increase in IIC between 'insiders' and 'outsiders.'	Increase in IIC between 'insiders' and 'outsiders.'	Increase in IIC between 'insiders' and 'outsiders.'	Increase in IIC between 'insiders' and 'outsiders.'
ALMPs	(-)	(-)	Decrease in IIC (better-targeted programs)	Decrease in IIC (better-targeted programs)	Decrease in IIC (better-targeted programs)

Note: (-) no change

In the realm of family policy, access to maternity leave of generous duration has been granted by law in all countries, leave allowances in some countries can be assessed as rather generous (e.g., North Macedonia), while in others (e.g., some cantons in BiH; Croatia) they are lower or have declined. Although most countries have introduced citizenship-based rights, providing access to benefits to parents who do not work or do not work in standard employment, stratification between employed and unemployed (or not permanently employed) mothers/parents is still apparent in all countries. Only Croatia has sought to reduce the differences between men and women in the usage of parental leave by introducing a non-transferrable part of parental leave for the father. According to Dobrotić (2019, 13), “reforms on the gender dimension of leave policies have been a clear reflection of the different dynamic of the accession of the post-Yugoslav countries to the EU.”

In the realm of ECEC, while the availability of services – as demonstrated by participation rates – is not very high in any of the countries, there is a clear difference between Croatia and Serbia on one hand and BiH and North Macedonia on the other. This may be attributed to both to a higher overall level of development of these two countries, but also to the somewhat higher prioritization that appears to be afforded to the development of ECEC policies. In BiH, the extreme decentralization of services and great inequalities in the financial capacities of local governments to invest in ECEC has caused an urban-rural divide in terms of ECEC provision.

Such a divide is also noticeable in North Macedonia. Great inequalities in parents' capabilities to access ECEC institutions persist especially in BiH, North Macedonia and Serbia, especially when they come from poorer households, with children with SEN, or from Roma communities. While such children may, in some instances, have priority access by law, this is often not the case in practice, due to various reasons, but mainly the lack of financial resources and operational capacities. The existing inequalities in parents' childcare capabilities are also amplified due to low affordability of ECEC in some countries, such as BiH. North Macedonia and Serbia have, conversely, made ECEC more affordable for parents by covering a significant share of the economic price of ECEC provision. Countries are more or less on par with each other in terms of quality of ECEC provisions, generally requiring high qualifications for ECEC staff, along with other indicators of structural quality. Nevertheless, how regulations are translated into practice may vary between localities due to disparities in resources; in urban areas especially, some ECEC facilities are said to face overcrowding, thus failing to adhere to mandated child-to-staff ratios or group sizes. In terms of flexibility, countries are on par with each other in terms of providing regular ECEC care in the amount of almost full-time working hours; however, they do not cater to parents who work irregular hours.

Table 6.2. provides a very general summary of the policy changes that have impacted childcare capabilities.

6.2. Overview of changes in capabilities as a result of policy changes in family policy

	BiH: FBiH	BiH: RS	Croatia	N. Macedonia	Serbia
Availability					
Leave	Maternity leave benefits recently introduced in some cantons	Benefits extended to unemployed, self-employed mothers	Non-transferable part of leave for fathers	(-)	Parental leave
ECEC	Slight improvement	Slight improvement	Improvement	Slight improvement	Improvement
Accessibility					
Leave	Improves for unemployed parents.	Improves for unemployed parents.	Improves for unemployed parents.	(-)	Improves for unemployed parents.
ECEC	Compulsory PPP; priority access for disadvantaged groups	Optional PPT; priority access for disadvantaged groups	Compulsory PPP; priority access for disadvantaged groups	priority access for disadvantaged groups	Compulsory PPP; priority access for some disadvantaged groups
Generosity [Affordability]					
Leave	Increases in some cantons.	Increases, especially for unemployed mothers.	Declines, increases only in last decade	(-)	Decline for maternity/parental leave benefits; increases for parental allowances
ECEC	(-)	(-)	Improvement	Improvement	Improvement
Quality					

ECEC	Improvement in standards, teacher training, oversight	Improvement in standards, teacher training, oversight	Improvement in standards, teacher training, oversight	Improvement in standards, teacher training.	Improvement in standards, teacher training, oversight
Flexibility					
Leave	(-)	(-)	Improves for parental leave.	Improves for parental leave.	(-)
ECEC	(-)	(-)	(-)	(-)	(-)
Inequalities in capabilities (IIC)					
Leave	Reduction in IIC based on employment status.	Reduction in IIC based on employment status.	Slight decline in gender-based IIC; IIC based on employment status.	(-)	Reduction IIC based on employment status.
ECEC	Reduction in IIC based on ability (provisions on inclusion) Slight reduction in IIC based on socio-economic status (limited fee discounts/waivers)	Reduction in IIC based on ability (provisions on inclusion) Slight reduction in IIC based on socio-economic status (limited fee discounts/waivers)	Reduction in IIC based on ability (provisions on inclusion) Reduction in IIC based on socio-economic status (fee discounts/waivers)	Reduction in IIC based on ability (provisions on inclusion) Limited reduction in IIC based on residence. Slight reduction in IIC based on socio-economic status (limited fee discounts/waivers)	Reduction in IIC based on ability (provisions on inclusion) Reduction in IIC based on socio-economic status (fee discounts/waivers)

Note: PPP – Pre-primary program; (-) no change

6.2. The Nature of Policy Change

How can such policy changes in individual realms be qualified – i.e. how can we qualify the changes that have occurred in these countries? In the employment realm one can speak of a gradual *functional recalibration*. As stressed by Ferrera and Hemerijck (2003, 90), such recalibration “involves acts of re-balancing both within and across the established functions of social protection. It denotes shifts from passive compensation to secured activation.” The focus in all countries has shifted from passive measures to active measures. However, the emphasis should be on gradual, as the move of activation has been hampered by weak investments in active labor market programs and slowed down by under-capacitated public employment services in all countries. Thus, one can still not speak of truly ‘secured’ activation. Only Croatia can be said to have taken more significant steps in that respect.

What has certainly happened in the employment realm is a *normative recalibration*, where “symbolic initiatives and new discourses addressing the functional and distributive dilemmas of the *status quo*” (Ferrera and Hemerijck 2003, 92) become prevalent in policy and public discourse. Thus, the shift towards ‘activation’ to curb ‘disincentives’ and thus reduce welfare-

state dependence, as promoted by governments in cooperation with international organizations, has become prominent in all four countries.

On the other hand, one cannot speak of any significant *distributive recalibration*, due to the “over-accumulation of insurance benefits on the side of ‘guaranteed’ workers [...] alongside inadequate (if not total) lack of protection for those employed in the outer, weaker sectors of the labor market” (Ferrera and Hemerijck 2003, 91). Indeed, distributive recalibration would denote “acts more or less explicitly aimed at rebalancing public protection” (Ibid) across social groups, which has not occurred in the countries studied.

In the family policy realm, a *functional recalibration* is seen to denote a drive towards a more active involvement of women in the labor market and equitable distribution of childcare obligations, as “women’s revolutionary role-change in the labor-market is arguably the leading dynamic behind functional recalibration” (Ferrera and Hemerijck 2003, 90). This is to be achieved through gender equality, and “requires policies and incentives that lead to a reallocation of caring work within families (i.e. between men and women) and between families and the public sector” (Ibid, 91). Moreover, it requires greater attention to be paid to new social risks, such as child poverty (Ibid), which is usually tackled through redistribution, as well as and greater investment in education for disadvantaged groups. Given the state of family policy in the region, one cannot speak of a *functional recalibration* in the family policy realm in either of the countries. While Croatia has, for instance, instituted non-transferrable parts of parental leave for the father, father still use such measures only infrequently. Significant investment in ECEC is lacking in all countries. Moreover, measures taken to address inequalities in childcare capabilities are inadequate. *Redistributive recalibration* has also, clearly, been absent. A *normative recalibration* towards that would emphasize gender equality in the realm of family policy is absent as well. One may argue that significant periods within the process of transition in these countries have been marked by a re-familialization and an emphasis on the traditional breadwinner model, albeit this is slowly changing in recent years.

In neither of the two sectors can one thus speak of “far-reaching transformations” (Clasen and Siegel 2007, 4). One may argue gradual, incremental changes in introducing active labor market policies, with a greater expansion hampered by insufficient funding and poor PES capacities. On the other hand, in most countries, activation in terms of imposing stricter

conditions of conduct has been embraced more quickly (Croatia, North Macedonia, Serbia). Conversely, unemployment benefit schemes have not seen significant changes, except for reductions in their generosity and stricter conditions of conduct being imposed. When it comes to leave policies, albeit there are some differences, countries have gradually expanded access for more parents to access maternity/parental benefits, making such benefits more universal. On the other hand, institutional transformation in the realm of early childhood education and care has been very incremental and gradual over the entire period studied.

6.3. Understanding Change from the MSF perspective

This chapter attempts to synthesize and compare the findings from the application of the MSF to the employment and family policy realms in the four countries studied. Findings are compared in relation to the key elements of the MSF. Table 6.3. and 6.4. summarize the application of the MSF to the agenda-setting stage of employment and family policies in the region.

Table 6.3. *Applying MSF to Agenda-setting in Employment Policy in the Region*

Problem stream frames	Policy solutions	Political stream solutions	Policy windows	Policy entrepreneurs
Disincentives [all]	Activation and reduction in benefits [with individual exceptions]	Activation and reduction in benefits [with individual exceptions]	Open in problem stream due to high unemployment. Open in political stream due to elections.	International actors, in cooperation with local policy communities, place activation, benefit reduction, onto the agenda.
PES capacities [all]	PES capacity-building	PES capacity-building	Open in problem stream due to high unemployment.	International actors, in cooperation with local policy communities, place PES capacity-building onto the agenda.
Compensation [BiH, CRO]		Extending benefits to 'deserving groups'	Open in political stream [usually due to elections, interest group bargaining].	Political actors, in cooperation with interest groups, place solution onto the agenda.
Skills mismatches [all]	Skill-building measures / better coordination with education sector and employers	Skill-building measures / better coordination with education sector and employers	Open in problem stream due to structural unemployment.	International actors, in cooperation with local policy communities, place activation, benefit reduction, onto the agenda.

			Open in political stream due to elections.	
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Table 6.4. *Applying MSF to Agenda-setting in Family Policy in the Region*

Problem stream frames	Policy solutions stream	Political stream solutions	Policy windows	Policy entrepreneurs
Demographic decline [all]	Extension of access to maternity benefits [all] Pro-natalist measures [SRB, CRO, NM, RS]	Extension of access to maternity benefits [all] Pro-natalist measures [SRB, CRO, NM, RS]	Open in problem stream due to falling fertility. Open in political stream due to elections.	Political parties in power place pro-natalist measures onto the agenda.
Gender equality [all]	Transferable leave to fathers [CRO, SRB, NM] Father quotas [CRO, NM]	Transferable leave to fathers [CRO, SRB, NM] Father quotas [CRO, NM]	Open in political stream due to elections, activity of advocacy groups [CRO, NM].	CSOs, together with international actors, place onto the agenda [CRO, NM]
Access to social rights [SRB]	Making benefits more accessible and generous	Making benefits more accessible and generous	Open in political stream due to advocacy group pressure.	CSOs place solutions onto the agenda.
Poor availability, accessibility, quality of ECEC [all]	Introduction of compulsory pre-school education [all] Professionalization and standards for ECEC [all] Building new facilities [NM, SRB, CRO]	Introduction of compulsory pre-school education [BIH, CRO, SRB] Professionalization and standards for ECEC [all] Building new facilities [NM, SRB, CRO]	Open in problem stream due to broader education reform. [SRB, CRO, BiH]. Open in political stream due to change of government [NM]. Open in problem stream due to outmigration [CRO], in problem stream due to change of government [NM].	International organizations, with local policy communities, place compulsory pre-school education, professionalization, expansion of ECEC facilities onto the agenda.

Changes in how conditions that may be perceived by the policymakers and the public as problematic and in need of a solution (Béland and Howlett 2016) were inevitably present in the employment realm in the countries studied. Here, indicators – in the form of unemployment

rates, focusing events – such as economic crisis - and feedback, in the shape of policies that were not capable of responding to the significant economic difficulties faced by these countries and even exacerbated current problems, brought to the attention of decision-makers the problem of unemployment. One of the most dominant frames was the ‘disincentives’ frame, whereby ‘generous benefits’ (a result of what were deemed badly designed policies) were seen to disincentivize people from working (even though this was certainly not the main reason for high unemployment in the region). As Herweg, Zahariadis, and Zohlnhöfer (2018, 21) point out: “From a social policy perspective, the relevant problem could be whether the benefits are high enough to provide an acceptable standard of living for recipients. In contrast, from an economic policy perspective, the problem could be that benefits are so high that recipients do not have incentives to look for a new job.” As a result, a switch in perspectives makes an acceptable condition into a problem (Ibid).

As Herweg, Zahariadis, and Zohlnhöfer (2018, 22) point out, getting policymakers to pay attention to a given issue may be difficult in face of many competing problems, and also depends on what problems are currently being discussed. Thus, “in a deep recession, other problems have a difficult time receiving attention” (Herweg, Zahariadis, and Zohlnhöfer 2018, 22). In the face of a difficult economic transition – and later on, the repercussions of the global financial crisis – applying the ‘disincentive’ frame could very much be connected to ongoing economic liberalization and fiscal consolidation agendas; it is thus also not surprising that other frames – such as that of inequalities among the unemployed, or low social security of the unemployed – have been virtually absent from the problem stream. Rather, the ‘economic logic’ behind many reforms in the initial period of transition (mid-to-late 1990s) was thus deployed to the issue of unemployment by ‘problem brokers’ in this realm (IFIs working with governments), sidelining a social logic. As the problem of ‘disincentives’ was tightly coupled with the solution of ‘activation’ in the policy stream, another problem frame emphasized in the problem stream became that of the lacking capacities of PES. Last, a specific frame related to ‘skills mismatches’ has become more prominent in the last ten years, as the focus started to be placed more on the reasons behind persistent structural unemployment.

In the family policy realm, problem frames applied have fared quite differently in terms of being able to capture the attention of decision-makers. This is because drastic indicators – as in the case of unemployment – were absent. The most dominant frame in this area in the countries studied has been that of demographic decline, used already at the beginning of the

transition by political elites in power, and closely tied to the agendas of (re)construction of nation states and a re-traditionalization of society by emphasizing clearly-defined gender roles. Less prominent, albeit present, was the ‘gender equality’ frame, used by local CSOs and international organizations to point towards the unequal division in childcare between men and women in the context of parental leave, and backed by indicators on the division of responsibilities between men and women. Similarly, a poor ECEC availability, accessibility and quality frame was continuously promoted by actors working in the realm of childcare, usually backed by indicators such as poor ECEC coverage. Another, less dominant frame, was that of access to social rights, used by mothers as problem brokers who pointed towards faulty legislation that had allowed for arrears in maternity benefit payments.

Unlike the employment realm, getting policy-makers to pay attention to problem frames in the family policy realm has been quite difficult – with the (expected) exception of the problem of ‘demographic’ decline. In general, competing problems, such as economic difficulties, made childcare rights and capabilities a much less attractive issue. In the case of Croatia, one may argue that ‘gender equality’ was only perceived as a problem, for instance, in the context of EU accession. Moreover, the ECEC frame effectively competed with the ‘demographic decline,’ as it was expected that the woman would perform the childcare function.

As Herweg, Zahariadis, and Zohlnhöfer emphasize (2018, 22), “MSF does not see problems (and their severity) as objective facts but rather as social constructs,” framed in a certain way by an actor to receive policy-makers’ attention. Agency is studied through the prism of ‘problem brokers’ who are seen as ‘more likely to be more successful framing a condition as a problem the more an indicator changes to the negative, the more harmful a focusing event is, and the more definitely a government program does not work as expected.” (Ibid, 30). Concurrently, policy windows open in the problem stream due to the “change of indicators, focusing events, or feedback” (Ibid, 30).

In the realm of employment, ‘policy brokers’ certainly were successful in framing the conditions as problems, and were able to make use of policy windows opening in the face of severe and prolonged unemployment, exacerbated by focusing events in the form of economic crises. Once the problem of unemployment ceased to be perceived as particularly urgent, due to a decline in unemployment rates, the policy window to place more ambitious reforms onto the agenda, such as investing in more ambitious ALMP programs, or increasing the generosity

of unemployment benefits, did not open. In the family policy realm, in face of the absence of similarly dramatic indicators, focusing events or feedback, the policy windows in the problem stream have been fewer. Nevertheless, some ‘problem brokers’ – such as mothers receiving delayed maternity benefits in Serbia – were able to successfully frame the negative effects of an existing policy as a problem. Political elites were also able to poignantly use declining fertility rates in constructing the ‘demographic decline’ frame and connect it to their overarching pro-natalist agendas.

Moreover, it can be argued that the general expectation that the more a condition puts a policymaker’s reelection at risk, the more likely it is to open a policy window in the problem stream (Herweg, Zahariadis, and Zohlnhöfer 2018, 30) has also been shown in the context of policy changes in the employment realm, since results of elections in the region have been shown to shift with high levels of economic volatility and high levels of satisfaction with socioeconomic conditions; this is not true of problems in the family policy realm.

In the policy stream, the weakened policy communities made up of local experts, civil servants, and representatives of different interest groups (e.g. trade unions), in both the employment and family policy realm, were joined by different international organizations as very active members with significant leverage in the form of financial resources and expertise. Thus, it is not surprising that policy communities in both realms were influenced by new ideas relating to the problems of high unemployment and low childcare capabilities.

Kingdon (2011, 116) suggests that various policy ideas are floating around a “primeval soup” in the policy stream. As part of the process of “softening up,” “policy community discuss, modify, and recombine these ideas” through argumentation, and thus narrow down the number of policy alternatives (Herweg, Zahariadis, and Zohlnhöfer 2018, 23). In such a context, the structure of the policy community is seen to matter. Considering the dominant role of the international community in the policy communities, and the fragmentation of such communities, one may argue that the ‘gestation period’ of policy ideas in the policy stream has been rather rapid in the region, with some ideas (e.g. activation) moving quickly onto the agenda as a result. As pointed out by Herweg, Zahariadis, and Zohlnhöfer (2018, 23), ideas in this case “may not take time to soften up domestically because they acquire ‘legitimacy’ through success in other countries.” Referring to the theoretical expectation that the disintegration of policy communities makes it easier for new ideas to become viable policy

alternatives (Ibid, 30), one may argue that events and conditions in policy streams related in both policy areas support such a notion. Exceptions may have been solutions to extend generous rights to war veterans, rarely discussed within the policy stream, and solutions emphasizing pronatalist measures. Moreover, neither came from international actors.

Indeed, solutions of decreasing the generosity and accessibility of unemployment benefits and ‘activating’ the unemployed were generally accepted, also because they formed a part of a broader neoliberal agenda that was promoted by IFIs in the wider region of Central and Southeast Europe. While some domestic and international experts have repeatedly pointed out that reasons for ‘disincentives’ to work must not only be attributed to benefits and that some solutions may not be applicable in the local context, the alternatives proposed (e.g. reducing the tax burden on low-wage earners, improving childcare) did not meet the very narrow ‘survival criteria’ of cost-effectiveness and political feasibility. As EU accession became a more viable prospect, to that was added the criterion of conformity with EU legislation and standards (Herweg, Zahariadis, and Zohlnhöfer 2018, 24). Policy communities started to use this criterion to argue for greater gender equality in leave policy, for instance, or for more strategic approaches to activation and a greater focus on skill-building, which would be in line with the EU’s standards in the employment realm. Income security did not appear to be considered an important enough criterion in either realm. Thus, it became quite easy to reduce the generosity of unemployment benefits, and in some countries, also maternity/parental benefits. Technical feasibility also appeared to be sidelined: for instance, even though it was recognized that PES did not have the capacity to perform ‘activation’ and implement ambitious ALMPs – even in the face of significant capacity-building – this was not considered to be a significant obstacle by policy communities.

In the political stream, policy proposals congruent with general party ideologies were more successful in gaining agenda status (Herweg, Zahariadis, and Zohlnhöfer 2018, 30). Here, results from the analysis in the two realms show a rather contrasting picture. While, in the employment realm, declarative party ideology clearly didn’t seem to matter, with social democrats adopting austerity agendas, in the family realm, ideas that would deviate from the patriarchal norm or could undermine a traditional understanding of the family clearly had a difficult time gaining agenda status. One potential reason may be the generally ambiguous relationship of political parties to issues like employment, and social rights more broadly, *inter alia* also due to traditionally weak constituencies – such as trade unions – in this realm.

Conversely, patriarchal values form the ideological core of most conservative ruling parties, and as such values are also deeply ingrained in societies, even more progressive parties may have a hard time standing in opposition to such values.

Considering the important role of political norms and values in shaping policies agenda status, the proposed expectation that policy proposals that are congruent with the maintenance of clientelistic networks are more likely to be placed onto the agenda has been demonstrated in the case of extension of rights to war veterans in BiH and Croatia. This is also because war veterans have been shown to be a powerful interest groups (Dolenc 2017; Obradović 2017). Such proposals have also been put forward without the involvement of broader policy communities.

In general, limited political bargaining surrounding proposals in the political stream has been noted, especially in the realm of employment, where solutions of benefit reduction or activation were effectively taken from the policy recommendations of political actors. This is, perhaps, not surprising, as there were not many “changes in legislature, election of a new government, interest group campaigns, or a change in the national mood” (Herweg, Zahariadis, and Zohlnhöfer 2018, 30) that could have opened up policy windows in the political stream in relation to the issue of employment. One exception is North Macedonia, where employment measures (such as a ‘youth guarantee’ scheme) were incorporated into the ambitious social policy agenda of a new government after the 2016 elections. While interest groups were extended additional rights in BiH and Croatia, this wasn’t usually a result of specific campaigns, but rather due to the “client-patron axis” established in these countries (Dolenc 2017, 72).

The situation is somewhat different in the family policy realm. Here, policy windows seem to have opened in the political stream more often. A case in point is Serbia, where CSOs fighting for access to maternity benefits were able to place proposals onto the agenda after an effective campaign, and subsequently also change legislation that had reduced the generosity and access to maternity benefits with the support of the Constitutional Court. In North Macedonia, a think tank was able to place proposals concerning parental leave onto the political agenda by making use of a policy window – a change of government. Nevertheless, not all proposals have made it onto the agenda. For instance, in the ECEC domain, overarching reforms simply did not reach agenda status. In BiH, Croatia and Serbia, compulsory preschool education was placed

onto the agenda as part of broader education strategies supported by international actors, but this has been more difficult in North Macedonia, since ECEC remains a shared competence between two ministries. Nevertheless, a compulsory year of ECEC is mentioned in the latest education strategy, adopted by a new government. While Croatia and Serbia fare somewhat better on ECEC indicators, it appears that there has not been a sufficient political majority to support deep-rooted changes of the system in BiH and North Macedonia to support parents' childcare capabilities.

In both realms, policy entrepreneurs have been active in pushing their proposals or 'pet projects' (Herweg, Zahariadis, and Zohlnhöfer 2018, 28) in the policy stream, and finding ways of coupling them with the other two streams. External actors' role in policymaking has played a role in all countries' reform courses, contributing, as Stubbs and Zrinščak (2009, 291) write, "to a complex arena of policy advice, project implementation and strategic alliance-building in social policy, largely shielded from public or even research scrutiny." Their role depends on the extent of leverage they were able to exert – and their ideological orientation. Demonstrating a combination of norms teaching and resource leveraging (Orenstein 2008), the World Bank influenced reforms in the employment realm, especially those related to reducing disincentives to employment. On the other hand, the EU's norm diffusion – through the conditionality attached to accession – appears to have been instrumental to promoting a gender equality agenda with respect to the division of care duties between men and women in Croatia.

In the employment realm, it seems to have been easier for policy entrepreneurs to find their counterparts in the political stream ('political entrepreneurs') who would be receptive to their ideas. In the family policy, this seems to have been less frequently the case, as there have been more instances of what can be perceived as 'failed couplings' (Herweg, Zahariadis, and Zohlnhöfer 2018, 29). In MSF literature, scholars have frequently attributed 'failed coupling' to ineffective strategies of policy entrepreneurs, but also to other, contextual conditions that have made it impossible for proposals to reach agenda status (Zohlnhöfer, Herweg, and Zahariadis 2022). One may argue that proposals that would be conducive to a greater expansion of social rights in both the education and family policy have more frequently suffered from 'failed couplings,' than those advocating spending-cuts, for instance. Frequently, they failed in the problem stream, because the problems they were identifying were not recognized as being important enough to capture the attention of policy-makers; they failed in the policy stream for faring badly against the narrow 'criteria of survival' set by dominant actors within the policy

communities; or they failed in the political stream, because they could not receive the support of ‘political entrepreneurs.’ In some instances, as in the case of greater generosity of passive measures, or a significant overhaul of the system of ECEC, they appear to have failed on all three fronts.

But failed couplings should also not come as a surprise in a region that is notoriously difficult to ‘reform.’ As pointed out by Spehar (2012, 365), who analyzes the failed implementation of gender equality legislation in Croatia and North Macedonia, “arguably, the Western Balkans represent the most difficult set of prospective accession countries so far encountered by the EU. Most of the newly founded states are weak; the rule of law is not yet established; privatization has been done haphazardly, thus adding to the criminalization of the economy and the whole society; and corruption is still very high.” Indicators of governance, laid out in section 4.6.2., point to very incremental improvements in all four countries (with Croatia generally faring better on all indicators). As pointed out by the 2018 EU’s Western Balkans Strategy, which pertains to BiH, North Macedonia and Serbia, there are “clear elements of state capture” to be found in these countries (European Commission 2018b, 3).

Last, but not least, ‘failed couplings’ can also be attributed to socio-economic conditions – especially fiscal constraints that these countries faced at different points in time, as well as staggering rates of unemployment. These appear to have been strong contributors to the generation of a prevailing ‘crisis’ frame, in response to which “innovative policy solutions” (Guardiancich 2013, 20), such as ‘activation,’ may have represented a way to disguise governments’ drive towards spending cuts. In terms of labor market performance and economic growth, Croatia has fared better off than other countries of the region, which has certainly influenced its policies towards the unemployed – for instance, its ability to pursue a stronger activation approach. Conversely, labor market performance has been rather bleak in BiH, North Macedonia and Serbia, even in periods of satisfactory economic growth. The informal sector, rapidly expanding during the 1990s, “served as a ‘security valve’ in calming the social tensions” (Janevska 2002, 109), but has meant that large cohorts of the population were effectively left without any social safety nets, contributing to social stratification.

To summarize, the absence of more strategic, progressive policy change (a result of ‘failed couplings’) in these four countries can be attributed to a complex interaction of conditions, not limited to poor governance, fragmented policy communities, where solutions promulgated by

international actors gained quick acceptance, the prevalence of patriarchal norms and policy-making processes marked by limited bargaining, combined with difficult socio-economic conditions. As pointed out by Jusić and Obradović (2019, 54), curbing the influence of “adverse existing conditions” and advancing gradual social transformation in these countries would require a “continuous exchange of ideas” within policy communities on how principles of social justice can be enacted. Such an exchange of ideas would “need to be positioned within broader discussions on visions of countries’ social, economic and democratic development.”

7. Conclusion

This dissertation analyzed the development of employment and family policies in the countries of former Yugoslavia, with a two-fold aim: to understand what kind of changes have occurred in individual welfare sectors in BiH, Croatia, North Macedonia and Serbia, and how such changes can be qualified; and to understand the reasons behind policy changes, focusing specifically on how certain proposals made it onto the agendas of policy-makers.

Applying the CA approach, the kind of change that has occurred is studied from the perspective of its' impact on the employment capabilities of job-seekers and the childcare capabilities of parents. In the realm of employment, the research has shown that most countries have experienced a decline in the generosity of unemployment benefits. Accessibility has weakened due to stronger conditions of conduct in most countries. When it comes to active labor market policies, such measures' availability has improved, albeit only in Croatia to a more significant degree. The generosity of measures has, except for in Croatia, remained low. The research has also demonstrated that inequalities in capabilities with respect to access to unemployment benefits have been maintained, with large differences between 'insiders' and 'outsiders' in the labor market. Inequalities in capabilities due to conversion factors such as ethnicity, ability, gender or age, have somewhat been reduced when it comes to participation in active labor market programs, but they remain insufficiently targeted at specific groups. In the realm of family policy, leave benefits have generally become more accessible for parents, albeit their generosity has declined in some countries. Inequalities in capabilities related to gender as a conversion factor remains, with only Croatia having introduced a non-transferrable part of leave for the father. Early childhood education and care (ECEC) availability remains unsatisfactory in all four countries, and especially in BiH and North Macedonia. Affordability remains lower in BiH than in the other countries. Countries have continuously worked on the professionalization of ECEC services, and thus have gradually improved their quality. Despite introducing provisions on granting priority access to some groups of children, inequalities in parents' capabilities to access ECEC institutions persist (especially in BiH, North Macedonia and Serbia) in the case of Roma children, children with SEN or from poorer households.

In terms of qualifying the nature of change, one may speak of a gradual *functional recalibration* in the employment realm, due to overarching drive towards ‘activation.’ Nevertheless, only Croatia has taken more significant steps in that regard, as activation policies in the other three countries have been hampered by a lack of resources and under-capacitated public employment services. A *normative recalibration* has gone hand in hand with such functional recalibration, as the shift towards ‘activation’ to curb ‘disincentives’ became a prominent argument in the policy and public discourse. In the family policy realm, one cannot speak of a *functional recalibration* towards women’s more active involvement in the labor market and a more equal distribution of childcare duties, as the discourse of gender equality has generally been sidelined. In the face of strong patriarchal norms, one can also not speak of a normative recalibration that would emphasize gender equality more strongly.

Last, the study has sought to understand policy change by discerning why some policy proposals were able to make it onto the agenda of decision-makers. Here, the research points to different conditions whose interaction facilitated the placement of proposals onto the political agenda. In the employment realm, international actors, in cooperation with local policy communities, made use of a ‘disincentives’ frame in response to the problem of unemployment and argued that activation and reduction of benefits to reduce the dependency of unemployed persons on the state should be pursued. International policy entrepreneurs, also due to their leverage, made use of policy windows that opened in the problem stream in response to the problem of high unemployment. Due to the fragmentation of policy communities, proposals easily passed a very narrow set of evaluation criteria. Coupled with the activation solution was the solution to invest in the capacities of public employment services in order to be able to implement activation. In a general context of processes of narrow political bargaining, political actors, in cooperation with war veterans as influential interest groups, pushed through proposals to extend benefits to such groups in BiH and Croatia. In the family policy realm, the situation was somewhat different. Here, political parties in power have usually made use of a ‘demographic decline’ frame (congruent with governments’ conservative ideologies) to push through proposals for pro-natalist measures, whereby maternity/parental leave benefits were also made more accessible. On the other hand, a ‘gender equality’ frame, promoted by CSOs together with international actors, and coupled with solutions such as a non-transferrable part of leave for fathers, had a difficult time making it onto the agenda of decision-makers (Croatia is an exception). CSOs in Serbia were successful in asking for their rights after an effective campaign, thus making use of a policy window in the political stream,

an exception to what CSOs have generally been able to achieve in a context marked by closed off policy-making processes. Last but not least, while international organizations, together with local policy communities, have tried to frame the poor availability, accessibility and quality of ECEC as a problem, it has been much more difficult to couple streams. As policy windows opened in the problem stream in the context of a broader education reform, actors were able to push through compulsory pre-school programs in BiH, Croatia and Serbia; otherwise, this realm is marked by gradual change, with policy communities continuously working to introduce new standards and thus improve the quality of early childhood education, rather than extensive investments that would improve the availability of such services.

The study has demonstrated the usefulness of the Sen's Capability Approach (CA) as a substitute for the concept of de-commodification, and for understanding what kind of impact policy changes may have on persons' 'real opportunities.' Moreover, the notion of conversion factors (gender, class, ethnicity, place of residence, ability, etc.) has allowed for a fine-grained analysis of inequalities in capabilities. Moreover, the Multiple Streams Framework and its rich explanatory power have facilitated the analysis of a complex set of policy changes over a long period of time. Its application in this study has moreover shown the utility of the theoretical expectations proposed by Herweg, Zahariadis and Zohlnhöfer (2018), even in the face of a very large number of cases.

This research has faced a number of limitations. First and foremost, its extensive scope has made it difficult to trace each individual instance of policy change in detail, which has also inevitably limited the ability of the study to identify specific causal mechanisms behind agenda change. Moreover, given the already extensive scope of this research endeavor, extending MSF to the study of decision-making processes that ultimately led to the policy changes that have been mapped out in the thematic chapters on employment and family policy was not possible. Such a focus could have illuminated the dynamics in the policy stream, and important conditions such as the role of veto players or political strategies that political entrepreneurs make use of to push proposals through. This may be the agenda of future research studying social policy making in this region.

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Annex I: Interview Guide

Name of research project: “A Common Legacy, Divergent Paths: Understanding the Transformation of Post-Yugoslav Welfare States”

Researcher: Mirna Jusić (mirna.jusic@fsv.cuni.cz)

Information about PhD research project

The author’s PhD dissertation aims to understand the nature of institutional transformations in the family and employment policy sectors in four countries of former Yugoslavia, Bosnia and Herzegovina, Croatia, North Macedonia and Serbia, over the last two decades, by looking at changes in the characteristics of programs, and their implications on the capabilities of beneficiaries, as well as levels of stratification that they may affect. Its other aim is to understand why such institutional transformations came about by identifying important conditions that have contributed to changes and looking at how their interactions may have led to different reform outcomes.

Interview information

The interview is anticipated to take 45 minutes of your time. Your personal information will remain confidential and no information that could identify you will be published. You may refuse to answer any questions you may not want to answer or may deem irrelevant and may choose to withdraw your participation at any point. I would like to ask you for your permission to make an audio recording of the interview. Data from the interview will be stored securely and confidentially and will be used exclusively for the purpose of this PhD research.

Interview Guide: Framework Questions [Employment Policy Realm]

Unemployment benefits (UBs) & Active Labor Market Policies (ALMPs)

1. What are, in your opinion, some of the most significant policy changes in the realm of passive and active measures in the country in the past two decades?

2. How did changes in the maximum duration of unemployment benefits and their levels in the country come about?
3. How did changes in the eligibility conditions for unemployment benefits come about?
4. How would you assess the prevalence of the following types of arguments for policy reform to address the problem of unemployment in expert and political discussions: 1) presence of disincentives, need for reducing UB and/or introduction of workfarist elements (imperative to accept any job / participate in ALMPs to retain employment status and/or benefits); 2) lacking skills, need to introduce (enabling) active labor market policies; 3) lacking capacities of PES, need for reform to provide services; 4) lack of income security – need to improve access to and generosity of UBs.
5. The expansion of ALMPs has been rather gradual in the country. Why is that so?
6. How would you assess changes in the coverage of ALMPs? Do you think there have been some significant changes in that respect – and if so, why?
7. How would you assess changes in the targeting of ALMPs? Do you think there have been some significant changes in that respect – and if so, why?
8. How would you assess changes in the quality of ALMPs in the country? Do you think there have been some significant changes in that respect – and if so, why?
9. How would you assess the involvement of various actors in the policy-making processes in this realm? How inclusive have policy processes been?
10. What actors have been influential in proposing or pushing through reforms in this realm? What actors have been influential in opposing reforms?
11. Are there some specific conditions you can think of (e.g. economic, institutional, cultural, etc.) that may have contributed towards support or opposition to reforms in this area?
12. How influential has the EU integration process been in effecting policy changes when it comes to passive and/or active measures?
13. In general, would you say that passive and/or active measures have received sufficient attention and been prioritized as a policy issue by decision-makers? Why/why not?

Interview Guide: Framework Questions [Family Policy Realm]

Maternity / paternity / parental leaves

1. What are, in your opinion, some of the most significant policy changes in this realm in the country in the past two decades?

2. How did changes in the duration of maternity / parental leave in the country come about?
3. How did changes in the benefit levels for maternity / parental leave in the country come about?
4. Access to maternity / parental leave benefits has become more universal in the country, in the sense that its access is no longer exclusively tied to the employment status of the beneficiary. How did such changes come about?
5. How would you assess the prevalence of the following types of arguments for policy reform in the context of expert and political discussions on maternity and/or parental leave in the country: 1) gender equality; 2) pro-natalist / demographic.
6. How would you assess the involvement of various actors in the policy-making processes in this realm? How inclusive have policy processes been?
7. What actors have been influential in proposing or pushing through reforms in this realm? What actors have been influential in opposing reforms?
8. Are there some specific conditions you can think of (e.g. socio-economic, institutional, cultural, etc.) that may have contributed towards support or opposition to reforms in this area?
9. How influential has the EU integration process been in effecting policy changes when it comes to leaves?
10. In general, would you say that maternity / parental leaves have received sufficient attention and been prioritized as a policy issue by decision-makers? Why/why not?

Early childhood education and care

11. What are, in your opinion, some of the most significant policy changes in this realm in the country in the past two decades?
12. It appears that over the past two decades, there have been efforts to improve the quality of ECEC in the country, both in terms of introducing stricter requirements with respect to staff qualifications, and in improving the substance of preschool / childcare programs. What have been some of the drivers behind such reforms?
13. At the same time, the expansion of ECEC services has been gradual in the country, despite high demand. Why is that so?

14. How would you assess the prevalence of the following types of arguments for policy reform in the context of expert and political discussions on ECEC in the country: 1) gender equality; 2) demographic; 3) equal access to education; 4) social investment.
15. How would you assess the involvement of various actors in the policy-making processes in this realm? How inclusive have the policy processes been?
16. What actors have been influential in proposing or pushing through reforms in this realm? What actors have been influential in opposing reforms?
17. Are there some specific conditions you can think of (e.g. socio-economic, institutional, cultural, etc.) that may have contributed towards support or opposition to reforms in this realm?
18. How influential has the EU integration process been in effecting policy changes in this realm?
19. In general, would you say ECEC has received sufficient attention or been prioritized as a policy issue by decision-makers? Why/why not?