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FAMILLE, LES PARENTS ET LES JEUNES A L'HEURE DE LA GENERATION NUMERIQUE[*]

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Resumé :

Cet article s'emploie à cerner la génération numérique qui, de nos jours, correspond aux jeunes adultes dont l'enfance et l'adolescence ont baigné dans les « nouvelles technologies de l'information et de la communication » et qui, sur cette base, ont décidé d'axer leurs études collégiales ou universitaires vers les domaines du multimédia, de l'informatique et des biotechnologies. L'analyse exposée cherche à savoir 1) si leur intérêt et leurs aptitudes en la matière se sont d'abord formés sous le mode ludique au sein de la famille pour ensuite se cristalliser sous la forme de compétences acquises au cégep ou à l'université dans l'intention d'exercer métier et 2) si la culture Internet assimilée à la génération numérique se fait vecteur de différenciation par rapport à la culture de leurs aînés sous l'angle de la transmission entre générations.

Mots-clés: famille, parents, generation, Internet

Cet article se propose de cerner la génération numérique qui, de nos jours, correspond aux jeunes adultes dont l'enfance et l'adolescence ont baigné dans les « nouvelles technologies » au point de vouloir y faire carrière pour nombre d'entre eux. Après avoir considéré la notion sur le plan théorique, la génération numérique adoptera ici le visage des jeunes qui, adeptes des « nouvelles technologies », ont axé leurs études collégiales ou universitaires vers les domaines du multimédia, de l'informatique et des biotechnologies.

Sur la base d'un sondage en ligne et de récits d'insertion, l'analyse décrite plus loin cherchera à savoir si leur intérêt et leurs aptitudes en la matière se sont d'abord formés sous le mode ludique au sein de la famille pour ensuite se cristalliser sous la forme de compétences acquises au cégep[1] ou à l'université dans l'intention d'exercer un métier sur cette base. Cela établi, on voudra savoir si la culture Internet assimilée à la génération numérique se fait le vecteur de différenciation par rapport à la culture de leurs aînés sous l'angle de la transmission entre générations.

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[1] Cegep est l'abréviation de Collège d'enseignement général et professionnel responsable au Québec des programmes de formation techniques ou préparatoires à l'université.

Qu'est-ce que la génération numérique ?

En raison de leur âge, les jeunes d'aujourd'hui sont vraisemblablement « tombés dans la potion numérique dès leur naissance » pour reprendre la formule lapidaire qu'Hervé Sérieyx (2002 : 34) met de l'avant pour affirmer qu'ils se révèlent par conséquent la première génération à s'être immédiatement frottée — tant au niveau individuel que sur le plan académique — aux nouvelles technologies de l'information et de la communication et au savoir qu'elles engendrent à l'échelle d'Internet.

Aux yeux de Don Tapscott (1998), les individus âgés de nos jours entre 8 et 28 ans, c'est-à-dire nés entre janvier 1977 et décembre 1997, représentent sans conteste la première cohorte démographique qui a immanquablement gravité dans l'orbite de l'informatique, des jeux vidéo, des progiciels et des technologies liées à Internet. Les sondages révèlent, chiffres à l'appui, qu'ils recourent en grand nombre à l'informatique dans une foule d'activités — jouer, s'informer, entreprendre des recherches en ligne, échanger des courriers et télécharger de la musique — et déclarent qu'ils ne sauraient s'en passer tant ils ont grandi avec l'omniprésence de l'informatique.

En effet, les études les plus récentes sur le sujet montrent, par exemple, que 79 % des jeunes Canadiens de 9 à 17 ans ont déjà utilisé Internet à domicile. De ce nombre, 71 % affirment se brancher avec l'intention de chercher de l'information de tout genre, principalement utile à leurs études, tandis que 57 % d'entre eux le font dans le but de télécharger de la musique et d'utiliser le courrier électronique. Quant aux parents, la majorité de ceux qui ont des adolescents branchés estiment que la connaissance d'Internet se révèle indispensable au succès futur de leurs enfants et reconnaissent que cette technologie constitue le moteur auxiliaire de leur apprentissage et de leur éducation (CEFRIO, 2001). Au Québec, les 18-24 ans composent de nos jours le groupe d'âge qui compte la plus forte proportion d'internautes (73,2 %), suivi des 25-34 ans (65,4 %) puis des 35-44 ans (60 %) (CEFRIO, 2001).

Or, cette « génération », adepte de nouvelles technologies, représente actuellement à l'échelle globale le tiers, pour ainsi dire, de la population des sociétés occidentales, notamment aux États-Unis où le nombre de ses membres s'élève à quatre-vingt-un millions d'individus (Solomon, 2000).

Les jeunes de la génération numérique baignent donc depuis leur naissance dans la « culture » qu'induisent les nouvelles technologies sous le signe de la mobilisation de la connaissance, de l' « ouverture d'esprit », de la flexibilité et de l'innovation. Sous l'influence d'Internet, ils sont en effet exposés à un vaste flux d'informations, d'idées et d'opinions qui circulent à la vitesse de l'éclair et les rend d'office sensibles au changement rapide et incessant. Ils acquièrent ainsi l'aptitude à « toujours chercher de nouvelles façons de faire les choses » (Jacob, 2002 : 50) et une forte propension à innover et à créer principalement sous le mode du *learning by doing* axé sur la résolution de problèmes. L'autonomie et l'indépendance se font vertus cardinales dans leurs rangs. Les nouvelles technologies se révèlent également les moyens par excellence pour tisser des liens avec autrui et former dans la foulée des « réseaux » afin de se mettre en quête de nouvelles connaissances et compétences acquises, par cela même, de leur propre chef.

Sur la lancée, on s'est employé à marquer la différence entre la culture des adultes et la culture Internet qu'affiche la génération numérique. Selon Tapscott (1998), sous l'égide de cette génération, la culture revêt de nouvelles qualités qui seraient par conséquent l'apanage des jeunes qui gravitent depuis longtemps déjà dans l'orbite des « nouvelles technologies ». En effet, contrairement à la génération de leurs parents, d'emblée associée

à ce média *passif* qu'est la télévision, la génération numérique, quant à elle, se fait l'adepte de l'*interactivit*é propre aux nouveaux médias représentés par les jeux vidéo, les progiciels, la micro-informatique et Internet.

L'interactivité qui gagne du galon dans leurs rangs dote les membres de la génération numérique de moyens et de pouvoirs susceptibles de forger précocement leur identité individuelle sur la base de leur adresse électronique, de leur propre page Web, voire des forums de discussion qu'ils animent, et qui valorisent leur personne à l'échelle de réseaux sans frontières. Dans cette optique, ils deviennent d'office les artisans de la culture Internet puisqu'ils la créent de leur propre chef en s'appropriant et en développant les qualités requises que sont l'ouverture d'esprit, la capacité de s'adapter, la flexibilité et la mobilisation des connaissances.

La culture Internet gagne du terrain dans cette veine tout en induisant une fracture numérique[2] entre les jeunes et leurs aînés, notamment leurs propres parents qui, s'ils savent programmer leur appareil vidéo, ont cependant peine à suivre les développements fulgurants des technologies dites nouvelles.

Culture, génération numérique et « nouvelle économie »

La génération numérique renferme de ce fait une foule de candidats aux études en phase avec la *digital economy* sur laquelle se fondent aujourd'hui les « emplois hautement qualifiés ». Elle apparaît ainsi comme l'artisane de la « nouvelle économie » fondée sur les savoirs et les compétences numériques qui donnent le ton aux entreprises centrées sur la « fluidité et la flexibilité » de l' « organisation moléculaire » qui sont légion par exemple dans les secteurs du multimédia, de l'informatique et des biotechnologies.

CULTURE INTERNET ET « NOUVELLE ECONOMIE »

En bref, l'expression « nouvelle économie » est née dans l'intention de rendre raison du *boom* économique des années 1992 et 1993 aux États-Unis sur fond de capitalisation boursière, de globalisation des marchés et de la révolution d'Internet, et, dans son sillage, de l'apparition de la Net-économie centrée sur les « nouvelles technologies de l'information et de la communication ». Elle désigne dans cette voie l'économie basée sur les emplois hautement qualifiés et l'organisation du travail en accord avec l'innovation, la flexibilité et la mobilisation des connaissances. Sous son égide, les entreprises mobilisent une main-d'œuvre extrêmement mobile, composée d'employés richement dotés en termes de connaissances et de compétences et, pour cette raison, prompts à claquer la porte si leur poste ne fournit pas ou ne fournit plus de défis à relever. Cette tendance dans leurs rangs les entraîne à embrasser des « carrières nomades » (Cadin *et al.*, 2003) sous l'influence desquelles se tarit la loyauté envers l'entreprise, mais fait gonfler leur « capital de carrière » sous le signe de l'opportunisme et de l'individualisme.

La collaboration entre employés est recherchée à tout prix afin de résoudre les nombreux problèmes que soulèvent la conception ou le développement de produits innovateurs et le travail réalisé au moyen de logiciels qui évoluent sans cesse. Les échanges entre collègues sont fortement valorisés et sont facilités par l'aménagement de

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[2] La fracture est certes à l'œuvre dans les rangs des jeunes, comme par exemple aux États-Unis, s'ils s'amalgament aux populations rurales, aux revenus faibles ou moyens, aux faibles niveaux de formation, aux minorités noires ou hispaniques, aux femmes… Si ce fossé numérique tend à se combler dans les pays occidentaux, la discrimination à l'accès et aux usages d'Internet s'accentue entre les jeunes des pays du Nord et du Sud (Moati, 2003 : 17).

bureaux « à aires ouvertes » favorables à la libre circulation de l'information, à l'entraide et à la synergie. Les études sur le sujet (Tremblay, 2003 a et b) notent à cet égard que l'organisation du travail revêt dans cette enceinte un « caractère ludique ou festif » qui vient « compenser les longues heures de travail imputables aux mandats et échéanciers à respecter » (Tremblay, 2003a :181). La gestion du personnel s'établit sans formalisme, voire dans une ambiance amicale, parce qu'on cherche à réduire la hiérarchie à zéro au profit de la franche camaraderie.

Le travail salarié, la sécurité d'emploi et la définition précise des tâches deviennent des points aveugles et semblent appartenir à une époque, pour ne pas dire à une culture révolue, celles des parents de la génération numérique au service de la nouvelle économie.

Plusieurs auteurs (Tapscott, 1996 ; Ashkenas, 1995; El Akremi *et al*., 2004) n'hésitent d'ailleurs pas à établir une sorte de corrélation entre la culture Internet issue de la maîtrise des nouvelles technologies et les « caractéristiques organisationnelles » au premier plan des entreprises axées sur la nouvelle économie dans laquelle s'insèrent les jeunes d'aujourd'hui.

CULTURE INTERNET		CARACTÉRISTIQUES ORGANISATIONNELLES DE LA NOUVELLE ÉCONOMIE
flexibilité		structure moléculaire et flexible
innovation	ouverture d'esprit	partage d'idées et collaboration
	capacité à s'adapter	innovation constante
mobilisation des connaissances		capacité à résoudre des problèmes

Sur cette base, force est d'admettre que les jeunes d'aujourd'hui, englobés dans la génération numérique, gravitent dans une « culture » qui tranche apparemment sur celle de leurs aînés que sont, par exemple, leurs propres parents. Qu'en est-il réellement ? Est-ce exact d'affirmer que les rapports entre générations sont dorénavant sujets à la fracture numérique ? En d'autres mots, les jeunes d'aujourd'hui se démarquent-ils de leurs aînés sur la base de la culture Internet ? On voudra donc savoir ici si cette dernière se révèle un vecteur de différenciation dans la transmission culturelle entre générations qui, en anthropologie, depuis Margaret Mead (1971) correspond aux « mécanismes de dévolution de biens matériels (mobiliers et immobiliers) et immatériels (statuts, pouvoirs et savoirs) » d'une génération à l'autre sans que celles-ci ne « soient jamais une reconduction mécanique du haut vers le bas » (Augé et Héritier, 1982 : 130).

La génération Numérique sous la loupe

La recherche conduite dans le but de retracer l'insertion professionnelle et sociale de la génération numérique dans la nouvelle économie apporte divers éléments de réponse à ces questions. L'insertion *professionnelle* désigne ici l' « accès en emploi » conçu en termes théoriques comme la trajectoire — complexe et non linéaire (Trottier, 2000) — propice à l' « exercice d'une activité » grâce à laquelle l'individu acquiert son indépendance en matière de « ressources matérielles » (Schehr, 2004 : 138). L'insertion

sociale, quant à elle, se conçoit plus largement dans cette veine. Elle se forme sur la base de l'ensemble des registres[3] en vertu desquels la personnalité de l'individu s'exprime sur le mode d'une identité née du sentiment d'avoir sa place dans la société, avec, en corollaire, le statut et les pouvoirs requis pour se percevoir comme le « produit et le média » (Giddens, 1994) de la « transmission culturelle » à l'œuvre dans la société selon la vision des anthropologues.

Cette étude cible à cette fin les jeunes qui ont axé leurs études collégiales ou universitaires sur les domaines en phase avec la nouvelle économie que représentent le multimédia, l'informatique et les biotechnologies[4]. L'ensemble de cette population étudiante a d'abord fait l'objet d'un sondage en ligne afin de cerner l'état des lieux et de mettre en lumière la proportion des étudiants : 1) qui ont couronné ou non leurs études par un diplôme dans les domaines du multimédia, de l'informatique et des biotechnologies ; 2) qui, depuis la fin de leurs études, ont évolué ou non dans des entreprises axées sur la nouvelle économie et 3) qui, au moment du sondage, y occupent des emplois à domicile.

Du même coup, le sondage en ligne a ensuite permis de repérer les membres de la génération numérique qui œuvrent *effectivement* dans leurs domaines d'études, ceux-ci étant intimement associés à la nouvelle économie qui donne le pas à la culture Internet. En bref, seuls les individus — diplômés ou non — qui gravitent actuellement dans le champ de la nouvelle économie sont ensuite devenus candidats à l'entrevue destinée à cerner leur insertion dans la culture Internet et, dans cette voie, dans les entreprises axées sur le multimédia, l'informatique et les biotechnologies.

Sous la forme du récit d'insertion (Demazière et Dubar, 1997), l'entrevue coure de l'apprentissage des « nouvelles technologies » jusqu'à la représentation qu'ils se font de leur domaine d'élection en passant par la culture en vigueur dans les entreprises qui les emploient. L'analyse cherche dans cette voie à cerner les médiations sociales à l'œuvre dans l'insertion professionnelle et sociale de la génération associée à la culture Internet. À vrai dire, médiation sociale correspond ici aux dispositions, aux valeurs et aux représentations qui teintent l'apprentissage des « nouvelles technologies » jusqu'à la conception que les membres de cette génération se font de leur domaine d'élection sur la base de leur propre expérience et de leur intégration en emploi dans les entreprises perçues comme figures de proue de la « nouvelle économie ».

Si l'analyse conduite dans la recherche dont il est fait état ici envisage globalement leur insertion professionnelle et sociale, elle se limitera pour les besoins de cet article à la « transmission culturelle » que cette dernière instaure entre la génération numérique et leurs aînés dans l'intention de vérifier si l'utilisation experte des « nouvelles technologies » numériques engendre véritablement une culture imperméable à celle de

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[3]   Au nombre desquels Sébastien Schehr (2004 : 138), dans sa volonté de ne pas « focaliser sur la question de l'accès à emploi » afin de concevoir l'insertion, englobe les « modes de consommation, les réseaux de sociabilités, les temporalités, les formes de mobilité, les pratiques culturelles, les relations de couple et les formes de sexualité ».

[4]   En détail, la population universitaire susceptible d'être rejointe est ainsi composée d'étudiants inscrits au programme de baccalauréat en biochimie et en informatique de l'Université de Montréal et de leurs homologues de l'Université Laval inscrits aux programmes de baccalauréat en biochimie, en microbiologie et en informatique. Quant aux étudiants des collèges, ils sont liés au programme Technique d'intégration multimédia du Cégep Lévis-Lauzon et du Collège de Maisonneuve ainsi qu'aux programmes spécialisés en biotechnologie de ce même établissement et du Cégep Sainte-Foy, les seules institutions à offrir de telles formations au Québec.

leurs propres parents et susceptible de donner corps à la fracture numérique entre ces générations.

À cette fin, l'analyse ciblera uniquement les jeunes qui ont axé leurs études collégiales ou universitaires sur les domaines en pointe avec la nouvelle économie et qui œuvrent de nos jours sous le couvert d'entreprises en multimédia, en informatique et en biotechnologie. Elle envisagera finalement la transmission culturelle entre générations sous quatre des points d'orgue de l'insertion que représentent à nos yeux l'apprentissage des « nouvelles technologies » sous le toit familial, les qualifications requises par leurs employeurs (aînés et souvent novices en la matière), les relations entre collègues au travail et la représentation que se font nos membres de la génération numérique de leurs domaines d'élection et de la culture qu'ils contribuent à former sous différents signes.

La transmission culturelle a l'heure du numerique et de la nouvelle économie

L'état des lieux illustré par le sondage en ligne[5] révèle que la majorité des répondants, soit 940 étudiants (65 % de la population), déclarent détenir le diplôme qu'ils convoitaient en s'inscrivant dans l'un de ces programmes tandis que les autres, soit 507 individus (35 %), avouent ne pas avoir pu l'obtenir. Toutefois, en matière de travail, on constate que 716 répondants (49,5 %) affirment jouir d'un emploi qui correspond au domaine de leurs études tandis que les autres, au nombre de 731 (50,5 %), considèrent qu'ils ne travaillent pas dans la sphère d'emploi correspondant à la formation reçue.

Si l'on porte attention à ceux qui travaillent *effectivement* dans le domaine auquel ils se destinaient, on observe, chiffres à l'appui, que 78,5 % d'entre eux sont diplômés, les autres, soit 21,5 %, ne peuvent se prévaloir des mêmes droits. Forts de leurs lettres de créance, 59,8 % des diplômés et diplômées s'engagent dans le domaine que préparaient leurs études tandis que les 40,2 % restants reconnaissent que leur emploi ne s'aligne pas sur les diplômes acquis au collège ou à l'université.

Ces résultats nuancent à bien des égards le portrait des jeunes férus de « nouvelles technologies » à la lumière duquel il suffit « d'être tombé dans la potion numérique » pour graviter dans la « nouvelle économie ». Les études certifiées sont requises pour accéder à l'emploi nimbé de la culture Internet sans toutefois que le diplôme ne suffise pour prendre pied en entreprise. Les « emplois hautement qualifiés » ne sont donc pas uniquement acquis sur la base des lettres de créance obtenues au terme d'études délibérément axées sur les domaines en phase avec la « nouvelle économie ».

L'apprentissage des nouvelles technologies sous le toit familial

L'analyse des récits d'insertion permet, quant à elle, de savoir comment est né au préalable l'intérêt envers les « nouvelles technologies », voire les domaines en pointe avec les techniques numériques.

Dans les rangs des artisans du multimédia, l'accoutumance aux technologies numériques a maintes fois été acquise sous le toit familial. En effet, nombreux sont ceux

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[5] On doit noter que le taux de réponse au sondage en ligne a été de 24,7 %, largement supérieur à la norme des *Web surveys* qui se situe à 10 %. Le site du sondage a ainsi accueilli 1 447 personnes sur l'ensemble de la population (6 464 personnes) qui ont pris le temps d'y répondre, soit 55,7 % d'hommes (806 personnes) et 44,3 % de femmes (641 personnes).

qui rapportent leurs aptitudes en la matière à leur premier contact avec des jeux vidéo, des ordinateurs et des progiciels : « Si je n'avais pas eu une machine, si je n'avais pas eu un ordinateur chez nous, je n'aurais peut-être pas suivi ce plan là. » (QC_NE15881, 200 : 216) L'expression *learning by doing* trouve ici son application. L'intérêt pour le multimédia s'est déployé au gré des expériences ludiques connues hors du rayon des études. L'ordinateur installé à domicile, d'abord source de loisir, devient ensuite vecteur de compétences personnelles, prélude à un intérêt soutenu pour le domaine; intérêt canalisé par la motivation de s'inscrire à un programme susceptible de confirmer leurs aptitudes sous forme de qualifications professionnelles. Le fait de se familiariser avec l'informatique, chez les étudiants qui ont décidé d'y faire carrière, a d'abord pris naissance dans la pratique des jeux vidéo et des expériences ludiques sur les équipements informatiques installés à domicile.

Les jeunes qui axent leurs études sur l'autre domaine de la nouvelle économie, les biotechnologies, sont enclins, quant à eux, à évoquer l'influence de la famille pour motiver le choix de leur programme d'études. La science, ou l'une et l'autre de ses disciplines, avait déjà droit de cité dans la famille dont les membres sont donnés en exemple. Souvent les parents, qui s'étendent à la famille élargie, se sont déjà frottés au savoir mathématique et scientifique et exercent des professions qui requièrent ces connaissances : « Depuis que je suis jeune, j'ai toujours dit que je voulais faire comme mon oncle. Mon oncle faisait de la recherche, c'est un chimiste. Il faisait de la recherche dans l'industrie pharmaceutique et ç'a toujours été mon idole et j'ai toujours dit : je vais faire comme Jean. C'est pour ça que je me suis dirigé vers les sciences… » (MTL_NE10971, 06 : 19) Les étudiants en biotechnologies sont plus nombreux à souligner cette influence dans leur décision de s'inscrire dans les programmes où la biologie se met au diapason de la technique. Les formations en ces domaines viennent sceller une passion pour les sciences formée dans l'enfance au contact, par exemple, des *Petits Débrouillards*, et entretenue depuis.

L'intérêt pour les technologies numériques — et les domaines connexes — s'enracine donc dans le milieu familial et se développe souvent sous l'influence de parents cependant vite désarçonnés par les connaissances et les compétences que sous-entend leur utilisation.

Les qualifications affichées par la génération numérique

Les qualifications affichées par la génération numérique qui désire prendre pied dans la nouvelle économie laissent également entrevoir la « culture » mise de l'avant sous l'optique de la transmission culturelle entre les générations en présence. En effet, les adeptes des « nouvelles technologies » s'immiscent sur le terrain des connaissances et des compétences en apparaissant, par rapport à leurs aînés, comme les dépositaires privilégiés de la culture Internet censément requise à tous égards.

En emploi, les novices du multimédia mettent en œuvre le large éventail des connaissances acquises qui, de par sa généralité, leur permet d'être polyvalents et flexibles d'entrée de jeu, puisqu'ils se sont frottés tant aux arts qu'aux techniques informatiques. De ce fait, leur formation leur donne des ressources afin de se spécialiser eux-mêmes selon les exigences de leurs emplois, mais également de pouvoir acquérir sur le tas de nouvelles connaissances dans le but de se perfectionner de leur propre chef.

« Ben on a appris ça la polyvalence, je pense. C'est quelque chose qu'on sait. Ça c'est notre plus qu'on a. Vu qu'on connaît un peu de tout, on est capable de partir avec une base de quelque chose puis on a les ressources pour aller pousser plus loin. » (MTL_NE12842, 55 : 50).

Ils découvrent toutefois sur le terrain que les employeurs — d'un « autre âge » — ne sont pas au fait du domaine dont ils sont issus et, par conséquent, en paient le prix en se voyant ignorés par les offres d'emploi ouvertes aux techniciens spécialisés. Ils sont donc contraints de jouer le jeu et de s'enrôler sous diverses spécialisations (webmestre, programmeur, etc.) afin de s'afficher ensuite sous leur vrai visage d'intégrateur en multimédia. S'ils mordent la poussière à cet égard face à leur employeur, les techniciens en multimédia sont nombreux à créer leurs propres entreprises afin d'exercer pleinement leur emploi sous le signe de la mobilisation des connaissances acquises, de l'innovation et de la flexibilité.

Si les jeunes informaticiens doivent présenter leur diplôme, ils doivent également compter sur leur expérience professionnelle étendue aux capacités qu'ils ont développées par leurs propres moyens. Les employeurs s'enquièrent souvent des compétences personnelles déjà acquises par le candidat. Dans les faits, ils cherchent à savoir s'ils ont affaire à des passionnés qui, souvent depuis l'enfance, se sont frottés aux technologies informatiques : « Ils cherchent des gens qui avaient déjà pratiqué la programmation avant leurs études. C'est parce que souvent, ces gens-là aiment beaucoup programmer, ils ont appris par eux-mêmes, ça démontre leur intérêt » (MTL_NE11428, 30 : 9).

L'autonomie qui se manifeste en ce cas témoigne de leur aptitude à se tenir au courant de l'actualité du domaine et, par conséquent, d'être ouverts à la nouveauté en s'y adaptant sur-le-champ. Sous le toit des entreprises, ils doivent pouvoir communiquer facilement afin d'œuvrer en équipe qui fait office de vecteur de production. L'esprit d'initiative vient couronner cette aptitude à pouvoir travailler de concert avec d'autres, tout en étant capables de contribuer individuellement au programme de l'équipe.

Aux yeux de nos jeunes interlocuteurs, les nombreuses mises à pied causées par l'effondrement du Nasdaq ont toutefois contribué au resserrement des qualifications requises par les entreprises. Livrés à la concurrence des aînés qui ont été débauchés au rythme du dégonflement de la « bulle numérique », les nouveaux venus doivent ostensiblement afficher leur disposition à se soumettre aux exigences de la culture Internet afin de prouver leur compétence.

Sous les auspices des biotechnologies, les techniciens doivent d'abord être méthodiques et rigoureux afin de se conformer à l'esprit scientifique qui anime leur travail en laboratoire. Ensuite, ils doivent être aptes à travailler en équipe, à pouvoir communiquer, à faire preuve d'autonomie et de sens des responsabilités, qualités qui doivent s'enraciner profondément dans leur personnalité et qu'ils doivent engager dans ce qui est attendu d'eux.

Ces mêmes qualités sont tout aussi indispensables lorsqu'il s'agit de recruter les biochimistes qui, par surcroît, doivent être au fait de l'actualité scientifique et ainsi contribuer personnellement à l'avancement des recherches auxquelles ils prennent part. À cette fin, ils ne doivent pas compter leurs heures de travail, mais au contraire se montrer polyvalents et capables de travailler sous pression. Ces qualités se font des exigences en fonction de la hiérarchie établie dans les laboratoires. Les aînés, maintes fois titulaires d'une maîtrise ou d'un doctorat et forts de riches expériences pratiques, affichent sur cette base leur supériorité hiérarchique qui éclipse d'emblée la culture Internet néanmoins requise de la part des jeunes recrues.

Au cœur même des entreprises, nos membres de la génération numérique nouent des relations avec leurs aînés pour les motifs de leur travail qui, en l'occurrence, fait appel aux « nouvelles technologies » au diapason de leur culture Internet. Et de quelle nature est donc la transmission culturelle entre les générations présentes dans ces hauts lieux de la

nouvelle économie où brillent les technologies numériques ?

Les relations entre collègues dans le domaine du multimédia et de l'informatique logent à l'enseigne de la bonne entente et de l'entraide fondées sur l'urgence de leurs tâches. L'esprit d'entraide naît du besoin pressant de collaborer entre les murs d'une entreprise. Car, outre ces circonstances, ils sont confinés à des tâches individuelles qui, pour certains d'entre eux – principalement les contractuels – sont réalisées à l'extérieur de l'entreprise, de telle sorte que les échanges se font rares.

Les jeunes tendent, en raison même de leur âge et de leur culture, à faire bloc en se démarquant de leurs aînés avec lesquels ils ont moins de points communs. « Il faut dire qu'il y a comme deux tranches d'âge majeures. Il y a beaucoup de gens qui ont en haut de 40, 50 ans, là donc c'est sûr qu'avec eux je suis bien chum, mais ce n'est pas avec eux que j'irais souper la fin de semaine. » (MTL_NE10894 17 : 28). Toutefois, les rapports noués avec les pairs, au fait de la culture Internet, restent superficiels et s'établissent sous le signe de l'utilitarisme. Devenir « chum » dans cette enceinte s'explique maintes fois par le besoin d'obtenir des informations ou des conseils afin de résoudre les problèmes sur lesquels on bute dans le travail. L'amitié se fait rare et s'exprime uniquement sous ce mode. Par exemple, les contacts avec les collègues qui quittent l'entreprise peuvent rester vivants, mais dans l'intention d'exploiter cette ressource potentiellement utile et mobilisable pour les fins de l'emploi.

En biotechnologie, les rapports entre collègues se conforment assez fidèlement à la hiérarchie des diplômes et des postes, les uns et les autres allant de pair, et cette hiérarchie préside à la division des âges sans égard à la culture Internet. En effet, si la cordialité est généralement de mise, chacun retrouve son camp sous le toit des entreprises, en empruntant les visages du technicien, de l'assistant de recherche et du patron de laboratoire au travail dans différents chantiers de recherche qui accentuent la division dans leurs rangs. L'amitié se noue rarement entre eux, autrement dit les liens tissés n'outrepassent pas les questions de travail et ne se poursuivent pas à l'extérieur de l'entreprise. Elle ne figure pas au programme chez certains, car ils pronostiquent leur départ de l'entreprise ou celui de l'un ou l'autre de leur collègue et, de toute façon, ils cherchent à éviter de mêler leur vie privée et le travail.

Ils n'hésitent pas toutefois à affirmer qu'ils forment, à leur échelle, une « belle gang », voire une « famille » dont ils parlent avec éloquence et fierté sans que la culture surgie de leur familiarité avec les nouvelles technologies n'entre en ligne de compte. La syndicalisation se révèle davantage le motif propre à les différencier de leurs aînés. En effet, à l'unanimité, qu'ils évoluent sous l'égide des biotechnologies, de l'informatique ou du multimédia, ils voient dans les syndicats des trouble-fête désireux de réglementer le travail et, ce faisant, d'entraver les « défis » et les aléas du travail au nombre desquels figurent la flexibilité et l'innovation qu'ils associent derechef à leur « culture » qu'ils font cependant valoir à l'échelle individuelle en voulant négocier personnellement leur salaire et leurs conditions de travail sur la base des compétences qu'ils se reconnaissent eux-mêmes.

La représentation des domaines de la nouvelle économie

Si la culture Internet engendre une fracture de cet ordre entre les générations en présence sous le toit des entreprises, l'image que se font les membres de la génération numérique de leurs domaines de spécialisation est loin de correspondre à une culture qui se démarque de celle de leurs parents. Elle ne s'aligne pas non plus sur le credo de la nouvelle économie selon lequel le multimédia, l'informatique et les biotechnologies représentent la pointe du développement technique et scientifique qui trace les voies de l'avenir.

Sous l'égide de la biotechnologie, les biochimistes et microbiologistes tendent notamment à penser que leur domaine ne tranche pas outre mesure au regard des autres secteurs d'emploi. L'exercice du métier en laboratoire n'a rien de singulier. Les tâches auxquelles ils se livrent restent, à leurs yeux, ordinaires si l'on fait abstraction de l'appareillage technique qui donne corps à leur travail. Du même coup, ils sont nombreux à déclarer ne pas appartenir à l'élite, bien qu'ils aient fait des études avancées. Modestes, ils affirment ne pas occuper un échelon supérieur à d'autres corps de métier, ni se sentir supérieurs face à leurs aînés par le fait qu'ils savent manipuler les « nouvelles technologies ».

Toutefois, nos biochimistes tirent gloire de devoir être constamment à l'affût des développements scientifiques et techniques. Ils restent à flot en suivant l'actualité des connaissances scientifiques de pointe qui font d'ailleurs l'objet d'une rude concurrence entre les spécialistes du domaine. Les biotechnologies sont cependant mal connues et sont matière à controverse dans l'opinion publique au grand dam de leurs artisans qui cherchent à les dissiper face aux néophytes de leur entourage, notamment les parents.

Les techniciens en biotechnologie tendent, pour leur part, à souscrire au discours sur la nouvelle économie selon lequel leur domaine se situe à la pointe de l'innovation scientifique. Sur les bancs d'école, on leur a fait miroiter que leur technique était un domaine d'avenir, mais l'expérience leur a montré qu'il était difficile de percer le marché du travail et de contribuer, à leur niveau, à l'essor de leur domaine et de la nouvelle économie. S'ils parviennent à décrocher un emploi, celui-ci a l'éclat de la science pour leurs aînés, mais dans leur tête il représente un métier qui, devenu courant, tout comme la science et la technique, n'offre plus l'attrait de l'innovation. Ils en tirent néanmoins du prestige en l'occurrence.

« Mais c'est sûr que mes parents, eux autres ils n'ont pas vraiment eu des cours vraiment poussés en science, c'est sûr qu'ils connaissent moins ça, fait que à ce niveau-là pour eux c'est un emploi non conventionnel, mais pour notre génération, je pense que c'est plus la norme, c'est plus régulier tsé. » (MTL_NE10412, 11 : 75)

« Il n'y a pas beaucoup de monde en tout cas qui connaît ça, ce milieu-là. Donc, à chaque fois que tu parles de ton travail, c'est toujours que le monde te regarde avec des grands yeux puis impressionnés un peu là, c'est bizarre. Mais non conventionnel, j'irais peut-être pas jusque-là. » (QC_NE13090, 64 : 38)

« Ça évolue tellement vite que nous autres c'est comme, il n'y a plus rien qui nous impressionne. […] Mes parents s'émerveillent encore de voir les progrès de la technologie, puis moi je suis comme : Bien oui. Tu sais pour nous autres c'est tellement normal. […] On ne s'émerveille plus de ce qui est nouveau parce qu'on est trop habitué d'avoir trop de nouveau. » (QC_NE1622, 105 : 47)

À l'heure de l'effervescence des nouvelles technologies, la création des logiciels et des sites web apparaissait comme une mine d'or aux yeux des jeunes étudiants qui ont décidé de s'orienter vers le multimédia. En effet, en allant dans cette direction, ils allaient se frotter à un nouveau domaine, directement issu des « nouvelles technologies », et être en phase avec la culture Internet.

Cependant, cette image s'est vite révélée un mirage puisque les nouveaux venus peinent aujourd'hui à se trouver un emploi et doivent dans ces circonstances se résoudre à un régime de travail à contrat que l'on obtient au terme d'une vive compétition. Le régime des vaches maigres se profile toujours à l'horizon, contrairement à l'idée qu'on se faisait de l'avenir en ce secteur.

Si jadis le domaine paraissait réservé aux initiés, la popularité de la micro-informatique pour usage personnel a contribué à le démystifier. De surcroît, les nouveaux logiciels faciles à exploiter par les novices menacent sérieusement de mettre en cause les services qu'ils peuvent offrir, sauf si l'utilisateur affiche des compétences issues des plus récentes innovations en la matière.

L'essoufflement qu'ils perçoivent du commerce en ligne, des sites Web et d'Internet annonce le plafonnement du domaine auquel leurs études les ont préparés. À leurs yeux, la popularité du multimédia est en chute libre et, dans ces conditions, l'avenir semble peu reluisant.

Imbus de leur formation universitaire, les informaticiens se représentent leur discipline en état de constante ébullition. Les développements rapides du domaine les conduisent à penser que ce dernier se révèle aujourd'hui à ce point « vaste » qu'il les entraîne à se spécialiser dans l'une ou l'autre de ses branches. Si l'opinion publique voit couramment dans l'informatique l'exploitation de machines, ses jeunes artisans l'associent au contraire aux formules mathématiques et logiques nécessaires à la résolution de problèmes par le moyen de l'ordinateur. Dans cette perspective, leur travail paraît difficilement saisissable par le profane, surtout si celui-ci appartient à une génération qui ne s'est pas initiée aux technologies de l'information.

Sur cette base, l'informatique est perçue par ses propres adeptes comme un domaine stimulant et opérant à la fine pointe de l'innovation. En contrepartie, la performance est la règle, tout comme faire preuve de flexibilité en s'adaptant à l'évolution des connaissances, aux emplois à court terme, au régime du temps supplémentaire et au travail en équipes qui se livrent entre elles à une compétition féroce au nom de la productivité

EN MANIERE DE CONCLUSION

L'analyse révèle au bout du compte que la flexibilité, l'innovation et la mobilisation des connaissances de pointe associées à la culture Internet correspondent à des qualités dans l'orbite des entreprises au sein desquelles évolue la génération numérique. En revanche, la culture Internet ne représente pas forcément un vecteur de différenciation dans la transmission entre les générations. À la lumière du tableau suivant, on est fondé à penser que la culture Internet prend ce visage uniquement dans l'esprit des jeunes en informatique inversement aux artisans des biotechnologies.

	MULTIMEDIA	INFORMATIQUE	BIOTECHNOLOGIES
APPRENTISSAGE NTIC	-	-	-
QUALIFICATIONS	+	+	-
RAPPORTS AVEC LES COLLEGUES	+	+	-
REPRESENTATION	-	+	-

Légende : Culture Internet + vecteur de différentiation, – non vecteur de différentiation entre les générations.

Cela posé, les résultats issus de l'analyse viennent singulièrement nuancer la thèse de Margaret Mead selon laquelle, dans les sociétés modernes en proie à des mutations technologiques et culturelles rapides et incessantes, les jeunes sont contraints de faire fi de la culture de leurs aînés. Sur la lancée, ils deviennent responsables de la transmission culturelle en cherchant à mettre ces derniers au diapason de la culture orchestrée par leurs soins afin de répondre au changement social tant la culture « ancestrale » s'érode sous sa pression. Elle note à cet effet que

« … dans les études que j'ai menées sur la transmission de la culture, j'ai trouvé commode de faire la distinction entre les cultures où les changements sont si lents que les acquisitions que pouvait faire un enfant étaient pratiquement définies à sa naissance, et celles où ils sont si rapides que les jeunes, et parfois les adultes, apprennent davantage de leurs pairs que de leurs aînés. Or nous entrons dans une phase nouvelle, les adultes du monde entier devant admettre que l'expérience de leurs enfants est différente de celle qu'ils ont eue… À l'heure actuelle, nous abordons une période historique sans précédent, où les jeunes acceptent une autorité nouvelle, celle d'une appréhension préfigurative d'un futur encore inconnu. » (Mead, 1971 : 30-31)

Les jeunes qui évoluent dans les domaines en pointe avec la « nouvelle économie », bien que « tombés dans la potion numérique depuis leur naissance », ne tendent nullement à envisager la culture Internet comme étant imperméable à la culture des aînés. La flexibilité, l'innovation et la mobilisation des connaissances numériques ne semblent pas creuser d'office le « fossé des générations » que la célèbre anthropologue décelait à son époque dans la transmission culturelle soumise à la pression des « changements technologiques ».

Selon nous, les résultats de l'analyse s'éclairent à la lumière de la « démocratie intergénérationnelle » que Gilles Pronovost (1996 : 154) entrevoit dans la transmission en acte dans les goûts et les pratiques culturelles et « qui se serait instaurée à l'intérieur de la famille, du point de vue des jeunes tout particulièrement ». Ce partage de la culture se révèle, à ses yeux, comme le prélude à la démocratie intergénérationnelle qui « renvoie à des modèles de transmission des goûts et des valeurs, d'introduction de normes de comportement qui mettent en jeu non pas des modèles d'autorité, mais une sorte de diffusion horizontale en vertu de laquelle ce sont tantôt les jeunes et tantôt les adultes qui s'influenceront mutuellement ».

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LES SOCIABILITES URBAINES : ESPACES, PRATIQUES ET TEMPORALITE. RIADH-EL-FETH A ALGER

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Resumé :

Les phénomènes sociaux de longue durée telle que la sociabilité relèvent des conduites humaines normées qui vont de pair avec les changements de la structure sociale (Elias, 1991). Lorsque l'on parle de sociabilité urbaine, on fait référence à des formes de relations propres à un espace à savoir, la ville. La sociabilité urbaine ou l'urbanité peut être définie comme des aptitudes à fonder des réseaux et à créer des liens spécifiques à un lieu. Cette compétence permet aux individus de se positionner dans l'échiquier des rôles sociaux et de participer aux expériences de la ville dans un contexte d'échanges policés avec pour finalité la co-présence. Cela n'est possible que si les relations codifiées par des logiques de proximité et de distance s'inscrivent dans l'acceptation de l'altérité.

Qu'en est-il à Alger où malgré les changements qui affectent les normes sociales, celles-ci restent fortement marquées par le contrôle social sur l'individu ? Dans quelle mesure Riadh El Feth (Parc de la Victoire), un espace de promenade et de loisirs, peut-il influencé les formes de sociabilité en public et quels seraient les indices de cet impact ?

Mots-clés : Alger, sociabilité, urbanité, espace urbain, normes sociales

Introduction

Les travaux fondateurs de Simmel s'attachent à montrer la nature des relations que les gens entretiennent entre eux dans la grande métropole. De cette réalité urbaine se dégage une culture propre fondée sur les compétences individuelles à gérer le rapport à l'autre selon le contexte. Dans cette perspective, les notions de réserves, d'anonymat, d'évitement ainsi que la présence de l'étranger comme figure majeure du citadin sont mobilisées. Si les sociabilités en milieu urbain soulèvent des questions liées à des interactions individuelles dans une temporalité longue, elles sont à observer comme un tissu de relations interrogeant le travail de la société sur elle-même. Les phénomènes sociaux de longue durée relèvent des conduites humaines normées qui vont de pair avec les changements de la structure sociale (Elias, 1991). Lorsque l'on parle d'urbanité, on fait référence à des formes de sociabilité propres à un espace et plus précisément, la ville. L'urbanité peut être définie comme des aptitudes à fonder des réseaux et à créer des liens spécifiques à un lieu. Cette compétence permet aux individus de se positionner dans l'échiquier des rôles sociaux et de participer aux expériences de la ville dans un contexte d'échanges policés avec pour finalité la co-présence. Cela n'est possible que si les relations codifiées par les logiques de proximité et de distance s'inscrivent dans l'acceptation de l'altérité. Qu'en est-il à Alger où malgré les changements qui affectent les normes sociales,

celles-ci restent fortement marquées par le contrôle social sur l'individu ? Plus précisément, dans quelle mesure *Riadh El Feth* (Parc de la Victoire), un espace de promenade et de loisirs, peut-il influencé les formes de sociabilité en public et quels seraient les indices de cet impact ? Peut-on accréditer *Riadh El Feth* d'un rôle moteur dans le changement social ou serait-il comme tout autre espace submergé par les normes sociales dominantes ?

Changer la ville, changer les sociabilités ?

Riadh El Feth est la première action urbaine d'envergure dans l'espace algérois depuis l'indépendance. En ce sens, la charge symbolique du lieu est considérable. Ce complexe culturel et commercial équivaut à une nouvelle étape de l'histoire urbaine d'Alger. Il concrétise, de façon spectaculaire, une monumentalité dont le sens est à rechercher dans les idéaux de l'Etat. La réalisation d'un tel projet correspond à une période de changement politique marquant la rupture avec le rigorisme socialiste et l'exaltation d'un certain libéralisme[6]. L'argumentaire le plus évident pour la réalisation de cet espace symbolique repose sur la volonté des pouvoirs publics de produire une nouvelle image de la ville. Le projet urbain devient dès lors un référent à partir duquel le politique élabore un discours légitimé par l'action[7]. Tout donne à penser que la mainmise du pouvoir sur la ville passe par le contrôle de ce lieu stratégique.

Edifié sur les crêtes de la ville, au sein d'un quartier populaire, cette oeuvre architecturale intelligente a su tirer profit du paysage urbain et mettre à profit le génie du lieu dans un des plus beaux sites de la capitale. En effet, la cité de *Diar El Mahçoul* (architecte : Fernand Pouillon, 1953) avec ses façades de pierres et ses palmiers, ajoute une embellie à ce paysage malgré les insuffisances de la réhabilitation. Si la construction du complexe de *Riadh El Feth* répondait à des objectifs précis, elle visait des domaines différents quoique interdépendants : la réalisation d'un nouveau pôle de centralité[8] en prolongement des deux premiers situés en contrebas : Place des Martyrs et Place du 1er Mai ; la formation d'un espace d'activités culturelles et de loisirs ; la mise en oeuvre d'une symbolique étatique à travers la lutte de libération nationale et « les trois révolutions » (agraire, industrielle, culturelle) qui soutiennent l'édification de la société socialiste.

Au final, *Riadh El Feth* est un espace public plurifonctionnel de dimension importante (146 ha). Il est composé de plusieurs éléments formant un ensemble cohérent

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[6] - Il est pratiquement impossible de connaître le coût exact de cet ensemble architectural moderne réalisé par un bureau d'études canadien (Lavalin International) au début des années 1980. Toutefois, il semblerait que la facture s'élève à plusieurs milliards de francs dont plus d'un milliard pour le seul *Makkam Ech-Chahid* (sanctuaire des martyrs). Le lieutenant colonel Hocine Senoussi, premier directeur de l'OREF (Office de Riadh El Feth), à qui on a reproché de « créer l'illusion au lieu de promouvoir la culture », disait à ce sujet : « *Au siècle dernier, les pères du nihilisme disaient : une paire de bottes vaut mieux que Shakespeare. Dans leur sillage nos esprits chagrins s'émeuvent du coût de Riadh El Feth et s'interrogent sur son « utilité » comme si le symbole avait un prix marchand et la culture une valeur commerciale* », in *Algérie-Actualité* n° 1093, 25 septembre - 1er octobre 1986, p. 29.

[7]- Force est de reconnaître que malgré les apparences, le projet *Riadh El Feth* n'a jamais fait l'unanimité au sein même du pouvoir : « *Dès le départ, on avait sur le dos ceux pour qui Riadh El Feth était Houbel (cf. note 3) et ceux pour qui c'était une belle gabegie. Le pouvoir n'était pas cohérent dans son attitude* », dira Senoussi H. après son départ de la direction de l'OREF, in *Algérie-Actualité* n° 1278, semaine du 12 au 18 avril 1990.

[8] - Si Riadh El Feth est physiquement coupé du centre-ville par sa situation en hauteur (Alger est une ville escarpée), il se situe dans son prolongement par la logique de la centralité et l'orientation du développement urbain. Il ne s'agit pas d'une centralité périphérique.

dans un site d'exception. : - *Makkam Ech-chahid* (sanctuaire du Martyr) inauguré en 1982 lors de la cérémonie du vingtième anniversaire de l'indépendance. Ce mémorial se compose de trois palmes stylisées en béton d'une hauteur de 92 mètres qui se rejoignent à 45 mètres du sol. Sa taille et sa position sur les hauteurs donnent au monument une grande visibilité dans l'ensemble de la ville. Cette conception de l'espace public traduit de façon évidente les fondements sur lesquels repose la construction de la légitimité de l'Etat. Les discours et les pratiques qui en découlent peuvent être considérés en termes d'adhésion, de contestation, d'innovation, en empruntant les canaux de la religion, de l'économie ou du culturel ; - Le Centre des Arts est un centre commercial et culturel, creusé en forme de croissant à même la colline et s'étend sur trois niveaux. Dans l'esprit des cours intérieures des vieilles demeures de la Casbah, il s'ouvre sur un patio (*M'rah*) agrémenté d'une fontaine et de plantes vertes. Quelques marches en demi-cercle lui donnent l'allure d'une agora. Le Centre des Arts réunit 127 boutiques (prêt-à-porter, haute-couture, chaussures, bijoux, parfums, coiffure, vidéothèques, meubles modernes ou traditionnels, articles électroménager, artisanat, librairies, fleuristes, maroquinerie, disquaires, etc.), plusieurs services publics (agences de voyage, compagnie aérienne, poste, banques), 24 restaurants, salons de thé et glaciers, trois salles de cinéma dont une cinémathèque, une salle de jeu, deux salles multifonctionnelles regroupant plusieurs ateliers (BD, poésie, échecs, photo, cinéma amateur, philatélie, etc.), un petit théâtre, deux galeries d'exposition, des salles de conférences, une discothèque, une boite de nuit, un parking souterrain de 700 places. Le Centre des Arts se rapproche par certains aspects, des grands centres commerciaux des pays occidentaux mais il s'en démarque toutefois par le caractère culturel réel ou supposé et par une atmosphère plus calme et plus détendue ; - Le Bois des Arcades, vaste ensemble boisé de détente et de promenade dans lequel s'insère le « Village des Artisans ». Autour d'une placette centrale sont regroupés 27 ateliers, 5 restaurants, 3 cafés (glaciers, salons de thé) et un théâtre de verdure situé en contrebas, face à la mer. Le chemin piétonnier reliant le « Centre des Arts » au « Village des Artisans » est ponctué de petites haltes avec restaurants, buvettes et le seul café typique de cet ensemble qui tente de reproduire, dans la forme et dans l'esprit, l'ambiance des cafés de la Casbah avec musique *chaâbi* (populaire) et tables basses.

Riadh El Feth a donc été conçu comme une rupture avec l'ordre existant pour sortir la capitale de sa léthargie en impulsant l'atmosphère des « *Ramblas* » à Barcelone, de la « *Piazza Navona* » de Rome ou de « Beaubourg » à Paris. Pour cela, un système de signes est déployé à partir de plusieurs éléments : d'abord, la mise en oeuvre d'une centralité « moderne » en accord avec les nouvelles aspirations d'une couche aisée de la population, ensuite l'expression d'une volonté politique pour le passage vers une société plus libérale et enfin, l'émergence d'une nouvelle sociabilité urbaine dont l'élément le plus significatif est la pratique de la mixité dans l'espace public. Tous ces éléments conjugués confèrent à ce lieu un statut spécifique. Force est de constater que les observations in situ montrent une concordance des signes entre la volonté des concepteurs et la réalité des usages. Le dispositif mis en oeuvre donne à voir une corrélation entre l'image et ce qu'elle représente. Les manifestations culturelles (concerts, défilés de mode, expositions d'art, de matériel scientifiques sophistiqué, rencontres scientifiques...) organisées par la direction de *Riadh El Feth* (y compris au pire moment de la crise politique) ont pour fondement ce même principe : fabriquer les signes attestant les aspirations vers une société moderne. Enceinte sacrée à ses débuts, véritable citadelle financée sur fonds publics, *Riadh El Feth* est encore aujourd'hui un espace protégé. Aucun « désordre » ne peut l'atteindre du fait de sa situation géographique et de ses « entrées contrôlées ». Il permet de ce fait la déambulation sans

risques d'être rattrapé par la violence urbaine.

Un lieu aux sociabilités spécifiques

Contrairement à une idée reçue selon laquelle il y aurait un rejet du lieu par les Algérois, les enquêtes menées sur le terrain indiquent la complexité du rapport au lieu qui nécessite une approche plus nuancée de l'acceptation ou du rejet. La majorité des personnes interrogées ont une appréciation plutôt positive liée à l'idée du monument comme symbole de l'histoire récente du pays (la lutte pour l'indépendance). En ce sens, les contradictions des représentations n'affectent en rien la symbolique nationale qu'il incarne. Mieux, les Algérois partagent pleinement le discours officiel concernant cette phase importante de l'histoire du pays. En revanche, si la symbolique du monument est reconnue, l'appréciation du lieu est plus ambiguë par l'effet de l'expérience. En effet, le centre moderne alliant le shopping, les loisirs et les activités culturelles, atténue les effets symboliques attachés à la mémoire des martyrs. La symbolique étatique qui se veut « moderne » superposée à la symbolique du sacré aboutit à une interprétation ambivalente du lieu. C'est ainsi que la déconstruction de l'image, même si elle n'est pas évidente, n'en est pas moins omniprésente dans les esprits et sourd parfois sous forme de boutades. Il est intéressant de s'interroger sur les origines du sobriquet « *houbel* »[9] dont fut affligé le lieu dès le début du projet. Pourquoi a-t-on usé de cette image de l'impur pour désigner un espace de sociabilité ?

Nombreux sont les Algériens qui n'avaient jamais entendu le terme « *houbel* » auparavant. Il est vrai que le vocabulaire ordinaire n'offre pas de mot spécifique pour désigner cette forme architecturale commémorative. Néanmoins, la raison première de cette désignation *(houbel)* n'est pas à rechercher dans les insuffisances du vocabulaire mais bien plus dans le rapport du lieu à la religion, d'une part et au pouvoir, d'autre part. Pourtant, *Makkam Ech-Chadid* (Mausolée du martyr) n'est pas exempt d'une symbolique spécifique aux valeurs de l'islam. Il met en scène l'évocation d'une monumentalité de référence religieuse qui balise de façon implicite l'histoire de la nation. De ces formes spécifiques de la monumentalité (religieuse ou politique) et des discours propres à ces formes, se dessinent les prémisses d'une lutte de pouvoir pour le contrôle d'un espace public plus large (le complexe *Riadh El Feth*) qui met en scène une sociabilité ouverte à la différence.

Si *Riadh El Feth* cristallise des référents divers en rapport avec l'état d'une société en recomposition, il offre l'image d'une ville idéale : propre, moderne, sans violence fonctionnant comme une « *bulle aseptisée* » ou « *machine célibataire* », coupée des dysfonctionnements et des violences de la ville. On y observe de nouvelles formes de sociabilité dans l'apparition en public : les restaurants, les terrasses de glaciers et les galeries commerçantes accueillent des groupes de femmes, des jeunes couples, des familles... La mixité dans l'espace public ainsi que l'expression d'une certaine sexualité (les rencontres galantes) sont tolérées. *Riadh El Feth* est l'un des rares lieux où « la

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[9]- Du nom d'un sanctuaire païen pré-islamique à la Mecque, ce qui détermine son caractère impur. Cette temporalité morale désigne par *El Jâhiliyya* (« l'ère de l'ignorance »), la période qui a précédé l'avènement de l'Islam. Il faut ajouter que cette dénomination a été adoptée également par tous les mécontents, les désenchantés ainsi que les détracteurs de tous bords. Certains auteurs mettent en évidence les interactions du religieux et du politique dans diverses sociétés contemporaines y compris dans les démocraties occidentales. Ils s'interrogent sur les fondements de ces antagonismes : « Ces deux pouvoirs qui s'affrontent si souvent dans une relation dynamique, ne s'efforcent-ils pas également d'enraciner leur légitimité l'un dans l'autre : le politique dans le religieux et le religieux dans le politique ». cf. *Le genre humain*, « Le politique dans le religieux », EHESS, mai 1991.

famille »[10] peut s'attabler pour s'offrir une glace ou une « gazouz » (boisson gazeuse) sans être inquiétée. De ce fait, « prendre une glace à *Riadh El Feth* » devient le prétexte essentiel de la sortie. La magie du lieu opère en modifiant les comportements[11] et en imposant le respect d'autrui. C'est en ce sens que cette coexistence pacifique, incontestable réussite de *Riadh El Feth*, permet de mettre en évidence de nouvelles formes de sociabilité en public et d'en mesurer par ailleurs les limites qui inscrivent le lieu dans une ambivalence constante et rappellent à l'ordre établi. Pour certains, *Riadh El Feth* offre les avantages d'un lieu convivial où se manifestent de nouvelles façons de vivre (rencontres amoureuses, concerts en plein air, flânerie, lèche-vitrines, cinéma...). Pour les femmes, c'est un espace salutaire où se concrétisent certaines « libertés ». De même, il offre aux jeunes une sorte d'évasion qui les éloigne de la routine pesante du quotidien. *Riadh El Feth* est sans conteste un espace fonctionnel, modernes et attrayants qui offre aux visiteurs plusieurs niveaux de services (boutiques, banques, agences de voyage, poste, etc.) mais aussi la détente (espaces verts, cinéma, expositions...). Il a été le premier espace dans la ville à créer la rupture avec la monotonie des quartiers. On pourrait croire alors que *Riadh El Feth* est une enclave, une niche où se déploient des pratiques nouvelles en rupture radicale avec les espaces normatifs du centre-ville. Il n'en est rien. Les appréciations franchement négatives soulignent l'incohérence du lieu. *Riadh El Feth* apparaît dès lors comme un site inutile d'autant qu'il a nécessité des investissements importants au détriment d'autres projets plus sociaux. Ces remarques indiquent un mécontentement social lié à la symbolique du lieu (différenciation sociale et référents religieux). De ce fait, si *Riadh El Feth* a acquis un statut particulier dans le paysage algérois presque au même titre que la Casbah[12], il n'a pu fonctionner comme une bulle coupée de son environnement urbain. Toutes ces contradictions participent à la banalisation progressive du lieu même si de temps à autre, des activités exceptionnelles s'y déroulent encore. Il est indéniable que les normes sociales finissent par baliser les pratiques et recadrer les sociabilités.

Sociabilité urbaine et référents communautaires

En inscrivant ses référents dans l'espace, la société s'appuie sur une temporalité longue celle de la mémoire et de l'histoire de la nation. La ville traditionnelle au Maghreb encourageait les relations sociales intenses fondées sur la convivialité, la solidarité et l'entraide. Cette ville dont la caractéristique principale est la proximité sociale et spatiale, donne au voisinage un sens sacré où le code de l'honneur en tant qu'indice de la présentation de soi est omniprésent et rigoureux[13]. Dans une forme idéale de la cité, la ville ordonne des comportements marqués par la sacralité des relations comme référent culturel

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[10] - Au sens d'unité de références morales même si elle n'est pas réelle comme pour un couple non marié par exemple.

[11] - Les « entrepreneurs de morale » sont partout et à tous les niveaux de la hiérarchie sociale : « *Parce que notre action a fini par avoir un impact extraordinaire, nos ennemis se sont attelés à chercher la petite bête. Ils pouvaient toujours dire qu'à Riadh El Feth, les couples marchent bras dessus bras dessous. Rien d'extraordinaire, cela ne se fait qu'à Riadh El Feth. Et puis je ne suis pas responsable des comportements des gens. Il fallait donc trouver autre chose pour nous salir. On a essayé de nous coller des magouilles* » : Senoussi H., directeur de l'OREF, in *Algérie-Actualité* n° 1278, du 12 au 18 avril 1990.

[12] - La Casbah, quartier le plus ancien d'Alger, constitue le référent historique essentiel de la ville et de son identité.

[13] - L'honneur et la fierté, en tant que référents de la face sociale sont une contrainte considérable imposée aux individus par la société : Cf. E. Goffman, *Les Rites d'interaction*, Paris, Minuit, 1974, p. 13.

du groupe social.

A ce titre, la ville est abordée en tant que processus dynamique d'appropriation de l'espace urbain. Dans l'imaginaire collectif, la ville est un espace communautaire idéal, un espace d'inter-connaissance qui identifie le semblable. Si la mobilité accrue des populations aboutit à la restriction des formes de solidarité traditionnelle, de telles pratiques persistent dans certains quartiers populaires d'Alger. Dans les quartiers populaire, la notion de *houma* autrement dit « quartier communautaire » est fondamentale et le sentiment d'appartenance exacerbé à tel point que la solidarité de groupe peut se transformer en un revers signifié par la figure du « *houmiste* » qui se méfie du regard de l'autre et considère comme « étrangers » tous ceux qui n'habitent pas le quartier. Cette forme d'identification au lieu s'affirme « comme si le stigmate avait acquis ses lettres de noblesse » (S. Ostrowetsky, 1995). Ce qui apparaît ailleurs comme transgression des règles du dispositif civique ou comme déficit d'urbanité, est considéré par les habitants comme ordinaire puisqu'ils sont « chez eux ». Les autres, les étrangers de passage, se doivent de respecter les formes d'usage. Toute controverse est perçue comme une inconvenance et un manque de respect envers les habitants du quartier. De ce fait, la hiérarchisation spatiale se fonde sur des espaces de proximité (rues, impasses, passages, cages d'escaliers, places...) servant de support aux échanges collectifs et un domaine du public dans les boulevards et les grandes avenues où l'anonymat instaure d'autres types de comportements (shopping, déambulations, mixité...). Le sens donné aux espaces de la ville renvoie à des valeurs qui dépassent le cadre matériel. L'enracinement dans la ville s'exprime aussi par sa dématérialisation auquel cas la ville n'est plus qu'un ensemble d'idées (famille, rites, pratiques, proximité). Il ne s'agit pas de transformer une forme matérielle mais d'y inscrire les référents du groupe qui en fait usage.

Des co-présences négociées

Les pratiques urbaines s'inscrivent alors dans une opposition complexe : il y a d'un coté l'espace comme territoire de mobilité et de la rencontre avec l'altérité et de l'autre, l'espace comme territoire de fixité et de chez-soi[14]. Les règles d'usage et les interactions qui en découlent, donnent du sens à l'espace en le délimitant de façon visible ou latente. On sait tacitement jusqu'où on peut aller et ce qu'il faut éviter de faire. L'espace public serait alors le lieu où l'on « se voile » ou « se dévoile » en fonction des normes établies et la fluctuation du sens donné aux relations. Les observations de R. Hoggart[15] en d'autres lieux, cadrent remarquablement avec certaines pratiques sociales en Algérie : « Nombreux sont ceux qui n'hésitent pas à tricher dans les activités qu'ils ressentent comme anonymes, alors qu'ils ne le feraient pas à l'intérieur du groupe » écrit-il. Cela concerne surtout la transgression des valeurs morales dans les espaces publics (drague, vol, tricherie, insulte...) rendue probable par l'anonymat. Toutefois, il est possible de « tricher » dans la présentation de soi face au groupe d'appartenance en affichant une image conforme aux normes établies afin de contourner les conflits et maintenir sa place et son rôle dans des relations de proximité : éviter par exemple de dire ses fréquentations, ses motivations, ses

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[14] - Kokorref M., « L'espace des jeunes. Territoires, identités et mobilités », in *Les annales de la recherche urbaine*, n° 59-60, 1993, pp. 171-179.

[15] - Même si les observations de Hoggart R. valent pour la société industrielle de l'Occident, il me semble que la culture populaire présente un caractère universel qui recouvre aussi d'autres aires culturelles. Cf. *La Culture du pauvre*, Paris, Minuit, 1970.

problèmes, etc. Il s'agit de mettre en pratique des « arrangements de visibilité »[16] adaptés au contexte moral. En Algérie, la confirmation implicite des valeurs familiales permet de préserver sa place dans le groupe, cela évacue de façon quasi systématique toute forme de négociation et contribue de façon remarquable au maintien du système de parenté.

L'évitement (« faire comme si ») est un accommodement qui relève de la « logique du flou » cultivée dans l'espace public. Pour « se faire oublier » et éviter les regards extérieurs, des rideaux sont installés et des chicanes sont aménagées y compris dans ce qui est considéré comme espace ouvert (restaurant, salon de thé, boutiques, etc.). En réponse à cette mise en scène, les regards se fixent des limites car voir est un acte socialement déterminé et des situations potentiellement conflictuelles peuvent être neutralisées par le seul fait de ne pas les voir ou de les ignore. L'acte réfléchi de « non voir » et « être non-vu » apparaît comme une modalité du regard adaptée aux situations (J. C. Depaule, 1985). Il en résulte une sorte d'uniformisation apparente où s'impose une conformité auto-régulée aux normes sociales. Cette visibilité réduite, qui peut être considérée comme un signe de discrétion, prend le sens de renoncement et de repli sur soi, une sorte d'autocensure qui freine les élans vers toute forme de distinction, du moins au sein de l'espace public. Il s'agit surtout d'assurer sa liberté de mouvement : car voir sans être vu permet d'accéder discrètement à l'information, peut-être même à gravir les échelles du pouvoir. Nombreux sont ceux qui restent proches de leur milieu d'origine pour conserver dans leur quotidien des liens fondés sur des réseaux de proximité afin de bénéficier du soutien nécessaire pour accéder aux privilèges du pouvoir ou tout simplement pour briser le carcan administratif. Car la famille demeure le garant essentiel de l'identité sociale de l'individu et le premier réseau de solidarité malgré tout ce qu'on peut dire sur sa dislocation ou ses transformations. Par opposition, la transgression de cette forme d'organisation sociale édifiée sur les groupements de parenté et de clientélisme, de même qu'une visibilité trop grande, n'offrent aucune alternative sinon l'isolement et la marginalisation forcée. C'est ainsi que l'intériorisation des normes du groupe joue un rôle capital dans le maintien d'un statu quo en donnant du sens à la sociabilité urbaine.

Sociabilité en public, les effets de la foule

Contrairement à ce qu'on pourrait penser, la crise politique en Algérie a introduit de nouveaux rapports à l'espace urbain. Par opposition au quartier trop contraignant et même dangereux (en période de suspicion), le centre-ville et d'autres nouveaux espaces tels que *Riadh El Feth*, des villages anciens en bord de mer, les plages, des parcs de loisirs, réinventent le rapport à l'altérité et la co-présence en public dans des formes qui s'inspirent des modèles diffusés par les chaînes arabes de télévision (El Djazira, El Arabia, etc.). Les nouvelles pratiques spatiales mettent en oeuvre des sociabilités dynamiques permettant d'esquiver les tyrannies du quotidien en adaptant de plus en plus les pratiques aux normes sociales. De ce fait, la vie urbaine se cristallise dans la forte présence des autres et offre ainsi la possibilité de trouver « refuge dans la foule » (W. Benjamin, 1997). La foule compacte veille, par sa seule présence, à l'ajustement des codes. Quelle que soit la nature du lieu, c'est la foule qui est détentrice du territoire, c'est elle qui en trace les limites et en contrôle le franchissement. Ces formes de sociabilité en public font de la ville un lieu aux

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[16] - Lee J. et Watson R. (1993), « Regards et habitudes des passants. Les arrangements de visibilité de la locomotion », in *Les Annales de la Recherche Urbaine*, n° 57-58, pp. 101-109.

accès contrôlés et aux comportements normalisés. Si les raisons évoquées de l'attractivité sont différentes ou totalement opposées selon les cas, il n'en reste pas moins que la notion de flux détermine la qualité des espaces.

C'est ainsi que Riadh El feth demeure pour un grand nombre et surtout les plus jeunes, un espace de sociabilité où l'altérité est envisageable. L'intolérance y est moins visible que dans les quartiers. Les comportements et les tenues vestimentaires y sont plus diversifiés. La présence des autres attire plus qu'elle n'éloigne. On y vient pour voir les autres, on s'y donne rendez-vous. Mais les ambiances changeantes confirment le processus de renouvellement constant propre à un espace public à l'échange incertain et fluctuant.

Conclusion

Il faut s'entendre sur la liberté de circulation et la liberté de mouvement qui sont les postulats de départ de toute réflexion sur les espaces publics (I. Joseph, 1998). L'espace public suppose des espaces dans lesquels « les activités du citadin peuvent se chevaucher, bifurquer selon les opportunités, s'articuler dans un seul et même déplacement »[17]. Si la liberté de circulation et de mouvement semble bien difficile à circonscrire à Alger, il n'en reste pas moins que dans les espaces publics se heurtent les oppositions montré/caché, pur/impur, licite/illicite, propre/sale sans jamais s'exclure. Ils sont à la fois des espaces de mouvements, de rencontres et d'interdits, des espaces ouverts et des espaces fermés, régulés par les normes sociales et culturelles qui prennent des formes plus ou moins rigides selon les ajustements en cours. L'espace peut-il produire, influencé, orienté les sociabilités ? A cette question ancienne, la réponse n'est pas toujours aussi évidente qu'on pourrait le penser. Elle renvoie au rapport espace/société dans ses dimensions diverses et complexes qui balisent les pratiques et les relations en milieu urbain. A cela s'ajoutent les marquages des contextes spécifiques. Dans une société en recomposition, les sociabilités se situent, elles aussi, dans la mouvance entre permanence et changement. Il apparaît surtout que l'ambivalence des représentations et des sociabilités qui en découlent, est liée à l'état dans lequel se trouve la société tiraillée entre ce qu'elle est et ce qu'elle voudrait être.

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LE LIEN FRAGILE ENTRE MODERNISATION ET SOCIETE CIVILE EN ROUMANIE

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Resumé :

Aujourd'hui la Roumanie est bel et bien entrée dans la modernité. Elle s'est surtout très rapidement convertie aux dogmes de la société de consommation occidentale. Pourtant le processus de modernisation par conflit autour de modèles d'historicité divergeant y semble bloqué. La modernisation reste un processus réservé aux initiés, à une élite. La population roumaine doit s'adapter à la nouvelle donne sans toujours pouvoir se saisir des enjeux. Dans ce sens, la transition en Roumanie et son cortège de nouveaux intervenants dans l'espace public n'a pas révolutionné le processus de modernisation, mais s'en est accoutumé tout en le réformant.

Mots-clés : modernisation, societe civile, mobilisation

Immanuel Wallerstein souligne dans ses écrits l'effondrement des mouvements anti systémiques, au sens de mobilisations contre le système politico-économique dominant, et des projets de sociétés qui les animaient un peu partout dans le monde [WALLERSTEIN, 1991,10-55]. Il note que ces mouvements ont connu une consécration évidente dans le troisième quart du XXème siècle en prenant les rênes du pouvoir dans de nombreux pays à l'Ouest à travers la sociale démocratie, à l'Est à travers les régimes communistes et au Sud à travers les mouvements de libération nationale dont la vulgate est reprise par les régimes souvent autoritaires, d'Afrique subsaharienne et surtout d'Amérique latine. Wallerstein constate que ces mouvements ont connu ensuite l'échec et que la période contemporaine est marquée par le reflux de ces derniers. L'antisystémisme roumain incarné par le Parti Communisme Roumain (PCR) a décliné au fur et à mesure de l'effondrement du régime communiste. Dans l'optique de ce régime, la Roumanie pouvait se passer du projet de constitution d'une société civile dont les aspirations et les besoins étaient révélés et satisfaits par le miroir déformant du centralisme démocratique et du Plan. Après 1989, la Roumanie se trouve donc obligée à la fois de gérer l'après anti-systémisme et d'adopter la nouvelle lecture du projet de société civile.

Cette situation connaît sa traduction en termes de modernisation et de développement. Pendant plus de 40 ans, le projet modernisateur en Roumanie s'est confondu avec l'antisystémisme du Parti-Etat comme unique agent de modernisation de la société. Selon Alain Touraine, la modernisation, processus de formes variées coïncide avec l'émergence de la notion de Sujet. Ce mouvement est orienté vers la modernité qui est, quant à elle, définie comme une capacité croissante de la société à agir sur elle-même.

Ce qui est donc au cœur de la modernisation, c'est la capacité pour une société à s'adapter à un environnement évolutif et chaotique. Il est possible de voir la première décennie de transition que vient de connaître ce pays sous l'angle du débat entre modernisation et développement. Il était légitime de penser que cette multiplication de nouveaux acteurs collectifs allait faciliter l'apparition d'historicités alternatives et donc, accélérer le processus de modernisation. Finalement, plus de 10 ans plus tard, le boom associatif est une évidence mais son impact sur le processus de modernisation est moins clair.

Les élites dirigeantes d'Europe de l'Est, dont on constate régulièrement le faible renouvellement, semblent converties aujourd'hui au modèle de développement occidental et à la société de consommation. Mais, avec la fin des mouvements anti systémiques, l'accès à la modernité n'est pas ou plus garantie par l'intégration dans un mouvement social, son succès ou son éventuelle institutionnalisation. L'entrée dans la modernité s'opère ainsi par l'accès individualisé à des produits représentatifs de la modernité, lequel accès est déterminé par la position de l'individu en qualité de consommateur dans le marché.

Dans un tel contexte les grands mouvements sociaux seraient devenus aussi inutiles qu'improbables. Les référents métasociaux qui les soutenaient également. L'émergence, le réveil de la société civile n'a pas été un moment d'accélération du processus de modernisation tel qu'on aurait pu l'imaginer, mais le moment qui ponctua l'échec des mouvements anti systémiques. Il représente aussi le début de la mutation de la première conception du projet de société civile alimenté par l'anti-étatisme des dissidents au communisme d'Europe de l'Est, vers une seconde version du projet, nettement plus déterminée par les contraintes des nouvelles politiques de développement préconisées par le processus de régionalisation, telle que l'Union européenne, ou par les agences internationales de type Banque Mondiale ou FMI.

L'émergence de la société civile n'est pas forcément l'irruption des masses dans l'Histoire, mais peut être davantage leur maintien dans le rang au nom du marché et de la démocratie. Comme le résume Alain Touraine lui-même :

« D'un côté, dans la plus grande partie du monde, les sociétés ne sont pas les personnages principaux ou même les lieux les plus éclairés de la vie publique. Tout le pouvoir et toute la parole sont à l'Etat (…) De l'autre coté, c'est l'individu et les séductions de la consommation qui l'emportent. Des deux côtés, les grandes victimes sont les problèmes et les mouvements sociaux (…) Entre les problèmes de l'Etat d'un côté, ceux de l'individu de l'autre, c'est le vide qui n'est occupé que superficiellement par les mass média qu'il s'agisse de la politique spectacle ou de culte de la personnalité » [TOURAINE, 1988, 497-512].

Ces réflexions de Touraine sont tout à fait adaptées au cas roumain où le fossé est particulièrement grand entre l'Etat, la politique et l'individu.

Aujourd'hui la Roumanie est bel et bien entrée dans la modernité. Elle s'est surtout très rapidement convertie aux dogmes de la société de consommation occidentale. Pourtant le processus de modernisation par conflit autour de modèles d'historicité divergeant y semble bloqué. La modernisation reste un processus réservé aux initiés, à une élite. La population roumaine doit s'adapter à la nouvelle donne sans toujours pouvoir se saisir des enjeux. Dans ce sens, la transition en Roumanie et son cortège de nouveaux intervenants dans l'espace public n'a pas révolutionné le processus de modernisation, mais s'en est accoutumé tout en le réformant.

« Est-il possible de redonner sens à l'action que des sociétés exercent sur elles-mêmes pour se gérer et se transformer ? Ou faut-il admettre au contraire que cette

définition de la vie publique appartient au passé et que l'ensemble des problèmes du présent et de l'avenir sera plus radical que dans le passé puisqu'il sera dominé par l'affrontement presque sans médiation d'un Etat de plus en plus puissant et d'individus de plus en plus exigeants ? » [TOURAINE, 1988, 497-512].

Touraine souligne ici un des dilemmes inhérents à la Roumanie, celui de la faiblesse de la vie publique combinée à un Etat très puissant qui font ressortir l'absence de médiation et surtout sa nécessité.

Le sociologue Manuel Castells, dix ans après Touraine, adopte le même raisonnement. Pour lui le salut ne passera pas par ce qu'il nomme la « vielle société civile », en se référant surtout aux mouvements syndicaux, qui se désagrègent peu à peu [CASTELLS, 1998]. Les identités surtout liées au travail qui lui donnaient sens ne sont plus adéquates. Il voit dès lors deux scénarii possibles concernant l'évolution des mouvements sociaux.

Le premier scénario suppose la prolifération de mouvements réactifs alimentés par des identités communautaires produites par des acteurs marginalisés, stigmatisés, dévalorisés par la culture dominante du nouvel ordre mondial. Les difficultés rencontrées par la Roumanie en période de transition semblent avoir alimenté ces mouvements dont l'expression politique paraît avoir atteint son point culminant avec la présence de Cornéliu Vadim Tudor au second tour des élections présidentielles de 2000.

Le second scénario implique des acteurs qui, sur la base du matériau culturel disponible, construisent une identité nouvelle qui redéfinit leur position dans la société et se propose de transformer l'ensemble de la structure. C'est ici que le défi majeur du projet de constitution d'une nouvelle société civile en Roumanie se pose. La société civile roumaine a connu un développement important, du moins sur le plan quantitatif et surtout si l'on considère l'augmentation du nombre des ONG, grâce surtout au soutien des bailleurs de fonds occidentaux. Il faudrait maintenant que la société roumaine s'approprie et arrive à inventer la société civile qui lui correspond réellement. Il est certain qu'au vu du poids du passé et des contraintes économiques et sociales actuelles, ce n'est pas la moindre des difficultés mais l'enjeu est grand. Enfin, pour qu'il y ait une mobilisation collective réelle il est nécessaire que la société roumaine elle-même se mobilise. L'action des ONG est très importante mais elle ne peut se substituer à celle de la société civile. Elle freine en outre la reconstruction d'une identité collective positive indispensable pour rétablir une société civile digne de ce nom.

Se mobiliser, c'est associer ses capacités et son énergie à d'autres en vue d'obtenir un résultat positif. Une mobilisation collective désigne alors la coordination des activités d'un groupe souhaitant défendre ses intérêts. Cette mobilisation collective a pour but de changer une situation sociale, en un sens favorable au groupe, selon ses valeurs et ses motivations. Dans le cas de la Roumanie il n'y a pas cette coordination des activités dans l'optique de défense d'intérêts communs. C'est réellement cette non coordination qui fait défaut au pays. Les facteurs explicatifs sont multiples : l'histoire, la religion, le contexte socio-économique, la défiance politique mais la conséquence première reste la non émergence d'une société civile réelle qui pourrait engendrer une mobilisation collective importante et qui aurait une véritable action.

Les mobilisations collectives pouvant prendre des formes diverses, deux questions doivent être résolues : Comment naît une mobilisation collective ? Selon Alain Touraine, un mouvement social se constitue selon la combinaison de trois principes, appelée IOT, les principes d'identité, d'opposition et de totalité. Les acteurs doivent tout d'abord développer une identité commune, en partageant les mêmes buts et des intérêts communs.

Ensuite, le groupe formé doit s'opposer fermement aux groupes concurrents, ce qui suppose une forte solidarité interne. Enfin, les protagonistes doivent avoir conscience des enjeux de leurs actions et de leur finalité, ce qu'il qualifie de totalité. C'est surtout cela qui fait défaut en Roumanie, où les acteurs éprouvent une véritable défiance face au politique et sont éclatés par cette nécessité de palier au plus urgent, de gérer leur quotidien. Ils ne se sont donc pas encore fédérés autour de ces buts et d'intérêts communs. La seconde question est : quels sont les moyens nécessaires à une mobilisation collective ? Une mobilisation collective nécessite un minimum d'organisation. Ici encore, l'organisation semble problématique dans le cas roumain. Les buts et intérêts communs existent mais l'organisation autour de ces derniers est très faible et manque de pertinence. On observe donc que les mobilisations collectives sont souvent initiées par des groupes de pression, des syndicats ou des partis politiques. Il y a alors institutionnalisation de l'action collective. Dans le cas des groupes de pression par exemple (associations, groupes d'intérêt, clubs de réflexion, lobbies…), on cherche à influencer les pouvoirs publics en intervenant dans les lieux décisionnels.

Les mobilisations collectives semblent aujourd'hui plus difficiles à développer, et lorsqu'elles existent, elles rassemblent moins de population qu'il y a une dizaine d'années. En Roumanie il n'y a pas cette culture de la mobilisation collective, et la liberté retrouvée s'est suffit un temps à elle-même. Le déclin des mobilisations collectives semblent également aller de pair avec la montée de l'individualisme. En effet, l'existence objective d'un groupe d'individus aux intérêts communs n'entraîne pas automatiquement l'apparition de mobilisations collectives. Le passage rapide du système communiste à un système libéral n'a pas permis la structuration de cette mobilisation collective, car il a imposé symboliquement l'avènement de l'individualité. Par ailleurs, à mesure que la taille du groupe augmente, la probabilité d'action commune décline. C'est tout à fait le cas en Roumanie puisque la grande majorité de la population aurait en théorie toutes les raisons de se mobiliser afin d'avoir un impact sur la situation socio-économique précaire dans laquelle elle est plongée.

Les formes de mobilisation sont donc multiples, mais il est possible de remarquer simplement qu'elles sont souvent éphémères et relativement spontanées. Les mobilisations collectives témoignent d'une conscience collective de ceux qui y participent, et d'une constitution des identités sociales. Or, il semble que cette constitution des identités sociales en Roumanie soit problématique car l'identité collective roumaine reste fortement négative.

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MEDIRE, DISENT-ILS

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Resumé:

Dans toute société, il est possible de relever des modèles de comportement langagier auxquels la qualification de médisance peut être attribuée. Certaines formes y seront selon les lieux et milieux davantage usitées que d'autres, qu'il s'agisse des relations qui s'instaurent entre participants lors d'une séance de médisance, des modalités de l'élocution, des choix lexicaux, des topiques abordées, ou encore des modes de ritualisation mises en œuvre.

Mots-clés : medissance, enonciation, ethnométodologie

Un jour de printemps, vers midi, traversant le campus en direction de mon bureau, je croise mon « collègue et néanmoins ami» Clément, éminent helléniste. Il s'arrête à ma hauteur et me dit, tout à trac :

— Sais-tu ce qui arrive à Paul et Virginie ?

Clément sait que je connais bien Paul et Virginie, dont le fils a fréquenté la même école que le mien, et qui font partie du cercle élargi des connaissances que l'on se plaît à dire amicales. Je prends un air intéressé :

— Il leur est arrivé quelque chose ?

— Mais oui, il y a de l'eau dans le gaz de leur ménage.

— En es-tu sûr ? Je n'ai rien vu de ce genre, et pourtant je les ai encore croisés pas plus tard que mardi passé.

— Je n'en ai pas été le témoin direct, mais il paraît qu'ils ne cessent de se disputer et que quand on se retrouve avec eux, ils ne se cachent même pas pour se faire la gueule.

— Qui t'a dit cela ?

— Marcel.

— Marcel, le paléontologue ?

— Oui, il habite la même rue qu'eux, et il les connaît bien.

— Sans doute, mais c'est une langue de vipère.

— C'est vrai, mais c'est un de leurs amis.

— Raison de plus pour se méfier !

Clément bat en retraite.

— Tu sais, moi ce que j'en dis. Paul et Virginie, je les aime bien, et je serais triste que cela fût vrai.

— Tu me disais tout cela pour que j'éprouve de l'empathie ?

— Si tu veux. Enfin, j'espère que cela n'est pas vrai. A plus.

Il reprend son chemin. Il est visiblement déçu. Il n'aurait pas dû invoquer la figure de Marcel, ce médisant émérite.

De la situation de médisance

Analysons cette brève interaction. Je partirai du concept de « situation sociale », tel que le définit Erving Goffman : « environnement fait de possibilités mutuelles de contrôle, au sein duquel un individu se trouvera partout accessible aux perceptions directes de tous ceux qui sont 'présents' et qui lui sont similairement accessibles. Selon cette définition, une situation sociale se produit dès que deux ou plusieurs individus se trouvent en présence mutuelle immédiate, et se poursuit jusqu'à ce que l'avant-dernière personne s'en aille»[1]. Pour qu'une situation produise ses effets, il importe que les participants soient capables d'en proposer une définition commune. En l'occurrence, il s'agit d'une conversation casuelle (*small talk*) entre deux collègues relativement proches, mais non intimes, sur le campus, à l'heure du déjeuner. L'objet de la rencontre est un couple connu des deux interlocuteurs, en l'occurrence de Clément et de moi-même : celui formé par Paul et Virginie, envisagé sous l'angle de sa cohésion conjugale.

Mon premier commentaire se référera donc à *l'interactionnisme symbolique,* selon les voies tracées par Goffman. Il est permis de supposer que Clément souhaite m'inclure dans une confidence à propos de Paul et Virginie («Il y a de l'eau dans le gaz de leur ménage»), en vue d'accroître la relation de connivence qu'il entretient ou croit entretenir avec moi. La question qui restera en suspens sera dès lors celle de savoir l'objectif qu'il poursuit : s'agit-il de conclure ou renforcer une alliance entre universitaires, d'obtenir un avantage personnel ou au profit de quelqu'un de son entourage ? Il est clair qu'il a cherché à m'impliquer dans un réseau de personnes mises au courant, qui dépasse les limites du campus (Paul et Virginie ne sont pas des universitaires), ce qui constitue l'offrande qu'il m'adresse en contrepartie de l'avantage recherché.

Malheureusement, il choisit mal sa référence de légitimation en la personne de Marcel, dont l'une des habitudes consiste à médire de tout un chacun. Je sais moi, que ce collègue est souvent enclin à l'affabulation, ce qu'apparemment Clément ignore ou feint d'ignorer. Pris en faute et considérant que son investissement initial ne mérite pas qu'il s'obstine, Clément rompt le «compromis de travail » *(working acceptance)* que nous avions implicitement conclu (je te renseigne, tu m'écoutes), avant que ne survienne la sanction qui risque de le frapper en cas d'échec, en l'occurrence l'embarras, si, par exemple je produisais la preuve de l'inanité de ses propos. Il choisit donc de rompre la communication par un renversement axiologique («J'espère que cela ne sera pas vrai»). En effet, il ne veut pas perdre la face devant moi. Rappelons que la « face » est selon Goffman l'enjeu moral de toute interaction, en même temps que la mise instrumentale qui y est investie. Si l'on se rapporte aux schémas de ritualisation inscrits dans les théorisations de Goffman, nous aurons : 1°) Rituel de *présentation* dans l'ouverture de la conversation: « Sais-tu ? », qui joue le rôle d'un *déclencheur* de médisance.

2°) Rituel d'*évitement* dans le déroulement sous les espèces d'un *forclencheur prétéritif* de médisance («Moi ce que j'en dis»). J'ai essayé de montrer ailleurs[2] l'importance de la figure de la prétérition dans les échanges relevant de la « parlure vacante ». Dire tout en disant qu'on ne dit pas est un procédé de rhétorique courant dans les interlocutions, qui permet de rompre le combat sans y laisser trop de plumes («si tu le dis, c'est que c'est vrai»). Pour en revenir à mon échange avec Clément, c'est moi qui récuse la discipline dramaturgique (la « paire d'adjacence » des analystes des conversations), car je refuse de jouer le jeu plus avant après que mon interlocuteur a lui-même abandonné toute circonspection dramaturgique[3]. Pour ce faire, j'ai invoqué le

caractère médisant de nombreux propos tenus par Marcel («langue de vipère »), ce que Clément se garde de contester, sous peine de se retrouver en situation de nette infériorité par rapport à moi.

3°) Nouveau rituel mixte de *présentation-évitement* dans la fermeture, qui indique que nous sommes appelés à nous retrouver dans le même cadre de camaraderie, et en même temps qu'il s'éloigne de ma sphère intime, qu'il cesse de m'importuner («À plus »). En se comportant de cette manière, il a correctement protégé sa face. Il n'en aurait pas été de même s'il s'était obstiné dans son ragot, ou encore s'il avait rompu brutalement tout commerce et m'avait quitté avec une ostensible mauvaise humeur. La ritualisation correcte de la médisance permet à celle-ci de « passer » comme un échange ordinaire. Elle rend possible de battre en retraite au cas où son contenu se trouverait contesté. Nous sommes ici dans le registre de l'insinuation, celui de Iago médisant de Desdémone à Othello, encore que les propos que tient Iago relèvent plutôt de la calomnie : tout son talent consiste à les ramener au statut de la simple médisance (« il n'y a pas de fumée sans feu»). Il y a une différence cependant, et de taille: en principe, le comportement, affectif ou autre, de Paul et Virginie, n'est pas censé m'affecter et la nouvelle de leur mésentente ne doit être pour moi qu'une information parmi d'autres, quoiqu'elle soit de nature à m'inciter à modifier mon propre comportement à l'égard des intéressés. L'insinuation à laquelle se livre Clément à leur sujet est, à travers moi, *ad usum delphinae.* Alors que pour Iago il est indispensable qu'elle trouve un écho chez Othello, la jalousie pouvant pousser à des conduites extrêmes, ce qui s'avérera, faute de quoi il encourt lui-même une punition sérieuse. Clément peut sans trop de risque s'accommoder de s'être trompé, ce qui n'équivaudra pas même à un mensonge. Sa pirouette sous forme de prétérition suffit à le mettre à l'abri d'une punition, à moins qu'auprès d'autres interlocuteurs — chez qui l'évocation des propos de Marcel ne susciterait aucun soupçon — les mêmes propos eussent été tenus de manière moins prudente, auquel cas, si ceux-ci devaient me revenir, il risquerait de se trouver dans un considérable embarras et donc, à retardement, de perdre la face. D'où la nécessité pour lui, à chaque récit des mêmes constatations qui ne sont en fait que suppositions, de ménager ses arrières.

Ménager ses arrières est une nécessité présente dans presque toutes les situations de médisance, même lorsque celles-ci n'impliquent que des personnes entretenant des relations d'intimité *(Umwelt),* sauf peut-être celles où l'expression de propos médisants, par des personnes qui se connaissent bien, fait partie d'un rituel bien rodé. De tels propos s'inscrivent alors dans le cadre de la sociabilité ordinaire dont le groupe constitue l'environnement récurrent. Rappelons que Simmel définit la sociabilité *(Geselligkeit,* dans lequel on retrouve, comme dans *Gesellschaft,* « société », *Gesell,* compagnon, l'équivalent du *socius :* la société, à son degré zéro, est un compagnonnage vécu et recherché en tant que tel, sans intentions opérationnelles particulières), comme « forme ludique de la sociation »[4] *(Spielform der Vergesellschaftung)* ce qui correspond un peu à la fonction phatique telle que définie par les linguistes. Dans cette optique, les propos médisants servent de liants dans les conversations, permettant, par le choix d'une cible dont le choix est approuvé en apparence par tous les participants, d'éviter le cas échéant des propos dérangeants pour l'un ou l'autre de ceux-ci, des reproches adressés aux uns et aux autres, des situations de gène, etc. Une fois encore, on a affaire à une forme spécifique de ritualisation, dérivée de la catégorie goffmanienne d'évitement, et que j'appellerai *d'obviation* (d'«obvier», prendre les mesures nécessaires pour éviter ou prévenir un mal, un inconvénient). Il est possible d'imaginer que des

propos de ce genre, tenus d'une manière qui peut passer pour phatique aux yeux des observateurs, servent en fait à régler divers comptes au sein du groupe, la cible ou bouc émissaire servant alors à camoufler la déviance attribuée momentanément à l'un ou l'autre membre du groupe.

Dans ce cas, le rituel d'obviation se combine au rituel de prétérition dont j'ai parlé plus haut, quoique l'on puisse faire remarquer qu'une telle pratique de conversation peut paraître aux yeux de certains des participants quelque peu forcée, et engendrer dans certains cas une ambiance de malaise plus ou moins prononcée. On peut déceler dans des situations de ce genre une manière de mise en filigrane de l'exercice courant, banalisé au plus haut degré, du dénigrement dont l'un ou l'autre commensal est la cible.

En concluant la séquence décrite par la formule de fermeture de « à plus », Clément indique bien qu'il entend qu'on ne vient pas d'avoir affaire à une interaction entre deux personnes qui ne seraient caractérisées que par leurs statuts ou identités sociales respectifs ; le recours à cette formule souligne qu'à son estime les deux interlocuteurs s'envisagent mutuellement selon leurs identités personnelles, ou du moins selon ce qu'ils veulent bien en laisser paraître dans leur contexte habituel, en l'occurrence le campus. Ce qui devra sans doute être conforté ultérieurement.

D'un défaut de compétence

Tournons-nous à présent vers un mode de déchiffrement inspiré par l'*ethnométhodologie*[5]. Je rappellerai que selon son fondateur, Harold Garfinkel, l'ethnométhodologie, qui s'inspire à la fois de la philosophie du langage ordinaire de Wittgenstein, de la sociologie formelle de Simmel, de la psychologie sociale américaine de Mead et de la sociologie cognitive de Cicourel, n'est pas une méthodologie de rechange ayant pour but de produire une meilleure solution à des problèmes formulés de manière traditionnelle, mais une approche consistant « à prendre pour objectif, selon diverses voies, la description et l'analyse des ressources des acteurs en vue de trouver ce qu'ils trouvent et de faire ce que les autres découvriront qu'ils ont fait »[6]. L'essentiel de cette démarche consiste à mettre en évidence les *ressources* auxquelles recourent les acteurs pour mener leurs négociations à bon terme. Ces ressources servent d'aliments à leurs *compétences,* en fonction desquelles ils gèrent plus ou moins bien les parties qu'ils doivent jouer dans les interactions. Ces compétences ne concernent pas seulement les actions à accomplir elles-mêmes, mais la possibilité de les exposer verbalement de manière à être comprises par le plus de monde possible, du moins par ceux qui comprennent les mêmes « règles de surface » (la même « culture »), auxquelles chaque interaction en particulier renvoie, par-delà la mise en œuvre par les procédés interprétatifs propres aux individus (compétences verbales, capacités de concentration, etc.). Les acteurs cherchent une définition commune de la situation, et les situations sont continuellement redéfinies. Les procédés interprétatifs servent de références aux individus pour présenter et prendre en considération des récits *(accounts)* censés être rationnels et cohérents. Ils possèdent un caractère réflexif et incarné et proviennent des occasions mêmes où ils sont utilisés, en l'occurrence pour déterminer un ordre dans les relations sociales et leur donner un sens. Dans cette perspective de lecture des interactions, l'aspect moral est prédominant.

Revenons au bref échange entre mon collègue Clément et moi-même sur lequel cet article s'ouvre. Clément est effectivement un collègue qui m'est relativement bien connu, sans qu'il fasse partie du « premier cercle » de mes familiers. Cette caractéristique

apparaît dès l'ouverture du dialogue. S'il était de ce premier cercle, il ne s'interrogerait pas sur ma connaissance d'un événement dans la vie d'un couple connu de nous deux. Clément fait partie de cette zone du « monde vécu » *(Lebenswelt)* que Schütz appelle la *Mitwelt,* ou monde des contemporains, tout en empiétant partiellement sur mon *Umwelt,* ou monde des intimes. Partiellement, car nos relations ne sont pas continues. Elles sont toutefois assez suivies pour qu'une partie de nos interactions relève de ce que, s'inspirant du linguiste Bar-Hillel, les ethnométhodologues appellent l'indexicalité, c'est-à-dire qui ne peuvent être interprétées que par rapport à un contexte que seuls les interlocuteurs et leurs intimes peuvent connaître de manière suffisante. Mais il ne s'agit bien que d'un empiétement incomplet, d'où le dérapage rapide de l'échange. En effet, Clément révèle à mon égard un certain défaut de compétence, traduisant une lacune d'accès aux ressources qui pourraient lui permettre de faire meilleure figure dans l'interlocution. Quelle est, en effet, ma réelle connaissance de la vie de Paul et Virginie?

Si j'ai évoqué le défaut — connu de pas mal de monde — de « mauvaise langue » de Marcel, n'est-ce pas parce que j'ai le souci de défendre Paul et Virginie contre des incursions non souhaitées dans leur vie privée, quoi qu'il s'y passe en réalité ? Il plane sur mes propos des incertitudes que Clément n'est pas capable d'élucider. C'est pour cette raison, qui se résume à un manque de ressources, qu'il rompt son interaction avec moi, et prend ce qui peut passer pour une fuite au moins provisoire. Il est probable que le compte rendu qu'il ferait éventuellement de cette espèce de « rupture de combat » comporterait l'invocation du manque de temps pour approfondir le débat ou la nécessité de vérifier l'exactitude des propos empruntés à Marcel. Dans un très grand nombre de cas, la rationalité attendue de tout compte rendu de ce genre n'est pas exclusive de ce que les psycho-dynamiciens appellent *rationalisation*. Du reste, celle sur laquelle, dans le chef de Clément, est susceptible de déboucher notre entretien peut déjà se préparer au moment même où l'entretien est rompu. On y retrouverait une variante de ce qu'avec une certaine exagération, il est vrai, on pourrait baptiser « syndrome des raisins trop verts ».

Clément peut après cette rencontre inclure dans son stock de connaissances disponibles («*stock of knowledge on hand*», selon Schütz), le fait qu'il vaut mieux ne pas chercher à médire avec moi de certaines personnes, entre autres de celles qui sont, relativement du moins, bien connues de l'un et de l'autre. Cela peut signifier que ces personnes bénéficient, pour des raisons qui lui échappent, d'une certaine protection de ma part. Mais il peut aussi en déduire, ce qui peut lui causer davantage de désagrément, alors qu'il a cherché avec ce propos médisant visant Paul et Virginie à m'inclure dans une certaine confidence, que je veux limiter mes relations avec lui à celles qui ne seraient que d'ordre professionnel.

Remarquons toutefois qu'au moins une parole médisante a été reconnue comme telle, à savoir celle de Marcel. Quand j'ai taxé ce dernier de «langue de vipère», Clément n'a pas tenté de prendre sa défense. En s'accordant avec moi sur le caractère médisant des propos de Marcel, Clément s'est ménagé une porte de sortie, ce qui lui permet de protéger sa face morale. Marcel apparaît donc comme un bouc émissaire, ou encore un « déviateur de péjoration ». C'est lui qui, dans une certaine mesure, fait les frais de notre échange.

Des rapports de la médisance aux niveaux du social

Jusqu'à présent, je n'ai envisagé la tenue de propos médisants que sous l'angle microsociologique, celui des interactions entre individus concrets, dont la subjectivité est prise en compte de manière privilégiée. Nous sommes en effet ici dans le domaine de l'intersubjectivité, celui des lieux et milieux où se produit à tout moment la société, le « social », alimentant ainsi l'une des dimensions de ce processus dual que Giddens a baptisé «structuration». Il s'agit du moment « situationnel » de ce processus. L'autre dimension est celle de la reproduction du social au moment « institutionnel », qui objective le social, par recours au moment évoqué précédemment, auquel en retour il met à sa disposition règles normatives et ressources cognitives. Comme le souligne Giddens lui-même : «(...) les règles et les ressources utilisées par des acteurs dans la production et la reproduction de leurs actions sont en même temps les moyens de la reproduction du système social concerné»[7]. Cette dimension est celle du macrosociologique, au sein duquel domine le social «objectivé», ou encore «institutionnalisé». C'est en effet par le jeu des institutions que les règles et les ressources sont mises à la disposition des agents du social aux deux niveaux de l'analyse des phénomènes sociaux, et c'est vers ces institutions, contribuant éventuellement à en modifier les contenus et les fonctions, que reviennent les productions instant après instant des individus qu'elles ont fournis en compétences. Ce jeu incessant, dont la figure la plus représentative serait le *bricolage*[8], engendre en fin de compte ce que nous appelons l'Histoire. Les propos médisants y jouent un rôle, certes de faible ampleur en général, mais parfois déterminant lorsque l'honneur de l'un ou l'autre Grand Personnage s'est trouvé mis en péril par une « pique » ou une plaisanterie mal comprise.

Si l'on s'en réfère à cette dimension, la médisance cesse d'être un phénomène marginal, dont seuls divers procédés d'analyse microsociologique pourraient rendre compte. Dans toute société, il est possible de relever des modèles de comportement langagier auxquels la qualification de médisance peut être attribuée. Certaines formes y seront selon les lieux et milieux davantage usitées que d'autres, qu'il s'agisse des relations qui s'instaurent entre participants lors d'une séance de médisance, des modalités de l'élocution, des choix lexicaux, des topiques abordées, ou encore des modes de ritualisation mises en œuvre. On ne s'avancerait pas fortement en considérant la médisance, telle qu'elle se manifeste au creux de la sociabilité, constitue l'une des « formes de la sociation » *(Formen der Vergesellchaftung),* dont Simmel a fait l'un des concepts majeurs de sa sociologie.

Si l'on retient que la sociabilité, comme indiqué plus haut, est la « forme ludique de la sociation », on conviendra que l'interlocution, en général, comprise comme échanges de paroles, joue dans ces jeux sociaux un rôle majeur. Dans le domaine de la sociabilité, laquelle implique «dans sa formation pure (de n'avoir) aucun but, aucun contenu et aucun résultat»[9], il importe qu'y règne avant tout ce que l'on nomme le « tact », ce qui signifie entre autres que dans les situations où domine la sociabilité à son degré zéro n'interviennent pas «la richesse et la position sociale, l'érudition et la notoriété, les accomplissements ou mérites exceptionnels de l'individu »[10]. Or, la tenue de propos médisants comporte notamment l'abandon du tact à l'égard de ceux qui constituent leurs cibles. Pourtant, ces propos sont tenus, hormis les cas où il s'agit d'attaques en règle destinées à nuire à ces dites cibles, dans une ambiance «sociable», celle qui se nourrit de conversations légères, où dominent le ton badin et une apparente absence de passion. On en conclura peut-être qu'il y a en l'occurrence « jeu au cœur du jeu », tel que ce genre de mise en scène ne déroge pas au désintéressement qui se trouve au principe de la

sociabilité, puisqu'aussi bien l'on ne médit de quelqu'un qu'afin de pouvoir rire ensemble. Ou bien convient-il de compléter la théorie simmelienne en inventant une catégorie de forme ludique de la sociation valant cette fois pour l'«asociabilité» *(Spielform der Unvergesellschagtung)* ? Mais de tels développements, il faut le reconnaître, restent au niveau de la description, quel que soit l'attrait de leur subtilité rhétorique.

Certes, « (...) l'observation microsociologique que met en relief les signes échangés d'appartenance et de différenciation, les rôles joués dans la rencontre, dans l'entretien des échanges. Il s'opère, dans ces relations, une esthétisation des rapports qui dénie les distinctions, et fait des échanges des lieux de satisfaction dans l'intersubjectivité »[11]. Cette proposition très pertinente me semble valoir tant pour les situations (au sens de l'interactionnisme symbolique) de sociabilité «positive» que pour celles où domine la tonalité de médisance. Il ne me paraît donc pas déplacé de souligner la dimension esthétique des propos médisants tenus aux dépens d'un bouc émissaire, parfois du reste avec l'accord de celui-ci. Cette dimension se donnera notamment à voir dans le recours plus ou moins habile aux ressources de la prétérition. Il est des manières vulgaires de médire comme il en est de raffinées. Mais on sait, à une époque où triomphe le kitsch sous toutes ses formes (en particulier médiatiques), que la vulgarité peut être aussi une esthétique, et cela, d'autant plus qu'elle est recherchée pour elle-même. On devine dans quels sentiers sinueux peut entraîner l'analyse, en forme de décorticage, pour ne pas parler de déconstruction, des situations de médisance.

Mais ces sentiers ne doivent pas nous entraîner trop à l'écart des autoroutes sur lesquelles se déplacent les systèmes sociaux. Car c'est au niveau macrosociologique que l'on peut mettre en évidence les actualisations, dans l'ici et le maintenant, des contenus que le social dépose, en quelque sorte, dans les formes constitutives du système qu'il désigne. La forme dont l'attribut est la sociabilité (laquelle comporte son inverse, l'asociabilité) varie en contenu selon les lieux et les époques. Souvent les participants sont soigneusement sélectionnés selon divers principes de stratification sociale : âge, genre, position de classe, statut social, etc. Il existe des configurations culturelles où, par exemple, règne une stricte séparation des hommes et des femmes. Chaque genre possède ses propres voies et moyens de sociabilité, combinés du reste le plus souvent à des séparations basées sur l'âge et l'appartenance de classe. Les jeunes femmes célibataires entre elles, les femmes mariées entre elles, les vieilles femmes entre elles : à ces regroupements aux contours parfois davantage précisés (les jeunes femmes célibataires nobles entre elles, etc.) correspondent des regroupements au sein de l'autre sexe/genre : les jeunes gens célibataires entre eux, les jeunes guerriers entre eux, etc. La civilisation occidentale, après de nombreux siècles de ségrégation, a promu l'existence de groupements mixtes, au départ des cours de rois ou de grands seigneurs. Cependant, une certaine ségrégation va longtemps encore se manifester (les femmes au boudoir, les hommes au fumoir), ce dont on trouvera le reflet dans l'univers proustien. Les « règles de surface », ne l'oublions pas, déterminent des intériorisations en profondeur, par le biais des socialisations s'adressant à l'une ou l'autre catégorie dont elles ont, au cours du temps, déterminé l'existence. Même dans des sociétés qui se considèrent démocratiques comme les nôtres (celles dites « occidentales »), diverses modalités de stratification continent à se présenter sous les espèces de la naturalité. Les autochtones se distinguent des allochtones, ou plutôt se voient contraints de le faire, tout comme les jeunes/se distinguent des vieux, et les riches des pauvres, pour ne prendre que ces distinctions très rudimentaires. Ces contraintes sont inscrites dans les règles de surface, lesquelles ne sont évidemment pas intangibles, mais ne se modifient qu'à la suite de pressions, parfois brutales

(modification du régime politique, invasion, colonisation, conversion forcée, etc.), ou plus généralement de négociations entre couches sociales. Le conflit étant inscrit dans toute organisation sociale, c'est en fonction de l'évolution de celui-ci que se rediscutent les normes sociales et les règles qui en découlent, chaque acteur, au demeurant, étant appelé à participer à cette rediscussion permanente.

Les modalités d'énonciation de propos médisants s'inscrivent dans le cadre de ce processus incessant déjà invoqué de *structuration,* dont Giddens a souligné que son aliment essentiel est le *temps,* car, à l'inverse de la sociologie classique, qui privilégie la stabilité des structures par rapport au changement affectant les actions collectives, c'est au paradigme du changement que les sociologues de la structuration rapportent leur conceptualisation. Aux déploiements et replis structurels dans le temps, ce dont rend compte cette science de l'homme appelée histoire, correspondent les incessants bricolages auxquels se livrent les individus dans leurs activités de production et reproduction jamais interrompues du social.

Je tenais à souligner l'insertion de la moindre occurrence de médisance dans le processus de structuration, lequel, en contrepartie, lui fournit les aliments qui lui permettent de se manifester. Ce serait donc faire preuve de myopie que de s'en sentir à une vision microsociologique des choses, s'agissant des situations de médisance comme de tout autre modalité d'interaction. Le *modus operandï* de la médisance ne réside pas dans la configuration elle-même de l'interaction et dans les propos qui sont tenus par les interactants. Quoi que l'on fasse ou dise, c'est toujours le « social », l'être-ensemble d'une multitude, à la limite l'humanité tout entière, passée et présente, qui est impliquée. Cette humble leçon de sociologie (ou, si l'on veut, d'une anthropologie généralisée), que je me suis permis de répéter dans ces pages, est assez souvent mal reçue, surtout à notre époque d'exaltation factice des subjectivités, ce que l'on a appelé, plutôt erronément, l'«individualisme postmoderne». Elle ne me paraît pourtant pas pouvoir être contredite, pourvu que l'analyse aille plus loin que le bout du nez des acteurs en train de bricoler, avec les moyens d'un bord qu'ils refusent de voir, leurs existences au jour le jour.

Peut-être aurait-il été souhaitable de dire quelques mots au sujet du niveau *mésociologique,* où « sociologique », comme pour les autres niveaux, désigne une position d'analyse d'un matériau qu'il conviendrait mieux d'appeler «mésosocial ». C'est le niveau des « groupes », situé quelque part entre celui de toutes petites unités d'interaction, ne réunissant que quelques individus, et celui de la société dite « globale », ou du moins de l'une ou l'autre de ses grandes divisions significatives {aux yeux des sociologues s'entend). On se contentera de dire que s'il existe une dynamique spécifique aux groupes plus ou moins durablement constitués ou institutionnalises (club de football, personnel d'une entreprise, membres d'une paroisse, d'une unité militaire, etc.), qui mérite un abord analytique spécifique, elle n'échappe évidemment pas davantage à l'emprise du processus global de structuration. Je n'ai pas voulu m'étendre sur les caractéristiques du déploiement de la médisance dans de telles configurations, laquelle s'opère souvent par le procédé de la « boule de neige », à partir de lieux de rencontre privilégiés (cocktails, assemblées, services religieux, etc.). Mais on rejoint ici l'étude de la diffusion des rumeurs, qui constitue à mes yeux un objet certes connexe, mais redevable d'un dispositif analytique différent.

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LA DIVERSITE CULTURELLE DANS LES ORGANISATIONS : CRITIQUE DU *MANAGEMENT INTERCULTUREL* ET NECESSITE D'UN NOUVEAU REGARD EPISTEMOLOGIQUE

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Abstract

This article focuses on the use of intercultural management practices by the organizations in a context of cultural diversity. It presents a critical synthesis in terms of the scope and limits of the three primary models of cultural diversity "management" resulting from administrative sciences: the model of national references, the model of social references, and the emerging model. Does the increasing use of these models represent a strategic choice from management or simply a response to imminent crises? This study brings forwards propositions on the need for a new analytical framework and on the creation of an epistemological bridge between these leading, but problematic models, and those resulting from sociology and anthropology of organizations.

Mots-clés: management, resources humaines, organisation

Introduction

La diversification croissante, sur les plans identitaire et ethnoculturel, des milieux du travail et des organisations a étroitement accompagné les mutations contemporaines du travail. La question de la diversité culturelle dans les organisations se pose de façon récurrente en raison des impacts toujours plus profonds qu'elle produit dans les espaces du travail. Dans un contexte de plus en plus marqué par l'individualisation du travail et du rapport salarial, par la déliquescence des modes de représentation et d'action collectives, ces impacts s'en trouvent amplifiés et contribuent à une redéfinition des rapports sociaux dans ces espaces. De nouvelles figures de la conflictualité au travail émergent qui, en contribuant à remodeler les formes sociales traditionnelles de la convivialité au travail, menacent de caducité les modes dominants de régulation du conflit interculturel dans les milieux du travail.

Les transformations récentes du travail ont fait l'objet de nombreux travaux convergeant vers le constat d'une profonde réorganisation de la société industrielle (Boltanski et Chiapello, 2004), notamment par la contraction irréversible de son secteur secondaire au profit d'une «économie nouvelle» et d'une «économie du savoir». Au-delà de leurs dynamiques combinées, les flux migratoires (Helly, 2000), l'émergence de l'économie du savoir (Viprey, 2003) et le recours croissant à une main-d'œuvre hautement qualifiée ont fortement contribué à ces transformations. Les frontières culturelles autrefois bien délimitées deviennent de plus en plus floues (Steinmueller, 2002). On assiste à une transformation des structures organisationnelles avec entre autres l'émergence du fonctionnement en réseau dans lequel l'interculturalité imprègne de plus en plus les

rapports sociaux du travail, notamment dans les organisations (David et Foray, 2002). Pour les organisations, c'est un défi de taille qui s'impose en matière de gestion et d'intégration de personnels culturellement hétérogènes. Il s'impose d'autant plus que les structures mêmes du système de relations industrielles post-fordiste subissent une mutation des acteurs en relation avec la montée des enjeux identitaires (Soussi, 2006). Les besoins de main d'œuvre qualifiée contraignent les entreprises à repenser leurs stratégies pour attirer et conserver les travailleurs issus de la diversité culturelle. Cela soulève une série d'interrogations sur les enjeux qui entourent la présence de cette diversité et qui en orientent, par la même occasion, les pratiques de gestion et d'intégration.

Un constat : le traitement de cette problématique de la diversité culturelle dans les organisations a globalement été le privilège d'un corpus spécifique, celui du management interculturel. Cet article propose une synthèse critique sur la portée et les limites des trois modèles dominants de «gestion de la diversité culturelle» que notre recherche a identifiés dans le cadre du corpus du *management interculturel*: un corpus théorique qui s'inscrit résolument dans un paradigme positiviste. Cette analyse conclut ensuite par des propositions soutenant la nécessité d'un nouveau regard épistémologique autour de ce phénomène dont les impacts sur les transformations du travail en font un objet d'étude emblématique des sciences de l'administration contemporaines.

La conjugaison des phénomènes des flux migratoires et de la mondialisation impose la diversification de la main-d'œuvre (Helly, 2000). Le premier renvoie surtout à un mouvement endogène alors que le second a une portée exogène. Les flux migratoires amènent une main d'œuvre culturellement hétérogène au sein des entreprises locales et la mondialisation tend à déplacer les entreprises au-delà de leurs espaces identitaires nationaux. Ce dernier volet a été largement documenté par les diverses études du management interculturel qui se sont intéressées au caractère exogène de la diversité culturelle (Trompenaars et Hampden-Turner, 2004; Lainé, 2004; Chevrier, 2003; Adler, 1991; Hofstede 1980). À l'inverse de la main-d'œuvre qui afflue surtout vers l'intérieur des organisations, les flux de capitaux et de marchandises ont une croissance essentiellement tournée vers l'extérieur. La mobilité internationale des entreprises suppose la gestion d'un personnel réparti dans plusieurs pays, ce qui impose à l'entreprise une relation exogène avec la diversité culturelle. D'où la nécessité de nouvelles pratiques de gestion et d'intégration de la main-d'œuvre (Lainé, 2004).

Le *management interculturel* : un corpus théorique à vocation instrumentale

Le corpus théorique du management interculturel a nettement écarté l'élément endogène alors même que la question culturelle et identitaire conjugue les deux problématiques. Ses constats convergent par ailleurs vers le fait que la gestion de la diversité culturelle échappe souvent dans les organisations à toute formalisation. Ces modèles (du management interculturel) sont rarement intégrés dans les fonctions *ressources humaines (RH)* des entreprises, les organisations procédant le plus souvent par improvisation et au cas par cas (Lainé, 2004). Au-delà de l'intégration dans les milieux du travail se pose aussi le problème de l'intégration sociale des individus (Drudi, 2003). Ces derniers sont confrontés dans ces espace d'accueil à des transformations culturellement difficiles à incorpore au niveau identitaire (Cardu et Sanschagrin, 2002) en ce qu'elles se conjuguent à un univers de références inhabituel (Drudi, 2003).

Sur le plan méthodologique, peu d'études qualitatives ont été consacrées à un regard critique des transformations récentes et de la croissance de la diversité au travail. L'intérêt des études du management interculturel privilégie une approche instrumentale souvent

associée à des pratiques de gestion traitant de l'implantation de cadres occidentaux à l'étranger (Trompenaars et Hampdon-Turner, 2004; Lainé, 2004; Hofstede, 1980). Ces études construisent des repères pragmatiques permettant d'intégrer la dimension culturelle et d'éviter les impairs individuels et les dysfonctionnements organisationnels reliés aux incompréhensions et aux conflits interculturels potentiels dans les organisations. Le défi déclaré de ces études est de sensibiliser de les managers aux problématiques complexes de l'interculturalité en vue d'une meilleure efficacité dans leurs fonctions. En revanche, ces études n'offrent pas de modèle de gestion ancré dans les rapports au travail entre acteurs porteurs d'identités et de cultures différentes. La question de la gestion de la diversité culturelle a surtout fait l'objet d'étude quantitatives (Trompenaars et Hampdon-Turner, 2004; Hofstede, 1980) tenant peu compte des transformations récentes et de la croissance de la diversité au travail. De façon globale, ces études analysent de préférence les styles de gestion traitant de l'implantation de cadres occidentaux à l'étranger -aspect exogène- (Trompenaars et Hampdon-Turner, 2004; Lainé, 2004; Adler, 1991; Hofstede, 1980). Bien que leurs enquêtes aient donné lieu à un contenu riche en données quantitatives, une lacune demeure en termes de résultats qualitatifs opératoires dans un environnement endogène.

À partir d'une revue des trois principaux modèles d'analyse, seront présentées ici les différentes écoles de pensée qui caractérisent le corpus du mangement interculturel. Un modèle des références nationales dominant, tourné vers le déterminisme des cultures nationales en matière de stratégies des organisations et fondé sur des critères nationaux (Trompenaars et Hampdon-Turner, 2004; Lainé, 2004; Hofstde, 1994, 1980; Adler, 1991; Hall, 1984, 1979, 1971). Un deuxième modèle, mobilisant des critères sociétaux et construit autour des identités locales et de leurs impacts sur certaines fonctions des organisations -gestion des relations du travail notamment- dans des sociétés culturellement distinctes (Iribarne *et al.*, 2002). Quelques études critiques récentes de ces deux modèles tendent à former un troisième modèle en émergence qui souligne la nécessité d'une approche anthropologique de la diversité culturelle au travail. Ce modèle se pose en alternative aux courants théoriques nationaux et sociétaux.

Le modèle des références nationales

Le courant regroupant les modèles nationaux d'analyse s'inscrit dans une perspective épistémologique fonctionnaliste traditionnelle et domine à ce titre la littérature sur le management interculturel. Avec leurs travaux fondateurs, Hall (1979) et Hofstede (2002, 1991, 1980) en apparaissent comme les précurseurs. Plus récemment, les travaux de transfert de Trompenaars et Hampden-Turner (2004) ont accru la visibilité de ce courant. À ceux-ci, s'ajoutent plusieurs autres travaux fondés sur les mêmes postulats (Lainé, 2004; Adler, 1991; Usunier, 1991, 1985).

Postulats et définition de la culture comme système de communication

À partir de travaux réalisés sur les relations entre les indiens *Hopis* et *Navajos* et leurs environnements institutionnels et culturels dans les années 1930, l'anthropologue américain Hall (1971) propose une définition de la culture qui renvoie aux idéaux-types «profondément enracinés dans le biologique et le physiologique» (Hall, 1971: 16). À la façon de l'ethnologie classique, c'est par l'observation des comportements qu'il édifie une conception déterministe de la culture. L'homme ne peut se soustraire à sa propre culture puisque celle-ci s'inscrit dans son système nerveux et influence la perception de son environnement (Hall, 1971). C'est par l'étude de la communication, c'est-à-dire du «système de création, d'émission, de rétention et de traitement de l'information», que Hall

élabore sa définition de la culture (Chevrier 2003: 42). Il divise la communication en deux parties : les mots -verbal- et le comportement -non-verbal- (Hall, 1984). Pour décoder les messages exprimés par ces deux formes de communication, il propose trois *dimensions cachées* : le contexte, le temps et l'espace.

*Contexte riche versus contexte pauvre. L*e contexte donne un sens à la communication et agit sur celle-ci de manière inconsciente et invisible (Hall, 1984). Pour évaluer le contexte d'une communication, il faut déterminer la quantité d'informations échangées par les interlocuteurs. Lorsque l'information transmise est implicite et exige une compréhension approfondie du contexte pour saisir le sens de la communication, le contexte est *riche*[18]. À l'inverse, un contexte est *pauvre* lorsqu'il y a une transmission détaillée de l'information qui demande peu de connaissance du contexte[19]. Ainsi, «un apport d'information doit compenser une perte de contexte pour que la signification reste constante» (Hall, 1984: 75-76). Pour Hall (1984), les stratégies de communication des Américains et des Japonais se réfèrent à des contextes différents. Les Américains (pauvre en contexte) sont dérangés par la manière subtile des Japonais (riche en contexte) d'en venir là où ils veulent alors que ces derniers s'imaginent à tort que leurs interlocuteurs devinent leur raisonnement. D'un autre côté, les Japonais voient les explications logiques et précises des Américains comme une façon «de pénétrer leur esprit et de penser à leur place» (Hall, 1984: 78).

Temps monochrone versus temps polychrone. La culture repose sur une conception temporelle de l'activité et de l'expérience. Cette conception se reflète dans la manière dont les individus les planifient, les organisent et en parlent. Selon Hall (1984), les sociétés sont orientées vers deux types de conceptions du temps qui constituent chacune l'extrémité d'un spectre sur lequel il est possible de situer les cultures. Le temps monochrone est représenté comme une ligne droite sur laquelle s'inscrivent le passé, le présent et le futur. Les individus exécutent leurs tâches méthodiquement comme s'il y avait un découpage entre chacune d'elles (Hall, 1984, 1979). Dans l'organisation, cela peut se traduire par une rigidité des horaires, une division du travail et des tâches. La perception polychrone du temps peut s'illustrer symboliquement par une forme circulaire. Les individus sont engagés dans plusieurs relations et activités sans programme formellement établi.

Proxémique culturelle. La distance physique entre les individus apparaît comme un mode de communication forgé par la culture. La distance interpersonnelle *convenable* est différente selon les sociétés (Hall, 1971). Tout comme la segmentation des activités, l'espace physique est compartimenté. Tout le modèle de Hall est fondé sur les marges de manœuvre reliant les trois dimensions duelles qu'il a identifiées.

La culture: une programmation mentale

Suite aux travaux de Hall (1979, 1971), Hofstede (1980) s'engage dans une voie alternative fondée sur une convergence supposée des cultures. À partir d'une recherche quantitative sur les "valeurs personnelles" en lien avec le contexte de travail, et prenant comme échantillons les personnels de nombreuses filiales *IBM* dans le monde, il élabore un modèle d'analyse construit à partir de sept dimensions, duelles et à portée universelle également. Pour lui la culture est une sorte de programmation mentale de l'ensemble des

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[18] Par exemple, un groupe d'ingénieurs d'une même entreprise peuvent utiliser un bon nombre de sous-entendus au cours d'une discussion sans créer d'ambiguïté car ceux-ci n'ont besoin que de peu d'explications pour comprendre ce dont il est question.

[19] C'est le cas de la cour de justice où chacun des faits doit être clairement précisé et méticuleusement organisé.

façons de penser, de réagir ou d'agir qu'intériorise un individu par l'apprentissage continu et le plus souvent inconscient. La "culture" ainsi acquise se projette dans le milieu de travail. Hofstede (1980) retient quatre façons par lesquelles la culture se manifeste. Il illustre les niveaux de manifestation de la culture pas des pelures d'oignon avec au centre les valeurs, puis respectivement les rituels, les héros et les symboles. Les trois dernières couches correspondent aux pratiques identifiées par l'observation externe, même si le substrat culturel qui leur est accordé est invisible. Ces programmes mentaux correspondent à des niveaux de culture qui sont: le niveau national; l'appartenance à un groupe régional et/ou ethnique et/ou religieux et/ou linguistique; le genre; la génération; l'origine sociale, l'instruction et la profession exercée; et l'organisation ou l'entreprise.

Les systèmes de valeurs auxquels fait référence Hofstede (1980) se retrouvent au cœur des organisations. Il a donc dressé l'inventaire de leurs particularités qui a donné lieu à la construction d'un modèle dimensionnel des cultures nationales à partir de l'expression de quatre valeurs ou dimensions prédominantes qui caractérisent les écarts culturels : la distance hiérarchique, le contrôle de l'incertitude, le degré d'individualisme ou de collectivisme et le degré de masculinité ou de féminité. Plus tard, Hofstede (1991) ajoutera une cinquième dimension : l'orientation vers le court ou le long terme d'une société. Les dimensions fondamentales proposées par ce dernier ont été maintes fois reprises et modifiées (Lainé, 2004; Mutabazi *et al.*,1994; Adler, 1991, Usunier, 1985) en vue d'une portée plus pragmatique.

La culture comme ensemble d'universaux

Les travaux plus récents de Trompenaars et Hampdon-Turner (2004), proposent un modèle à vocation instrumentale pour les organisations. Partant du principe que chaque culture trouve ses choix propres de résolution de problèmes, ils dégagent sept dimensions duelles fondamentales de la culture. Leur conceptualisation repose sur un modèle polarisé : dans chaque dimension, c'est au point médian que se situe l'efficience visée par l'organisation[20]. D'autres études ont poursuivi la même démarche, mais dans d'autres contextes (Lainé, 2004; Mutabazi *et al.*, 1994; Adler, 1991; Usunier, 1985). La voie adoptée conserve une vocation instrumentale visant la gestion interculturelle, comme la synergie culturelle[21] d'Adler (1991) et l'ATLAS[22] de Lainé (2004). Pour Symington (1983: 1), la culture est «un ensemble complexe qui comprend le savoir, les croyances, l'art, la morale, les coutumes, ainsi que toutes les aptitudes et les habitudes qu'un être humain acquiert en tant que membre d'une société» (Symington, 1983: 1). Pour Barnouw, (1963: 4), c'est «le mode de vie d'un groupe d'individus, la combinaison de tous les modèles plus ou moins stéréotypés de comportement appris, que chaque génération transmet à la suivante au moyen du langage et de l'imitation». Adler (1991) a, de son côté, développé six

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[20] Par exemple, pour l'une de leurs dimensions qui est l'universalisme versus le particularisme, les auteurs démontrent qu'une société universaliste accueille la diversité (dans une optique positive) mais manque de discernement dans l'appréciation des singularité individuelles (dans une optique négative).

[21] Adler (1991) propose la notion de synergie culturelle comme une approche intégrée de la gestion interculturelle. La synergie culturelle est une stratégie pour gérer la diversité culturelle et ainsi transcender les conséquences qu'elle exerce au sein des organisations. Cette méthode serait tout indiquée pour gérer des conflits dans une situation de multiculturalisme.

[22] *ATLAS* est un outil pratique qui permet de déterminer la dimension culturelle à travers une méthode d'identification des variables culturelles. Voir à ce sujet l'ouvrage de Lainé, S. (2004), *Management de la différence. Apprivoiser l'interculturel.*

dimensions empruntées à Kluckhohn et Strodtbeck (1961): les "qualités individuelles des membres", leurs rapports avec la nature et avec le monde, leur relation avec les autres membres, leur activité principale, leur orientation spatiale et leur orientation temporelle. Comme pour celles de Hofstede (1980), ces dimensions servent à "mesurer" les comportements au travail. Adler (1991) en propose deux de plus et ne reprend que le couple individualisme/collectivisme.

Le modèle des références sociétales

Ce modèle vise également à approfondir l'impact de la culture sur les pratiques de gestion pour mieux harmoniser ces pratiques aux situations locales. Toutefois, il se démarque par la définition de la culture qu'il propose et par sa manière de rendre compte des spécificités culturelles.

La culture comme un système de sens

C'est principalement à travers l'approche interprétative de Iribarne (2002, 1989) et de son équipe qu'elle a été médiatisée. Ce dernier construit un corpus théorique hybride sur le plan disciplinaire : jumelage de l'ethnographie avec une grille d'interprétation reposant sur l'histoire des cultures politiques et des systèmes d'organisation sociale. La démarche met en œuvre un inventaire des cultures politiques et en décrypte l'ancrage historique. Postulant que les modes de régulation se reproduisent socialement aux différents niveaux institutionnels d'un espace national, elle dresse une typologie des cultures. Ce modèle reconnaît au courant de l'anthropologie symbolique sa définition de la culture comme un processus d'interprétation : les individus attribuent des significations à leurs réalités à partir d'un référentiel de sens. Cette unité de système de sens renvoie à un processus tant individuel que social: chacun interprète de manière personnelle ce qu'il vit en se rapportant aux normes institutionnelles et formelles partagées et c'est par ces normes que se construit le contexte d'interprétation de la *culture politique*. Dès lors les comportements individuels et organisationnels s'inscrivent résolument dans une optique stratégique. Il importe alors «de mettre en rapport les stratégies des acteurs avec le sens qu'ils accordent aux situations où ils se trouvent et aux actes qu'ils sont susceptibles d'accomplir» (d'Irbarne *et al.*, 2002: 343). On peut alors cesser «de concevoir une culture comme un univers de pratiques uniformes pour l'appréhender comme un ensemble de codes au sein duquel la diversité des pratiques prend sens, que ces pratiques soient majoritaires, déviantes, marquées par l'immobilisme ou porteuse de nouveauté » (Iribarne *et al.*, 2002: 347). Dans ce modèle, les référents des conduites des individus et des groupes sont permanents et signent le rattachement à une culture, mais l'expression de ces conduites peut varier. Par exemple, les rapports d'autorité dans les organisations en France seraient tributaires des modèles aristocratique -militaire : sous-officier et soldat- ; clérical : maître et apprenti ; servile : maître et laquais- (Chevrier, 2003). La *culture politique* provient ici du fait que «la révolution a aboli les ordres dans leur forme ancienne, mais n'a pas balayé la conception fondamentale de la société organisée en groupes sociaux hiérarchisés» (Chevrier, 2003: 76). Cette idée est au cœur des modèles sociétaux. C'est le passage du clan à l'individu qui, par le travail, produit son identité. Ainsi, avec la Révolution Industrielle, l'individu naît avec le travail (Castel, 1995) ce qui désormais donne lieu à une nouvelle hiérarchisation par le travail. Cette hiérarchisation renvoie à une codification selon le mérite de la formation des individus. Les hautes fonctions de l'entreprise reviennent à ceux qui sont passés par les grandes écoles. Les référents qui organisent liens sociaux sont tout aussi présents dans les milieux du travail. L'entreprise déploierait des modalités de

fonctionnement qui se conforment aux codes d'interprétation enracinés dans le contexte sociétal. La culture politique, historiquement translatée, s'intègre aux pratiques de gestion de l'organisation.

Portée et limites.

Le modèle des références nationales. Hall, compte tenu du contexte des trente glorieuses aux États-Unis, s'est opposé à l'idée dominante de l'universalité des modes de communication. Il démontre l'importance de la culture dans les conduites individuelles. Néanmoins, son corpus théorique comporte des propositions ambivalentes notamment au niveau de sa définition déterministe de la culture. Alors qu'il maintient l'hypothèse que l'individu demeure enfermé dans sa propre culture qu'il peut difficilement subir un contrôle de l'extérieur, il soutient par exemple que les Japonais sont polychrones lorsqu'ils travaillent entre eux mais monochrones dans leurs relations avec les Occidentaux. Comment peut-on être conditionné par sa culture qui, constitue l'essence de l'être social, et en même temps s'approprier aisément un autre système temporel opposé dans certaines situations? L'idée d'une unité culturelle pour exprimer le caractère commun est évacuée des travaux de Hall. Cette omission soulève des interrogations, entre autres lorsqu'il affirme que «à un niveau préconscient, la monochronie est masculine, et la polychronie, féminine» (Hall, 1984: 66). Pour sa part, Hofstede (1980) cherche à mettre en évidence la relativité des pratiques managériales selon les contextes culturels. Ces recherches ont eu un impact majeur sur le *management interculturel*. En dépit du travail colossal de Hofstede (1980), les résultats obtenus sont des données quantitatives subordonnées à une multinationale spécifique et à un seul type de travailleurs liés au domaine précis de l'informatique. Cela a-t-il une incidence sur la portée des résultats? Ces derniers peuvent-ils être projetés sur d'autres milieux? La question demeure entière. Un autre problème méthodologique majeur dans la catégorisation des cultures nationales de Hofstede (1980) consiste à départager ce qui se rapporte aux aspects individuels qui sous-tendent des éléments pouvant appartenir à d'autres composantes de la culture comme la *culture professionnelle* ou la *culture organisationnelle*. Ces composantes ne s'insèrent qu'en partie dans la culture nationale. Les travaux de Trompenaars et Hampdon-Turner (2004) postulent l'existence de six dimensions duelles universelles. C'est leur dualité qui est porteuse des réponses traitant les problèmes de communication interculturelle et c'est dans ces réponses que se cristallise la spécificité culturelle. Cette conception universelle de la culture semble peu nuancée et occulte manifestement le substrat anthropologique de la diversité culturelle, nonobstant le fait que ce modèle d'analyse soit certes aisé à opérationnaliser pour les entreprises. Il est également culturellement marqué par son choix de prôner le *one best way* à travers des formules destinées directement aux managers. Le modèle des références nationales se caractérise globalement par son traitement instrumental de la diversité culturelle en proposant des repères pragmatiques pour la gestion interculturelle, alors même que, selon d'autres observations (Dupuis, 2004), son cadre théorique reste marqué par des incohérences conceptuelles et sémantiques.

Le modèle des références sociétales. Ce modèle met en lumière la récurrence des attitudes et des comportements individuels et organisationnels dans les cultures. Il y a une volonté de normaliser et d'uniformiser les pratiques de management en termes de performance organisationnelle. Il se démarque sur le plan méthodologique par une démarche qualitative qui mobilise des échantillons plus restreints dans des entreprises différentes. Sa méthodologie (études de cas) permet une justification plus pointue des mécanismes organisationnels. En outre, ce n'est pas la logique universelle comme dans le

premier modèle qui intéresse Iribarne (Iribarne *et al.*, 2002, Iribarne, 1989) mais bien une logique locale permanente qui s'exprime par les pratiques de gestion et le fonctionnement global d'une société. Son cadre théorique contient des incohérences et une hétérogénéité dans l'analyse qui fait obstacle à sa généralisation (Dupuis, 2004).

Un modèle en émergence : vers une typologie de la culture?
Réinterrogant les deux précédents modèles, un dernier modèle semble prendre corps. L'approche d'Iribarne (2002, 1989) suscite plusieurs questions théoriques renvoyant à sa conception de la culture. Dupuis (2004) souligne le manque de cohérence et les contradictions qui feraient obstacle à la construction d'un modèle empirique à portée explicative générale. C'est par des réponses alternatives à certaines critiques de fond que se construit progressivement ce nouveau modèle d'analyse articulé principalement sur la construction d'une typologie anthropologique des cultures.

Une critique du modèle des références sociétales.
Iribarne emploie des expressions comme *traits fondamentaux* (1989 : 12), *principes fondamentaux* (1989 : 20), *grands principes* (1989 : 201), *principe d'ordre* (1993: XIII), *principes communs* (1993: XIX), *valeurs* (1989: 14, 2002 : 258), *grands repères* (2002 : 259). Bien qu'il reconnaisse que le recours à ces concepts traduit probablement un même signifié chez Iribarne, Dupuis (2004) soutient que l'instabilité terminologique de ce dernier n'est pas sans conséquence et peut mener à la confusion car elle renvoie à des perspectives et des paradigmes disciplinaires différents. Dupuis (2004) reproche à Iribarne des disparités à l'origine de l'incohérence de son corpus et de l'impasse théorique qui le frappe : «nous passons ainsi de référents ultimes propres à une culture à des universaux vécus différemment selon les cultures» (Dupuis, 2004: 25). En effet, d'un côté, il lui est impossible de rendre compte d'une unité de la culture compte tenu que les catégories universelles éclipsent désormais les référents ultimes qui permettraient de le faire. D'un autre côté, étant donné que ce sont les associations communes qui donnent lieu au sens - qui lui est propre à chaque culture- l'élaboration d'une typologie des cultures ne peut être envisageable. Cela supposerait la présence de substrats communs aux différentes cultures. En revanche, Iribarne ne peut catégoriser conceptuellement les cultures car elles renvoient à des spécificités locales. Or un choix s'impose entre les deux, qui passerait par une définition anthropologique contemporaine de la culture, articulée autour d'une conception plus dynamique. L'idée de "logique" et de "référent ultime" s'inscrivent dans un cadre prédéterminé et désormais entaché de caducité face aux transformations récentes du travail et des organisations.

Synthèse et propositions critiques
Cette analyse critique permet de dégager des conclusions sur trois plans différents : conceptuel, empirique et analytique.
Sur le plan conceptuel, selon la définition de Cuche (1996), la culture serait un ensemble d'éléments en interaction les uns avec les autres. Le choix des oppositions fondamentales extraites des études anthropologiques de Lévi-Strauss (1958), sur lesquelles s'appuie Iribarne, confirme la logique déterministe des deux premiers modèles. La notion de référent ultime, telle que proposée par Iribarne, laisse sous-entendre une interprétation différente de ce que semble exprimer l'auteur. En attribuant aux "référents ultimes" un déterminisme intrinsèque à chaque culture, Iribarne subordonne les comportements des individus et des organisations à une prénotion pour le moins approximative : l'inconscient

collectif attaché à toute culture. La question se pose alors de pouvoir repérer le référent ultime propre à chaque culture. Dupuis (2004) suggère un retour à l'idée de "valeur", définie comme un référent commun. Ce dernier agit comme point de repère pour les individus «ne serait-ce que pour mieux s'y opposer» (Dupuis, 2004: 27). Il y a donc une interaction «qui consiste pour un individu pourvu de certains attributs à établir des préférences entre des états différents d'un système social» (Boudon et Bourricaud, 1990: 665). Un système de valeurs n'est jamais parfaitement stable mais il y a persistance d'un noyau dur de la culture qui évolue avec le temps. À cet effet, la définition de « valeur » de Rocher (1969: 56) comme «une manière d'être ou d'agir qu'une personne ou une collectivité reconnaissent comme idéale et qui rend désirables ou estimables les êtres ou les conduites auxquels elle est attribuée» semble prévenir les risques d'approximation évoqués précédemment. En raison de la notion de "dynamique de valeur" qui en découle et qui porte la représentation symbolique des pratiques associées à une culture, la logique fondée sur les référents ultimes devient désormais sans objet. Cette proposition porte potentiellement les composantes d'une typologie des cultures dans la mesure où chaque culture se définit par une combinaison unique d'interactions de ses valeurs. Une telle proposition présente tous les éléments nécessaires au développement de ce troisième modèle en émergence. Ce dernier écarte les valeurs comme concept fondateur en raison de sa portée universelle et globalisante. La culture apparaît ainsi comme une dynamique autonome portée par un processus, en constante mutation, temporellement et spatialement marqué. Ce modèle apparaît en mesure d'intégrer les études culturelles et ethnographiques ayant pour objet les comportements des et dans les organisations.

Le modèle des références nationales contient une variété de définitions de la culture; tantôt un système de communication (Hall, 1984, 1979, 1971), tantôt une programmation mentale (Hofstede, 1980) ou une solution à des situations de crise (Trompenaars et Hampdon-Turner, 2004). Ces définition ont en commun de reposer sur des dimensions qui catégorisent les cultures nationales à partir d'indicateurs quantitatifs encadrant une analyse comparative des valeurs, croyances, attitudes et comportements. Partageant cette même tendance relativiste, l'ambition déclarée de ce modèle est de proposer des sous-modèles pratiques en matière de gestion interculturelle des organisations.

Sur le plan empirique, ces modèles n'ont guère insisté sur la nécessité d'introduire de nouvelles pratiques d'intégration de la diversité culturelle formalisées au niveau des fonctions de l'organisation. La gestion interculturelle étant souvent évaluée en termes de gains de productivité, dans le modèle des références nationales ces pratiques relèvent, de façon diffuse et transversale, des différentes fonctions de l'organisation, sans volonté récursive de les intégrer comme prérogative *ad hoc* de la fonction *RH*. Le modèle des références sociétales renvoie, quant à lui, à l'adéquation des référentiels culturels avec l'organisation, mais seulement au niveau de certains secteurs de l'organisation du travail, comme les programmes de gestion de la qualité notamment, et non dans un projet RH intégrateur sur les plans professionnel et organisationnel. Deux principaux défis animent la fonction *RH*: «celui de développer des processus viables par lesquels la gestion des ressources humaines peut contribuer à la planification stratégique dans les organisations, ainsi que d'adopter et de promouvoir la pensée stratégique au sein de la fonction elle-même» (Saba et Pucik, 1997 : 7). Il s'agit d'aligner les composantes organisationnelles sur celles de l'environnement externe (Saba et Pucik, 1997. Le besoin se fait de plus en plus pressant d'introduire dans les orientations de la fonction RH une gestion qui tient compte de l'intégration sociale et professionnelle des individus dans un milieu interculturel. Jusqu'ici, l'intérêt porté à cette question par le management interculturel, s'inscrit surtout

dans la perspective fonctionnaliste des théories des organisations dont l'objectif est «d'apprivoiser l'interculturel» pour une meilleure efficacité. Le modèle critique en émergence porte un intérêt certain aux pratiques tenant compte des identités individuelles mais sans manifester une préoccupation socialement innovante en matière de diversité culturelle. L'interrogation demeure dans la mesure où l'on ne dispose que de peu d'études appropriées et, encore moins, d'une définition de la culture couvrant les principaux indicateurs d'analyse de ce modèle. Dupuis (2004) souligne l'importance de tenir compte de l'individu dans les espaces sociaux et organisationnels du travail mais l'idée n'est pas explicitée davantage. La question de la prise en charge de la diversité culturelle demeure entière et peut susciter des tentatives d'innovations organisationnelles dans les entreprises qui vivent cette réalité au quotidien et à laquelle font défaut un appareillage théorique approprié et des données empiriques fertiles.

　　　　Sur le plan analytique, une proposition peut être formulée à partir de cette synthèse critique: la nécessité d'une passerelle épistémologique de l'anthropologie vers les sciences de gestion. L'approche anthropologique étudie l'organisation en tant que dynamique d'un système de relations (Lévis-Strauss, 1958) et non comme une entité isolée. Sur le plan anthropologique, les comportements organisationnels apparaissent moins fondés sur une rationalité singulière -notamment parce que "limitée"-. Ils renvoient davantage aux représentations symboliques qui leur sont intrinsèques qu'aux considérations stratégiques que leur attribuent les modèles d'analyse dominants du *management interculturel*.

La diversité culturelle : un cheval de Troie pour la recherche?

　　　　La nature des enjeux attachés à la diversité culturelle les impose comme un défi majeur pour les sciences de gestion dans leur quête de modèles d'analyse à portée systémique. Devant cet écueil méthodologique, l'appareillage conceptuel anthropologique propose des éléments d'analyse que les théories de l'organisation pourraient mettre en valeur. Les deux perspectives disciplinaires gagneraient à la construction d'une approche méthodologique complémentaire. Il s'agit d'exploiter les conditions favorables à une épistémologie commune aux sciences de gestion et à l'anthropologie des organisations. Cela suppose pour les premières acceptent l'élargissement de leur conception fonctionnaliste de l'entreprise. Tout en conservant son inscription dans un paradigme résolument positiviste, la recherche empirique en gestion pourrait s'enrichir d'un questionnement qui prenne en compte les incidences organisationnelles des représentations symboliques (Bonnafous-Boucher, 2005). Cela suppose aussi l'abandon partiel, par le *management interculturel*, d'un postulat devenu dominant depuis quelques décennies : son projet d'une science de l'action et de la décision, et qu'en retour il s'approprie un corpus théorique qui ne lui demeure accessible qu'au prix d'une volonté conséquente de transdisciplinarité.

　　　　Ce rapprochement interdisciplinaire autour des sciences de l'organisation -sur la base des enjeux de la diversité culturelle- ouvrirait la voie à une exploitation potentiellement riche de résultats de recherche qui sont restés jusque-là confinés à des disciplines encore cloisonnées comme la sociologie du travail et l'anthropologie des organisations. Il s'agit pour cette dernière d'appréhender une approche spécifique avec un fort contrôle des variables à défaut de tenter de déconstruire le substrat complexe et ambivalent de la notion de culture (Bonnafous-Boucher, 2005). Toutefois, ni le relativisme contextuel propre à l'anthropologie, ni l'universalisme associé au management interculturel ne permettent d'entrevoir l'intégration d'une typologie *des* cultures qui tienne compte des acteurs de terrain alors qu'un investissement théorique en ce sens constituerait une solide

posture pour appréhender l'irruption récurrente et inexorable de la diversité culturelle dans le contexte des organisations contemporaines.

Une difficulté méthodologique apparaît cependant avec cette alternative interdisciplinaire. Les organisations constituent des espaces clos qui, de façon toute légitime, n'ouvrent leurs portes que lorsqu'elles y trouvent un intérêt en matière d'efficacité et de performance (Soussi, 2001). Or, la question de la diversité culturelle semble constituer à point nommé un objet de recherche vers lequel convergeraient la prise en compte des intérêts potentiels des organisations et les intérêts d'étude de cette voie de recherche alternative exigeant la contribution des corpus anthropologiques. La problématique de la diversité culturelle pourrait devenir ce cheval de Troie salutaire à même d'entrouvrir à la recherche le champ souvent hermétique des organisations.

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Annexe. Synthèse des modèles d'analyse

	Modèle des références nationales	Modèle des références sociétales	Modèle émergent
Variable **Méthodologie**	Universaux de la culture Approche anthropologique Méthodologie quantitative	Noyau dur de la culture Référents ultimes Approche culturaliste Méthodologie qualitative	Valeurs : combinaison unique d'interactions Approche ethno-organisationnelle Méthodologie qualitative
Perspectives disciplinaires	Anthropologie Sociologie des organisations	Sciences administratives Ethnologie	Sciences de gestion Anthropologie des organisations
Travaux dominants	Hofstede (1980) Trompenaars et Hampdon-Turner (2004) Hall (1971)	Iribarne (2002, 1989) Chevrier (2003) Usunier (1991, 1985) Lainé (2004) Adler (1991) Saba et Pucik (1997)	Dupuis (2004) Côté, Soussi (2006)
Définitions de la culture	- système de communication Hall (1971) - programmation mentale Hofstede (1980) - solution aux dilemmes universaux Trompenaars, Hampdon-Turner (2004)	Iribarne (2002, 1989): - système de sens - noyau dur - référents ultimes - repères principaux	En construction : - dynamique de valeurs - référents anthropologiques
Enjeux organisationnels	- vocation exogène - pas de formalisation en GRH - intégration individuelle dans le milieu	- vocation exogène - intégration collective - intégration de l'organisation dans le milieu socio-institutionnelle	- vocation endogène et exogène - intégration socio-organisationnelle

L'EUROPEANISATION DES ACTEURS DANS LE DEBAT REFERENDAIRE NUMERIQUE FRANÇAIS[1]
Analyse de contenu d'articles electroniques, de blogs dedies au referendum sur le projet de traite constitutionnel de 29 mai 2005

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Abstract:

The French referendum (May 2005) represented for the French citizens the opportunity to debate the Europeans issues. We used this debate to show the emergence of a Europeanized numeric public sphere. The Europeanization of the public sphere is visible in newspapers communication and in the blogs communication. Nerveless this Europeanization is not homogenous. It depends on the sender: newspaperman or ordinary citizen and on the message send.

Mots-clés : citoyenneté européenne, espace public, analyse de contenu, blog

L'Union européenne, qui a débuté en 1950 comme une coopération entre les industries du charbon et de l'acier de 6 pays européennes est devenue, progressivement, une entité transnationale puissante, désormais capable de promulguer des normes qui créent des droits et des obligations pour les États-membres et pour leurs ressortissants. L'Union européenne est à présent en mesure de prendre des décisions avec un impact majeur sur l'orientation économique et sociale des États-membres et de l'Europe comme entité (Weiler, 1977).

Aujourd'hui l'Union européenne dépasse donc le cadre d'une simple coopération internationale sans être devenue pour autant un État. C'est la plus grande association d'États (re)connue. Son importance croît de jour en jour et actuellement elle est capable d'influer directement sur les vies des citoyens des pays qui la composent. Le problème de la légitimité d'une telle construction commence alors à se poser. Bien sûr, on ne peut pas dire que l'Union européenne est entièrement illégitime. Elle est indirectement légitimée par les gouvernements légitimement élus qui la composent et par l'élection du parlement européen. Mais il s'agit d'une légitimité indirecte qui, avec l'importance croissante de l'Union, est devenue insuffisante. D'où la nécessité de faire légitimer l'Union européenne par le « peuple européen » en transformant les ressortissants des pays membres en « citoyens de l'Union ».

La Commission européenne reprend et cite explicitement dans ses textes de travail la thèse, développée par Jürgen Habermas (Habermas, 2000), selon laquelle pour remédier au déficit

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[1] Une partie des résultats énoncés dans cet article ont été présentés lors du Colloque scientifique international « Démocratie participative en Europe », 15-17 novembre 2006, Toulouse (France)

démocratique de l'Union il est nécessaire d'impliquer le citoyen dans le débat européen (Dacheux, 2006, p.79). Légitimer l'Union en la rendant plus proche des citoyens a été aussi l'argument à la base de l'institution d'une citoyenneté de l'Union et, plus récemment, à la base du débat européen sur le Traité constitutionnel. « Les sociologues et les politologues nous le répètent à l'envi : nos démocraties européennes sont confrontées à une demande de rénovation de la participation des citoyens à la chose publique. Progressivement se fait jour un désir de démocratie plus participative et plus proche des préoccupations réelles des individus » (Commission européenne, 1999).

Internet – un nouvel « espace public » ?

Le référendum de mai 2005 a permis aux citoyens français de s'emparer de la problématique européenne et de faire connaître leurs points de vue, leurs inquiétudes et leur vision de la construction européenne. À cet effet, ils ont utilisé tous les moyens d'expression à leur disposition, notamment les outils d'expression des nouvelles technologies. L'utilisation d'Internet a connu un véritable essor et l'Internet est actuellement considéré par les officiels de l'Union comme l'outil par excellence permettant de rapprocher les citoyens de la construction européenne. Nous nous sommes donc posé la question si nous pouvons considérer Internet comme un nouvel espace public, un espace public numérique.

Nous sommes, donc, parties de la définition de Habermas. Selon lui, l'espace public moderne est « une sphère de personnes privées, rassemblées en un public, qui revendiquent cette sphère publique réglementée par l'autorité contre le pouvoir lui-même afin d'être en mesure de discuter avec lui des règles générales de l'échange » (Habermas, 1978). En partant de la théorie d'Habermas, Dacheux définit l'espace public comme « l'espace de médiation de nos sociétés européennes où la critique est une composante essentielle car la démocratie» (Dacheux, 2003). Pour que cette critique s'exerce, il faut remplir trois conditions :

▪ la publicité des débats – les problèmes d'intérêt général doivent être discutés publiquement;

▪ un public – les citoyens doivent pouvoir prendre part à la discussion, échanger des arguments;

▪ la liberté – la censure, l'interdiction de rendre publique une pensée empêche l'usage libre de la raison.

L'équipe Réseaux, territoires et géographie de l'information de l'Université de Compiègne, spécialisée dans l'étude du web, a lancé une exploration à grande échelle de la « partie » du web traitant du référendum pour avoir une vision d'ensemble du débat politique et comprendre comment celui-ci s'organisait en terme de relations entre les sites. En partant de la loi, scientifiquement validée sur de grandes échelles, qui énonce que les sites qui traitent de mêmes sujets sont proches en terme de liens, Ghitalla et son équipe (Ghitalla, 2006) ont mis au point quelques dizaines de robots pour parcourir les liens hypertexte entre les sites. Ils ont ainsi recensé 295 sites traitant le référendum qu'ils ont divisés en sites pour le oui, pour le non, sites ne prenant pas position, sites d'institutions et sites des grands médias. En fonction du nombre de visites reçues et du nombre des citations, ils ont mis au point un classement des sites faisant autorité sur le sujet. Ainsi, dans le « top ten » des sites faisant autorité dans le débat référendaire numérique, on retrouve à la première place le site Internet du journal *Libération*. Les médias traditionnels, les acteurs principaux des espaces publiques modernes, sont donc non seulement présents sur la toile, mais ils contribuent à structurer le débat.

Dans le même classement, une place importante est tenue par les sites des particuliers, désireux de faire publiques leurs opinions et leurs points de vue. Le site *d'Étienne Chouard*, professeur de BTS qui s'est investit pour le non, est ainsi devenu la référence de l'opposition sur la toile. Le camp du oui est également présent dans le classement des sites faisant autorité avec notamment le site *Lesamisduoui*.

Voilà qui confirme que l'Internet est bien un espace communicationnel qui permet aux acteurs institutionnels comme aux simples citoyens, de traiter des questions politiques. Désormais nous pouvons donc parler d' « espace public numérique » à propos d'Internet.

La méthodologie

Après avoir convenu de l'existence d'un espace public numérique, nous nous sommes posé la question de savoir comment se manifeste le caractère européen dans se débat a priori national. Nous avons donc décidé d'analyser pour la période avril-mai 2005 les sites Internet des principaux médias français, à savoir : *Libération, Le Monde* et *Figaro*. Conformément aux résultats obtenus par l'équipe de Réseaux, territoires et géographie de l'information, les quotidiens nationaux détiennent non seulement un rôle d'information, mais aussi un statut d'autorité. Il faut bien noter que les débats d'idées dans la sphère numérique se font autour des problématiques soulevées d'abord par les articles électroniques. C'est ainsi que nous retrouvons souvent sur les sites des citoyens, des citations d'articles pour démarrer un débat ou pour soutenir tel ou tel point de vue.

Nous avons pris le parti d'analyser également les publications des « simples citoyens ». Nous avons pour cela choisi d'analyser les blogs dont les auteurs peuvent être assimilés à de « simples citoyens » (ou se revendiquent comme tels). Selon l'*Encyclopædia Universalis*, « un blog est un site web personnel, évolutif et d'allure indépendante, présentant des réflexions de toutes sortes, généralement sous forme de courts messages. Le blog est mis à jour par son auteur, qui tient compte des commentaires de ses lecteurs » (Dromard, 2006). Susan Herring définit les blogs comme « des pages web fréquemment modifiées où les informations sont présentées de façon chronologique » (Herring, 2004). Mortensen considère les blogs comme « des sites web mis à jour fréquemment qui contiennent des commentaires souvent personnels et des liens vers d'autres sites ». Les principales caractéristiques des blogs sont donc le caractère personnel (l'auteur expose ses propres opinions), le caractère interactif (les visiteurs peuvent laisser des messages et ainsi enrichir le contenu du site) et la nature *hic et nunc* donnée par la présentation chronologique des sujets (seuls ces derniers sujets sont visibles sur la page d'accueil du site). En utilisant la technique de moteurs de recherche (avec les mots-clés *référendum, constitution européenne*) ainsi que les annuaires des blogs. Nous avons recensé 68 de blogs correspondant à nos critères. Nous sommes conscientes des limites de notre méthode de recensement qui n'a pu identifier que les sites les plus visités, mais en même temps, on sait que seuls les sites « visibles » sur la toile, identifiables par les moteurs de recherche, ont pu concrètement participer au débat numérique.

Nous avons analysé le contenu de ces sites à l'aide du logiciel Tropes[1], en construisant un « scénario » répondant aux besoins de notre recherche.

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1 Version 6.2.0, 2003, Société Acétic

Européanisation de l'espace public

Premièrement, nous nous sommes intéressées à l'aspect européen du débat. Nous voulions savoir si, dans ce débat à première vue entièrement national, il serait possible de parler de citoyenneté européenne et d'espace public européen.

L'européanisation est la somme des « processus de transformations générés par l'institutionnalisation d'un ordre politique communautaire dans des sociétés politiques domestiques dont les structures, les règles, les mobilisations, les identités politiques sont façonnées depuis plusieurs siècles par l'horizon stato-national » (Baisnée, 2007, p. 13).

> *« L'Union n'est pas la somme des États qui la composent ni donc stricto sensu la simple agrégation de leurs cultures politiques. C'est une entité qui, en se construisant, transforme progressivement les éléments qui lui donnent corps » (Baisnée, 2000).*

Koopmans (Koopmans, 1999), analysant les médias allemands, imagine deux types de transformations de la communication publique :

- une européanisation verticale dans laquelle les acteurs européens s'adressent aux acteurs nationaux et inversement sur des thématiques d'intérêt européen,
- et une européanisation horizontale qui peut être
  - *faible* - comprenant les reportages sur les événements qui se déroulent dans les autres pays membres
  - ou *forte* - faisant référence aux relations directes entre les pays, comme par exemple l'article de Figaro de 27 avril 2005 : *Un livre d'histoire franco-allemand paraîtra en 2006*[1].

Koopmans part de l'idée qu'en fonction des acteurs et des sujets publiés dans les médias, on peut mettre en évidence la co-existence de plusieurs espaces publics. On pourrait avoir une image en « cercles concentriques » de ses sphères publiques[2], cercles ayant au centre notre espace public national, suivi de celui des autres pays membres, à son tour suivi d'un espace transnational européen, des espaces nationaux des autres pays non européennes et de(s) espace(s) transnational(aux) non européen(s) (Koopmas, 1999).

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[1] L'article parle de l'état de la préparation du premier manuel d'histoire franco-allemand qui sera introduit en classe de terminale en 2006, en première en 2007 et en seconde en 2008. Ce manuel est présenté comme le résultat « de la volonté de relater une histoire commune trop souvent réécrite à sa façon par chacun des deux États ».

[2] Nous utilisons le concept de sphère publique comme synonyme (d'origine anglophone) du concept d'espace public
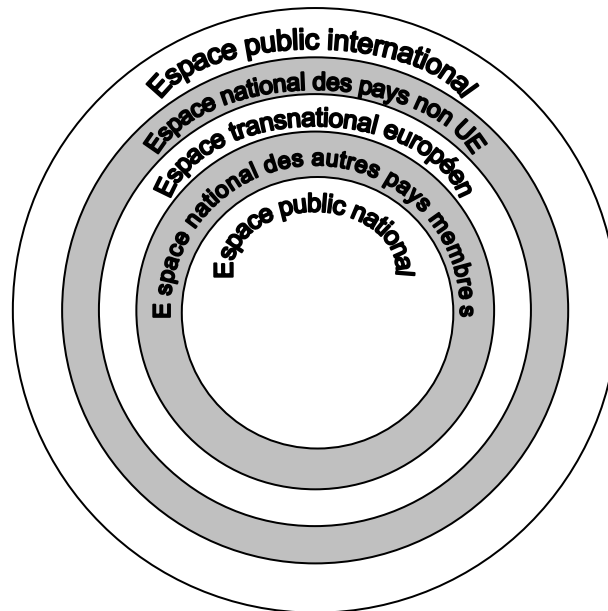
Figure 1 : Image en « cercles concentriques » des sphères publiques, inspirée des travaux de Ruud Koopmans et Jessica Erbe (Koopmans, 1999)

Dans l'idéal-type de l'espace public national on aurait des acteurs nationaux qui s'adresseraient à leurs concitoyens sur des sujets d'intérêt national. Ainsi de suite, dans une sphère publique européenne, on aurait des acteurs européens qui s'adresseraient aux citoyens européens sur des sujets d'importance européenne. Un exemple serait l'article publié dans l'édition électronique du Figaro de 28 avril 2005 *La Commission va placer onze nouveaux produits sous surveillance[1]*.

Bien sûr, un grand nombre d'articles de journaux ou de blogs seront difficilement classifiables selon cette grille idéale, car souvent ces sphères interagissent et nous pouvons retrouver dans le même article des acteurs nationaux parlant des sujets d'intérêt européen avec des acteurs nationaux ou transnationaux étrangers, tels les États-Unis ou l'ONU. L'article de Renard Muselier *Le monde nous envie cette Union européenne en construction. De ma rue à l'ONU, oui à l'Europe !*, publié le 4 mai 2005 dans *Figaro* démontre bien la co-existence et l'interdépendance des sphères publiques. Le secrétaire d'État aux Affaires étrangères y expose, au fur et à mesure des ses déplacements au niveau local, européen ou bien international, combien la construction européenne est présente à tous ces niveaux.

> *« En prenant ces exemples, aux antipodes les uns des autres, je veux montrer que nos relations avec nos partenaires nous éclairent sur l'impératif de réussite européenne. Quel lien entre la Cité interdite à Pékin, la Fondation européenne pour le dialogue des cultures à Alexandrie, les enjeux traités par les Nations unies à New York ou le tunnel de la gare Saint-Charles à Marseille*

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[1] L'article analyse la manière dont la Commission assure le respect de la réglementation européenne sur l'importation des produits textiles d'origine chinoise. « Par petites touches, la pression de Bruxelles sur la Chine s'accentue. Hier, la Commission européenne a annoncé son intention de placer sous surveillance onze produits textiles et d'habillement supplémentaires, en plus des neuf qui, dès demain, feront l'objet de l'ouverture d'une enquête formelle ».

(financé à hauteur de 17% par Bruxelles) ? Rien, si ce n'est l'Europe qui se doit d'être un partenaire visionnaire, ambitieux, et surtout puissant et fiable »
(Muselier, Le monde nous envie cette Union européenne en construction. De ma rue à l'ONU, oui à l'Europe, Figaro, 4 mai 2005).

C'est pourquoi nous avons concentré notre attention sur l'origine des acteurs mentionnés par les médias. L'origine (régionale, nationale, ressortissants des autres pays membres U.E., européenne, ressortissants des autres pays membres non-U.E., internationale) des acteurs mentionnés par les médias couvrant le référendum sera une première indication sur le degré d'européanisation de la communication publique dans les journaux et blogs français.

Européanisation de la communication publique

Nous avons recensé les noms propres[1] présents dans les articles de journaux et dans les blogs et nous les avons classé selon leur origine. Nous utiliserons par la suite le terme d'acteur, dans un sens large, pour nommer l'ensemble des personnes et des organisations ainsi identifiées dans notre corpus.

Origine des acteurs mentiones dans les journaux	Nb. apparitions	%
Française	11176	73,45%
Autre pays UE	1205	7,92%
Européenne	1744	11,46%
Internationale	1090	7,16%
Total	15215	100,00%

Tableau 0-1 : Nombre d'apparitions d'acteurs d'origine française, d'autres pays de l'Europe, européenne, internationale dans les journaux de notre corpus

Sur un total de 15215 références de noms de personnes et d'institutions (représentant environ 11% du corpus d'articles de journaux comptant 138364 mots analysés), 73,45% sont d'origine française, 11,46 % d'origine européenne et 7,16% d'origine internationale (cf. Tableau 0-1).

Lors de cette classification plusieurs questions se sont posées. Premièrement, notre catégorisation s'inspire des travaux de Koopmans qui, nous l'avons vu, sépare les acteurs selon leur appartenance à l'espace public national, à l'espace public national des autres pays membres, l'espace transnational européen, aux espaces nationaux des autres pays non européennes ou à l'espace(s) transnational(aux) non européen(s) (Koopmans, 1999). Cependant, il ne nous a pas paru significatif pour notre étude de faire la différence entre les espaces nationaux des autres pays non-européens et l'espace international. Ainsi, par souci de concision, nous n'avons gardé que quatre niveau d'appartenance : national (français), national (autres pays membres), transnational européen et international.

Deuxièmement, la position de la Suisse, de l'Islande, de la Norvège, du Liechtenstein dans cette classification. Bien que la Suisse, de l'Islande, de la Norvège et le Liechtenstein ne fassent pas partie de l'Union européenne, ils appartiennent à l'espace économique européen et selon nous, peu de citoyens européens peuvent faire la différence entre les deux. De plus, suite aux accords bilatéraux le statut des citoyens ressortissants des

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[1] Par noms propres nous faisons référence aux noms de personnes de d'institutions.

pays de l'espace économique européen ne diffère pas beaucoup de celui des citoyens ressortissants de l'Union européenne. Cependant, leurs ressortissants ne sont pas, de point de vue juridique, des citoyens de l'Union. Nous avons donc fait le choix de considérer ces pays comme appartenant à l'espace international. Le même choix s'est imposé pour les personnalités religieuses, le pape Benoît XVI et le pape Jean-Paul II qui sont citoyens du Vatican, État qui ne fait pas partie de l'Union européenne.

Les résultats que nous avons obtenus sont comparables (cf.

Tableau 0-2) avec ceux obtenus par Ruud Koopmans et Jessica Erbe (Koopmans, 1999) qui avaient analysé en 2000 les acteurs mentionnés comme interlocuteurs dans quatre journaux allemands (Süddeutsche Zeitung, Frankfurter Allgemeine Zeitung, Bild-Zeitung et Leipziger Vlkszeitung). La proportion légèrement plus importante d'acteurs extérieurs dans la communication publique allemande peut être expliquée par la tradition fédéraliste allemande. Plusieurs études déjà citées[1] ont souligné la capacité d'ouverture plus importante des pays ayant une organisation fédérale du faite de leur expérience à gérer plusieurs niveau de gouvernement.

Allemande	57%
Autre pays UE	14%
Européenne	10%
Internationale	18%
Total	100,00%

Tableau 0-2 : Proportion d'acteurs d'origine allemande, d'autres pays de l'Europe, européenne, internationale dans les articles de quatre journaux allemands

Bien sûr il ne faut pas oublier que Koopmans s'est concentré sur une catégorie bien spécifique d'acteurs, dans un contexte bien différent de celui de notre analyse[2] et donc on ne peut pas faire des comparaisons approfondies. On peut cependant observer, dans les deux cas, une européanisation verticale et horizontale comparable de la communication publique des médias français et des médias allemands. Ce qui nous fait émettre l'hypothèse que si nous analyserons, avec la même grille, les articles des journaux français dans une autre période, dans laquelle il n'y a pas d'enjeux européen majeur, nous pourrions trouver la même proportion d'environ 20% d'acteurs européens (incluant dans cette catégorie les acteurs provenant des autres pays membres de l'Union et les acteurs européens proprement dits) cités. L'étude de Guillaume Soulez (Soulez, 2004) vient soutenir cette idée. L'auteur, étudiant la présence des associations dans le journal Le Monde en 1999, observe qu'il n'y a pas d' « effet élections européennes » repérable, favorisant la présentation d'associations liées à l'Europe. Le nombre d'associations en liaison avec la construction européenne citées dans le journal reste stable indifféremment du contexte politique : période électorale

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[1] Nous faisons référence aux livres sur l'européanisation de Baisnée [Baisnée, 2007] et de Palier [Palier, 2007]

[2] Notre analyse se concentre sur une période électorale, tandis que l'étude de Koopmas s'étend sur une durée d'un an

ou période sans événement européen important. Ceci reste donc une hypothèse intéressante à explorer ultérieurement.

Européanisation de la communication des blogs

Prenant en compte le devoir d'objectivité et d'exhaustivité des quotidiens d'information nationale, on était en droit d'attendre d'eux qu'ils essayent de couvrir tous les aspects de la question référendaire, inclusivement les aspects européens et nationaux, ce qui explique l'européanisation de leur communication avec, nous l'avons vu, environ 20% d'acteurs européens[1] mentionnés dans les articles.

En revanche, les blogs, d'après les analyses du laboratoire RTGI de l'Université de Compiègne, sont majoritairement contre l'adoption du Traité. Leur discours, selon une partie des auteurs[2] ayant étudié les spécificités du discours « pro » et « contre » le traité constitutionnel, serait plutôt axé sur les aspects nationaux. Nous serions donc plus enclin à attendre une proportion plus importante d'acteurs nationaux que dans le cas de journaux. Cependant, Jessica Mange et Pascal Marchand réfutent l'hypothèse d'un « non » national et parlent plutôt d'un non différent. Les « nonistes » « font volontiers référence au texte, qui fait l'objet d'interprétations, soit sur l'organisation des institutions européennes, soit sur ses conséquences sociales et économiques » (Mange, 2007), tandis que les « ouistes » « reposent davantage sur une identification aux valeurs historiques fondatrices de l'Union européenne et un recours aux symboles qui unissent les peuples et les citoyens ». Selon cette approche, dans les blogs nous rencontrerions une proportion sensiblement égale d'acteurs nationaux avec les journaux. Cependant, dans les blogs, la présence d'acteurs européens sera plus importante que celle des acteurs en provenance des autres pays membres. C'est dans le deuxième cas de figure que nous nous trouvons, comme on peut le voir dans le tableau ci-dessous (cf. Tableau 0-3). Non seulement la proportion d'acteurs européens n'est pas plus petite dans les blogs que dans le cas des journaux, mais elle est toujours d'environs 20 %. Ce qui renforce notre hypothèse qu'il ne s'agit pas d'une européanisation exceptionnelle, qui fait suite à un débat sur une thématique européenne, mais que c'est bien le signe d'une européanisation plus pérenne de l'espace public français. Les médias, les traditionnels comme les nouveau, ont intégré désormais le niveau européen dans leur communication. Cette intégration n'est pas obligatoirement liée à un événement européen majeur, puisque la construction européenne est actuellement présente à tous les niveaux : local, régional, international.

Française	47199	71,72%
Autre pays UE	2295	3,49%
Européenne	11672	17,74%
Internationale	4645	7,06%
Total	65811	100,00%

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[1] Dans la catégorie acteurs européens nous incluons à la fois les acteurs des pays membres de l'Union et les acteurs européens proprement-dits

[2] Nous fasions référence notamment à l'article de Christophe PIAR et Jacques GERSTLÉ, Jacques « Le cadrage du referendum sur la Constitution européenne : la dynamique d'une campagne à rebondissements », Cahiers du Cevipof, no.42, juillet 2005, p. 42-73

Tableau 0-3 : Nombre d'apparitions d'acteurs d'origine française, d'autres pays de l'Europe, européenne, internationale dans les blogs de notre corpus

De plus, comme Jessica Mange et Pascal Marchand le démontraient, la communication des blogs se concentre surtout sur les acteurs européens et prennent moins que les journaux en compte les relations entre les pays. On pourrait conclure que si dans les journaux on retrouve à la fois une européanisation verticale et une européanisation horizontale, l'européanisation verticale est bien plus forte dans les publications des « simples citoyens », ce qui vient appuyer la conclusion des auteurs sur le fait qu'il n'y a pas deux discours sur le Traité constitutionnel, un « européen » et un « national », mais bien deux discours « européens » qui abordent la problématique européenne de deux manières différentes. Les journaux, dans leurs communications, font référence à la fois aux organismes européens et aux acteurs des autres pays de l'Europe et se font l'écho des collaborations entre les pays qu'ils considèrent probablement comme le fondement d'une citoyenneté européenne. D'autre part, les citoyens, dans leurs analyses publiées sur la toile, se concentrent plutôt sur les institutions européennes se situant ainsi dans la posture qu'on espérait d'eux : celle du citoyen qui s'intéresse à la construction européenne pour donner un avis réfléchi à la question posée.

Européanisation des acteurs

Nous sommes parties des observations faites par Koopman et Erbe dans leur article « Towards a european public sphère? » (Koopmans, 2004). Selon eux, même si le débat politique reste au niveau national, principalement à cause du facteur linguistique (seule langue d'échange le français), nous assistons à un phénomène d'européanisation de l'espace public national. Ainsi, les médias restent nationaux, mais leurs contenus se concentrent de moins en moins sur le contexte national pour inclure de plus en plus le point de vue européen. Ils identifient deux formes théoriques d'européanisation de la sphère publique : une « européanisation verticale » – impliquant des liens communicatifs entre le niveau national et le niveau européen – et une « européanisation horizontale » - comprenant des liens communicatifs entre les différents États-membres. Cette dernière fait référence à la fois aux médias d'un pays couvrant les débats et les contestations d'un autre État-membre et aux acteurs d'un pays qui s'adressent explicitement ou font référence explicitement aux acteurs et aux politiques d'un autre État membre.

Partant de ces résultats, nous avons décidé d'analyser les références lexicales explicites aux personnes présentes dans le débat en comptant, à l'aide de Tropes, le nombre d'apparitions de noms de personnes dans les articles électroniques et les blogs. Nous avons identifié trois types de personnes cités : les hommes politiques, les personnalités « people » et les experts que nous allons étudier par la suite.

La première catégorie « les hommes politiques » est constituée par les politiciens qui sont les acteurs principaux du débat. Il convient de remarquer que, dans les journaux, les hommes politiques de tous les pays membres et candidats de l'Union sont présents (conformément à la figure 1).

Figure 2 : Présence d'hommes politiques des pays membres et candidats de l'Union dans les articles électroniques – Représentation graphique, par pays, du nombre d'apparitions de noms

Présence d'hommes politiques des pays membres et candidats de l'Union dans les articles électroniques

Fait avec Philcarto - http://perso.club-internet.fr/philgeo   [discrétisation '06']
Dana Balan
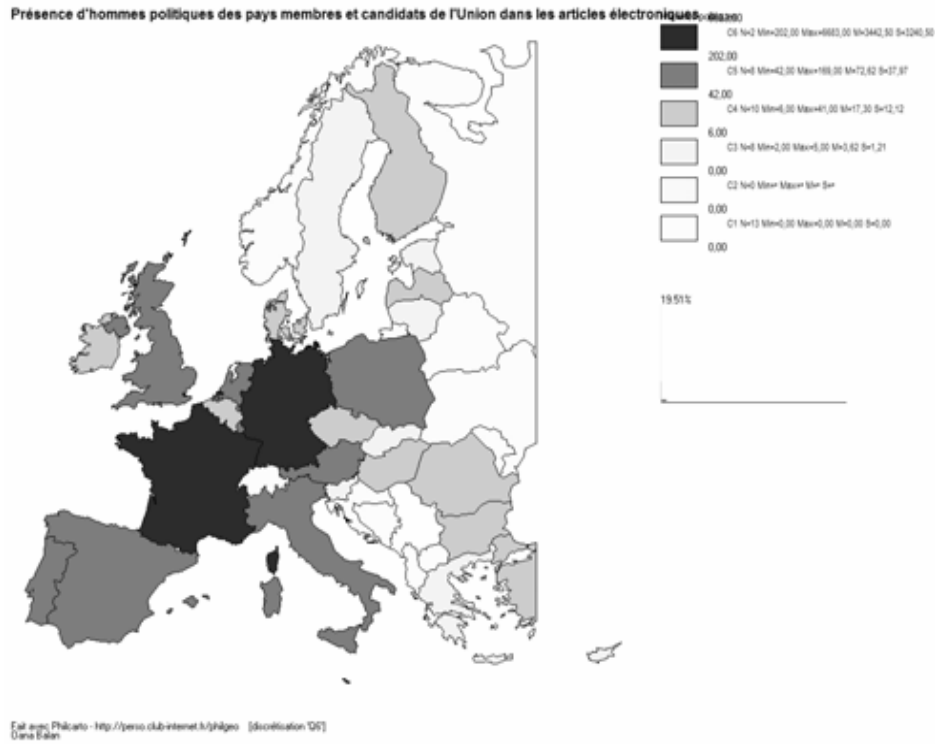
Céline Bélot, en étudiant les questions des Eurobaromètres sur la confiance qu'ont les individus dans les citoyens d'autres pays de l'Union européenne, a observé l'existence des *ingroups*[1], à savoir des groupes de pays dont les citoyens font plus confiance que d'autres au niveau de l'Union (Céline Bélot, 2006). Dans la figure 1, nous pouvons clairement observer un premier *ingroup* autour de l'axe France-Allemagne comprenant les deux pays et la plupart des pays voisins : Espagne, Portugal, Royaume-Unis, Italie, Pays-Bas, Pologne, Luxembourg, Autriche, Belgique, un deuxième *ingroup* comprenant les pays de l'est de l'Europe (sauf la Pologne qui fait partie du premier *ingroup*) et un troisième *ingroup* comprenant les pays du nord de l'Europe (Danemark, Irlande, Finlande, Suède). Les raisons de ce groupement semblent être la proximité géographique et la proximité culturelle. Ainsi, Céline Bélot retrouve également les pays nordiques comme *ingroup*. Un cas à part est représenté par la Pologne qui est plus présente dans le débat que ses congénères nouvellement entrés dans l'Union. On pourrait expliquer cette situation par le fait que la Pologne est le plus grand pays de l'Europe de l'est. Étant donné que le nombre de sièges dans le parlement européen est accordé en fonction du nombre d'habitants, nous pouvons considérer que la Pologne est également le pays ayant le plus de voix et donc le plus de pouvoir parmi les pays de l'est. Elle devient ainsi une sorte de représentant, de porte-parole des pays nouvellement entrés.

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1 Céline Bélot (Céline Bélot, 2006) utilise le terme d'« Ingroup » conformément à la théorie de l'identité sociale d'Henry Tajfel) où ils désignent les groupes auxquels l'individu se reconnaît appartenir et à travers lesquels il définit son rapport aux autres.
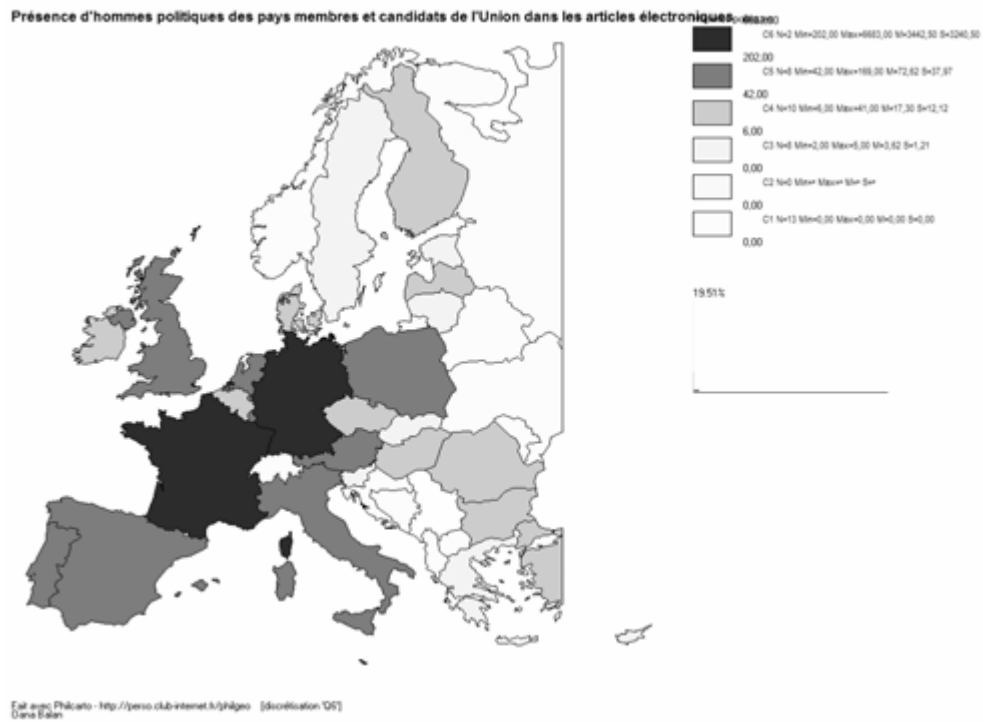
Figure 3 : Présence d'hommes politiques des pays membres et candidats de l'Union dans les blogs – Représentation graphique, par pays, du nombre d'apparitions des noms

Présence d'hommes politiques des pays membres et candidats de l'Union dans les blogs
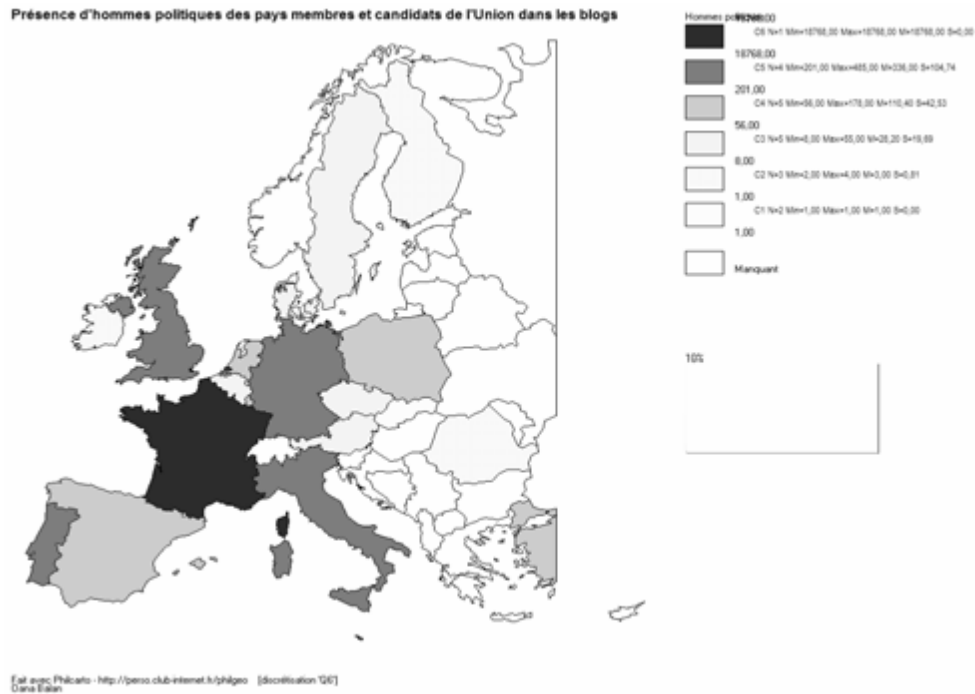
Dans les blogs on observe également une bonne représentation des autres pays membres de l'Union et des pays candidats, mais le poids de la France est plus grand. Les publications sont plus centrées sur le national. On retrouve approximativement les mêmes *ingroups* : la France avec ses voisins, les pays de l'est, qui incluent cette fois-ci la Pologne, et les pays du nord. Dans le cas des blogs, c'est la Turquie qui a une place spéciale : les hommes politiques turcs étant plus présents dans les blogs que dans les articles. Cette différence pourrait être due au fait que les citoyens qui participent aux blogs partent souvent des articles apparus en amont dans la presse nationale pour les approfondir. On pourrait ainsi conclure que la position turque a été considérée comme plus importante par les « surfeurs » et analysée en conséquence. Un rôle à part a été attribué dans le débat à des personnalités qu'on appellera « people ». Acteurs, chanteurs, réalisateurs de films, parents d'hommes politiques, sportifs entrent dans le débat pour le démocratiser, pour le rapprocher des citoyens. Ils sont invités dans les pages des journaux afin de représenter nombreux pays de l'Union comme on peut le voir dans la figure 3. Et cette fois, le nombre de ceux qui viennent des pays voisins de la France est comparable au nombre de ceux qui viennent du nord de l'Europe. Seuls les pays nouvellement entrés sont moins bien représentés. La coupure de 50 ans entre les blocs de l'est et de l'ouest se fait peut-être ici sentir comme une coupure culturelle.

Figure 4 : Présence de personnalités « people » des pays membres et candidats de l'Union dans les articles électroniques – Représentation graphique, par pays, du nombre d'apparitions de noms
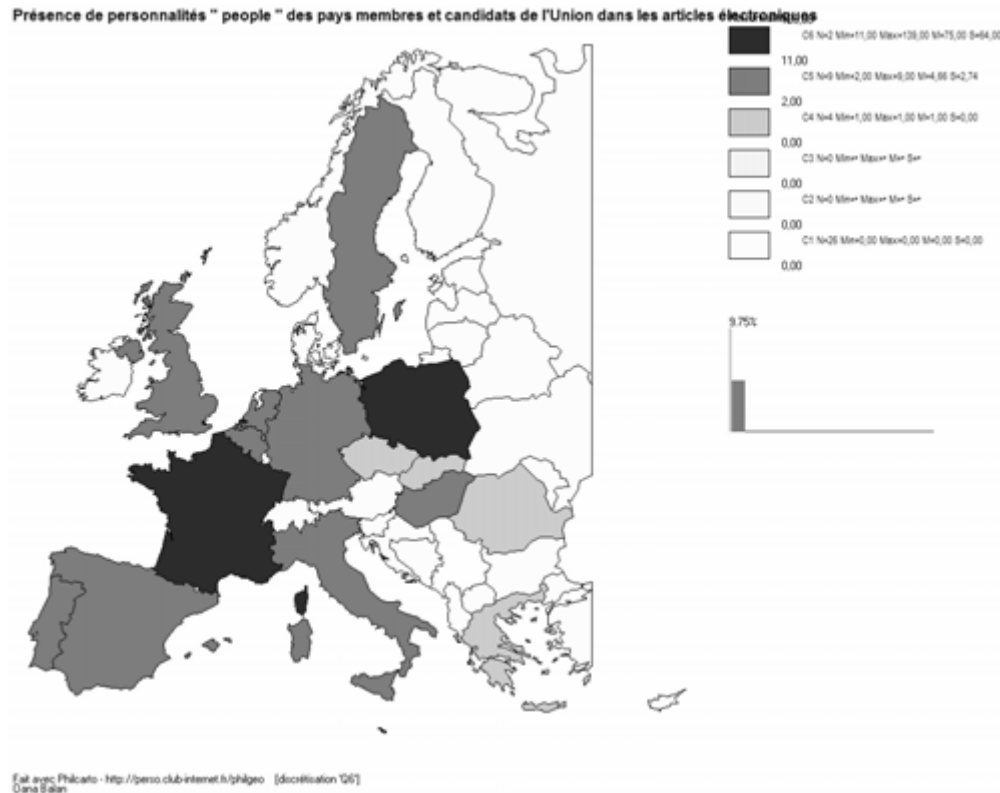
Il est étonnant de voir dans la figure 4 que la distribution des apparitions est tout autre dans le cas des blogs. Les personnalités sont beaucoup moins présentes. C'est certainement dû au fait que leur rôle dans les blogs est beaucoup diminué. Dans les articles des journaux, ils interviennent, comme nous l'avons déjà dit, pour démocratiser le débat pour que les citoyens puissent se l'approprier. Dans le cas des blogs, les citoyens se sont déjà approprié le débat. Leur présence est nécessaire seulement pour les problématiques les plus débattues. Dans notre cas, il s'agit des Royaume-Uni et de la Pologne. Comme la Pologne est en quelque sorte la représentante des nouveaux entrés dans l'Union, les personnalités polonaises interviennent dans les blogs justement pour combler la coupure entre les blocs de l'est et de l'ouest et répondre aux inquiétudes que le très récent élargissement a soulevées.

Figure 5 : Présence de personnalités « people » des pays membres et candidats de l'Union dans les blogs – Représentation graphique, par pays, du nombre d'apparitions de noms

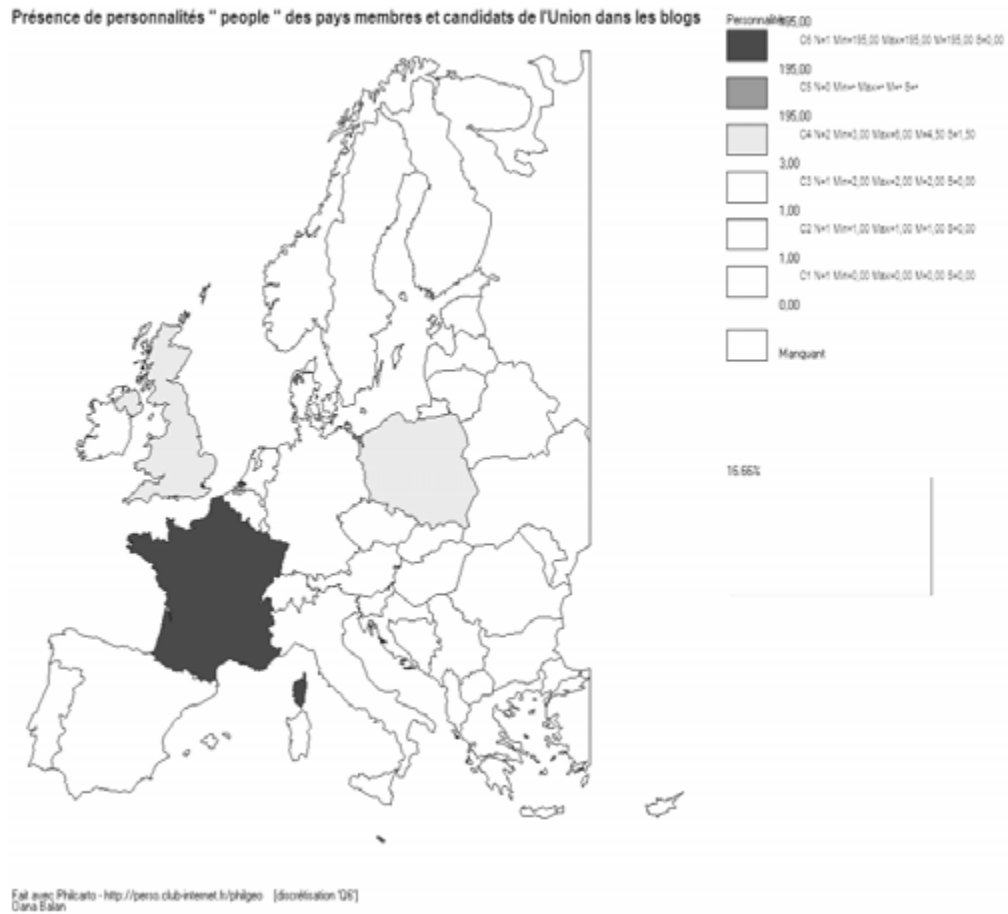Présence de personnalités " people " des pays membres et candidats de l'Union dans les blogs

Fait avec Philcarto - http://perso.club-internet.fr/philgeo   [discrétisation '06']
Dana Balan

Les spécialistes, la troisième catégorie d'acteurs étudiée, interviennent également dans le débat. Ils ont un rôle spécialement pédagogique. Ils sont principalement des professeurs, des économistes, des sociologues, des politologues, des chercheurs. Ils viennent, dans le cas des articles et des blogs, pour la plupart de la France et des pays voisins. Comme on peut le voir dans les figures 5 et 6, il n'y a pas de *ingroup* décelable pour cette catégorie d'intervenants. Nous pouvons déduire qu'ils se concentrent sur les effets directs sur la France et sur le proche voisinage.

Figure 6 : Présence de spécialistes des pays membres et candidats de l'Union dans les articles électroniques – Représentation graphique, par pays, du nombre d'apparitions de noms
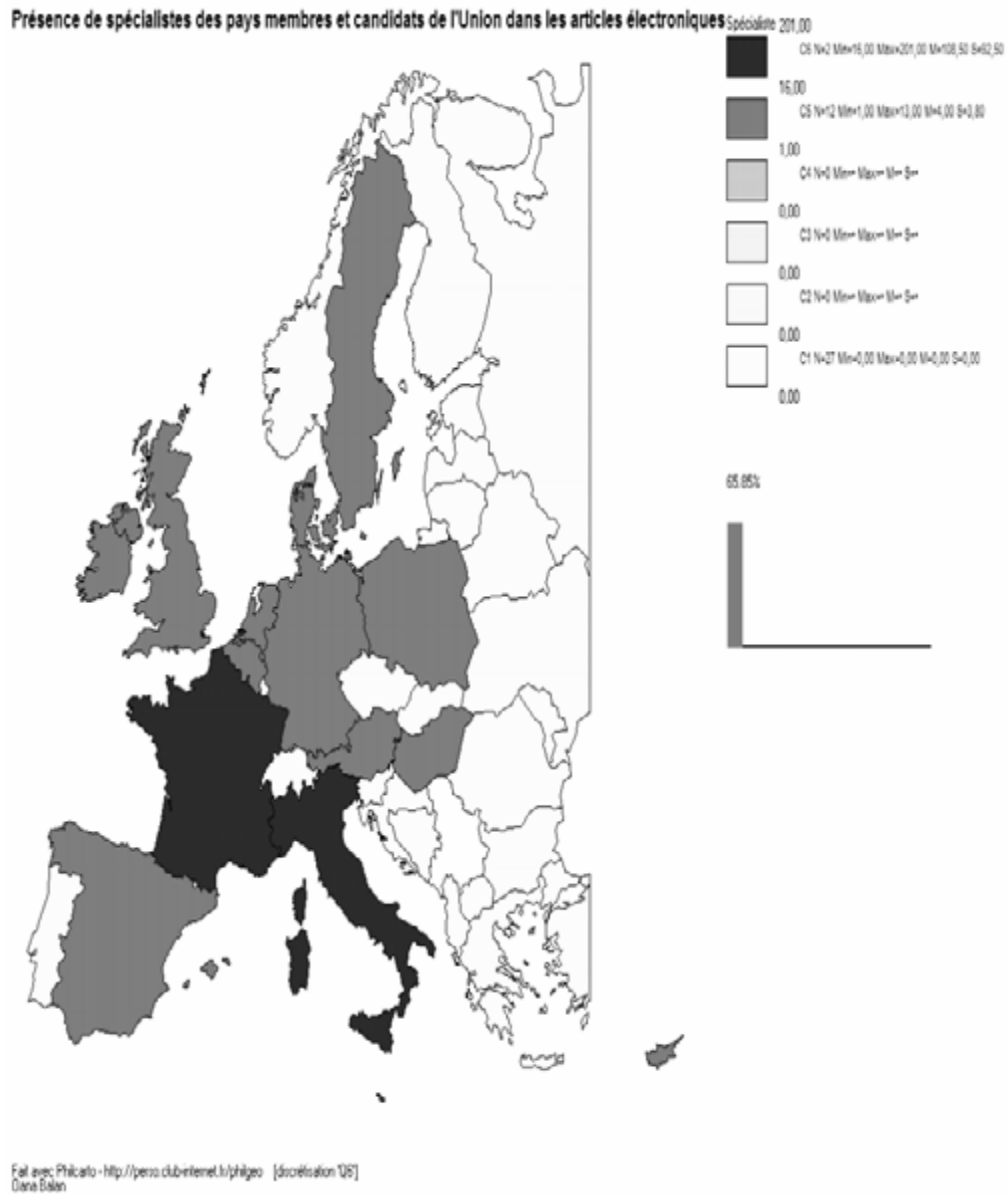
Figure 7 : Présence de spécialistes des pays membres et candidats de l'Union dans les blogs – Représentation graphique, par pays, du nombre d'apparitions de noms

Présence de spécialistes des pays membres et candidats de l'Union dans les blogs

Fait avec Philcarto - http://perso.club-internet.fr/philgeo   [discrétisation Q6]
Oana Balan
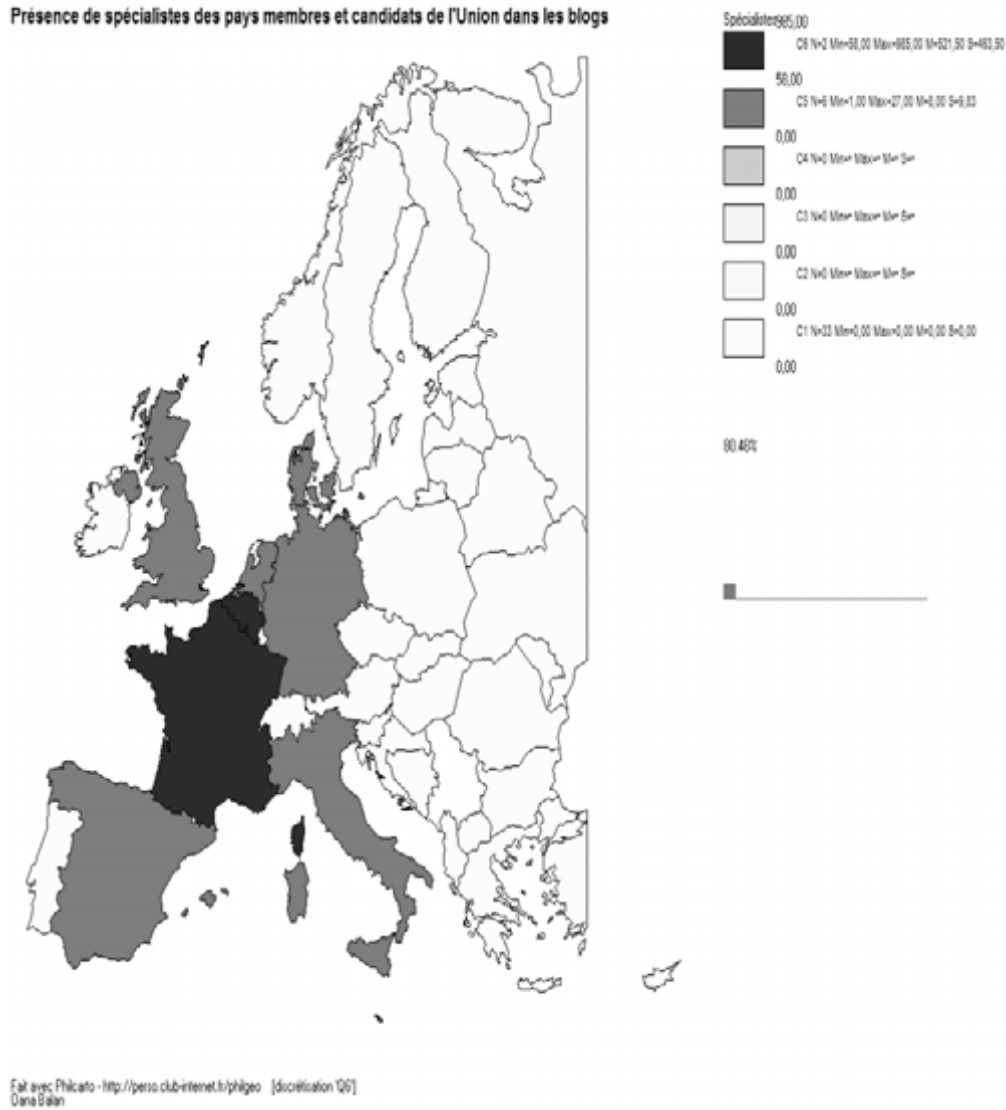
Pour résumer, nous avons vu qu'on peut considérer Internet comme un espace public dans lequel les différents acteurs entrent pour débattre de questions politiques. Pour que les citoyens puissent participer à ce débat numérique, les médias doivent rendre publiques les questions en cours et décrire leurs enjeux. Ensuite les citoyens participent effectivement au débat en analysant les informations des médias et en rendant publiques leurs opinions. Cet espace public est à la fois national, car la langue et la plupart des acteurs qui y participent le sont. Mais on peut également dire qu'il est européen, ou européanisé selon Koopmans, car il inclut le point de vue européen. Nous avons mis en évidence une européanisation « horizontale » comme elle a été définie par Koopmans. Ainsi les médias français couvrent les points de vue des autres États-membres. Les hommes politiques, les personnalités des autres pays sont invités dans le débat et leurs points de vus sont pris en compte, analysés. Cette européanisation varie on le voit, en fonction des critères de confiance mis en évidence par Céline Bélot. Nous avons ainsi

retrouvé trois *ingroups* flexibles qui comprennent la France et les pays voisins, les États de l'Europe du nord et les pays de l'est de l'Europe. Nous allons corréler ces résultats avec ceux obtenus en analysant le sentiment d'appartenance à l'Europe.

Conclusion

Le référendum de mai 2005 a été pour les citoyens de France l'occasion d'un grand débat sur les problématiques européennes. Nous avons utilisé ce débat pour mettre en évidence l'émergence d'un espace public numérique européanisé où les Français participent à la fois en tant que nationaux et en tant que citoyens d'une communauté européenne. Le rôle de cet espace est de rendre publiques les enjeux politiques et de permettre aux citoyens de participer directement au débat en exprimant leurs opinions, leurs désirs et leurs inquiétudes. Cet espace leur permet également de se sentir appartenir à une communauté où les citoyens se regroupent selon leurs affinités, leurs besoins. L'appartenance à cette communauté connaît plusieurs niveaux : l'Europe entière, l'Europe communautaire et l'Europe régionale. L'appartenance à l'Europe régionale se fait à travers l'appartenance à des *ingroups* flexibles qui peuvent varier d'une situation à l'autre. Comme nous avons pu le constater, le *ingroup* de la France inclut dans la figure 1 la Pologne, pour l'exclure dans la figure 3 et dans le tableau 1. Les pays se regroupent en fonction des affinités et ces groupes varient en fonction des besoins. Ce résultat démontre bien une identification en dynamique des citoyens français avec d'autres citoyens de l'Europe. Cela révèle également que cette Europe connaît plusieurs définitions à creuser d'un point de vue sémantique. Elle peut être soit le continent entier, soit la communauté d'États qui se construit, soit l'Europe proche, de proximité. Cette Europe proche est généralement formée par des groupes des pays voisins ayant des affinités géographiques ou culturelles. L'existence de cette Europe proche ne met aucunement en cause les autres.

Cette étude nous a par ailleurs permis d'observer les différences existantes entre les articles des médias traditionnels et les écrits de la publication électronique des citoyens « privés ». Les médias traditionnels doivent répondre aux critères de publicité des débats et d'objectivité. Leurs sujets sont plus variés, le nombre d'apparitions de chaque sujet est plus réduit. Les blogs reprennent dans une large majorité des éléments d'articles des journaux, mais ils se concentrent sur les sujets qu'ils considèrent plus importants. Le nombre de leurs sujets est donc quantitativement moins important, thématiquement plus recentré sur le national et le nombre d'apparitions de chaque sujet plus important. Toutefois, cette différence ne remet pas en cause l'européanisation de l'espace numérique.

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EUROPEAN LABOUR MARKET TRENDS FOR YOUNG PEOPLE

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Abstract:

The integration of young people in the labour market is a major policy issue for the EU and many individual Member States. Despite a shrinking and increasingly better-educated youth population, young people in many Member States still face considerable problems in making the transition from education into employment. And many of those who have gained a foothold in the labour market often hold unstable jobs with unfavourable conditions. This is seen as having a negative impact, not only on young people's financial and social situation or training but also for the economy and social cohesion at large.

Key words: labour market, unemployment, employment policies

Overall trends

Assessing the labour market situation of young people is not a straightforward exercise as different indicators produce a mixed picture. When looking at absolute numbers, both youth unemployment and employment have decreased in recent years for the EU-27 as a whole. Between 2000 and 2006, the total number of unemployed youth aged 15–24 in the current EU-27, dropped from slightly over 5 million to 4.6 million. During the same period, total youth employment fell from around 22.6 million to about 22 million.

At the same time, the number of young people who do not actively participate in the labour market increased slightly from 33.2 million to around 33.8 million[1].

The decrease in youth employment and labour market participation, as well as unemployment for the 15–24 age group, also shows in relative terms. Over the past six years the average youth activity rate has dropped by 1.6 percentage points to 44%, while the youth employment rate has decreased by 0.8 percentage points to 36.3%

Standard measures of labour market performance for youth and prime-age

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[1] EU Labour Force Survey annual averages

adults in the EU-27, 2000–2006

Indicator	Age	2000	2001	2002	2003	2004	2005	2006
Activity rate	15–24	45.6	45.4	44.9	44.2	44.2	44.2	44.0
	25–29	82.0	81.7	81.8	81.6	82.0	82.1	82.6
	25–54	82.6	82.5	82.6	82.9	83.2	83.7	84.1
	30–54	82.7	82.6	82.7	83.1	83.5	84.0	84.4
Employment rate	15–24	37.1	37.4	36.7	36.0	35.9	35.9	36.3
	25–29	72.8	73.1	72.6	72.3	72.6	73.0	74.3
	25–54	75.9	76.2	76.0	76.1	76.4	77.1	78.1
	30–54	76.5	76.8	76.6	76.9	77.1	77.8	78.8
Unemployment rate	15–24	18.5	17.7	18.3	18.6	18.7	18.7	17.4
	25–29	11.3	10.6	11.3	11.4	11.4	11.0	10.0
	25–54	8.1	7.6	8.0	8.1	8.2	7.9	7.2
	30–54	7.5	7.0	7.4	7.5	7.7	7.4	6.7
Unemployment ratio	15–24	8.4	8.0	8.2	8.2	8.3	8.3	7.7
	25–29	9.2	8.6	9.2	9.3	9.4	9.1	8.3
	25–54	6.7	6.3	6.6	6.7	6.9	6.6	6.1
	30–54	6.2	5.8	6.1	6.2	6.4	6.2	5.7
Share of unemployed in age group relative to total unemployed aged 15	15–24	25.2	25.4	24.9	24.5	24.0	24.5	24.3
	25–29	18.3	17.9	17.9	16.9	16.7	14.6	14.5
	25–54	67.4	67.5	68.2	68.2	68.3	67.7	67.2
	30–54	55.3	55.3	55.8	55.2	55.7	53.0	52.7
Long-term unemployed as percentage of total unemployed in the same age group	15–24	33.9	33.6	33.6	33.6	31.1	31.0	30.0
	25–29	44.0	42.9	41.7	42.7	40.7	41.2	41.1
	25–54	49.6	49.7	48.1	49.3	48.8	49.7	49.5
	30–54	51.3	51.6	49.9	51.2	51.0	52.0	51.7

Source: Eurostat, EU LFS annual averages.
Note: EU-27 aggregates based on annual averages, except DE 2000–2004 Q2; FR 2000–2002 Q1; CY 2000–2003 Q2; 2004 av. Q2-Q4; LV 2000–2001 av. Q2 & Q4; LT 2000–2001 av. Q2 & Q4; LU 2000–2002 Q2; MT 2000–2001 Q2; SE 2000 Q2.
EU-27 aggregates for long-term unemployed share do not include NL 2000–2002, AT 2000–2001 and SE 2005–2006.

The unemployment rate of young people participating in the labour market was on the rise until three years ago, but was down to 17.4% in 2006, compared to 18.5% in 2000. Another indicator, the youth unemployment to youth population ratio, has also fallen from 8.4% in 2000 to 7.7% in 2006[1]. The share of unemployed youth among all unemployed aged 15–64 fell from 25.2% in 2000 to 24.3% in 2006.

Compared to youth aged 15–24, young people aged 25–29 are showing significantly higher activity and employment rates which almost reach those of adults aged 30–54. Furthermore, while labour market participation and employment of the 15–24 age group has decreased since 2000, both have increased for the 25–29 age group. However, similar

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[1] The reason for looking at both youth unemployment rates and ratios is that a use of only the unemployment rate can produce a distorted picture when comparing the youth labour markets of different countries. More precisely, one difficulty with using the unemployment rate as an indicator for the labour market performance, especially of young people, is that it shows the number of unemployed youth as a percentage of the youth labour force, i.e. those who are either employed or unemployed but actively looking for work. Using the youth labour force as a denominator can lead to distortions when comparing countries with great differences in youth activity rates or when activity rates change significantly over time. For instance, youth unemployment rates for two countries with identical numbers of youth and unemployed youth will differ if one country has a higher share of youth not available to the labour market because of, for example, a higher number of youth in education. More concretely, the country with a higher share of youth in education (or otherwise inactive) will display a higher youth unemployment rate. See OECD (2000)

to the group aged 15–24, people in the second half of their 20s are, on average, significantly more affected by unemployment than prime-age adults.

With respect to long-term unemployment lasting more than 12 months, young people are, on average, less affected than prime-age adults, due to their higher hiring and job separation rates Although still high, overall long-term unemployment of young people also has, on average, decreased since 2000. In 2006, 30% of unemployed youth aged 15–24 were long-term unemployed, down from almost 34% in 2000. For the age group 25–29, the percentage of long-term unemployed decreased from 44% to 41%. By comparison, the share of long-term unemployed among unemployed adults aged 30–54 was at almost 52% in 2006 and has increased since the beginning of the decade.

This overview suggests that the average labour market performance of young people in the EU-27 has somewhat improved since the beginning of the decade. Youth unemployment is down and the decrease in youth employment and labour market participation is mostly due to a higher share of youth in education and therefore not available to the labour market.

Youth unemployment
Among the 27 Member States, Denmark and the Netherlands are the two Member States with the lowest share of unemployed youth in relation to the youth labour force.

Their youth unemployment rates were at 7.7% and 6.6% respectively in 2006.

The only other Member States with youth unemployment rates below 10% in 2006 were Austria, Ireland and Lithuania.

Youth (age 15-24) unemployment rates vs. unemployment ratios, 2006
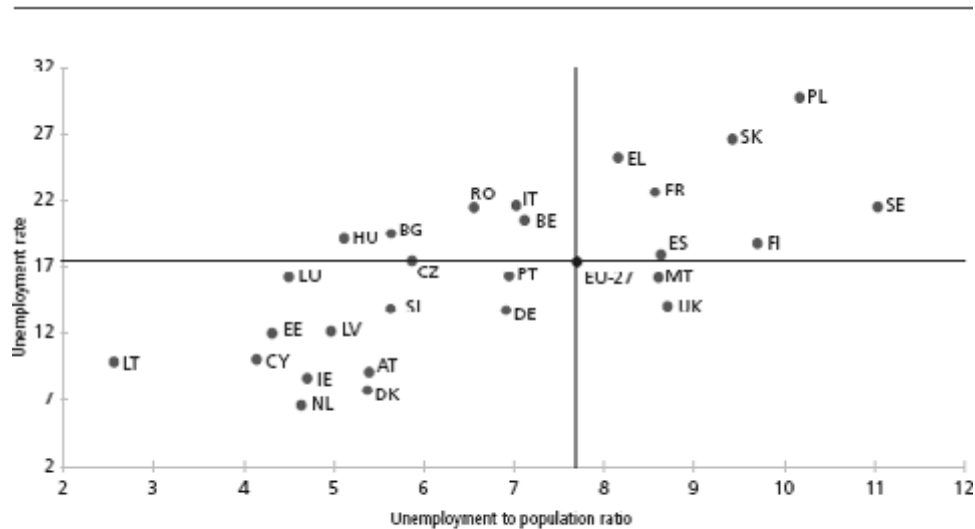
Source: Eurostat, EU LFS annual averages.

At the other extreme, with youth unemployment rates above 20%, are Belgium, France, Greece, Italy, Poland, **Romania**, Slovakia and Sweden. While still high and above average, youth unemployment rates in Poland, Slovakia, Finland, Greece, but also Italy and Bulgaria have decreased significantly compared to the beginning of the decade.

BIM Youth Unemployment rate (15 – 24 years old) in Romania
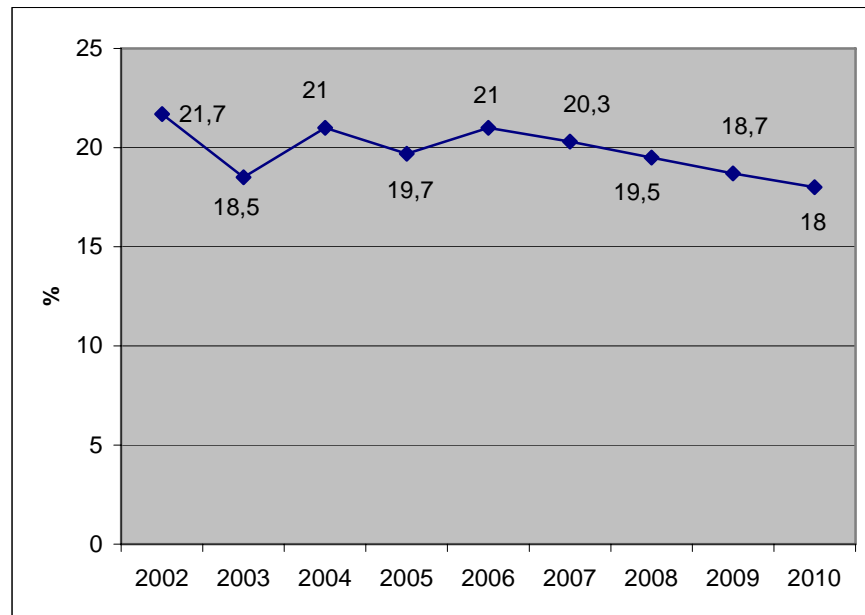
Source: NIS - Investigation of working force in households (AMIGO)

Youth employment

Examining the opposite perspective to youth unemployment, Denmark and the Netherlands have the highest youth employment rates, with around two-thirds of the 15–24 age group holding a job. At the other end of the spectrum, only less than one-quarter of youth were in employment in Hungary, Bulgaria, Luxembourg, Poland, Lithuania, Greece and **Romania.**

Youth (age 15–24) employment rates vs. relative difference between male and female youth employment rates, 2006

Source: Eurostat, EU LFS annual averages.
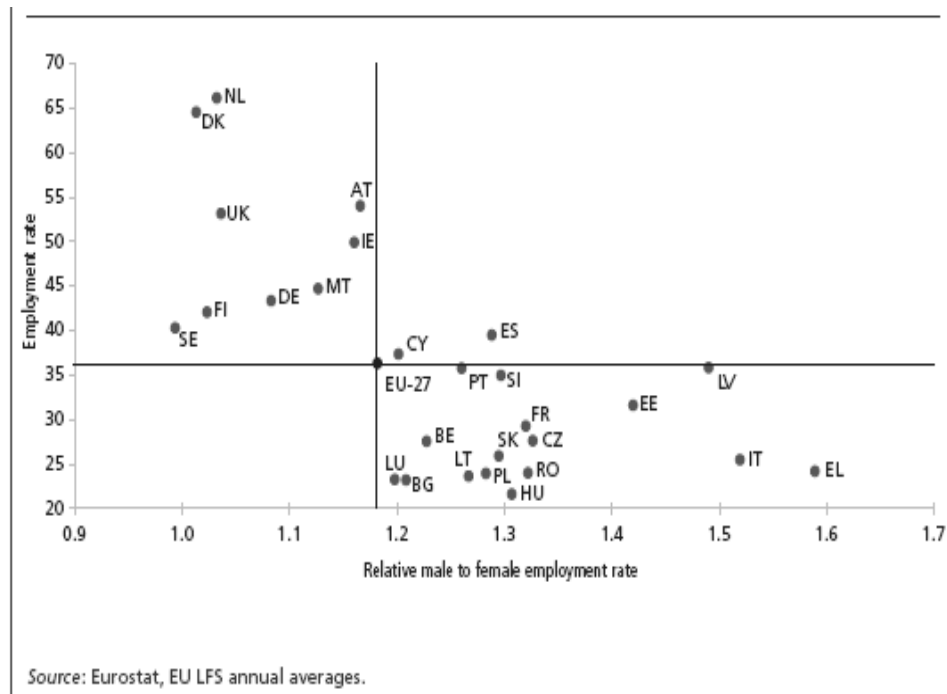
Compared to 2000, employment rates among youth (15–24) have decreased in most Member States The most significant decrease was in Hungary, where the overall youth employment rate dropped by almost 12 percentage points from 33.5% to 21.7% between

2000 and 2006. Malta, the Czech Republic, **Romania** and Luxembourg also experienced youth employment rate decreases by more than 8 percentage points. The few exceptions where the youth employment rate has increased are Spain, Estonia, Slovenia, Sweden, Bulgaria, Latvia and France.

When looking at youth employment rates, especially for the 15–24 age group, it is worth noting that a significant share of employed young people are apprentices or working students who are counted as employed by definition[1]. On average, around one-third of employed youth are students or apprentices (compared to only 8% of the 25–29 age group), and in some countries this share is much higher, namely in Denmark and the Netherlands where over 60% of employed youth are students or apprentices, and Finland and Germany with more than half of employed youth also being students or apprentices.

Youth (age 15–24) employment rates by current educational status, 2006

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[1] The European *Labour Force Survey* uses the International Labour Office definition of employment by which a person is employed if he or she performed work during the reference week of the survey, even for just one hour a week, for pay, profit or family gain, or was not at work but had a job or business from which he/she was temporarily absent because of, for example, illness, holidays, industrial dispute, or education and training
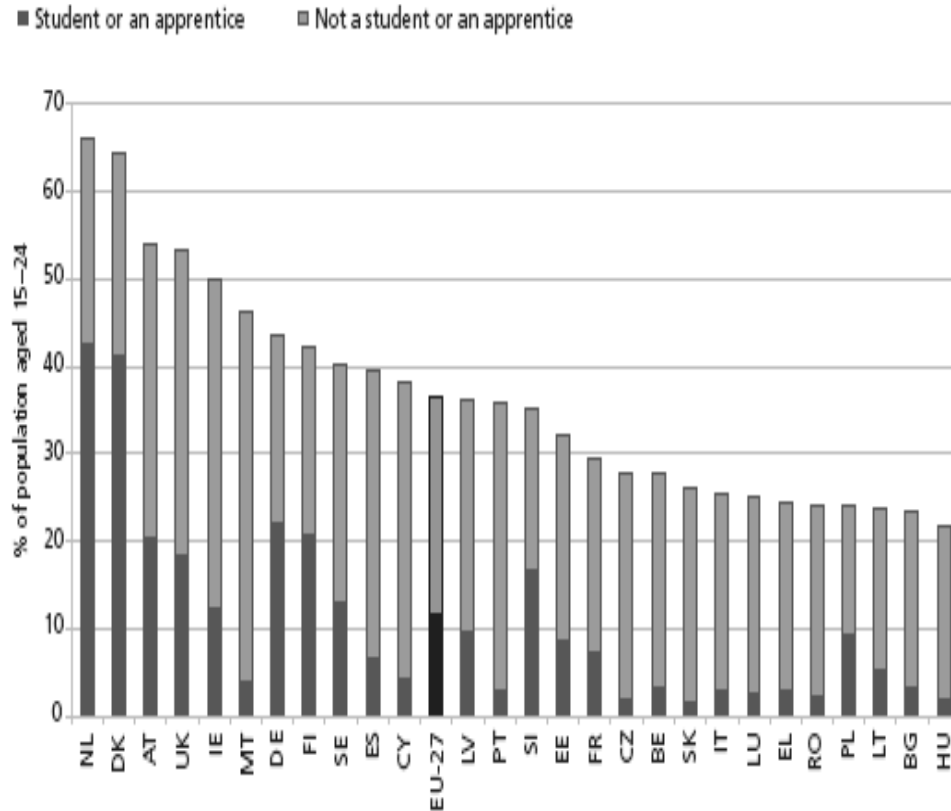
■ Student or an apprentice   ▪ Not a student or an apprentice

Source: Eurostat, EU LFS annual averages.
Note: Data for DE and FR provisional. For SE participation in education or training refers to the week preceding the survey reference week (instead of four weeks in the other countries).

This observation also corresponds to a high share of employed youth in these countries which perform part-time or temporary jobs, not because they cannot find full-time or permanent work, but because they choose to[1].

Youth (age 15–24) employment rates of non-students vs. overall youth employment rates, 2006

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[1] It also suggests that in some countries it is acceptable and institutionally possible for young people to combine work and study, while in other countries the transition into work follows only after having finished education. See also Van de Velde's (2007) comparative analysis of youth to adult life transitions in Denmark and France, which finds that young people in Denmark tend to combine school with professional experience or alternate between the two, while in France a high value is placed on initial training, with greater focus on earning a degree, without working along the way, and with the aim of entering into full-time employment at the start of a career.

Source: Eurostat, EU LFS annual averages.
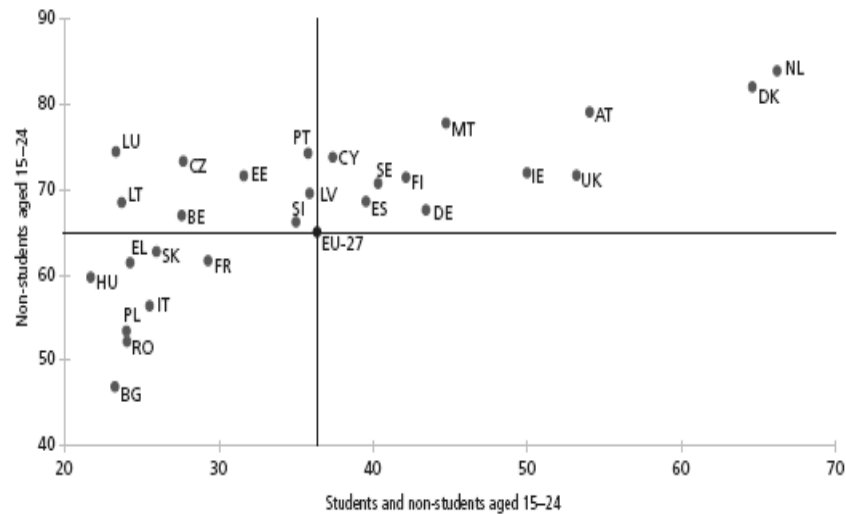Note: Data for DE and FR provisional. For SE participation in education or training refers to the week preceding the survey reference week (instead of four weeks in the other countries).

The chart compares the employment rate of all 15 to 24 year olds (i.e. students and non-students) to the employment rate of non-students of the same age group. It illustrates several things:

> first, the non-student youth employment rate is significantly higher in all countries than the overall youth employment rate including students.

> secondly, for some countries the non-student employment rate produces a different picture from the one gained by looking at the overall youth employment rate only. In particular Belgium, the Czech Republic, Estonia, Latvia, Lithuania and Luxembourg have a significantly higher than average share of young non-students in employment, despite a low overall youth employment rate. This suggests that these countries have low youth employment rates mostly because of a relatively high share of non-working students (or otherwise inactive youth) but that they are relatively successful in integrating young people into the labour market once out of school.

> thirdly, several countries do well on both youth employment indicators, foremost Denmark and the Netherlands, but also Austria, Ireland and the United Kingdom, while others perform below average on both accounts, namely Bulgaria, **Romania**, Poland, Italy, Hungary, Greece, France and Slovakia.

Youth not in education or employment

Indicators, such as the employment rate and unemployment rates or ratios, provide information about the relative situation of young people who already have a job or are actively looking for one. However, they do not cover those who are inactive, either because they are still pursuing an education or for other reasons.

From the age of 19 there is a fairly stable share of 17–19% of young people who are not in education, employment or training (NEET). It is this group of either unemployed or inactive youth who are not following an education which can potentially represent a

problem for policy-makers, especially if they have trouble finding work or drop out of the labour force altogether because of being discouraged to work or for other unspecified reasons (as opposed to those who are inactive because of family commitments, military service, travel or leisure).

The youths unemployment represents a problem that is analysed not only from a statistical point of vue, but also in a juridical perspective. For exemple, at the European Center for Youths (Strasbourg), young people are invited to discuss about their cotidian problems, among which we can mention also youth unemployment[1].

Again, the EU average sometimes masks big differences between the Member States. For example, Denmark and the Netherlands have by far the lowest NEET rates among 20 to 24 year olds, and the majority of the other Member States are below or close to the EU average of 18.6%.

Teenagers and young adults not in education, employment or training, 2006

Source: Eurostat, EU LFS annual averages.
Note: Figure LU for 15–19 years old uncertain due to small sample size. Data for DE and FR provisional. For SE participation in education or training refers to the week preceding the survey reference week (instead of four weeks in the other countries).
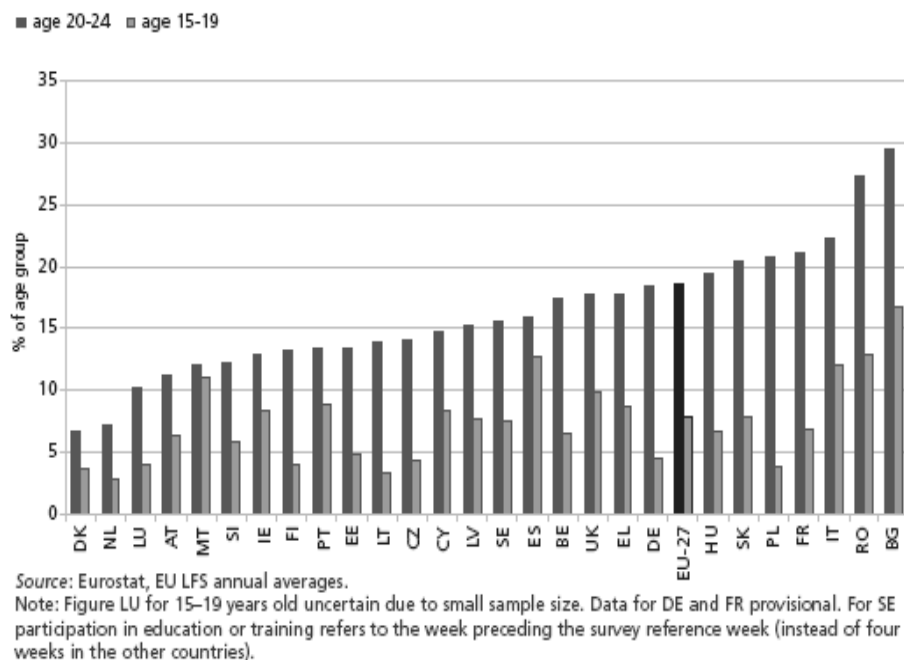
However, a few countries, namely France, Italy, Poland, **Romania** and Slovakia have NEET rates among 20 to 24 year olds in excess of 20% and Bulgaria is close to 30% (although the group has decreased in recent years in Bulgaria, Poland, **Romania** and Slovakia, but remained the same level in France, Hungary and Italy). As for the 15–19 age group, NEET rates tend to be much lower than for those aged 20–24, reflecting the fact that teenagers in most countries are still in (compulsory) education. However, a few Member States do show high NEET rates among teenagers of 10% and more, namely Malta, Spain, Italy, the United Kingdom, **Romania** and Bulgaria.

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[1] C.Otovescu, *Protecţia juridică a drepturilor omului,* Scrisul Românesc Publishing House, Craiova, 2006, p. 57

Job mismatches among employed youth

Another issue with respect to youth employment is to what extent young people take up occupations that are not close to their educational qualifications. Research based on data from the 2000 *Labour Force Survey* ad-hoc module suggests that a relatively large number of young people in Europe are indeed affected by mismatches between their jobs and qualifications, albeit with significant variation between countries. Of those Member States where data are available, Italy and Greece show the highest percentage of school leavers aged 15–35 working in a job outside their field of education (47% and 40% respectively), followed by Greece, Denmark and Sweden. The lowest percentage is found in the Netherlands (29%).

In most Member States, having a job mismatch is negatively correlated with age: younger persons are more likely to work in a job outside their field of education than older ones. Similar negative correlations apply to the level and field of education: job-qualification mismatches are more frequent among those with a lower educational attainment compared to those with a higher education, and young people

with a degree in humanities/arts, agriculture or sciences tend to find themselves working more frequently in a non-matching job than, for example, those with a qualification in

education or health services or in engineering, manufacturing and construction (presumably because the latter educational fields tend to be more job specific than the former).

Furthermore, in most Member States, young women tend to be more often affected by job-qualification mismatches than young men are. As for labour market outcomes, those with a job-qualification mismatch also tend to have a lower occupational status compared to those with matching jobs. They are also more likely to find themselves in a temporary and/or part-time job and show a higher propensity to be on the search for a new job than those with a matching job.

Youth employment policies at EU level

The **European Employment Guidelines** – as part of the Jobs and Growth package adopted by the Council in 2005 – call for intensified efforts to build employment pathways for young people and to reduce youth unemployment.

With the adoption of the European Pact for Youth, Member States gave prominence to policies affecting young people. More and better investments in human capital, alongside improvements in quality and efficiency of education and training systems, are key factors to increasing educational attainment levels and to equipping young people with the skills and competencies required in a knowledge-based economy. The guidelines include targets for the reduction of early school leaving, the rise in educational attainment levels and a 'new start' within six months of unemployment for unemployed youth.

Member States' national reform programmes, presented in autumn 2005, provided the opportunity for the Commission to assess whether and how then Council's political commitments have been translated into concrete policy measures at the national level. In its analysis put forward to the 2006 Spring Council, the Commission found that, overall, Member States' responses to then youth employment challenge needed to be more comprehensive and to be expanded further. The Commission proposed to accelerate the offer of a new start for young people.

The 2006 Spring Council confirmed that Member States should reach then agreed target by 2007 and stressed the need to reduce the period to four months by 2010. With regard to the Youth Pact, the Council stressed the need to develop more effective cross-sectoral strategies linking education, training, employment, social inclusion and mobility, including developing links to then newly adopted European Pact for Gender Equality.

Youth employment issues have also been given a higher profile in the **Commission's Strategic Guidelines for Cohesion** for the period 2007–2013 as well as in the new **European Social Fund** (ESF) regulation. This provides greater opportunities for appropriate EU support of Member States' measures.

In the recent **Communication on Promoting young people's full participation in education, employment and society**[1], the Commission underlined the need to promote the labour market integration of youth in the larger context of general employment policies, namely in the framework of flexicurity policies.

In the next Lisbon cycle, starting in 2008, Member States are invited to establish flexicurity strategies, based on their respective specific challenges and with active involvement of social partners, which integrate four policy components – flexible contractual arrangements, effective lifelong learning systems, active labour market policies and modern social security systems.

Youth employment policies at national level[2]

The main challenges of Romania in relation to youth are the significant rate of early school leavers, high unemployment rate, and slow activation on the labour market. The measures implemented to tackle this situation envisage to main areas: the focus of employment measures on youth and improvement of education and training quality and access level.

In order to reduce the unemployment rate among youth and to ensure a rapid and secure transition from school to work, the Public Employment Service implements a national programme called "From school to professional life, towards career". The programme comprises activities of vocational information, counselling and guidance in schools, among the future graduates, with a view to increase the awareness level on the labour market opportunities and risks.

New **employment stimulation measures** are implemented in order to encourage the employer to hire young graduates and to support the youth to overcome the barrier on the labour market related to lack of work experience. The Public Employment Service grants wage subventions and exemptions from the unemployment insurance contribution payment for one year for the employers who hire graduates (the financial facilities' duration is longer in case of disabled graduates). The young graduate unemployed receive a bonus if they take up a job. A special programme is implemented for youth at risk of social marginalisation that comprises the conclusion of a *solidarity contract* with an insertion employer*,* personalised social accompanying measures and provision of active employment measures (including retraining if necessary).

With a view to **modernise the initial and continuous education and vocational**

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[1] COM(2007) 498 final. - Promoting young people's full participation in education, employment and society,
[2] Romanian NRP Progress Report 2007

training, the Government initiated a legislative package for pre-university education level. The draft legislation proposes a re-structure of the educational levels, regulation of the early education, special funding measures for pre-university education, redefinition of institutional roles in the education system management, under the decentralisation process. The **development of the technical and vocational education system** is supported with a view to better respond to the labour marked demands (sectoral and regional) for a facile job placement of graduates and for the provision of pathways to continue education at superior levels. The key element in university-level education is the implementation of the Bologna process. A new legislative package is initiated as part of the overall reform of education and the implementation of the national system of qualifications in the university education is a measure to improve the universities' capacity to provide qualification related to the labour market and knowledge society demands.

The early school leaving rate is affecting the individuals' capacity to integrate on the labour market and to continue the education and training. The most exposed groups are the disadvantaged groups (Roma ethnics, rural communities, poor communities). The special programme" access to education for disadvantaged groups" and special grant schemes for good practice dissemination were implemented in 2007. **The early education development** is also considered as a measure to prevent school leaving and the legislative package includes a measure to reform and consolidate this level of education. Two special programmes are implemented "Reform of the early education" and "Inclusive early education".

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L'OCCUPATION DE LA FORCE DE TRAVAIL ET LE MANQUE DE MAIN D'ŒUVRE EN ROUMANIE

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Resumé :

L'évolution du marche de travail représente une priorité du développement national, parce qu'elle a des effets directes sur toutes les caractéristiques économiques, mais surtout socio - démographiques d'une société. Le processus de restructuration de l'économie roumaine a eu un impact négatif sur le niveau d'occupation de la force de travail, déterminant l'apparition du chômage dans presque toutes les régions du pays. Pendant les dernières années, notre pays se confronte avec un déficit de la force de travail, non pas seulement en ce qui concerne les travailleurs qualifies, qui travaillent dans certains domaines d'activité, mais aussi en ce qui concerne les engineurs, les spécialistes, les managers („le déficit de talents"). Ce problème n'est pas spécifique seulement pour la Roumanie, mais aussi au niveau global, le marché mondial de la force de travail courant aussi ce danger.

Mots-clés : marché du travail, déficit, démographie, main d' œuvre, chomage

Le marche du travail représente l'espace socio-économique ou se produit la réglementation entre la demande et l'offre de force de travail, et l'occupation des ressources humaines (force de travail) st un processus économique et social, culturel et éducatif de formation, développement et restructuration des contenus des emplois, d'assurance des ressources de travail nécessaires, de motivation et stimulation de la force de travail. Ce processus est lie au fonctionnement du marche de travail, ayant une double signification: la première s'adresse a la demande de la force de travail, et, la seconde, a l'offre. Si la demande de la force de travail est réglementée par le mécanismes de l'économie de marche, par l'existence des certaines organisations et les demandes de personnel pour accomplir les objectives proposes, l'offre de force de travail représente la ressource humaine, caractérisée par point de vue démographique, éducationnel, professionnel et motivationnel.

Le processus de restructuration de l'économie roumaine a eu un impact négatif sur le niveau d'occupation de la force de travail, déterminant l'apparition du chômage dans presque toutes les régions du pays. Pendant 1990-2001, en Roumanie, la population occupée s'est diminuée avec env. 2.2 millions personnes (de 10.84% a 8.59%), et le taux d'emploi s'est réduit avec 16%, arrivant a 58.19%. Le déclin de la population occupée a commence en 1992, en même temps avec les actions de restructuration de l'économie pour une amélioration de la productivité du travail.

Les facteurs qui ont influence le baissement de la population occupée peuvent être: le déclin économique général, fait qui a déterminé la diminution du taux de la productivité, le baissement du pouvoir de consommation du marche interne et la perte des importants segments du marche externe, la réduction des investissements et la restructuration des certains agents économiques pas profitables, la baisse mobilité de la force de travail, les contraintes déterminés par les effets de la crise de récession qui affecte l'entière économie mondiale.

Pendant 1999-2004, on assiste a une baisse du taux d'activité, détermine principalement par les mauvaises conditions de travail, le vieillissement démographique, la migration vers d'autres régions.

Au niveau des huit régions de développement de la Roumanie[1], la distribution du taux d'occupation, sur sexe et milieux de résidence étaient la suivante[2]:

	Total		*Masculin*		*Féminin*		*Urbain*		*Rural*	
	1999	*2004*	*1999*	*2004*	*1999*	*2004*	*1999*	*2004*	*1999*	*2004*
Nord-Est	**71,9**	**66,9**	**77,2**	70,9	**66,6**	**62,8**	62,4	60,6	**80,5**	**72,4**
Sud-est	65,7	61,0	73,4	70,7	58,0	51,3	60,9	59,6	73,1	63,2
Sud	**70,2**	64,6	**78,3**	**72,5**	62,2	56,7	64,8	**62,8**	74,7	**66,0**
Sud-Ouest	**72,8**	**65,2**	**78,5**	**71,9**	**67,1**	**58,4**	63,4	60,8	**81,9**	**69,9**
Ouest	67,8	61,9	74,9	70,3	61,0	53,8	62,9	60,9	**77,0**	63,9
Nord-Ouest	68,8	60,2	75,0	66,1	**62,6**	54,4	62,6	60,8	76,6	59,5
Centre	64,8	59,7	72,5	67,4	57,1	52,1	64,1	**62,1**	65,9	55,7
Bucarest-Ilfov	65,7	**64,5**	73,9	**71,6**	58,2	**58,1**	**65,8**	**65,6**	64,9	54,1

Source: *Statistică teritorială,* 2006, INS; *Forţa de Muncă în România; Ocupare şi şomaj în anul 2005*; Recensământul populaţiei şi locuinţelor, 18 martie 2002

Pour l'entière période de temps, on peut observer qu'il existe un processus de diminution de la population occupée. Si la population occupée est dépendante de l'évolution du corps demographique, le niveau d'occupation de la population active est en liaison avec le fonctionnement du système économique d'une certaine société[3].

Population occupée de la Roumanie (milles)

	1999	*2000*	*2002*	*2004*
Total	10776	10764	9234	9158
Masculin	5799	5772	5031	4980
Féminin	4977	4992	4203	4178
Urbain	5098	5039	4607	4906
Rural	5678	5725	4627	4252

En 2005, environ 64%[4] de la population de UE-25 (459,5 million personnes), âgées entre 15 et 64 ans, était occupée en travail. En neuf des états membres   (Danemark, Finlande, Irlande, Cipre, Hollande, Autriche, Portugal, Suède et Grand Bretagne), le taux de l'occupation était d'environ 67%. D'autre cote, il était sous 60% en Italie, Hongrie,

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[1] Nord-Est, Sud-Est, Sud, Sud-Ouest, Ouest, Nord-Ouest, Centre, Bucarest-Ilfov

[2] D. Otovescu (coord.), *Populatia Romaniei si resursele de munca locale*, Beladi, Craiova, 2007

[3] Idem

[4] Les donnes statistiques ont ete prises de Eurostat, *Europe in figures*, Yearbook 2006

Malte, Pologne et Slovaquie[1].

Commencent avec 2000, au niveau de UE-25, le taux d'occupation a enregistre un croissement, depuis 62,4%, jusques 63.8%, en 2005. En 2006, l'indicateur de l'occupation était de 64.6%, la structure de la population occupée, sur sexe, étant de 71.9%, pour les hommes et 57.3% pour les femmes.

En Roumanie, en 2005, le taux d'occupation était de 57.9%, sous la moyenne de UE-25, mais dépassent celle des autres Etats, qui préparaient leur adhérence, ainsi comme on voit du graphique ci-dessous :

Le taux d'occupation dans les Etats adherentes a l'UE

	Turquie	Croatie	Bulgarie	Roumanie
	46.0%	55.0%	55.5%	57.6%
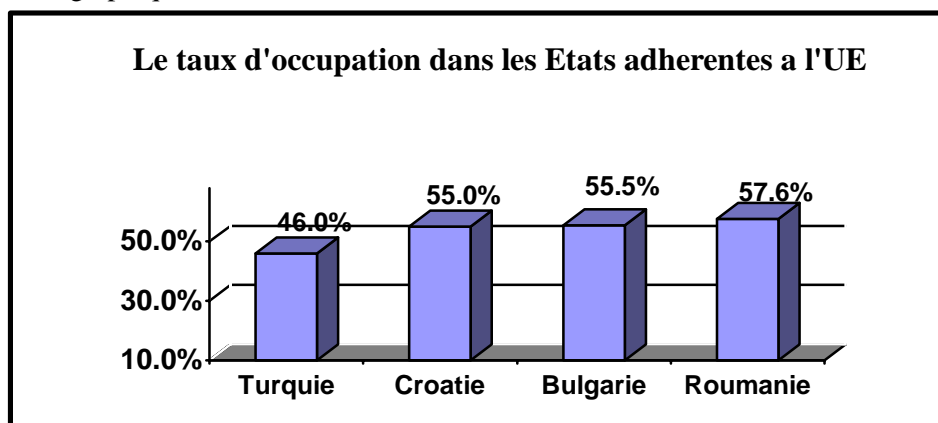
Si, pour UE-25, le taux d'occupation enregistrait, en 2005, une croissance lente, comparatif au 2000, pour la Roumanie, la situation est inverse, le taux d'occupation étant en baisse, avec 6%, comparatif a 63%, en 2000.

**Le taux d'occupation en Roumanie
(2000;2005)**

	2000	2005
	63.0%	57.0%
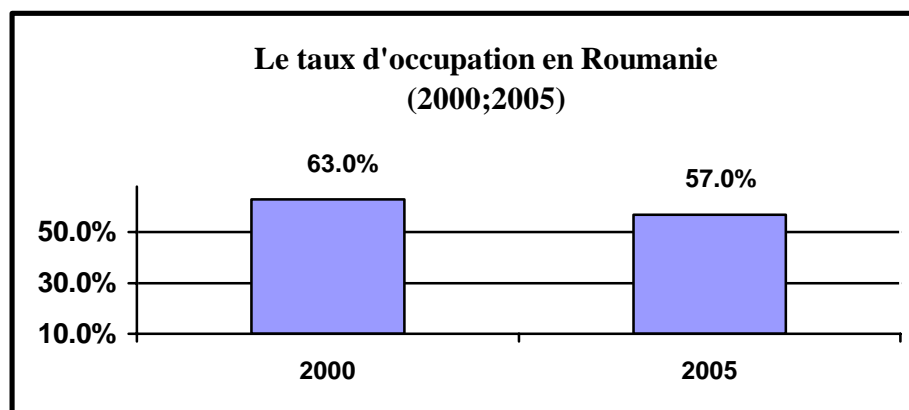
En ce qui concerne le taux d'occupation sur sexes, au niveau de UE-25, on peut observer que les femmes sont moins occupées que les hommes – 56% comparatif a 71%.

Le taux d'occupation sur sexes en UE-25

- 71.0% — Hommes
- 56.0% — Femmes
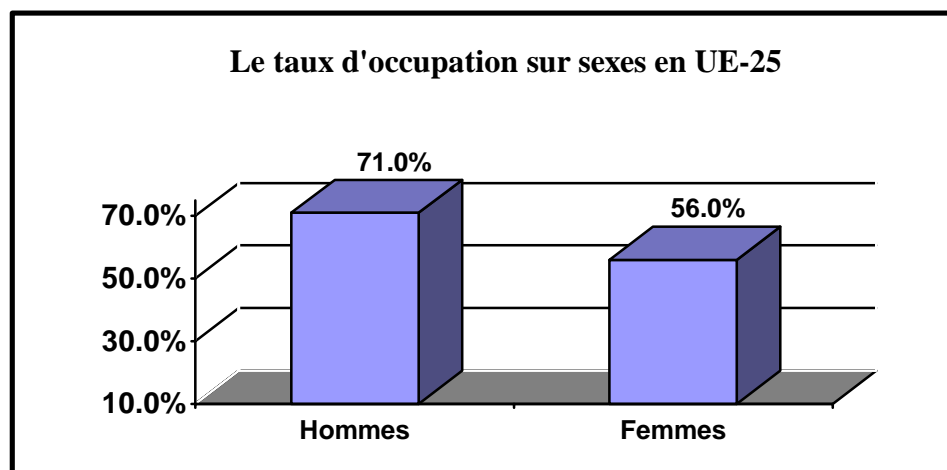
On rencontre le même rapport en Roumanie, ou le taux d'occupation pour les femmes était de 51.3%, comparatif a 63.7%, pour les hommes. En 2006, le taux d'occupation était de 59.6%, la structure sur sexes étant de 65.2% pour les hommes et 54.1% pour les femmes.

Le taux d'occupation sur sexes, en Roumanie

- 63.7% / 51.5% — 2005
- 65.2% / 54.1% — 2006
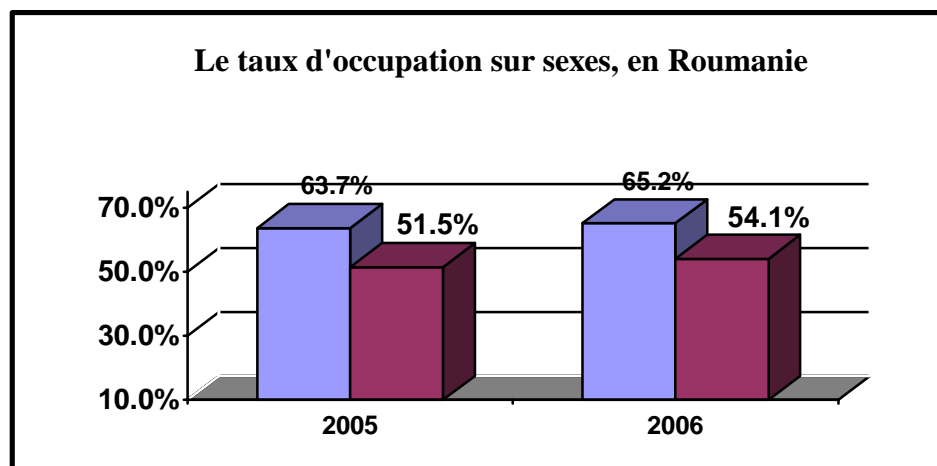
En même temps, si on analyse le taux des personnes âgées (55-64 ans), qui étaient occupées en travail, on peut observer qu'au niveau de UE-25, il était plus grand en 2005 – 42.5%, qu'en 2000 – 36.6%. En ce qui concerne la Roumanie, si en 2000, le taux d'occupation pour les personnes âgées était plus grande qu'en UE-25, avec environ 13%, en 2005, elle a connu une baisse, en arrivant a 39.4%.[1].

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[1] Idem
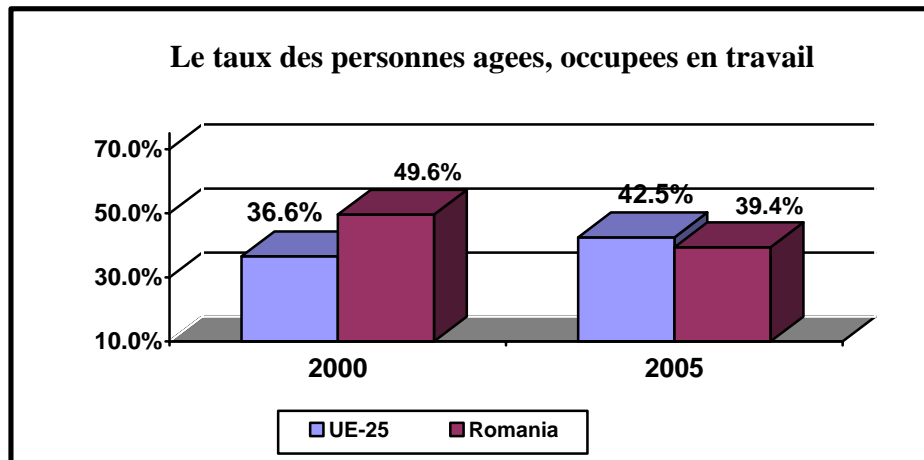
Le taux des personnes agees, occupees en travail

	2000	2005
UE-25	36.6%	42.5%
Romania	49.6%	39.4%

Pendant les dernières années, notre pays se confronte avec un déficit de la force de travail, non pas seulement en ce qui concerne les travailleurs qualifies, qui travaillent dans certains domaines d'activité, mais aussi en ce qui concerne les engineurs, les spécialistes, les managers („le déficit de talents"). Ce problème n'est pas spécifique seulement pour la Roumanie, mais aussi au niveau global, le marché mondial de la force de travail courant aussi ce danger.

A la suite des nombreuses études, il a résulte que le marché global du travail présente un manque de plus en plus grand de force de travail, des personnes qualifiées, qui peuvent être capables a faire face a un milieu de travail qui est devenu de plus en plus compétitif. L'accélération de la concurrence dans tous les domaines a généré un croissance de l'exigence des entreprises en ce qui concerne le capital humain.

Parmi les principales causes du manque de main d'oeuvre, on peut noter:
-   le vieillissement demographique
-   la baisse de la natalité
-   la migration économique
-   la mauvaise corrélation entre le système éducationnel et le marché de travail.

Souvent, les gens preferent migrer autrepart parce qu'en Roumanie ils ne trouvent des conditions propres pour travailler, si on prend en considération le fait qu'il y a des entreprises qui ne respectent les droits des employés. Par exemple, uns de ces droits sont ceux stipulés dans le Pacte International Pour les Droits Economiques Sociales et Politiques. On peut noter, par exemple : le droit de chaque personne de bénéficier des conditions de travail favorables qui pourront lui offrir un rémunération egale, sans aucune discrimination[1].

A mesure que de moins en moins jeunes s'intègrent dans le marche du travail, et la durée de la vie de la population accroît toujours, le marche de travail n'aura plus des ressources pour soutenir les personnes inactives pour les retraites.

Une autre cause, bien importante est la migration de la force de travail à l'étranger. La majorité des migrants sont des jeunes qui partent pour travailler à l'étranger a cause du manque des perspectives viables, après finir les études. Cela est possible parce qu'en Roumanie, le système éducationnel n'est pas encore bien corrélé avec les demandes du

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[1] Cristina Otovescu Frasie, *International Law of Human Rights,* Academica, Greiswald, 2008, p. 35

marche du travail. Ainsi, on peut dire que le déficit de force de travail représente une conséquence du fait que les jeunes ne s'intègrent sur le marche du travail parce qu'ils ne sont pas compétents ou correspondants au besoins du marche. Conformément au études et aux donnes d' Eurostat, notre pays a le plus petit nombre des employés qui font du travail intellectuel : 36%, par comparaison avec 62,5% - le taux de l'Union Européenne.

Il y a des zones ou il y a un déficit évident, comme, par exemple, les constructions, l'enginerie, ou il y a de moins en moins absolvents. Par contre, les plus nombreux absolvents sont dans les domaines : droit, sciences économiques et gestion, lettres et journalisme. Conformément à un rapport UNFPA, le déclin demographique de la Roumanie va affecter aussi le marche de travail que le système éducationnel, parce que jusques en 2013 on va avoir avec 20% moins des élèves, comparatif avec le nombre de 2005.

A notre avis, parmi les solutions qui doivent être prises pour couvrir ce déficit on peut noter : adoption du modèle des pays scandinaves dans lesquelles, par exemple, la décision en ce qui concerne la chiffre de scolarisation soit prise au niveau régional (par tenir compte de autorités publiques, des agences d'occupation de la force de travail, des employeurs etc.), la création des partenariats entre les universités et les compagnies privées qui puissent partager de leurs expériences aux futurs absolvents. Mais, malheureusement, pour le moment, Roumanie va continuer d'exporter force de travail dans les autres pays développés de l'Union Européenne et de devenir un importateur des travailleurs d'Asie, Afrique ou Ukraine.

ROMANIAN HEALTH WORKERS MIGRATION

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Abstract:

Migration is considered one of the defining global issues of the early twenty-first century, as more and more people are on the move today than at any other point in human history. There are now about 192 million people living outside their place of birth, which is about three per cent of the world's population. This means that roughly one of every thirty-five persons in the world is a migrant. Between 1965 and 1990, the number of international migrants increased by 45 million-an annual growth rate of about 2.1 per cent. The current annual growth rate is about 2.9 per cent.

Key words: migration, unemployment, labor market, health migration

In light of Romania's accession to the EU in January 2007, the country is facing labour shortages.

Romania's current labour shortage results from the combined effects of the country's economic boom and mass exodus of labour migrants:

- Romania has seen unprecedented economic growth, driven by foreign direct investments (FDI) inflows, with an average growth of 6.0% between 2001 and 2006. Consequently, the number of job openings has increased amounting to 98,627 in the first quarter of 2007;

Number of job vacancies and harmonised unemployment: 2006-2007
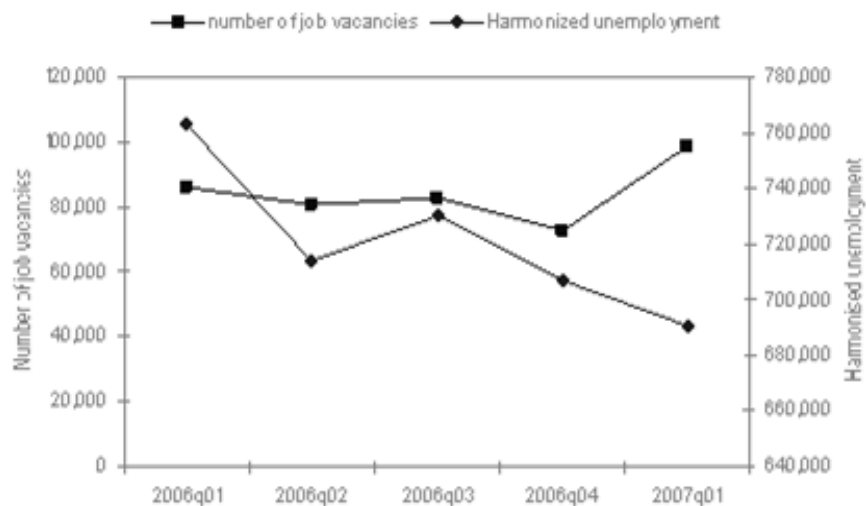
Source: Eurostat

• Many Romanians opted to leave the country in order to work in Western Europe or the USA, where wages and the standard of living are higher. While the minimum wage in Romania amounted to €114 in the first quarter of 2007, minimum wages in the UK and the USA were €1,361 and €676 respectively;

• Since 1989, Romania has lost between 2.0 and 2.5 million of its workforce. Considering Romania's population of 21.6 million in 2006, this is about 10% of the country's population.

While businesses in some sectors are under wage pressures and have started to employ foreign workers, Romania's consumer purchasing power is continuing to rise due to high economic growth and workers' remittances from abroad.

While migration keeps unemployment low and remittances high, shortages in the labour market cause economic losses and create wage pressures for businesses:

• The country's unemployment rate was 6.9% in June 2007. Although joblessness is growing in certain fields, labour migration is exporting unemployment;

• Remittances help improving the standard of living of many Romanian consumers as they increase their purchasing power and stimulate consumer demand for goods and services;

• The gap in the labour market is generating economic losses for businesses as it causes wage pressures and cuts in production volume, especially in the manufacturing and construction sectors. A clothing factory in Romania's textile centre Bacau, for example, hired 670 Chinese workers in April 2007 after failing to attract local staff despite offering double the average minimum wage;

• FDI inflows have been a main driver for Romania's economic growth. Between 2001 and 2006, the country received US$26.0 billion in FDI inflows. Foreign businesses were attracted by Romania's skilled labour force and low wages. The labour shortages could now deter them;

• The migration of Romania's labour force concerns mainly skilled white and blue collar workers. The country's labour market is lacking staff in the healthcare, agricultural and construction sectors.

Romania FDI inflows and minimum wages: 2002-2006
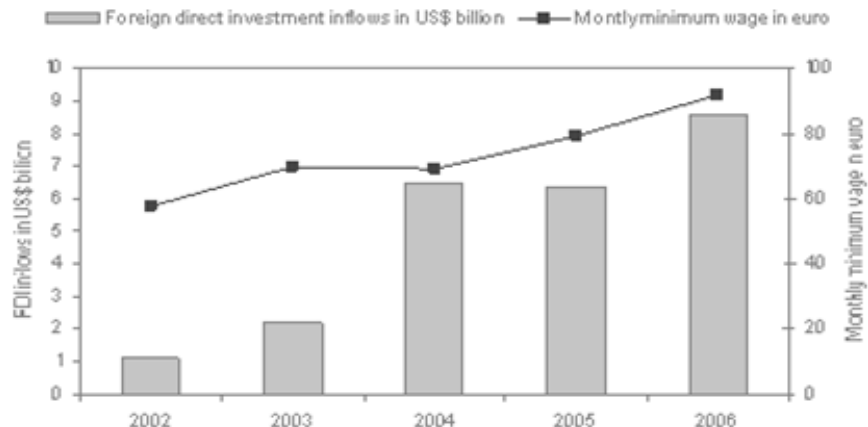
Source: Euromonitor from UNCTAD and Eurostat

Health labour market in Romania

Situation of human resources in the Romanian health system

Data from 2003 indicate that Romania has one physician for every 463 people, or 195.7 per 100,000 population. Trend analysis shows that these figures improved slightly, especially after 2000. However, they are significantly lower in comparison with the European Union average- almost half.

Health personnel per 100,000 population, Romania and EU-25, 1995-2003

Year	Physicians		Family doctors	Dentists		Pharmacists		Nurses	
	RO	EU	RO	RO	EU	RO	EU	RO	EU
1995	176.9	312.6		26.7	57.4	11.7	68.4	431.1	732.3
1996	181	319		26.4	58.4	11.4	70.7	441	739.7
1997	179.1	323.3		23.5	59.1	7.5	71.2	406.4	739.7
1998	183.6	326.2		23.9	59.8	7.3	72.3	408.9	746.6
1999	191.4	331		23.4	59.7	7.1	72.6	404	752
2000	188.9	336.6	51	22.2	60.4	7.1	74.9	401.9	759.6
2001	188.9	339.7	51	22.6	60.8	6.7	77.4	403.1	766.8
2002	190.6	343.4	52	22.4	61.7	6.3	77.7	418	779.3
2003	195.7		53	22.6	61.8	5.9		399.4	

Source: WHO Europe, European HFA database, June 2005

According to the latest data of European HFA Database, in 2005, Romania has 194.98 physicians per 100,000 population and 655.78 hospital beds per 100,000 population.

Health personnel coverage of population, Romania, 1995-2004

Year	Population per physician	Population per family doctor	Population per dentist	Population per pharmacist	Population per nurse
1995	565		3 752	8 572	177
1996	552		3 784	8 769	177
1997	546		3 436	3 786	185
1998	530		3 200	3 624	183
1999	486		2 914	3 398	189
2000	490	1 957	2 701	3 121	188
2001	479	1 950	2 577	3 070	186
2002	476	1 915	2 468	2 974	176
2003	463	1 900	2 300	2 789	180
2004	450	1 882	2 188	2 473	178

Source:Ministry of Public Health, Health Statistical Yearbook, 2004

On the other hand, until recently, this was considered an acceptable ratio for providing satisfactory access to primary and specialty care for the population, because the coverage problem in the rural area was neglected. However, the National Health Insurance House [1] estimated that there was a deficit of 1,930 family doctors in 2004, while 1.35 per cent of the rural population was not registered with any family doctor.

Even if these rates have not notably changed during the last 15 years, they mask geographic and medical specialty inequalities. There are significant imbalances in the territorial distribution of physicians. Thus, three-quarters of the Romanian counties are significantly below the country average.[2]

Most of the health workers are concentrated in the major university cities (Bucharest, Cluj-Napoca, Iaşi, Timişoara, Craiova, Targu-Mures) or in the most economically developed counties (from Transylvania and west part of Romania).

While 86 per cent of physicians work in the urban areas, only 14 per cent work in the rural areas, providing health care for 47 per cent of the Romanian population. This situation is associated with the lack of incentives for the physicians to work in rural or deprived areas.

Private practice is now developed and almost all dentists, pharmacists and family doctors work exclusively privately. Only a small part of these professional groups works mainly for the public medical institutions. For instance, in 2003, there were only five private hospitals in Romania, out of 427[3].

There are no publicly available figures on the ratio of public/private physicians.

Figures also hold back the quality of care dimension. Some reports disclose insufficient clinical problem-solving skills at certain levels of service provision that can be only partially explained by lack of therapeutic equipment and supplies. Epidemiological changes require new training models, especially designed for the professionalization of nursing, as well as massive retraining of other health providers at all levels, according to the new patterns of the burden of disease.

According to the National Health Statistic Centre (2000), the following figures for health medium-level staff by specialty were: 57,630 general nurses, 15,339 pediatric nurses, 8,919 midwives, 3,618 public health nurses, and 1,610 community nurses. Some home visiting is undertaken by nurses who work in primary health care. Nurses making home visits have been trained in small programmes offered by different national and international non-governmental organizations.

Even if some physicians do not practice, medical unemployment is not yet a real problem. There are jobs available in rural areas and not only there, but the doctors prefer to work only in some specific areas or as medical representatives for pharmaceutical companies. There are no additional measures and there are small incentives to encourage orientation of physicians to medical units located in rural areas.

Concerning gender distribution, data show that in the Romanian health system, female physicians are predominant, their number being twice as high as the number of males.

However, males are predominant within the better-paid specialities such as: cardio-vascular surgery, neurosurgery, general surgery etc. As regards nurses, females represent the vast majority in this profession .

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[1] National Health Insurance House : *Activity Report 2004*

[2] E.G. Stoicescu: *Medical education in European integration context: New challenges for candidate countries*

[3] National Institute of Statistics: *Statistical Yearbook 2004*

Females[1] also prevail among emigrant physicians, together with chemists, teachers and economists. On the other hand, females seem to be more willing to emigrate on a temporary basis than males, usually for family reunification reasons.

Gender distribution of Romanian health workers, 1995 - 2003

Year	Physicians		Dentists		Pharmacists		Nurses	
	F	M	F	M	F	M	F	M
1995	61.7	38.3	65.1	34.9	89.4	10.6	89.2	10.8
1996	63.6	36.4	65	35	85.4	14.6	88.7	11.3
1997	62.7	62.7	37.3	63.7	36.3	91.4	8.6	89.3
1998	63.1	36.9	63.6	36.4	88.5	11.5	88.9	11.1
1999	64.1	35.9	65.4	34.6	87.3	12.7	89.3	10.7
2000	66.5	33.5	66.9	33.1	87.5	12.5	89.8	10.2
2001	65.6	34.4	62.1	37.9	87.4	12.6	90.1	9.9
2002	66.7	33.3	64.4	35.6	88.8	11.2	91	9
2003	67.1	32.9	64.8	35.2	90.3	9.7	91.2	8.8

Source:Statistical Yearbook, 2004

General determinants of health workers migration

The factors which influence health worker migration are commonly called "push and pull" factors. Most of them apply to labour migrants in general; however, some are specific to the health sector. The main factors have remained the same throughout the years: health workers consider migration when they expect this move can improve their professional and economic situation.

In many studies and publications, low salaries, poor working conditions and lack of professional opportunities were identified as push factors, while demand for health professionals in destination countries in combination with higher pay, better working conditions and professional development opportunities act as pull factors.

Other circumstances that can trigger migration intentions include the employment situation and societal as well as security issues, such as an unstable economic or political situation.

In fact, the underlying reasons for migration decisions are multi-factorial with

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[1] G. Zaman; D. Sandu: *Flows and non-EU Europe-Romania,* report for Romania within the project "The brain drain-Emigration flow for qualified scientists" 2004

complex interrelationships and the various factors interact with the individual situation of the health professional when considering migration.

Pay differentials have been frequently mentioned as the most important trigger for migration potentials. Throughout the European region there are great disparities in the remuneration of health workers, both in absolute figures and in relative proportion.

Push and pull factors for health migration

At present, the social status of doctors as well as of other health workers is still quite low in Romania, being directly related to their income/wages. Since 1990, physicians have been particularly concerned about their low official income, and the limited technological environment[1]. In this respect, to improve their income, doctors warmly supported the introduction of a health insurance system and increased private medicine in the early 1990s. However, it seems that this initial enthusiasm for radical change has now weakened. A possible explanation could be that physicians (mainly specialists working in hospitals) have realized the benefits of untaxed payments from patients. At the same time, the first years of health insurance did not bring spectacular improvements in their social and financial status. Moreover, for some physicians (especially family doctors) more administrative work was required at incomes similar to what they earned before the introduction of the health insurance system.

According to the National Institute of Statistics[2] the average net wage in the health sector (all health workers included) was of RON 644[3] (around 200 euros), which was less than the national average net wage (RON 734) in August 2005. The low level of salaries mainly affects non-physicians and young resident physicians.

Before 1978, when nurse training was established by law to be attained only at highschool level in specialized sanitary high-schools (not at post high-school level as before), nursing was a respected profession, but their role and responsibilities have continuously declined since then[4]. Even their professional title has been downgraded. According to the law passed in 1978, medical assistants were completely subordinated to the medical doctor, having only low qualified duties. Even at present, when their training has just been established at university level (in 2005), nurses have no sense of autonomy, weak teamwork skills and there is still little understanding that nursing and medicine require complementary skills. The role of the midwife is similar to that of a medical assistant.

There are many obstetricians, and little perceived need to develop the role of the midwife; midwives cannot officially take charge of a birth at present.

It can be made[5] an interesting comparison between the levels of net wages of the Romanians with temporary working permits abroad (see table below). For individuals, the

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[1] C. Vladescu: *1999 – 2003. Satisfaction of population and providers survey,* Bucharest: CPPS

[2] National Institute of Statistics: *Population expenditure,income and consumption;*

[3] RON=Romanian New Leu; 1 euro=RON 3.6 (August 2005)

[4] E.G. Stoicescu: *Medical education in European integration context: New challenges for candidate countries*

[5] G. Zaman; D. Sandu: *Flows and non-EU Europe-Romania,* report for Romania within the project "The brain drain-Emigration flow for qualified scientists" 2004

opportunity to substantially increase earnings remains a basic factor in explaining emigration. Differentials in wage levels between source and destination countries are an important motivation to migration, even if the cost of living is substantially higher in the receiving countries.

The level of wages of Romanian health personnel working abroad, first quarter 2003

Country	Field of activity	Length of contract (months)	Average monthly wage per person (euros)
Germany	■ seasonal agriculture	3	670
	■ agriculture	18	1 200
	■ seasonal gastronomy	3	670
	■ gastronomy	18	1 200
	■ health	18	1 200
Switzerland	■ health	18	3 081
	■ hotels	18	3 081
	■ agriculture	18	3 081

Source: Romanian Office for Labour Force Migration

Another important reason for emigration among Romanian health workers, especially the younger ones, is the opportunities offered by foreign countries for continuous professional development. There are now many postgraduate students with scholarships for different types of education: specialist training, MBA, doctoral studies, research grants, etc. The main destination countries for Romanian students are Western Europe, the United States and Canada. Some Romanian students receiving their education abroad do not return to Romania, thus generating a brain drain.

Currently in the European Union, migration, especially of the economically motivated type, is more sensitive to pull than to push factors. Like the United States and Canada, which seem to have understood needs by attracting qualified migrants from all over the world, the European Union has become a preferred destination even for people who are not so dependent on push factors in their own countries.

Health worker migration

There is some information on international migration of Romanian health workers, but it is fragmented, scarce and, most importantly, not publicly available.

They are not collected in a standardized way, or regularly in the health system. Specific data for health workers are not easily retrievable within data sources out of the health system.

However, the Ministry of Public Health of Romania collects some data concerning health workers who have left Romania (MoPH), either temporarily or permanently, but only on special request. Data from MoPH show that in 2004, there were 2,012 Romanian health personnel working abroad. Of these, 360 (18 per cent) were physicians, the rest (82 per cent) being nurses.

**ROMANIAN HEALTH PERSONNEL
WORKING ABROAD IN 2004**
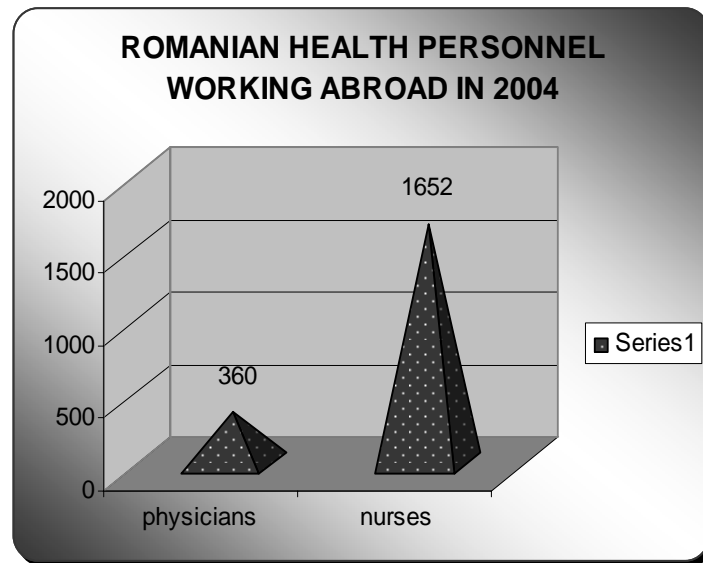
Most of the physicians working abroad were specialists working in hospitals (76 per cent) and only 6 per cent were family doctors. The same situation also applied to nurses: 82 per cent were nurses working in hospitals. However, this is only a rough estimate of health staff working abroad, possibly underestimating the phenomenon. The data do not provide clear information on the temporary/permanent emigration pattern or on the destination countries.

While for nurses it is more likely that they are practicing the same profession in the country of destination, due to the bilateral agreements between Romania and Greece, Spain and Italy on diploma recognition, this is not so clear for physicians who left Romania.

There are no data to evidence their practice within the health systems of the destination countries.

The same data show that most of the physicians leaving Romania in 2004 were from the major university cities: Cluj-Napoca and Bucharest. It is possible that many of them were going abroad for training or doctoral studies, due to the existing international cooperation in the field of education, where Romanian universities are partners, but this is not supported by data.

Impact of migration on the health system

For the source countries, international migration represents firstly an economic loss due to the funds invested by the State in providing education and training for physicians.

This is the case of Romania, where the vast majority of Medical Universities are stateowned, so that the State is the main payer for the education and practical stages.

Secondly, permanent migration may represent an important loss of expertise for the source country. Recent studies demonstrate that highly skilled professional workers from developing countries are unlikely to leave after a few years of residence. Analysis of the stock of overseas-trained nurses and physicians in countries like Canada, the United Kingdom and the United States is more likely to conclude that health migration has not been a predominantly temporary phenomenon. On the other hand, due to common agreements with some European Union countries, many Romanian nurses are working

abroad at present with temporary contracts. It is not clear if they intend to return to Romania after the end of their contract, but the skills and knowledge achieved while working abroad can be beneficial for the Romanian health system.

Lastly, because mainly young doctors are leaving Romania, the health system may lose part of its best stock of young human resources together with its innovative capacity.

Even if the emigration phenomenon among Romanian physicians is quite low, emigrant physicians represented only 0.8 per cent of the total number of physicians in 2004, it is expected to grow once Romania became an European Union Member State. However, this fact can be beneficial for the Romanian health system because it is most likely that migration will be mainly temporary contract-based and physicians will return with improved skills and knowledge. The same comments are applicable for nurses, but it is worthwhile noting that the emigration phenomenon among them is already somewhat higher than for physicians- 1.5 per cent in 2004.

There is no information available to track the return of Romanian health workers after a temporary job or after the end of a scholarship. Such an information system may be developed in future, when Romania, now a Member State, will have to align its data reporting systems on the European Union.

Conclusions

The migration of Romanian health workers was not a matter of concern, either for the Government or for the health system. One possible explanation could be that the level of the emigration phenomenon described above is still low, but it is expected to increase now that Romania became an European Union Member State. But, even at European level, this issue has not been studied comprehensively. This is why it is very difficult to retrieve reliable and comparable data for health worker migration.

Another sensitive factor contributing to the scarcity of migration data is represented by the lack of consistency in classification of education and skills at international level, making international comparisons very difficult. Furthermore, there is not wide acceptance of the terms and definitions used for migration. Thus, there is a real need for further efforts by international organizations interested in the field to agree on common classifications and standardized definitions in order to improve data quality and comparability.

Many studies in the field emphasize that it is easier to retrieve data on emigration in destination countries than in source countries. Furthermore, there is even less information on the itineraries of the emigrants or on their possible return to the country of origin. It seems that a greater effort to implement a reliable information system related to human migration is needed in source countries, Romania being at present predominantly a source country.

As presented here, data on Romanian health worker emigration are scarce and of uncertain quality. Even if at present this phenomenon does not look like significantly affecting the delivery of health care, it can be a warning sign for future human resources planning and development, as it is expected that the flow of Romanian health worker migration will grow in the near future. This is why Romania obviously needs to monitor and control the phenomenon. This can be done firstly by regulating the flow through common agreements with other countries, mainly European Union Member States. Based on these regulations, an information system to support the policy and monitoring of human resources in the field can be more easily implemented. This information system can be based on a regular exchange of data between countries and on standards for data collection.

As a general remark, in Romania, like in many other source countries, more information is available about physician emigration than for nurses. This can be due to the fact that governments consider the emigration of physicians a bigger loss for the health system than that of nurses, despite the fact that the phenomenon is smaller among physicians.

An European information system on people movement, including health workers, can be built starting from the General Agreement on Trade in Services (GATS) regulations. This can lead to the harmonization of classifications, definitions and terms at European level, ensuring the comparability of data. It is also true that GATS regulates the temporary movement of people. Therefore, an important aspect that should be considered is the availability and quality of data for permanent migration.

Building a good quality information system at European level is not an easy task.

Joint efforts are necessary from international organizations (Eurostat, ILO etc.) together with national institutions (e.g. National Institutes of Statistics) to set up a standardized and comprehensive database, publicly available, containing more detailed information that can support better human resources planning at national and European level. At present, the Eurostat database contains little data on population migration, because data are missing or are unreliable at country level.

Since most countries either do not have accurate figures on immigration and emigration or have no figures at all, net migration is estimated on the basis of the difference between population change and natural increase between two dates. The statistics on net migration are therefore affected by all the statistical inaccuracies in the two components of this equation, especially population change.

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LES CONDITIONS D'HABITER ET DE TRAVAIL CHEZ LES IMMIGRANTS ROUMAINS D'ITALIE

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Resume

Les conditions de vie des roumains d'Italie dépendent dans une certaine mesure des conditions d'habiter et de travail de ceux ci, de la manière dans laquelle ils passent leur temps libre, des relations de communication qu'ils ont avec ceux qui sont a la maison et de leur nouveau milieu de vie. Trouver un domicile et un emploi sont les plus importants problèmes avec lesquelles se confrontent les roumains quand ils arrivent en Italie, comme, de toute façon, n'importe quelle personne qui arrive dans un pays étranger.

Mots-clés : migration, roumains, travail, habitation

L'analyse comparative de la situation locative de la Roumanie et d'Italie des 1066 personnes questionnées en décembre 2007 en Italie (par l'Institut de recherche Metro Media Transilvania) nous présente des différences importantes sur ce sujet. Ainsi, si 87% des roumains avaient en Roumanie une maison, dans leur propriété ou celle de leur partenaire de vie, des parents, en Italie, seulement 9% d'eux bénéficiaient d'une telle propriété. Une fois arrivés en Italie, les roumains se ont reçu le problème du domicile, en logeant une– 77% d'eux.

La demande croissante des habitations, pour loger, a généré un trafique intense des étrangers et un développement des spéculations immobilières (pareille a celui des emplois), dans lequel ils se sont implique des étrangers qui étaient avides pour gagner rapidement et qui ont trompe leurs concitoyens, arrives en Italie pour travailler.

On peut observer que 8% des personnes investiguées on signalé le fait qu'ils habitent la même propriété avec la personne qui les a engagé, ce qui signifie qu/il y a une coïncidence entre le domicile et le lieu de travail, surtout dans le cas des personnes qui prends soins des personnes ages, qui travaillent dans des affaires de familles des certains italiens. D'autres donnes importantes pour connaitre le statut locatif des roumains dans leur pays et en Italie, résultent des graphiques ci-dessous :
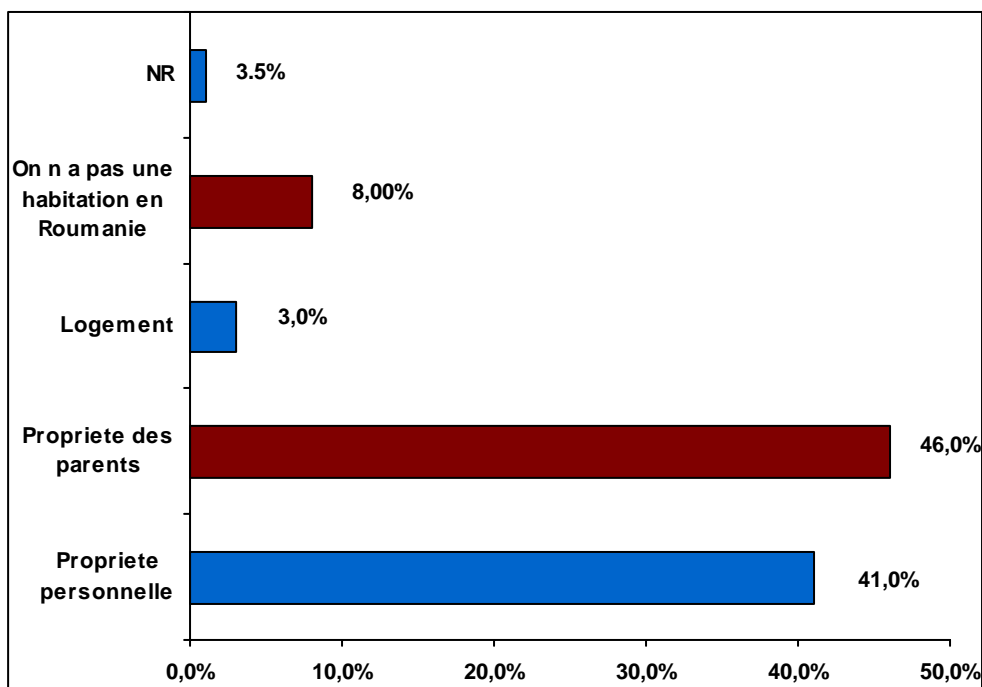
Source: Comunitatea românească în Italia: condiţii sociale, valori, aşteptări. Studiu sociologic, Metro Media Transilvania, Agenţia pentru Strategii Guvernamentale, dec. 2007, disponibile sur www.mmt.ro, p.13
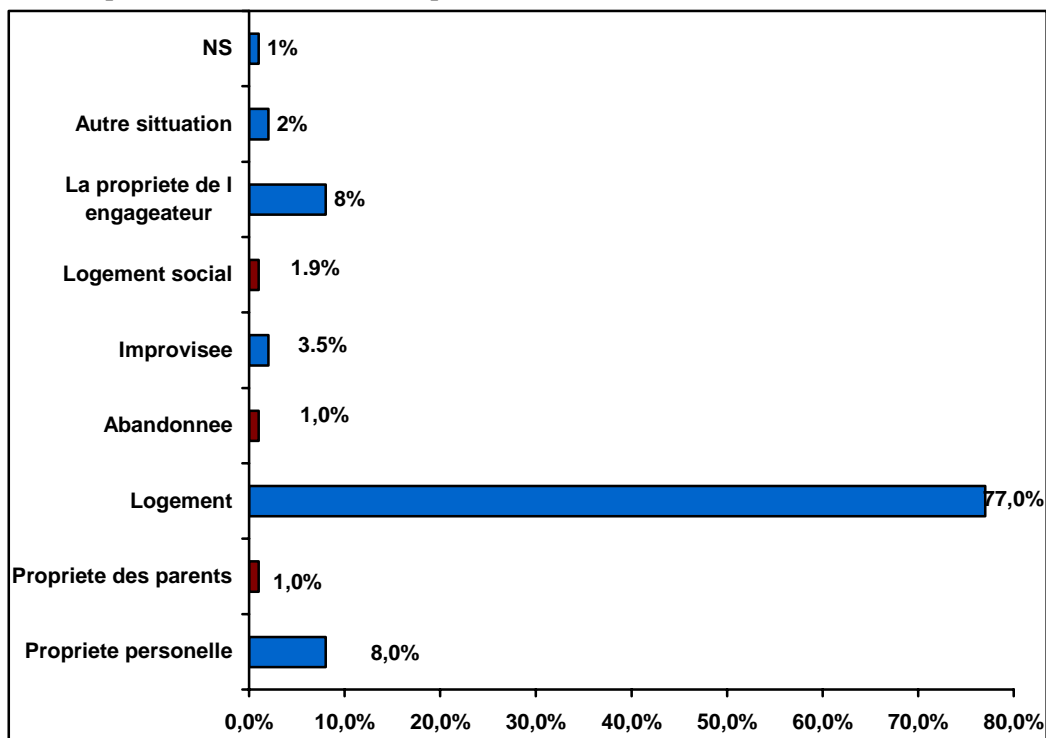
Source: Ibidem, p. 14

Les conditions d'habitation en Italie sont relatives a celles des grandes villes de la Roumanie, en ce qui concerne l'espace qui revient pour une personne et des utilités avec technologie et appareils électroniques. Biensur, les gains qu/ils se sont planifie d'obtenir ne les donnent pas du courage pour choisir des habitations chères, et ils ne se permettent pas de loger a des prix chers. Il est sur que, en ce qui concerne les condition d'habiter, les roumains d'Italie bénéficient, au moins, des mêmes conditions que celles qu'ils ont laisse en Roumanie (sinon, meilleures), mais, a coté des coûts d'entretenir l'habitation, ils doivent payer aussi le logement, ce qui affecte la possibilité de faire des économies personnelles.

Les données de notre recherche on relève que la plus grande partie des roumains questionnés ont répondu qu'ils ont un logement en Italie (61.7%). D'autres on dis qu'ils ont une propriété privée (20.3%), et 11.6% habitent avec les relatives et les amis. Il a été intéressant de trouver aussi le nombre des personnes qui habitent le même domicile et la qualité sociale de ceux-ci, par rapport a la personne qu a été investiguée.

Qui sont les autres personnes avec lesquelles vous habitez?		
	Membres de la famille	44.4%
	Amis	32.5%
	Collègues d'emploi	10.1%
	Autre situation	12.4%
	NR	0.6%
	TOTAL	**100.00%**

L'analyse de statut social des roumains d'Italie et la comparaison avec celui eu en Roumanie nous offre la possibilité de formuler quelques conclusions:

1. Le taux de ceux qui travaillaient légalement en Roumanie était de 44%, et après arriver en Italie, il est arrive à 57% ;

2. Si en Roumanie seulement 9% travaillaient sans des cartes de travail, leur nombre est accroît à 23%, après arriver en Italie ;

3. En Roumanie, les personnes sans emploi représentaient une catégorie occupationnelle qui représentait 14% et qui, ultérieurement, a diminue, en arrivant a 7% ;

4. En Roumanie, les travailleurs journaliers représentaient 2% du total de ceux qui ont venu en Italie, ou leur taux est arrive a 5% ;

5. Le statut de chômeur (enregistré ou non-enregistré) caractérisait 8% des 1066 personnes questionnées, quand elles étaient en Roumanie, et en Italie seulement 1.5% d'eux avaient garde cette stigmatisation ;

6. Ceux qui étaient élèves ou étudiants en Roumanie, 14%, se sont diminué a 2% en Italie, a cause du fait qu'il ont pris un emplois dans une activité sociale utile ;

7. Le travail indépendant, sans autorisation, caractérisait, en Roumanie, 5% des sujets, et en Italie seulement 2%[1].

Notre enquête d'opinion effectuée sur 160 roumains d'Italie a mis en évidence le fait que 84% d'eux ne travaillaient plus dans le domaine dans lequel ils s'étaient qualifie en

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[1] *Comunitatea românească în Italia: condiţii sociale, valori, aşteptări. Studiu sociologic,* Metro Media Transilvania, Agenţia pentru Strategii Guvernamentale, dec. 2007, disponibile sur www.mmt.ro, p. 17 şi 18

Roumanie. Presque 16% d'eux ont eu la chance de pratique en Italie le même métier comme en Roumanie.

Les domaines de travail les plus rencontres sont les services et les constructions: environ 84% des personnes questionnes travaillent en services et 14% dans les constructions.

La majorité des roumains (90.7%) on un seul emploi en Italie, mai sil y a aussi des personnes qui en ont deux (6,5%) și même trois (1,6%). Plus de 65% se sont engages avec des papiers de travail et 32% travailles sans ces documents.

En Italie, le coût horaire de la force de travail venue de la Roumanie est similaire a celui de l'Union Européenne. Ainsi, 48,2% des roumains questionnes travaillent entre 7 et 9 heures par jours, étant suivis par ceux qui travaillent entre 10 et 12 heures et dont le taux représente 31.7%. Les plus réduits taux sont celles de ces personnes qui travaillent entre 13 et 15 heures par jours (6.1%) et entre 1 et 3 heures par jours (0.6%).

Le nombre des heures de travail par jour	
7-9	48.2%
10-12	31.7%
4-6	9.1%
13-15	6.1%
1-3	0.6%
NR	4.3%
TOTAL	**100%**
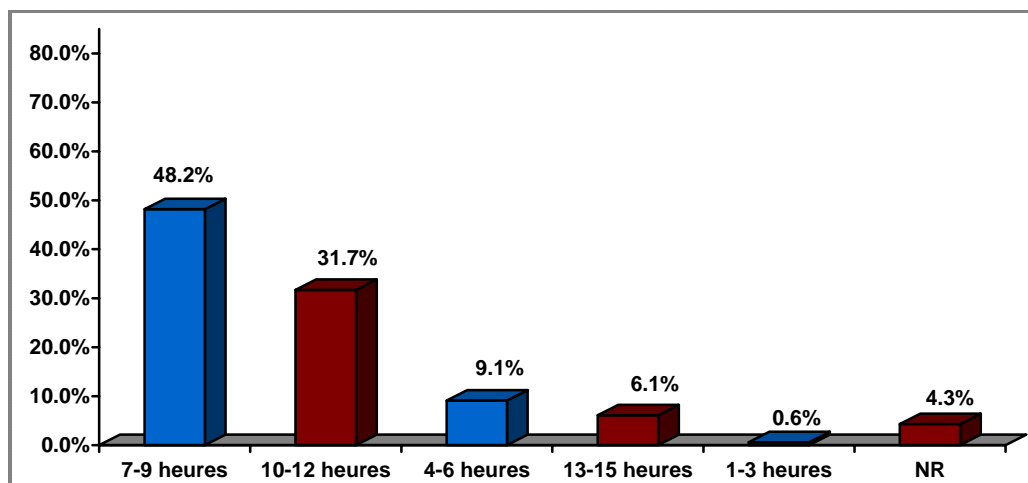
Pour plus d'une moitie des personnes questionnées (57,1%) la semaine de travail inclut seulement un jour libre, le taux de ceux ci étant double par rapport a ceux qui travaillent 5 jours par semaine (26,4%). Le plus nombreux sont ceux qui travaillent entre un et trois jours par semaine, le taux de ceux-ci étant de 0.6% pour chaque variante de réponse (un jour, deux jours, trois jours).

Combien de jours par semaine vous travaillez_ ?		
	Six	57.1%
	Cinq	26.4%
	Sept	9.2%
	Quatre	2.5%
	Un	0.6%
	Deux	0.6%
	Trois	0.6%
	NR	3.0%
	TOTAL	**100%**
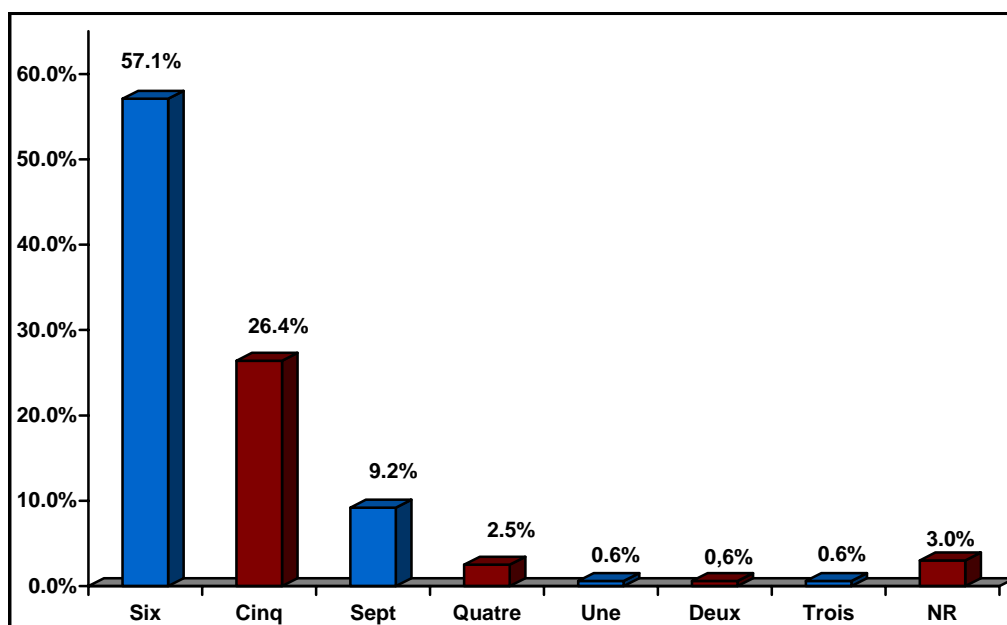
L'appréciation des conditions de travail est illustre par les indicateurs suivants:

1) l'évaluation ou la caractérisation de l'emploi;

2) l'intention de changer ou pas l'emploi;

En Italie, la majorité des roumains ont venu seulement pour travailler ne pratiquent pas le métier dans lequel ils se sont qualifies en Roumanie (84%), mais ils auto-evaluent leur activité comme étant:

- „difficile" (67,1%);

- difficile sous l'aspect de „l'effort physique" (86,3%) et, pour les plus nombreux,

- „de rutine" (59,7%).

Comment caractérisez-vous votre emploi ? Comme étant___?		
1	Difficile	67.1%
2	Facile	23.7%
3	NR	9.2%
	TOTAL	**100%**
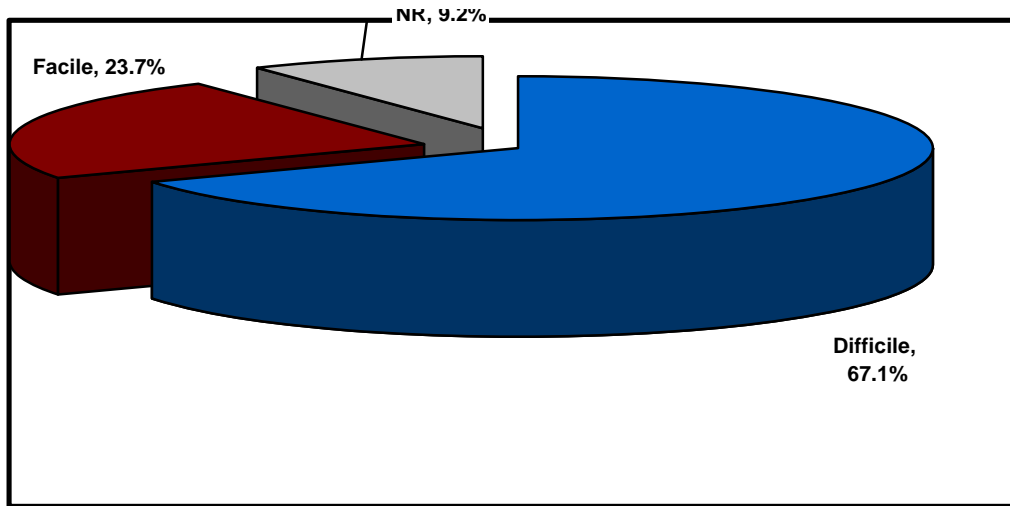
	Surtout effort physique	86.3%
	Surtout effort intellectuel	10.5%
	NR	3.2%
	TOTAL	**100%**
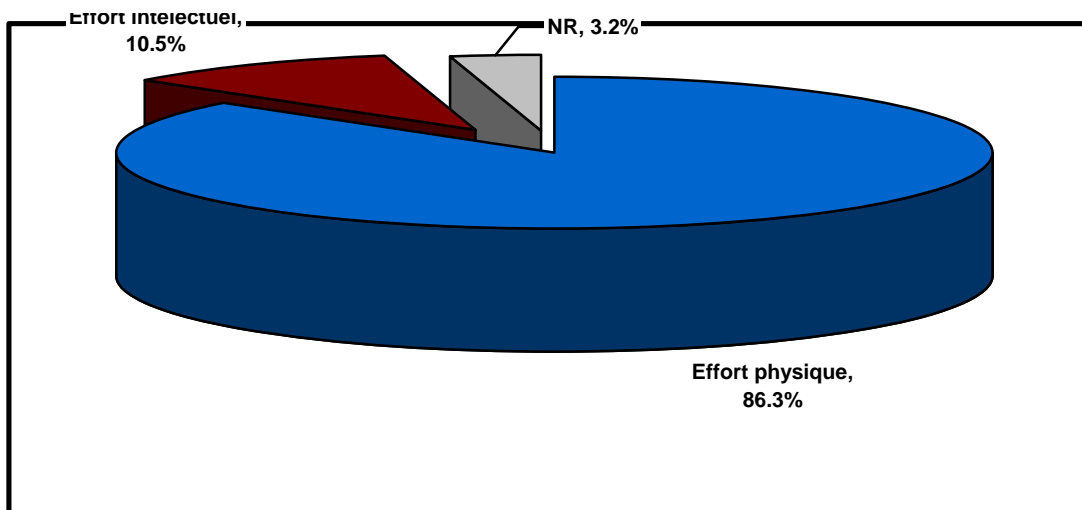
	Surtout de rutine	59.7%
	Surtout de créativité	33.3%
	NR	7.0%
	TOTAL	**100%**
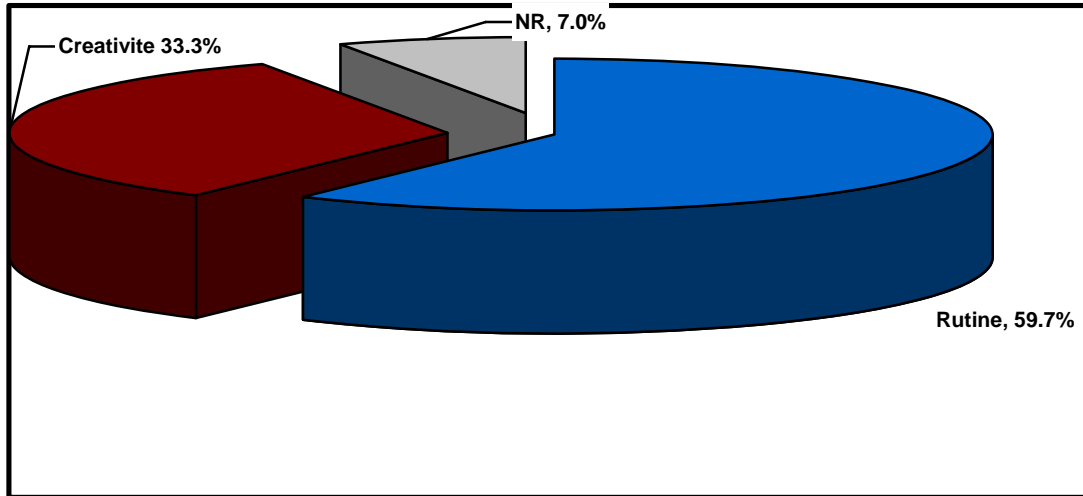
En partant des appréciations ci-dessus, on a voulu trouver si les personnes questionnes veulent changer leur emploi. On a résulte trois catégories de réponses, avec des taux relativement égales:

	Oui	31.0%
	Non	33.3%
	Je ne me suis pas encore décide	32.1%
	NR	3.6%
	TOTAL	**100%**

Donc, en ce qui concerne l'intention de changer l'emploi, entre les taux des réponses il n y a pas des différences très grandes. Toutefois, sur le premier plan se trouve l'intention de ne changer l'emploi dans le futur – étant indique par 33.3% des personnes questionnées, taux suivi de celui des personnes qui n'ont pas pris encore une décision.
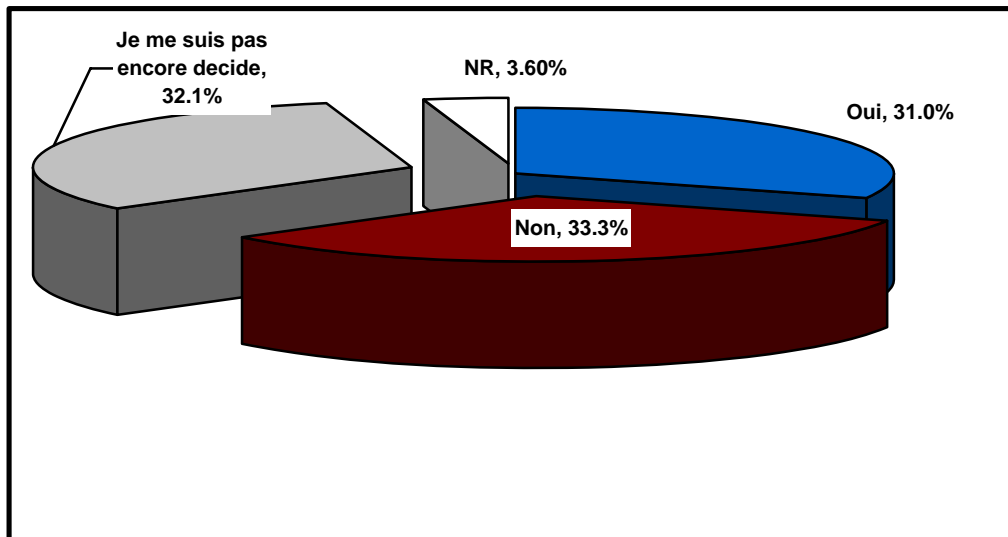
Biensur, il est important de connaitre les motifs qui déterminent les travailleurs de changer leur emploi. Les résultats obtenus mettent en évidence le fait que les roumains ne sont pas effrayes par le travail difficile ou qui les sollicite physiquement, en cherchant un métier, plus intéressant, qui les offre un rémunération plus grande, une sécurité du travail.

Les motifs pour changer l'emploi	
Rémunération plus grande	30.9%
Un métier plus intéressant	20.6%
La sécurité de l'emploi	19.1%
Des meilleures relations de travail	5.9%
Un travail plus facile	5.9%
Proche de la maison	4.4%
Possibilité d'avancer	2.9%
Autres motifs	2.9%
Nu pot aprecia	7.4%
TOTAL	**100%**

Quand ils pensent a changer leur emploi, 30.9% des sujets pensent a un emploi meilleur, avec une rémunération plus grande, 20.6% pensent a un autre métier, plus intéressant, et 19.1% optent pour un emploi qui leur va offrir plus de sécurité. Seulement 4.4% des personnes questionnes prend en considération le critère des la distance et 2.9% des possibilités d'avancer. On peut remarquer que seulement 7.4% des sujets n'ont pas su apprécier le motif pour lequel ils seraient tentes a changer leur emploi

MANAGING ORGANIZATIONAL CRISES THROUGH EFFICIENT COMMUNICATION

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Abstract:

The article analyzes some aspects related to the dynamics of organizational crisis and the way that these can be solved through an efficient communication. By analyzing the literature, the authors think that an organizational crisis can be considered an image process or a communication process. The idea that a crisis shouldn't be considered a problem which needs to be solved but a process that needs to be handled is developed in this article by presenting some typical situations. An organizational crisis is an inherent process that needs to be controlled by maximizing opportunities and minimizing threats. When adopting this strategy, the problem of organizational crisis and those of communication crisis change. The analysis of communication as an instrument for managing a crisis but also as a type of organizational crisis completes the idea that an organizational crisis is a complex process that can be analyzed in relation to the problematic of communication.

Keywords: crisis, organization, organizational crisis, communicational crisis, management, social image.

One of the most important characteristics of the managerial process, however one of the most controversial, is the social responsibility. In essence this characteristic states that the management system by its actions must protect the interests of the organization and the interests of the employees, and also the welfare of society as a unity[1].

The social responsibility of the organization is very important when talking about the impact that the organization has upon society, about the image and prestige associated with an organization. These elements become very important indicators when we want to analyze the organization's capacity in dealing with crises situation that threaten the balance or even worse the existence of the organization in its actual form and also the communicational mechanisms that need to be used. The organizational crisis is an image crisis and also the communication of crisis. The image, as prestige, and the efficiency of communication become very important in understanding the crisis and solving it. Although the purpose of this study is to analyze the correlation between organizational crises – communication, we consider useful to point out the main aspects that need to be considered when evaluating the social image of each an organization. This general picture helps us to better implement the bond between crises and image.

The theoretical premises from which we start are that a high social image is able to limit the destructive effects of a crisis, and a low social image is able to amplify the

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[1] Costică Voicu, Ştefan Prună, *Organizational Management of Police*, Ed. Mediauno, Bucharest, 2007, p.63

destructive effects of a crisis. This is because the image regarding someone or something is accompanied by trust or attachment. That is, if we consider that an organization has a positive social image, we have the tendency to identify with it affectionately and therefore we'll overpass some negative information that we might have about it, considering them false or mean. As more often than not organizational crises are considered negative and destructive we will attenuate the impact of these crises due to our own subjectivity.

1. How can we correctly evaluate the image of the organization?

The correct evaluation of the organization's image implies the capacity to establish a procedure that meets the conditions of sufficiency. Unfortunately, there isn't a consensus regarding the choosing of one type of procedure, researchers having different opinions. A relevant interpretation is obtained only when having sufficient evaluation criteria, which need to cover the entire area of manifestation and relations regarding the entity. The lack of criteria translates into an irrelevant image. As it concerns the importance and the sufficiency of the criteria, all the researchers share a common point of view. Which criteria need to be taken into account is a question whose answer is far from satisfying everybody. Most specialists go with the idea of using conjuncture analysis which is mostly adopted in such situations. A picture that includes all the elements needed for a correct evaluation of the social image should have the following:

The real function of an organization in society can be identified studying the following aspects:

- social necessities that the organization has to satisfy
- the functions attributed to the organization by the social organization that comprises it
- the compatibility between the functions assumed by the organization and the roles of the organization within the social system
- the organization's capacity to complete the functions assigned to it
- the difficulties that emerge from the organization's incapacity to satisfy some necessities that have been identified.

The function attributed to the organization by explicit, legalized decisions influence the image of the organization through its consequences. In this case it is useful to identify the following:

- the compatibility between the assigned function and the social interest specific to the field of activity.
- the percentage of coverage of the necessity for the function assigned to the organization
- the percentage in which the function assigned to the organization offers it
- the status and the social role needed for optimal functioning.
- the difference between the real function and the function assigned to the organization
- the social support for the function assigned to the organization
- the consistency and coherency of the legal system that states the function attributed to the organization
- the concordance between the necessary means for accomplishing the task assigned to the organization and the possibility of supplying these means

The interpreting horizons in which the organization functions, surface through:
- the cultural characteristics of the social medium in which the organization functions
- the instruction level of the social environment, on categories of people
- the type of information about the organization, which is accessible to people
- the degree of awareness and acceptance of the organization's functions in the society
- the source of information for the citizens regarding the organization
- the perception of the action possibilities of the organization in crisis situations
- the perception of the organization's future by the basic structures of society.

The conception of organization for the organization is expressed by:
- the quality of the organization
- the character of the organization (traditional, modern)
- the compatibility between the organization's functions and the concept of organization
- the relation between the concept of organization and the capacity to adapt to the change.
- the type of leadership in an organization (empiric, idealistic, technocrat)
- the internal and external information flow of the organization
- the organization's relations system and the way they are materialized.

The effective functioning of the organization becomes significant in forming the organization's image through[1]:
- the efficiency of managing the organization
- the performances of the organization
- the representation of the organization in the hierarchical systems to enable decision making
- the characteristics of replicating the organization in the society
- the internal and external influence groups that influence the organization's activity
- the conflict control inside the organization
- the organizational climate
- motivation and moral inside the organization
- the horizontal and vertical relations of the organization

2. Theoretical and practical prospects on crises

2.1 A few definitions of the term crises

The continuous acceleration of changes that have produced important mutations in the economical, technical, cultural, political, ideological field lead to a rupture in the existing dynamics and balance. The control of what seems part of an order has been lost. The general impression is of continuous instability of structures, and consequently of

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[1] Barry McLonglin, *Comunication Risk and Crises*, Editura Multimedia Publishing, Bucharest,1996

permanent reaction to provisory[1]. Due to this continuity and effort for stability we can consider the crisis as a natural phenomenon. The term does not refer to a temporal and difficult state, needing adaptations and solutions in order to be overcome, but it refers to a part of the quotidian. The discussion regarding the crisis issue becomes more stringent in time since it stabilizes its normal character.

The multitude of issues related to this subject has not led thus far to a definition commonly accepted by the international context. In a wider sense, by crises we understand "a national or international situation in which the values, interests or priority objectives of the implicated parties are threatened"[2].

Alternative definitions could include:

- a series of events that happen fast and that substantially (beyond the normal level) increase the impact of the damaging factors upon the subordinated system or upon any of the integrated subsystems and increase the probability of major violence in the system
- a change in the situation caused by an increase in intensity of the disjunctive interaction between two or more adversaries, with a great chance of starting military hostilities
- a period in the dynamics of a system, characterized by a serious accumulation of difficulties, breakout of conflicts, facts that make impossible the normal functioning, thus pressures for changing are used[3]
- dangerous and decisive phase in the social life, consisting in a violent manifestation of economical contradictions, political and social; a period of tension, disturbances, tries, often decisive that are being manifested in society; serious lack of goods, time, labor force[4].

Maintaining the concept itself we can admit another definition of crisis: a sudden and unforeseen event determined by the initiative of one of the two parties, which once triggered forces the other party to rethink its own strategy if it wants to defend its interests,[5].

We can observe that most definitions aim to emphasize events that affect the organization and the extra organizational environment, referring to one and the same thing: their abnormality status.[6]

The crisis situation appears when events that overcome the internal self adjusting capacity of any social system take place. In order to bring it to normal the intervention of a wide spectrum of adjusting measures is necessary. With all these taken into account the effort can be slowed down by the following elements:[7]

- it is possible that the size of the crisis isn't grasped immediately

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[1] Michael Register, Judy Larkin, *The management of Crises and Risk Situations*, Editura comunicare.ro, Bucharest, 2003, p. 13

[2] Gl. d. dr. Tudor Cearapin - „*Crisis Situations Management …*" in Romanian Military Thinking, nr. 6/2002, Bucharest, p. 139

[3] *Dictionary of sociology*, Editura Babel, Bucharest, 1993, p. 145

[4] *The Romanian Explanatory Dictionary*, Editura Academiei, Bucharest, 1984, p. 211

[5] Gl. d. dr. Tudor Cearapin - „*Crisis Sotuations Management …*" in Romanian Military Thinking, nr. 6/2002, Bucharest, p. 139

[6] Ion Chiciudean, Valeriu Țoneș – Course. *The management of Image Crisis*, Editura comunicare.ro, Bucharest, 2004, p. 39

[7] Bob Carell, *Predicting Ethical and Responsible Commnication Behavior of Organizations on Crisis Situations,* 1986

- the persons or the public affected by the crisis may be hard to identify
- the cause of a crisis can be hard to identify, and the cause or the causes may not ever be identified
- a crisis is always shocking for the public that is directly involved
- the correct and relevant information on the crisis is always wanted by the public, especially by those directly affected.
- the decisions regarding the information are made under very stressful conditions
- because the situation is a crisis situation, the public that is directly or indirectly affected by the crisis start to doubt the credibility of the organization
- for those that are related to it, a crisis produces a behavior generated by emotions.

2.2 The specific of the organizational crisis

The organizational crisis appears when an event, discovery, accusation or a set of internal and external problems threaten the integrity, the reputation or the existence of the organization[1]. The size of the event can be so big or so important that it can eclipse all the other activities of the organization, during the crisis. The trust of the public in the organization diminishes especially when the initial social image of the organization is lower, and the control of the factors over the phenomenon that is currently underway is minimal. The actual or potential damages for the organization are considerable, and the organization cannot alone put a stop to the crisis.

We cannot talk about this type of crisis without taking into account the decision act. It is the final element of the evaluation process, the way the situation is interpreted and communicated. The decision stops the damaging of the organization's functioning. It results that a crisis is determined by the length of the period in which a decision isn't made, period in which the functioning of the organization is doubtable or compromised.

Another important element in evaluating and managing such a crisis is the understanding of the structure of the organization.

The organization can be defined as a structured social system in which people, interacting in a specific manner, work together in order to reach certain goals, etc. No matter what type of organization, it has been founded conscientiously and deliberately by people to produce something the society needs. The objective is the base that leads to the appearance of the organization, and in the same time the motivation for continuing.[2]

We can conclude that an organization has in its structure two levels: a physical level, which incorporates human resources, materials, techniques, financial and technological resources and a symbolic level, which incorporates specific missions and purposes, norms, formal and informal relations, organizational culture.

Based on this theory, the organizational crisis can be defined as an interruption that physically affects the functioning of the organizational system and threatens the fundamental principals, its identity and purpose of existing.[3]

From this definition we can conclude that for a organization to be in a crisis

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[1] Barry McLonglin, *Comunication Risk and Crises*, Editura Multimedia Publishing, Bucharest,1996, p. 10

[2] Ştefan Buzărescu, *Introduction to Organizational Sociology and Leadership*, Editura Didactică şi Pedagogică, Bucharest, 1995, p. 49

[3] Ion Chiciudean, Valeriu Ţoneş – *Course. The management of Image Crisis*, Editura comunicare.ro, Bucharest, 2004, p. 40

situation it must be affected on both the entire physical level and symbolic structure. In other words, the members of the organization must acknowledge that all the principals, norms and values that they have assumed are wrong and aren't up to date.

2.2.1 The origins of the organizational crisis

Probably the worst attitude in management is the refuse to see the crisis also as a positive thing, as a factor that contributes to the existence of an organization.[1] The negative side, the destructive side of the crisis is an essential condition in development. Normal situations and crisis situations must be seen as components of the same process. This simplistic way to see things can be related to the management of acts of conflict. Although there are significant differences between crises and conflicts, most of them related to the effects, people have the tendency to consider the conflict as being something strictly negative, destructive. The constructive component of the conflicts, the positive aspects isn't noticed by the individual who reacts to a level of common sense. This tactical mistake has a greater importance when it comes to crises because the need to also think the constructive side of the crises is very important in the economy of the game.

Due to the relations between the elements of the system and their bi-dimensional nature (order and chaos), crises have a complex character, being produced by many causes, not only one or two. The changes that take place in one or two system components and/or subsystems give birth to a complexity that is hard to control.

For example, after the protests of the miners it was decided that Miron Cozma was to blame for the coming of miners to Bucharest. It is very possible that he was the element that triggered the actions, but there are also many other hypotheses that need to be taken into account: the work conditions for the miners, the economical and cultural development of the area, the influence of the organizational culture, the training of the security forces that acted in those days, the involvement of the decision factors, from the management of the mines to the Government, in solving the crisis.

The origin of a crisis should not be looked for only in wrong human decisions. Accidents can happen even if the people involved are very well trained. Actually, they are a functional part of the opened systems, which are self adjusting. This doesn't mean that the leaders of organizations that are predisposed to crises should not do anything to reduce the risk of triggering such crisis or that they shouldn't get ready for the eventuality of these crises.[2]

Most crises are phenomena that are self sustaining, similar to a snow ball. It is what experts call vicious circle. Let's take for example the situation of a bank: some clients, worried about a rumor, often sustained by the media, redraw their funds from that bank. This determines other clients to do the same thing till the bank is bankrupt.

We have seen how incidents can become accidents and then crises if they are amplified by other variables. It is similar to the phenomenon that the researchers of the atmospheric space have called the butterfly effect. It suggests that due to tight and unpredictable connections in the Universe, a wing flap of a butterfly on one side of the world can trigger a hurricane on the other side of the world.

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[1] Ion Chiciudean, Valeriu Țoneş – *Course. The management of Image Crisis*, Editura comunicare.ro, Bucharest, 2004, p. 44
[2] Lucian Culda, *Social Procesuality*, Editura Licorna, Bucharest, 1993

2.2.2 The evolution of the organizational crisis

Crises can have an almost linear evolution, from incident to crisis, by going through intermediary steps which represent alarm signals but also opportunities to strengthen the organization and to reduce the possibility of crises.

Routine crises, that are the most known, happen because the organization ignores some incidents or because of improper management. By destructively contributing with inefficient answers in cases of emergency or if the management system is weak in these situation it can easily go from incident to crisis, according to the snow ball principle.

In order to underline the complexity of the crisis and to understand its evolution it is necessary to explain the steps before it:

Incident – is the event that partially affects the physical structure of the organization; it is a relatively minor situation, an event that is part of the daily routine, but if it isn't solved it can lead to a public crisis. The incident isn't considered a crisis, but a controversial situation that is considered to be normal more than abnormal. If we refer to the iceberg theory, the incident is located in the unseen part of things, thus being very important and dangerous. According to the theory, what is truly dangerous in a social system is what we cannot see, not what we can see. In this way, for an incident we don't take protection measures, we do not counteract, we let them take the natural course.

The incident triggers the malfunctioning of a component, the interruption in the activity of the organization or of a subsystem of the organization;[1] for example, the malfunctioning of a component that can be replaced. In this case, the symbolic structure isn't affected. The risk of some technological incidents is taken into account and assumed by the members of the organization. The security, protection and the intervention measures must be regulated, implemented and known by all members of the organization in order to avoid a crisis.

The accident – is the event that affects in a certain way the entire organization at a physical level. The production or the functionality of the entire system is stopped or is interrupted for repairs. In this case the symbolic structure of the organization isn't affected. Affecting the physical base of the organization creates the impression that it is neutral from an "idealistic" point of view, that it will not trigger the collective mental or the elements of the organization's culture under the form of symbols, stereotypes or organizational mentalities. For specialists, the accident is a way of pointing out the physical unbalances, the lack of logistics, thus creating a new affection bond between those that are in the same situation. Accidents can create emotions and attachment if they are used correctly. If this does not happen they are only another link to a crisis.

Tension – is the event that symbolically affects the organization, but not enough to attack its principals and fundamental values. In a tension situation the human factor is a sine qua non condition. The tensions can precede, accompany and/or follow an incident or an accident. Tension is a huge accumulation of bad thoughts and fixed images. The incidents are numerous and they get out of control. More than that, they create a history, interest groups, and a language that is out of control. The tension attacks the symbolic base of the organization and changes attitudes related to the identity of the organization – organizational commitment, loyalty, professionalism, respect between members, etc.

Crisis – during crises tensions can transform into violence. The evaluation of the

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[1] Ion Chiciudean, Valeriu Țoneş – *Course. The management of Image Crisis,* Editura comunicare.ro, Bucharest, 2004, p. 42

situation of an organization in a crisis will be made taken into account the physical and symbolic damages. It is very important before evaluating an event to precisely establish which is the organization that needs to be taken into account. For example, a surgical intervention that ends with the death of the patient can be a crisis for the hospital but for the ministry of containment can be an accident or an incident. The precise localization of the organization is important also for a large or a widely spread organization.

2.2.3. The effects of the organizational crisis

The effects are represented by those elements, which in the public's opinion, have the greatest relevancy, touch the soul and give prime subjects to the media. Most of the times, the most visible effects of a crisis are those related to deaths, injuries, money, unemployment, pollution.

The effects will be perceived better if the person is closer to the place where the crisis takes place. Those involved suffer from post traumatic stress. Those that are only spectators or find out about the event through media will immediately forget the crisis once the subject isn't present in the mass-media.

The material component of a crisis has as a main effect material and financial losses. The symbolic one has at least three major effects:

The first effect – it consists in threatening the whole area or the whole field of activity and also the entire organization that is related to the crisis. For example, the environment problems or those related to the ecosystem have put in danger the gold business – the Rosia Montana case. The negative perception of the public can lead to the reduction in programs for scientific research or even to stopping them, and only because they have a relation with an older or a newer crisis.

The second effect – is the change of the strategic mission of an organization due to the bipolar (good/bad) perception of the public. Because of the crisis, all that the organization does well is now perceived as bad. For example, the civil nuclear program, considered a revolution for humanity has been put in a bad light by the Chernobyl incident.

The third effect – it takes place at an individual level, disturbing the way the person perceives the world and himself. Crisis affects the way we evaluate ourselves, affects our power, identity and interior balance.

The individual either tries to escape from the terrifying experience, by lying to himself and by lying to others, so that he also come to believe, or he tries to discover where, how and who has made a mistake. Some people will wonder if the accident has happened because of them, if they are good professionals, if the mission of the organization is a correct one. How many engineers and specialists don't wonder if their actions didn't lead to the Chernobyl accident? Or how many miners and their families won't wonder what were they doing in Bucharest during the crises?

In this way, we can see that a crisis does not only affect the physical structure of the organization but also its symbolic system, the organizational culture and the individuals, the members of the organization.

3.   The communication crisis and its impact upon the organization

3.1 The notion and the conceptual boundaries

The communicational process can be analyzed as a mechanism for the organization and in this situation it can affect the organization and the emerging crises but it also can be considered as a crisis by itself, in this way being analyzed as a distinct type

of organizational crisis. Some authors consider the communication crisis as representing an interruption in the flow of information inside the organization, between the organization and the extra organizational environment, that makes it possible for the dialog and negotiation to take place, the final issue being the confrontation in the communicational environment up to a point where the organizational and communicational identity can be lost.[1] We consider that it can be analyzed as a self standing crisis. Because of the effects such a situation might have, it may lead the organization into a major crisis. What we are interested in is the communicational crisis as a component of an organizational crisis. In this way the procedures and the technical fluxes through which the communication takes place, become important, and also the way in which they are jammed by organizational unbalances.

3.2 Some characteristics of the communicational crisis

It can be a component of the organizational crisis – the communication crisis can precede, accompany and amplify the structural crisis of the organization. A faulty internal communication regarding the changes and the perspectives of the organization, often leads to a major conflict between the members of the organization and the management, which generates an organizational crisis. In the same way, a faulty external communication, ambiguous and contradictory, regarding the goals and the way they are reached, can put the organization in a situation of conflict with one or more organizations from the environment in which it operates.

The consequences of the conflict state can be objected by drastic measures or decisions, with negative consequences on the functioning of the organization and on the public promotion of the interests, thus creating the proper conditions for a crisis. As an example, we can consider the organizations that have not made public the degree of risk of their functioning or of the functioning of their products/services on the market, characteristics that might affect the environment, the health or the safety of people. In this case the authorities can decide the limiting or the termination of these enterprises, thus putting the organizations in a crisis situation.

The internal and external communication of an organization, during a crisis, is reactive, unplanned, incoherent and ambiguous. On the outside the communication is limited to defense measurements, justifications and answers to the media questions. If the coherency is missing from the communication, the relations of the organization on a local, national or international market are in danger.

In this case, the mistake of the managers consists in the fact that they concentrate more on solving the material, financial and technical issues and less on implicating the human factor, a factor that has actions which are unpredictable and counterproductive. When an organization is confronted with a change crisis, on the inside the communication takes the form of negotiations in order to solve the conflicts. This deficiency must be looked at in a larger context, in which an organization builds its "philosophy regarding life", with an focus on reason, on finding working procedures and less on relations, on managing interpersonal relations inside the organization. The organizations that tend to reason, unfortunately to many, they value material, technological aspects in the detriment of the human factor which is considered a simple organizational resource.

It has an unforeseen and complex evolution, depending on the factors that lead

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[1] Ion Chiciudean, Valeriu Țoneș – Course. *The management of Image Crisis,* Editura comunicare.ro, Bucharest, 2004, p. 61

to its triggering. The unforeseen aspect of the communicational crisis is given in a general way by the specific of the social cause, which isn't based on the proportionality cause – effect but on the subjectivism of the social actor that perceives the cause. If it is masked by the market success of the products or services offered or by the image promoted by the leaders of the organization, its evolution can be slow. Often the evolution of the crisis can be sudden and devastating if inside the organization or outside appear contradictions and differences that degenerate into a conflict emerge.

The communicational crisis can be local, can be inside the structure or between two structures of an organization without generalizing for the entire organization. It is possible that in this case, the external communication of the organization isn't affected in such a way that the extra organizational relations are damaged. Generalized for the entire organization, the internal communicational crisis can determine the appearance and development of an external communication crisis. In the same way, a crisis in the external communication can generate a crisis in the internal communication.

It is determined by the informal behavioral patterns more than by the formal communicational fluxes. As many researchers have shown, the communicational crisis is a crisis of the communicational fluxes, and beyond this, a subjective method in which people reference themselves to these fluxes intervenes. Any work procedure, a work flow is a type of procedure, incorporates the germs of its own inefficiency because it becomes usual, typical and boring. What makes it efficient is the subjective way the social actor repeats it over and over without "finishing it" or "making it banal". Without this respect, without this approach from the perspective of the freely assumed necessity by the actor, the procedure can become in the best case a necessary evil. In other words, the communicational crises can appear in a situation in which the information fluxes become usual, stereotypes, a bureaucracy transforming the organizational actor from creator into a robot. The significance that an individual grants to a procedure, in time, creates a behavioral pattern, very important for the ulterior development of activities and actions.

3.3. Why does the communication crisis appear?

In general, the literature presents two major generating factors for the communicational crises: internal causes and external causes.

Internal causes – those that come from inside the organization and that are generated by its members (including the managerial team). We can name, without covering the entire problematic:

- the inexistence of or the non compliance with some rules and internal communicational norms both vertically (information for transmitting decisions, instructing, image creation, motivation and promotion of the organizational culture) and horizontally (for cooperation, for helping each other, for getting to know each other).

- the interruption of communication and the distortion of messages due to the channels of communication used. The inadequate choice of communicational channels has a major influence on the efficiency of the communication and on determining some states inside the organization and in its external environment.[1] If the information systems process a too large amount of information, blockings or intermittences can appear in the communicational fluxes, and if they offer an amount of information that is too small, they create privileged conditions for some actors in the organizational space. Also, the large number of nodes in the information flow can affect the quality of the information by

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[1] Barry McLonglin, *Comunication Risk and Crises*, Editura Multimedia Publishing, Bucharest,1996

reducing its correctitude and the speed with which it is sent; the information reaches the beneficiary too late or too distorted.

- the existence of barriers in the communication process, like barriers related to interpretation and individual's expectations, that will decode the messages based on previous experience, personality, education, training, etc. That is why the codification/decodification process must have the same reference data in order to eliminate wrong perceptions or distorted messages. More, each individual manifests his own selectivity regarding the perception, blocking the new information that is in conflict with the individual's beliefs and expectations.

- the language barriers are another cause for a communication crisis. These are:
o   the same words have different meanings for different persons
o   the differences between the training of the sender and that of the receiver
o   the emotional state of the receiver can deform the message
o   preconceived ideas and routine influence receptivity
o   difficulties in expressing
o   the usage of words and expressions that are confuse
o   the usage of argot or intra group language
- the environment barriers, among others, are:
o   the noise in the work environment makes it difficult to communicate
o   the usage of inadequate informational supports, not proper for the work environment
o   long distance between the sender and the receiver
o   the filtration of the message by the subordinates in order to protect themselves from unfavorable situations
- hierarchical barriers specific to the management system:
o   the symbols of upper hierarchical levels are perceived as threats by the individuals in the lower hierarchical levels, threats that tend to distort communication
o   the top management, in its effort to efficiently use the time, address in a precarious way, shorten or authorial, fact that point out the difference in statute and blocks communication.
o   because of the pressure of time, the communication can be made by short circuiting some intermediary hierarchical levels, fact that isolates them inside the organization
o   the managers' communicational style – there are several ways in which managers exercise their leadership
o   autocrat – he communicates few things and he isn't interested in the feedback
o   pseudo democrat – he facilitates the obtaining of a great number of feedbacks but he sends little information
o   authoritarian – he sends a lot of information, but he uses the feedback only to select what corresponds to the ideas sent by him
o   the participative democrat – he determines a balanced communication, during the communication and during the receiving. The manager that communicates efficiently modifies and adapts the decisions according to the information received
o   the existence of an inadequate environment for informal communication between the members or the organization. If the informal communication channels become more important than those formal than there is a serious danger

that the information transforms in rumors or gossip, generating disorder and disorganization. If the structure is too rigid, and it interdicts informal communication, an excess of formalism will take place, which will lead to a crisis.

o the low efficiency or the lack of policies, strategies and specialized structures in internal and external communication.

The external causes are related to the capacity of the organization to create bridges with other organizations. The most important causes are:

- the existence of a large quantity of information, that exceeds the handling, verifying and storing capacity for information useful to the organization. In this case a status of blocking can take place at the top management, which leads to delays in making decisions or leads to wrong decisions.

- the existence of an intentioned action to cause perturbations of the organizational communication by manipulating perceptions and people's representations, that refer to their place and role in the production, decision and control system, and also the identity and the legality of the organization.

- the intentioned actions to reduce the credibility of the official communication of an organization. By publicly mediated declarations, by meetings with the members of the organization or with the public from the area of interest of the organization, the information supplied by the leaders to the public is considered less accurate and correct.

- the existence of an accentuated hostility regarding the organization, in the communicational area, or in the public environment, which has as a result the blocking of the access to sources of information and to the communication channels, and also the reduction in public's receptivity to the messages that come from the organization. In this way, an information embargo is placed that has serious consequences for the organization.

3.4 The effects of the communicational crises

In case a communicational crisis develops by itself, without being a part of a larger organizational crisis, as we've shown, it can generate the following effects:

The reduction in efficiency of the communication – this effect, that is present inside the organization, can block the functioning of the organization due to the uncontrolled development of some channels that are parallel to the official ones, and to the proliferation of redundant messages and rumors. The leaders of the organization aren't considered to be reliable sources of information. Their place is taken by the informal source from inside or outside the organization. Due to this fact, the management and inferior structures are separated by a filter that blocks, deforms or delays even the administrative communication. The organization cannot be run and it enters a managerial crisis.

The communication crisis affects the symbolic structure of the organization, leading to communicational and social conflicts. In an organization that is in a communicational crisis the hierarchical levels are no longer recognized, and the emotional way of expressing replaces the rational one. The energies that are released give birth to confrontations and to forces that are unpredictable. The ruptures accumulate and move from institutional to organizational and then to the groups inside the organization. Thus, the unity disappears in the face of danger and confusion settles in, confusion that blocks

any effort for lucidity and difference.[1]

In this case, anything that has to do with normal – feelings of peace, security; the elaboration and the symbolic assimilation of new elements for the situation; the capacity to make projects; the capacity to negotiate, to differentiate conflicts; the positive representation of others[2] - can be found in abnormal: insecurity, isolation, the incapacity to project, the refuse to negotiate, the creation of a negative image regarding others and the perspectives of the organization.

Due to the change in polarity between normal and abnormal, the communicational crisis manifests itself as a blinding status. This leads to the appearance and to the development of a vicious circle of communicational conflicts. The conflict fuels itself until one party is defeated, gives up or a third party intervenes, a party that mediates the conflict.

The communicational crisis generates the image crisis of the organization – the internal communicational conflicts of the organization affect its identity, the forming mechanism and the promoting of the self image, which is interrupted. By interrupting the information flow or by deforming the functional messages that the organizations send in the external environment, the possibility of its actions is reduced. The degree of trust, notoriety and legitimacy drops, thus creating the premises for an image crisis. With these reduced quotas, the organization cannot function in a normal way, its public image producing major disturbances in the all areas of activity. In this case, it is necessary to rebuild the social image of the organization through an imagistic return of situation or by building a new communicational identity.

The communication crisis of the organization can perpetuate in the external environment, thus determining the entering of other organizations in the communication crisis, depending on their degree of dependency towards the organization that has generated the crisis. The situation is specific for the companies that manage many firms, firms that depend on the decisional capacity and on the communication with the mother company. As the hierarchical bonds are tighter, the influence of the crisis is stronger.

4. Crisis management – practical guide

As we have seen, unsolved crises can have multiple consequences in all fields of activity, and in all the structures of an organization. The efficient solving of crises depends mainly on the conception regarding crises, depends on theories that are the base of these conceptions and concrete ways of solving.[3]

The techniques used for solving a crisis, including the communicational crisis must take into account the solving of effective functional problems of the institution and also of the communicational aspects. However, in parallel we have to apply a fundamental and a logistic strategy, which needs to assure the obtaining of the desired results.

The solving of an image crisis is not solely the responsibility of the managers of the institution, it is also the responsibility of all the members, because the final purpose is to maintain the reputation of the institution.

Because crises can break out at any time, despite the efforts to prevent them, the leaders' efforts must be oriented towards localizing and minimizing the damage inside and outside the institution, communication in a crisis situation being essential.

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[1] Barry McLonglin, *Comunication Risk and Crises*, Editura Multimedia Publishing, Bucharest,1996
[2] Jacqueline Barus-Michel, Florence Giust-Desprairies, Luc Ridel, *Crises. Clinical Psycho-Social Approach*, Editura Polirom, Iaşi, 1998
[3] Michael Register, Judy Larkin, *The management of Crises and Risk Situations*, Editura comunicare.ro, Bucharest, 2003

This communication is a component of the crisis management process and covers the actions for managing the strategy, the message, the time and the distribution channel needed for an efficient communication with the press, employees and decision factors. The communication in case of a crisis must be focused on facilitating the solving of the crisis through efficient and fast communication.

The most important factors that influence communication in a crisis situation are:

- the exponential growth of the demand for information by the mass-media and the public
- the lack of or the reduced quantity of information for available communication needed by the manager of the institution at a certain time
- the reduced time that the decision factors have for verifying the information published in the media
- the necessity of informing the public correctly and coherently (one voice)
- the need for conserving the communication channels used by the institution until the crisis emerges, and the opening of new channels
- the emotional level increase of the message, from the sender's and receiver's point of view
- increase in the rhythm of sending messages, greatly above the normal average
- the increase in the possibility of distorting the messages by the media communication channels
- the increase in the importance of the role of direct communication and the diminishing of the role of media communication
- the existence of a visible difference between institution, mass-media and public regarding the perception of risk and the way to react to it.

The understanding of the public's perception of risk is important. The way the risk is perceived often differs from the risk measured in an objective manner. For this reason when we are communicating with the public we have to consider the way in which it perceives the risk. When the public is worried this should not be ignored, and also the public doesn't have to hear "you should not worry". It is better to discover the source of the problem so that the efforts to communicate are directed to understanding the risk. In this case, a strong ally is the mass-media that can be used for a better understanding and an impartial presentation of the events.[1]

The communication strategy must be in close connection with the principals of communication in case of a crisis; not applying them could lead to a deterioration of the actual situation and to the loss of the prestige from which the institution benefits. The principals for efficient communication in case of a crisis are:[2]

1. in a crisis the problems change rapidly:
- when a problem is in the background a new problem can arise
- you do not only need to solve yesterday's problems
- anticipation of the succession of events – the development of scenarios similar to "*what if*"
2. only one spokesman must be assigned: "*many brains, one mouth*" or "*the unique voice*"

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[1] Roger Muchielli, The psychology of Publicity and Propaganda, Editura Academiei Române, Bucharest, 1985
[2] Michael Register, Judy Larkin, The management of Crises and Risk Situations, Editura comunicare.ro, Bucharest, 2003

3.   communicate early and often:
-       the first few hours represent an ideal opportunity to define the image of the institution, in order to influence information released by the press and to orientate the public's perception
-       by this it is shown that the institution has nothing to hide
-       the informational void that the press fills in with speculation is avoided
-       by communicating oftenly the institution becomes a reliable source
4.   the encouragement of the approach "*by the front door*" – the press does not have to use the "back door" (ex employees, anonymous sources, etc.)
5.   the events must be anticipated
6.   bad news need to be commented; if the institution does not act accordingly it can be suspected of trying to hide the news
7.   bad news are told all at once
8.   making an analysis at the end of the crisis, in order to apply what you learn in a new crisis situation.

   Together with these principals, the good management of the crisis situations implies putting together a practical guide that can be used by the organization. This guide can be constructed before the crisis, as a data base, as a theoretical model, the real situation being resolved by using this model. From our point of view this guide can include:

1.   Introduction
-    theoretical aspects, crisis, risk, theoretical models for crises, organizational crises
-    the reaction of the organization, policies, strategies, declaration of the mission

2.   Planning crisis situations
The principle of construction – around the social and functional responsibility of the organization
2.1 What it happening? or analyzing the present situation
-    the usage of SWOT analysis – strengths, weaknesses, opportunities and threats
-    the operational analysis of the risk
-    management elements for the risk
-    risk factors

2.2   What needs to be done? or setting objectives
2.2.1 Technical, operational management of the crisis
2.2.2 Crisis communication management
2.2.2.1 The management of communication for the public directly involved
2.2.2.2 The management of communication for the public that watches and is interested
2.2.2.3 The management of communication for the media

2.3   What actually needs to be done? or realizing the plan
2.3.1 Operational/technical plan for the crisis
2.3.2 Crisis communicational plan
2.3.3 The plan's elements
-      purpose
-      way of accomplishing

- activities:
  o responsibility
  o sequence, order for operations
  o time margin
  o logistics
- time scale
- performance standards
- the plan's protection

2.4 Strategies for crisis management
- choosing of the best strategy for the organization
- corroboration of the strategies

2.5 Crisis center
- the focal spot for sending the information
- location
- members
- responsibilities for each member

2.6 The spokesman
- attributions
- the authority of the communication
- the limits of the communication must be as few as possible

2.7 Media connection
- media pro
- media con
- management of interpersonal relations
- access to information
- information center.

Crisis situations have become a usual part of the modern organization. They are triggered when you least expect it, they ruin images and damage the prestige. The organizations have understood very late that crises cannot be avoided, and when they appear they should not be left uncontrolled. In fact crises damage the balance of an organization and they must be kept under control. Very few organizations currently have theoretical and practical instruments for dealing with crisis, but it should be noticed that they establish structures inside the public relations department in order to exclusively take care of this problem.

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THE CONSEQUENCES AND IMPACT OF BRAIN DRAIN PHENOMENON ON SENDING AND RECEIVING COUNTRIES

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Abstract

This paper provides an overview of possible negative and positive effects of the growing migration of highly skilled workers from the perspective of both receiving and sending countries and possible global consequences of brain drain phenomenon.

Key words: migration, brain dain, effects

Introduction

The costs and benefits of the brain drain and circulation of talent are hotly debated. International mobility of skilled workers can generate global benefits by improving knowledge flows and satisfying the demand for skills. The contribution of foreign skilled workers to economic growth and achievement in host countries, in particular to research, innovation and entrepreneurship, is increasingly recognized. Mostly, the problems caused by the brain drain in poorer sending countries are great. Migrants from developing countries are generally more likely to stay in the host country than migrants from advanced countries.

Migration influences migrant's life as a result of their personal decision to migrate, involving many aspects that exceed governmental policies in this field. The global result of migration is very complex and a deeper analyze of this aspect involve knowing the costs and advantages at local, national and international level, especially when we are talking about highly skilled migrants who offer to the destination country an important brain gain, and to the sending country a brain loss.

The consequences on sending countries

Due to the emigration, the first loss for the sending country is represented by the impossibility to recover the investments made in migrant's education and training, as well as loosing tax contribution of the migrants. The higher number of medium and law training labour force represents another result of human capital loss.

The "brain drain" has actually been encouraged by the educational policies of many of the countries of origin. Tertiary education was highly subsidized by governments providing it without charge to the students. This increased the number of students seeking tertiary education and, in particular, reduced the more favourable selectivity in the demand for higher education when the students pay for their schooling. The resulting expansion of the tertiary education system produced more graduates than the economy could absorb or resulted in a lower quality of higher education if the governmental resources for the

expanded system were not forthcoming. Both developments would encourage the best and the brightest to go abroad after graduation from the local university or technical institute to seek their opportunities elsewhere in further schooling and in the labour market. These tendencies were exacerbated by the tax system. The "free" tertiary education was often financed by higher direct and indirect taxes on the incomes of the graduates who remained. This, too, encouraged emigration, as there was no prospect of the government recouping the cost of the education from those who emigrated. There is no realistic prospect that the destination countries would levy a fee on emigrants from developing countries and remit this to the origin. Moreover, autocratic policies and un free markets reduced opportunities at home for high-skilled workers, encouraging their emigration.

Most knowledge workers, who migrate between rich countries, or from poor countries to rich ones, are driven by the desire for personal and/or professional advancement (Stalker, 2000: 107). While their main motivation is to increase their income, salary is not the only incentive for moving.

Professionals who migrate usually take into consideration their career prospects in their field of knowledge. The beneficiaries from this flow of knowledge workers are both the individuals and the receiving countries. The losers are the sending countries that have invested in their training and education.

Stalker (2000: 108) found that the brain drain around the world has been strengthened by the globalisation of higher education. A large number of students from developing countries are seeking further study abroad after completing secondary education or a degree. They head for richer countries to study or train, and choose to seek permanent residence or migrate there after completing their education.

As well, social problems can be emphasized due to an accelerating process of people ageing, as a result of the fact that younger persons with a higher potential to work intend to migrate (Stalker, 2000: 27).

However, the trans-national mobility of knowledge workers does not necessarily mean brain drain for the sending countries. The positive impact of emigration arises when migrants return to their home countries or send remittances, or link their home and host countries, in ways that enable the transfer of knowledge, new technologies, management strategies and goods.

It is known that the investments in human capital have been representing one of the most important factors of economical growth. The better system a country has, the more powerful competitiveness, capacity to accommodate and socio-economical development are (Lee, Barro, 1993; Barro, Sala, 1995).

The remittances of highly skilled migrants couldn't be measured, but, according to some experts, it seems to be lower that the other types of migrants' money transfers.

Migrants returning to sending countries, in fact, represent regaining of the human capital, facilitating the technological transfer and increasing the possibilities for international cooperation. According to some analyzes, brain migration is going to increase in the future, especially of the migrants from developing countries (Carrington, Detragiache, 1998; Adams Jr., Page, 2003). When brain migration of a country exceeds 20% or represents 5% of the population of that country, the negative impact upon that country is very high (Beine, Docquier, Rapoport, 2001).

"Balance sheet" of economic effects of migration on countries of origin (Wickramasekara, 2002: 7)

Positive effects	Negative effects
- Provides opportunities to workers not available in the home country. - May ease the effect on the domestic market of the supply of excess labour. - Inflow of remittances and foreign exchange. - Technology transfer, investments and venture capital contributed by Diasporas. - Can contribute to increased trade flows between sending and receiving countries. - Stimulus to investment in domestic education and individual human capital investments. - Return of skilled workers may increase local human capital, transfer of skills and links to foreign networks.	- Loss of highly skilled workers and reduced quality of essential services. - Reduced growth and productivity because of the lower stock of highly skilled workers and its externalities. - Lower return from public investments in public education. - Selective migration may cause increasing disparities in incomes in the home country. - Loss of fiscal revenue from taxation of workers. - Remittances may diminish over time.

The loss of highly educated individuals can impose at least three kinds of specific losses on those left at home (Davies, 2003):

First, the presence of highly educated people may generate spill over benefits to other citizens. Bright people, and especially scientists and engineers, contribute to innovation, technological adaptation and adoption, accelerating productivity growth. Having bright colleagues or counterparts can raise productivity through mutual interaction. And enlightened elite has the potential to improve governance and civic performance of society. Of course, highly educated people also earn relatively high incomes, so it is not always obvious how much of these spill-over benefits are effectively captured by the highly educated individuals themselves.

Second, in many countries a significant portion of the cost of education is paid for out of fiscal revenues. The departure of highly educated emigrants then represents an export of human capital in which the nation has invested. In addition, there is a loss of potential tax revenue that might have been raised from the income of the emigrant, though this needs to be balanced against diminished public spending on the emigrant and his or her family.

Third, the loss of key personnel can render more difficult the delivery of critical social services, such as health care and education.

The human capital that has emigrated may return home after a few years (or decades) bringing along accumulated knowledge, skills, contacts, access to international best practices and possible financial capital, with the ensuing contribution to national development.

"Brain return" is another feature of migration where it is of a significant scale (Stalker, 2000: 111). Some people who have migrated to industrial countries do move back to their home country where they are employed due to their bilingual skills and worldly

knowledge. This creates a "reverse brain drain" phenomenon. It is more advantageous for trans-national corporations to employ returning host-country professionals who are familiar with the local language, customs and market opportunities. As trans-national, multicultural mediators they are able to deal better with local and international officials and policies.

An important motivation for migration is that going abroad is attractive for its intellectual opportunities such as access to more advance scientific equipment, as well as the economic opportunities it presents for achieving a higher standard of living (Platt, Isard, 1999: 215).

During the period the emigrant stays abroad, he may transfer part of their knowledge and experience to the home country through periodic visits and by participation in "knowledge networks" or scientific Diasporas set-up abroad (Solimano, 2002).

The Scientific Diasporas have created knowledge networks of nationals belonging to a certain scientific field that work or study abroad. A main purpose of these networks is to connect professionals and scientists scattered around the globe, and interested in maintaining contact among them. In addition, they are also interested in helping to promote the scientific and economic development of their home countries. These networks may have a link and be supported by national governments or may be fully independent. Examples of these networks are the Chinese Scholars Abroad (CHISA), The Colombian Network of Engineers Abroad (Red Caldas), The Global Korean Network, The Sillycon Valley Indian Professionals Association (SIPA), and several others.[1]

In addition, scientific Diasporas enable, to some extent, the de-linking of the contribution of scientists from their physical place of residence. This can help the transfer of knowledge to developing countries.

As it turns out, however, the "brain drain" is not a total loss for the developing countries. Emigrants often provide substantial financial flows to the origin (emigrant remittances) to support relatives who remain, and to buy property. The latter is usually a new or upgraded house, farmland or a business in the home country. There is also the phenomenon of the "brain gain", that is, the return to the origin of emigrants who have acquired additional human capital abroad either in overseas educational institutions or through on-the-job training. Incentive schemes to encourage the return of high-skilled emigrants can be developed to minimize the human capital loss.

Moreover, emigrants can serve as an entrepreneurial bridge between the developing and developed economics. This can increase trade, including both exports and imports, and facilitate the investment of foreign capital. Thus, there is much that the developing countries can do to minimize the loss and maximize the benefits to their economic development from high-skilled emigration.

The reform of the financing mechanisms for higher education by adopting appropriate school fees (tuition charges) and loan schemes can raise the quality of both the schools and the students, and reduce the incentives for emigration. Moreover, incentives can be provided to encourage high-skilled emigrants to return. Policies to seek to legally bar the emigration of high-skilled workers would, however, be counterproductive. In addition to being politically unacceptable in the modern world, it would be impossible to enforce without political repression. Moreover, it would be technologically and economically counterproductive as the movement of people is an integral part of modern economic development.

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[1] Meyer şi Brown (1999)

The consequences on receiving countries

The brain drain phenomenon may offer a solution to the economical and social problems determined by people ageing (United Nations Report, 2002: 24).

For the receiving countries, brain drain has positive effects on development for at least three aspects (Vasile, Zaman, 2005: 84):

- Highly skilled migrants work in particular fields with a better productivity;
- Highly skilled migrants wages are lower than wages of the natives with the same level of qualification;
- Highly skilled migrants ambition to succeed is higher than of the natives.

It is easy to understand the attractiveness of high-skilled immigrants to the highly developed economies. We can think of the economy as consisting of three factors of production, high-skilled workers, low-skilled workers and physical capital (Chiswick, 1982).

At the margin these factors can be substituted one for another – one can substitute some of one factor for another. For example, in retail establishments low-skilled workers can be replaced by electronic scanners (high-skilled workers and capital).

In a fundamental sense, these three factors of production are also complements in production. More of any one factor of production increases the productivity of the other two factors. For example, more high-skilled professionals increase the productivity (and hence the demand) for the lower-skilled workers who assist them in the production process, as well as increasing the productivity of capital.

Thus, while the immigration of high-skilled workers tends to lower the marginal product, and hence wages, of high-skilled native-born workers, it also raises the productivity of low-skilled workers and capital.

Raising the wages of low-skilled workers has the effect of reducing income inequality and poverty (which in most economies is considered desirable) and reducing the extent of government income transfers from the taxpayers to the recipient of welfare and unemployment compensation benefits. The reduced tax burden by itself would have beneficial effects on the economy.

The immigration of high-skilled workers has an additional beneficial effect. High-skilled workers are the driving forces for innovation and invention (improvements in technology), that is, the efficiency with which resources are utilized and the speed of the dissemination of technological advances. In technical terms, they help push outward the economy's "production possibility frontier".

It might be argued that this feature of high-skilled immigration is less relevant in an era of nearly instantaneous communication and transmission of information. While there is much truth to this, two additional considerations are warranted (Gerschenkron 1962, Chapter 1). One is the "first mover advantage". The location where new technological developments take place has a competitive advantage, even for technological advances that are not tied to location specific natural resources. In an increasingly "foot loose" world economy it may not matter where technological advances take place, but once they take place "first mover advantage" and "path dependency" give that location an edge (David 1985).

Moreover, technological advances are implemented within an economic context. Thus, there tend to be country-specific elements in part reflecting wage differentials and

relative scarcities of factors of production that help shape the development and implementation of the new technology. This, too, gives an advantage to the economy in which the inventions and innovations take place.

Thus, high-skilled immigration has both short-run and long run advantages for the developed economies.

Nowadays, for the developing countries and also for the developed ones, international migration of the people with tertiary education plays a very important role.

In present, the brain drain plays a very important role for developed and developing countries. As a result of the technological development, need for "brains" has increased in the developed countries. Thus, the competition between these countries has emphasized and special measures were undertaken by the countries involved in order to attract highly skilled workers and keep them in the some particular fields (information technology, research). Such measures encouraged the brain drain phenomenon from developing to developed countries and also between the last ones.

Economic effects of high-skill international migration (OECD, Rogets, 2000)

SENDING COUNTRIES: POSSIBLE POSITIVE EFFECTS	RECEIVING COUNTRIES: POSSIBLE POSITIVE EFFECTS
Development effects - Increased knowledge flows and collaboration, higher international mobility leads to increased ties with foreign research institutions - Export opportunities for technology - Remittances and venture capital from diasporas Networks - Successful overseas entrepreneurs bring valuable management experience, capital and increased access to global networks **Human capital effects** - Increased incentive for natives to seek higher skills - Possibility of exporting skills reduces risk/raises expected return form investment in education at individual level.	**Development and Technology Effects** - Increased R&D due to enhanced availability of individuals with a higher stock of knowledge - Inflow of entrepreneurship - Knowledge flows and collaboration with sending Countries - Immigrants can foster diversity and creativity - Creation of export opportunities for technology **Higher education systems and fiscal effects** - Increased enrolment in graduate programmes • Renewal of faculty and researchers • Increased tax revenues levied on human capital **Labour Market** - Easing of labour shortages of high skill workers. Wage moderation in high growth sectors with labour shortages - Immigrant entrepreneurs foster job creation - Immigrants can act as magnets for accessing other immigrant labour (network hiring effects)
SENDING COUNTRIES: POSSIBLE NEGATIVE EFFECTS	**RECEIVING COUNTRIES: POSSIBLE NEGATIVE EFFECTS**

Human capital and fiscal effects	Higher education systems

- "Brain drain", lose of productive potential due to (at least temporary) absence of higher skilled workers and human capital
 	
   -Lower returns from public investment in tertiary education (waste of national public resources)
 	
   -Loss of fiscal revenues from taxation of human capital
	- Decreased incentive of natives to seek higher skills in certain fields. Crowding-out of native students for foreign students form best schools
	
	Science and technology
	- Technology transfers to foreign competitors and possible "hostile" countries in situations of potential conflict.

POSSIBLE GLOBAL EFFECTS	

- Increased flows of knowledge across countries, formation of international research/technology clusters (Silicon Valley, CERN). Increased efficiency in global labour markets for high skills workers, researchers, and information technology experts.
   - Increased concentration of global expenditure in science and technology in OECD countries.
   - International global competition for scarce human capital raises, incentives for individual human capital formation
   - Increase in global real income due to human capital reallocation from lower return countries to higher return countries.
   - Increases in global inequality	

Although the brain drain is frequently cast as the loss of highly skilled persons in general, in practice the impacts of withdrawal may be quite different depending upon the professions affected. The departure of scientists and engineers is often thought to impose particular losses on an economy, given the importance of such persons in generating new ideas and hence raising productivity (Meyer and Brown, 1999).

Conclusions

The consequences of highly skilled migration are multiple and also it has to be identified to specific cases for every field and every country.

The world economy has been transformed in recent decades. While the age of free mobility of all grades of labour across national borders is not likely to return in the foreseeable future, we are entering a period in which there is an internationalised or global labour market for high-skilled workers. While this mobility will not be without regulation or restrictions, the permanent (long-term) and temporary (short-term) mobility of high-skilled workers will intensify across developed economies, between developed and less developed economies, and even across less developed economies.

This high-skill international migration appears to be a net benefit for the receiving economies. For the sending economies there is the concern regarding the loss of the best and the brightest in the labour force and of the origin's investment in their human capital. There is no stopping or reversing the trend toward the internationalised labour market for high-skilled workers. Legal barriers to emigration will not work. Destination governments will not subsidize the origins for their losses. The countries of origin are, however, not without remedies. The adjustment of policies regarding the financing of tertiary education and regarding the repatriation of emigrants can turn what had been labelled a "brain drain" into a "brain and resource gain".

There are potential positive and negative effects of high-skill migration for both

sending and receiving countries, and much research needs to be done to better understand these effects. However, clearly few of these effects are "zero sum games"—one country's gains are not necessarily another country's losses. Beyond the sum of effects on individual countries, the global net effect of high-skill migration seems likely to be positive for both knowledge creation and economic growth and should result in more efficient use of highly skilled labor and an increased flow of knowledge.

Brain drain effects are complex, interdependent and integrate; there are in a continuous evolution/transformation/multiplication in time and space. Some of the components can represent, in the same time, loses and benefits. There is no balance between positive and negative effects. Thus, as a result of the brain drain phenomenon, winners and losers can be found at macro social and individual level.

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THE CLANDESTINE EMIGANTS BETWEEN THE ILLEGAL STATUTE AND THE DISIRE OF INTEREGRATION. STUDY RESEARCH BRUXELLES

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Resumé:

La présence des émigrants roumains clandestins en Belgique est nombreuse. Une grande partie est venu de Bruxelles par l'intermède des relations en s'assumant des risques de l'illégalité. En temps, en prenant contact avec la réalité belge, on naît le désir de devenir un homme libre, d'avoir des actes légaux. Ainsi, ils essaient d'être assimilées, en s'adaptant aux règles et à la culture de la société.

Keywords : immigrants, integration, migration

In general, the migration is based on certain reasons or causes that determine people to leave their homeland and head to other destinations where they believe it will be better for them. A great majority of the pretexts for the post-December emigration from Romania are generally true for all those who left to other countries.

The international migration, becoming today a global phenomenon that countries from all the regions of the world are confronting with, is directly proportional with the complexity of the evolutions in politics, in the social, financial, economical, ecological, humanitarian areas in the micro or macro geographical areas.

Migration represents one of the consequencies of the right to free movement, which represents the right of each person to mouve free in the national territory or abroad, to choose his own residence, to leave or to return his own country[1].

We can make the affirmation that the poverty of the post-communist transaction, the unemployment, the need of material comfort, the disappointment of the political class, the incapacity of the governments to insure social security to its own citizens, emotional disappointments, professional failure, discontent with general situation of the Romanian society are the most important reasons that determine those who are able to work to leave Romania.

One of their destinations is Belgium. The presence of the Romanian emigrants in this country is not limited nor is it insignificant if we take into account the size of the country and, that after the Polish we represent the main community from the former „communist empire" in Belgium.

According to the information of the Foreigner's Office (4.10.2007), there are 15.064 Romanian emigrants and 57 persons were declared and regarded as political refugees out of a total of 1.031.780 registered emigrants in Belgium[2], however, unofficially the number is much larger[3].

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[1] C.Otovescu, *Protecţia juridică a drepturilor omului,* Scrisul Românesc Publishing House, Craiova, 2006, p. 67

[2] There 15 registered communities in Belgium

[3] There are more than 40.000 Romanian living in Belgium, an unofficial figure according to the

The stratification of the Romanians in Brussels has slightly changed after the Romania's adhesion to the European Union. If in the past we were able to talk about two large categories of immigrants, the legal ones and the illegal, today it is much more difficult to do that.

There are the „old" immigrants that have left the homeland since more than 10 years and that have integrated socially in the new society however not emotionally. Those lean to copy the model of the population that had assimilated them, and many times they have a mentality identical to theirs having a cold and distant attitude towards the „new" immigrants.

However, the environment of the Romanian immigrants is divided into legal and illegal. There are still many of the legal immigrants who keep in touch with the illegal ones, either in order to decrease their life costs (by sub-renting places to stay, for instance) or for earning from intermediating a job (a long-term or an occasional job)

The illegal immigrants, known also as clandestine, are those persons that usually arrive to Belgium with the help of intermediates; they start to work in the „black market" and so they become illegal. Being clandestine, unqualified, not knowing the language and the Belgian legislation they are exploited by the employers and the work conditions, the accommodation, the wage, the insurance in case of accidents at work are all far from the conventional norms.

Their psychological state is rather fragile and the inner suffering is hard to live with. They try to overcome the critical moments and the humiliation to which they are submitted by thinking of the future, that then when they make enough money to change their social status, their plans will become reality.

The most common areas of Brussels[1] where clandestine Romanian immigrants, whose financial situation is bad, are:

-St. Catherine Church[2] where we can find not only people who come to attend the services and pray but also people who need information for finding a job and a place to stay or have other needs (the clandestine immigrants).

-The Slaughter-House Square in Anderlecht (a marginal area of Brussele) maybe the biggest and chipest weekend market in Brussele, is one of the places where you can hear Romanian spoken at every step and specially in front of a shop called „Chez Georges" where Romanian products can be found. A large part of the illegal immigrants have settled down in this area due the proximity of the market but also because of the low rental expenses as the buldings are in a advanced state of deterioratoin

-The Madou neighbourhood part of Mollenbeek village (the area near to the Channel) are also favourite areas for the illegal immigrants because they are cheap neighbourhoods populated by emmigrants where the security and salubrity are questionable.

- Petit Château[3] - the area arround it still represents untill today the waiting place for those who are looking to work in the „black market". The clusters are well defined by the country of origin: ukranians, basarabians, romanians;

-The Brussele subway, unfortunately it is the place where you have the highest

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Embassy

[1] I chose the capital city because the number of illegal immigrants is much larger than in other Belgian regions

[2] It is an old Catholic church of a gothic architecture style in the historical center of Brussels. Half of it is rented out to the Romanian Orthodox Church where religious services take place.

[3] The arrival center for people asking for political asylum in Belgium

chances to meet Romanian clandestine immigrants: the beggars at the stations, in the underground passages, in the carriages. They might be healthy or might suffer from disabilities (faked or real)

Other than the in subway, we can also meet people from this category in the three main railway stations in Brussels (The North Station, the Central Station and the South Station), also in the parking lot at hypermarkets. Almost in these very same mentioned areas we can find the street musicians that also beg but in a way that is more accepted by the local population.

The Romanian illegal immigrants in Brussels live in almost all the parts of the city with the exception of the residential areas. Because of the high rentals, there's a higher density of them in Bockstael area (here are neo-protestant churches, the Evangelical Romanian Church "Elim[1]", the Baptist Church[2] , they have an essential role), the North Station, the Central Station, Scharbeek, the Slaughter-House Square in Anderlecht, where the rental is rather cheap and generally after a given time when they start making more money, their life standard improve and they change the neighborhoods for better and more secure ones.

We can also find immigrants that live in small neighborhoods in the city's suburbs. This is due to the high rentals in the residential areas where the rent reaches 1000 euro monthly while in the suburbs it is 500-600 euro. Not having any sort of legal documents, the clandestine immigrants find an intermediate, which usually is a legal immigrant that rent the place for them and that afterwards they sub-rent the place to the clandestine people, a phenomenon that can be seen in all the mentioned areas

A part from illegal emigrants can be persons with graduate studies who in their country did not find a good job or they were badly paid for their work. They abandoned their diplomas and the majority economically emigrated for earning much better.

During the time, when they begin to learn the language, the great majority of the illegal persons desired to have regularity acts. They can contact the cultural institution belgo-roumaine Arthis, which deals with the social aspects of the romanian emigrants from Belgium and give all the details about the regularity papers.

Alongside the other social categories (workers, intellectuals, students) the emigrants try to integrate and being assimilated, accommodate to rules and culture of the society which tries to adopt them.

The emigrant not only is determined to change his social statute-his job, hierarchic position but also have to convert his devotional and cultural pattern, the nutritional and familiar.

All the emigrants, excepting the social category which they belong, after they arrived to the destination, they have to solve their problems concerning the dwelling and take a job in a work place, things that can be realized with the help of their friends and relatives or people who belongs to the same ethnic. For many of them, not knowing the language and the alienation from their native countries represent great obstacles regarding the accommodation and integration in the social and cultural context.

If they take lower jobs other than they did before they state may be changed and can appear a powerful feeling of frustration and humiliation. The contentedness of earning money covers the lost of friends, the social area in which the emigrant must to live even if he is having conditions of a civilized existence, he does not have spiritual peace.

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[1] Rue Stephanie, nr. 107, Bruxelles
[2] Rue Victoire 66, 1060 Bruxelles

There are uncommon situations which can dash the person's sensibility and bound his social relations which he had before and that might conduce to the a psychic disequilibrium affecting his communicative impulses. Not all their social requirements are satisfied and for many times one of them are postponed or there are very expensive to afford them. Dropping out to some physical necessities and delights represent a major problem for the emigrant. In the emigrant's mind is given a strong fight between the life that he had left and the new world which has just adopted him.

He is predisposed to make comparisons between the two realities which helps him to look for a new moral, professional and social identity. A great help represents the communication with the relatives which live in the emigrant native country. A great deal of emigrants accumulates a social experience that helps them overcome the difficulties of life much easier. The comparisons they can make between their native land and the new realities they live in help them develop a critical attitude and a sense of discerning things. They know how to take advantage of the social opportunities and have a flexible intelligence, earned through the confrontation with the traps of the daily existence.

For the beginning of his existence, the Romanian emigrant has a system of values he was born in, with its limits. Changing places means changing coordinates, and for a while he is caught in an emotional vacuum, which is produced by breaking contact with the family, relatives, friends, abandoning the cultural inheritance he has lived and formed as an individual in, and also because of the impact with new cultural and social concepts the new country has. The agents of romanian immigration in the world are mainly honest and capable people, who stick to their decisions, competent young people who are eager to rise on the social level. No matter the reason or motif of their departure, they have in common the sensibility (of their uprooting, even if temporary, from their original social place) and the moral fiber to illustrate the values of the romanian patriotic emotion in the world.

If legal immigration has been done relatively on the base of moral criteria, usually associating with a good sense of individual responsibility, in return, the clandestine immigration has implicated a good number of persons, inclined (through the illegal way itself of leaving the country) to legal offenses and compromising not only the image of our country but the capital of credibility of other co-nationals. Various individuals from the Rom ethnic group have scandalized trough their deeds (thievery, deceptions, begging etc.) the population and the authorities in the occidental developed countries. Their predisposition to a life against the law, or their incapacity of an honest living, have determined some of the Romanian immigrants to get them self's involved in various organized crime and international drug trade, the traffic of human beings, and find in prostitution a new way to earn money.

The emotional vacuum is represented according to the age when the emigrant left his native place and the relations with his old vernacularity. The category of intellectuals affects directly the emotional vacuum referring to the fact that some capable persons understand better this state while others do not pay attention to it. The "getting home" syndrome is common to all social environments and categories. Most of those which are away for work, have left home with a plan, with the goal of working for a period of time until they are able to acquire enough money to accomplish a certain personal project, or, the contrary, they left home with the thought of never returning again.But frequently their options change during their stay abroad. From the field analysis I have observed that more and more Romanian immigrants no longer wish to return home, especially when they start to arrange their paper work and acquire a proper legal status. This is where the Romanian state plays an important role, that of creating the conditions for the return of its citizens.

MIGRATION AND SOCIAL DEVIATION

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Abstract:

Agglomeration, overagglomeration, modernization, individualism, poverty, needs, change, violence, conflicts, fear of criminality...the terms mentioned can be regarded as attributes for the following notions: urban medium and social deviance. Each attribute asserts itself with a smaller or a greater intensity, along different periods of evolution of human society.The asssociation between the notions such as urban medium – social deviance and that of migration catch shape should we take into account that the city, as a superior form of human establishment still exerts a strong pull for lots of social categories, but adaptation and living is often followed by phenomena from the sphere of social deviance.

Keywords: deviation, immigrants, mobility

It si commonly held that migration, as spatial movement of population takes shape according to different distances and various periods of time and that it is accompanied by numerous social processes concerning the individual or the group that travels as well as the provider- communities, receiver – communities as hosts for migrants respectibly. Migration or territorial mobility of the population is not reduced to territorial displacement, it is a much more complex process that involves many elements which generates a large field of effects, regardless of the mechanisms that influence or set migration and territorial mobilty into action.

The generated changes have positive, but mostly negative results on economic, political, social, cultural and religious life. They take place both in their place of origin, the point of departure for potential migrants, as well as the destination.

Spatial mobilty of humans is the expression of territorial movement that can occur within the boundries of a country or outside its borders (V.Cucu,1974:120). According to the same author, migration implies the notion of shifting, of shift of residence (especially in the case of international displacement). Moreover, the features of the place of departure and those of the place of arrival are both very important, as far as they influence the motivation to leave, the cost, the length and the means of transport, but also adapting to new living conditions.Also, there are a series of variables present in the act of migration.

V.Miftode considers migration to be "a spatial expression of social mobility".

The fact that migration is not just a simple territorial shifting needs not be mentioned. The process is not only physical, presupposing a simple territorial shifting, but a complex one, with social consequences. Once the initial residential medium is switched, there arises the necessity of finding a new home, of a new job, the establishment of new social, profesional relations, the integration within a new social, cultural context, the acceptance and assimilation of new values (V.Miftode, 1984: 154).

Deviance is associated with certain negative aspects of social life.Data gathered from various sources (mass-media, surveys, polices statistics, special or official reports, common-sense notices) point out the fact that some regions are marked by strong infractional phenomena. A part of these are commited by individuals which do not reside in the places where infractions take place (infractions are known to be commited in the territories of foreign states).

In a certain context, delinquency is seen as a consequence of urban expansion, of the overagglomeration of the population in some regions which determine new behaviour models or the marginalization of social categories.

Numerous scholars regard deviant behaviour as a type of conduct which is in discordance with juridic and cultural norms that characterize a society. These types of deviance conduct are the expression of the failure of socializing which leads to the presence and extension of certain delinquency acts in the communities where social control is inefficient.

The concept of deviance is a complex one which makes it difficult to define. One reason is the fact that social norms differ for each society. Furthermore, norms and values are likely to change within the same community.

Deviance is commonly defined as "an attribute of a type of behaviour or an individual".The sociological explanation reveals that devaince" is a theoretical notion comparable to the stigmat, a label assigned in certain moments to certain kinds of behaviour which are seen as depreciative, dicredited and frequently dismissed"(G.Marshall(coord),2003:168-169).Breaking rules leads to sanctions. There must be pointed out the fact that deviance is not just a label applied to some conducts or individuals that infrige the norms of the community they belong to. It's also important to clearly define a group norm based on which its infrigement by certain individuals is evaluated and not just a general opinion. (R. Boudon, 1996: 82-83).

Juridically speaking, delinquency, as a form of social deviance, is a phenomena established by norms with the following consequences: illicitness (it harms social values), guilt by deliberate action, incriminatory (the deed is punished by penalty).

M.Cusson defines deviance as "a multitude of types of conduct, states that members of a group regard as inaproppriate to their expectations, norms or values and that risk triggering dismisal and sanction" (M. Cusson, 1992: 440).

S. Rădulescu provides a complex definition of deviance according to which it assigns "a heterogeneous diversity of conducts, acts or actions that represent violation or transgression of written or unwritten norms, implicit or explicit, states of fact that are detached form the expectations, the values or the rules of the community, forms of non-conformism, marginalization, asociability, criminality, etc., in short, everything that contradicts the public image of what is "normal and desirable" (S.Rădulescu, 1999: 5).

M. Petcu defines deviance as "the violation or the nonconformism of individuals towards norms and social values" (M. Petcu, 1999: 36). The author underlines a series of factors that condition deviance:

-the valoric and moral standards according to which individuals coordonate their actions

-the meaning of concepts such as "normal conduct", "delinquent conduct", "abnormal conduct" defined and recognized by a society

- the society's degree of tolerance towards breaking the rules

- the degree of danger that results from the breaking of norms

Insisting on decyphering the meaning of the concept of deviance, M. Cusson

underlines the relativity of deviance according to several factors (M. Cusson, 1999: 442):

1.the circumstances can show whether an act is deviant or not

ex: sexual intercourse between a man and a woman are seen as normal when they both display agreement and when the act takes place in an intimate place; the same act is regarded as rape when the act lacks the woman's compliance and when the place is public.

2.the status or the role of its author

ex: killing is a major deviant act, but not in war time.

3.the normative context in which it appears determines the degree of deviance.

In consequence, deviant acts, in Cusson's opinion, are grouped into seven categories:offences and crimes (homocide, theft), suidice, drug abuse, sexual transgression (prostitution, homosexuality, pornography), religious deviance (witchcraft, heresies, sects), mental illeness, physical handicaps (M. Cusson, 1992: 439-440).

As far as the relation between migration and deviance is concerned, V. Preda comments I. Jaszinski (1969) acording to whom infractionality, especially juvenile infraction, intensifies if territorial mobility becomes active, a process triggered and sustained to a great extent by brisk economical development and urbanization. (V.Preda, 1998:10).According to him, the intensity of deviant acts reduces when cities reach a certain point of stability.

Along the same pattern of thought, S. Huntington links the intesifying of violent acts with the process of development. Any society goes through three main stages: the traditional stage, the transitional stage and a modern one. Becoming modern means that all members of that society understand, accept and control certain changes. Reaching this point involves passing through a transitional period where people's desires, needs and expectations cannot be fulfilled, so the frustrations lead to conflicts. According to the author, modernization and not poverty triggers acts of violence; when development reaches the desired parameters violent acts diminish.

According to V. Preda, the development of industry and brisk urban expansion cannot be regarded as a direct cause of infractionality; it is true that they play a key role in the phenomena, but the two have to be interpreted in terms of economical and socio-cultural backgrounds where lots of factors converge. The favourizing factors that must be retained are the psychosocial and psycho-individual characteristics marked by educational lapses. These tend to augment and degenerate into deviant acts when the brisk rhythm of urban expansion and of industrialization drops. (V. Preda, 1998: 10).

A govermental survey in France between 1976-1977 set out to understand and reduce the infractional phenomena, a case presented by I.Mihăilescu (I.Mihăilescu,2003: 134). At the individual level, the survey focused on historical traditions of the individual's socializing, the impact of mass-media, biological and psychological traits of the individuals, drugs, alcohol.At the level of society, the focus was put on unemployment, recession or economical growth.

The result was that there is no direct conditioning between the two levels, rather one can talk of interconditioning which takes place when analyzing geographical and social mobility as well as violence. The explanation derives from the fact that violence is based on "a failure of the socializing function" as well as the uncertainty of social features at a given moment.

The research also reveals an important aspect, the fact that the rise of violence is bred by factors such as urban development through a series of traits related to the size of buildings, large spatial expansion of cities, overpopulation, anonymity, the contrasts between centre and slums and poor interhuman communication.

M.Cusson also examines the relation between urbanization and delinquency. Deviance is " the field of conduct and of moods which members of a group judge as alien to their expectations, norms or values and which consequently risk being punished and sanctioned" (M. Cusson, 1992: 440).

A series of conclusions point to the fact that urbanization is linked to forms of deviance; some of their traits and manifestations are the following (M.Cusson, 1992 : 457-458) :

    - the dubling of suicidal rates

    - murder rates are influenced by city size; the bigger the city, the higher the murder rate

    - crimes have an irregular distribution in the urban area, distribution tends not to fluctuate in a span of 20 years

    - " delinquency grounds" are characterized by massive presence of alcoholics, toxicomaniacs and self-murderers.

In spite of all this, the author stresses the fact that the the growing extent of delinquency in certain areas of cities are not directly affected by the rural- urban opposition. The areas mentioned called deviant areas are comprised of a social unintegrated population, with poor social exchanges, transitory and anonymous.

The facts mentioned above do not mean that migration necessarily triggers acts of social deviance or infractional acts characterized more or less by violence. Such manifestations might also appear in stable regions urban and economical regions. One must admit that changes in the social and cultural medium are challenges for migrators.

The imbalance between one's own social, cultural and moral identity and the norms of a different area can lead to deviance and delinquency.

These ideas are also held by R. Radascanu who states that bio-psycho-socio-cultural crisis that can lead to conflicts and deviance can be triggered by "the phenomena of uprooting by means of moving from the village to the city, which is characterized by the unnwillingness to take up new norms, by superficial adapting to city life" (R. Răşcanu, 1997: 224).

Various studies reveal that criminality rate has known noteworthy development since 1999, but comparissons between this period and the period previous to 1999 are considered doubtful because errors occurred in the gathering of data. (R. Răşcanu, 1997: 238).

What is worrying is the growing number of infractionalities commited, as well as fear towards criminality in general. According to some investigations taken in a number of cities from different countries (Bucharest included), revealed violence and organized crime are the main social unrest issues. Faced with this situation, R. Răşcanu finds three possible answers (R. Răşcanu, 1997: 239) :

1. excessive media coverage of delinquency, criminality as mass media is mainly concered with its own rating

2. population's lack of skill in responding to infractional acts taking barely no measure of defending from them or avoiding them

3. population's inability or the lack of interest concerning this situation – after all, it's the state institution which should protect the individual.

Appreciating, judging and sanctionning infractional acts must consider the following elements: their causes, their socio-cultural context, the seriousness of the act, the impact and the prejudices of the people implied (both the victim's and the author's perspective), the population's impact and perception of the act, as these can generate the

feeling of fear and insecurity.

Analyzing this last issue, Al. Toth estimated that "fear of infractionality is a social problem as it affects a big part of urban population (35%) and not just those that have been victims" (Al. Toth, 2006: 91). In fact, the author adopts R. Taylor's 1995 scheme showing that the impact of infractionality is felt at a psychological level (feelings of fear, of frustration towards the residential area and the desire to move out of it), the behaviour level (avoiding certain places, certain economical, social activities develope less etc.), a psycho-social level (mistrusting neighbours, reducing social relations), the economical level (price of houses falls, disinterest for local investments grows, the settling-in of a low level socio-economic status etc.) (Al. Toth, 2006:79).

In conclusion, on the basis of the above mentioned elements, one might assert that migration towards cities does not directly generate deviant acts. Given the complexity and the variation of the conditions and its elements, migration towards cities can lead to deviant acts.

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CULTURE ET CIVILISATION. TRADITION ET INNOVATION DANS L EVOLUTION DE LA SOCIETE HUMAINE

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Résumé :

Cette étude vise la manière dans laquelle le rapport entre la culture et la civilisation a été envisagé dans la sociologie roumaine. Si la civilisation peut être étudie partant des caractéristiques du capitalisme (comme forme de génération et conditionnement des moyens civilisatrices), pour l'investigation de la culture, le concept d'identité relève les principales dimensions (symboliques, ontologiques, traditionnels etc.) de celui ci.

Mots- clés : culture, civilisation, tradition, modernité

Les événements de décembre 1989 ont génère non seulement le changement du régime politique et de la manière d'organisation de l'économie nationale, mais les prémisses de la reconfiguration culturelle de la société roumaine. La culture roumaine, débarrasse par les anciennes restrictions et a gagne son autonomie, entrant dans une nouvelle étape d'évolution, caractérise, spécialement, par le détachement des principes, objectives et les finalités du régime politique. Le nouvel cadre de manifestation a été complété par la possibilité de la communication avec l'extérieur, par l'ouverture des modalités de transmission et reptation, au delà des frontières des valeurs, normes et modèles de comportement culturelles.

Peu a peu, la culture roumaine, dans le contexte socio-historique spécifique de la dernière décennie du XX siècle, est entre dans la sphère de civilisation de l'Occident. Cette tendance évolutive a donne naissance a une problématique culturelle concernant le type de civilisation et de culture des roumaines, a l'orientation normative pour les valeurs traditionnels ou démocratiques, caractéristiques pour l'Occident. Le spécifique de ce discours actualise les polémiques existantes au commencement du XX eme siècle, relatives au rapport entre la culture et la civilisation, parce que l'organisation de la société roumaine après le modèle capitaliste représente la finalité du processus de transition, mai aussi la source principale des changements et des manifestations socio/culturelles atypiques de notre pays.

Le modèle capitaliste se réfère, en principal, au système économique, aux principes de fonctionnement de celui/ci, mettant en relief les concepts de fondement et utilisation de la propriété privée et des relations de production. Par ce point de vue, l'analyse du capitalisme peut être intégrée dans la problématique générale de la civilisation, qui suppose, en général, l'utilisation des moyens d'adaptation (techniques, économiques, écologiques) et les conditions mariales et sociales et la manifestation de

celles ci conformément aux besoins, attentes et aspirations humaines.

Si la civilisation peut être étudie partant des caractéristiques du capitalisme (comme forme de génération et conditionnement des moyens civilisatrices), pour l'investigation de la culture, le concept d'identité relève les principales dimensions (symboliques, ontologiques, traditionnels etc.) de celui ci.

Le rapport entre la culture et la civilisation a représenté une préoccupation des penseurs du commencement du XX eme siècle, et par O Spengler, H. Keyserling et N. Berdiaev a devenu l'objet des controverses sans précédent dans la spiritualité européenne inter - guerre.

L'intégration du rapport entre culture et civilisation dans l'orientation nome *morphologisme historique* a généré la compréhension de la culture et de la civilisation comme deux aspects distincts, contraires et opposés. La civilisation signifie, de cette perspective, le monde des valeurs matériels et la culture, celle des valeurs spirituelles.

Oswald Spengler / un des plus importants représentants du morphologisme historique / a concu l'historire comme une succession des époques unidimensionnel, définie aussi par la culture, aussi par la civilisation. Par exemple, envers le monde contemporain, O. Spengler a affirme qu'il vit dans une époque de civilisation, dévalorisée et despiritualisée. L'auteur a compris que la culture et la civilisation sont dans un rapport d'exclusion, la succession des étapes de l'histoire de l'humanité n'étant pas formule seulement symboliquement, mais aussi dans un processus d'élévation et de décadence de la société humaine.

Dans la littérature de spécialité de notre pays, le thème culture/civilisation ne peut être abordée sans prendre en considération les polémiques générés par l'exprimage des conceptions du C. R. Motru et E. Lovinescu. C. R[dulescu Motru accepte l'idee de l'opposition entre la culture et la civilisation, insistant sur le différences entre eux, par l'utilisation des catégories antinomiques : essence – phénomène – individuel – collectif, originalité -imitation, durable - ephemere, interne-externe, organique-mecanique[1].

Pour C. Radulescu Motru la distinction entre les deux concepts part de la manière dans laquelle ils se fondent et des rôles qu'ils ont dans la formation et l'évolution d'une société. La civilisation présente extériorité, peut être transformée et transmise et même perdue par un processus simple, de surface, en temps que la culture « est présente dans l'esprit du peuple » et peut se transformer, « mais elle ne se perd que ensemble avec le peuple qui l'a crée »[2]. L'auteur roumain soutient que pour qu'un people soit apte pour la culture, il est nécessaire qu'il soit apte pour une personnalité. Il est nécessaire qu'entre les connaissances de ses membres soit établie une unité d'âme, comme entre les éléments composants d'un seul individu »[3]

Une culture est authentique quand les manifestations extérieures d'un peuple sont intériorises, se trouvent un correspondant dans les dispositions psychiques, internes de ses representants. Dans le cas ou les formes objectivantes de la culture ne sont pas doublées de la croyance dans les valeurs ou ne gènèrent des modèles comportementaux, on parle des éléments de civilisation ou de « pseudo culture ».

Eugen Lovinescu est l'adepte d'une compréhension anti-rationaliste des transformations des institutions roumaines, sa conception se fondant sur la position du synchronisme, de la circulation des valeurs d'une culture a une autre, par imitation. La

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[1] C. Radulescu Motru, *Cultura romana si politicianismul,* Editura Scrisul Romanesc, Craiova, 1998, p. 32-33
[2] Ibidem, 65-67
[3] Ibidem, p. 45-46

position critique adopte par Lovinescu est illustrée pas la conviction que « la formation de la civilisation roumaine, le fonde du peuple roumain ne contribue avec rien »[1]. Toutefois, au long de tout son oeuvre, l'antinomisme entre culture et civilisation s'atténue, l'auteur soutenant que « le passage de la culture a la civilisation n'est pas irréversible ; devenant les conditions de notre vie, ces biens matériels deviennent des aptitudes et se transforment, par l'adaptation a l'unité tempéramentale, dans des valeurs intrinsèques ; autrement dit, la civilisation se transforme en culture »[2].

Eugen Lovinescu ne réduit le processus de redimensionner d'une culture, d'une société a celui du synchronisme. Le penseur roumain est l'adepte de la conviction que les synchronisations sont des « faits constatables les plus souvent ; mais, rarement, elles ont une valeur explicative causale et dans ce cas, non seulement pour une catégorie restreinte de phénomènes, pas pour les mutations amples et révolutionnaires d'une culture entière »[3].

La différence entre culture et civilisation a fait l'objet d'étude pour d'autres auteurs roumains. S. Mehedinti a défini la civilisation comme « la somme de toutes les découvertes techniques qui ont facilite a l'homme l'adaptation au milieu physique »[4], et par culture il a compris « la somme de toutes les créations intrinsèques (intellectuelles, esthétiques, éthiques) qui facilitent pour l'homme son adaptation au milieu social »[5].

S. Mehedinti différencie la culture de la civilisation, mais, leur séparation complète existe seulement méthodologiquement, en réalité elles sont complémentaires et confèrent unité à l'organisation de la vie sociale.

Le problème du rapport entre culture et civilisation prend des nouvelles significations dans le contexte de l'acceptation de la diversité des formes de constitution et de manifestation des deux dimensions de la société humaine. Par l'intégration de ces deux concepts dans une thème distincte, celui du spécifique national et la civilisation comme un facteur d'unification de la société.

Une distinction plus claire est faite par G. Calinescu qui apprécie que « la civilisation est un moyen artificiel de vivre, universel valable, en temps que la culture représente un phénomène concret, qui se situe en temps et en espace. Partout où on y va, on rencontre des chaises et des lits. Seulement les styles, comme signes de la culture, sont différentes »[6]. G. Calinescu surprend la liaison organique entre les manifestations culturelles et celles de civilisation, appréciant que l'esprit humain et celui qui donne la forme aux objets, a l'aide de la civilisation, en se transformant en esprit exprime, devenu matériel[7].

F. Braudel, par exemple, considère que la distinction entre ces deux concepts ne les exclue réciproquement, ne les met dans un rapport d'opposition, mais la pose dans une relation de complémentarité, dans laquelle la compréhension d'une se fonde sur les références faites a l'autre. La civilisation ne peut être comprise comme étant opposée a la culture, mais comme un développement adaptative autour d'un noyau culturel spécifique[8].

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[1] E. Lovinescu, *Istoria civilizatiei romane moderne,* Editura Ancora, Bucuresti, 1995, p.18

[2] Ibidem, p. 19

[3] Ilie Badescu, *Sincronism european si cultura critica romaneasca,* Editura Dacia, Cluj Napoca, 2003, p. 31-32.

[4] S. Mehedinti, *Civilizatie si cultura,* Editura Junimea, Iasi, 1986, p. 92

[5] Idem

[6] G. Calinescu, *Aproape de Elada,* in *Revista de istorie si teorie literara*, Colectia Capricorn, 1985, p. 70

[7] G. Georgiu, *Natiune. Cultura. Identitate.* Editura Diogene, Bucuresti, 1997, p. 153

[8] Ibidem, p. 291

Si les valeurs de la culture s'objectivent par des éléments et produits de la civilisation, qui peuvent être des biens, des pratiques et des normes sociales, leur signification prend des valences pragmatiques par l'acquisition d'une finalité pratique. La transposition des valeurs dans des aspects concrètes et de soutient de la vie collective se réalise par le processus d'objectivisation sociale, par lequel celles ci peuvent être perçues comme moyens de satisfactions des certaines besoins.

Les civilisations peuvent êtres conçues comme cadres d'analyse de l'histoire, mais leur identification spatiale et temporelle désigne une typologie des communautés et des sociétés humaines. A présent, dans les conditions d'une diversité des formes de civilisation contemporaine, le modèle occidental (apprécie comme supérieur a toutes autres) est presque identifie.

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AUTHENTIC AND PROJECTIVE DIMENSIONS OF SELF-IDENTITY
Individual Autonomy and the Shared Belonging of the Social Self

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Abstract:

Principled self-reference resides in establishing the extent to which personal and social identity coincide, critically converge or become disconnected in a relation between self-identity and environment or community identity structures, whether these are determined ex-ante, simultaneously, or ex-post. This study should enable research into highlighting the complexities of autonomy, authenticity, projects for a "good life", self-justification, individual rationality, and reasonableness. From the private dimension to the political, a considerably useful reference is provided by the debate between liberal and communitarian positions, which may be summarized as divergence between individual critical rationality supported by substantial rational autonomy (the self is distinct from social values and relationships) and the autonomy based on social identity. Difficulties are present in both perspectives: it is as far-fetched to conceive of the self as fully independent, uninfluenced and completely unencumbered by social conditions and values as it is to regard it as totally embedded in social practices, rationally uncritical and irreversibly absorbed by the identity of a single community. The sensible approach to the identity of the self would have to reunite self-discovery and self-development, to entwine the common and the private good, in a multi-dimensional quest for freedom and authenticity.

Keywords: social identity, social self, authenticity

The ***composite sphere of identity*** relies upon private, intimate coordinates, and *social*, group ties, on *conscious* as well as *reflexive*, *latent* or even partly *unconscious* dimensions, clustering the seemingly incongruous *conservative* and *change-driven* tendencies, and drawing *hermetic* or *manifest volitional* characters of self-improvement. This particular system of reference is profoundly subjective as it is defined by self-awareness, self-centeredness, self-representation and others' feedback on self-reflection, sustained by self-adaptableness based on conjectural orientation via situational shift (inadequacy resulting from environment unavailability for personal projects does not necessarily prompt adaptation). The ***perspective of the self***, singular and transcendent, or inter-dependent, in relation to peers, is construed by means of a structure of priorities, a hierarchy of preferences which is the (varying) result of ongoing negotiation between the complementary and co-dependent internally designed and socially represented forms of identity.

In approaching the issue of ***autonomy***, the *role* played by ***individual rationality*** and

the *status* of the **rational subject** are established in relation to both personal identity and argumentative stands of public deliberation which describe the type of interaction taking place between autonomous persons, society and political institutions. Debates regarding the realities of autonomy are focused on the nature of the self's identity and on the growing / development of identity, as well as on theories of justice, by linking the plausible degree of real autonomy expected by real individuals (*factual disagreement*) with the type of personal behaviour and social interactions compatible with autonomy (*normative disagreement*).

In relatively recent political philosophy, a defining moment for the configuration of autonomy is presented by the debate between **liberal** and **communitarian** theorists. The **liberal perspective** places the free and rational individual in an always decisive capacity to assess and (if one chooses so) to detach oneself from all the ends and purposes opted for at any given moment. The liberal-type individual is *self-governed*, concentrating decision within a rational hierarchy of preferences and acting willingly according to evaluative disposition. The **communitarian perspective** criticizes the liberal model and describes this type of individual as being an "*uninfluenced*" agent (with a "*self-determining self*") in his/her care-free and community ties-insensitive decision-making. Communitarians believe that identity is *culturally and socially generated*, and this is the reality justifying the autonomy of the self. Due to a vast and easily recognizable network of associations and influences which capacitate and socialize the self, communitarians see it fairly safe to posit that the self is "*radically situated*", rooted in a particular social environment, at least partly constituted by the scope of its purposes (Sandel, 1982).

Personal autonomy relies on acting according to reasons freely chosen, as a result of a self-assessing reflection which is also performing a positive task of value-assignment, thus facilitating a coherent and sustainable project for life quality; this is where self, identity and authenticity are integrated. In this context we find Charles Taylor's distinction between *first order* and *second order* preferences particularly relevant: a "*weak evaluation*" aims to weigh up the desirability and finality of an inclination, while a "*strong evaluation*" (in-depth introspection) reflects on the hierarchy of preferences according to their value (Taylor, 1985).

Autonomy mirrors the balance between the limit of reasonable obligations entered by individuals and the limit of protected reasonable liberties for individuals. The liberal approach favours the capacity for ***self-construction***, ***self-development***, as a priority for projecting freedom, while the communitarian approach stresses the capacity for ***self-discovery*** as situated substance of identity.

Self-development requires an open and continuous process of identity formation without fixating the identity of the self, in order to allow for the individual capacity of rational self-determination; promoting the "*priority of the right over the good*" entails a possibility to disengage from existing attachments and associations and to freely review the project for a "good life" (Rawls, 1971; Dworkin, 1985).

Self-discovery resides in a continuous process of constant rapport with the cultural and contextual determinant, thus assisting the achievement of the identity of the self. Contrary to liberal views, communitarians pinpoint existing social attachments as a source for engaging even more profoundly in the shared meanings of common social practices necessary for self-discovery. Practices held in common are the basis for autonomy, and autonomy can be provided solely by cultural communities promoting their constitutive values: autonomy becomes significant only by taking part in *shared cultural practices* and publicly recognizing the authority of such a responsibility (internal logic of the community

rather than individual preference).

From a liberal perspective tributary to Kantian theory, *the self is prior to social roles and relationships*, which enables individual reason to value and rank them. Consequently, individuals are free to choose social practices deemed valuable, without being defined by their (temporary) status as members in social and inter-personal networks or groups[1]. In a complete form of freedom, the self appears as "*unencumbered*" by previous roles: it is neither determined by or composed of them, nor isolated in a sealed social situation.

Communitarian arguments object to the conceiving of a self in total freedom as this would prove a "*void without value*"[2]. Self-determination should be exercised *within social roles*, and the state should respect and protect it by means of the "***politics of the common good***" by encouraging individuals to immerse into understanding their own social roles. To revise social roles is useless and even counter-productive for the process of ***self-discovery*** and ***identity authentication***; individuals cannot withdraw at any moment from existing community values and related cultural practices, for the reason that social roles and relations should be treated as given. In this context, true freedom can only be "situated" as the individual rather makes a discovery of purposes precisely because of the fact that he / she is rooted in a particular social environment, than because he / she is able to make a rational choice of purposes. Individual judgments and options need to be socially confirmed and validated; whereas social situations assign meaning to objectives and community values are configured as "*authoritative horizons*" for any project, relying merely on rational self-determination would leave purposes "empty" (Taylor, 1985). The "***politics of the common good***" facilitate the socially integrated purposes by supporting a process of shared knowledge, of common acknowledgement of "a good that we cannot otherwise come to know by ourselves" (Sandel, 1982, p.183). Alasdair MacIntyre is convinced that self-determination can only be achieved and exercised within social roles, and not without, in a viewpoint which appears to embed the self even further in current practices (MacIntyre,1981). This has, however, stirred up a succession of feminist critiques centred on the importance of distinguishing between historically ascribed social roles and statutes (as a former practice of discrimination against which stand the feminist politics of recognition and differentiated citizenship) and freely assumed social roles.

Michael Sandel affirms that *shared values define the identity of the members of a community* (Sandel, 1982). On the other hand, it is agreed that recognizing the value of revealed attachments is no conclusion to self-discovery, and that there is a great deal of purpose evaluation left to carry out, even if only for the single reason that some of the found relations do not always bode well with intended aims. In this respect, *the self is constituted by ends*, yet the contours of the self are *flexible*, incorporating new goals and excluding others. With self-discovery at the forefront of ends, the self is thus "*rebuilt*" with new appendages which are also given to the same cultural structure of the community. Rawls, as most liberals do, considers that *the self is prior to and distinct from its ends*, ontologically independent of social context, and impenetrable in contour; otherwise, there would be no value in considering that individuals have the ability to and ought to evaluate

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[1]   Rawls stated that the self "precedes its ends", which means that self-ordained revision of preferences and ends may take place at any time (Rawls, 1971).
[2]   Charles Taylor considers that the self which has come about freedom by removing all obstacles "lacks character" and therefore is without a well-defined purpose (Taylor, 1985).

themselves as well as their attachments and social roles[1].

The communitarian "***social thesis***" presents a critique of the liberal conception in what concerns the conceiving of individuals as self-sufficient outside society and the neglecting of social conditions necessary for the development of self-determination capacities. Influenced by the Kantian theory of *practical rationality* connected to *autonomy*, the liberal approach was criticized for the straightforwardness with which it treats the detaching of the autonomous self from value communities and traditions, hence impairing the elements which constitute a *moral basis beyond options*: the conscience of own identity in community belonging, the legitimacy of current practices and the certitude of values, altogether. But liberals claim that what is moral relevant for the autonomy of the individual is the *option*, and *not the effect of option*; *impartiality, rationality and freedom define autonomy and its ends*, while the categorical imperative ensures the provision of a *moral law*. Rawls draws a distinction between "***rational autonomy***" (which is "***constitutive***", in the form of critical reflection, fundamental in decision-making processes) and "***full autonomy***" (which is "***doctrinal***", approximating the political life of citizens in a "*well-ordered society*"). Rawls's political constructivism focuses on justice as fairness, in that political autonomy is affirmed for all, while leaving the weight of *moral autonomy* to be decided by citizens "by virtue of their comprehensive doctrines" (Rawls, 1993, p.78)[2].

Nevertheless, the liberal type of self-determination does not posit freedom as the ultimate objective, nor does it allege that freedom of choice is more important than the worth of the project itself; that which it does claim is *freedom as both pre-condition and means for achieving projects deemed valuable*. This kind of self-determination is not governed by existing social roles and practices; there is no society-impressed value that can hold authority over individual judgment or prior to it, which means that social practices may be rejected or discarded when failing to meet individual project expectations (for these expectations consist of a filter in evaluating cultural heritage in structures and processes).

State perfectionism is the communitarian alternative to the minimally governed liberal type of self-determination, and it relies on state intervention which acts as a commanding axiology for individual options, rooting out or disallowing preferences which are inconsistent with the principles of the dominant culture of the state[3]. Liberal approaches reject perfectionist policies as *illegitimate restrictions* upon self-determination; the main reason for this belief has to do with the distinction between ***value judgments*** and

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[1] Kymlicka noticed that both perspectives, liberal and communitarian, indicate that the person precedes his / her ends, yet without coming to terms concerning the exact place where the outlines of the self are drawn (Kymlicka, 1995, p. 212).

[2] Conversely, Brian Barry (in *Justice as Impartiality*, New York: Oxford University Press, 1995) considers that Rawls's neo-Kantianism is in fact a "second-order" conception of the good, in which the good itself is identified with autonomy.

[3] The liberal perspective on neutrality may prove to imply a false opposition to perfectionism; liberals appear to admit to a compatibility with *social perfectionism*: the value of different projects cannot and should not be decided by the state, yet the process of selection from vying conceptions may take place in society (Kymlicka, 1995). Liberals pronounce themselves adamantly against the "*paternalistic*" state as this kind of governance would seriously infringe upon individuals' convictions. Inner motivations would have to leave room for externally enforced reasons regarding the "good life", and whereas a personal identity completely outside social networking tends to stray into social anomaly, so does the impossibility to dissociate from collective identity or from a group's practice of self-determination.

factual judgments – value-judgments are an expression of subjective preference, and therefore, they are arbitrary, relatively rational or justifiable, yet nevertheless *equally rational amongst themselves*, which means that the state has no part in sorting them, in promoting some or in disavowing others. This is where a further differentiation is due to distinguish between **rational** and **reasonable**. John Rawls and Ronald Dworkin suggest that the **rational dimension** may also contain "*externalities*" (externally-oriented preferences reflecting rather on others' well-being than on the person producing them), as well as morally illegitimate and discriminatory preferences, while **reasonableness** incorporates solely morally justifiable preferences.

The liberal perspective renders the value of self-determination as being assigned individually through deliberation and in accordance with subjective preferences in view of the "good life" – the right should be ever-present to assist the achieving of an *ideal good*, individually and particularly designed. Rawls considered that citizens, as free persons, mutually recognize themselves as having the moral power to hold (different) conceptions of the good, as they actually are "*self-validating sources of moral claims*", being able to review and change those conceptions on rational and reasonable grounds (Rawls, 1971). Citizens are thus allowed to become detached from a currently maintained conception of the good as a function of diverse ends-evaluation (Rawls, 1993).

Personal well-being, as derivative of a personal good, may be construed in *different and competing conceptions of the good*. John Stuart Mill believed that a personal good cannot be common to all individual projects of the "good life", and since it cannot be shared, it must consist of something uniquely envisioned, set apart from all the rest[1]. We should, nevertheless, ponder on the possibility of a binary logic of convergence: there are elements of rational preference which can be turned into principles of reasonableness, with individual projects and conceptions as sources for the common denominator of the framework or structural good (the **common good**), and without having to pitch the two systems of referential good against one another in a mutually exclusive field; perhaps, a mutually inclusive or reciprocally elaborated, consistence-sensitive relation is preferable: an individual level of projected good, the value world of good-pluralism, which should not be in presumption that there is no underlying common good attainable at the same time as the private good, and an interactional level of holistic representation, surviving the emergence and extinction of various projects, and barring its own authority of scope (not interfering in the substance of individually comprehensive conceptions) when associated with an individually designed good. The personal good and the common good would be mutually constructive without being restrictive of the other, and equally important, jointly justified.

Communitarian approaches to identity present a rather special series of conceptual difficulties. **Self-discovery** imposes an intrinsic limit upon **self-development** by establishing local cultural boundaries, while the associative identity characteristic to a cultural collectivity may in fact compromise personal identity (in its own cultural individuality). The formula of an identity socially formed *a priori* constrains individuality in its potentiality (**self-discovery** is in this case a social burden assigned to the private sphere, a *trans-bearing* load of cultural community past which is obviously non-individual, and which precludes self-discovery toward the exterior of the collectivity). The discovery of a different cultural and identity-specific community and closer rapport to another type of

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[1] This is a perspective opposite to state perfectionism in which the good of each person resides in the capacity, quality or attribute shared with all the rest of the individuals.

culture is also vulnerable to the risk of intolerance. Fostering a self-referenced cultural core with a self-restrained mentality which preserves solely principles and logic internal to the community may increase loyalty toward it, yet at the expense of inter-cultural communication; culturally isolated communities are known to have placed interdictions for their members with regard to cultural "deviation". Furthermore, no matter how cohesive the community really is, subsequent *cultural fragmentation* within the community remains a threat (the emergence of sub-cultural factions or of culture-resisting protest groups is still plausible)[1]. It is also problematic to justify a subordination of the heterogeneity of community identities to the cultural and institutional homogeneity of the respective community.

The political rationale for public recognition of cultural group identity sets off *in the opposite direction* of the socio-cultural logic internal to the group (abiding by the rules of belonging). The process of claiming cultural group identity calls for resort to the defense of heterogeneity, to the right to cultural difference equal treatment, and to the liberty of authenticity vis-à-vis other groups within society. Once this is granted, it turns into a less emancipating community as it requires mono-cultural homogeneity for its members – the authority of cultural community tenets includes the positing of both standards and privileged rights (compared with the rights of non-members), while freedom of cultural choice is considerably diminished as it would run counter to own group cultural authenticity. This context poses the serious risk of pre-determined goals and social purposes in a cultural-collective teleology versus the constitutional right to individual autonomy and self-determination ("in the pursuit of own happiness", own good, as each may find).

This issue develops into the larger framework of belonging to more than one cultural community, to several group identities which may more or less overlap; this situation is quite common for multi-cultural societies defined by ***value-pluralism***. The liberal approach to the substance of value-pluralism is supplemented by ***state neutrality*** on the matter of (private and social) ***value hierarchy*** – that is to say, the state is neither putting forward one value above others, nor imposing a certain life-style or pattern of the good life in a system of priorities. Placing a dominant value atop of the structure of preferences would ideologically coerce the freedom of choice; despite it being hypothetically principled and just, such a constraint cannot replace internal conviction and justification in estimating and recognizing value relevant for the individual self. State neutrality, however, is not equivalent to value-neutrality, as a state is seldom value-insensitive with regard to its own underlying political principles. Critiques of the liberal perspective include the unaddressed issue of sorting out invaluable modes of life, potentially (self-)damaging conceptions of a good life, to which we might add the state's lack of promptness and intervention in preserving cultural traditions or in promoting social cohesion on a cultural level (maximizing specific cultural utility with societal intensity)[2]. Since value-pluralism is

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[1] "Group autonomy" refers rather to a political claim to public recognition for a particular collective identity, within which personal autonomy should however not be enclosed or diminished. Group rights can unfortunately be exercised even against own members in order to impose a certain authority or cultural tradition (the practice of which may not correspond with liberal democratic norms or with individual rights and liberties).

[2] Communitarians believe that state neutrality is not viable (Rawls himself would not respect it since it puts forward one liberal type of common good at the expense of competing conceptions) – without state intervention in promoting a "culture of liberty" (Taylor), the value of choices is significantly reduced.

backed by state neutrality, there is a guaranteed availability for the "***revisability of ends***" (as termed by Rawls), which translates to the reconsideration of goals in life, whether these are up-dated, re-contextualized, adapted, left unchanged, or abandoned altogether, leading thus to the option of ***re-inventing identity***. On the other hand, although communitarians consent that a certain degree of adjustment to new conditions is necessary in order for political institutions to function properly, this does not extend over to the private sphere of individuals in what concerns their decisions to openly reassess cultural values as it enters direct opposition to the ***preserving of identity***.

The protectionist dimension suggested by communitarian theorists is not a reductionist application in itself (as it claims a substantial right in the life of cultural communities), yet when combined with multiculturalism, various shortcomings become apparent. The sort of interaction taking place between a dominant-value homogenous culture and a value-pluralist culture challenges the efforts of the (internal) single standard value community into conciliating the terms of conceiving autonomy with what is considered to be the hallmark of an open society (reasonable disagreement regarding conceptions of the good life). The border between individual elements of self-identity and social identity in belonging to a status-group is quite often blurred. Any sort of limitation to the scope of identity structures an inhibiting course of impediments (more or less objective), incongruous with finding one's identity.

Constructing and construing an identity naturally mirrors in its architecture the ingredients of its environment, yet it is possible for it to extend over the boundaries of a single cultural community, from what already is part of identity over to its virtual becoming. A ***multi-dimensional identity*** should quite unsurprisingly merge self-discovery with self-development, in continuous complementarity, without prior mutual constriction or social anticipation; to ask whether self-discovery should come before self-development, or vice versa, indicates that, perhaps, this question should not be raised at all, since we adopt a rather atomistic perspective which shapes a predictive co-dependence of the two spheres. In this view, identity-building may be an open project of autonomy as well as a single, unique project of shared belonging – there is as much reality and truth in melting individual projects in a social and cultural pot, as is in finding that the prospect of freedom, with a self able to select and filter objectives (in order to make them compatible with a self-coherent and evolving identity) is just as authentic in opening up identity. The relation between aspirations and self is truly complex: goals may structure the identity of the self or they may not structure the self but future ends. Conclusively, we may find a converse argument to be relevant – that purposes are less foretelling of identity than the self is of its potential ends.

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A GENERAL OUTLOOK OF THE DEMOGRAPHIC PHENOMENA IN ROMANIA

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Abstract:

The internal analyses are offering local images regarding the demographical phenomena. Situating Romania in a global context offers informations regarding the real direction through it evoluates the demographical body. So, we may elaborate predictions and we can understand the demographical type which characterize a certain country compared with other one. This comparation permit us to understand the direction of the national demography. The demographical politics from advanced countries can offer useful data for elaborate useful plans to support the birth-rate and also to prevent the demographical decline, which has negative influencies on the social and economical life.

Key words: population, demography, birth rate, immigration

Population represents a social structure in permanent motion. The direction of this dynamism, of growth and of decrease, respectively, depends on a series of factors that either support or inhibit the demographic phenomena.

The dimensions of the demographic element can also serve as indicators for the function of some subsystems of the global social system. This possibility develops from the understanding of the complex interdependences between the social subsystems. For instance: the economic decline can have negative influences on the redimensioning of the demographic element along the time; the transformation of certain traditional models under the impact of modernization and globalisation also influences the way the demographic element evolves. One can also notice from the economic and social frame the fact that the differences appear both at the level of nations and the existing regions in the same type of society. The population's attitude from a region or a society considering the birth rate has a great influence on the increasing or reducing of the demographic element. The social doctrines are oriented to maintain the balance of the demographic phenomena. They are also dependent on the phenomena that manifest themselves al the level of other components in the social edifice, being in an interdependent relation with the demographic ones. Thus the influence on the demographic element can appear as a secondary effect of the social and therapeutic policy at another level, without any social interference from the demographic point of view. The understanding of the dependency among these fields and the manner they are interconnected can avoid the extreme decisions that produce reversed effects instead of the expected results.

Recent history gives information about the failure of the abusive demographic doctrines that didn't lead to the expected results. At present, an economic development does not represent a real guarantee of the demographic increase and restrictive measures regarding the migration of the work force do not guarantee a demographic *boom*. But the emphasizing on traditional models regarding family and birth can create a positive attitude and an increase in the number of children inside a family. Is has to be mentioned the concepts that allow the exhaustive comprehension of the phenomenon and the interconnections with the other dimensions of global society need to be mentioned as well. Thus, demographic phenomena that influence the demographic element are divided into two main categories: - the ones that encourage the increase of the population

- birth rate
- immigration
- the ones that inhibit the increasing of the population
- mortality
- emigration

The birth rate is the demographic phenomenon that represents the number of the lively new-born children in the entire population. Romanian statistics makes the difference between the lively children and the ones recorded at birth. Also, the number of the births is not equal to the number of the lively children due to the multiple births that result in a certain imprecision of the phenomenon. The information that we obtain from the analysis of this phenomenon gives us a background of the births in a certain area. Immigration represents the number of arrivals in a city, region or country. In the first two cases, they take into consideration the internal migration/motion from one place to another, referring to the motion of the population inside a country; external migration refers to foreigners, persons from another country. The growing transformations are related to the functioning of the economic system, the social pattern, the support that a society gives to the raising of children and the traditions that exist in that society.

The immigration is favoured by the attraction that a country or a region represents, by tolerance, by the power of absorption and social integration of the newcomers. The legal background is important for the external migration; it can also offer multiple possibilities of optimal integration of the new ones. The other two named phenomena refer to the mortality in a country, region or locality. The manifestations of this phenomenon are different according to many more elements and they are connected to the hope of life – an indicator of the living standard in a society.

The emigration represents the number of the departed persons from a locality, a region or a country. We now speak about two dimensions as well, just like in the case of immigration: internal and external immigration. In Romania, the balance inclines to emigration, although, on the internal plan, there are regions and localities that are at the end of the internal migration stream.

1. The influence of the family on the demographic stability

Family gives the social background of the appearance of the new generation. For a long time, family suffered many changes concerning both the relationships between man and wife, between husbands and extended family groups and the most appropriate number of children that should be born in a family. The Modern Age allowed for a new type of family to develop at a large scale: the single-parent family that is formed of a parent and

one or two children. Although the principles after which they are led are much more permissive than the ones in the past, the families formed of parents and children occupy the largest percentage, a thing that distinguished the importance of this formula in the increase of the birth rate.

Every historic age generated a specific model of family that can be found in the manner of the family organization through the rules of the marriage contract and the relationship between husbands[1].

The main task of the traditional families was to protect the continuity of the familial group properties, to assure successors of the family branch. Thus, *the extended family* formed of persons that were related (closed or distant) was one that decided the life partner. The nuclear/main family – consisting of the two parents and the children – was actively integrated into the extended family group and assimilated the rules of the group after which the next generations could function.

In many cases, the young people knew each other a moment before the wedding and the preference, valid for most marriages, was for the families that were in the same social categories or closed. The marriages between members from different social sections were impossible or very rare, and always accompanied by the reaction of the extended family.

  Such families were characterized by the lack of the feelings. In many aristocratic families the sexual relationships stopped after the appearance of the successors. In the medieval and modern ages there was a considerable influence of the church that regularly interfered with the creation of a system between the leading families in Europe.

Gradually, the principles that the medieval families relied on and the reasons for them to exist as well suffered such modifications that the influence of the extended family decreased, in this case the extended family had no influence on the nuclear groups. The new families built in the name of the attraction between husbands, relied on an affective relationship and the free and mutual consent.

Afterwards, the transformation and modernization of the medieval societies weakened the intensity of the relations among the extended familial group and the nuclear family. The specific extended family relations lost their standard character for the nuclear family. The evolution of family connections generated a loss in the importance of the extended family group's will and the increase of the husbands' will in the making of a family. The evolution of the phenomenon is described by John Boswell as follows[2]: "In pre-modern Europe, marriage normally started as a property arrangement; it continued with the raising the children and ended with love. Only certain couples married for love, but many of them got love in the time of living while they led the household together, raise the children and shared the life experience. Almost all the kept epitaphs prove a profound affection for the defunct husband. On the contrary, in most parts of modern Occident marriage begins with love, continues with the raising children (in the cases where they exist) and often ends with the problems related to property, a level at which love does not exist or is just a memory".

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[1] During marriage, the wife and the husband are equal in rights and in their relationships with their children (Cristina Otovescu, *Protectia juridica a drepturilor omului,* Scrisul Romanesc publishing House, Craiova, 2006, p. 66)

[2] Apud. Giddens Anthony, *Sociology,* Bic All Printhouse, Bucharest, 2001 p. 156

In the same work[1], the author mentioned W.J. Goode that identifies a world tendency of maintaining the nuclear family and abolishing the enlarged family.

The direction of changes of traditional families is mentioned by Anthony Giddens[2]:

The directions of changes**:**
1. The influence of the extend families and of other groups based on relations of kinship is on the decrease.
2. There is a general tendency of freedom in the choice of the marital partner.
3. Acknowledged women's rights have a greater and greater opening, regarding both the initiation of marriage and the making decisions inside the family.
4. Marriages between relatives are less and less frequent.
5. In the societies that used to be restrictive, one can notice a greater sexual freedom.
6. There is a general tendency to extend children's rights.

The effects of these transformations determined, especially in the societies where there were larger values, a lot of demographic transformations: decrease in the birth rate, the ageing of the population. On the long term, these societies have social problems due to insufficient integration of the ones that come from other cultures or who practise religions that are different from those of the host country.

The events during the last years give information concerning the types of problems that the numeric increase of such communities, incompletely integrated, promotes conflicts generated by cultural differences. The specific cultural background of the EU – religious tolerance, cultural diversity, the complying to human rights – contradicts the use of archaic traditions such as: taking children away from school, especially girls from, the control of marriages, concluded at an early age without the young people's agreement, the husband's right to use violence against his wife and children.

In the Universal Declaration of Human Rights it is mentioned that, when the law allows it, man and woman have the right to get married and to form a family. This right is exercised without discriminations regarding race, nationality and religion[3].

Another phenomenon with demographic effects due to the influence on the family is the divorce rate.

This increase is the result of differences between the traditional family and the modern one. Divorce was not accepted as a rule in traditional societies under the influence of religious authorities. Divorce could not be obtained in other way than with the agreement the prelates, and such an example was failed, in the most of cases. On the whole, the extended family and social rules were imposed and sustained by religious authorities and they created a value and normative system in which divorce didn't represent an option for husbands.

Afterwards, the laicisation of social relations and the dissolution of the relations in the extend family placed this option in the interior of the nuclear family. To this context, a permissive legislation regarding divorce in most modern societies is added.

The purposes for which families were built in traditional societies were: the

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[1] Goode William J., *World Revolution in Family Patterns*, New York: Free Press, 1963, apud Giddens, Anthony, *Sociology,* Bic All Printhouse, Bucharest, 2001 p. 157
[2] Giddens Anthony, *Sociology,* Bic All Printhouse, Bucharest, 2001 p. 157
[3] Cristina Otovescu, *Protectia juridica a dreptuilor omului,* Scrisul Romanesc publishing House, Craiova, 2006, p. 64

perpetuation of families, keeping fortunes, profitable activities for the maintenance of living, took the second place. The externalisation of the economic activities, the economic independence of husbands, both one towards the other and towards the extended family, modified the outcomes of the nuclear family. The connection between husbands is only an emotional one. The result of such a combination of circumstances is the growth of the responsibility between husbands and of the moral support that they claim from each other, bearing in mind the complexity of spiritual experiences and the increased dynamics of these experiences under the impact of the biologic stages characteristic to human beings, the alert rhythm of the social life which produces emotional experiences of high intensity. Such modifications favour the growth in the divorce rate, parallel to the adoption of a circumspect attitude regarding giving birth along marriage.

To the circumspect behaviour regarding the number of children in a family, there adds the economic and social calculus. The expenses linked to a child's raising and education, the consequences that the appearance of a child have on the parents' careers are integrated in a system of values which, at present, disfavours a large number of children.

From this point of view, Romania is in a period of crystallization of the attitude towards the setting up of a family and the most appropriate number of children. The differences between the two types of mentalities, the traditional and the modern one, can also be noticed in our country. In *Sociological Rural Atlas*, these differences are mentioned:

"The traditional woman saw the child as something independent from any circumstantial factor, so that the poor received children with as much joy as the rich. Giving birth was a natural event at it was seen as such.

Nowadays, giving birth is a conditioned phenomenon, becoming hypothetic: *provided I have the benefit of conditions 1,2, n, I shall receive the child; if not, I shall kill him.* This fertility resembles a kind of *lottery of life,* […]. The ones living today buy in the account of those living tomorrow, and the purchasing currency in the life of the unborn babies."[1]

The excessive demographic policies, brutalizing towards women during the communist dictatorship ended their effects, and at present, the demographic indicators are on a continuous decrease at the level of the whole country, with differences regarding the magnitude of the demographic decline. The causes can be analysed from multiple perspectives, also taking into account the normality of the birth rate in the absence of the social stimulus existent until 1989.

The growth of the birth rate is dependent on the social *patterns* and on their dynamics, related to the support policies of the women who are at the fertile age. (15-49 years).

2. Demographic Landmarks of Romania at World Level

According to the public site US Census Bureau, International Database, the world population has suffered a lot of transformations during the last years. For exemple, Romania is situated in the cathegory of those countries in which there is a demographical decline. The statistics of the 50's situates Romania on the first 100 countries, as for its

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[1] Ilie Bădescu, Florin Popa, Gh. Şişeştean, *A Book of Country Sociology Map*, Mica Valahie Printhouse, Bucharest, 2005

population, on the 29th place, with 16.311.000 inhabitants. Among the most populated countries we can mention: China – 562.579.779 inhabitants, India – 369.880.000 inhabitants, United States of America – 152.271.000, Russia – 101.936.816 inhabitants. We must appreciate that the most populated countries were, situated on the Asiatic and European continents.

15 years later we can observe the first modifications: Romania is situated on the 31 place, being DEPASITA by countries from other continents like South Africa and Canada. After other 15 years, in 1980, we observe that the first 10 countries, are from the Asiatic continent, and from Europa, are remaining only Germany and Russia.

At the end of 2007, the most populated countries from the Asiatic continent were from other continwents except Europe, the only exception being Russia. Now, Romania is situated on the 50th place, as for the population.

The predictions are offering the image of maintaining the present trend for the countries that have increasing populations rates and of maintaining the demographical decline for the societies situated in this direction.

The European statistics are presenting the next situation in the households from Europe and Romania:

Country	Single Adult	Two adults with children to carry	Three or more children to carry	Single parent families	Two adults having children to carry	Trei sau mai mulți adulți având copii în îngrijire
EU 25	12%	25%	14%	4%	35%	11%
România	7%	16%	15%	2%	35%	25%

Source: Eurostat Pockets – Living Conditions in Europe, Data 2002-2005, 2007, p.18

For the two situations we find 35% of the families formed from two adults which have children to carry. This statistics are offering the image of different families structures, in which the predominant model is that of the nuclear family formed by children and parents. From this point of vue, Romania is approaching the rate of the other European Union Countries. The biggest differencies are found at the families formed by adults without children (25% in EU and 16% in Romania), single adults (12% and 7%). A significant difference, which may indicate the existence of a specifical attitude about the role and the importance of the family, results from the sum of the percentages of the families which have children, by comparison with the adults who are living alone or in families and not having children.

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THE DEVELOPMENT AND REORGANIZATION OF THE INSTITUTIONS FOR CHILD PROTECTION IN ROMANIA

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Abstract

This study proposes itself to bring new elements concerning the knowledge of the rights and obligations of institutionalized children and the improvement of the activities performed with them, in order to obtain their social adaptation and integration. The institutionalized child's rights and the alternative measures are interesting and present problems, and that is why there is a permanent preoccupation for finding answers related to the creation of an optimum ambient framework for the normal development of the institutionalized child. Likewise, we attempt to realize a conceptual delimitation of the key-notions, as well as a research of behavioral and social adaptation phenomenon of the children from institutions, as opposed to the ones in normal families. This involves the understanding of the specific of child's psycho-behavioral development, both normal and with mental deficiencies, from families and residential institutions.

Key words: child protection, development, institutions

Child's protection reform in Romania supposes, besides the improvement of the legislative framework, the decisional and administrative decentralization in the field, the organization and development of the national system of child protection's rights through the reorganization of the existent residential institutions and the creation of new services for child's protection at the local's community level.

In order to develop and evaluate to adult persons, it is necessary that the children have a healthy and peaceful social environement and a protective familial one[1].

The first transfers were inscribed through the transformation of the national residential institution organized according to the law, 3/1970 concerning the protection of some categories of minors (Houses of refuge , Foster homes for preschool children, preschool) in a placement center required by the new legislation in domain (the Emergency's orderly 26/1991 concerning the protection of children in difficulty), the reorganization of the old residential institutions being inscribed as an essential stage in the framework of the governmental strategy in the domain of child's protection rights, internalized by Romania's government at 31 of March 1977).

Child protection has developed especially after 1989, not only because of the democratical regime that was fundamented, but also because of the necessity of the existence of a real child protection system[2].

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[1] C.Otovescu, *Protecţia juridică a drepturilor omului,* Scrisul Românesc Publishing House, Craiova, 2006, p. 144
[2] *Ibidem,* p. 141

Beginning with 1999, in this field measures were sustained, being inscribed as the most important activities in the case of the residential reorganization. The passage from a pattern centered on the classic institution of residential type (foster homes and houses of refuge) to one of family-like baby-farming is a reform's essential process, that handle important resources and especially are confronted with a great change resistance, generated especially by the mentality, by the lack of information, by the disparity between a legal framework and by the release of the governing rules, of the framing normative, of methodological guides and of the other documentary materials that explain the putting in practice of the new law. This ample process supposes:

- The reorganization and restructuring of the existent institutions of a residential type, in order to offer to the children development conditions close to the ones in families;
- The establishing of new planning centers (little houses of family-like type) starting from new cores of space organization and human resources;
- The specializing and the diversification of the complementary services offered by the Departmental Directions for Child's Protection Rights, destined to child protection in a residential regime, in order to prepare and insure the reintegration in society and family of the child in difficulty;
- Counseling and support centers for parents;
- Centers/services of assistance and support for the integration or reintegration of the child into the family;
- Child assistant services in exerting his/her right to the freedom of expression
    The stages in time are:
1. The reorganization of the residential institutions by a unitary pattern, conceived starting from child's needs and rights, practical to a national scale.
2. Adaptation/ readapting to services rules for protection function of the local context (needs, available resources of all categories).

The development and diversification of the services offered

From an operational point of view, the reform supposes:
- the building-up of the organization pattern, features, functions and missions, personal scheme;
- the pattern's adaptation to the local context(according to the existent needs and taking into consideration the resources that can be gathered: financial, material ,human);
- the verification of the applicability of the pattern in a pilot center;
- the evaluation and adjustment of the pattern;
- the finalization of the protection standards for the child in placement centers;
- the generalization of the pattern.
    The transformation of the traditional residential institutions (foster home) in a placement center doesn't represent only a designation change, internal reorganization or a new personnel scheme, but, firstly, a change of the principles that are at the basics of the institution's functioning, oriented mainly towards the compliance of children's rights.
    The new principles are the ones that determine the structure changes, the functioning ones, of personnel scheme- training obligatorily changes in personnel's activity, in the approaching of the problematic of the child in difficulty and of the mentality of those involved directly or not in child's reintegration into society.

The principles at the basics of the reorganization pattern are:

1. Every child's rights have to be recognized, abided, and promoted.

2. Child's development in the placement center is assured in an environment as close as possible to the one from a family.

3. The protection assured by the placement center has a temporary character, and the individual protection project for each child stipulates solutions for his/hers reintegration into the family in the shortest time.

4. The activities performed in the placement center have an open character towards the society, through the way of organization and functioning, through relations they promote, becoming a service integrated in community.

5. The placement center personnel is part of the personnel team of D.G.A.S.P.C, and is integrated in the human resources system, trained in the application of the departmental strategy of child protection.

6. The gradual failing of the number of children protected from the placement center is made in parallel with the gradual diversification of the services destined to protect the child, which involves a flexible institutional project, as well as personnel's professional preparation and continuous information.

These principles can be explicated, in short, in the following manner:

1. *Every child's rights must be recognized, respected, promoted.*

Starting from the analysis of the special needs of children in difficulty, this principle refers to:

- The conceiving of the institutional project;
- Activities' and space organization;
- The promoting of a professional modality of intervention in favor of the child, in order to insure the respect and realization of children's rights to an adequate identity and history, to security, to privacy, to keeping in touch with their families, to freedom of expression, to personalized protection and education, to adequate standards of life, to protection against any form of abuse and probing, to rest and holidays, to periodic reevaluation of protection measures, to social and family integration.

2. *Child's development in a placement center is insured in an environment as close to the one in the family*

An important aspect is model's projection, in order that the organization of the collectivity formed of resident children and placement personnel center to allow the application of the individualized child's protection project, in which the exigencies created by the insurance of a secure environment and by children's psycho-affective needs harmonize with the tendencies to the opening to society. The relationships that develop in the framework of the collectivity of the placement center have to insure the protected child-as an individual and member of a group- the feeling of affiliation and integration in a family-like environment.

In many placement centers, children are living in improper conditions. They are facing lack of food, clothes and sanitary conditions, and also with abusive treatment of the employees, being abused and tortured[1].

The manner of care and of child's development insurance in a placement center is expressed (as value) in the plan of the institutional project and the individualized child's protection project. The two types of projects are complementary:

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[1] Idem

• The institutional project- builds the general framework of the organization and the missions of the placement centre, establishes the functional relationships inside and outside, in the cadre of the services complex destined for child's protection, propose s the specific activities, defines the resources(material, human, financial) and their utilization , expresses the ways of activity evaluation.

• The individualized project of child'' protection – represents the actions and measures by which each child (unique and complex subject) with his/her own identity and history is protected and educated so that his/her development and integration into family and in society to be insured, all these in the specific framework of the institutional project .

This project involves:

- unity's arrangement and endowment;
- the organization of collectivity's activities formed of resident children and placement center's personnel, so that the putting in practice of the individual project of each child's protection could be possible.

3.   The protection assured by the placement center has a temporary characteristic; the individual project of each child's protection stipulates solutions for his/her family re-integration in the shortest time.

In the foster home or the houses of refuge there wasn't the problem of the shortening to the maximum of the institutionalization period.

In the placement center this is a fundamental principle, which, in order to be put into practice implies the building of mechanisms for:

- the development of family relationships (if possible enlarged);
- the preparation and the application of the protection alternatives in substitutive families(maternal assistant, adoptive family), in close connection with the other services destined for child protection;
- the diversification off the services provided by D.J.P.D.C. (the shifting of emphasis from the protection services onto prevention services), and in parallel with it, the professional re-conversion of the personnel from the placement centers.

The biggest impediment in shortening the child's institutionalization period, through his/her re-integration in family or by the promoting of the protection alternatives in substitutes families, can be personnel's un-involvement in the project, for fear of un-employment.

4.   The activities developed in the placement centers have a character open to society; through the way of organization and functioning, through relationships that it promotes, the placement center becomes a service integrated into community.

By definition, the placement center is part of a departmental system of services destined to protect the child, offered by the Departmental Direction for Child Protection – it isn't anymore an institution with a juridical personality in the subordination of a ministry, but a service of the community supported and known by the community.

In order to accomplish an effective opening towards the community, the following are necessary:

- at the institutionalized project level- the projection and application of a communication strategy, of the promotion of the center image, as well as the training of community structures (school, church, etc), as partners in the application of the institutional project and of the activities coordinated by D.G.J.P.D.C.;

- at the level of the individualized child protection project, his/her integration in the social life in a way similar to the other children of his/her age, the supporting of child's direct participation to common activities in community's framework(permanent or punctual).

   5.　　*The placement center's personnel is part of the personnel team of D.J. P.D.C. and is integrated in the human resources system trained in the application of the departmental strategy for child protection.*

   The insurance of child protection supposes a　responsible, conscious and motivating training of the personnel in direct contact with the child. The reorganization of the institutions supposes state's modifications, communication difficulties, understanding difficulties and change assimilation by the direct involved personnel.

   The reform is projected by the management of D.J.P.D.C, as well as the departmental strategies, but the practical realization, the effective improvement of the child in difficulty protection modality can't be realized without the participation of hundreds of educators, assistants and social workers, nurses, education instructors, that are in a direct connection with the child.

   At this level there are the biggest risks of failure- because of lack of information and of development of activities for the child's benefit. That is why it is very important to be taken actions in order to avoid the risks or their attenuation by:

   - including into the human resources management, at a direction level, these resources from former institutions, in the perspective of the acknowledgement and development of the professional experience and of training for reform's application;
   - building up communication and partnership relationships between the D.J.P.D.C employees and the ones from services' framework (with the personnel of the former houses of refuge and foster homes);
   - the consulting, the informing, the forming of all personnel strategies, concerning institution's reorganization modalities.

   Fighting with mentalities has always been recognized as a hard and long-lasting fight, and that is why, for the reorganization project of a residential type it is necessary to mobilize important financial resources, but especially to train the professionals from D.J.P.D.C and from institutions.

   6. *The gradual diminishing of the number of protected children from the placement center is made in gravity with the gradual diversification of the services destined to protect the child, which involves a flexible institutional project as well as the continuous informing and professional preparation of the personnel.*

   The cognition of the local possibilities is necessary, of the problematic specific in the domain of child protection in a residential regime (placement center). In the same building a service like "day-care center" could be created, destined for children with social problems, which have diner and benefit from a personalized educational program, but return to their homes every evening.

   The organization and functioning of these new services have to create a system integrated at a departmental level, destined both to the protection of the child in difficulty, and to the preparation of his reintegration into the family and society, and especially to the prevention of the situations that could endanger the security and the development of the children.

   The placement center has to be conceived and organized as a functional component integrated into this system, insuring:

- the complementarities of activities and their functions;
- clear, functional relations between services;
- human resources' mobility, that are trained to work in the different components of the system;
- communication;
- the socio-affective familial surrounding environment.
- the organizational structure of the placement center has as a fundamental element the MODUL.

The placement center is organized into sub-unities of a maximum of 20-30 children (on age criterion), each unity being structured into modules:

- 2-4 children for 0-2 year old;
- 6-10 children for 2-18 year old

At the module level the main functions of the service are realized: care, education, socializing, evaluation, etc. It is recommended the gradual passage to the vertical organization of the modules- being easy to apply, especially in family-like little houses.

The reorganization of foster homes has been an extensive process, whose objectives and action directions are integrated into a strategy built at a departmental level.

The transformation process supposed a number of projected activities, coordinated, evaluated gradually, and the passage from an initial structure to a different one was achieved, adapted to new functions and activities, based on clear principles.

Conceptually, the structure of an organization represents the formalizing of functions allocation, of activities between different components, as well as of the connections established between the components.

It was demonstrated that the structures evolve function of the evolution of strategy's organization- that is tributary to context changes. Therefore, the elaboration of the reorganization strategy is necessary and then the structure is projected and it has to correspond, mainly with the objectives to be touched. There are great distinctions between the residential institutions and the structures characteristic to them, function of the geographical area, patrimony, the number of children, human resources, and the reorganizations start from a concrete, clear image.

The structuring is an ample process, developed in a series of stages, taking into account the previous mentioned principles, that allow the application of the new perceiving way of the child in difficulty, by:

- establishing the placement center's functions, of the components that correspond to their realizations;
- children grouping in order to allow personalized care, individualized for each child;
- the organization of the physic space, according to the same considerations;
- human resources' efficient organization in order to insure center's functioning according to the established functions.

A way of protection really individualized in the unities with over 100 children can't be realized, and that is why these institutions are re-dimensioned, and actions are made simultaneously over a number of factors, like:

- child's integration into his family;
- the creation and development of the departmental network of professional maternal assistants;

- the implementing and functioning of projects for preventing child's abandon;
- finding of solutions for social, scholar integration.

A desideratum of this objective is institutions' re-dimensioning on sub-unities of 20-30 children and module organization of each sub-unity, having at the basics the following organization criteria: children's age (0-2years; 2-18 years) or the potential special care of the children with deficiencies.

The placement centers have, besides sub-unities, services and components obligatory for the functioning of the entire institution, as well as other services destined for child's protection in a residential regime:

- Child's assistance and counseling service (medical service, evaluation service, pedagogical service, professional formation; the assistance and counseling services for cultural-artistic, sports activities);
- Assistance service/center and support for parents;
- Assistance service and support of the child in exerting the right to freedom of speech;
- Assistance center/ service and support of child's reintegration in family;
- Other services, according to the local context specific.

The mentioned modules are indispensable for the proper function of the center, offering security services care and education of the child, and possibilities of interacting.

They contain a maximum of 6 children of sexes, close ages, brothers, children's preferences and it is best if it's used vertically (different ages).

The module represents the basic element of the placement center's structure, as it insures care, education, child's socialization through an individualized approach, that responds to child's psycho-affective needs, in an environment as close as possible to the model of family-like type.

The main functions that are realized at a module level are:

- The educative function, of socialization and affective development;
- The care function;
- The monitoring / evaluation function.

These functions are realized by individual and group activities.

Because the protected children in placement centers are, most of the times, children who lived the drama of their family breakup or children catalogued as "troublemakers" in their own families, it is necessary that the institution assures also the function of assistance and psycho-pedagogical counseling. The child has to be helped to surpass his personal drama and to develop as a normal individual, of the setting-up of the trust in the others, into society, all these being made with the support of the reminded services.

The assistance function and psycho-pedagogical one address to:

- the children protected in placement centers;
- the children of the resident families;
- the personnel in the placement center.

This function intervenes in the good knowledge and understanding of the child and of his family, for the establishing of child's personalized project, for problem therapy, being realized by a psychologist/ psycho-pedagogue, together with the social worker, educator, animator, etc.

The family reintegration service- assures the essential mission of the placement center and has to begin exactly from the first day of entering the institution.

The individualized project for child's protection will include aspects related to family, the relation with the family (natural/ substitutive), the concrete measures for reintegration. Child's reference educator and the social worker of the service will work together in order to apply the project, insuring the direct and immediate connection between parent and child, the appropriation of the child with the substitute family and the preparation of his integration in the new family.

The service for counseling and parents' support offers specialized counseling and support to child's parents, to the enlarged family, in order to prepare them in view of assuming the responsibilities they have regarding the child.

The assistance and support service of the child in exerting his right to freedom of speech – is a juridical assistance service and psycho-social by which children are insured with discernment in exerting the right to freedom of speech, as well as the taking into consideration of this opinion in any decision that regards the child.

This service develops the following activities:
- Informing the child with every pertinent information concerning his individualized project, the modalities of application of the proposed project;
- Child's opinion determining (psycho-affective reaction, verbal, etc)
- The providing with information of the child, the eventual consequences of his opinion, of the application of the proposed project.
- The participation to the decisional project concerning the individualized project for child protection.

In service's component it is recommended the presence of a jurist, a psychologist and a social worker. The placement center has   close relations with the other services destined to protect the child in a residential regime.

 The complex complementary services destined to protect the child in a residential regime represent a system, a living structure, a real "institutional being".

In order to realize the objectives, the structure elements have to articulate one another in a dynamic measure, presenting the internal plan functions (the interaction between the component elements) and the external plan (cooperation relations with different structures from community's framework).

Besides the realization of projects for families -like type houses, in many institutions it has been accomplished the rearranging of interior spaces, with the purpose of creating a more intimate climate, close to the one in the family.

It is imposed, also, the opening of residential institution of protection towards the community, thus being realized orphan or abandoned children's interaction, of the children belonging to families with problems, with the other children of the same age, who live with their natural families. The placement center, like the family, has the objective of protecting the child in difficulty on an undetermined period of time (as long as imposes the placement) , insures child's development in conditions as close as possible to family environment.

Like in family, the services are complex and concern:
- the health insurance and of the physical development;
- the moral and psychic development (emotional and behavioral);
- the education, learning, professional training, according to his individual characteristics
- child's socialization;
- the development of child's activity and personality through "personalized" intervention;

- the insurance of the quality of interpersonal relations.

For children with emotional, behavioral, mental deficiencies it is important fro them to feel liked and appreciated, even when their behavior is difficult to put up with, to be seen in public schools, (the ones with moderate and easy deficiencies), of recovery services- with specialists and in recovery cabinets appropriately gifted.

As a conclusion, we can underline the fact that a residential-type institution (placement center), no matter how modern, by living conditions that it offers, by the programs it develops can't complete its mission unless it gives importance to the quality of professional intervention and equally to the personnel-child relation.

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LA CRÉATION DE L'OIKUMENE GRECQUE - LA PREMIERE SOCIÉTÉ EUROPÈENE

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Resumé

On propose la description des éléments définitoires de la création de l'oikumene grecque, l'expression d'une société développée sur un espace étendu. Entre celles-ci on remarque le processus de colonisation influence profondément par les prédictions oraculaires. Même les grandes décisions politiques et les problèmes habituels de la vie de la vie quotidienne pouvaient être influencés par les oracles.

Mots-clé : société, colonisation, oikumene

Le mot grec pour designer la maison est *oikos*[1]. Nôtre mot contemporain, *économie*, provient du grec *oikonomia*, signifiant *les règles de la maison* ou les principes de l'efficacité domestique.

La civilisation grecque s'est développée dans un espace forme de la Grèce proprement dite, le littoral de la Mer Noire vers l'Est, les régions côtières de l'Asie Mineure, les iles de la Mer Egée, le Sud de l'Italie, la grande part de la Sicile, continuant vers l'Occident, sur les deux rives de la Méditerranée de Cyrène, en Libye jusqu'à Marseille et quelque citées du côté espagnole.

Cet espace comparable avec une grande ellipse, dont l'axe longitudinal est représenté par la Méditerranée (avec la mer Noire comme une prolongation) a été colonisé pendant un grand et complexe processus, « la grande colonisation grecque » (VIII-VI-e siècles av. J. C.).

Le terme grec pour « colonisation » était *apoikia,* qui signifiait *émigration*, ce qui exprimait la vraie component sociale de ce processus. Les nouvelles cités étaient indépendantes ayant des liaisons avec leurs métropoles, basées par le culte religieux et les rapports sociales.

La fondation d'une colonie n'était pas du tout une aventure, mais elle représentait l'effet de la tradition, ou une constante était la consultation des oracles, l'expression incontestable de la volonté des dieux.

Strabon nous informe que la fondation de Syracuse et de Corcyre s'était passée après la consultation d'oracle de Delphes, qui avait informé les fondateurs que celui qui désirait avoir une grande fortune irait en Sicile (le fondateur de Syracuse) et celui qui désirait de la santé irait en Corcyre (actuellement l'île de Corfou)[2].

On a considéré que la cité de Milet a fait une colonisation sous le signe d'Apollo le Médecin sur la Côté Ouest de la Mer Noire, après une prédiction de l'oracle de Didyme

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[1] Nigel Spivey, Michael Squire, *Panorama lumii clasice*, Editura All, Bucureşti, 2007, p. 208.

[2] Moses I. Finley, *Vechii greci*, Bucureşti, Editura Eminescu, 1974, p.51-53 ; Fustel de Coulanges, *Cetatea greacă*, Vol.2, Bucureşti, Editura Meridiane, 1984, p.35.

(près de Milet).

La cité de Kallatis, nous informe Pseudo Skymnos, *a été fondée à la décision d'un oracle* (probablement celui de Delphes) à *l'époque où le roi Amyntas* (probablement Amyntas I) *prenait le pouvoir sur les Macédoniens.[1]*

Les plus importants oracles étaient à Delphes, Didyme, Claros (dieu Apollon) Dodone (celui de Zeus, le plus ancien de l'Antiquité grecque), Phares, Thèbes et Smyrne.

À Dodone les prêtres interprétaient le son des feuilles de chênes, à Phares, Thèbes et Smyrne les prêtres disaient une parole interprétée comme favorable ou non favorable[2].

Le rôle des oracles et des rêves était très important pour les Grecs. L'oracle de Delphes était à coté d'autres sanctuaires surnommés « généralement helléniques » au centre des préoccupations des politiciens Grecs. La journée choisie pour l'interrogation était le 7 mars, la fête d'Apollo, puis la même date de chaque mois. Il pouvait donner des réponses de «oui ou non » aux problèmes majeurs de la vie du Grec et des solutions qui pouvaient être interprétés à l'intérêt des cités ou de leurs gouvernants[3]. Du VI e siècle jusqu' à 338 av. Jésus Chr. On a porté quatre guerres saintes pour obtenir son contrôle. Le tyran Clisthène de Sicyone a ordonné une action de sacralisation (purification) des environs du sanctuaire par faire enlever les tombes des morts de la région de Delphes. Au Congres de Corinthe (337 av. Jésus Chr.) Philippe II a ajouté parmi ses titres celui de « *protecteur du grand sanctuaire de Delphes*»[4].

Pythie, habituellement une paysanne inculte, choisie par vie de jeunes filles vierges des villages voisins choisissait après avoir consommé des feuilles de laure et de boire d'eau sulfureuse qui lui donnaient un état de transe un billet d'une coupe. Les prêtres qui avaient écrit les billets avec les réponses habituelles lisaient aux ceux intéressés la réponse[5].

L'oracle avait collecté de grandes sommes d'argent provenus de taxes payées différemment par les gens, cités qui consultaient l'oracle et des donations. Aussi, le sanctuaire offrait des emprunts avec intérêts, devenant une véritable institution bancaire. Plusieurs fois, les acteurs de la scène politique, les voleurs ont transformé le trésor dans une cible de leur cupidité[6].

Finalement, Cornélius Sulla, en 86 av. Jésus Chr. a pris dans ses mains le grand trésor sacre du sanctuaire de Delphes.

Non seulement les fondateurs des cités allaient consulter les oracles, mais aussi les grands politiciens.

Dès la mythologie, Achille, le héros de Troie, a rêvé que son cheval, Xanthos, lui prédisait la mort. Aussi, Agamemnon, le commandant des Grecs dans la guerre de Troie, à la demande de l'oracle a du sacrifier sa fille Iphigénie, pour que le dieu Poséidon, lui assurât le vent nécessaire pour la départ des navires pour l'Asie Mineure où se trouvait la Troie[7].

Pendant la guerre, le prédisant Calchas était la voix la plus autorisée qui faisait

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[1] A. Avram, *Inscriptions de Scythie Mineure*, Vol. III, Bucarest-Paris, Editura Enciclopedică, 1999, p. 435.

[2] Larousse, *Istoria Universală*, Bucureşti, Editura Rao, 2005, p. 234-235; Dana Dinu, *Introducere în istoria şi civilizaţia Greciei Antice*, Craiova, Editura Universitaria, 2005, p.146-147.

[3] Costas Martin, *Grecia Parthenonului*, Bucureşti, Editura Prietenii Cărţii, 1996, p.64-68.

[4] Adelina Piatkowski, *O istorie a Greciei Antice*, Bucureşti, Editura Albatros, 1988, p.124-125.

[5] Dana Dinu, *op.cit.. ,* p.147.

[6] *Ibidem,* p.148.

[7] Jean Defradas, *Literatura elină,* Bucureşti, Editura Tineretului, 1968, p. 19-22.

connue aux Grecs la volonté des dieux.

Avant la conquête de l'île de Samos par les Perses, la même Pythie de Delphes a prédit aux Samiens : « *Ayez peur d'un bois d'olivier et d'un rouge ambassadeur* » (Hérodote*, Histoires*, III).

Ils n'ont pas tenu compte de ce message et un bateau rouge ayant une statue de la déesse d'Athéna est venu dans le port de la cité, apportant un Samien réfugié aux Perses venu avec l'intention d'installer un gouvernement obéi aux ceux-ci. C'est la manière ou les Perses ont occupe l'île de Samos.

Avant la bataille de Thermopyles (480 av. Jésus. Chr.), les Spartiates ont demandé le même oracle sur la fin de la bataille : la réponse de l'officiante du culte d'Apollon, Pythie a été :

« *La cité cessera d'exister sinon votre roi va mourir* ». Le roi Léonidas après la trahison du Grec Ephialtès a demandé à ses alliés de partir et avec ses soldats (300 Spartiates et un détachement thébain obligé par un traité de rester) est mort héroïquement pour sauver la cité (Hérodote *Histoires*, VII).

Avant la bataille de Salamine, les Athéniens ont demandé Pythie sur la sorte de la ville, Pythie leurs a répondu : *« une fortification de bois sauvera la cité »*. Thémistocle avait interprété la prédiction par la lutte avec les trirèmes sur la mer. Il a pris la décision que le peuple (vieillards, femmes, enfants) quittât la cité devant la menace Perse. Il a été aidé, par la déesse Athéna, qui bénissait la flotte envoyant son oiseau sur la trirème de commande[1].

Les Athéniens ont gagné la bataille, la destinée de la cité a été sauvée bien qu'elle fût détruite par les Perses.

Avant de sa campagne de Cipre de 461 av. Jésus Chr., Cimon, le héros d'Eurymédon (468 av. Jésus Chr.,) fils de Miltiade, le héros de Marathon (490 av. Jésus Chr), a fait des sacrifices aux dieux : le foie du mouton sacrifié avait un seul lobe, et le sang solidifié sur son doigt grand du pied droit a été pris par les fourmis. Les signes on été interprètes comme des signes de sa mort. Il est mort dans l'essai de siège de l'île de Cipre.

Thémistocle, voyageant dans la Perse vers son domaine de Magnésie a eu un rêve de la partie de la déesse Cérès de ne pas dormir dans sa tente dans une nuit. Son âne est tombé dans l'eau d'une rivière, et la tente a été posée pour être séchée. Les criminels ont entre dans la tente sans aucune personne dedans et ont été tues par les gardes de Thémistocle. A l'échange, Cérès lui a demandé que la fille de Thémistocle soit son prêtre[2].

Olympia, la femme de Philippe II avant son mariage, a eu un rêve : un éclat a coupé son ventre et une étincelle a allumé un feu étendu dans tout le monde. Philipe II a eu aussi un rêve : il a posé un sceau sur le ventre de sa femme qui semblait avec un lion. Les spécialistes dans la mantique lui ont dit qu'il aurait un fils qui conquerrait le monde dans une vie très courte. Alexandre le Grand a vécu 33 ans après avoir conquit le monde grec et l'Orient[3].

Alexandre le Grand, pour conquérir l'Asie a consulté l'oracle : on lui a répondu que le conquérant de l'Asie serait celui qui réussissait de libérer un charre de Gordion bien fixé par un ruban. Alexandre a coupe le ruban par un coup de sabre disant : « *Je prendrai avec la sabre ce que je ne réussis pas avec mes mains !* ». Il a gagné l'Asie mais son empire ne

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[1] Costas Martin, *op.cit.*, p.63.
[2] Lucian Amon, Florian Olteanu, *Themistokles, o figură emblematică a societăţii ateniene în secolul V a. Chr.*, în "Revista universitară de ştiinţe sociale", anul I, nr. 1/2004, Craiova, Editura Enciclopedică, p.21.
[3] Vladimir Hanga, *Alexandru cel Mare*, Bucureşti, Editura Albatros, 1974, p.17-18.

lui résisterait pas. L'oracle situé dans le temple d'Ammon de Siwa lui a donné la réponse qu'il était le frère d'Ammon[1].

Le roi Pyrrhus de l'Epire a consulté l'oracle de Delphes sur la fin de sa proche campagne contre les Romains à la demande de secours de la cité de Tarent.

Le texte Latin des paroles de Pythie a été : *Aio te, Pyrrhe, Romanos vincere posse,* traductible soit : *Je te dis Pyrrhus, tu peux vaincre les Romains*, soit : *Je te dis Pyrrhus, les Romains peuvent te vaincre*. La seconde version a été celle finale. Après une bataille gagnée (*victoire à la Pyrrhus*-le nombre de ses morts était plus grand que le nombre des morts des Romains vaincus), et après la défaite administrée par Manius Curius Dentatus est revenu en Epire[2].

Les oracles étaient importants aussi pour habitants qui voulaient prévoir les événements de leur vie personnelle.

Leur essai était possible par la consultation des oracles, des temples où le prêtre d'un dieu (notamment les grands dieux, Apollon, Zeus) pouvait donner une réponse tout à fait direct ou évasive. Toujours il y avait deux variantes. Si la personne choisissait la version qui lui apportait l'échec, il n'aurait pas eu la capacité de comprendre correctement. C'était une grande impiété d'accuser l'oracle. Le Grec ancien devait penser : « *l'oracle a toujours raison ! »* Aussi on pouvait éclairer les rêves ou examiner les ventres des animaux après les sacrifices sur les autels des temples.

Le rôle des oracles était très important pour la vie sociale et politique dans la Grèce Antique. La communication entre l'homme et la divinité marquait le choix pour toutes les grandes décisions que les gens devaient prendre.

Aussi comme les oracles, les grands jeux panhélleniques, les jeux Olympique, Néméens, Pythiques et Isthmiques, ont contribue à la formation de la conscience commune des Grecs répandus dans ce grand espace, nommé *oikumene*.

On peut observer que l'*oikumene* et l'*apoikia* sont dérivés du mot grec *oikos*-maison. Pour la première fois, une partie de l'espace européen avait comme étalon principal, une civilisation et une société unitaires, celles de la Grèce Ancienne.

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[1] Serge Berstein, Pierre Milza, *Istoria Europei*, Iaşi, Editura Institutului European, 1998, p.135-136.
[2] M. Cary, John Wilson, *A shorter history of Rome*, New York, Macmillan, 1963, p.142-143.

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AN ASPECT OF THE BYZANTINE SOCIETY: THE SYSTEMATIZATION OF THE PROPERTY REGIME DURING IX-XI CENTURIES

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Abstract

The author presents a general spectrum of the Byzantine society, during IX-XI centuries, the apogee of the Empire. The great preoccupation of the emperors of the period was that of keeping the territorial and social unity of the state. Even they encouraged the spread of the great property, to avoid the constitution of great regional and military administrations; the emperors knew to create the equilibrium between the state institutions, the administrative structures, landowners, and peasants. We can observe an approach between great landowners, and administrative officials, which ensured them the opportunity to create an original system of governance, which gave even the name of the period: the period of the rule of the aristocracy.

Key words: landowners, aristocracy, administration, centralization, spread property

Starting from the beginning of the IX-th century, the tendency which dominated the political and social thinking of the Byzantine emperors was the universalism, but not in the direction of Constantine and Justinian, because of the loosing of the Western territories, in the hands of Germanic tribes[1]. The political doctrine was that of the domination of Christian Europe[2]. The Emperor Constantine the Porphyrogenete started, at the middle of IX-th century, a process of centralization of the administration, which influenced all the social, economical and religious aspects of the Empire[3].

All the administrative tasks, honorary or official were dependent on imperial palace. In the provinces, the *themata* remained the main administrative and military structures.

In time, the Senate, the army and the people, once upon a time, the exponents of the equilibrium, stability and control of the central imperial authority were reduced on a secondary stage by a powerful aristocracy, which renounced at the institutional formalism,

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[1] Helene Ahrweiller, *Ideologia politică a Imperiului Bizantin*, Editura Corint, Bucureşti, 2002, p.9-13; Emilian Popescu, *Curs de bizantinologie*, Universitatea din Bucureşti, Facultatea de Teologie Ortodoxă, 1993, p. 3-5.

[2] Claudio Rendina, *Roma ieri, oggi e domani,* Vol. II, *Roma Byzantina*, Newton Compton Editori, Roma, 2006, p. 19-24; Michelina Tenace, *Creştinismul bizantin*, Editura Cartier, Bucureşti, 2005, p.21-23.

[3] Constantino Porphyrogenito, *De thematibus, Introduzione, testo crtitico, commento, cura di Agostino Pertusi, studi e testi*, Citta del Vaticano, 1952, p. 11.

being based only by its social, economical and political force[1].

Between IX-XI centuries, we can observe the growth of the landowners' number in the detriment of the small properties of the independent peasants, which conducted to some major changes in the social, political and military organization of Byzantine Empire. The opposition between the rich landowners (*dynatoi*) and the small farmers (*penetai*) was not the single aspect of the Byzantine society, because there were in the same area great landowners, small farmers or poor peasants. Another special situation was the growth of the properties of soldiers (*stratiotai*)[2].

The origin of *stratiotai* is in the reforms of Diocletian and Constantine the Great, which established the frontier-troops (*milites limitanei*). In time, the *limitanei* received small properties, as bonifications for their service. Soon their sons replaced them in the army lines, and, especially after the systematization of *themata*, the property would become hereditary, in the X-th century, during the rule Constantine VII.

The most important work of the Emperor Constantine VII remains the *Administration of the Empire*[3], in which he tried to offer some advices for a easier government of the Empire, for his heritors. Thanks to its contents, the work was spread in all the cultural media of the European Middle Age[4].

A Novella of the Emperor Roman Lecapenos from 922, tried to minimize the negative effects of the peasants' pauperization: a rich could not buy the land of a poor peasant. The poor peasant had *preemption* to by a land in front of the riches. The categories which could buy land were the relatives, the co-owners of the land, the neighbors who had the land near the sold area or the neighbors who paid the taxes in cooperation with the owner[5].

Unfortunately, the Novella had not the presumed results because of the difficult winter of the year 927-928, especially for the poor peasants, followed by a great drought, which ruined a great part of them.

In 967, Nikephor II Phokkas gave a Novella which reduced the *preemption* and giving to the *dynatoi*, the right of buying the abandoned properties from the free rural communities. In exchange, the military properties, continued to be protected by the emperor, a former army general. Any attempt of alienation of the soldiers' properties was forbidden[6].

The disintegration of the small farms had important negative influences over the status of the Byzantine society. During the rule of Basil II, the great landowners of Asia Minor, Bardas Skleros (976-979) and Bardas Phokas (987-989) started an uprising which threatened the throne and the unity of the Empire.

As a consequence, in 996, Basil II imposed a *Novella* in which he cancelled the forty years prescription of the emperor Constantine VII. The *Novella* obliged the rich to pay the

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[1] Emanoil Băbuş, *Bizanţul între Occidentul creştin şi Orientul islamic (secolele VII-XV)*, Editura Sophia, Bucureşti, 2006, p. 213.

[2] Octavian Iliescu, Ion Barnea, *Constantin cel Mare*, Editura Enciclopedică, Bucureşti, 1982, p. 34-36.

[3] Constantin Porphyrogenetul, *Carte de învăţătură pentru fiul său Romanos*, trad. Vasile Grecu, Bucureşti, 1971, *passim*.

[4] Dimitri Obolensky, *The Byzantine inheritance of Eastern Europe*, Variorum Reprints, London, 1982, p. 148-158.

[5] *Ibidem*, p.159-168.

[6] Stelian Brezeanu, *O istorie a Imperiului Bizantin*, Editura Meronia, Bucureşti, 2005, p. 170-172.

taxes for the poor peasants (*parekoi*), for saving their properties[1].

In the Byzantine Empire, was introduced another measure, that of spread properties. A landowner had small properties in different villages, which were rented to peasants[2].

In its entire history, the Byzantine Empire had an agriculture based on small and middle property. The Byzantine legislation talked about the minimum level of the financial force, and not about the maximum one. Another characteristic of the Byzantine society was that of the political authority, which was used at the accumulation of the properties.

The sources talk about the cooperation between the great powerful landowners and the members of the administrative system, who would create a good material situation. It was the only way to control the landowners' power, because if they had large properties, they would have even military detachments for protecting them which could oppose to the state military forces[3].

The return at the great landowners' system did not influence considerably the agricultural production. The peasants who lost their properties recovered them as locators. There were some situations, especially at the Eastern frontiers of the Minor Asia, where the land was transformed in „desert", to ensure a protection against enemies (*a no man land*). In time, the diminution of the small property influenced the exodus of the population to the urban centers[4].

We tried to present a general spectrum of the Byzantine society, during IX-XI centuries, which represents the apogee of the Empire. The great preoccupation of the emperors of the period was that of keeping the territorial and social unity of the state. Even they encouraged the spread of the great property, to avoid the constitution of great regional and military administrations which tried to develop behind the *themata*, the emperors knew to create the equilibrium between the state institutions as the Senate, the administrative structures, army, church, landowners, and peasants.

But, in an irreversible way, the administrative officials approached on great landowners, uniting their efforts, in isolating the imperial palace, which ensured them the opportunity to create an original system of governance, which gave even the name of the period: *the period of the rule of the aristocracy.*

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[1] Idem, *Imperiul Bizantin sub dinastia macdeoneană*, în „Studii şi Articole de Istorie", nr.43-44, 1981, p.39-47.

[2] Charles Diehl, *Figuri bizantine*, Editura Pentru Literatură, Bucureşti, 1969, p.14-15.

[3] G. Ostrogorsky, *Observations on the aristrocacy in Byzantium*, in „Dumbarton Oaks Papers", vol. XXV, Washington-Cambridge, 1971, p.1-32.

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SPARTACUS, A SOCIAL REVOLUTIONARY?

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Abstract:

The reason of this article is represented by an attempt to find a direct relation between two movements separated by more than two millenniums, but which had the name of a historical character, the slave Spartacus, who was the initiator of a great uprising in the first century B.C. in Italy, in which the exponent of the socialism sow an action model, a consequence being the "spartakist movement" from Germany, from January 1919. We tried to describe the two events, for demonsttrating that history could give interesting lessons to the actors of the cultural, political, and cultural life.

Key words: *uprising, socialist movement, model, connection, historical lesson*

The reason of this article is represented by an attempt to find a direct relation between our modern times and the Ancient history. If in the past, there were a lot of historians or political scientists who tried to legitimate some contemporary actions or to explain from present some actions of the past, we think that is a good way to analyze by facts these tendencies[1].

One of the most known symbols for fight against exploitation was considered the slave Spartacus, who was the initiator of a great uprising in the first century B.C. in Italy, which seriously threatened the structure of the Roman Republic.

In the contemporary times, in 1919, in a wasted Germany, Karl Liebknecht and Rosa Luxemburg two German socialists organized the "Spartacus uprising", an attempt to fight against the socialist government of Friedrich Ebert. But, why was chosen Spartacus? We will try to find some opposable answers[2].

First, Spartacus belongs to a great Republic, the Ancient Rome. He was a Thracian, from the tribe of *Medoi*, deserter from an auxiliary Roman military formation. Because he had military skills, he was transformed in gladiator and soon after that in instructors for gladiators at the fighter's schools from Capua, in Campania, in the Southern Italy.

In 73 B.C., helped by 200 slaves, he decided to escape from Capua. Because his plot was discovered, only 70 slaves succeeded in their attempt. Soon other slaves joined, and the uprising extended. As happened in the past, the moment of the uprising was chosen when the Republic confronted with major external problems. It was the time of the Mithridatic Wars, when the Roman society was affected by great political disorders[3].

In 88 B.C., after the plot of Saturninus and Glaukias, two dishonorable and vicious

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[1] Pierre Levecque, *Istoria universală*, vol. I, Editura Rao, Bucureşti, 2005, p.502.

[2] *** *Brockhaus Enzyklopadie,* Band 20, F.A. Brockhaus, Mannheim, 1993, p.614.

[3] M. Cary, John Wilson, *A shorter history of Rome*, New York, Macmillan, 1963, p.165.

senators, helped by the King of Pontus, Mithridates VI, in conflict with Rome in Greece and Minor Asia, when the allies of Rome the "socii" revolted asking for the citizenship, Rome gave its citizenship to all Italic people from Po to the South of Italy, by the Plautia Papiria Law[1].

After defeating the troops of a praetor, the slaves established their command center on the Vesuvius Mountain. Spartacus had his wife from the same tribe, but she was initiated in the secrets of Dionysian cult. Having a religious ascendant, Spartacus took as allies a Gaul, Criscus and a Greek Oinomaus[2].

Rome decided to send 3 000 troops under the command of the praetor Claudius Pulcher who occupied the trails which conducted to the mountain. Then, the slaves made some ropes from grapes rods and descended from behind surprising and crushing the troops of Pulcher.

The slaves had a victory which allowed them to occupy the towns of Nuceria, Nola, Thurium. Here, Spartacus ordered to the blacksmiths to manufacture weapons. Spartacus had at that moment 70 000 soldiers (according to Eutropius)[3] or 120 000 troops (according to Appianus)[4].

But soon it started the conflict between the leaders. Criscus and Oinomaus separated with 30 000 troops being defeated by Roman consuls. The ancient authors are different in considerations about the motivation of the conflict. Criscus and Oinomaus would attack Rome for defeating it. Spartacus refused to go on the state, before having enough troops, having enough experience in organization, resistance, and… life in freedom[5].

After defeating the army of the consuls, Spartacus started the march on the Northern Italy, defeating the Romans at Mutina. Spartacus succeeded to obtain his own freedom and that of his men, but the situation was confused. In North, were the tribes of the Gauls, in south the vanquished but still powerful state of Rome, which would reply sooner or later? His free men were former slaves, a lot of them fighters. They did not know how to labor the land, to manufacture goods, weapons, tools, pottery, how to manage centers of trade. They awakened free in a no man's land. Spartacus could not control for enough time this heterogenic entity, those people who never asked themselves: what we will do as free men? Spartacus then decided, in the first time, to turn back over the Rome, for growing-up the moral of his troops by a new victory and to let them to rob without restriction. But, it was better to go in a natural secure area, as an island, and the solution was the Sicily. Spartacus planed to advance to the Messina Strait and go in Sicily with the ships of the pirates[6].

But in the same time, the Roman Senate conferred the power to the praetor Marcus Licinius Crassus, a rich fellow who bought the equipment for a strong army, paid money to free men and liberated slaves (the legions of Rome were in conflict with Mithridates). Crassus decided to cut the advance of Spartacus by digging up a huge dug, by building a

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[1] Manuel Guțan, *Drept privat roman,* Editura Universității „Lucian Blaga", Sibiu, 2003, p.25.

[2] Andras Bodor, *Răscoalele sclavilor şi structura acestora în perioada republicii romane*, în *Din istoria Europei Romane (în onoarea profesorului Dumitru Protase la împlinirea vârstei de 70 de ani),* Universitatea din Oradea, 1995, p.88-89.

[3] Eutropius, *Breviarum ab Urbe condita*, V, 7, 2, apud

http://www.thelatinlibrary.com/eutropius.html.

[4] Appianus, *Bellum civile*, I, 117, apud Appianus, *Civil Wars*, edited by John Mark Ockerbloom, at http://www.onlinebooks@pobox.upenn.edu.

[5] Andras Bodor, *loc.cit.*, p.90.

[6] M. Cary, John Wilson, *op.cit.,*p.166.

great wall which crossed over the south of the Italian Peninsula. Spartacus succeeded in crushing the defensive structures of Crassus, and then he went to Brundisium. Then 12 000 slaves, conducted by Cantius and Castus separated and went to Lucania where they fought the army of Crassus, which crushed them[1].

After the failure of Spartacus at the siege of Brundisium, he withdrew in Apulia. In the final battle, after a heroic fight, Spartacus died together with a great part of his soldiers.

According to the sources, Spartacus had maximum 100 000 soldiers, but in the time of the republic, there were 2 millions slaves in Italy[2]. All the slaves' uprising were characterized by a small number of adherents, temporary victories, and the absence of a unitary program. Slaves were not prepared to live as a free community (they had different ethnic origins, religious orientations and occupations); they would obtain only their personal freedom. We cannot sustain the ethnical or religious reasons for slaves' uprising. Even the social reason is doubtful. As a first conclusion, the uprising of Spartacus was not a fight for the rights of freedom of a community.

The myth of Spartacus was exploited by socialists. For the first time, the term was used for the designation of measures described in 1827 by Robert Owen. The socialists would create an alternative to the capitalist system. The main idea was that of Luis Blanc: "from each according to his ability, to each according to his needs"[3].

After 1848, when Karl Marx published the "Communist manifesto", it was a new socialist way of action: the active, the revolutionary fight against capitalism[4]. The summit of this attitude was the Russian Bolshevik counterrevolution from October 1917, which eliminated the Czarist rule. In 1919, according to the theses of Trotsky, those of "revolution export", and after the crush of great empires, the communist movement would impose governments in many European states. The most important situations were in Hungary (the revolt of Bela Kun, crushed by the intervention of the Romanian army) and in Germany.

In 1916, in Germany, was formed the Spartakus League, which joined in 1917 to the Independent Socialist Party, a faction of the Social Democrat Party. The founders of the movement, Karl Liebknecht and Rosa Luxemburg[5] founded in December 1918, the Communist German Party, helped by Russian revolutionaries who insisted that the German communists will seize the power very soon. Rosa Luxemburg feared the unpopularity of communist ideas in Germany, so, she created a good basis of action. On January the 6th 1919, the revolutionary committee was founded, with the armed help of shop stewards. The army was awakened, and the government made an appeal to the volunteers. The "Free Corps" formed by socialists who hated the idea of a communist revolution crushed the Spartakists (100 rebels died) on 13th of January 1919. Karl Liebknecht and Rosa Luxemburg were arrested and killed in their way to the jail[6].

The two movements separated by more than two millenniums were crushed as a result of an inefficient planning and action. Small groups which controled great entities were crushed. The history lessons could prevent great accidents or could save people, countries and cultures.

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[1] Catherine Salles, *Spartacus*, *generalul sclavilor*, în „Magazin istoric", Serie Nouă, nr.2 (299), februarie 1992 (an XXVI), p. 69.

[2] Pierre Levecque, *op.cit.*, p.503.

[3] Duncan Townson, *Dictionary of Modern History*, Penguin Books, London, 1994, p.807.

[4] *Ibidem*, p. 791.

[5] *Ibidem*, p. 494-495.

[6] F.G. Dreyfuss, *Istoria Universală*, Editura Univers Enciclopedic, Bucureşti, 2006, p. 930.

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THE BEGINNING OF THE JEWS' INTEGRATION IN THE ROMANIAN SOCIETY IN THE MIDDLE OF THE XIXTH CENTURY

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Abstract

The rejection of the Jews from the sphere of the main political decisions by reactionary forces determined them to join the liberalism political ideas. After the Union of Moldavia with Walachia in 24th January 1859, the modern Romanian state was preoccupied to obtain the international recognition and to put the basis of the political and economical measures which enabled it to claim national independence. The social structure, the economical cultural and linguistic condition of a greater part of a Jewish population in Romania restricted the integration of the Jews in the Romanian society. We tried to present the main aspects of the integration of the Jews in the Romanian society before the proclamation of state independence of Romania.

Key words : Jewish issue, social integration, isolation, community

After the Congress of Vienna (1815), the reactionary factors tried to cancel the political rights of the Jews, gained after the Napoleonian Wars. They were constrained to join to some general orientations as liberalism, orthodoxism, and new-orthodoxism, even nowadays structural and definitory elements of the Jewish society.

The rejection of the Jews from the sphere of the main political decisions by reactionary forces, determined them to join the liberal political ideas. After 1830, the intelectuals from the Jewish communities led a militant liberal policy, refusing the exchange - assimilation for political rights. They affirmed that, accomplishing their tasks, they signed a "social contract" which obliged the society to give them "rights" in exchange for "obligations"[1].

The most significant moment of the creation of the spiritual unity of the Jews spread in all European countries is the creation, in 1864, of the "Universal Isratelite Alliance", under the presidency of Adolphe Cremieux. Its main purpose was to educate and help Jews with a precarious social status.

After the Union of Moldavia with Walachia on 24th January 1859, the modern Romanian state was preoccupied to obtain the international recognition and to put the basis of the political and economical measures which enabled it to claim national independence.

The social structure, the economical cultural and linguistic condition of a greater part of a Jewish population in Romania restricted the integration of the Jews in the Romanian society.

A small part of them practiced liberal proffesions (bankers, lawyers, merchands and

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[1] Paul Johnson, *Intellectuals*, Oxford University Press, 1997, p. 117-119.

traders) which allowed them to live in the middle of great towns. A lot of Jews had stores, worked in fine industry, they were handcrafts, artists etc[1].

The Article 7 from the Romanian Constitution of 1866 offered the Romanian citizenship only for Christians.

After 1866, we can observe a competition between Jews and German, Austrian, French, Italian workers who came to Romania with a better labour technique. In the Romanian territories Bucovina (occupied by Austria in 1775) and Bessarabia (occupied by Russia in 1812) there were important Jewish communities living in small fairs (stetl) which faced many rising nationalist movements[2].

The Romanian society mainly confronted with the so called "Jewish issue", in the second half of the XIX-th century. This is a subject of reflection moreover because the constitutional regime from 1866 is presented sometimes as being intolerant (the antisemitism being a state institution), or as a liberal one, tolerant, the problem of antisemitism being an invention[3].

The legendary religious unity of the Jews was replaced in the real world by small groups living near synagogues with a well known rabbi.

Romania was the central field of competition betweeen the Russian orientation for the Renaissance of the Jewish language (hascala) and the stronger policy of Austria which would assimilate the other cultures in a greater one, namely the Austrian culture.

Among Jews, starting with the second half of the XIX-th century and in the frame of the struggle for obtaining the emancipation of integration, would appear a generation of intellectuals with liberal views, knowns as "the group of the 1870s"[4].

In 1876, in these difficult conditions, Abraham Goldfaden (1840-1908) founded the first proffesional theater in the world. The great Romanian poet, Mihai Eminescu, wrote many appreciative theatral chronicles regarding the performances of the Goldfaden's actors.

The historian Moses Schwartfeld (1857-1943) insisted on the performance in the Romanian language, but a great majority of the population saw the Yiddish dialect a chance of cultural renaissance for the unity of Jews[5].

The Jewish press represents another proof of the isolation of the Jewish population. The first Romanian newspapers were "Curierul Roman" (Bucharest, 1829) and "Albina Romaneasca" (Iassy, 1829). Twentysix years later, the first Jewish newspaper was founded, "Korot Haitim" ("Time events") in yiddish dialect at Iassy (10 October 1855).

The first Jewish newspaper written in Romanian was founded at 3 April 1867, "Israelitul Roman", having Doctor Iuliu Baras as chief editor[6]. Soon after a lot of journals were published in Romanian, French and Hebrew: "Timpul"-"Die Zeit"; "L'Echo Danubien", "Viitorul" ("The future"), "Rumanische Post", "Presentul" ("The

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[1] Ionuţ Şerban, Adi Horaţiu Schwarz, *Iluminsimul european şi influenţa sa asupra procesului de emancipare a evreilor*, în „Analele Universităţii din Craiova", Seria Istorie, Anul IX, nr. 9/2004, p.99-100.

[2] Wolf Tambur, *Yidisch presse in Romania*, Bucharest, Editura Kriterion, Bucureşti, 1977, p.55-57.

[3] Sorin Liviu Damean, *Carol I al României (1866-1881)*, vol. I, Editura Paideia, Bucureşti, 2000; Idem, *Carol I şi "chestiunea evreiască" (1866-1879)*, în vol. *"Istoria şi teoria relaţiilor internaţionale"*, coordonator Cătălin Turliuc, Antes, Iaşi, 2000, p. 208-215.

[4] Lya Benjamin (editor), *Evreii din România în texte istoriografice*, Editura Hasefer, Bucureşti, 2002, p.13.

[5] Carol Iancu, *Evreii din România (1866-1919)*, Editura Hasefer, Bucureşti, 1996, p. 167-168.

[6] S. Podoleanu, *Istoria presei evreieşti din România (1857-1900)*, Bucureşti, 1938, p.15-20.

present"),"Vocea Aparatorului" ("The defenders voice") etc.

Without citizenship rights, the Jewish population took part in the Independence war of Romania[1] according to the military law in 1876, 883 Jewish[2] soldiers were part of the Romanian troups which had an effective of 35000 soldiers[3].

A lot of charity foundations were founded (The Appeal of Israelite Women from the Capital), *Central Comitte of Jews from Bucharest*, *Zion Brotherhood*, *Spanish Israelite Court of Free Loans*, also the societies: *Ezra be Zarot (Help in Need)*, the society "*Romanizarea*", which helped the war effort of Romania. Two bank managers Michel Daniel and Hillel Manoah received the greatest Romanian decoration, the "Star of Romania".

The Jewish problem would become an international problem after the Russian-Turkish War of 1877-1878, in which Romania had a major contribution, gaining its own independence.

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[2] Carol Iancu, *op.cit.*, p. 67.

[3] Wolf Tambur, *op.cit.*, p. 57-60.

THE SOCIAL CONDITION OF THE WOMAN OF EQUESTRIAN ORIGIN IN THE ROMAN EMPIRE DURING THE PRINCIPATE

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Résumé:

   La femme de la famille équestre a eu un rôle important dans la unité de la famille romaine. Elles sont impliquées dans les affaires et les carrières des ses maris. Aussi elles ont participes activement à la victoire de procès de la romanisation contribuant en même temps à la domination romaine.

   Key words: woman, equestrian family, equites.

   In the equestrian family woman was irreplaceable as far as housekeeping, children and housework were concerned. Following closely her husband, whose military duties took him through the whole Empire, the woman of the Roman equites - whether a mother, daughter, sister, grandmother or stepmother - represents the bond that held together the equestrian family. With an entirely different vision of life than that of the women in Rome, she had to adapt herself to new situations and places, depending on the career of her husband, father, brother, son etc. Deprived of the society of the Roman courts or the public meetings of the Roman matrons, these worthy representatives of the female gender maintain in a more constant manner the Romans' ideal of feminine virtue through simplicity, devotion to the family and by raising children and taking care of the house. Owing to the distance to Rome, she is away from the depravation and the intrigues of the women reflected in the literary works, or the backstage power in the imperial palace.

   They have the special merit of taking the Roman life style to the provinces. By patience, abnegation, modesty and honesty, most of them are real heroines behind the Roman power. Always having to adapt herself to new places and situations, the woman of the equestrian order is a historic character of the Roman world, because, without her qualities the *equites* could not have been what they were.

   Whether they were Romans, peregrines, provincials or *clarissimae feminae*, they all helped their husbands' career. *Clarissimae feminae* played a crucial role in the double career of their husbands, because - as the studied inscriptions indicate - owing to them and especially due to their families - the *equites* were accepted *in amplisimum ordinem (the senatorial Order -s.n.).*

   The Roman women of equestrian origin, together with their husbands, brothers, sons, their masculine relatives, took Rome to provinces, to the entire world known at the time, each of them playing its role in the influencing process that Rome was exerting on the others.

   Many of them were born and died in *equites* families, while others, especially due to the prestige of their families, managed to join the rank of *clarissimae feminae* by marrying senators. Nevertheless, one can notice the unity of the Roman *equites*' family. Thus, a family included not only the members joined by marriage, but also their relatives,

especially the female ones, such as husbands' sisters or wives' sisters. This phenomenon was intended mainly to support the adaptation of the *equites*' women to new situations, to help them in housekeeping or children caring or – most plausibly – to meet husbands of equestrian origin in order to preserve the order's privileges. In many cases Roman *equites*' mothers went with their son's family, there were even grandmothers or mothers-in-law, which demonstrates the durability of this family, unlike the Roman urban family who is marked successively by divorce, disunion, ambiguity.

Just like their husbands, the women of this rank had a hierarchy, too, almost identical with theirs. The higher was the rank of the masculine relative, the more privileged was the women's position around him.

They formed, together with their husbands, the new middle class of the Ancient Rome, open to progress and involved in the trade process, almost holding the monopoly on trade in the provinces. Slavery was also profitable and providing good business prospects for the *equites* who took thousands of prisoners as war spoils, initiating a real slavery market. Fashion, luxury and trips abroad were specific to the Roman *equites*' women, due to the nature of their husband' career. They were the women about which Ovidiu used to say that their entire life they had to say a sad good-bye and go hundreds and thousands of kilometers away from their loved ones, the places they grew up in, the childhood friends.

The family bond is very tight, because in the funeral inscriptions there appear, alongside the wife, blood relatives or those by affinity. Although we are on Latin territory, people had a very low average life, as most of the women died around the age of 25-30 and men died between 40-45 years. The number of the equestrian couples' children that appear in the inscriptions is rarely bigger than two and there are many cases of twins, both masculine twins and especially twins of both genders, a fact proved by their names. There are rare cases in which children are not mentioned in the inscriptions. It is the case of very young *equites*, at their first or second military mission, usually unmarried, who leave their legacy to their sisters, thus becoming the executors of their brother's fortune. However, there are many very united families, because beside the young members one can find also the couple's parents and sometimes grandparents.

The Italic equestrian family had many familial values, which can be noticed in the use of many epithets regarding the deceased members, such as: *dulcissimus puer, dulcissima filia, karissimus maritus, karissima coniux, optimus pater*. For many women of humble origin, marrying a member of the equestrian order represented a great *honor*, as they practically joined the ruling classes of the ancient Rome. Quite rare in the Italic territory, there are many such cases in the provinces. There are some cases when freedwomen joined the equestrian order by marriage, but this would not have negative effects on their children, as they would follow an equestrian career just like their fathers.

Women's names in the Roman *equites*' families are mostly Latin and in many cases it is presented the women's filiation and sometimes their tribe in order to highlight the prestige of the woman's family. Many *equites* went to Rome after accomplishing their military duties, as they and their families were practically rewarded by getting functions in the Roman central administration. Some of them became *adlecti* after the fourth militia.

We tend to believe that most of the *equites* in Italy worked in the administration, which is they acted as procurators. In Italy those functions were the most important, after the function of Prefect of Egypt. It is possible they had been connected with commercial or financial prefectures or with that of *Annona*. It is possible that all these *equites*, after finishing their equestrian military duties, would come back home, at their birth place, where they had inherited their parents' fortune. In this way could be explained the

existence of the parents and parents-in-law in the inscriptions. Even the building of some inscriptions required a financial effort that should not be neglected. This would be another proof of the fact that the equestrian families were very united.

Just like the women in Italy, those in the European provinces died at a very young age. The fatidic age is around 27 years and the death rate of the women of equestrian rank is between 20 and 30 years. Superlatives such as *karissima, dulcissima, pietissima* or even *sanctissima* prove once more the confirmation of the conjugal happiness in the Roman families, which included mutual respect, appreciation and affection, so when one of the couple's members died, he or she would leave behind an emptiness that could not be described by simple words but only by superlatives. Romans' children also died quite often in the provinces at an age between a few months and a few years. An amazing fact of the studied inscriptions is the finding that the number of the boys who died in the childhood is bigger than that of the girls. The boys' name is often that of the father and also of the mother, while girls got as *praenomen* the diminutive of their mother's name, but if they were the first born of the family they got (almost entirely) the *praenomen* of the father.

The husbands' career was very important for their wives, and there were many cases in which the career was written decreasingly on their funeral monuments. The *equites*' sisters and mothers never forgot to mention this detail and most of the times it was transcribed the last militia, considered honorable, while the first one was omitted either on purpose, or because of lack of space.

In many cases the *equites*' family was very numerous, as he was taking care not only of his wife and children, but also of his (unmarried) sister, his mother or even grandparents. The fact that the sister was living with her brother's family probably was an opportunity to marry a knight or to help her brother's wife in the housework. Whichever the motives, they demonstrate powerful bonds between the members of a family.

Religious beliefs are much better represented in the inscriptions in the European provinces than in Italy. Most of them are dedicated to some Roman gods: Diana, Mars, and Jupiter, but also to some obscure gods: Achata, Dea Fortunata. There are also some names of sacerdotal duties, like *arhiereia.*

Women had a primary status, whichever their provenience family was. They were respected, well taken care of and when they died, they were irreplaceable, the epithets addressed to them confirming this for the family. The non Roman wives of *equites* would adopt the Roman traditions, too, even only by the fact that they dedicated inscriptions after the model of the Roman ones and their children got Roman names - *tria nomina*, whenever they were mentioned in the inscription.

The women of the Roman *equites* from provinces had some advantages in comparison with those in Rome. They were free to administrate their fortune and they are often mentioned in the inscriptions as *heres*. Especially in the fully Romanized provinces (Hispania, with all its divisions - Tarraconensis, Baetica etc.) some of the Roman equites' women are *clarissimae feminae*.

In some inscriptions of the European provinces also appear the terms of *flamen* or *decurio*, placed after the equestrian career of the character. *Decurio* designates a public function in the local council of the citadel and the term of *flamen* – a religious function – is undertaken also by the wives of these Roman *sacerdotes*, most of them from an equestrian family, which makes us think that this function was the *equites'* appendage. It was a dignity that was never omitted from a knight's CV, if he had performed that function.

In many occasions we can find imperial employees in the inscriptions, especially since they represented the imperial administration, a central mechanism of the imperial

power, which provided the emperor the necessary data and tools for solving all the state problems.[1]

In the European provinces there were some women of the Roman equites who enjoyed a good social position. They are wives, sisters or mothers of *procurator, aedil, decurion* or even of *legati Augusti pro praetore questori, flameni* or *pontifi*. That is why in many inscriptions there appears the *clarissima femina*. We don't know whether this designation was taken after her husband had become *adlectus in amplissimum ordinem* or whether she came from a senatorial family. If we take into account the second hypothesis that means that a wife of senatorial rank could provide her husband some relations with the upper class and a very quick promotion.

Most of the equestrian employees were present in the highly Romanized provinces, such as Hispania Baetica, Lusitania, Gallia or in those who had a powerful army like Pannonia, Moesia. Many employees of equestrian rank were decurions and it appears that this title was inherited.[2]

In the inscriptions one can find mentions of marriages between *equites* and inferior rank women (freedwomen, slaves or plebeian women), although it was prohibited the marriage between plebs and patricians (*ingenui*, it appears that *Ingenua* designates the senatorial origin, too) until the rule of Augustus, who - by approving *Lex de maritandi ordinibus* - permitted it, although he forbade senators' marriage to freedwomen.[3] So, the *equites* were allowed to do it. The transfer of goods between the legitimate consorts (*coniux* and *maritus*) was perfectly legal. In this type of family, the succession rights of the surviving wife aren't different from those of the children.[4]

That is why the notions of *heres* that we find in the inscriptions; beside the deceased's wife appear also the children. *Uxor* could benefit, too, of the husband's will through which she inherited the fortune.[5]

There are also some women from equestrian families in Dacia. The organization of the newly conquered province was a complex process. It started first by building roads, *castra* and cities. Even Traian accomplished in his broad plans the Romanization of Dacia and creating the three provincial armies.[6]

In Dacia there was, too, a great number of *procurator* and *flamen.*

In the European provinces we notice that many *equites* became procurators. Grouped in categories, their duties could be:

- Administrators of emperor's goods – *procurator patrimonii*
- Chiefs of diverse offices
- *Procurator hereditatum*
- Governors of some provinces with procuratorial rank: Raetia Noricum, Thracia, Dacia Inferior and Dacia Porolissensis.[7]

Their wives proved to know very well these administrative duties and in some inscriptions they include their appellatives, too, such as *ducenarius, vir perfectissimus, vir eminentissimus*. The *ducenarii* were paid with 200.000 sestertium and the former prefects of the fleet, *annona*, got the designation of *vir perfectissimus*. *Vir eminentissimus* was the

[1] Valerius M. Ciucă, *Lecţii de drept roman*, vol. I, Editura Polirom, Iaşi, 1998, p.25.

[2] *Ibidem*, p.188.

[3] *Ibidem*, p.191.

[4] *Ibidem*, p.198.

[5] *Ibidem*, p.199.

[6] Constantin C. Petolescu, *Auxilia Daciae*, Editura Ars Docendi, Bucureşti, 2002, p.52.

[7] *Ibidem,* p.65.

designation for a former prefect of the Praetorship.

Many women are wives of *praefectus fabrum,* which was considered a type of militia. Certain *equites* used to live and rose in a career in their native cities. But the equestrian order was also open to the local notabilities. *Primipilli* and some non-commissioned officers in the Praetorian Guard become *equites. Duumviri* of the cities (found very often in the inscriptions from the European provinces), main provincial magistrates, could join the equestrian order, but only their sons got functions in procurator ships and prefectures.[1]

The council of decurions led the religious life, set the calendar of holidays, voted on the local budget, controlled the municipal finances and designated the doctors and teachers. In many provinces and especially in the Hispania (Tarraconensis, Baetica) provinces the decurions were former *equites*.[2]

These procurators had a privileged status. In the European provinces they were especially *ducenarii* and, together with their families, they enjoyed some privileges: concerning the conscription, the promotion or financial, juridical, honorific (double career) privileges.

There are fewer inscriptions from the African and Oriental provinces, but they are very important. There are some very influent characters, many wives of equestrian procurators. Drusilla, the wife of the procurator in the Iudeea Marcus Antonius Felix province; Funisulana, the wife of a *praefectus Aegypti* Caius Tetius Africanus; Aelia Flavina, the wife of Classicus, *procurator Augusti provinciae Mauretaniae Caesariensis*; Asidonia Galla, the wife of Iulius Fidus Aquilla *epistrategos Thebaides.*[3]

Unlike those from the European provinces, the women from these provinces are mostly Roman, a few Greek but very few Oriental. This was possible due to the developed economy of the African provinces, many of them probably being daughters of tradesmen. Many of these provinces are kingdoms under the rule of Rome.

Trade with the Orient was very active. Incense was imported from the Arabian Peninsula and that is why a militia in the Orient was very important. From the demographic point of view, in Asia and the African provinces there were almost 30.000.000 inhabitants.[4]

Women's social status was admirable, especially since in the Orient and Africa there were the most of the *trecenarii* procurators.[5] Many decurions' wives detained – in the African provinces, especially that the required census for a decurion was very high - 100.000 sestertium in Cartage and 20.000 in Africa.[6]

The army in the Orient and Africa had the following structure: 3 legions in Syria, 1 legion in Judea, 2 legions in Egypt to the end of the Roman Empire. This could be an explanation for the numerous inscriptions from Numidia, Syria, Egypt etc.

The African women especially had an enviable social status and they came from Punic or Romanized Libyan families, as for example Fabia Bira, daughter of Zelta. In this case, too, decurions appear in most of the inscriptions. The Roman *equites*' wives dealt their husbands' business. So, there are sources that prove the fact that *praefecti Aegypti*

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[1] Eugen Cizek, *Istoria Romei*, Editura Paideia, Bucureşti, 2002, p.283.

[2] *Ibidem*, p.284.

[3] H.G. Pflaum, *Les carrières procuratoriennes équestres sous le Haut-Émpire Romain,* 3 vol., et 1 atlas, Bibliothèque archeologique et historique, Paris, 1982, p.303.

[4] Eugen Cizek, *op. cit.*, p.279.

[5] Constantin C. Petolescu, *op. cit.*, p.65.

[6] Eugen Cizek, *op. cit.*, p.284.

wife made a transaction of 1.600 drachma buying a land at Hermopolis Magna.[1]

The Roman *equites*' women are worthy of admiration because they used to follow their husbands in the missions, some of them even on the battlefield. Even if they had soldiers at their disposal, their life was quite difficult. They were criticized for interfering in the affairs of the army.

The procurators' wives of equestrian rank were accused by some political figures in Rome of interference in their husbands' professional affairs, especially by mediating between some provincials or indigenous elements and the Roman administration.

Placina is the wife of a knight who assists beside her husband at the military troops' maneuvers under her husband's command, which will provoke a real campaign in the Senate in order to eliminate the feminine presence form the army.[2]

On this occasion, Caecina made a speech against women who used to accompany their husbands, brothers or fathers at the place of the mission. Drusus defended them by invoking the example of Augustus, who was always accompanied by Livia.[3]

There were also some positive examples, like Seneca's aunt. She was always reserved, impartial and neutral as far as her husband's profession and missions were concerned. The Roman philosopher's mother wasn't much different, either, having a flawless life.[4]

There are many cases when foreign women from tribes conquered by Rome joined, by marriage, the equestrian order. Such is the example of Drusilla, king Emessa's wife, who left her husband for the Roman procurator, which led to the infiltration of many foreign elements in the Roman power factor.[5]

It seems that this used to be a practice among the *equites*, because there are many inscriptions in which foreign women appear as wives of Roman *equites*. Also, the number of the children was higher, which makes us think that they were very appreciated by their husbands because they give birth too many children, one of the qualities required at a woman. Although they were of foreign kin, their children got a Roman name, which demonstrates that they decided to have a Roman life, adopting all the Roman believes and traditions.

The everyday life of the Roman *equites*' women wasn't ineffectual, as there were special resorts for the *equites*, especially in Sardinia and Sicilia, and they could visit with their husband historical relics, like the ones in Egypt, where there were real touristy routes frequented by the members of the equestrian order. So it indicates the existence of a sort of holidays, probably meant for reuniting the equestrian families.

In the family, too, women were very active, as they dealt with their husbands' fortune and business. The wife of a prefect of Egypt bought a field at Hermopolis Magna in order to invest a sum of money that could depreciate. They also took care of children, who went with their families at the places designated for their father's missions.[6]

In the III-rd century, the Roman *equites*' women frequently went with them on the battlefields and helped them in their business. They were implicated in all the events, getting even titles with political and military resonance, like *mater senatus et castrorum et Patriae*. They had to be pragmatic, as their world was one of the affairs, both political and

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[1] H. G. Pflaum, *op. cit.*, p.307.
[2] *Ibidem,* p.299.
[3] *Ibidem,* p.301.
[4] *Ibidem,* p.302.
[5] *Ibidem,* p.306.
[6] *Ibidem,* p.307.

economical. They also had to take into account the etiquette of their house, family and husband. Most of them respected the old traditions, as activities like spinning, sewing or clothes-making.[1]

The Roman *equites*' woman fitted very well in the feminity patterns of the Romans that are in the Roman ideal of woman. Maybe the women of equestrian rank are the ones who defend morality, virtue and moral tradition of the Roman family. As it results from many inscriptions, it seems that many women, although they became widows, didn't remarry and this was also the case of their husbands.

It was required that a woman of equestrian rank should have some values of the feminity, conceived by the Romans:

1. *univira* – to be the wife of a single man, \
2. *pudicitiae* – to be pure,
3. *nobilitas* – to come from an ancient and traditional family,
4. *opes* – to be healthy,
5. *fertilitas* – to be able to bear children,
6. *forma* – to be beautiful,
7. *collega* – to be a good companion for her husband, to accompany him for better or for worse.[2]

At Romans, girls were considered adults at the age of 12 and the boys at 17. Nevertheless, they didn't get marry at that age. We tend to believe that the girls of equestrian rank used to get marry quite young, because they had to follow their husband in the militia. As one can notice from many inscriptions, many *equites* were already married during their first militia, so they had married before.

In a world in which families were more and more torn apart and there were many divorces, the *equites*' women managed to keep off this kind of family life. They have truly domestic qualities, as they are docile, gentle, they do housework, own *pietas*, dress themselves modestly, fight for the common good of the house and family.[3]

The marriage of legates, tribunes and prefects wasn't subjected to any interdiction regarding the ethnicity of women. That is why many of them will marry women from the provinces where they served, being more a political order than a subject of law.[4]

So, it results that these marriages were not accidental and one can clearly see from the inscriptions that they were initiated due to a Romanization politics. There are many foreign women, especially in the African provinces, where many of the main luxury products of Rome came from: gold, gems, ivory and ebony. Nevertheless, they become romanized because they will embrace Roman traditions and their children will get Latin names.

Many women of equestrian origin from the upper levels in the hierarchy of this order will be involved in the political assassinations. Aelia Iunilla was the daughter of

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[1] Renée Cagnat, *À travers le Monde Romain,* Éditeurs Fontemoing et C-ie, Paris, 1912, pp.74-76.

[2] Karl Christ, *The Romans,(An introduction to their history an civilization),* translate from the Germane by Cristopher Holme, Publisched by the University of California Pres Berkley and Los Angeles, 1984*.,* p.101.

[3] Robert Étienne, *Viaţa cotidiană la Pompei,* Traducere şi note de Horia Vasilescu. Cuvânt înainte de Răzvan Teodorescu. Editura Ştiinţifică, Bucureşti, 1970,, pp.207-210.

[4] Jean M. Lesquier, *L´armeé romaine d´Égypte d´Aguste à Dioclétien.* Mémoires publiés par les membres de l´Institut français d´Archeologie Orientale du Caire sous la direction de M.George Foncart, Tome quarante et unième, Imprimerie de de l´Institut français d´Archeologie Orientale du Caire, Le Caire, 1918 *,* pp.262-277.

Lucius Aelius Seainus, praetorian prefect, and was murdered in the political fights about revenging her father. [1]

If the Empire bloomed owing to the Roman *equites*, the executive power representatives of the emperor, this is due also to their women, who accompanied them and took care of their children, the future *equites.*

The equestrian women are actually a link in the Romanization chain, the success of Roma in the world. Roman or foreign, former freedwomen or noblewomen, the women from the Roman family of equestrian origin were the real pioneers of Rome, the *equites* of their family on the battlefield of the house and through their abnegation they proved that one can live also in Rome and at its borders, across seas and countries. If their husbands did their duty, if their sons and brothers were able to cross the Empire of the Eternal Citadel, from north to south and from east to west, this is also due to the moral support of their wives, mothers, daughters or sisters. They represented a little Rome for these Roman *equites* and administrators of Rome.

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OSTRACISM IN THE ATHENIAN SOCIETY, BETWEEN A DEMOCRATIC RULE AND A POLITICAL WEAPON

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Abstract:

The article reveals the evolution of the ostracism, an institution created by Cleisthenes, for the protection of the democratic system which was used almost in all the cases against politicians who became influent under the presumption that they would to settle the tyranny. Great personalities as Aristides, Themistocles, Cimon, who saved the Athenian democracy were condemned at ostracism because they had a political ascendant over the Athenian government.

Key words: Athenian society, democracy, ostractism

The Athenian democracy was the model of the Ancient European history developed since 683 B.C., after the end of the king's rule, the Athenian collegial government transformed in a democracy starting from 594 B.C., after Solonian reforms[1].

Solon, a law-giver decided to have a period of ten years of self-exile for providing the necessary period for evolution of his reforms. After the tyranny of Peisistratos and his sons (561-527 B.C.), another law-giver, Cleisthenes implemented a system based on an efficient civic organization. He kept the Solonian reforms, organized the Civic corps and introduced a new measure of protection of the city against tyranny. It was the ostracism, a ten years exile for the person considered dangerous for the city, inspired undoubtedly by the Solonian self-exile. The ostracism was seen as a security measure, a disposition of political protection. The condemned to ostracism might leave de city, but his fortune, his family were untouchable[2].

After a time, necessary for reflection and enquires, the condemned could be exonerate for his fault and his political rights reestablished, or could be faced to a process in case of new evidences concerning his guilt (bribery, stolen money, for the public treasury, treason). The sentence could be death, prison, or the most important, civic degradation – *atimia*, for him and for his family[3].

The name[4] *ostracism* comes from the shells or the fragments of pottery (in Greek *ostraka*[5]) on which the members of the Athenian Assembly wrote the name of

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[1] *** *Der Grosse Ploetz, Die Daten Enzyklopadie der Weltgeschichte*, Ploetz Verlag, Freiburg, 1999, p. 135-136.

[2] Adelina Piatkowski, *O istorie a Greciei Antice,* Editura Albatros, Bucureşti, 1988, p. 116-117.

[3] *Ibidem*, p. 151.

[4] *** *Oxford Classical Dictionnary*,Oxford, 1996.

[5] Mabel Lang, *Ostraka*, Athens, 1990, *passim.*

the citizen found guilty. There were necessary 6 000 votes on shells for the approval of the sentence of ostracism.

In time, the ostracism was used against political persons who could represent a real or presumptive danger for the democratic system, or for the interests of the leading political group.

During the period between battles of Marathon (490 B.C.) and Salamis (480 B.C.), is located the first application of the ostracism, to a relative of Peisistratus, Hipparchos son of Charmos in 487 B.C. [1].

We can observe that the first sentence was pronounced, after twenty years from the reforms of Cleisthenes, which made some historians to consider that the measure was introduced after the administrative rule of Cleisthenes[2]. A great Athenian leader, Themistocles would impose the development of the Athenian fleet, but had an opposition from Aristides known as "The Right Man", the chief of traditional wing of the Assembly and of the "hero" of Marathon battle, Miltiades who would impose the infantry fight system which was successful at Marathon. Under the presumed accusation of tyranny, Aristides was ostracized in 482 B.C.[3]

The sources present a comic situation, but relevant for that time and for us, which explains the method of the action. An old citizen, analphabet on the day of the trial of Aristides, pleased Aristides to write on his shell the name "Aristides" (Plutarch, *Life of Aristides*, VII). Then Aristides understood that the old man did not recognize him and after he wrote his own name on the old man's shell, asked: what was the reason for voting against Aristides. The old man told him that he was upset on the good name of Aristides[4].   We can understand that the sentence of ostracism against Aristides was a set-up, the votes being "collected", for having the majority. In the following years there were a lot of sentences of ostracism: in 486 B.C., Megacles son of Hippocrates, Cleisthenes' nephew (ostracised twice); in 485 B.C.,   Kallixenos another nephew of Cleisthenes and head of the Alcmaeonid family; in 484 B.C., Xanthippus son of Ariphront, the father of Pericles.

In 473 B.C., Themistocles was ostracized, because he was considered a potential threat for the democratic system[5]. The sources talk about 190 fragments of pottery with the name of Themistocles, found in an ancient fountain, which had the mark of the same hand[6]. There are only two evidences of the set-up made during the ostracism vote[7].

In 461 B.C., Cimon (Plutarch, *Life of Cimon*, XVII)[8], the son of Miltiades, and the hero of Eurymedon (468 B.C.),   organized an expedition for helping Sparta destroyed by an earthquake, which determined an uprising of helots. Sparta refused the Athenian help, dishonoring the Athenian state. The Athenian Assembly decided

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[1] *** *Brockhaus Enzyklopadie,* Band 22, F.A. Brockhaus, Mannheim, 1993, p.76.

[2] R.Thomsen, *The Origin of Ostracism,* , Copenhagen, Gyldendal, 1972, apud Edmond Levy, *Grecia în secolul V de la Clisthenes la Socrate*, Editura Universitas, Bucureşti, 1998, p. 189.

[3] Moses I.Finley, *Vechii greci*, Editura Eminescu, Bucureşti, 1974, p. 197.

[4] Costas Martin, *Grecia Parthenonului*, Editura Prietenii Cărţii, Bucureşti, 1996, p.134-136.

[5] Nigel Spivey, Michael Squire, *Panorama lumii clasice*, Editura All, Bucureşti, 2007, p. 170-171.

[6] Lucian Amon, Florian Olteanu, *Themistokles, o figură emblematică a societăţii ateniene din secolul al V-lea a.Chr.,* în „Revista Universitară de Ştiinţe Sociale", Anul I, nr. 1, Editura Universitaria, Craiova, 2004, p.17.

[7] Pierre Levecque, *Istoria universală*, vol. I, Editura Rao, Bucureşti, 2005, p.322.

[8] Plutah, *Vieţi paralele* (trad. N.I.Barbu), vol. I, Editura Ştiinţifică, Bucureşti, 1960.

the ostracism of Cimon, who died in Cyprus during an expedition, short time after the revocation of the ostracism[1].

In 460 B.C. was ostracized Alcibiades the son of Kleinias, and the grandfather of Alcibiades (Plutarch, *Life of Alcibiades*, XIII); in 457 B.C., Menon son of Meneclides; in 442 B.C., Thukydides son of Milesias and in 440 B.C., Callias son of Didymos and Damon, the son of Damonides. After the plague provoked by the overpopulation of Athens behind the Long Walls, ordered by Pericles in 430 B.C., Pericles himself (Plutarch, *Life of Pericles*, XIV) could be ostracized, but he died by plague in 429 B.C. The last sentence of ostracism was pronounced in 416 B.C., against Hypperbolos son of Antiphanes[2]. The main argument for the ostracism was the fear of tyranny, but when started the attempts to settle a tyrannical regime and were stopped the democratically exercise is difficult to pronounce.

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[2] J.B. Bury, Russel Meiggs, *Istoria Greciei*, Editura All, Bucureşti, 2006, p. 207.

THE SOCIAL ORIGIN OF CERTAIN PRINCES FROM WALLACHIA AND MOLDAVIA IN THE 16TH CENTURY

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Resumé:

Dans le 16-ème siècle la suzeraineté ottomane a été très accentuée dans les pays roumains; l'origine sociale et les règles de succession n'ont été pas respectées. Quelques princes ont monté sur le trône sans avoir une origine sociale et politique très fameuse. Neagoe Basarab a ètè le fils d'un boïar de Valachie et Jacques Heraclid le Despote n'a pas eu une descendance princière; une autre prince, Radu Paisie, a ètè le prieur d'une monastère de Valachie et, du point de vue social, membre dans l'ordre des prêtres (oratores). La situation politique exceptionnelle du 16-ème siècle a déterminé des nouvelles règles sociales dans le Moyen Âge roumain.

Key words : *prince (prince), social origin (origine sociale), succession (succession)*

"There were people that yesterday or, in a word, not long ago, used to crunch acorns and chew meat of Pontic pig [dolphin] and now are expressing shamelessly their intentions and pretensions to the imperial dignity"; this is how Nicetas Choniates, a famous Bzyantine chronicler, described the possible social origins of a future emperor in the Byzantine Empire[1]. Born on the shore of Bosphorus and inheriting from the Roman Empire the absence of a succession law to the throne, the Byzantine state was a political scene for endless fights among the "actors" who aspired to the imperial crown[2]. Everyone could be involved in this confrontation for the political power: the emperor's relatives, the high dignitaries of the state or the people coming from the lower categories of the Byzantine society; "there was no imperial family of royal blood – a French Byzantinist wrote at the beginning of the last century – the most humble men could aspire to the throne"[3]. Otherwise, the Byzantine society, from top to bottom, was a continuous source of potential emperors.

This political circumstance influenced the medieval countries from the southeastern part of Europe. In the Serbian society, because "the hereditary principle was

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[1] S.B. Daşcov, *Dicționar de împărați bizantini [Dictionary of Byzantine Emperors]*, translated by Viorica Onofrei and Dorin Onofrei, Bucharest, Enciclopedic Publishing House, 1999, p. 21.

[2] For a survey of the emperors who lost their lives in this kind of fights, see George T. Dennis, *Death in Byzantium*, in "Dumbarton Oaks Papers", no. 55 (2001), p. 1, 4-5.

[3] Charles Diehl, *Byzance. Grandeur et décadence*, Paris, Flammarion, [1926], p. 137.

not completely developed", the sovereign had to elect his successor from the dynasty[1]; there was no clear succession law for the throne, but, unlike in the Byzantine Empire, the number of the claimants was reduced to the number of the members of the royal family, until the middle of the 14th century, the Nemanja family.

The situation was somehow similar in medieval Wallachia and Moldavia. The princes had to have royal blood or, if it is to use an expression of the epoch, they had to have "princely bone". In 1527, the Moldavian boyars gathered to elect the new prince; Grigore Ureche wrote in his annals that, in the end, Peter Rareş was chosen because "he was found and proved from Stephen's [princely] bone"[2]. What did that mean? In the Romanian medieval ideology, the throne could be taken by everyone who was a relative of a former prince. In Moldavia, "both the legitimate and illegitimate sons – Georg Reicherstorffer, a foreign traveler in the Romanian medieval space, observed – follow to the reign without any difference… the same situation occurs in Wallachia as well and it happens there very often"[3]. In extreme situations, no succession rule was respected; when referring to a new prince of Moldavia, which was supported by the sultan, Andrew Cornea's boyars, who were afraid of possible ottoman military attack, wrote: "… if he [the sultan] had chosen as a prince a gipsy or an Arabian, we would have accept him"[4]. Beyond the xenophobe meaning of this last fragment, one can understand very well that in certain political circumstances, the social origin was no longer important in electing or accepting a new prince.

This situation of accepting a prince without a royal origin occurred several times in the Romanian Middle Ages, during the 16th century. The first important example was Neagoe Basarab[5]. Arrived on the throne of Wallachia in 1512[6], Neagoe entitled in his documents as "the son of the good Basarab", "the son of the great Basarab"[7] and, more obvious, "the son of the very good Io Basarab the Younger"[8]. Therefore, he tried to present himself as the son of a former prince of Wallachia, Basarab the Younger or Basarab Ţepeluş. His contemporaries described him as a boyar's son. Hasan pasha, the beylerbey of Rumalia, in a letter addressed to the prince Selim, the future sultan Selim I, depicted Neagoe Basarab as "Pârvu [Craiovescu]'s son (*Pârvul-oglu*)" and "without [princely] origin (*Bi-asl*)"; several Wallachian boyars, in a memorial sent to the Porte, wrote that

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[1] Francis Dvornik, *Slavii în istoria şi civilizaţia europeană [The Slavs in European History and Civilization]*, translated by Diana Stanciu, Bucharest, All Publishing House, 2001, p. 126.

[2] Grigore Ureche, *Letopiseţul Moldovei [The Annals of Moldavia]*, afterword and bibliography by Mircea Scarlat, Bucharest, Minerva Publishing House, 1978, p. 99.

[3] Paul Cernovodeanu, *Societatea feudală românească văzută de călători străini (secolele XV-XVIII) [The Romanian Feudal Society Seen by Foreign Travellers (15th-18th centuries)]*, Bucharest, The Publishing House of the Romanian Academy, 1973, p. 87.

[4] Nicolae Iorga, *Scrisori de boieri. Scrisori de domni [Boyars' Letters. Princes' Letters]*, 3rd edition, Vălenii de Munte, 1931, p. 25.

[5] Several important information about this problem in my article *Neagoe Basarab and the Succession to the Throne of Wallachia*, in „Analele Universităţii Bucureşti. Seria Istorie", year LIII, 2004, p. 37-52.

[6] Constantin Rezachevici, *Cronologia critică a domnilor din Ţara Românească şi Moldova, a. 1324-1881, I. Secolele XIV-XVI [The Critical Chronology of the Princes from Wallachia and Moldavia, a. 1324-1881, I (14th-16th Centuries)]*, Bucharest, Enciclopedic Publishing House, 2001, p. 145.

[7] *Documenta Romaniae Historica*, B. *Ţara Românească [Wallachia]*, vol. II *(1501-1525)*, Bucharest, The Publishing House of the Romanian Academy, 1972, passim.

[8] *Ibidem*, p. 250.

"Barbu [Craiovescu], saying that Neagoe, Pârvu's son (*Pârvu-oglu Neagoe*), is a son of a ruler (*Beizade*), rose the arms to appoint Neagoe as a voivode", although – the boyars wrote in the same memorial – "our subjects and all the inhabitants of our country know that Neagoe is not a son of a prince (*Beyoglu*) and, in our opinion, he is a son of a knight (*Sipahi*)"[1]. In a diplomatic account, issued from Buda on November, 10th, 1521 it is mentioned "un fratello dil padre di ditto Theodosio, nominato Pedra"[2]. Therefore, "Theodosios' father" – namely Neagoe Basarab – had a brother called Preda (*Pedra* in the Italian document), who could only be Preda Craiovescu, great *ban* between 1520 and 1521 and who was Pârvu Craiovescu's son[3]. In *Saint Niphon's Life*, it is mentioned "... a boyar's son, whose name was Neagoe"[4]. All this contemporary sources depict Neagoe Basarab as Pârvu Craiovescu's son; it is obvious that the Wallachian prince from the beginning of the 16th century tried to build a fake princely descent in order to justify his succession to throne.

Another important example of a prince, who had an interesting social origin before taking the throne, was Radu Paisie. He became the ruler of Wallachia in 1535[5] and before taking the crown, he had a very interesting social and religious evolution. He was Radu the Great's illegitimate son and his baptismal name was Peter. Later in his life, he entered the monastery Curtea de Argeş, where he changed his name in Paisie and he became the abbot of that monastery. In June 1535, the boyars from Wallachia elected him as a prince and he changed his name for the third time, from Paisie to Radu[6]. Both Radu Paisie in a document from 1540, February, 18[th7] and the chronicler Radu Popescu[8] wrote about the names that the Wallachian voivode had during his life. How can this situation be "seen" from a social point of view? It is very well known that the medieval society was divided in three parts: *oratores*, *bellatores* and *laboratores*[9]; this division was respected in Europe at the beginning of the 17th century and a good example was the book *Traité des Ordres et Simples Dignitez*, published by Charles Loyoseau in 1610[10]. Less than a century earlier, in

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[1] Mustafa A. Mehmet, *Două documente turceşti despre Neagoe Basarab [Two Turkish Documents about Neagoe Basarab]*, in "Studii.Revistă de istorie", t. 21, 1968, no. 5, p. 921-930.

[2] *Documente privitoare la istoria românilor culese de Eudoxiu de Hurmuzaki [Documents concerning the History of the Romanians compiled by Eudoxiu de Hurmuzaki]*, vol. VIII *(1376-1650)*, Bucharest, 1894, p. 51.

[3] Ştefan Ştefănescu, *Bănia în Ţara Românească [The* Bănia *in Wallachia]*, Bucharest, Scientific Publishing House, 1965, passim.

[4] This hagiographic source will be quoted from *Literatura română veche (1402-1647) [The Old Romanian Litterature (1402-1647)]*, I, edited by G. Mihăilă and Dan Zamfirescu, [Bucharest], 1969, p. 76.

[5] Constantin Rezachevici, *op. cit.*, p. 192.

[6] Stoica Nicolaescu, *Domnia lui Radul Vodă Paisie şi a fiului său Marcu Voevod. 13 iunie 1535 – 17 martie 1545 [The Reign of Radu Paisie Voivode and of His Son Marcu Voivode 1535, June, 13th – 1545, March, 17th]*, in "Arhivele Olteniei", year XVII, 1938, no. 97-100, p. 193-194; C. Rezachevici, *op. cit.*, p. 192-196.

[7] *DRH*, *B*, IV, p. 115, 117.

[8] Radu Popescu, *Istoriile domnilor Tărâi Rumâneşti [The Histories of the Wallachian Princes]*, ed. Mihail Gregorian, Bucharest, Minerva Publishing House, 1984, p. 57.

[9] Franco Cardini, *Războinicul şi cavalerul [The Warrior and the Knight]*, in *Omul medieval [The Medieval Man]*, coordinated by Jacques Le Goff, translation by Ingrid Ilinca and Dragoş Cojocaru, afterword by Alexandru-Florin Platon, Iaşi, Polirom Publishing House, 1999, p. 71.

[10] Georges Duby, *Cele trei ordine sau imaginarul feudalismului [The Three Orders or the Imaginary of the Feudalism]*, Bucharest, Meridiane Publishing House, 1998, p. 9.

Wallachia a member of the *oratores* order, the abbot Paisie, became the prince of Wallachia, Radu Paisie.

The last example is that of James Heraclid the Despot, who was ruler of Moldavia between 1561 and 1563. Greek by origin, born probably in the Samos island[1] and without any important social origin, Despot tried to legitimate his princely ambitions by describing himself as a royal descendent. His secretary, Johan Sommer wrote that Despot "concocted a fictitious family name and wanted, by hoax, to obtain the friendship of those strong"[2]. Antonius Maria Gratianus also exposed "the tale" of Despot's family: "He was telling himself that he was born from Wallachians and his ancestors reigned there; in this respect, he was spinning a very well concocted yarn"[3]. The same situation was described by the Moldavian chronicler Azarie, who wrote in his annals that "in the ninth year of Alexander[4]'s reign, someone called Despot raised… naming himself a son of a prince"[5].

At the end of the presentation of these three princes, who had diverse social origins, it can be said that the succession rules were not completely respected in the Romanian 16th century. The prince did not have the obligation to be of royal blood or "princely bone" and, in this way, the throne was occupied by a boyar's son (Neagoe Basarab), by an ex-member of the *oratores* order (Radu Paisie) or by a foreigner with no social position (James Heraclid the Despot). In a century in which the Ottoman suzerainty was overwhelming, the old political and social rules were avoided.

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[1] Constantin Rezachevici, *op. cit.*, p. 633.

[2] Johannes Sommer Pirnensis, *Viaţa lui Iacob Despot, principele moldovenilor [The Life of James Despot, the Prince of the Moldavians]*, in Johannes Sommer Pirnensis, Antonius Maria Gratianus, *Viaţa lui Despot. Istoriografia Renaşterii despre români [Despot's Life. The Renaissance Historiography about Romanians]*, edited by Traian Diaconescu, Iaşi, The Publishing House of the European Institute, 1998, p. 19.

[3] Antonius Maria Gratianus, *Despre Ioan Heraclid Despot, principele valahilor [About John Heraclid the Despot, the Prince of the Wallachians]* (*ibidem*, p. 119).

[4] Alexander Lăpuşneanu.

[5] *Cronica lui Azarie [Azarie's Chronicle]*, in *Cronicile slavo-române din secolele XV-XVI [The Slavo-Romanian Chronicles from 14th-16th Centuries]*, published by Ioan Bogdan, ed. by P.P. Panaitescu, [Bucharest], The Publishing House of the Romanian Academy, 1959, p. 142.

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THE CONCEPT AND THE SOURCES OF THE INTERNATIONAL LAW OF HUMAN RIGHTS

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Abstract :

La source de loi indique le matériel et les lieux sociaux qui déterminent la substance et la forme de normes juridiques. Les sources principales de droit international des droits de l'homme sont le traité international et la loi usuelle internationale.

Key words: law, human right, protection

The state of law insures respect for the law in the entire system of the norms of society. An essential principle of the state of law is the separation of the powers in the state, which has the role to guarantee the legal character of the functionality of the society[1].

Fundamental human rights represent the ensemble of rights, liberties and obligations recognized all over the world. The origin of the preoccupation to protect fundamental human rights is found in the struggle for auto-determination, independence and equality, led by the people through centuries.

The events that took place before and after the Second World War initiated the general belief that the international protection of human rights represents one of the most important conditions for global peace and for the progress of humanity, determining that, for the United Nations' purposes, it should also be included in the commitment of international cooperation for "solving the international problems with an economic, social, cultural or humanitarian character, promoting and encouraging the respect for human rights and of fundamental liberties, for everybody, no matter the race, sex, language or religion ..."[2].

Initially, the protection of human rights was a domain of international public law, but, nowadays, it represents an independent science, namely the International Law of Human Rights.

Adrian Nastase defines them to be "those prerogatives offered by the internal law and recognized by the international law for every person, in its reports with the collectivity and the state, which give expression to certain fundamental social values, and which have for their purpose the achievement of some essential human necessities and legal aspirations, in the economical, social, political and cultural context of a particular

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[1] Sorin Ionescu, Daniel Ghiţă, *Drept procesual civil român*, vol. I, Editura Universitaria, Craiova, 2004, p. 5

[2] Nicolae Ecobescu, *Drepturile omului în lumea contemporană*, Editura Politică, Bucureşti, 1983, p.589

society."[1]

The international law of human rights is the "Assembly of the international judicial norms which dedicates and settles the individual rights, having for its object the integrity, the liberty and the dignity of the person and, it insures, at the same time, by a system of international guarantees, the protection of these rights against the violations committed especially by the states"[2].

The object of international law of human rights is represented by the fundamental rights and liberties of the person, which constitutes the content of the international relations within this domain.

The source of law designates the material and social premises which determine the substance and the form of judicial norms. The main sources of the international law of human rights are the international treaty and the international customary law.

The Convention from Vienna , signed the 24th May 1969, defines the treaty as "an international agreement concluded between the states and governed by international law, either registered in a unique instrument, or in two or more annexed instruments and disregarding its particular name"

The international treaty is the expression of unanimous will of the sates, incorporated in a written document, concluded with the purpose to produce judicial effects, and the international customary law results from a long experience, by repeating a practice, a rule that is accepted by some communities, as acceptable to their interest.

The main source is represented by the international treaty which is also known under the name of convention, pact, accord, protocol, statute etc. In the domain of human rights, the majority of the international treaties are found under the name of international conventions. Depending on the categories of rights which they establish in the human rights domain, the international conventions are classified into two categories, namely general conventions and special conventions.

The general conventions establish human rights in their entire assembly (e.g. European Convention of Human Rights) and the *special conventions* establish only certain categories of human rights, such as those which are promoting the protection of the human rights to life (e.g. the convention against taking hostages).

The international conventions of the human rights are classified into 4 categories[3]:

- *General conventions* – the assembly of human rights or a large group of human rights adopted in an universal background or a regional one;

- *Specific conventions* – refer to the guarantee of some certain human rights regarding: genocide, war crimes and crimes against humanity, slavery, human commerce, forced labor, asylum, freedom of information, the private life, social security etc.

- *Conventions regarding the protection of certain categories of persons* – they correspond to the necessity to protect in a special manner some categories of persons: refugees, stateless persons, women, children, emigrants, combatants, prisoners, and civilians during an army conflict;

- *Conventions of interdiction of the discrimination* – their object is to fight against discrimination based upon sex, race and ethnic origin etc., discrimination in

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[1] Adrian Năstase, *Drepturile omului-religie a sfârşitului de secol*, I.R.D.O., Bucureşti, 1992, p. 53

[2] Vasile Ciuvăţ, *Protecţia juridică a drepturilor omului, Editura Scrisul Românesc*, Craiova, 1997, p. 46

[3] A se vedea A. Năstase, op. cit., p.55

education, in the labor force and in professions.

Human rights are classified depending on different criteria, but the most frequently used classification is the substantiated one on the two international Pacts of human rights.

Depending on the two, human rights are divided into:

a) *Civil rights*. In this category are included: the right to life, to freedom, to liberty and to the inviolability of the person, the right to marry, the right to an equal protection under the law, the right to be recognized as a subject of law, the equality of rights between man and woman, the right to citizenship, the right to property, the right not to suffer an arbitrary or illegal interference in private life, in family, in the domicile or in correspondence, or an illegal prejudice to honor or reputation.

b) *Political rights*: the right to freedom of mind, conscience and religion, the right to a quiet association, the right to free circulation (choosing the domicile, leaving and coming back to the country etc.), the right to participate in the state's government (to elect and to be elected, to have access at public functions), the right to asylum.

c) *Economical and social rights*: the right to work, the right to social security, the mother's rights for social protection, the right to associate, including in syndicates, the right to rest and holidays, the right of a person to a decent quality of life for his family, the right for paid leave, the right for a person to achieve the rights from economic, social and cultural domains, for keeping his dignity, the right to health.

d) *Cultural rights*: the right to education, the right to participate in cultural life, the right to benefit from technical progress and its application, the right of a person to benefit from the protection of moral and material interests which result from his works.

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SOCIAL AID CANTEENS IN THE ROMANIAN SOCIAL SECURITY SYSTEM

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Abstract:

Social aid canteens are public places of social assistance, with juridical status, which function as subordinate to city councils and carry out social services, either free of charge or in exchange for money, to persons who are in special economic and social or medical situations. The beneficiaries of social aid canteens, as well as those of social aid, can be socially isolated retired persons, unemployed, invalids and people with chronic diseases etc.

Key words: social protection, aid, canteens

Within the social protection system most countries provide an offer of guaranteed minimum income and social aid canteens for all categories of disadvantaged population. As it is apparent from Law no. no. 208/1997, such a system based on the principle of solidarity is also operating in Romania.

The social aid can be defined as a form of social protection which is founded on the principle of solidarity and consists in granting differential allowances financed from local incomes and supplemented by the state budget, meant to assist families and single people with incomes under a considered basic minimum, as well as homeless people in need. According to article no. 15 of Law no. 75/2001, social aids are allocations in money or in kind granted to the persons or families whose incomes are insufficient to meet minimum basic needs.

In comparison with social aid, social aid canteens are public places of social assistance, with juridical status, which function as subordinate to city councils and carry out social services, either free of charge or in exchange for money, to persons who are in special economic and social or medical situations[1].

The Law no. 208/1997 settled the organization and functioning of social aid canteens on new normative bases.

The social aid canteens have the following features[2]:
- the social aid canteens are social assistance units;
- they have juridical status;
- they carry out social services for money or free of charge to persons who are in particular situations from economic and social or medical point of view.

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[1] Cezar Avram, Parmena Popescu, Roxana Radu, *Social Policies*, Alma Publishing House, Craiova, 2006, vol. I, p. 211.

[2] Sanda Ghimpu, Alexandru Țiclea, Constantin Tufan, *The Law of Social Security*, All Beck Publishing House, Bucharest, 1998, p. 443.

Persons entitled to benefit from the services of social aid canteens. The Law no. 208/1997 limits the range of persons who benefit from the services of social aid canteens as follows:

a) children up to 18 years of age, who are maintained by those families whose monthly medium net income per one maintained person is lower than the monthly net income of a single person, income which is taken into consideration in order to determine the social aid;

b) young people who attend day courses at the educational institutions which function legally, till graduation, but not beyond the age of 25 or 26, respectively, for those who attend higher education with a term of more than 5 years, being in the situation mentioned at a);

c) persons who benefit from social aid or other aids in money, granted under law provisions, and whose income is not higher than the level of the monthly net income of a single person, taken into account when determining the social aid;

d) retired people;

e) persons who have reached the age for retirement and are in one of the following situations: socially isolated, with no legal supporters, deprived of incomes;

f) invalids and people with chronic diseases;

g) any person who does not make any income temporarily. For this last category of persons, the right to benefit from the services of the social aid canteens is limited to 90 days annually.

According to Law no. 416/2001 on guaranteed minimum income, *the beneficiaries of social aid* distributed through social assistance system are families and single persons, Romanian citizens. These people have the right to a guaranteed minimum income as a form of social assistance, which is ensured by providing the monthly social aid according to the law. Among the beneficiaries, under the conditions of Romanian legislation, there are also families and single persons who are citizens of other states or persons without any citizenship, having their place of residence or their domicile, respectively, in Romania.

A new situation settled by the present law of guaranteed minimum income is that of homeless people who benefit from social aid on condition of being in need, on the basis of a statement on their own responsibility that they have not previously demanded their rights from other city halls and only for the period in which they are registered by the public services of social assistance within the administrative-territorial areas where they live[1].

Consequently, the beneficiaries of social aid canteens, as well as social aid, can be the following categories of persons:

a) families and single persons with net monthly incomes up to the level of guaranteed minimum income;

b) spouses separated de facto, if the social inquiry attest that the present situation justifies the granting of the aid;

c) persons who are unemployed, but available on the labor market;

d) persons who are entrusted by law to look after one or several children under the age of 7;

e) persons who are attending a form of training at day courses, stipulated by law, until the age of 25 or 26 for those attending higher education courses which last more than 5 years;

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[1] According to article 3, par. 3 of Law no. 416/2001, as it was modified through Law no. 115/2006.

f) persons who meet the requirements for retirement;

g) adult persons whose incapacity to work is proved by medical tests;

h) homeless persons.

For a good functioning of these canteens, the beneficiaries of the social services offered by them have the obligation to observe the established program for serving the meals, to keep the cleanliness and the goods of the place and observe the hygiene rules[1].

Persons who do not benefit from the services carried out by the social aid canteens. The persons to whom there applies the law concerning the social protection of the unemployed and their professional reinstatement do not benefit from the social aid canteens. Thus, the following persons are not entitled to receive an unemployment benefit[2]:

- the persons who, at the time of requesting the right, reject a job suited to their training and level of studies, personal situation and health condition, the workplace being at a distance of not more than 50 km from their domiciles;

- the persons who refuse to participate in services for employment stimulation and vocational training offered by the employment agencies;

- the graduates who attend a form of schooling at the time of requesting an unemployment benefit.

The social services carried out by the social aid canteens for the entitled persons. Regarding the content of the services carried out by the canteens, they consist in:

a) preparing and serving two meals daily for each person - lunch and dinner, within the limits of the food allowance stipulated by law[3];

b) supplying in exchange for money with basic food and agricultural products from the canteen premises at the prices they have been purchased;

c) transport free of charge for the persons who are entitled to receive food supplies at home;

d) food preparing and distributing through mobile centers for particular situations.

The social services stipulated at letter a) are carried out free of charge for the persons with no incomes or for those whose incomes are under the monthly net income, for a single person, taken into consideration when establishing the social aid.

The persons who earn incomes which are beyond the level of the monthly net income for a single person, taken into consideration when establishing the social aid, can benefit from the services of the social aid canteen by paying a contribution of 30% from the income per person, without exceeding the cost of the meals they had, calculated for the same period.

The beneficiaries of social aid have the right to use the services of the social aid canteen on the basis of social investigation, in conformity with the mayor's order. Those who are given priority to the free services of the canteen are the children, pupils, retired people or sick people with chronic diseases who belong to the families who meet the

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[1] Art. 13, par. 1 of Law no. 208/1997.

[2] Art. 42 of Law no. 76/2002 concerning the system of unemployment insurance and employment promotion.

[3] Having one's meals at the social aid canteen is approved on the basis of the following normative documents: Law no. 208/1997 concerning the social aid canteens, Law no. 416/2001 regarding the guaranteed minimum income, G. D. no. 1099/2001 for approving the Methodological Norms of application.

conditions stipulated by Law no. 208/1997 concerning the social aid canteens.

According to art. 6, par. 1 of Law no. 208/1997, the applications for social assistance services carried out by the social aid canteen are to be approved by the mayor or a person authorized by the mayor.

Likewise, sponsorship and donation in money and in kind made by Romanian or foreign persons to the social aid canteens can only be used for the quality development and improvement of the services.

The food for the two meals is usually distributed once a day, inside the canteen, or at the service points organized for this purpose. The distributing of the food for the two daily meals can also be done at the place of the person, once a day, by free transport, for the persons who, for objective reasons, checked by the social investigation, cannot walk to the canteen.

Financing the social aid canteens. The financing of the social aid canteen is done from the local budgets. The local councils can award grants from their own budgets to the associations and foundations approved by the Ministry of Labor, Social Solidarity and Family and whose aim is the organizing of social aid canteens.

The sums derived from the money given by the persons who benefited from the canteen services become local budget, while the cashing derived from other activities, under the conditions of art. 10 of Law no. 208/1997, remain with the canteens for the food improvement for the assisted people. The local councils provide the equipment necessary for the functioning of the social aid canteens.

DES DISPOSITIONS SOCIALES QUI FIGURENT DANS LE DROIT SOCIAL COMMUNAUTAIRE ORIGINAIRE

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Abstract :

Conventions of the Council of Europe and those of International organization of work became the Internationales independent sources of the applicable social right on the national territory. But progressive construction of community social right modifies also the balance built within each one of the Member States between their national right and the international law. The atention examination of the jurisprudence of the jurisdictions then makes it possible to show that articulation of these various sources of the social right is done from now on around the Community legislation and of the European Convention of safeguard of the human rights.

Key words: Social security; human rights; non – discrimination.

L'Union européenne se construit sur la base d 'un ordre juridique qui lui est proper et auquel est attaché le principe de primauté sur les ordres nationaux. Or, d'abord purement "économique", l'Europe deviant très progressivement "sociale", ce qui signifie que le droit social communautaire vient modifier l'équilibre construit au sein de chacun des États membres entre leur droit national et le droit international d'origine conventionnel.

L'intégration européenne est fondée sur 3 traités fondateurs[1]:

- le traité instituant la Communauté européenne du charbon et de 1'acier (CECA), signé à Paris le 18 avril 1951, qui est entré en vigueur le 23 juillet 1952, et a expiré le 23 juillet 2002;

- le traité instituant la Communauté économique européenne (CEE);

- le traité instituant la Communauté européenne de 1'énergie atomique (Euratom), signé (en même temps que le traité CEE) à Rome, le 25 mars 1957, et qui est entré en vigueur le 1er janvier 1958.

Le traité sur 1'Union européenne, signé à Maastricht le 7 février 1992 est entré en vigueur le 1er novembre 1993[2]. Le traité de Maastricht a changé la dénomination de la Communauté économique européenne, qui est devenue «la Communauté européenne », tirant ainsi les conséquences de l'attribution de nouvelles compétences communautaires dans des matières

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[1] Favarel – Dapas B., „*L'Europe sociale"* in Louis Dubouis, *L'Union européenne,* La Documentation française, 2004, pp. 25-27.

[2] Hen C., Léonard J., „*L'Union Européenne",* C.N.I. Coresi S.A. Bucuresti, 2004, pp.80-82

non économiques. Il a également instauré de nouvelles formes de coopération entre les gouvernements des États membres, en matière de défense et de «justice et affaires intérieures », par exemple. En ajoutant cette forme de coopération intergouvernementale au système « communautaire » existant, le traité de Maastricht a créé une nouvelle structure de nature politique et économique, composée de trois « piliers ». II s'agit de l'Union européenne (UE).

En outre, les traités constitutifs ont été modifiés à plusieurs reprises, notamment lors de 1'entrée de nouveaux États membres en 1973 (le Danemark, 1'Irlande, le Royaume-Uni), en 1981 (la Grèce), en 1986 (1'Espagne, le Portugal) et en 1995 (1'Autriche, la Finlande et la Suède).

Nous analyserons tout les dispositions sociales qui figurent dans chacun des traités fondamentaux (le droit social communautaire originaire).

A. Les dispositions sociales du traité de Rome du 25 mars 1957

Le traité de Rome signé le 25 mars 1957 qui a créé la Communauté économique européenne, a défini les objectifs sociaux de la CEE dans le Préambule: « L'amélioration des conditions de vie et de travail de la main-d'oeuvre » et «leur égalisation dans le progrès »[1].

En fait, les « Pères fondateurs » du traité de Rome attendaient que le progrès social découle du progrès économique. Aussi est-ce la raison pour laquelle le traité se limitait à assurer le bon fonctionnement du marché commun, en évitant les risques de « *dumping* social », dans une idéologic économique propre à 1'après-guerre.

Dans cette perspective, le traité faisait obligation à la Communauté d'intervenir dans plusieurs domaines sociaux:

- la libre circulation des travailleurs et la Sécurité sociale des travailleurs migrants;
- la réalisation de l'égalité de rémunération entre travailleurs masculins et féminins;
- la création d'un Fonds social européen;
- la prise de directives afin de rapprocher «les dispositions législatives qui ont une incidence directe sur l'établissement et le fonctionnement du marché commun ».

II était également prévu que puissent être prises des dispositions à caractère non contraignant dans le domaine social: emploi, droit du travail et conditions de travail, formation professionnelle, Sécurité sociale, protection contre les accidents du travail et les maladies professionnelles, hygiène du travail et droit syndical, négociations collectives.

II convient de retenir particulièrement les articles 48 (devenu 39) à 51 (42) du traité relatifs à la circulation des travailleurs et au maintien de leurs droits aux prestations de Sécurité sociale et 1'article 119 (137) qui pose le principe de 1'égalité de rémunérations entre les travailleurs masculins et féminins.

La crise économique du début des années 70 va inciter les institutions communautaires à mettre en oeuvre en 1974 un premier programme social communautaire. Cependant, c'est la réalisation du marché intérieur qui va donner une impulsion décisive au volet social à la fin des années 80.

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[1] Mouly J., *„Les droits sociaux à l'épreuve des droits de l'Homme",* Droit social, nr.9/10, sept.-oct. 2002

B. L'Acte unique européen (AUE) signé à Luxembourg et à La Haye, des 17 et 28 février 1986

Signe en 1986, entre en vigueur en 1987, FAUE a etendu les competences de la Communaute en per-mettant aux Etats membres au sein du Conseil d'adopter, a la majorite qualifiee en remplacement de l'unanimite jusqu'alors requise, des directives en vue de proteger la sante et la securite des travailleurs dans le milieu de travail[1].

C. La « Charte des droits sociaux fondamentaux des travailleurs » adoptée en décembre 1989

Comme on 1'a dit, le Préambule du traité CEE place parmi les objectifs à atteindre « le progrès économique et social» des États membres et «1'amélioration constante des conditions de vie et d'emploi de leurs peuples ». Le 9 novembre 1988, la Commission a invité le Comité économique et social européen (CESE) à procéder à une réflexion d'ensemble sur le contenu possible d'une « Charte communautaire des droits sociaux fondamentaux ».

Sur la base de cet avis et de nombreuses consultations du Parlement et des partenaires sociaux, la Commission a rendu public son projet de « Charte communautaire des droits sociaux fondamentaux » qui a été finalement adoptée le 9 décembre 1989 par le Conseil européen de Strasbourg, sous la forme d'une déclaration.

La Charte n'a pas de portée contraignante, mais elle a donné lieu à 1'adoption simultanée d'un programme d'action de la Commission européenne destiné à mettre en oeuvre les droits fondamentaux proclamés dans la charte.

En 1989, la Charte n'avait pas été signée par le Royaume-Uni, ce qui a accentué son caractère sym-bolique lorsqu'en 1998, à la suite de 1'élection de Tony Blair, le Royaume-Uni a décidé de la signer.

Le protocole sur la politique sociale annexé au traité de Maastricht puis le traité d'Amsterdam ont fait directement mention de cette Charte sociale et la jurisprudence de la CJCE tend à lui donner une certaine portée juridique.

Dans son premier titre, la Charte énumère les droits sociaux fondamentaux des travailleurs et établit pour chacun d'eux des prescriptions minimales et les bases d'un programme de réalisation[2]:

- libre circulation des travailleurs de la Communauté européenne;
- liberté de choix de son emploi et droit à une juste rémunération;
- principe de 1'amélioration des conditions de vie et de travail devant entraîner, là où c'est néces-saire, «le développement de la réglementation du travail»;
- droit à une protection sociale adéquate et d'un niveau suffisant;
- liberté d'association et négociation collective, le droit de grève étant reconnu sous réserve « des obligations résultant des réglementations nationales et des conventions collectives »;
- droit à la formation professionnelle tout au long de la vie;
- égalité de traitement entre les hommes et les femmes, des actions devant être conduites afin de concilier les obligations familiales et professionnelles;

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[1] Rideau J., „*Droit communautaire",* Dalloz, 2002, pp.232-240

[2] Teyssié B.,   „*Droit européen du travail,* Litec, 2002, pp.180-181

- information, consultation et participation des travailleurs « en temps utile », lorsque des événe-ments importants de la vie de 1'entreprise affectent l'emploi ou les conditions de travail;

- protection de la santé et de la sécurité dans le milieu du travail;

- protection des enfants et des adolescents, des personnes âgées et des personnes handicapées.

Le second titre de la Charte donne aux États membres, en application du principe de subsidiarité, la responsabilité principale de garantir ces droits sociaux fondamentaux, mais invite la Commission à engager au plus vite des initiatives permettant de les mettre en oeuvre.

En réponse à cette invitation pressante, la Commission a été à l'origine de plusieurs directives sur les questions sociales, adoptées dans le cadre du traité de Maastricht, comme nous allons le voir.

D. Le traité de Maastricht signé le 7 avril 1992 instituant l'Union européenne et son protocole annexé sur la politique sociale

Le traité sur l'Union européenne, signé en février 1992 et entré en vigueur en 1993 comprend en annexe un protocole sur la politique sociale conclu entre 11 Etats membres, le Royaume-Uni ayant refusé de le signer.

Sur la base de cet accord, il est possible, à l'égard des États parties à l'accord, d'imposer, par voie de directives, des « prescriptions minimales applicables progressivement » dans tous les domaines de la politique sociale (y compris la Sécurité sociale) et du droit du travail[1].

Cependant, dans ces « domaines qui ne relèvent pas de sa compétence exclusive », (actuel art. 5 TCE), « la Communauté n'intervient, conformément au principe de subsidiarité, que si et dans la mesure où les objectifs de l'action envisagée ne peuvent pas être réalisés de manière suffisante par les États membres et peuvent donc, en raison des dimensions ou des effets de l'action envisagée, être mieux réalisés au niveau communautaire ».

Sur cette base a été ainsi adoptée la directive 94/45 du 22 septembre 1994 sur le comité d'entre-prise européen et la procédure d'iaformation et de consultation des travailleurs.

Le gouvernement travailliste qui, à la suite des élections de mai, a succédé au gouvernement con-servateur au Royaume-Uni, a décidé d'accepter l'extension de la politique sociale et de renoncer à sa situation dérogatoire[2].

L'accord sur la politique sociale annexé au traité de Maastricht a prévu la possibilité de conclure des accords entre partenaires sociaux au niveau européen qui peuvent se substituer, en application du principe de subsidiarité, à l'édiction d'une directive.

Enfin, le traité de Maastricht a transcrit la jurisprudence de la CJCE en inscrivant le principe (art. 6 § 2 TUE) selon lequel l'Union respecte les droits fondamentaux garantis par la Convention européenne de sauvegarde des droits de l'Homme et des libertés fondamentales .

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[1] Rodière P., „Droit social de l'Union européenne", LGDJ, 2002, pp.85-88

[2] Del Sol M., „*Contentieux technique de la Sécurité sociale et article 6&1 de la CEDH: dernières évolutions",* Bulletin social Francis Lefebre, janv.2004;

E. Le traité d'Amsterdam signé le 2 octobre 1997 et entré en vigueur le l^{er} mai 1999

1. La suppression du protocole social et l'intégration de l'accord dans le traité

Comme on l'a dit, un accord social avait été conclu lors de la conférence intergouvernementale sur l'Union politique en 1992. Le Royaume-Uni n'avait pas souhaité y participer. Toutefois, les 12 États membres de l'époque avaient adopté un protocole, annexé au traité de Maastricht, autorisant les onze autres États membres à appliquer sans le Royaume-Uni, un texte plus ambitieux que le chapitre concernant la politique sociale dans la Communauté. Ce texte se fondait sur la Charte des droits sociaux fondamentaux des travailleurs adoptée en 1989 par tous les États membres à 1'exception du Royaume-Uni.

Conséquence logique du changement d'attitude du Royaume-Uni, le protocole en matière sociale a été supprimé avec le traité d'Amsterdam et 1'accord social intégré dans les dispositions du Titre XI du traité instituant la Communauté européenne.

L'intégration de 1'accord social dans le traité étend de manière substantielle les compétences de la Communauté européenne en la matière.

La Communauté peut désormais agir ou renforcer son action dans les domaines suivants[1]:
- l'amélioration du milieu de travail pour protéger la santé et la sécurité des travailleurs;
- les conditions de travail;
- l'information et consultation des travailleurs;
- l'intégration des personnes exclues du marché du travail;
- l'égalité de traitement des hommes et des femmes.

Si le champ d'action de la Communauté s'élargit relativement peu, le processus législatif était modifié pour les domaines évoqués. Tout en tenant compte des conditions et des réglementations techniques existant dans chacun des États membres, le Conseil arrête des directives à la majorité qualifiée selon la procédure de codécision, après consultation du Comité économique et social et du Comité des régions.

En outre, le Conseil adopte des mesures selon la même procédure dans le but d'encourager la coopération entre les États membres pour développer les échanges d'information, promouvoir des approches novatrices et évaluer les expériences afin de lutter contre 1'exclusion sociale.

Toutefois, 1'unanimité au Conseil restait la norme pour les domaines suivants[2]:
- la Sécurité sociale et la protection sociale des travailleurs;
- la protection des travailleurs en cas de résiliation du contrat de travail;
- la représentation et la défense collective des intérêts des travailleurs et des employeurs, y compris la cogestion, sous réserve du paragraphe 6;
- les conditions d'emploi des ressortissants des pays tiers se trouvant en séjour régulier sur le ter-ritoire de la Communauté;
- les contributions financières visant la promotion de l'emploi et la création d'emplois.

Cette liste a été modifiée par le traité de Nice de 2001.

En ce qui concerne les rémunérations, le droit d'association, le droit de grève et le droit de

[1] Lyon – Caen G. et A., „*Droit social international et européen",* Dalloz, édition 8, 1993, pp.193-198
[2] Tinca O., "*Droit social communautaire"* , Lumina Lex, Bucuresti, 2002, pp.216-219

lockout, ces questions continuent d'être exclues de la compétence communautaire.

2. Essentiellement en raison des demandes françaises, le traité d'Amsterdam a incorporé au traité CE un titre sur l'emploi (titre VIII). II est autonome et ne fait pas partie du chapitre sur la politique économique. II dispose notamment que «le Conseil est invité à tenir compte des programmes pluriannuels en matière d'emploi (...) lorsqu'il définira les grandes orientations, afin de renforcer leurs aspects axés sur I'emploi. Le Conseil peut adresser les recommandations nécessaires aux États membres ».

Le titre sur I'emploi institue ainsi une compétence globale de la Communauté européenne en matière d'emploi mais ne lui permet d'intervenir que par la voie d'orientations et de recommandations.

Le Conseil européen devra examiner chaque année la situation de I'emploi dans la Communauté et adopter des conclusions sur la base d'un rapport conjoint du Conseil et de la Commission. Sur la base de ces conclusions, le Conseil, statuant à la majorité qualifiée sur proposition de la Commission et après consultation du Parlement européen, du CES, du Comité des régions et du Comité de l'emploi, élaborera chaque année des «lignes directrices » dont les États membres devront tenir compte[1]. Le Conseil procédera ensuite, annuellement, à un examen de la mise en ceuvre des politiques de l'emploi. Des actions d'encouragement peuvent être financées par le budget de la Communauté européenne, mais elles ne peuvent avoir qu'un « effet incitatif » et sont limitées à une durée de cinq ans.

Le traité prévoit aussi la création d'un Comité consultatif de 1'emploi.

3. Le traité fait place dans certains domaines sociaux (égalité des chances et de traitement des femmes et des hommes au travail, lutte contre l'exclusion sociale qui est introduite à cette occasion dans le traité), à la procédure de la majorité qualifiée alors que pour la plupart des autres sujets sociaux la règle au sein du Conseil demeure celle de l'unanimité.

4. Le traité introduit une clause générale de non discrimination permettant au Conseil de prendre à 1'unanimité toutes les mesures nécessaires pour combattre toute discrimination.

Auparavant, le traité mentionnait que les États membres devaient assurer 1'égalité de rémunération entre les deux sexes pour un même travail. Grâce au traité d'Amsterdam, une base juridique nouvelle a été introduite pour les mesures concernant l'égalité des chances et de traitement des femmes et des hommes au travail.

Après consultation du Comité économique et social, le Conseil adopte, selon la procédure de codécision, des mesures positives visant à assurer 1'application de ce principe.

De plus, les États membres ont la possibilité d'attribuer des avantages spécifiques au sexe sousreprésenté afin de lui faciliter 1'exercice d'une activité professionnelle. Ces mesures ne peuvent pas prendre toutefois la forme de quotas rigides, ceux-ci ayant été rejetés par la Cour de justice dans 1'arrêt CJCE, 17 octobre 1995, *Kalanke* et CJCE, 11 novembre 1997, *Marschall.*

5. Le traité d'Amsterdam confirme la reconnaissance, déjà introduite par 1'Acte unique, du rôle fondamental des partenaires sociaux. Cette reconnaissance s'opère à deux niveaux[2]:
   - au niveau national puisque les États membres peuvent confier aux partenaires
   sociaux la mise en oeuvre de directives;

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[1] Nistor V., *"Droit social européen",* Lumina Lex, Bucuresti, 2004, pp.50-51
[2] Defarges M.P., *„Institutions Européennes",* Amarcod, Timisoara, 2002, pp.126-1128

- au niveau communautaire, puisque la Commission a pour tâche de promouvoir la consultation des partenaires sociaux et prendre toute mesure utile pour faciliter leur dialogue en veillant à un soutien équilibré des parties.

Ce sujet est développé *infra* dans le cadre de l'étude des rapports entre les différentes institutions communautaires.

6. *Le traité fait mention expresse des deux chartes sociales précitées*

- la « Charte des droits sociaux fondamentaux des travailleurs »;
- la « Charte sociale européenne » adoptée dans le cadre du Conseil de 1'Europe.

Or ces nouvelles dispositions semblent pouvoir orienter désormais 1'interprétation par la CJCE des exigences du traité. Ainsi, dans les arrêts CJCE, 21 septembre 1999 dits *des fonds de pension néerlandais,* la Cour considère qu'une interprétation utile et cohérente des dispositions du traité peut conduire à faire prévaloir les impératifs de la politique sociale.

Par ailleurs, l'article 1ᵉʳ de la Charte sociale européenne dispose qu'« en vue d'assurer 1'exercice effectif du droit du travail, les parties contractantes s'engagent (…) à établir ou à maintenir des services gratuits de l'emploi pour tous les travailleurs »[1]. La Cour pourrait en tirer la conclusion que l'activité des services privés rémunérés de placement doit être limitée.

7. Le traité d'Amsterdam accorde à la CJCE des compétences élargies: elle devient habilitée à contrôler le respect des droits fondamentaux par les institutions, sa compétence juridictionnelle étendue au respect des dispositions relatives au troisième pilier.

La Communauté acquiert de même des compétences de réglementation dans le domaine des droits de 1'Homme eu égard au principe de non-discrimination.

F. La Charte des droits fondamentaux de l'Union européenne proclamée par le onseil européen de ice le 18 décembre 2000 et « l'agenda social européen »

C'est à la suite du cinquantième anniversaire de la Déclaration universelle des droits de 1'Homme, en decembre 1998, que les Conseils européens de Cologne des 3 et 4 juin 1999, et de Tampere en Finlande des 15 et 16 octobre 1999 ont décidé « *qu'au stade actuel du développement de l'Union, il est nécessaire d'établir une Charte des droits fondamentaux afin d'ancrer leur importance exceptionnelle et leur portée de manière visible pour les citoyens de l'Union* ».

Préparée par une structure appelée « Convention », la Charte a été proclamée par le Conseil européen de Nice le 18 décembre 2000 mais elle n'a pas été integrée dans les traités européens.

Cette Charte regroupe dans un même texte des droits civils et politiques, économiques et sociaux (droits applicables en matière de Sécurité sociale, d'aide sociale et d'aide au logement).

Elle ne constitue donc qu'une « proclamation solennelle », sans valeur juridique contraignante.

Cependant, elle est devenue un élément d'interprétation du droit communautaire et ainsi, par exemple, un jugement du tribunal de première instance s'est appuyé sur elle pour définir certains principes fondamentaux concernant le droit à un recours effectif [2].

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[1] Teyssié B., „*Code de Droit social européen",* Litec, 2004, pp.38-42

[2] Hen C., Léonard J., „*L'Union Européenne",* C.N.I. Coresi S.A. Bucuresti, pp.120-123

Même si elle n'a pas été intégrée au traité de 1'Union européenne, cette Charte a eu une importance politique certaine dans la mesure où elle a été adoptée dans le cadre d'une Convention. Cela explique que le projet de Constitution européenne (art. I.9) déclare reconnaître les droits libertés et principes énoncés dans cette Charte.

G. Le traité de Nice signé le 26 février 2001 est entré en vigueur le 1ᵉʳ fevriér 2003

Le traité de Nice, conclu politiquement lors du Conseil européen de Nice le 11 décembre 2000 par les Chefs d' État ou de gouvernement et signé le 26 février 2001, est 1'aboutissement de 11 mois de négotiations menées dans le cadre d'une conférence intergouvernementale (CIG) lancée en février 2000. II est entré en vigueur le 1ᵉʳ fevrier 2003 après avoir été ratifié par les 15 États membres de 1'Union européenne (UE) selon leurs règles constitutionnelles respectives.

Le traité d'Amsterdam avait déjà mis en avant le respect des droits de l'Homme et des libertés fondamentales a travers la modification de l'article 6 du traité sur l'Union européenne (traité UE). En prévoyant dans 1'article 7 de ce même traité l'hypothèse d'une violation de ces principes par un État membre, le traité de Nice complète cette dernière procédure en ajoutant un dispositif de prévention.

Sur proposition d'un tiers des États membres, du Parlement ou de la Commission, le Conseil, statuant à la majorité des 4/5ᵉ de ses membres et après avis conforme du Parlement, peut constater qu'il existe un risque clair de violation grave des droits fondamentaux par un État membre el lui adresser des recommandations appropriées. Dans le cadre de cet article, la Cour de justice est compétente (art. 46 du traité UE) uniquement pour les litiges relatifs aux prescriptions de procédure, et non pour apprécier du bien-fondé ou de l'opportunité des décisions prises en vertu de cette disposition.

Lors de la rédaction du traité de Nice, on ignorait à quel moment et dans quel ordre les pays candidats allaient adhérer à l'Union et le traité de Nice s'est limité à fixer les principes et méthodes d'évolution de la composition de la Commission et de la définition de la majorité qualifiée au Conseil. Ainsi, comme le prévoyaient le protocole sur l'élargissement et les déclarations annexés au traité, le nombre de sièges des nouveaux États membres au Parlement, le nombre de voix qui leur est attribué au Conseil et le seuil de la majorité qualifiée applicable dans le futur ont été déterminés juridiquement dans le traité d'adhésion signé à Athènes le 16 avril 2003.

Depuis le 1ᵉʳ mai 2004, date de l'entrée en vigueur du traité d'adhésion avec les dix nouveaux États membres, l'Union est donc fondée sur les traités UE et CE, tels que modifiés en dernier lieu par le traité de Nice et le traité d'Athènes.

En matière de politique sociale, le traité de Nice n'a pas étendu le vote à la majorité qualifiée mais a introduit une clause de passerelle pour certains domaines qui restent en principe soumis à l'unanimité.

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11. Tinca O., *"Droit social communautaire"*, Lumina Lex, Bucuresti, 2002

THE DOLUS, THE VICE OF CONSENT IN THE CONTRACTUAL MATERIAL

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1. The definition

The dolus (dolus) was defined as'the totality of the fraudulent (falses, delusive) manual labours ' that one of the parts uses with the occasion of the conclusion of the contract for inducing an error in the other part and, through this, for determining it to sign the respective document, the document that the respective part would not have signed it in the absence of these manual labours''[1], 'all the frauds committed at the conclusion of a judicial document''[2], 'the practiced manual labour by a person for tricking the other person''[3].

As well as the error, the dolus falsifies the premises of the intellectual operation which precedes the giving of the consent, but the essential difference between the two vices of consent consist in the fact that , while the proper error has the spontaneous character, in the case of the dolus, the wrong representation of the reality is deliberately provoked by a contractor or by a third person.

If the delusive manual labours are of nature to attain the public order, the dolus becomes penal constituting the infraction of fraud, provided and sanctioned by the article 215 of the Penal Code.

3. *The classification*

In the function of nature of the elements on which the dolus bears the consequences that it has or not on the validity of the contract, the dolus is principal and incidental:

- the principal dolus (*dolus dans causam contractui*) is that which cascades on the determinant elements at the conclusion of the contract in the sense that, in the absence of the error that it provokes, the respective contract would not have been signed[4]; the applied sanction is that of the relative nullity of the document contracted in this way;

- the incident dolus (dolus incidentus) named also incidental and accessory (secondary) is the dolus which cascades on the undetermined situations at the conclusion of the contract; it does not attract the non-validity of the document and it can lead only at the getting of compensations [5].

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[1] I. Dogaru, *Elementele dreptului civil,* voi. I, Şansa Publishing and Media House ,.Bucarest, 1993, page 16;

[2] M. Planiol, *Traite elementaire de droit civil,* vol. l, Librairie generale de droit et de jurisprudence, Paris, 1992, page 105

[3] F. Terre, *Introduction generale au droit,* ed. Precis Dalloz, Paris, 1991, page 243-244;

[4] I. Dogaru, *op. cit.,* page 163;

[5] For example, a reduction in price can be demanded if what was bought was too expensive because of the dol;

After the opinion of the French author Frederic Mourlon the incident dolus must not be confounded with the certain situations in which the contractor's consent is not vicious, for example, the case in which a seller praises the quality of his goods because these customs do not determine the buyer deceive himself .

After an assumed classification from the Romanian right, the dolus can be devided in dolus bonus and in dolus malus:

- the bonus dolus (the easily dolus) consists in the current cunnings, being easily tracked down and it does not attract the frustration of the contract; an example of bonus dolus refers to the Ulysse' feats as the ingenuities against the enemies or against the robbers;

- the malus dolus (the grave dolus) is that of the cunning through the comisiune or the omission of facts when they are used with the scope to trick a person and to produce to her a damage in the proper use or in the use of a third person; the malus dolus attracts the sanction of the relative nullity.

A problem which raised the controversies in the judicial literature of speciality is that which refers at the delusive character of the reticence.

From which the definition of the dol 'the totality of the fraudulent (falses, delusive) manual labours'' ' that one of the parts uses with the occasion of the conclusion of the contract for inducing an error in the other part and, through this, for determining it to sign the respective document, the document that the respective part would not have signed it in the absence of these manopere', it can be inferred that this vice of consent supposes a positive activity.

In the French doctrine there was showed that the reticence is the nullity cause of the contract only when the silence is expressly (voluntarily) kept[1]; this thing of the silence character of the one of the contractants is in fact a problem, let at the appreciation of the judicial instances which will have to analyze the characteristics of every case partly.

In the judicial Romanian literature, the reputed doctrinaire person D. Cosma affirms that: 'the silence is not producer of judicial effects and either constitutive of dolus because the person who sign a judicial document has the obligation to inform herself, on her initiative, about all which presents the interest for it, and the inobservance of this obligation is concretized in the assumption of the consequences of the achievement of a disastrous document''[2]; exceptionally, the silence can produce the judicial effects and it is constitutive of dolus, and in this situation the objective element of the dolus consists in a non-action or in a negative fact.

There are the cases in which the law establishes the delusive character of the reticence at the conclusion of the certain contracts when one of the contractants   keeps the silence about the certain situations which are interesting for the other part, the situations which would have had to be known by the other part; a same case is met in the case of the insurance contract.

We also find an application of the dolus through the reticence in the case of the sale contract of the real estates where the article 1353 of the Civil Code provides:'' The seller is not responsible for the false vices and about who the buyer could convinced himself''; if that'the seller responds for the hidden vices of the sold thing, if because of this, the thing is not good to be used, or its use is so little that it can be supposed the buyer would not have bought it, or he would have paid it how he paid it, if he had known the vices.'

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[1] M. Planiol, G. Ripert, *op, cit.,* page 268
[2] D. Cosma, *Teoria generala a actului juridic,* Scientifical Publishing House, Bucarest, 1969., page 167

There can be noticed the absence of the attention of the buyer who did not verify the thing, before that he signed the contract, puts him in the situation that he cannot formulate a pretence, because the seller did not trick him through his sience, on the contrary, the seller's silence is guilty and it constitutes the dolus when the reticence hides a fraud, that is the fraud of the fact not to disclose the buyer's thing vices that only the seller know.[1]

The parts can, also, to insert in the signed contract a clause because of which the parts are forced to declare the certain things or to provide the certain information; also in the respective clause, the contractants can also provide the sanction of the frustration of the contract for the absence of the respective declarations or for the intentionally inexact declarations.

If the dolus is committed by a minor person who attributes to himself in a fraudulent way and through the false documents the quality of major person for being able to contract, the most appropriate sanction is the maintenance of the contract whose frustration could be asked by the minor person on the action way in the rescision.

The keeping of the contract which injures for the minor person is based on the idea that, if the minor person was able to use the fraudulent machinations for deceiving his co-contractor, he must be considered able concerning the validity of the document that he signed.[2]

4. *The structure*

The dol as vice of consent is formed from two elements:

- a objective (material) element which consists in the use of the cunning (delusive, false) means[3] for deceiving the other part.

The legal part refers to the use of the cunning means and to the achievement of the machination; it can be considered a machination, in the law sense, and the fact of the person who, exploiting the physical or intellectual weaknesses of a person, obtains the conclusion of a judicial document; for example, the case of a person who takes the endorsement signature at a person's contract, benefiting of her state of incomplete drunkenness.[4]

The notion of machination must be largely understood, it including not only the notion, but also the affirmations or the false negations, and in the certain cases, even the simple reticence.

The gravity of the machinations is appreciated in concreto, after the used means, the personal situation of the victim and the measure in which the limits of the correctness and of the usual loyalty in the judicial rapports in the society.[5]

- a subjective (intentional) element which consists in the intention to deceive a person for determinating her to sign the contract.

The instigation of an error without bad faith, because of the simple omission or facility, does not constitute the dolus.

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[1] P. C. *Vlahide, Repetiţia principiilor de drept civil,* vol.II, Europa Nova Publishing House, Bucarest, 1994, page 62

[2] I. Dogaru, *Drept civil. Contractele speciale*, page 28;

[3] The abilities, the cunnings, the machinations, the delusive fraudulent manual labours;

[4] D. Cosma, *op. cit.,* page 166;

[5] Ibidem, page 167;

4. *The conditions*
- The dolus must be determined for the conclusion of the contract.

This condition is provided expressly by the article 960 of the Civil Code which defining the dolus specifies that'the cunning means are thus that it is evident , without these machinations, the other part would not be contracted'.

If the cunning means were not determined at the conclusion of the contract or they contributed only at the acceptance of the certain more onerous contractual conditions by the person against who they were used, we are in the presence of the incident dolus, without the influence for the validity of the contract.[1]

The determinant decisive character of an element for the conclusion of the contract is appreciated as at the error after subjective criteria, from case to case, attending to the training, to the life experience of the victiom of the dol.

The area of the determinant elements is more extended at the dolus than at the error; the error determines the frustration of the contract only when cascades on the substance or on the person, while the error caused by the dolus attracts the frustration of the contract whatsoever of its objective.

Between the cunning means used by the author of the dolus and the consent given by the victim there must exist a rapport as from the cause to the effect; from this reason it will not attracts the nullity of the contract, the cunning is accomplished after the conclusion of this or even before this moment, if when the author of the document interfered with, he had decided to sign it.[2]

- The dol must comes from the other part

This condition comes from the article 960 of the Civil Code – 'the cunning means used by one of the parts' – and it refers only to the contracts with the onerous title, not imposing on in the case of the unilateral judicial documents.

In the doctrine there was said that the idea that the solution of the annulment of the judicial document must be applied even if the dolus comes from a third person and when the beneficiary of the document, although he did not participate personal at the delusive manual labours of the third person, knew about the existence of this, being his accomplice, but he did not announce his co-contractor.[3]

In the case of the contracts the dol is not asked to be common, being sufficiently that it exist; in the situation when there is the reciprocity of dolus, every part has the right to ask for the frustration of the contract.

The Project of Civil Code[4] from 2004 provides that, if the dolus was accomplished by a third person, the annulment will be pronounced only if the part whose consent was vitiated knew the delusive manual labours or it could know them at the conclusion of the contract.

5. *The dolus test*

The article 960 item 2 provides that 'the dolus is not supposed', and this thing means that the person who invokes this vice of consent must prove what it contains.

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[1] I: Filipescu, *Drept civil. Teoria generală a obligațiilor,* Actami Publishing House, Bucarest, 1998, page 38;
[2] D. Cosma, *op. cit.,* page 168;
[3] Ibidem,page 170
[4] The article 935 item 3

The dolus is considered the judicial fact, that it can be approved through any mean of probe, inclusively the witnesses or the simple presumption; the test is made more easily in the case of the dolus than in the case of the error caused because of its material exterior element.

In the case of the bilateral documents, it is not asked that the dolus be common to the two contractant parts; if however the dolus is reciprocal, every part can ask for the annulment of the document for the dolus cause.

The article 935 from the Project of Civil Code takes up the article 960 from the actual regulation that it fills in; thus the dolus 'must be certainly resulted from the grave facts'.

CONSIDERATIONS UPON THE GEODELINQUENCY IN ROMANIA

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Abstract:

Among the numerous mutations developed after 1989 in the Romanian society, we mention the modification of the value system, which led to the evaluation of each individual's patrimony according to other coordinates. The balance of the types of offences was obviously inclined towards offences against property, life, and people's integrity, but there also appeared new elements, which did not occurred before 1990. The present study, which is based on statistical data, emphasizes the dynamics of the offences phenomenon (on development regions and counties), structurally and on residential environments. As it represents a complex social issue that has profound implications in all the structures of the society, delinquency/infringement of the law has to be counterattacked through economic-social and cultural-educative measures; the work market represents the means that could positively influence the decrease of the offences number; school and family also play an essential role in dimensioning this social problem.

Key words: geodelinquency, criminality rate, offences rate, Romania

Also called *criminality* or *infringement of the law*, delinquency is "a particular form of the social deviance, which includes a series of behaviors and conducts, with an increased degree of social danger, because it infringes and it violates the penal judicial norms and rules by which the most important values and social relations are defended and protected: property, family, life, health, freedom, dignity, the state, society etc." (Banciu D., 1995)

At the same time, criminality is both *a social phenomenon*, "objective and material", and also *an anti-social one*, by its direct or indirect negative consequences, generated upon the structure and upon the stability of the social groups. The delinquency also represents *a social problem* because it implies the destructuralization of the models and of the "value schemes and norms, which have been expected and wanted, a dislocation of the patterns and of the traditional relations from a society".

As a social phenomenon, delinquency appeared together with the organization of the first archaic human communities and followed a common evolutionary way with human society. As it was one of the major problems of society, criminality was studied by many sciences, and thus, there were formulated many concepts, which help us understand it, approach it and apply certain adequate measures for counterattacking and neutralizing it.

Geography can make a scientific approach of the criminality dynamics from the territorial point of view, as well. A first approach of geocriminality belongs to Prof. V. Surd (& al., 1993), which I have partially considered as a model.

The factors that favor the appearance of the criminality are: the social tensions; the conflict cases; poverty; unemployment; the precarious education and culture; the economic crises; the precarious political-social and economic structures; the dysfunctions of the social control mechanisms; the reduction of the feeling of social solidarity; the overthrow of the value hierarchy in the society; the failure of some socialization processes.

Generally, the mentioned factors can be found under the form of some multiple and complex problems, which characterize the societies where there occur profound mutations related to the passage from a social system to another. The radical transformations that have occurred in Romania after the December 1989, have produced a disorder of the institutions and of our traditional models concerning the socialization and the social control realized in the local communities, in school, in family, in a work group, in a group of neighbors or friends, etc.

In our country "the accumulation and the aggravation of the delinquency and of the criminality are determined by the processing and by the perpetuation from the old system of some structures and forms, which are generating the maladjustment and the deviance, but they are also determined by the intensification of the conflicts and of the political, social and ethnical tensions, by the increase of the poverty, of the unemployment, of the pauperization, which affect more and more individuals and groups, but also by the extension of the social area of manifestation for the forms of speculation, fraud, corruption and deception. They are sensibly influenced by the decrease in the efficiency of the law and of the justice, by the amplification of the tolerance towards different acts and delinquent manifestations" (Cazacu A., 1992).

In the period 1997 – 2004, *the rate of the criminality at the national level* (the number of the persons definitively condemned at 100,000 inhabitants) decreased from 496 to 320 (with 35%), the dynamics of the phenomenon of delinquency evolving according to the graph presented below (Fig. no. 1).

The analysis of this indicator on development regions illustrates that in 2004, the biggest value, of 395, was registered in the North-West Region (also amplified by the transboundary criminality) and the smallest, of 242, was registered in the Center and in Bucharest – Ilfov region, with 237.

As compared to the year 1999, in 2004, we observed a diminution in variable percentages of the criminality rate in all the development regions: 48.2% in the West, 45.4% in Oltenia South – West, 44.6% in the Center, 41.3% in Muntenia South, 36.9% in the South – East, 24.7% in the North – East, 15.1% in the North – West, and 8.8% in Bucharest – Ilfov region.
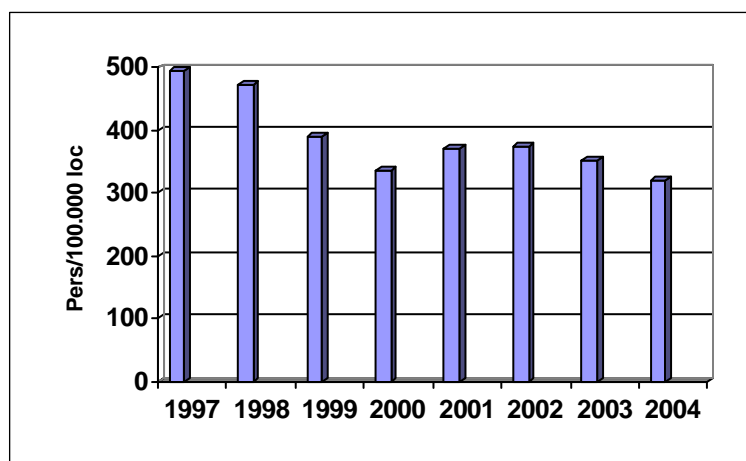
Fig. no. 1 The evolution of the criminality rate in Romania

Table no. 1

The dynamics of the criminality rate on development regions (1997 - 2004)

Region	Year							
	1997	**1998**	**1999**	**2000**	**2001**	**2002**	**2003**	**2004**
	496	472	390	336	370	375	353	320
North-East	507	534	412	376	397	429	401	382
South-East	605	538	440	366	402	423	404	342
South	455	404	328	270	322	344	319	267
South-West	681	569	478	401	467	431	430	372
West	560	524	367	340	365	359	335	290
North-West	465	492	433	354	367	367	346	395
Centre	437	433	371	322	320	305	306	242
Bucharest- Ilfov	260	260	280	252	321	318	257	237

Source: The Statistic Rear-Book of Romania, 2005, processing

On counties (Fig. no. 2), the criminality rate oscillates between a maximum of 743 in Bihor County and a minimum of 155 in Giurgiu County. In the South-central part of the country, a compact area with a decreased degree of criminality is contoured (185 – Braşov, 218 – Mureş, 229 – Covasna, 234 – Sibiu, 282 – Vâlcea, 189 – Argeş, 228 – Prahova). This area is bordered upon, in the West and in the East, by groups of counties with values higher than the national average: 480 – Mehedinţi, 437 – Gorj, 408 – Hunedoara, 436 – Bacău, 446 – Vaslui, 401 – Vrancea, 421 – Galaţi. The reason of this reality resides in the

instruction level of the population, in the unemployment rate and in the percentage of the unemployed that have not paid indemnities.

Fig. no. 2 Criminality rate (2004)

From the *structural* point of view, in 2004, from the 69,397 persons definitively condemned by judgment instances, 90.43% were men, 13.11% recidivists and 9.14% were under 18.

On categories of infractions, the greatest rate (45%) have had the infractions *against the patrimony* (the public and private property): theft (24,314 persons), robbery (2,432 persons), fraud (1855 persons), and embezzlement (801 persons). *Infractions against the person* have been committed by 18,047 persons (26%): murders (1,216 persons), manslaughter (679 persons), serious body injury (637 persons), rape (572 persons), etc. We also remark *the infractions to the driving system on the public roads* produced by 7,498 persons (10.8%), *the forest infractions* (3,270 persons), the ones that *affect some relations concerning the social cohabitation* (2,739 persons – 4%), *the infractions against the authorities* (396 persons), and the *economic infractions* (21 persons).

On residence environments, 54.7% of the persons that have been definitively condemned are coming from the urban environment (37,929 persons), from which 54.3% for infractions committed against the patrimony and only 16.8% against the person. In the rural environment we observe an equilibrium between the basic reasons of detention in the sense that 37.1% of the persons have been condemned for infractions against the person and 33.5% for infractions against the patrimony.

From the persons that have been definitively condemned, 87.02% were *in penitentiaries* (95% f them being men) and 197 persons were in *reeducation centers.*

Taking into consideration *the duration of the punishments*, most of them (42.2%) were condemned to 2-5 years of detention, followed by the ones with 5-10 years (28.3%), between 10-20 years (16%), over 20 years (2.4%) and 120 were send to life prison.

As far as *the infractions studies by the police* are concerned, we observe an increase with 136.8% of their number in 2004, as compared to 1990 (Fig. no. 3).
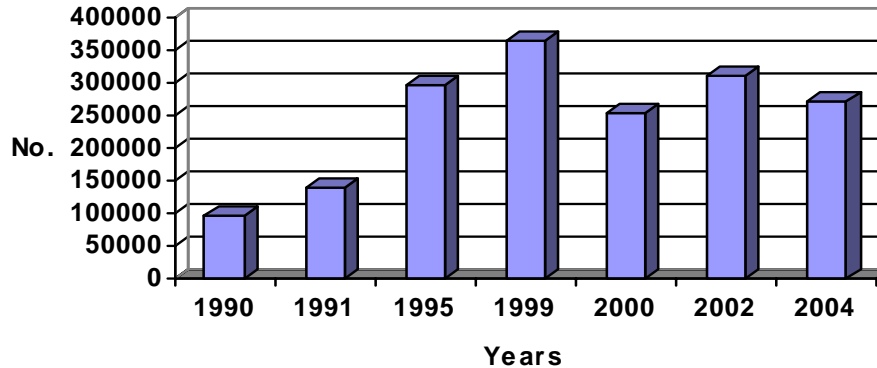
Fig. no. 3 The numerical evolution of the offences investigated by the police

If in the first year of democracy, the infractions situation from our country was revealed by an average of 268.1 infractions per day, in 1999 we registered about 996.4 infractions per day (the maximum of the analyzed period) and in the year 2004 it decreased to 744.2. Between these, in 1990, 72.6% were judicial infractions, 19.03% were social and financial infractions and 8.37% were of another type, while in 2004, some radical modifications appeared in the sense that each group had 1/3.

Along the whole analyzed period, we observe that the infractions committed in the urban environment were more numerous than the ones committed in the rural environment, with a climax in 1999, when the percentage of the urban infractions was of 63.1% of the total; then, they have gradually decreased to 59.2% in 2004.

In the same period, we remark an increase of 60.8% of the thefts and of 6.9% of the manslaughter attempts together with a reduction of the infractions committed by violence, respectively 34.6% for the murders and 26.9% for the fault killings, while the number of the rapes remained approximately at the same level (947 in 1990 and 953 in 2004), passing however through increases up to 56.6% in 1999.

Every day, about 194.2 persons have been involved in different penal acts in 1990 as compared to the number of 507.6 persons in 2004. We also remark:

1. the decrease of the percentage of the defendant persons from the urban environment from 59.2% to 54.2%;

2. the increase of the number of foreign people guilty for felonies from 0.3% to 0.7%;

3.   the decrease of the percentage of the minor persons from 9.8% to 8.2%;

4.   the reduction of the number of young people (18 - 30 years) from 46.1% to 35.4%;

5.   the increase of the number of unemployed offenders from 30.7% to 44%;

6.   the registration of the unemployed since 1993, when the number was of 2.7% and the accentuated reduction of this number up to 0.7% in 2004.

The rate of the infractions (the number of infractions studied by the police for 100,000 inhabitants) has had a positive evolution (in the analyzed interval), with a more rapid passage between 1994 and 1995 and with a maximum in 1998 (because a lack of power appeared in the management of the actions within the framework of the Ministry of Home affairs), followed by a gradual regression (Fig. no. 4).
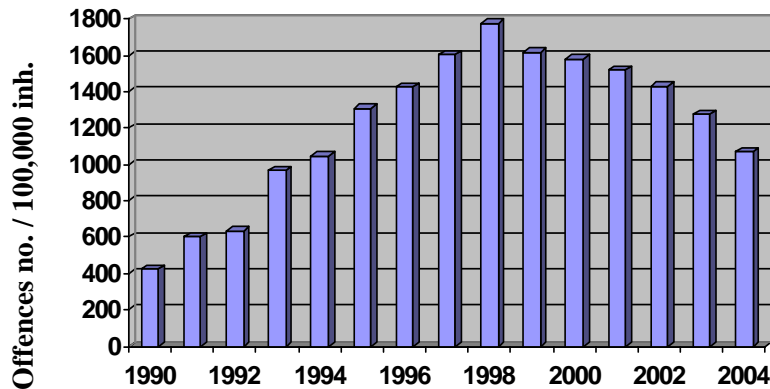

Fig. no. 4 The evolution of the rate of infractions (1990-2004)

Compared to the national average of 1,069, the rate of the infractions registered in the year 2004 a maximal value of 1,143 in the Centre development region and a minimal value of 957 in the North-West region, followed by Muntenia South region (978), on a lower position being situated Bucharest – Ilflov region (954). The South-East region (1,060), the West region (119), the Oltenia South-West region (1,126), and the North- East region (1,192) have rates greater than the basic average.

There are *clear differences* according to the geographical areas (Fig. no. 5, 6) that are influenced by culture, customs, economic situation, preponderant occupations, and other specific factors.
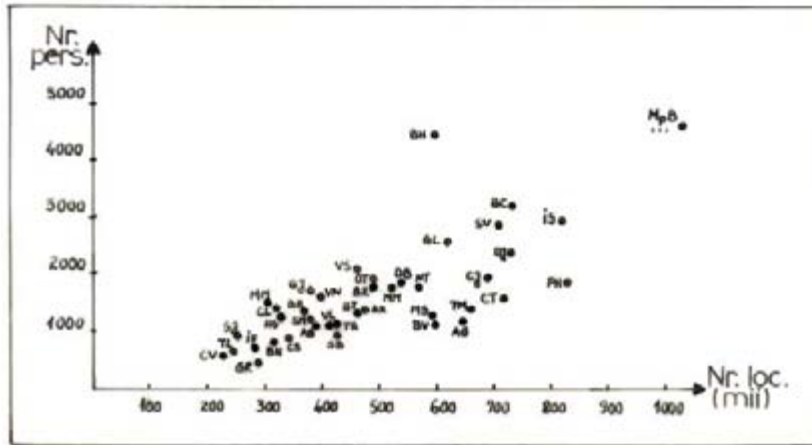
Fig. no. 5 Correlation between the population's number and the number of permanently convicted (2004)
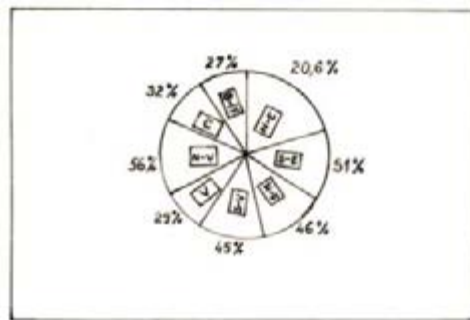
Fig. 6 The rate of definitive sentencing on development regions (2004)

The study of *the map of the infractions from 2004*, stresses the existence of a group of five enclosed counties situated in the North-east, with values between 1,201 and 1,400 (1,314 Botoşani, 1,233 Suceava, 1,279 Neamţ, 1,229 Harghita and 1,265 Bacău). Most of the counties situated in the eastern half of the country register values between 600 and 1,400. The western part of Romania is more heterogeneous as there were registered extreme values: 585 in Vâlcea county and 1,590 in Gorj (Fig. no. 7).

Fig. no. 8 The rate of infractions (2004)

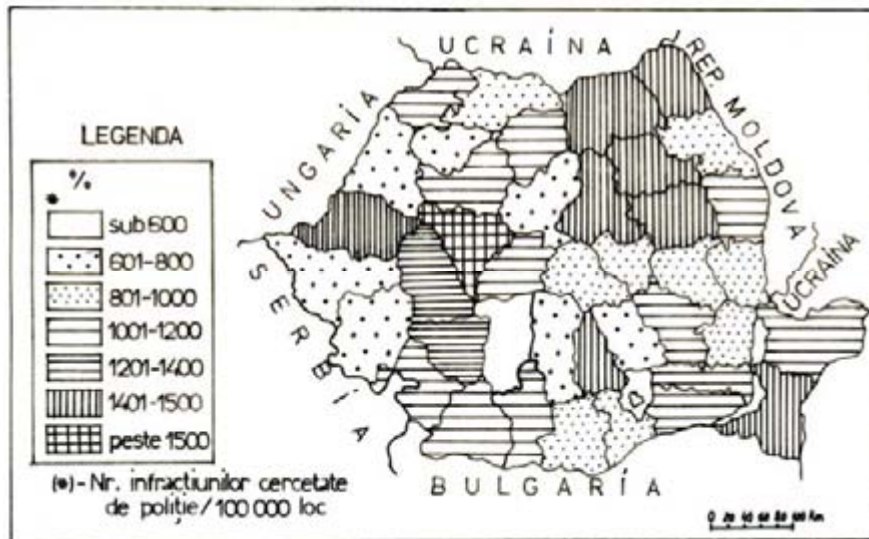By representing a real phenomenon, which greatly reflects the disorders of our society still confronted with the negative effects of the transition period from the centralized planned economy to the market economy (which determines a lot of acts of violation of the norms and of the rules of social cohabitation), the delinquency acquires new evolution tendencies.

Passing over the period of accentuated recrudescence of different anti-social acts and manifestations from the end of the last decade, we observe today, as compared to 1990, an increase of the phenomenon of delinquency concerning the number of infractions, a multiplication of the felonies, base on theft, robbery, fraudulent administration, deception, dilapidation and of the infractions of forgery. But we can remark the reduction of the number for the murders, manslaughter and serious injury.

At the same time, we can remark a decrease of the age (under 14), when the minor persons start to commit infractions, the phenomenon of the juvenile delinquency being aggravated by the so called "children of the road", victims of some distorted parents and of an adverse educational system that "by differentiated association learn at an early age the infraction techniques."

For the analysis of the geodelinquency at the local level, we have used statistical date supplied by the Police of the municipality of Craiova. According to these data, in 2004, there were registered 2,100 infractions, resulting 7.2 offences at 1,000 inhabitants. Most of them (80.3%) were committed by men and the dominant group of age was 18-40 (62.4%). The rate of infraction committed by minors was of 14% (2954 cases). They committed thefts and robberies forced by the need to ensure their living. A large part of them comes from disorganized families and they do not attend school or abandoned it. The minors end by committing antisocial facts due to many reasons, the most important of them being a distorted family environment. The next reason might be the lack of affectivity from the parents' side correlated with the lack of supervision and of communication with an adult. Another identified cause might be the improper company of some minors who are easy to be influenced and copy the group behaviour, even if it is totally, wrong as they are seeking for identity.

From the point of view of *the professional status*, there predominate the offenders without occupation (46.9%), then the unemployed ones (31%). This situation is correlated with the socio-professional structure of the population; in the infractional processes, there are also included persons with higher education who display a rate of 5.7%.

According to the *place of residence*, 36.9% of the offenders are from other settlements; most of the crimes (31.4%) are performed outside the offenders' residential district.

Because it represent a social problem with profound implications in all the structures of the society, the delinquency must be counteracted by social, economic and cultural measures and programs, the school and the family having an essential role in this sense.

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LANDMARKS IN THE ANALYSIS OF OBSTACLES THAT APPEAR IN ORGANIZATIONAL COMMUNICATION

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Abstract:

The study analyzes the main obstacles which appear in interpersonal and organizational communication taking into account the hypothesis that a better understanding can be a first step to efficient communication. Separating the communication in general and efficient communication the authors consider that taking into account the individual interest is the way that leads to the understanding of the particularities of efficient communication. The definition of communication through the subjective distribution of interests leads to the idea that efficient communication appears when all the persons involved in the communication process fulfill their interests as they consider. Organizational communication is a particular form of communication, it is not and a different type of communication.

Key words*:* human communication, efficient communication, interference, blocking, obstacle.

1. Interpersonal communication and efficient communication. A starting point….

Human communication hides a great paradox. Considered to be the most common human activity, necessity and constraint at the same time, communication responds to the need of socializing and to the aggregative spirit of individuals. From this point of view, our references to communication are quotidian, the communication is part of the primary set of human necessities, its absence being inconceivable. The communication paradox consists in the fact that people, despite the importance of communication, reflect less and less to the way communication should take place. Being convinced that it is used too often to have any more secrets, they consider that the necessary skills should form in an automatic manner. The human communication respects in a natural way the philosophy of the individual's being and his tendency to promote his personal interest. But it doesn't comply with the philosophy of the common existence of individuals, of harmony and understanding, and with the fundamental condition of social order.

The individual realizes that it cannot live without others, that he needs other people in order to progress, to evolve. He can truly know his chances in life only by understanding those of the individuals that are in the same situation (W. Mills, Sociological imagination). Only then he is truly fulfilled, only then he truly lives. The individual, if he doesn't realize

how important he is to another individual, he doesn't fully live, he only pretends. This terrible lesson, although very easy to manage, starts with communication.

Another side of the communication paradox is that humans, as sociable beings, in relation with other individuals perceive communication as a form of manifesting personality and not sociability. People use communication to reach goals, without doing the same thing for the others. Communication, if it is an instrument of a relation, it doesn't have to break up individuals, it has to unite them. So, we have come to the conclusion, as many others before us, that the human being is doomed to communication.

Most of the definitions regarding communication are in relation with the personal interest, the interest being considered fundamental in defining communication. If we are talking about satisfying some necessities and if we consider the act of communicating as a necessity, from the pragmatic, practical perspective, we can understand communication as an instrument which can make the handling of our personal interests efficient or not. If we stick to this logic, we should follow for the rest of this study the efficiency of the behavior and the interest of the individual from the perspective of the social being, that is part of an organization and not an isolated individual.

The human performs a little trick when it comes to his relation with others. He admits, together with others to comply with certain rules, absolutely necessary for living together, and in the next second he already starts to look for solutions to elegantly break the rules. He considers communication a trusty companion and builds behavior "software" which then interposes it between him and the others. A sort of "I agree with their ideas but I am applying my ideas". Fortunately for the others the individual cannot apply this scenario continuously. Sometimes he is discovered and then he deals with the consequences. Communication can be the most efficient instrument that we have in order to truly become social beings, to fully live, to share the life in common, not only for us but also for others.

This study tries to warn the individual regarding the obstacles that may appear in organizational communication and inherently in interpersonal communication, to help him form his communication skills in order for him to communicate more efficiently and to pay attention so that the other individual follows the rules of the game. For this, we will try to generally capture the notable differences between obvious human communication and efficient communication. We need this clarification because, as we pointed out before, the natural development of the individual doesn't necessarily mean the implementation of the efficient communication by the individual but it simply means that the individual will have a "software" very useful in reaching his own interest.

1.1. An attempt to define communication

Today, the analysis of communication emphasizes the complexity of the process and its multiple dimensions. If for the normal human being communication means, basically, to send information, using words, for the specialists in the field of communication, it has different values and purposes. By communication we can understand an exchange of information, a relation generated by interest, an action, a process for managing and controlling the information, etc. No matter the significance of the term, all gravitates around information and management of interest. These two terms define the content of communication. The motives, the purposes, the meanings of it are often different, depending on the actors involved in the exchange of messages.

The communication process is defined not only from the point of view of its structure which contains the elements implied and defined by the sender, receiver,

message, message support – but also through the aspects that establish the role of each element in its dynamics. We are talking about the competences of the actors involved regarding the content of the message, the interest for communication, the perception capability of the receiver, the quantity of information, the accuracy of the content of the messages, the way the message is being sent, etc. (Bernard Dagenais,2003, Nicki Stanton, 1997 etc)

As mentioned before the way we relate to our own person and to others defines communication. So, through communication we can understand a type of human action, in which, guided by an interest, the individual does something by using the words. Our entire existence is centered on the need to act as a reason to be. From this perspective, the communication becomes an action in which the word, the knowledge are work tools. If we relate to the communication that takes place in an organization, we can say that it becomes a way of managing[1], the information becomes merchandise, and its accounting implies respecting certain rules.

Another perspective regarding the communication points out the feedback that controls the sending-receiving mechanism of the information. We can consider communication as an exchange in which the object is information and the sender and the receiver are continuously changing. The received and decoded information generates information.

If we consider the interest that each of us has when we are interacting, we can consider the communication as a power factor. "Communication has the power to persuade" said Dagenais, thus showing that using the information or the word, an individual, a group or an organization expresses his power and shows authority. In the opinion of Dagenais[2] communication can be a managing instrument, an exchange of information, a power factor, an instrument and a way of manipulating and persuasion.

Alex Mucchielli[3] presents another interpretation of communication, as a process of influence. Alex Mucchielli wrote (has written) in his work "The art of influencing": "Any communication is an attempt to influence. Communication wants to send a sense – of an idea or a situation, of a phenomenon, etc. – which cannot be accomplished without influence". The author makes a distinction between the influence through communication in a direct manner and the influence as a purpose, which transforms into manipulation, propaganda or persuasion.

We can also consider communication as a relation in which the individual sends/receives information, the purpose being the achieving of his objective. In this manner, the communication has a purpose for its existence. It is the way it rediscovers itself, it represents a tool of action, for imposing and for influence, and the base of all of the relations that the individual develops in its quotidian, social and professional life.

A comparative analysis of these definitions points out that a projection of a definition for communication can be made in 2 ways. First, we are talking about instrumental constructions – which describe the communication through its components, as it is developed. Secondly, we are talking about analytical – investigative constructions – which try to observe the communication process beyond the strict activity of sending-receiving.

We will construct an operational definition that will later help us to understand the

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[1] Bernard Dagenais, 2003 The public relations campain, ed. Polirom, Iaşi, p 27
[2] Bernard Dagenais, op. cit., p. 27-31
[3] Alex Mucchielli, The art of influencing – the analysis of manipulation techniques, Polirom Publishing, Iaşi, 2002, p. 191

analyzed perspectives. From the above mentioned definitions we see that the interest element, of the theological behavior, focused on the target, is present in almost all definitions. We consider that a definition from this perspective is the most adequate because it helps us understand the unilateral way the individual develops his communication strategy.

In our opinion, the communication process represents the capacity and the ability of a person to exchange information in order to achieve his own interests.

The definition is based on three key components.

Capability/ability. The acquisition of communication is a social fact, and it is related to the process of socializing and social integration. Even if certain elements of the non verbal communication have universal value they are interpreted differently from culture to culture. It is possible that an isolated individual, that has no relation with the others, doesn't know these signs.

On the other hand, the capacity or the ability points out the fact that there are notable differences between people, from the point of view of the efficiency of communication. Some people communicate more efficiently then others. For us, this statement is very important if we consider communication as an instrument through which we achieve our goals, because this instrument can be perfected through exercise, by gaining of certain abilities that we will promote in this course: the ability to listen, to use the feed back, to write, to read, etc.

In the end, maybe the most important idea is that there is room for improvement. People can improve their communication strategies in order to achieve their objectives more easily. It is absolutely necessary to use terms of efficiency and efficacy in communication. Efficient communication shows which interests must be met, because, we have to admit, people have big problems in selecting the interests. Secondly, the efficiency in communication shows how we can achieve our interest, because, in the social life, in relations between people the end doesn't justify the means but the other way around.

Information. The communication process operates with information. To simplify, by information we understand any data which brings an extra of knowledge regarding the communication process and brings new elements for reaching the goals. We won't reduce the information to cognitive, through word, written or spoken. In the present definition under all forms – sentiments, emotions with their physical output or other elements of the non verbal communication, laughter, smile, gestures, body dynamics, are also information because they are the content of the message which is exchanged between individuals. We are interested in information from the perspective of the significations that it has and that fundament the architecture of a message, exchanged between sender and receiver.

Interest. In our opinion interest is "something", either conceived as needs, or wants which guides the behavior of people. It is obvious that the interest has a motivational structure, representing motivational focusing. We have chosen this term in order to have a better understanding of behavior directing towards a certain something. When it comes to needs or wants, the interest has the power of an obligation, of a necessity.

The interest term used by us is larger than the material interest, for example, which remains a way of manifesting of the individual, very often used. The passion, the sentiment, the emotion, the feeling are seen by us as interest just because they can concentrate the behavior of an individual.

Here we introduce the first paradigm, the first theoretical explanation regarding the interest, that stipulates that any behavior is determined by an interest; the individual does nothing for the sake of doing, only if the "sake of doing" becomes a purpose by itself, a

behavioral strategy, a motivation, an interest. The paradigm has a corollary, as important as it, which is called the paradigm of immediate interest: any immediate interest is determined by an immediate interest. Let us take them one at a time. To apply the theory to the relations between people means to accept the fact that people that interact are doing so because of different interests. In order to analyze these relations we should actually analyze the interests of those that are part of this relation.

If we appreciate more accurately the interests of the person that we are communicating with there is a greater chance we can achieve more efficiently our own interests. In order to do so we have to earn some skills and we have to understand that in the same way we want to achieve our goals the others involved want to achieve theirs. We use any means to achieve our goals, so do the other individuals. We consider ourselves superior to them, so do the other individuals regarding us.

How can we improve our ability to approximate? First, we have to be able to analyze our own interests and then we see if they are efficient and effective, meaning that they are adequate, and if the strategy is as it is suppose to be, meaning it is in accordance with the rules generally accepted. Learning this, we can easily identify the interest of others to see if they are efficient and effective.

The corollary of this paradigm warns us that people grade behaviors depending on the structure of the interest, and we always have to analyze the behavior of others starting from the way they grade their own interest. On the other hand, it is important to know that interests, being motivational structures can be understood starting from the needs and desires of the individual. Maslow[1] build a pyramid of needs only to prove that they are graded according to their importance, from psychical need, followed by security, protection, social needs, esteem needs, the need for self-actualization. When a need is considered important it becomes an interest. The theoretical and practical value of Maslow's pyramid in reference with the interest points out that we should take into consideration the interests' logic, not only the needs'. Although the interests are better controlled, in comparison with the needs, they should be in contradiction with these, because it can easily lead to a psycho-behavioral dissonance. In essence, we can say that:

- *human communication is necessary and mandatory*
- *inherent, it is neither good nor bad*
- *the exchange of information is based on a personal interest*
- *the fact that it is necessary doesn't imply a correct use*
- *in the usual language there are many constituents and terms, which indirectly show us that people don't communicate efficiently.*

1.2. A definition of efficient communication

Why it is so important to understand not only our interests but also the interests of others? Firstly, because naturally people do not do this. Since the developing of interests is done individually, each person has his own interest. This is counterproductive when we consider the life in common. The pure individualist strategy through which the individual understands to communicate, for a short or a long period of time, can be harmful. This fact can be seen in organizations, in social environments, in which people interact in order to achieve common objectives. Here, the individual communication centered on personal interest is no longer efficient if it doesn't take into account the interests of the others. The individual is forced to take into account the promotion interests that belong to others. In

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[1] A. Maslow, Motivation and Personality, New- York, Harper and Brothers, 1954

other words:

> An efficient communication is achieved when all the persons included in the communication reach their interests through interacting.

As people have different capacities and abilities it means that some people achieve their interests more easily than others. A communication becomes efficient when a person, while reaching his goals, tries to promote the interests of others. It may seem as a demanding and idealistic situation, but on the long run the individual has no other chance if he wants to evolve, if he wants to benefit of the chances that life has to offer.

This is true in day to day life, where the individual plays certain roles – groups of rights and obligations – even if here the things aren't that obvious.

The life in common has other landmarks, other promoted values, other circumstances that differ from those of people taken as independent individuals. The human being chooses to be an individuality, to refer only to his interests or to be a social being and to refer to the interests of others. Duplicity has no place here. We cannot mime the interests of others, and in real life do nothing. Our gestures, our mimic, the dynamic of our body are sort of an individual polygraph that tells the others when an individual is lying.

We can say that an efficient communication is a choice and we wouldn't be wrong. The individual chooses to also promote the interests of others, and not only his. The truth is that it is not a choice, it is the choice. You cannot live with others by simply ignoring them, you must be actively involved.

From this we understand that an efficient communication isn't mandatory but it is necessary. It is the product of education and respect for the other person no matter what our position. Thus, the efficient communication is in the intention of the emitter to also promote the interest of the receiver, as a strategy for a medium and long period of time. In essence we can say:

- the efficient communication isn't mandatory but it is necessary;
- it implies a human dimension materialized in the intention of the individual that has a greater power to solve and the interests of the individual that has a lesser power in the communication process (the employer's intension to also see the employee's interests, not only his);
- efficient communication is the result of education and respect for the other individual – no matter what his position is in the organization

2. Why are organizations important to individuals?

Interpersonal communication has new perspectives when we are talking about an organization. The organization is considered a distinct social space in which many people, interact in a specific way, and cooperate in order to do a common task, it has became a "religion" of the modern world. Today, the attempt to analyze the society outside the organization would be considered an inefficient study. What we are interested in this study is the particular way in which the communication process takes place inside an organization and also if it is so different that people have to have certain special skills in order to communicate. In other words, it is interesting to see if interpersonal communication acquired outside the organization can also be used in an efficient manner inside the organization. Before we point out certain aspects of organizational

communication it is important to answer the question from the title of the subchapter: why is the organization important to the individual?

Firstly because work has become more and more complex that no man alone can do it from start to finish on his own. We do not realize this because our experience implies the division of labor, cooperation, specialization, thus considering them natural. Other authors[1] derive the necessity from the fact that people must cooperate because an individual has limited power to make a choice and to act. The limits are defined as obstacles or blockings which stand in the way of our desire to do what we have set our minds to do. We are trapped in a maze from which we can't escape without the help of colleagues, subordinates, boss, etc, without cooperation.

Secondly we must point out that a big part of our life is spent in organizations, promoting organizational strategies – based on efficiency and profit. Approximately 8 hours a day we are living inside an organization, sufficient time to understand that our own individualities are limited by the individualities of others which have the same rights and obligations as us.

Thirdly, the organization becomes an intermediary between the individual and the society. The organization, together with other institutions must find solutions so that the individual can live freely together with other individuals. It isn't only an economic space, where profit is created; it becomes a cultural environment – meaning that we can talk about the organization's culture, in which individuals socialize. An organizational system that quickly will understand this will win. The organization becomes one of the most important institutions in the post modern society.

Fourthly, the organization builds the organizational human being, a human that as same as the organization is guided in life by efficiency – the human won't start activities if he is aware he is going to lose, he guides his self by his personal objectives, a human that understands the importance of cooperation and competition and that translates them in every day life. Despite empirical evidence, that the common sense invades the organizational sense, because it is anterior to it, a careful analysis shows that the organizational spirit affects the common sense, being better organized and having a greater coherency. As the proverb says – "an employee goes to the boss with his own ideas and comes out with the boss's ideas", we can say that the employee goes to work with the "philosophy" of the common sense and comes home with the "philosophy" of the organizational sense.

2.1 Organizational objectives, individual objectives and the need to interact

The reason why an organization exists is its finality, in the objectives that it must accomplish. The general objectives of the organization are:
- solving tasks, specific missions
- the creation of a adequate work environment, which motivates employees
- the creation of an image, of a prestige for the society.

In the organization level we find many objectives. But all can be included in the three mentioned above. The organization can focus on one or another objective. There are cases in which the first objective is thought out very carefully, the other two being ignored. In other cases, organizations are very interested in the last objective, for example the

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[1] Barnard, Chester, Organization and Management, Cambridge, MA, Harvard University Press, 1952

political organizations, because they consider that it is absolutely necessary to have a good image, thus bringing them an advantage. Some organizations don't really need the third objective: a small business unit or a unit that has monopole for a certain product or service, on a large area.

Can we make a comparison between the organizational objectives and the individual ones? Can we find the three types of objectives in an individual? If this is the situation it is easier to report the organizational strategy for communication to the individual one, because both are based on needs, common wants. The human is a teleological being, his behavior is determined by targets, by objectives. From this point of view the similarity to the organization is natural. On the other hand, the individual is careful regarding the climate in which he lives, regarding the day to day atmosphere. Finally, we aren't immune to the image that other people have for us, and we are continuously trying to improve it.

We don't have to explain the way the organization influences our communicational capacity. Even if individuals enter organizations having their own strategies, they easily borrow the guidelines for organizational communication and promote them outside the organization.

We often hear the expression "organizational human being". It translates, in a psychological manner, into the impact that organizations have on the personalities of humans. Although when the individual enters the organization he has a well structured communication strategy the new social reality is so strong that it requires great reconsideration of the skills. The professional competence is part of the other competences – interpersonal, communicational, decisional, etc. more than that, once entered in the organization the individual is aware that many years from now – 30-40 years – for 8 hours a day, his life is determined by this new reality.

Thus, that dynamic balance of the "mature" life is formed: 8 hours of passive recovery (sleep), 8 hours of active recovery (recreation and free time) and 8 hours of effort (work), a very important balance.

This balance has a major impact upon communication, meaning that the interpersonal strategy for communication now holds many aspects of organizational communication, which are integrated in the "personal communication". The modern human being often "breaks" this balance by invading the space required for active recreation, for effort and for passive recovery, this leading to an imbalanced in the day to day life, leading to stress and psychical fatigue. Another aspect that is worth mentioning is the transformation of the recreation space in two "types" of activities – watching TV and sitting indoor. This way, the body's ability to recover is reduced very much, the communication process is limited to those closest to the individual (staying indoors) or to an interior communication (watching TV). Studies regarding the impact that television has upon the individual, upon the way he thinks are not promising[1].

Why should communication in an organization be studied? The most important motive is that at an organizational level there are certain restraints in the communication process that determine the individual to radically change the way he communicates. What changes are involved? The biggest change is the meeting with the employer - manager, leader, director, boss etc. Although it seems that this matter should be discussed in a

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[1] see Giovanni Sartori, Homo videns, imbecile through television and post thinking, 2005, Ed. Humanitas, Bucureşti

management course, because of the implications it has over communication, some aspects must be cleared also in this course.

2.2. The specific of the organizational communication. The limiting of the freedom of movement

In non organizational communication or non professional communication, the freedom of movement of the persons that communicate is approximately equal, with some exceptions. What is the freedom of movement? By freedom of movement we understand the possibility of an individual to stop a communication process when he isn't comfortable with it. When talking about common sense we imply that no one can make us communicate if we don't want that. There are some exceptions. Before entering the work environment the exceptions are the parents and the teachers. Regarding the parents, the affections that this communication implies is sufficient to counterbalance the restriction of freedom. Parents are family, intimately bond to us, the fact that some time we are sick of them and we refuse to communicate doesn't provoke great unbalance.

Teachers, the second category, represent a greater danger. The interior discipline, the meeting with authority, the fact that you must do what another person is telling you to do is an important fact for a child, and if he hasn't learnt at home, he will learn now. Let us think about our first teacher, in the first years of school and then to the entire teaching staff. The child's age, the different personalities of the teachers, the relative limited responsibilities that the child has are factors that can explain certain behaviors that are more freeing then limiting the freedom of communication.

The most important breaking point in the communication strategy is the meeting with the boss. A complex character that has enough authority to impose his point of view, a person that you depend on 8 hours a day. We dear to say the communication process with the boss is the most complex and energy consuming process. The individual that manages to handle this process in his favor will have a lot to gain. From this point of view, organizational communication refers to managerial communication, to employer – employee communication. In an organization there are also other types of communications, horizontally – with colleagues, but these depend directly on the relation with the boss.

From this moment on the individual truly understands what authority is and how he should answer to it. If the communication strategy is a permissive one, then things aren't that complicated. But what if the communication is restrictive? If this is the case, then we must find efficient solutions as soon as possible. Why?

- you cannot contradict with your boss all the time
- you depend on your boss 8 hours a day
- by non-verbal communication, which is hard to prove, you can always be under pressure
- the boss can make your life difficult at work, by the book. It is one thing to comply with the regulations and it is another thing to fully respect it. To demonstrate what you are capable of it's only necessary for a boss to truly follow the regulations and after 8 hours you are extenuated
- it is hard to wake up and go to work with a feeling of fear
- when you and your boss don't get along you have to be more efficient and more careful, you don't have to be late even one minute, you cannot leave early, you don't smoke as much as you want, you don't drink coffee, you don't waste time as before

- finally, the boss can tell you, "if you don't like it you can leave", but you can't tell him the same thing.

For these reasons you would have to settle your problems with your employer or you can leave. The second solution is inefficient. Think that you have some experience in the field work and a new boss comes and the confrontation begins. It is ideal to earn communicational skills in order for you to handle all types of employers.

3. About obstacles and their impact on communication in general

When we analyze the obstacles or the disturbing elements of a communication, we analyze the aspects that are external to the communication process, which don't change it from the interior, but from the exterior, from the emitter, receiver or context.

The existence of inefficiency or of some defects isn't tide up to the internal dynamics of communication, as it is the case for paradox communication[1], which by its nature is disturbing because it tends to bring the subject in a state of mental confusion which paralyzes him or determines him to act in a confusing manner (he says words without meaning, he babbles, he makes a mistake).

The example given by Mucchielli [2] is eloquent for understanding the paradox communication: a person that salutes with "very nice to see you" followed by the turning of the eyes in another direction or by a weak handshake. In this situation the meaning of the verbal language is counterbalanced by nonverbal communication, which doesn't say the same thing. Thus, the individual receives contradicting messages that block him.

In day to day life, the signs of an inefficient communication are easy to detect, especially because of the effects that they produce. The immediate result of obstacles is the blocking of communication, the settling in of communicational uncertainty, irritating attitudes or aggression. The obstacles act as an iceberg, a small part of the obstacles is received directly by the individual and another part is manifested involuntary, in a subconscious manner. It is obvious that most of the blockings are related to our interests, to the way we succeed in materializing them, and putting them in action. Another category of obstacles appears when we are trying to perceive and accept the interests of others, of people living besides us. Finally, a third category of obstacles appears when we are also trying to promote the interest of other persons, when we help them in reaching their goals.

3.1 Signs that signal the presence of obstacles

How can we see if a communication is obstructed? How can we see if a certain obstacle can distort the communicational process?

The main signals that people receive and that should be taken care of immediately are:

- the impossibility to have a common code between the sender and the receiver
- reduced availability for using the feedback when formulating an answer
- unjustified aggression or disturbance from those that communicate
- the communication takes place under a climate of suspicion
- the dialog becomes a monolog, initiated by the sender or receiver

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[1] Alex Mucchielli, The art of communicating, Ed. Polirom, 2002, Bucureşti
[2] Alex, Mucchielli,op.cit., 2002

- gestures that aren't backed up by words
- the changing of the subject without any logic
- quartering on positions that don't allow room for negotiation
- totally different conceptions regarding the world and life
- the transformation of active listening in plain listening

The existence of these signals, their number being higher, has determined the specialist from the field of communication to concentrate on the factors that don't allow us to communicate efficiently. It is a daring task because the obstacles aren't isolated one from another, only the effects are complementary, thus creating the obstacles.

3.2 Different concepts regarding the analysis of obstacles blocking communication

The first thing that we have to do is to define these obstacles. There are various definitions in literature, most of them describing obstacles as being perturbation in the process of communication[1], and they are structured as external and internal perturbations. There are authors[2] that structure the obstacles in barriers of the system – when talking about the communication agents (sender, receiver) or barriers of the process – the result of the interaction inside the communication. Pânişoară identifies in the first category:

- deficiency regarding the sending and receiving of information
- the conceptualization of the message depending on the situation and purpose
- the choosing of the path of communication
- the social status of the communicators
- the language and the groups regulations

For the second category, Pânişoară quotes Richard and Patricia Schmuck, 1992, which start from the connection between relational and affective in the context of communication, distinguishing four levels or communication, three being important in interpersonal communication with the following barriers emerging:

- firstly, we are talking about the message brought to our attention by the verbal and nonverbal communication; when they don't match this leads to a reduction in efficiency of the communication.
- secondly it is about the hidden intentions of partners; if the difference between what communicators state during the communication and what they actually want is big, then communication will be less efficient
- thirdly, we are talking about the action – emotion part of the communication activities; any communication has a sentimental side – if this rises then the control over the effects of communication diminish.

In the attempt to list the barriers that appear in communication, Wilcox, Ault and Agree, 1989, start from the message and talk about its relation with the receiver, showing that he can amplify the signal, he can interpret it in a wrong manner or he can ignore it. Taking this into account a series of barriers emerge:

- the different experience of people that are communicating
- different educational background
- interest differences regarding the message
- difference between the IQ

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[1] Rodica Cândea, Dan Cândea, Managerial communication , 1996, Ed. Expert, Bucureşti
[2] Ion-Ovidiu Pânişoară, Efficient communication, 2004, Ed. Polirom, Iaşi

- the lack of respect between the communicators
- sex, race or social class differences
- differences in mastering the language
- the sender's lack of ability to communicate
- the receiver's lack of ability to communicate

Baron and Byrne, 1987, wanting to analyze the barriers that appear in communication, talk about some mental "shortcuts"[1], in fact personal ways of psycho – action organization. The two authors mention:

- the heuristic availability – the first thing that comes in our mind when we think about something, is related to the tendency to appreciate a situation based on first impressions – we will return to the first impression, that we consider an obstacle in the path of communication due to the impact it has over the individual's auto-manipulating, although, after a careful analysis we will see that it happens involuntary.

- the effect of the false consensus – people want to believe that others agree with them, because this will confirm the correctitude of their judgment.

- the effect of grandeur – it refers to presenting the situation, the person or the event, so that a mystical bond is created with the receivers. Maybe, the most classical example comes from Mucchielli, in The art of influencing, when he analyses the case of the blind man, which was a beggar in the spring time on the Brooklyn Bridge. First, on a piece of cartoon it was written: "blind from birth", message that didn't influence the passers. One of the passers took the cartoon and wrote a more penetrating message, for the people around the blind man. On the cartoon the stranger wrote: "It is spring and I cannot see". The message, written in this manner was more impressing for the passers, because they would identify with the mirage of spring, thus understanding better the blind's man drama.

- the perseverance effect – when a piece of information is considered to be true, it continues to be true for the people, even if they have been informed that the information is false. The spreading of rumors is based on this. A sort of "there is no smoke without fire" makes the people hold their position even if unnecessary.

- heuristic representative – the judgment of a phenomenon by similarity, with other known cases, starts from the fact that people appeal to what they know, trying to integrate the new phenomenon in a category already known.

Research regarding the obstacles for communication was made starting from stereotypes. These are preconceived ideas, not based on precise data, but determined by our mentality and prejudges about others and about events. Baron and Byrne, 1987, consider that there are, more possible sources for building stereotypes as barriers in an efficient communication:

- we have the tendency to ignore the situation and to appreciate the action itself without putting it in a context. For example, if at a course the teacher sees two students that are anxious for the course to finish, he might

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11 vezi Ion-Ovidiu Pânişoară, op.cit., 2004

think that they aren't interested and aren't willing to learn, when actually the reasons could be different.

-       the blaming effect – self-understanding – we appreciate the person's behavior in a certain manner in a situation and we appreciate differently our behavior in the same situation. For example, if we ask a person to do something in a determined period of time and he doesn't succeed, he will put the blame on external factors, on people, on means, etc. If we put a second person to do the same thing as the first and we ask her why the second person didn't succeed, she has the tendency to explain the failure through internal factor – could not do it, wasn't able to do it.

-       the self served prejudgment is a plus for the above explained mechanism – if we receive a good feedback from others, we tend to connect it to internal factors – we are smart, good judgment, capabilities, abilities, etc, and if the feedback is unfavorable, we tend to link this to external factors – the difficulty of the task, the lack of help, etc.

Torrington and Hall, 1991, identify in their research five barriers in the path of communication, considered to be the most important:

-       barriers in sending the message, at the sender – incomplete message, prejudges in addressing the receiver, incorrect information in the message's content, problems with the tone's message. In the Romanian film "All about football", the manager of a small company enters a club where several people are talking about the possibility that the local team enters group B. Hearing about this, the manager says – "we need football" and he immediately takes a leave of absence, thus starting a terrible discussion because those present don't know how to interpret the message – positive or negative.

-       barriers in receiving the message – appear at the person receiving the message – needs, beliefs, values, attitudes, opinions, expectations, prejudges.

-       barriers in understanding – they can be found at the sender – semantics and argot, abilities in communication, the length of time and the channel chosen for communication – and at the receiver – concentration, the ability to listen, knowledge about the message, prejudges, opening to new ideas , etc.

-       barriers in accepting, these are common to all – sender, receiver, medium. If regarding the sender and receiver we are talking about attitudes, values, mentalities, opinions and prejudges, for the medium we are talking about emotional "interactions", status differences, previous experience, etc.

-       action barriers – are common to the sender and receiver – the memory and the level of acceptance, flexibility in changing the attitude or behavior.

According to Steers, 1988, there are five major barriers which can be researched in the communication process. Those are:

-       distortion – the message suffers a distortion, including the differences between the sender and the receiver, the language imprecision, social distance or status between the sender and the receiver. The acknowledgment of the distortion is a remedy by itself because the sender tries to make the message as accessible as possible for the receiver.

- the omission – it appears when the sender filters the message or when he isn't capable of covering all the message. The omissions have a lot to do with the sender and the way he conceives the message. The development of some abilities, for sending the information he considers less important, is welcome.

- overloading – it consists of sending a lot of information, more than it is necessary. It is an important aspect in decision making, where overloading is a disturbing factor as it is the lack of information. The concept of communicational optimum is important here because it can translate the actual need for information into order to communicate efficiently. The need for information can be constant, thus the overloading or the lack of information can be dangerous.

- synchronization – it consists in an agreement between the sender and the receiver regarding the method of communication, in order for them to be on the same wave length.

- acceptance – the primary method for the receiver to relate to the message. In general, the senders use messages that they consider to have an impact upon the receiver, thus securing a satisfying initial acceptance.

An interesting barrier is also the concept of communicational ethics. In general, the messages aren't ethical or non ethical. What makes a message ethical or non ethical resides in what the sender of the message intents to realize through it. We are talking about ethics in communication due to its effects. DeVito, 1988, states that a non ethical communication is related to forcing people to make choices that, in a normal situation they wouldn't make.

3.3 Jams and blockings in interpersonal communication

The reviewing of these conceptions is benefic at least for two reasons. Firstly, awareness of a number of barriers is a first step in limiting their perturbing actions. Secondly, their structuring creates the possibility to create a group of blockings for which certain abilities and skills must be acquired.

An interesting typology is that of splitting the communication obstacles in two categories. We are talking about obstacles common to all the individuals, that we call jams, and obstacles common to the individual, that we call blockings.

Jams and human deficiencies in communication

A first set of factors has to do with our psychology, with the way, we as humans understand to interact. Humans aren't predispose to efficient communication. On the contrary, we actually block communication, that is efficient communication, because we are mainly trying to solve our own interest and we care less about the interest of others. We will call this first series jams. They are present at all humans and they can be easily corrected when we acknowledge them. These are:

- we are tempted to think that people will act the same in similar situations. If we play a prank on a friend in front of others and he is OK with it, it doesn't mean that he will be OK with the same prank if the group is different. Here we see a series of indirect factors: the physical state of our friend, the relational climate, the others' reaction, etc., which we have to take this into account. Seeing each communication process in its context and respecting this is an important factor in limiting the action of this type of jam.

- there is a tendency to categorize those around us in stereotypes: good, bad, smart, incompetents, etc. This determines us to react according to the stereotypes. In an individual

we can find good and bad, intelligence and stupidity, and competence and incompetence. It depends on the way we analyze the problem. It is a tendency of universal categorizing, this going beyond cultural barriers. This jam is studied together with the hallo effect, the tendency to extrapolate a quality or a defect that we perceive in a person, for the entire behavior or personality of the respective person.

- the first impression deforms the following judgments, transforming them in prejudgments. It is a great handicap for us, because the idea that we can know an individual from a first meeting is very well spread. We don't behave with others as they are, but as the way we perceive them to be. We can say about a person that we know that he is good for nothing. We will act accordingly. But, the person could be honest, candid and altruist. We have to try carefully to know the people around us. The first impression is rather a down side than an advantage. The first impression is a relational disease of the modern human being. Unfortunately we stop at the first impression and regarding the people around us, we refuse to know them. If we know how to do this, of course!

- our sympathy towards others rises or diminishes when we discover, or not, common preferences or characteristics. Let's say that your best friend and a colleague from your faculty offend you at the same time. How will you react? Certainly for your best friend you will find an excuse, a justification, but for your colleague you will pay him back, although both persons offended you. Why do you treat them differently? **People have the tendency to forgive many things, even unjustified, when coming from persons that they consider nice, friendly.** The existence of liking and disliking in interpersonal relations is, by far, the greatest jam for efficient communication.

- instinctively we use our own landmarks and conceptions in judging others, convinced by the fact that truth and justice belong to us. There are no right answers when people have to explain their feelings, etc. In this category of factors we can include also other factors. It is important for us to reflect over these shortages so that we can correct them.

Pay attention!

Jams are obstacles that are related to the human nature. They aren't considered by people as being necessarily mean and inefficient. They become obstacles through the implications they have in the communication process.

Blocking in communication

During the communication process a series of perturbations appear, depending on the complexity and difficulty of communication. We select what we say, how we say it and when we say it depending on a complex set of rules that we have learnt during our life and that reflect a specific number of factors, as self image and the interlocutor's image, the personal way of defining the situation, what we expect, feelings, motivations, intentions. Also, we have perturbations that are related to the context in which we communicate or the way we communicate. The main blockings that appear in communication are:

- **the way of perceiving –** the way we see the world is influenced by our previous experience, so persons of different age, occupation, education, will have different perceptions and will receive the situations differently. The way we see things and the way we behave depends on our interest. Depending on whether or not our interest is reached we will behave in a certain way. The same thing happens to our interlocutors. We have to make them understand that they will have something to gain from communicating with us.

- **rushed conclusions –** some said "stay away from the person that knows the

answer before he knows the question". In a dialog do not expose your point of view as long as the interlocutor hasn't finished what he wants to say. If you interrupt him, you may block him and the communication will fail. On the other hand, the fact that you rush your conclusion can be seen as an act of superficiality. In either case you have something to lose.

- **the lack of knowledge -** it is difficult to communicate with someone that has a different education, that has different knowledge regarding a subject for a discussion. You do not have to hesitate in asking for details or information regarding the message. If your interlocutor has a lower level of knowledge you must make sure that he understands the message. Ask questions, ask him to describe in his own words the message.

- **lack of interest** – one of the most powerful barriers is the lack of interest for the message, from your interlocutor. The individual becomes interested if he can obtain something in return. Our problems are more important than others' problems. Where the lack of interest is obvious you have to act with grace, so that your message meets the requirements of the individual receiving the message. If you were in a similar situation wouldn't you act in the same way? Don't forget the law of interest: any behavior is determined by an interest.

- **the interlocutor's image** – it is also related to our subjectivity. If we believe that the interlocutor is less prepared in an area than us or that he has an inferior social status, then we will talk "from above", we will interrupt him when we consider that he has deviated from the subject and we will pay less attention to his ideas. If we feel inferior and less experienced, we will listen more and carefully, and maybe we will try to prove our competence to him.

Here the status difference intervenes. It is associated to a certain prestige, thus we have the tendency to communicate more rigid with a person that has a greater status than ours. This aspect is present especially in the formal communication, for example, teacher-student relation. Getting to know these barriers is beneficial for communication. Even if we don't want to, these blockings intervene in the message exchange and it is better to take them seriously.

The blockings in communication represent an important subject in managing communicational relations at interpersonal level. From a practical perspective of this course, the listing of obstacles, understanding them and the limits they contain is opportune for directly improving the communication. It is up to you to identify the most important obstacles that appear in your own communication processes and to form the abilities and skills needed for overcoming them.

3.4 Some obstacles in organizational communication

The specific of managerial communication attracts some distinct obstacles, inside the organization. The obstacles are barriers, blockings, filters that usually are bad for communication. Except the obstacles presented above and that can be found in an organization there are a series of obstacles that are specific to the management activity. Starting from the fact that the relation employer –employee is the most important interpersonal relation in an organization we think the analysis of organizational obstacles can start from here. The obstacles have two sources: the manager and the subordinate. The main obstacles generated by the managers are determined by difficulties in the ability to send information, due to the tendency to raise artificial barriers when communicating with others:

- **insufficient documentation**, the idea is that the manager doesn't have time.

Nothing further from the truth. An efficient manager always knows how to make time in order to handle the employees' problems. The lack of time is associated by some employees with the idea of making things in a rush.

- **the tendency to transform the dialog in a monolog,** either because of the lack of time, or trust in a partner or in the point of view expressed by him. If you do not want to take into account the interlocutor's opinion you don't have to torture him for a half an hour to explain to him what you want to do. You are wasting time.

- **the usage of a raised voice and irritated tone,** which might lead to the intimidation of your partner. The usage of an aggressive tactics can be beneficial if you want to have an employee that is obedient, that doesn't question your ability. If you want a serious dialog partner, your employee should have the power to contradict you and you should encourage this action. At higher levels of management the tactics of the negative employee is often used, also called the devils advocate; he must say no to all the proposals that come from the manager. In this way the problems that appear will have better solutions.

- **the usage of an inadequate language for the person receiving the message.** From respect for the person in front of you, you have to speak in a way he understands. If you do not act accordingly you will block him.

- **deficiencies in the ability to listen**. An efficient communication is based on active listening. Listening doesn't only mean hearing it also refers to what you are hearing. In this king of listening feedback intervenes. We will talk about the process of listening during this chapter.

- **the lack of respect for the interlocutor** shown by not paying attention to what you are saying, impatience, the hurry to finish fast, the solving of several unimportant problems in parallel.

All these obstacles can be easily overcome by managers by acquiring some skills for efficient communication in any conditions, inside and outside the organization. Together with the obstacles generated by managers, in an organization there are obstacles generated by employees. The motivation for such obstacles is different and it is mainly related to the feeling of security and protection. The main obstacles generated by employees are:

- **not participating in the organization's life.** The mentality that the organization is run by the manager and the employee must listen without commenting is dangerous and worn-out.

- **the employees' need for security**, which implies a position of waiting. The tendency for protection appears especially in a transition period or when the information inside the organization is poor.

- **the reserve of employees to express their opinions** due to fear, for not wanting to disagree with the superiors. The rules: "the boss is always right", "When he isn't right, rule one applies" seem to define a certain mentality in many organizations.

- **the belief that the problems brought forward by the employees do not interest** the boss. This false belief is bad for the good of the activity. We have shown that any behavior is dictated by interest. The problems brought forward by the employees are very important to them, so they will be interested in solving them. The manager which will analyze these problems carefully will be regarded with great consideration by his employees.

- **the lack of routine in communication,** the employees, because they cannot communicate as well as the manager and at a high level, they avoid communicating with

the employer.

Organizational communication represents first of all a source of capital that can be used efficiently and inefficiently by the management. In opposition with the personal communication, the organizational communication is mandatory and puts pressure on people. The management systems have noticed this and have tried, through communicational strategies not to put supplementary pressure on people at organizational communication level. In this manner they efficiently use a resource that practically doesn't cost anything beside the correct management of skills, characters and personalities.

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THE MODERN MAN AND THE INFLUENCE THE BIBLICAL LANGUAGE HAS ON HIS LIFE

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Resumé:

Soit qu'il est religieux, soit qu'il est cretien, l`homme moderne a la chance de se retrouver en faisant appel aux textes bibliques qui nous envoyent aux modeles de language, rationalite et comportament spirituel. Par cet etude, on se propose un breve analyse sociologique de quelques modeles linguistiques

Key words: religion, God, Bible, language

Across the centuries, all over the world history shows that mankind has always been accompanied by religion.

Religion is seen as a complex, universal and as old as man phenomenon. It represents the conscience of the one who believes in his dependency towards God, who created us. Man has been created to the glorification of God and to personal accomplishment, having as a target the coming closer to his Creator.

In his primordial stage, man would have had the possibility to reach the purpose he was created for, due to his inherited attributes, having the face and the look of God. The devil's temptation appeared and man has fallen into it.

As a result, the relationship man-God has suffered modifications, which have worsened his rise towards accomplishment.

The results of the disobedience of the divine commandment have had eternal effects upon humankind, since intellectual powers have become darker and their will was spoiled.

Adam's descendent no longer had the interior power to remain on this path, he was inclined more towards the bad than the good.

It was impossible for him to reestablish the love relationship with God by himself.

The conclusion is a simple one, if God hadn't intervened, man would have had to vanish. In His infinite love, God promises Adam and Eve to send a Messiah to the world "who will crush the snake's head".

Across the centuries, God spoke to our parents by His prophets and when time came by His Own Son (Gospel 1.1).

Only by His Son –Jesus Christ- Adam's relationship with God could start again.

The disclosure God made to man for his redemption is written in The Books of the Holy Scripture. Though they were written by man's hand, designed to man, they were written under divine inspiration.

Across history, in all times, these books were named Scriptures, not because they deal with theological problems, but because of the way they were written, that is with the inspiration and assistance of The Holy Spirit.

Its specific feature differentiates the Scripture from the other religious writings.

The Books of the Old Testament were written in Hebrew and Aramaic.

For a thorough and meaningful study, it is not necessary to know only the original languages, but also the local, geographical, social, political and cultural contexts of that time.

The biblical study makes it easy to correctly understand the Holy Scripture. The latter assumes to have exact notions about the inspiration and canonicity of the Holy Books as well as about the interpretation rules.

Contrarily, errancy could be reached, as St. Peter the Apostle said: "There are difficult things to understand, things the ignorant and the poor misinterpret, just like in the case of the other Scriptures, leading to their perdition" (II Peter 3.6)

It is known about the Holy Scripture that it is a collection of Holy Books written with the inspiration of the Holy Spirit throughout a period of 1500 years, approximately from Moses to the Apocalypse.

The Christian church keeps them as the most precious thesaurus.

The name "Bible" attributed to the Holy Scripture is of Greek origin and it means "book", a term taken from the Holy Parents and the religion writers.

Saint Ioan Damaschin speaks about the importance of the Holy Scripture: "The soul who lives by the Holy Scripture is just like a tree grown near the waters' spring, fattens and gives ripped fruit, that is true faith, constantly having green leaves, that is good deeds" (Deut. 12.7).

The holiness of the church comes from its origin, but also from its contents.

Concerning its origin, the Bible is Holy, it is not the product of humankind's mind, yet it is written by some men with distinguished lives, inspired and assisted by the Holy Spirit, and comprises religious truths concerning the believer's redemption.

By its content, It unveils truths given to us by God in order to know the supernatural purpose we are destined to; practical guiding for our lives; historical events, which are part of the iconomy of humankind's redemption.

The Holy parents, aware of the special and divine feature of the Holy Scripture, named it as: the Holy Scripture, God's Scripture, Pages from Heaven, the Inspired Scripture.

The Holy Scripture has two parts: the Old Testament and the New Testament.

The name" The Old Law" is especially used for the Old Testament while "The New Law" is named for the Scripture of the New Testament.

The books of the Holy Scripture, both for the Hebrews and the Christians, were structured according to their doctrinaire, practical, historical, poetical contents.

Being written by authors who have been supported and protected from errancy in the revealing of divine truth during its writing, the Holy Scripture has uncertain authority: divine, because its foundation is of Holy inspiration and a human one, since its writers are worth believing and the books are complete and authentic.

The Holy inspiration is the action of the Holy Spirit upon the Holy authors chosen to announce the truths necessary for our redemption. This action should not be understood as a verbal inspiration, meaning that the Holy Spirit actually dictated to the Holy author the things he wrote word by word, as Filon, Iustin, the Martyr, Atenagora, - but in fact the writer received only the ideas contents of Revelation while his reasoning or his will were not annulled.

God respected the author's personality and his own presentation of the things disclosed.

Although the books in The Old Testament are not considered to be inspired books, it results from numberless places that they have been written according to God's

commandment.

At the beginning, the fist texts of The Old Testament were not orally transmitted from generation to generation. In the end, they were written in Hebrew on the parched paper. The texts, carefully written, reached our days.

In 1947, a parson discovered some old papyrus in the caves of the Dead Sea; they were fragments from all the books in The Old Testament, except for that of Esther probably transcribed in the times of Jesus[10].

It is believed that they come from Qumran monastery and that they were hid in caves by a group of Hebrew named Essenians.

The discovery of the Qumran manuscripts greatly modified the history of the Old Testament Hebrew text, due to the fact that these manuscripts were nearly one thousand years anterior to the medieval manuscripts.

Psalm 118, line 105 explained why the Old Testament was so important to the Hebrew and the Christians. The author tells God: "Your Law is flame for my feet and light for my way".

The first four Gospels of Mathew, Mark, Luca and John, present Jesus' life, death and resurrection.

The Apostles' deeds tell about the Christian church development and about Saint Pavel the Apostle's Journeys.

The epistles are letters of some Christian leaders to Christ's apostles who had begun to spread.

At the beginning, the books of the New Testament were written on papyrus, some foils made of reed. The Christians copied them on papyrus papers that they tied and put between two pieces of wood or clay pieces. Such a book is called "codex"[11]. A complete CODEX of The New Testament is found at St. Catherine Monastery at the bottom of Mount Sinai in 1844.

Codez Sinaiticus dates from the 4th cent. after Christ.

Due to the growing number of those who were reading the Bible versions in Latin appeared and then in other languages. The first version in Romanian, known as The Bible from Bucharest, was printed in 1688. This work firstly certifies a high degree of maturity for the Romanian language in its evolution towards the getting of that capacity to render the varied and reach contents of ideas and thoughts of The Holy Scripture, a certain sign of the possibilities a language from a high stage of its development has.

By the Bible from Bucharest, the clergy and our believers have gained access to the Holy Text, which has given an impulse to the Romanian theological culture.

Of all universal literature, all the writings left to us across time, only the Holy Scripture has managed to pass the test of time. Only the holy Scriptures have proved that they have in them the essence of life. They have inside them Life itself. They have been written with the influence of the Holy Spirit. All the others have sprung from the human mind and time, the most unmerciful judge hasn't validated their value.

Title: in original, the book is called "Apokalypsis Iesou Christou" – "Jesus Christ' Discovery". This name appeals to Lord Jesus as source and general subject of all things comprised in the book.

Author: it is beyond any doubt that The One who sends this epistle on Himself and on the unfolding of future history is Lord Jesus Christ. John is only "the human instrument", the "scribe" chosen to transmit the message received from God. John's name appears four times in the book. (Apoc. 1:1, 4, 9; 22:8). The book's contents proves the fact that the one who wrote it was a Hebrew, a person who knew well the scripture, one of the

spiritual leaders of the Churches of Small Asia, he himself being a very religious man and very convinced that the revolution begun by Christ will soon triumph over the demonic forces in the world. The apostle John is the one who best corresponds to such a description.

Date: The Book of the Revelation was written in a time when Christianity was beginning a period of great prosecution by the authorities of the Roman Empire. Most analysts think that it was written around 95 after Christ.

The context of the writing: Since the Roman authorities began to impose the cult of Caesar declared a God into the empire, the Christians, who considered Jesus an emperor and did not accept to bow to Caesar, have begun an open conflict with the state. The Apocalypse warns the Christians in Smirna about the great times that were to come. (Apoc. 2:10). Antipa, the Christian witness (Apoc. 2:13) had already fallen together with others, being first victims of the oppression. (Apoc. 6:9). John himself was exiled on the isle of Patmos (Apoc. l:9), probably a kind of prison of the empire. Not to wander that, under the pressure of the times, some of the people of the Church had begun to preach a way of compromise (Apoc. 2:14-15, 20), which had to be quickly fought, especially taking into consideration the even wore times which were to come.

The content of the book: The purpose of the book is to encourage the believers to be strong in their faith and not to bend under the pressure of the moment. Its authors inform the readers that the final confrontation between God and the Devil will take place soon and it will end with the crush of the Devil and glorious victory of the Lamb of God. Till then, thus, the believers are urged to be strong and to resist the Devil, even with the price of their lives. They must know that they have been sealed with the seal of eternity and that they will be avenged when Lord Jesus comes, at the time when the bad will be for ever punished, and the Christians will receive the bay of rewards and free entrance in the happy eternity of holy union with the Son of God.

In order to better understand the Book of Revelation, the reader must know that it is written in a specific literary form. Ezechiel, Daniel, Isaia and some of the prophets also comprise "apocalyptic" passages. This kind of literature is characterized by highly profound symbolic elements by which they try to transmit knowledge about realities which normally outgrow the limits of our knowledge based on experience and senses. Although at the first sight the visions and images described by John seem strange for the modern reader, the book can be understood because the text itself offers the "key" to some of the symbols in the book (for example the stars are angels, the candlesticks are Churches – Apoc. 1:20 – "the greatest whore" is the Babylon and the heavenly Jerusalem is the Lamb's bride - Apoc 21:9-10).

There are four schools of interpretation for the Book of Revelation: the preterist, the idealist, the historicist, and the futurist. Taken one by one, they say that:

(1) The Preterist – the text of the book is symbolic and is linked to the events that came upon the Church in the 1st century. Today, the book is only a documentary, a testimonial of what had already happened and where we can find principles that are forever true. (2) The Idealist – the text is addressed to real churches, but it has only symbolic character, illustrating the fight between good and evil with the final triumph of the good. The Apocalypse is reduced at the level of a bad and a selection of fables.

(3) The Historicist – the text is addressed to real churches, but it gets an allegorical character where we can notice a description of the history of that time till the end of the century. The Apocalypse is transformed into a book of "coded" history that can rival with any history book of the schools of the world. At the back of symbols, we can recognize: the fall of Rome, the Mohammedanism, the papacy, the reformation, etc.

(4) The Futurist – the nature of the text and the way it is explained are settled by the "key" in Apoc. 1:19: "Write the things you have seen, the things which exist, and the things which are to come after them". The Apocalypse is seen as a chronicle of Christian life of the "time of the Church" and as an announcement of future events of the period of the end. As opposed to the historicist interpretation, this interpretation does not intend to recognize the past history of the world in the text of the Apocalypse. It reserves the descriptions in the book for still future events, which wait for their soon fulfilment. Most people who interpret in a "futurist" way The Book of Revelation see in the letters sent to the seven Churches not only epistles of a local character, but also descriptions of some characteristic stages which will make Christianism evolve by the time of the end. (Apoc. 2 and 3). The rest of the book has not taken place yet. The events described starting with Chapter 4 will begin around or even at God's second coming. Chapter 20 describes the passing through the time of the Millennium to the time of the judgement of humankind, and the last two chapters describe the state after the judgment of humankind, in the eternal bliss of the communion with God and Heaven

Although we see something good in every one of the four kinds of interpretation, we recommend the futurist method to everybody. It is closest to respecting the spirit of the Scripture and it best harmonizes with what we already know of the information transmitted to us through the rest of the prophetic books. The Old Testament repeatedly announced the coming of a kingdom where "Somebody", come from David's kingly descendants, will reign in Jerusalem over the Israel remade and re-established in its own ancestry, extending the influence of His beneficent reign upon all the world's ancestries. These prophecies are so clear and in such a great number that to try to "spiritualize" all of them would mean a ravishment of the Holy Spirit inspiration upon their authors.

There is also that double aspect of the Messiah work which the Jews could not understand for a time. The Messiah had to come and to suffer and to rule. Today we know that, in fact, it was about two successive comings of God. First He came to Jerusalem to die for the sins of humankind and the second time He will come back to the same Jerusalem to install His glorifying kingdom. The New Testament does not tell us how much time it is supposed to pass between the two successive comings. He only gives us some events which will announce the imminence of the second coming and will start the world crisis that will end with the final victory of the Lamb. (Mat. 24:27-31; 2Tes. 2:1-12; 2Tim.

3).**Key words and characteristic themes**: The history of the world takes place between the first and the last book of the Bible. The Genesis shows us where everything begun, and the Apocalypse shows us where and how all things will end.

The Apocalypse is a succession of series of "seven". It is spoken about: seven Churches (Apoc 1:4, 11), seven spirits (Apoc 1:4), seven golden candlesticks (Apoc 1:12), seven stars (Apoc. 1:16), seven seals (Apoc. 5:1), seven horns and seven eyes (Apoc. 5:6), seven clarion (Apoc. 8:2), seven thunders (Apoc. 10:3), seven signs (Apoc. 12:1, 3; 13:13-14; 15:1; 16:14; 19:20), seven emperor chaplets (Apoc. 12:3), seven cankers (Apoc. 15:7), seven golden cups (Apoc. 15:7), seven mountains (Apoc. 17:9), and seven emperors (Apoc. 17:10). In the Judaic symbolism, number "7″ represents "the divine perfection". The Book of Revelation shows us God at work, in all His sapience, contested but insuperable, attacked but always at the helm of history, without hurrying and without being late, leading everything towards the fulfilment of His great and accomplished plans.

The Book of Revelation can and must be understood. No other Book of the Bible is clearer in its message. The first five chapters describe the first move of the action through

which Christ is crowned on the throne in Heavens. The part between chapters 6 and 20 describes the second move of the action towards Christ's coronation as Lord on the throne of the earth. The end of the book takes the action to the end of Christ's coronation over the entire "new creation". With this plan in the mind, the book's particular features quickly find their place and signification.

III. THE NAME SYMBOLISTIC – BIBLICAL NAMES

- *Avraham* – the name of the first Jew, the "high father", "the father of heights", "the father of crowds". He is very encountered, especially if we take into consideration his short form, Avram.

- *Eliahu* – "My God is Iahve"[13]

- *Eliezer* – "God is the spring of help."[14]

- *Ester* – the translation of the name as "young wife" is more credible than the derivation of the word "stareh"= "star"[15]

- *Haim* – "Life"

- *Hana* – "Grace"

- *Iacov*- the name of one of the Jewish people's patriarch, Iacovil, is translated as "God has protected" or "May God Protect"[16]

- *Joseph* – Anthroponomy with signification: "He (God) gives the growth"[17]. It is a Biblical name which was spread almost all over the world. The pages of the Bible referring to his pilgrimages, becoming, successes in Egypt, and his contribution to his ancestry's deliverance contributed to the wave of affinity and hope of those who named their children "Joseph".

- *Itzhac* – the name of one of the Jewish people's patriarchs is translated by "merry" or "the one who laughs", considering that it would illustrate Abraham and Sara's reactions at the news of his birth[18].

- *Mazal* – "luck"

- *Mordechai* (Mordechay) – his name probably comes from the Babylonian king Marduk and it is the name of the lighted character in the legend of Esther.

- *Rahel* – is the name of Iacov's favourite wife and in Hebrew it means "sheep"[19]

- *Rivka* – is the name of Ithzac's favourite wife and it means "connection"[20]

- *Sara* – is the name of Avraham's wife, having two significations, both that of "lady", "leader", and that of "singer"[21]

- *Solomon* – a Latin term of the Hebrew word "şalom" and it means "peace"[22].

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LA FEMME CHEZ LA BRUYERE

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Resumé:

This study has fixed as its purpose to highlight woman's social condition in La Bruyère's Characters. The author offers us a variety of means, among which we discover the dialogue, picture, reflection, wise saw, and portrait. The tone can be either solemn or serious one, satirical or comical one. We have different and varied points of view. Sometimes La Bruyère makes objective remarks, or expresses his opinion or does he pretend that he thinks in the way his contemporaries do. All these combined techniques seen as a whole of his work give the impression of certain dynamism which captures the reader's attention and leaves the possibility of new and further interpretations.

Mots-clés: femme, literature, Bruyere

La tradition des moralistes, aussi bien que celle des satiriques, font de la femme un „lieu" obligé et spécifique de tout discours sur la société: l'„honnête femme", autant que l'„honnête homme", a suscité une importante littérature pendant tout le XVII-ème siècle.[1] Elle implique des points de vue particuliers et elle est riche de toute une thématique déjà développée dans les oeuvres littéraires du temps – que l'on songe à *l'Ecole des femmes*, aux *Précieuses ridicules* ou aux *Femmes savantes* de Molière -; de plus cette problématique s'impose à l'époque des *Caractères*, où l'instance féminine est au cœur des débats qui opposent partisans des anciens et partisans des modernes (la fameuse *Satire X* de Boileau, contre les femmes, paraîtra – au cœur de la polémique avec Perrault – en 1694). La Bruyère, même s'il joue sur la tradition satirique, est donc bien ici en pleine actualité.

La présence de la femme introduit dans le monde beaucoup de nuances et de modulations sentimentales, beaucoup d'interférences et de rapports. On est sugéré avec beaucoup de discrétion l'existence d'un charme féminin, qui se sent, mais il n'est pas défini.

Un beau visage est le plus beau de tous les spectacles: et l'harmonie la plus douce est le son de voix de celle que l'on aime. (III, 10)[2]

On trouve des délicatesses féminines spontanées, presqu'imperceptibles, qui persuadent beaucoup, qui séduisent et *qui flattent sensiblement celui pour qui elles sont faites: il n'échappe presque rien aux hommes, leurs caresses sont volontaires; ils parlent, ils agissent, ils sont empresses, et persuadent moins.* (III, 14) Rien de ravissant que la

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société d'une belle femme embellie des cadeaux d'un honnête homme: elle réussit la perfections des deux sexes. (III, 13). La vraie grandeur d'une femme à l'origine dans le cœur; la simplicité et le naturel mettent en valeur la beauté d'une jeune femme.

Des ces observations on voit un idéal féminin délicat et timide, que, malheureusement, la vie ne l'accepte pas. Car, la femme, gouvernée par la sensibilité, ne progresse pas. Excessive par nature, elle est meilleure ou pire que l'homme. (III, 53).

Son jugement sur la valeur d'un homme est toujours d'ordre sentimental; quand elle ne l'aime pas, ne reconnaît aucun mérite. (III, 63). Elle s'imagine et exprime facilement des sentiments qu'elle n'a pas, ce qui implique une grande dextérité sentimentale. (III, 66). La faiblesse d'une femme se doit à la même sensibilité exclusive, qui domine la vie et la raison (III, 23) Le caractère de la femme est éminemment inconstant, son sensibilité étant un élément par excellence instable: la femme glisse sur toutes les marches de cette instabilité – tour à tour inconstante, frivole, volage, indifférente, infidèle, perfide, les mêmes nuances que l'observateur distingue facilement. (III, 24-25). Toutefois, la femme se montre capable de garder un secret, mais elle garde plus facile le sien que celui d'autrui (l'homme, au contraire!), une bizarrerie qui tient compte de la même sensibilité exclusive, donc très personale (III, 58).

Dans son désir impétueux de séduire, d'un sorte d'impérialisme de la sensibilité la femme exige de corriger la nature et recourt aux artifices superficiels – jeux de regards, certaines expressions de visage (un air de tête), une certaine marche, quelques scintillements spirituels (III, 2).

La vanité du rang est caractéristique à la femme, incapable à resister à l'écharpe d'or et a la plume blanche de l'homme de court, qui parle avec le roi et les ministres, au fond ridicule (III, 29).

L'imperfection de la nature féminine se voit par d'autres plusieurs déviations. À cause de la mode, de la faiblesse, de l'incapacité de se dominer, certaines femmes confient leur âme, conduite et les plus chers intérêts aux directeurs de conscience ou aux confesseurs, ou même aux simples laïcs, qui les dominent tyranniquement, sans les améliorer. (III, 36, 37, 40, 42, 45).

Dans le milieu familial, la nature de la femme connaît des transformations tristes ou comiques. Il y a des mariages où les rôles se renversent, l'homme accomplit les charges de l'épouse (III, 76).

Chez La Bruyère, il n'y a pas qu'une créature qui soit moins respectable que les hommes *terrestres* ou *grossiers*: c'est la Femme[1]: „Les femmes sont extrêmes; elles sont meilleurs, ou pires que les hommes." (III, 53). Mais où trouver, dans *Les Caractères*, l'étude et l'éloge des qualités qui les rendraient meilleures? Qu'on lise au contraire la „remarque" 49 du chapitre *Des Femmes*; après la question: „Pourquoi s'en prendre aux

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[1] Sur l'idée de la Femme chez La Bruyère voir aussi R. Jasinski, *Deux accès à La Bruyère,* Minard, Paris, 1971, pp. 174-215, (l'auteur suit l'évolution de l'image de la femme dans les éditions succesives des *Caractères*) ; J. Morel, „La place de la femme dans Les *Caractères* de La Bruyère", in W. Leiner, ed., *Onze études sur l' image de la femme dans la littérature du XVII-ème siècle,* Narr, Tübingen, 1978, pp. 131-146; K. Waterson, „La femme: personnage et lectrice des *Caractères* de La Bruyère", in I. Richmond şi C. Venesoen, eds., *Présences féminines. Littérature et société française,* Biblio 17. Suppliements aux *Papers on French Seventeenth Century Literature*, Paris-Seattle-Tübingen, 1987, pp. 145-171; E. A. Avigdor, „Une lecture du chapitre *Des femmes* in C. Abraham,ed., *Actes de Davis. Mme de La Fayette. La Bruyère. La Femme et le théâtre au pouvoir,* Biblio 17. Supplements aux *Papers on French Seventeenth Century Literature,* Paris-Seattle-Tübingen, 1988, pp. 123-129.

hommes de ce que les femmes ne sont pas savantes?", La Bruyère dresse la liste méthodique de toutes les faiblesses qui les déshonorent. Leur esprit souffre d'une *paresse* essentielle, et d'une légèreté „qui les empêche de suivre une longue étude" et qui les éloigne par nature „des choses pénibles et sérieuses". D'autres penchants blâmables s'ajoutent à ces défauts: elles ont une „curiosité toute différente de celle qui contente l'esprit"; leur talent se borne aux „ouvrages de la main"; elles sont obsédées par le „soin de leur beauté". Il s'agit, comme on peut le voir, d'infirmités de l'ordre de l'esprit[1], qu'on remarque dans un être qui, par surcroît, pâtit d'une faiblesse générale de *complexion*. Ces défauts chez „la plupart des femmes", on peut bien le croire, ne sauraient que s'ajouter à tous ceux qu'on rencontre chez la plupart des hommes. Car, pour ce qui regarde la vie morale,

La plupart des femmes n'ont guère de principes, elles se conduisent par le cœur, et dépendent pour leurs mœurs de ceux qu'elles aiment. (III, 54)

Mais comme, faute de *principes* propres, elles adoptent les pensées et la conduite de *ceux qu'elles aiment*, chez elles la vie intérieure paraît soumise à l'empire d'une seule passion dominante – l'amour. Dans *Les Caractères*, en effet, chacune des passions de l'âme, si c'est une femme qui l'éprouve, prend une nuance caractéristique, toujours à la suite de la liaison, directe ou indirecte, avec cette passion première.

C'est de la *beauté* et de la *jeunesse* que les femmes nourrissent leur orgueil (XIII, 25). Et l'idolâtrie pour les *supérieurs*, qui naît de l'orgueil, se transforme chez elles en une espèce d'admiration qui est l'une des sources et comme le présage de l'amour:

(…) je vous plains, Lélie, si vous avez pris par contagion ce nouveau goût qu'ont tant de femmes Romaines pour ce qu'on appelle des hommes publics et exposés par leur condition à la vue des autres (III, 33).

Un homme de la ville est pour une femme de Province ce qu'est pour une femme de Ville un homme de la Court. (III, 30)

O relativité ![2] Sur ce chapitre, d'autre part, La Bruyère aime à distinguer soigneusement l'attitude des femmes de ville de celle des femmes de la cour (VII, 15). Ces dernières, pour *souffrir* ou même *estimer* un homme, se contentent de le „trouver à la cour"; „cela leur suffit". Elles „ne s'informent ni de ses contrats ni de ses ancêtres"; „elles ne demandent pas s'il est venu en chaise ou à pied, s'il y a une charge, une terre ou un équipage." Ainsi il n'est pas impossible qu'elles aillent jusqu'à devoir des „dehors agréables et caressants" pour „un homme de mérite, et qui n'a même que du mérite". C'est que „regorge(a)nt de train, de splendeur et de dignité", elles „se délassent volontiers avec la philosophie ou la vertu". Il en est tout autrement des femmes de la ville. Comme nous avons besoin de ce qui nous manque, elles sont avides des signes extérieurs de la richesse et du rang, et comme enivrées de leur éclat; si bien qu'ils provoquent en elles une attraction fiévreuse pour ceux qui les étalent[3].

Les remarques de La Bruyère sur l'ambition chez la Femme sont tres rares; faut-il

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[1] Parmi les causes de l'ignorance des femmes, La Bruyère, généreusement, compte aussi "les distractions que donnent les détails d'un domestique."

[2] Voir aussi III, 29 (*Le rebut de la Cour est reçu à la Ville dans une ruelle, où il défait de Magistrat*, etc.), et V, 82.

[3] *Une femme de ville entend-elle le bruissement d'un carrosse qui s'arrête à sa porte, elle pétille de goût et de complaisance pour quiconque est dedans sans le connaître; mais si elle a vu de sa fenêtre un bel attelage, beaucoup de livrées, et que plusieurs rangs de clous parfaitement dorés l'aient éblouie, quelle impatience n'a-t-elle pas de voir déjà dans sa chambre le Chevalier ou le Magistrat! (…) ôtera-t-elle les yeux de dessus lui?* (VII, 15).

imaginer que cela découle de la place des femmes dans la société, qui leur rendant inaccessibles les objets coutumiers de cette passion (les charges, les dignités…) effacerait la passion elle-même? Quoi qu'il en soit, il semble que les femmes, armées seulement de leur beauté, ne sauraient souhaiter que d'atteindre aux richesses, mais toujours par l'entremise de l'amour d'un homme[1]. Et chez elles l'empire de l'amour est tel que La Bruyère peut estimer comme une exception, digne d'*étonnement*, qu'il y ait quelques femmes chez lui l'ambition devance la passion maîtresse. (*Il est étonnant de voir dans le cœur de certaines femmes quelque chose de plus vif et de plus fort que l'amour pour les hommes, je veux dire l'ambition et le jeu...*, III, 52).

En revanche, La Bruyère remarque la force de la vanité dans l'âme des femmes. Seule cette passion, tout comme l'amour, peut vaincre en elles la *paresse*, qui est un défaut essentiel de leur nature (III, 71). Mais les qualités qu'elles exhibent pour en tirer des louanges qui flattent cette passion, ce ne sont presque que les charmes du corps. Qu'on lise le portrait d' Argyre; il semble voue a illustrer les bornes de la vanité féminine:

Argyre tire son gant pour montrer une belle main, et celle ne néglige pas de découvrir un petit soulier qui suppose qu'elle a le pied petit; elle rit des choses plaisantes ou sérieuses pour faire voir de belles dents; si elle montre son oreille, c'est qu'elle l'a bien faite, et si elle ne danse jamais, c'est qu'elle este peu contente de sa taille, qu'elle a épaisse; elle entend tous ses intérêts, à l'exception d'un seul, elle parle toujours, et n'a point d'esprit. (XI, 83).

À cette vanité de la Femme, La Bruyère donne le nom de *fausse gloire*:

La fausse gloire est l'écueil de la vanité; elle nous conduit à vouloir être estimés par des choses qui à la vérité se trouvent en nous, mais qui sont frivole set indignes qu'on les relève: c'est une erreur. (XI, 66).

Mais cette *erreur* sert la cause de l'amour: „Elle entend tous ses intérêts…"; intérêts qui, évidemment, se résument dans le besoin de séduire.

La fausse gloire a du moins le mérite de s'appuyer sur des qualités réelles; mais le besoin de séduire entraîne les femmes a forces ou même a trahir la réalité. Il les pousse à recourir aux arts de la parure et du maquillage. La Bruyère est fort sévère à l'égard de ces artifices, qui voudraient corriger les défauts de la nature. Il en abhorre les excès grotesques (XIII, 12; VIII, 74)[2]; ils possèdent a ses yeux la gravite du mensonge (III, 5).

Bien que la vanité féminine se nourrisse, de manière toute privilégiée, des charmes du corps[3], il peut arriver qu'elle veuille exalter certaines qualités intérieures. Mais il est remarquable que ce soient des qualités à la fois simulées et outrées; elles correspondent, dans l'ordre intérieur, aux excès des ornements extérieurs du corps. Dans un cas, il s'agit d'une espèce assez risible de raffinement idéal de l'âme, qui nous tiendrait dans l'ignorance naturelle de tout ce qui n'est pas noble. L'objet de cette ignorance simulée, ce sont les „endroits publics":

Quelques femmes de la Ville ont la délicatesse de ne pas savoir ou de n'oser dire le nom des rues, des places, et de quelques endroits publics, qu'elles ne croient pas assez nobles pour être connus; elles disent: le Louvre, la place Royale; mais elles usent de tours et de phrases plutôt que de prononcer de certains noms; et s'ils leur échappent, c'est du

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[1] *Combien de filles à qui une grande beauté n'a jamais servi qu'à leur faire espérer une grande fortune?* (III, 61).

[2] Voir D. Bertrand, „Les femmes-poissons (III, 5): rhétorique du burlesque et ironie", in *La Bruyère. Le métier du Moraliste*, pp. 221-230.

[3] Qu'elle loue dans les autres, mais afin de les rabaisser (*Si une belle femme approuve la beauté d'une autre femme, on peut conclure qu'elle a mieux que ce qu'elle approuve*, XII, 8).

moins avec quelque altération du mot, et après quelques façons qui les rassurent. (V, 69)[1].

Dans un autre cas, il s'agit d'une „fausse délicatesse de goût et de complexion", c'est-à-dire d'une extrême et gracieuse faiblesse face aux moindres choses qui peuvent irriter notre sensibilité:

C'est Emilie qui crie de toute sa force sur un petit péril qu ne lui fait pas de peur: c'est une autre qui par mignardise pâlit à la vue d'une souris, ou qui veut aimer les violettes, et s'évanouir aux tubéreuses. (XI, 144).

Parfois, enfin, la vanité féminine veut étonner en contrefaisant une certaine image excessive de la vertu elle-même.[2]

Quant au rôle de la vanité dans la représentation concrète de la vie sociale selon les Caractères, il suffit de lire la troisième „remarque" du chapitre *De la ville*:

Dans ces lieux d'un concours général, ou les femmes se rassemblent pour montrer une belle étoffe, et pour recueillir le fruit de leur toilette, on ne se promène pas avec une compagne par la nécessité de la conversation: on se joint ensemble pour se rassurer sur le théâtre, s'apprivoiser avec le public, et se raffermir contre la critique: c'est là précisément qu'on se parle sans se rien dire; ou plutôt qu'on parle pour les passants, pour ceux même en faveur de qui l'on hausse sa voix, l'on gesticule et l'on badine, l'on penche négligemment la tête, l'on passe et l'on repasse. (VII, 3)

Nous allons conclure cette revue des passions chez la femme par la „remarque" que La Bruyère consacre à la malignité, ou *perfidie*:

La perfidie, si je l'ose dire, este un mensonge de toute la personne; c'est dans une femme l'art de placer un mot ou une action qui donne le change, et quelquefois de mettre en oeuvre des serments et des promesses qui ne lui coûtent pas plus à faire qu'à violer. (III, 25)

Cette passion aussi, chez la Femme, ne pouvait que se rattacher a l'amour; mais cette fois, c'est un amour nie au moment même où la *perfidie* fait voltiger son mirage devant les yeux pleins d'espoir de sa victime. La certitude qu'on trompera cet espoir, et la prévision du mal que l'on fera, voila la double source du plaisir que la Femme éprouve dans cette passion. Il est vrai qu' „on tire ce bien de la perfidie des femmes, qu'elle guérit de la jalousie." (III, 25)

En général, les passions, tout comme les vices, se déguisent et se cachent d'autres et d'elles-mêmes (IV, *Du cœur*, 72): observation qui nous rappelle La Rochefoucauld et s'applique parfaitement aux héroïnes de Racine.

Quelques-unes des „remarques" que La Bruyère consacre à la passion de l'amour ne s'appliquent qu'à la femme. Leur importance ne saurait être négligée, car elles nous permettent de fixer quelques traits distinctifs de l'amour féminin. La Bruyère se plaît à relever les éternels symptômes de l'amour naissant chez la femme[3].

Chez la femme, l'amour se mêle aux passions blâmables, ainsi le cortège de ces passions ne manque pas de se mêler à l'amour, et de corrompre sa nature. Lorsque les femmes commencent à aimer leur Théodecte, ce n'est pas d'un pur amour qu'elles

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[1] Sur ce chapitre aussi il faut distinguer d'atttude des femmes de la cour, qui montrent une noble rudesse, et qui *ayant besoin dans le discours des Halles, du Chatelet, ou de choses semblables, disent: les Halles, le Chatelet*. (*Ibid*.)

[2] *(…) elles outrent l'austerité et la retraite, elles n'ouvrent plus les yeux qui leur sont donnes pour voir, elles ne mettent plus leurs sens a aucun usage (…); elles ne haissent pas de primer dans ce nouveau genre de vie, comme elles faisanet dans celui qu'elles viennent de quitter (…)* (III, 43).

[3] *Une femme qui n'a jamais les yeux que sur une même personne, ou qui les en detourne toujours, fait penser d'elle la même chose*. (III, 65).

l'aiment; ce sont en même temps l'orgueil, la vanité, l'ambition qui le convoitent en elles. Qu'on se rappelle leur prédilection pour les „hommes publics" (III, 33). Comme il arrive dans l'ambition, en aimant un *supérieur*, elles souhaitent en même temps un agrandissement de leur être; comme il arrive dans la vanité, elles rêvent d'un spectateur qui, observant leur liaison avec un *supérieur*, serait convaincu qu'elles participent en quelque sorte de son prestige. La présence de ces deux passions autour de l'amour féminin nous pousse à en reconnaître un caractère distinctif: il est inséparable de l'orgueil. Car Vanité et Ambition, on le sait, ne sont que ses fidèles servantes. Aux yeux de La Bruyère, donc, un bovarysme foncier se trouverait au cœur de l'amour féminin: à sa racine il y aurait un orgueil insatisfait, et la tentation de se rêver autres qu'elles ne sont. Cette idée est illustrée dans le longue „remarque" qui achève le chapitre *Des femmes*. La Bruyère y raconte une parabole qui est en même temps un minuscule roman psychologique. Il décrit la naissance, le développement et le triomphe de l'amour malheureux dans le cœur d'une belle indifférente. Cette passion aigüe, qui amène l'infortunée jusqu'à la folie, n'a pour source que les blessures ouvertes dans l'âme par l'orgueil outrage.

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