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POLITICAL AND CULTURAL HISTORY: THOUGHT AND PRACTICE

ORIGINAL PAPER

Ali PAJAZITI

Über Mazedonische: Challenging Multicultural Spirit via Culture

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Abstract: *The present study highlights the challenging multicultural spirit culture in the Republic of Macedonia. This paper is based on a multidimensional study that enables scientific interpretation and elaboration of phenomenon of "divided society in progress" through analysis of two cases when tradition (carnival) and sport (handball) were used not as cohesive but fragmentation tool.*

Key words: *tradition, tribal neo-paganism, the anti-sport spirit, cultural intolerance, Macedonia, divided society.*

1. Introduction

Societies are similar to live beings, they try to save themselves against the antibodies that provoke them and hurts in different ways. Republic of Macedonia, as whole Balkan is very fragile area, transitional country with internal and external unsolved issues, with authentic *homo balkanicus in actum*. Non-stabile economy, turbulent societal-political relations, ethnical dichotomy, name issue (with Greece), are the some of the items of permanent crisological agenda of this country with antique image but with virulent post-modern problems. After the Ohrid Framework Agreement (2001) that finished ethnic conflict between two major ethnicities, Macedonians and Albanians, pacification tendencies, supported by international factor, aiming stabilization and creating new perspectives were functional. But last years, especially from the year 2006, permanent interethnic and interreligious tensions reappeared via government's dozen of irrational policies that aims monoethnicization/monoreligionization of society's infrastructure and superstructure. Serious social tensions are some of the effects of the provocations as Encyclopaedia 2009, church on capital's Ottoman castle, antiurban project "Skopje 2014", Vevchani 2012 etc. This paper is based on a multidimensional study that enables scientific interpretation and elaboration of phenomenon of "divided society in progress" through analysis of two cases when tradition (carnival) and sport (handball) were used not as cohesive but fragmentation tool.

2. Culture: General insight

The term culture derives from the Latin word *colere* that means: plow the land, sow, harvest or work. The word *culture* is used as synonyms of “sowing”. This term was used at the time of Bismarck, when were established the foundations of Germans’ union in the meaning of expression of spiritual national values; physiognomy of the spirit of a nation, reflection of the philosophy and aspirations of a nation. In the common language cultured person is considered the one that speaks a couple of languages, knows history, literature, philosophy and beautiful arts. It does not exist an overall definition of culture accepted by all scientist. Two American *Anthropologists* Kroeber and Kluckhohn in their book from 1952 have written 164 definitions on culture. The most classical definition of culture gave E.B. Taylor, who said that the culture is a complex entirety that includes knowledge, art, ethics, moral, traditions and all the skills one obtains as member of the society. C. Wisler says that culture represents the way of living of a nation. Claude Lévi Strauss, one of the main advocates of French structuralism defines the culture as union made of mental structures impacted by the history, psychological and social environment of the group. In anthropology with the term culture we mean the common way how a nation lives and the social heritage an individual gains from his group. The culture is a factor that determines human’s behaviors. If a person behaves in a manner, it reflects the fact that he was born and educated in the environment of a particular cultural tradition. The culture of a society shapes the individuality of its members. All the cultures in the globe, regardless their differences, bear religious features. In general, religious culture possesses integrated aspect in the social structure, but as well the “autonomous” mechanism that acts completely out of the social structure. Each culture within its structure includes methods and values that are not weighted or judged with the criteria of another culture. According to G. Markush, a philosopher of culture from the old school of Budapest, the culture is a concept consisted of two layers: an anthropological approach and sector approach. Based on the first approach, the culture is integrity of all activities we do not carry out instinctively, but we learn them, rather the entirety of the skills we cultivate, that give meaning to the “human” life. The other approach - sector type (or with direct evaluation burden) is known for everyone: comprises the domain that usually is named “high culture”, the domain that embraces “immortal” works of art, scientific spirit, philosophy and religion. (Haviland, 2002: 270; Kluckhohn, 1998: 69; Tomash, 1989: 203)

3. Culture as fragmentation tool: Vevcani Carnival and religion-ethnic polarizations

Each culture possess its elements of particularity, *significant*, signs with relational character, that firmly connect the members of a group in the scope of common symbols, that necessarily determine the constrains of division with the other culture. Cultural anthropology states that the multiplicity of cultural components is an evident social phenomenon, so almost there is no a culturally monolith society. It is significant to understand what John Rawls has called “the fact of reasonable pluralism” (*the fact of reasonable pluralism*). (Maclure-Taylor, 2011: 10). Anyhow the reality proves that the signs, initiate and are interpreted from different perspectives. The sign-operator causes direct reaction of receiver or alteration of his state, e.g. feeling fear, rage or joy. The human is *designator* as well, he can comment the signals and signs and he can develop a opinion on them. (Kloskovska, 2005: 91-92) In general, culture facilitates the stability, continuity and progress of human society (Ilić, 1978: 13)

Republic of Macedonia is multicultural society, with a diversity of its ethnic and religious composition, an environment, where for centuries are situated components of different ethnicities, complex identities, different civilizations, ancient cultures, Byzantine, Ottoman, Slavic, Albanian,

Macedonian, Turkish, Serbian, Bosnian, Vlahos' etc. In addition, Macedonia is a multiethnic society, multi-religious, grouped in distinctive systems of values.

Although, historically these cultures have cohabited mutually, after the withdrawal of Ottoman State from these territories, serious turbulences were experienced, starting from the ideology of romanticism, triad history-folklore-ethnos, nationalism and identities, that Malouf defines as *murderous*. Balkan societies nowadays face with "negative peace", conventionally defined as lack of struggle and conflict, aiming to reach positive peace that includes *the presence* of some capacities and conditions intending to create a primary *situation* of harmony and equilibrium, not only *a result* of a political agreement. (Kallën, 2012:227)

In Republic of Macedonia "multicultural nationalisms" are in permanent contact, so in this context Macedonian nationalism is within a competition-struggle with other nationalisms, especially with the Albanian nationalism (Atanasov, 2004: 306). We can freely say that the society of RM has a need for organizing the diversity and complexity as unreduced property of human world (Eriksen, 2007: 1058) within an environment, where instead of the process of integration exists the process of segregation. This can be seen in all the domains of life, starting from the politics, education, culture, reaching to urbanism, sport etc. As more obvious example of the process of fragmentation is the capital, Skopje, where is taking place a phenomenon of ethno-urbanism, rather *Beirutisation* (DW, 2012) as consequence of anti-urban design "Skopje 2014" that segregates the capital on ethnic and religious lines.

2012 was a year with political and cultural turbulences in RM, occurred Vevchani case (scandalous carnival), Nish (chauvinistic fanatic fans), Gostivar (execution of two young Albanians by a ethnic Macedonian policeman), urban busses in Skopje (beating Albanian students by Macedonian hooligans), Smilkovci (macabre execution of five Macedonians), that caused raise of "ethnic tensions with religious dimensions" (Reynal-Querol, 2000: 15), as *differentia specifica* of Balkans.

Even cultural events can generate clash to vast extent. This was proved by the traditional carnival, organized in the village of Vevchani in Struga (13-14 of January), characterized as one biggest cultural manifestation in RM (*Utrinski Vesnik*), where externally was caused a diplomatic scandal with Greece (due to the symbolic burial of the Greek corpse), so Greece sent to Macedonia a protest note, internally was generated a turbulence with religious nuances, were upset religious feelings of almost half of the population of RM.

American sociologist M. B. McGuire (2007: 328) says that the religious limits very often are related to the other outlines of separations, such as racial or ethnic, political or national loyalty and so on. This ascertainment is valid for the case of Macedonia, where ethnic Macedonians identify themselves with Christian orthodoxy, rather Albanians with Islam. (state.gov) In Vevchani's carnival, that is comprised of pagan and modern celebration, there was a scoffing and irritating attack against Islamic values, like Quran, veil (hijab), turban, imam's coat, prayer (salah), bowing (sajdah), in other words it exceeded the redline of a *maskenball*. This degrading parade, unnatural and perverse linkage between sacred and pornography caused reactions amongst Muslim population all-round Macedonia. The spokesperson of this anger became the Mufti office of Struga, releasing a reaction, where amongst other was stated that:

"From these video sequences is clearly obvious that one carnival attendee has in his head a so called turban-fes and in his hand holds the Holy book of Islam, but on the book is written Kuron, then some other citizens dressed with priest's coat and veil (hijab) bow to sajdah above Islamic flag, where is placed a giant penis about one meter long"... "There are visible images of

pedophilia and other anti-Islamic phenomenon's, because these images caused hard feelings and exacerbate interreligious and interethnic relations, that as such are fragile in this land". (ditari.com)

This carnival, characterized by the Minister of culture as "illuminating pearl of Macedonian tradition and a brand for introducing Macedonia to the world" (kultura.gov.mk), but in contrary to this, by a representative of Islamic Union in RM it was characterized as "carnival of dirtiness" (A. Islami). It arouse serious polemics in the public, where even were produced statements such as: "Either unified state or a split up" (Mufti of Struga, Polisi).

Islamic Union in its reaction in global scope stressed out the feelings of a psychology of an antiislamic madness, *islamophobia*:

"Unfortunately, islamophobia is in the process of grooving and related to an irrational hatred, that certain persons promote in our society against that what represents Islam and Muslims. In our case, islamophobia is present and inherited in our culture, in the art, literature, media, public debates, where Muslims are treated as "aliens" and opponents of the civilization". (bim.org.mk)¹

This situation caused the emergency meeting of Committee for Interethnic Relations, intending to amortize the tensions, to calm down the situations and take measures to regain ethnic and religious confidence, to heal the threatened cohabitation in Macedonia, where people are whistled just because they sing in Albanian in the center of Skopje,² where took place a curiosity because after 50 years a foreign TV (TRT) station come to Skopje and broadcast a song in Albanian language in national MRT Channel.³ So in the case of Vevchani, culture was converted to anti-culture, affect the most sensitive piece of our era, the one of inter-religious clashes (which tragedy we saw in Bosnia, and now we see it in Nigeria, Myanmar, Palestine-Israel), that was composed in academic principle by Huntington.

4. Sport as scene of ethno nationalism: "Nish 2012"

Sport, an activity that derives from the religious festivals and nowadays one of the domains of attraction and postmodern culture is an institution that consumes leisure time and recreation and promotes health (Olympic games of ancient Greeks, that started in 766 B.C. with the concept of mental and corporal development) and close relations between people. Since the industrialization, a secularization process took place and sport was divided from the religion, obtaining the extents of a particular institution, a new form of control (Marcuse), of collective mobilization (Gjata, 2003: 36), of neopaganism, of dictatorship sē based on *football, fiesta, fado* (Salazar), of modern slavery.⁴

The term *sport* for the first time comes across in the novels of Catalan and Castilian (XI-XIII century) and in sociological theory we find three perspectives: functionalist, conflicting and cultural studies. According to the first perspective, sport is a mean for social integration, provides common interests and unifies people in racial, ethnic and class basis; enhances norms and social values, teaches them to work, to act as a team and respect the authority. In addition to this, according to the conflict theory sport has a negative social "mission", preserves inequities, distracts people from their real problems, legitimize the violence and justifies inadequate division of the wealth. The third perspective is focused on the evolution of sport from an entertaining activity, oriented towards the participation, to an activity similar to the work of corporations, led by the principles of commercialization and entertainment, *showbiz*. (Frey, 1991: 503-522)

Sport, that in the past was an open and spontaneous game, nowadays has become "e total social fact", rather an indivisible part of the society of spectacle (Gjata, 2003: 13, 25), or a real industry where billions turnover, where plenty of money in most of the cases are manipulated by underground bosses that set up the real sport, it intoxicates and makes passive the most vital part of

the society, avoiding them from authentic youth engagements, leading them to betting offices that grow up just like mushrooms after the rain. Various scandals that occurred lately, gradually are weakening the interest of those satisfied from the great sportsmen as Li Ning, Comaneci, Lendl, Stenmark, Jabbar, Zico, Kukoc...

Sport has turned into an area of releasing hatred and nationalistic rage, ethno-fascistic approach, excommunication trends that jeopardizes social interest of the peace. The last cases of Nish, Serbia (European Championship in handball, 15-29 of January 2012), Port Said (football match between al-Masry- el-Ahly, where more than 70 people lost their lives, 1st February, 2012) and March in Belgrade⁵ are metaphors of destructive extent of rage and extreme(ist) passion of sport fans, who get into trans under devilish ecstasy and state offensive language that becomes morbid action against "the other". *The cult of victory* has made sport followers to so called fans or fanatics that always associate me with an illness and condition needed to be cured in clinics, instead of being revealed in sport tribunes. These images create a performance of "the black choir", that with or without conductor creates a real shuddering environment. This assumption is valid for those watching sport matches *live* on the spot, as well for TV spectators.

As well in the context of RM youth vagabondism and fanatic sport fans that always attack each other represent a destructive and dangerous phenomenon against social peace and the process of creation of a stabile and functional society. Extreme sport fans call people on war cry by announcements, graffiti, or use indecent vocabulary. This vocabulary I experienced last winter in a basketball match (Liria-Kumanovo) where the curses and offences where so much exposed so you would never like to watch such matches anymore, due to the low and offensive attacks against the opponent team (Macedonian team) and against the referees. I was shocked due to the selfish *ad hoc*, contradictive and strange reasoning: All players of BC Liria were of Slavic origine, the best was Serbian (Simic), and on the other hand the fanatic supporters were singing "Ethnic Albania", "I live red and black...", "Xhamadani vija-vija..." (Doublet jacket with thin lines), cursed Macedonian girl ("Makedonsko devojce...") etc.

On the other, hand Slavic fans have crossed any red light, even transgressing the domain of physical anthropology and Darwinist theory, they attack Albanian on racial basis. Even when Albanians play for the national team of RM, even when they score, instead of being applauded they are "awarded" with curses on ethnic basis⁶. The analysis of the content proves that Macedonian sport is highly infected wit antialbanism. In 2012 Macedonia, "cursed Albanians" were present in Serbia (Nish), at the European championship, even they were physically far away. Macedonian ethnic sport fanatics, who want pure Macedonia ("Чиста Македонија!"), were seeing Albanian ghost hundreds of kilometers away. They want more to see Albanians beneath the ground than above it ("Dead Albanian is good Albanian!"). The victory against non-Albanians (Czech Republic) was celebrated as victory against Albanians. The worst of all this is the fact that the players, whose task was to give a beauty to the game and create *sport stimmung instead of cursing*, they joined to this massive rage that derived from their inappropriately gained education. Beyond all that was the moment when the State President "a step towards ground zero", decorated those, who diminished the foundations citizen's household. Albanian coalition partner in the government and Albanian opposition party reacted against this act.

A very famous song of Billy Joel from 1989, "We didn't start the fire" ends with "But we tried to fight it". The text means that Americans are not responsible for the problems of the world. The title explains a feature of postmodern era. Each group considers that "we didn't start the fire"; meaning that the other ethnic and religious groups started first. It is not a sentiment taking into

account in order to encourage dialogue and harmony. In our society, everybody points the finger towards the other one!

During my childhood and youth age I was always buying sport magazine "Tempo" and I as keeping them as "a very worthy" collection" (all that remained in my memory). I remember one of the cover pages of the magazine that marked the end of Yugoslavia: football stadium Maksimir, fight between Bad Blue Boys (Dinamo's fanatic supporters) and Delije (fanatic supporters of Red Star) and the kick of Croatian player Boban in a kung-fu technique throwing in the air the helmet of a Yugoslavian militia. He became national hero of Croatia cause against macabre Serbism. Similar clashes were noticed in basketball matches as well (Cibona-Partizan), where all raged nationalism requisites were present, starting from the flags, hats, badges and the repertoire of chetnic and ustash songs.

When you think of the events in Yugoslavian sport arenas two decades ago and the current situation in Macedonia, unavoidably raises the question, how come a state that experienced a conflict and peaceful agreement now follows this ethnocentric logics, that doesn't care much about improvement of the climate, but applies illiberal politics and plays with the fires that managed to escape.

After Nish, in a magazine was written, that after the chauvinism and racism there is no Albanian that gives an attention to Macedonian national team: its results for Albanians would initiate interest as those of Swaziland, Cambodia or Trinidad and Tobago. How could this feeling be different, when from the repertoire of Macedonian fanatic supporters we hear: "*Neither on the sky nor on the ground for Albanians there is no place*" (within this song they are treated as guerillas, ragmen, "two headed black beast". They are shame for Macedonia. God punish them. May thunder hits them and no trace leave behind). In addition, in the Facebook Page of Macedonian handball national team we read:

"Do you know why Macedonia has excellent results in basketball, water polo and handball? As long as stinky Albanians are not involved in these sports, we will achieve a lot of success; everywhere our pureblood Macedonians show up, we will achieve victories!" If Hitler would have read this he would try to associates it with the Aryan (white) race, and if we would remind him the cheering "gas chambers for Albanians"... he would easily find himself as part of that environment.

Albanophobia trend has dominated the "discourse" of journalists, an Neanderthal of revival-macedonism, a "face with pedigree" of sport journalism (Milenko Nedelkovski), close fiend of Gruevski, says:

"I have the six season of my TV show and so far I haven't invited any Muslim or Albanian guest. I multiply them with zero!"

Although the last victory of Macedonian football national team against Serbia, with a goal scored by an Albanian player, created an atmosphere of relaxation (noticed in forums and media), still the events in Kavadarci in the basketball match between junior teams of Feni Industri and NBA Chair (against was evident statement "cursed Albanians" - *Lajm*, 24.10.2012") proved that social developments and phenomenon do not change that quickly.

5. Conclusion

As Collingwood has pointed out, peace is a "dynamic issue" (Collingwood, 1971: 334), it requires awareness and vigilance, a continuous state of awareness, requires action. Macedonia is a fragile society, which due to irrational public politics stands in glass legs, threatened by nationalism and phobia towards the others. Imprudent deeds in the domain of culture are social destructors, that

do not contribute for the cohabitation nor the shared civility and looks like (e)utopia, when we bear in mind this discourse, even still seem achievable when we hear the voice of reasonable people, as stated in relation to the dyad sport-nationalism Serbian-Croatian, burning a flag or showing a chauvinistic parole are symptoms of an illness being developed within the organism and it can terminate the state itself ((Pendarovski, plusinfo.com). Vital societies as music band (Arhangel) says, has no need of “provincial glory”, neither for “calmness for buying”.

We suggest different authorities to take measures in order to change the course of events in the domain of culture, including sport as physical culture, to educate the citizens, develop a profile of a human that has into account the symbols and values of the other, as far as didn't approach the time of scream “I can not take it anymore!” In this regards must be enhanced legal measures too, in the meaning of disciplining the “cultural perpetrators” those how insult the culture of the others, verbal and physical hooligans. School, media, public persons, politicians, religious leaders can play a very significant role in avoiding social pathologies, in the spirit of normal functioning of *social factory*, where sport will be free and spontaneous game, but not a struggle “for life or death” nor a war with different methods.

References

- Atanasov, P. (2004) “Macedonia Between Nationalism(s) and Multiculturalism: The Framework Agreement And Its Multicultural Conjectures”. *Sociologija*, Vol. XLV, N° 4.
- Blazhevska, K., “Beautification or Beirutization of Skopje?”, *Deutsche Welle*, 27.12.2012.
- Collingwood, R. G. *The New Leviathan* (1971). New York: Thomas Y. Crowell.
- Eriksen, Th. H. (2007) “Complexity in social and cultural integration: Some analytical dimensions”. *Ethnic and Racial Studies*. Vol. 30, No. 6 November 2007 pp. 1055-1069.
- Frey, J. H. (1991) “Sport and Society”. *Annual Review of Sociology*. Vol. 17: 503-522.
- Gjata, F. (2003) *Sociologija e sportit*. Tiranë: Afërdita.
- Haviland, W. A. (2002) *Kültürel Antropoloji*. Stamboll: Kaknüs Yayınlan.
- Ilić, M. (1978) *Sociologija kulture i umetnosti*. Beograd: Naučna Knjiga.
- Kallën, I. (2012) *Islami, arsyeya dhe bota moderne*. Skopje: Logos-A.
- Kloskovska, A. (2005) *Sociologija kulture*. Beograd: Čigoja Štampa.
- Kluckhohn, C. (1998) “Queer Customs”, në Lisa J. McIntyre, *The Practical Skeptic: Readings in Sociology*. London-Toronto: Mayfield Publishing Company.
- Maclure, J. and Taylor, Ch. (2011) *Secularism and Freedom of Conscience*. London: Harvard University Press.
- McGuire, M. B. (2007) *Religjioni: Konteksti shoqëror*. Skopje: Logos-A.
- *Lajm*, July 29, 2012; October 24, 2012.
- Reynal-Querol, M. & Montalvo, José G. (2000) *A Theory of Religious Conflict and Its Effect on Growth*. London: LSE.
- Tomash, G. et.al. (1989) *Filozofia dhe tranzicioni*. Tiranë: Arbri & Soros.
- *Utrinski vesnik*, January 5, 2012.
- <http://www.ditari.com/lajme/reagime-nga-bfi-ja-kamevali-i-vevcanit-poshteruan-islamini.html>
- http://www.bim.org.mk/index.php?option=com_content&view=article&id=376:reagim-ndaj-kamevalit-te-vevcanit&catid=39&Itemid=111/28.12.2012
- <http://www.kultura.gov.mk/index.php/odnosi-so-javnost/soopstenija/388-vevcanski-karneval-2012/30.10.2012>
- <http://www.youtube.com/watch?v=jHUQmj16G4Y>
- <http://www.lyrics85.com/bb-uber-mazedonische-lyrics/264102/30.10.2012>
- <http://www.state.gov/documents/organization/193047.pdf/07.11.2012>

¹ The biggest anger was expressed towards the Government. According to the officials of this union, islamophobia is often combined with the Government's propaganda such is the case of Vevchani carnival, for which the Government of Macedonia each year allocates 50.000 euros. Apart from that the most disgusting moment of this carnival was the participation of Minister of culture, MPs from Macedonian position and opposition political parties and the mayor of municipality of Vevchani.

² The concert of 21st anniversary of Macedonian independence organised on 8th of September, 2012 in the Arena Philip II.

³ On the occasion of 100 anniversaries of Balkans wars, National Radio Television of Turkey, on the motto "From Balkans wars to Balkans peace" organised a great musical spectacle "Balkan Fest" where attended 14 well known singers from Albania, Kosovo, Croatia, Serbia, Bulgaria, Turkey, Greece, Bosnia and Herzegovina and Macedonia. (*Lajm*, 29 korrik 2012)

⁴ There are cases when a player is sold for three other players + an amount of money.

⁵ Fanatics of Football club Rad from Belgrad in the match against Novi Pazarin, had displayed the message "Nozh-Zhica-Srebrenica" (knife, wire, Srebrenica) referring to the genocide done against the Bosnians.

⁶ The last case was the football match between Macedonia and Serbia (October 16), where according to live legend commentator Artim Shaqiri, present at this event, ethnic Albanian players, creators of victory, were insulted on national bases.

ORIGINAL PAPER

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Romania's European Identity between Substantialism and Conventionalism*

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Abstract: *Starting from the premise that European cultural identity of Romania was not completely destroyed in the years 1946-1989, we can say that the transition from the communist regime to the democratic regime is characterized by an attempt to build an identity whose structure is based on the European values in the economic-political-social realm and also on a "solidarity Europe" (Donatella della Porta) whose identity dimension is recalculated by taking into account immigrants. Theoretically, Romania has built in recent years a "western" political identity which is characterized by political pluralism, market economy, social participation, respect for diversity, free and fair competition, rule of law and the primacy of human rights. On the other hand, if the political identity, the social identity or economic identity can be a matter of "decision" in a developed democratic state, cultural and historical identity are substantial objectives assumptions of any identity construction. In defining cultural and national identity we can find a number of constants independently of the current political construction, and, moreover, they are sometimes considered "non-European". The purpose of this study is to show that essentialist and constructivist visions of Romanian identity are complementary, and in this respect the main methods used will be the political comparativism and the phenomenology of politics.*

Key Words: *Romanian identity, European values, constructivism, essentialism capable man.*

Assumptions

Beyond cultural values indicating the permanence of a European spirit, the European Romania's identity involves the problem of Romania's political identity, as a Central-Eastern European state – in geographical terms and also, from a view of recent political history, as a state in transition from socialism to capitalism, from totalitarianism to democracy.

To contextualize concrete ways in which political identity of the Romanian state was structured by national and international historical events during a geopolitical game that changed the rules in an interval of about fifty years - at least the last two centuries -, I assume that: "Identity - own both singular individual and various social groups and broad demographic communities represents the sum of defining features, the essence of that entity which is established and periodically resize, expressing the mode of existence, the human being's manifestation in society"¹. Thus, identity can be understood, according to the same Constantin Nica quoted above "as an expression of personality, of a small group, of relatively large groups or communities, a conscious personality of its natural features"².

In order to specify the subject, we add that "Romania's post-revolutionary political identity can send separately and / or simultaneously, or to the system of government established after the rejection of communist totalitarian experience, or to the consequences of the recent practices of institutional superstructures makers and European economic and political integration - a building (...) increasingly artificial as claimed superstate ridiculous demands"³. According to Aristide Cioabă and taking into account the meanings derived from various interpretations given to the notion of political identity, this concept reveals "the existence of a political constituent and coordinating structure", and also "the self-consciousness of the state system government's actors on specificity, continuity or reproduction conditions for the existence and fundamental goals (...) achieved in the name and interest of the national community they represent"⁴.

It is certain that identity is defined not only as a result of self-perception, it is not only the consciousness of "I am I, and if I am, I cannot be another one at the same time and under the same ratio", but as a image of the "other" who observes from the outside, whether or not actual encounters the reflected "object"⁵.

For example, Francesco Remotti believes that identity is a concept so prevalent and attractive in recent times, that "it seems that even the most astute intellectual can not avoid situations where he has to use the word"⁶. But this, we deduct from another work by the same author, it happens not because of objective data that involves that concept, but rather because of subjectivity's value which implies more possibilities for self-construction: "Identity (...) does not reduce to the essence of an object, it depends on our decisions. (...) And if it is a matter of decision, it is necessary to abandon the essentialist vision, in favor of the conventionalist connotation of identity"⁷. In other words, I fully agree that identity is "there" and it needs only to be "discovered", but I accept only in part that "there is no identity, but rather there are different ways to organize the concept of identity", more specifically that "identity is always, in some way, built or invented"⁸ - and here Remotti's conception is consonant with narrative perspective on the identity.

So, my hypothesis is that essentialist and constructivist visions of identity are complementary, and in this respect the main methods used could be qualitative comparativism, phenomenology and philosophical hermeneutics.

To give a concrete example, if the political identity, the social identity or cultural identity can be a matter of "decision" in a developed democratic state, personal identity of the individual (both in biological sense, civil or metaphysical meanings), ethnic-historical identity are substantial objectives assumptions of any subjective identity construction.

On essentialist approach to identity in opposition or complementary towards constructivist approach to the same problem, noting that "we cannot really stop thinking at least partially in categories – and therefore in at least something rather like an essentialist manner"⁹, Craig Calhoun invokes Derrida which suggests "we can never entirely escape from metaphysics however critical of it we may become". So, "our task must be to remain seriously self-critical about our invocations of essence and identity"¹⁰. Such a conception has encouraged the displacement of identity politics or policies issues, to the policies of the difference. In this context, "the notion of identity involves negation or difference - something is something, not something else", as remarked Eli Zaretsky: „Poststructuralists, such as Derrida, problematized identity, for exemple by arguing that identity presupposes difference, that it involves the suppression of difference, or that it entailed on endless process of deferral of meaning. Poststructuralism, therefore, contributed to the complication of identity politics by introducing what is sometimes termed a politics of difference, a politics aimed less at establishing a viable identity for its constituency than at destabilizing identities, a politics that eschews such terms as groups, rights, values and society in favor of such terms as places, spaces, alterity, and

subject positions, a politics that aims to decenter or subvert, rather than to conquer or assert". Anyway "before the question of identity evolved into the question of difference, however, there was a prior history"¹¹.

But the history of what it was before, from the subjective perspective on the collective identity could be a really "critical practical reason", centered on the intrinsic quality of something or someone to be in a certain way and not another, an aspiration" or, on the contrary a "fiction" that can sometimes be speculated in the political realm. Also, both his own perspective and from the perspective of others on "the same" that "contains" himself in a manner both transparent and mysterious, identity using the "mythology" can itself be a myth, "one of the great myths of our time" (Remotti), provided that the identified "object" arouse any interest.

Any one would said, and beyond nationalism, throughout its complicated history, Romania was "interesting" for both for its politicians and the the great powers, both from the south-west or north-east. Consequently, during the great collective history some features of national being either lost their meaning correspondence with designated thing, or have different connotations (reflected either multidimensional, or unilateral), so that the conceptions on identity have also changed, according with the global political transformations.

Theoretical approaches of Romanian national-political identity

In a collective work on the topic *Aspects of Romanian Identity*, Lucian Boia considers that Romania as border country "in relation to all the great civilization or European political embodiment" is the source of historical processes both "contradictory and complementary", and here can be found connotations of identity. Among these are quotes "a certain degree of isolation (an «island» syndrome), persistence of specific civilization (especially rural), the traditional structures, autochthonous values, deformed or formal perception of foreign models"¹². In the opinion of Lucian Boia "The contradictory axis: *adaptability- traditionalism*", is characteristic for the Romanian history"¹³.

In the same paper, Monica Spiridon argues and demonstrates that the "Romanian identity imaginary" is structured by the polar orientation of cultural patterns which "expresses the permanent obsession for strong explanatory highlights own peripheral communities". As a result of this attitude "over time, in Romania, such antinomies *European / non-European* have proven attractive to agencies responsible for national identity"¹⁴.

Opposing the "East" and "West", "generic categories of *European / non-European*" notes Monica Spiridon, became "Romanian marks of national identity" and "have functioned like profitable speculative umbrellas covering a whole range of defaults polarities : cosmopolitanism vs. autochthonism, innovation vs. tradition, dynamic vs. stagnation, criticism vs. creativity, secularism vs. spiritual". So, Europeanism meant "trust in progress, rationalism, historicism, individualism, secular spirit and capitalist economy" as opposed to non-Europenism which is characterized by "primitivism, exotic, anachronistic, authenticity, orthodox spirituality, capitalism phobia, fatalism". This situation has created a paradoxal "european nationalism"¹⁵, an idealized by some and demonized by others attitude. From the perspective of this author, Western Romanian identity project is "fundamentally elitist", but "in the last 150 years this project has been successfully sold to all the people belonging to the nation"¹⁶.

And this phenomenon is present at both cvasioficial and private level. My opinion is that post-revolutionary fervor Romanian identity searches (some of these attempting recovery interwar model) could be explained by the fact that during communism the official propaganda has built a false identity of Romania. As for those individuals who perceive themselves in an idealized manner and yearn to accredit an image that others did not recognize, in Communist Romania, in addition to the

recovery of Romanian culture really values during the years of '65-'80, the propaganda apparatus have constructed an identity whose essence was reduced to plethoric and triumphant statements - and even today we can not say that political discourse would be released from this inheritance.

Still trying to define national Romanian identity, if we refer to her body – this has undergone to significant changes in history, beginning with the first documentary attestation of Romanian medieval state formations until the achievement of the national-state in 1918, continuing with the dismemberment that occurred as a result of the Wien Diktat. In other words, from this point of view, we must abandon essentialist perspectives on identity.

However, we can not waive the relevant steps concerning Romanian identity memory, concerning the specifically and continuity of the inhabitants of this area, and this leads us to the Romanian spirituality, unspoiled throughout history.

If state forms can be substituted by various forms and political regimes (as in the case of Romania, after the Romanian national state achievement in December 1918 and then in December 1947 when Romanian state was proclaimed the People's Republic, and again in 1989 when the totalitarian socialist state was replaced by the rule of law), "the nation is inevitable" (Emil Cioran).

About the European identity and integration of Romania

After December 1989, Romania evolves and defines its identity in a world where, according to analysis by Daniel Deudney and G. John Ikenberry „Three variants of realism (hard realism, soft realism, and statism (...) share assumptions about the primacy of the state, power, and conflict in world politics”. At the same time, “Three variants of globalism (nuclear one-worldism, international institutionalism, and ecological environmentalism) share the view that the state-centric world order has been rendered less viable by powerful and broad underlying trends and forces operating on a global scale”. In addition, “four socioeconomic theories (democratic liberalism, capitalism, neo-Marxism and industrial modernism) have in common the idea that the spread of original Western political and economic institutions is propelled by deep historical forces”¹⁷.

In this situation, notes Leslie Holmes “many east Europeans and European citizens of the FSU - less so citizens of the former Central Asian republics of the USSR - describe themselves as Europeans *culturally*, not merely geographically, and are consciously and overtly attempting to move closer to West European culture, including its general model of politics and economics (...). Thus this first approach to normalcy is justified less in terms of Western ethnocentrism than of the professed self-perceptions and objectives of so many post-communism leaders and intellectuals”¹⁸.

“According to this approach”, argues Leslie Holmes, “the post/communism world is necessarily abnormal, since it has recently undergone revolution, is still transitional, and its end destination(s) remain(s) unclear”¹⁹. In this respect, the Romanian case is not unique.

Concerning “identity crisis and extreme legitimation crisis” and even “system collapse”, if we are realistic, accepts Holmes “it is inappropriate to refer to system collapse, or even its possibility, when a system has not yet properly crystallized. If post-communism is essentially about *transition*, then, it can be argued, it is necessarily going to be replaced by something more defined, and probably more enduring, that can be called a system (...)

The application to post-communism of the notion of identity crisis and collapse becomes highly problematical if it is assumed that *only* a crystallized system can experience such difficulties”²⁰.

Concerning Romania, we can say that transition from communist regime to the democratic regime meant a paradigm shift and this process was manifested (at least at a declarative level) by adopting the Copenhagen criteria involving the construction of a political identity based on “compatibility” with “European values” („rule of law, human rights and respect for and protection of

minorities"). In other words, the recognition of an European political identity. But beyond these formal issues, European identity is a collective or an individual identity? Is it a cultural, political, civic, economic synthesis, or simply fiction about a better world?

What can be seen from everyday experience is that cultural, professional or political identity of each individual acquire a special "sense" in the context of globalization, regardless of ethnic or national identity. In addition, collective European cultural identity (now recognizable in EU documents in terms of citizenship) was and remains both a personal identity of the most "humble" marginal citizen of a European country, regardless of the current political construction²¹.

If theoretical Romania has built in recent years an "western" political identity which is characterized by political pluralism, social participation, respect for diversity, free and fair competition, rule of law and the primacy of human rights – actually, deviations from these rules are dominant.

Furthermore, beyond civic and political values underlying the rule of law and define political identity of a state, this is defined by the symbols around which collective narratives are constructed. In defining cultural and national identity we can find a number of constants, and in this respect, Romanian society crisis manifests itself in political symbolism crisis. Fundamental institutional changes brought by the transition from "democratic" socialist state to the state of "liberal" democracy is found only at the level of ideological discourse that seeks to legitimize the new political identity of Romania.

Assuming that the space (at least intentional) of democracy is that where the citizen may exercise loyalty and participatory skills, we find that Romania is not yet a democratic state, where citizen acts of individual initiative or in groups, offer alternatives, from a perspective in which reason and goodfaith underlie economic, political and cultural state of which he belongs. Underdevelopment of genuine civic culture, the persistence of patriarchal or dependent culture and offensive of subculture, the citizen passivity, corruption, careerism, opportunism and selfishness, amorality that privileges the circumstantial meaning of the civic culture led to a widespread democratic deception.

But in this decadent political situation, „citizens community” and solitary individuals could find constructive solutions for the achievement of a true democratic state, and in this respect essentialist and constructivist visions of Romanian identity are complementary.

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¹„Identitatea- proprie atât individului singular, cât și variatelor grupuri sociale și comunități demografice ample reprezintă suma trăsăturilor definitorii, de esență, ale respectivei entități, care se constituie și se reazăază periodic, redând modul de existență, de manifestare a omului în societate” – „Despre tipuri de identitate și valori cu Constantin Nica” în volumul *Identitatea individuală în contextul globalizării. Studii și interviuri*, coordonator Lorena Stuparu, Craiova, Editura Aius 2012, p.227.

²„(...)preliminar, înțelegem identitatea ca expresie a personalității, a unui grup mic, a unor grupuri sau comunități relativ extinse, integratoare, personalitate conștientă de particularitățile sale naturale”- *Ibidem*.

³„identitatea politică a României postdecembriste poate trimite, separat și/sau concomitent, fie la sistemul de guvernare instaurat după respingerea experienței totalitare comuniste, fie la consecințele și practicile recente de superpunere a suprastructurilor instituționale de decizie și integrare economică și politică europeană – o construcție aș spune tot mai artificială pe măsură ce revendică pretenții ridicole de superstat” – „Despre identitatea politică individuală și colectivă cu Aristide Cioabă” în volumul *Identitatea individuală în contextul globalizării. Studii și interviuri*, op.cit., p. 213.

⁴„În accepțiunea mea și potrivit semnificațiilor derivate din diversele interpretări date noțiunii de identitate politică la nivel colectiv societal în vasta literatură de profil, identitatea politică denotă existența unei structuri politice constitutive și

coordonatoare, în fapt statală, precum și conștiința de sine a actorilor sistemului statal de guvernare asupra specificității, continuității sau reproducerii condițiilor de existență și scopurilor fundamentale pe care le propune, le urmărește și le realizează în numele și interesul comunității naționale pe care o reprezintă” – *Ibidem*.

⁵As explicitly stated Charles Taylor: "Il mio scoprire la mia identità non significa che io la elaboro in un completo isolamento, ma che la negazione attraverso il dialogo – in parte aperto, in parte interiorizzato – con gli altri. A ciò si deve se lo sviluppo di un ideale dell'identità generata dall'interno attribuisce una nuova, cruciale importanza al riconoscimento. La mia identità personale dipende in maniera essenziale dai miei rapporti dialogici con gli altri" – Charles Taylor, *Il Disagio della modernità*, traduzione di Giovanni Ferrara degli Uberti, Roma-Bari, Editori Laterza, 2011, pp. 56-57.

⁶"L'identità è un concetto non solo largamente impiegato, ma oltremodo attrattivo. L'identità –potremmo dire- si è ormai diffusa in modo contagioso, e sembra che anche le persone intellettualmente più accorte non possano fare a meno di utilizzare questa parola. Sembra che, se non si utilizzasse identità, non si potrebbe far parte del mondo attuale" - Francesco Remotti, *L'ossessione identitaria*, Roma-Bari, Editori Laterza, 2010, p.IX.

⁷"L'identità, allora, non inerisce all'essenza di un oggetto; dipende invece dalle nostre decisioni. L'identità è un fatto di decisioni. E se è un fatto di decisioni, occorrerà abbandonare la visione essenzialista e fissista dell'identità, per adottarne invece una di tipo convenzionalistico" - Francesco Remotti, *Contro l'identità*, Roma-Bari, Editori Laterza, 2009, p.5.

⁸"L'identità «c'è» e ha soltanto da essere „scoperta” (...) non esiste l'identità, bensì esistono modi diversi di organizzare il concetto di identità (...) l'identità viene sempre, in qualche modo, «construita» o «inventata»” – *Ibidem*.

⁹Craig Calhoun, "Social Theory and the Politics of Identity", in *Social Theory and the Politics of Identity*, Edited by Craig Calhoun, Blackwell Publisher, Massachusetts, 1998, p. 19.

¹⁰ *Ibidem*.

¹¹Ely Zaretsky, "Psychoanalysis, Marxism, Post-Structuralism", în *Social Theory and the Politics of Identity*, ed. cit., p. 200.

¹²Lucian Boia, „La răscruce de civilizații: modele europene în cultura românească”, în vol *Ipostaze ale identității românești. Al treilea Colocviu Internațional de Studii Românești din Cehia, Praga 30-31 octombrie 2008* * *Podoby Rumunské identity. III. Meyinárovni kolokvium české rumunistiky Praha 30.-31. Řijna 2008*, Editor: Libuše Valentová, Secția de Limbă și Literatură română, Institutul de Studii Romanece, Facultatea de Litere a Universității Caroline și Asociația Cehia-România * Rumunské oddělení Ústavu románských studií FFUK a Česko-rumunská společnost, Praha, 2009, p. 15.

¹³ *Ibidem*, p. 17.

¹⁴ Monica Spiridon, „Simptome ale unui sindrom identitar: heliotropia franceză”, în *Ipostaze ale identității românești*, ed. cit., p. 37.

¹⁵ *Ibidem*, p. 39.

¹⁶ *Ibidem*, p. 48.

¹⁷ Daniel Deudney and G. John Ikenberry, "Soviet Reform and the Cold War: Explaining Large-Scale Historical Change", în *Post-Communist Studies and Political Science. Methodology and Empirical Theory in Sovietology*, Edited by Frederic J. Fleron, Jr. and Erik P. Hoffmann, Boulder, San Francisco, Oxford, Westview Press, 1993, p. 206.

¹⁸ Leslie Holmes, *Post-Communism. An Introduction*, Durham, Duke University Press, 1997, pp. 335-336.

¹⁹ *Ibidem*, p. 337.

²⁰ *Ibidem*, p. 341.

²¹ Here we consider the philosophical aspect of European identity.Parallel or tacit agreement with the European cultural model, union political projects have evolved over time from imperial ambitions in the global democratic principles. The current project of European integration, initiated by Pan Europe manifesto as an philosophical-political alternative centered on the individual, personality and freedom ideas has a striking table normative component, for both theoretical and ideological initiatives are under the sign of moral imperative, i.e. the soteriological peaceful shade. European integration philosophy free by ideology is based on nomativism and centered on the alliance between knowledge, spirituality, equilibrium and good will.

ORIGINAL PAPER

Alexandra MĂNESCU

Reconfiguration of the Human Position and of the Writers in the Space of Exile (Points of View)

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Abstract: *Our paper, named Reconfiguration of the human position and of the writers in the space of exile - points of view - is a necessary act to remove the forgotten that stops the knowledge of some cultural and moral niches during communism and, worse, that succumbs the prevention of the facts that tortured in various ways the human background. Is current as the Romanian rare moral instances are not forgotten! Only in that way can we ensure ethical prototype “So-Yes!”, in this way we can accuse, through sustainable comparisons, in this way we can prove hypocrites and nothingness, just so we know a complete and no falsified grid for the Romanian literary stages (for the mid and for the late century) and for their protagonists. The subject that we wanted to address was scarcely exploited over time.*

In our study we conducted both an analytical approach and a hermeneutical one. Both applied each time and materialized in: demonstration that Virgil Ierunca's anamnesis is a double one: through Virgil Ierunca's memory, by not forgetting him, we also remember the communist principles after which even cultural segment work during the described period and we ensure the prevention of further annihilation of mind. Our research starts being based upon many references: dictionaries, history and literary criticism, works, diaries, memoirs, recollections, correspondence, theoretical and methodological papers published in periodicals. Approaches have the common feature the moral duty, revaluation of literary contexts and literary texts, disturbing canons and increasing post-communism bibliography with new names or adding to well-known bibliographies surprising aspects. Thus, the historical approach is supported by the systematic approach, by the functional one, by the typological approach and completed by the sociological aspect involved by anamnesis, ethics and the honesty in critical receiving and in creative reception of literary facts.

Key words: *exercise, anamnesis, memory, no-forget, ethics.*

In this work we try to identify constants, variables, the meanings held and acquired of the writer position with which, among others, we designate *The Great Fugue*, or *exile*. What involves the new geographical area (because in this context, of course, we refer to external exile) – the spiritual (re)configuration-, what are the effects of exile, from the manner of approach and choice of subjects in the act of writing to ways to perceive these writings - the (re)configuration of the writers position and of the writers image - are the objectives of this paper. WE preferred the term *(re)configuration* that *positions* were also previously *exile* (the *configuration* had been already) and also, these, the positions have not changed radically (for being *reconfiguration*, strictly).

We must emphasize that to achieve our goals we used a bibliography mainly made in the press and periodicals, and for the development of some understanding and cataloging conflicts

(dissenting opinions from our support), we opted for an *Intellectual journal* in *The Life of a Lonely Man*. Knowing what can do/means the Italic function, supplement information on our option is superfluous. As such, we start the excursus of (re)configuration.

Beyond the many definitions of exile that we encountered in the Virgil Ierunca's writings, simple, the exile involves some sure changes both emotionally and in terms of reason. But these forms are not generally available. Generally applicable are affected sides. So *manifestations* are different, primarily from category typology: exile - displaced (and others) and, later, from one individual to another. Exile is a limit situation in which each acts taking into account the inside structure. And because it is a limited matter, it provokes and the reactions of the provoked persons, often are found as acts of vanity, egotism, megalomania.

Still find it necessary to write the following: „exile is not to go from one place to live in another place (...). For a writer, exile is a technique of knowledge. For me, love, exile and death are the three keys of knowledge.”¹ This is after Vintilă Horia, one of the implications of the writer's exile and we could make a comparison. If after Marino out of provincialism means not only change of mind, but also “a very good infrastructure ideological”², so exile is a writer out of provincialism through the writer knows more, thinks more. The unavoidable question is: out of provincialism means geographic boundaries?

If the answer is “Yes!”, then we refute Virgil Ierunca's conception, that true literature can not be done in the space of exile, “Many writers and friends had the impression that the true culture and true literature are done only in exile. I fought as I could that sentence and said even when Romania is in a totalitarian regime, true literature is written in the country.”³ If the answer is “No!”, then we accept that there was in Romania, during the communist regime, if not samizdat, certainly *pure literature*, so *drawer literature* and not only, because in that period has been published also out of communist ideology writings, providing little *resistance through culture*.

Regardless of which side we position us, in the side of affirmative statement or in the side of the negation, we share the idea from which we started, that the exiled writer gets receptacle of new information, ideas, models and thus is produced *Changing the Face*. Those from exile become recognizable figures in the way (apparently) crabby or in the manner (clearly) kind. In both cases, the *figure* is punished. The crabby is paying being cataloged *contrasting element* and *dangerous element* (it seems to be known for us? ...), “Kindness is paid, for the flexibility agreements, smiled and compliments protocol”⁴ to facilitate the access to celebrity (we regard again the distinction *exile-displaced* and *exiled-duty*, *exile-celebrity*).

Since our analysis on the two (re)configuration - the new human position and the new position of the writer, offered by/through exile – is referring to Virgil Ierunca, we do not give examples for the two categories and do not give reasons and motivations for supporting or rejection for those who are/can be remember.

Asked by Libuše Valentová what he thought about literary figures emerged after 1989 in the country, Ierunca respond as follows: “(...)After December '89, finally we are witnessing to one thing that Romanian intellectuals do not produced it before: great writers, thinkers, essayists and novelists, poets, journalists are leaving the literature and are writing political essays. This is very important taking into account the great difference that exists between the political situation in Romania and that of other countries in Eastern Europe. It's also very gratifying that these men sacrifice their creators vocation and become observers of the political phenomenon.”⁵

The last two sentences are representative of another side of exile. We have written and underline, exile can mean sacrificing of true vocation. Or it did not Virgil Ierunca? Did he not become, after his personal appointment, observer of the political phenomenon? It does not mean,

therefore, that we are dealing with a real sacrifice made by Virgil Ierunca so that the (o)positions about the absence of Ierunca's work are unsubstantiated? Or for being an observer of the political phenomenon excludes the quality/position/status as a writer?

Yes, after Adrian Marino, who believes that such an observer is just a *chronicler*. This is his perspective about *critical presence*: "*Critic* is defined - by a large consensus - by program, system of ideas and aesthetic design, historical perspective, large stable of ideas, personality, while just a *chronicler* is just an empirical commentator of current literature, that informs, sorts and forms (assuming talent) in the direction of his future critical work, operations no less necessary. The critic may be also chronicler, but the chronicler is not necessarily being critic."⁶. Because for Marino, Virgil Ierunca is not, with certainty, a literary critic, we understand that Virgil Ierunca is lacked by talent and work, so he remains a *chronicler*. With the indulgence, one notable! But does not Marino think that Virgil Ierunca is one (of the few) who did the opposite of those who was into the disfavor of it (of Marino) because they saw in exile only means/way to do work and not just any work, but one with the attribute of universality?

Marino did not think that this thing, detested by him (even in the case of Mircea Eliade, who was his friend and about whom wrote the book *Mircea Eliade's Hermeneutics*) was hated also by Ierunca and for that the lack of so-called *work*? After reading all the writings of, with and about Virgil Ierunca, after those of Adrian Marino, we find that more are the similarities of thought and approach the two, and the explanation for the surprising attacks from Marino can be find in the fact that Virgil Ierunca and Monica Lovinescu have not promoted the books of the critic of ideas (of Adrian Marino): "(...)this radiofonic policy was backed [previous Marino said that was proclaimed great writers, important writers, only those who have been intense courtship to this couple – our annotation], in many cases, by flagrant injustice. To publish four books in Paris, dozens of studies and reviews in French magazines, to get over censorship, prepare even a French magazine and not even remember, only one time, and thus extremely rare occurrence and obviously unknown, represent whatever is said, a regrettable boycott."⁷.

And we do not interpret the attitude of the voices from Free Europe such as misunderstandings, in the way in which is assumed by *boycotted* critic. We are entitled to believe that there was no misunderstanding. Following lines are confirmed, "(...) I have always considered M.L. (Monica Lovinescu – our annotation) an excellent literary journalist, a redoubtable ideological controversialist, for which point dozens of times, I had all admiration. But *literary critic* and especially *big literary critic* I could not recognize. And she knew it."⁸ So, there is no a contradiction of ideas?!

So contest the quality of literary critic (here is the case of Monica Lovinescu, but this position had Marino also to Virgil Ierunca, "The same observation for V.I., *Romanian (Românește)* and the book about the horrors from Pitești have their indisputable ideological value. I honestly tasted. But being a literary critic (and another big one) is something else."⁹), but you claim, you have the expectation, the desire to be read, to be recognized your value, so to be promoted. Moreover, if Lovinescu knew that her opinion does not matter to Marino, why talk about him? Coming down to the essence of facts, we can say that the *boycott* felt by Adrian Marino, does not mean that Lovinescu not recognized the value of his writing. It means that Monica Lovinescu and Virgil Ierunca refused to set boundaries between the value of writing act and the writer's value, as human person (and we are not referring now only to Marino). They, especially have grown the *inability* to not remain immune to the extrinsic affects of the work and to the writer's acts.

From here, we can take into consideration something from Marino. The differences – *critic - chronicler* and the notes for each. But as components terms of a different critical presence: the type of the *critic chronicler*. This new typology is not only a court to consider the work (and not a

presence/a court preoccupied only by the own work - without negatively meaning; work as noble and spiritual fulfillment), *the critic*, and not only a moral observer dealing with the writer's facts, *the chronicler*. This new typology is a rare and a difficult mix because it occurs another rarity: to be writer, and human person! In the case in which is lacked the humanity value, it is revealed by works, Virgil Ierunca and Monica Lovinescu appreciated the work, but they were left by themselves with a censored soul. How enthusiasm, for example, for Marin Preda before his *Turkish attitude (turcirea)*.

Explaining the new typology, we passed by the Marino - Ierunca conflict, without exposing also the Virgil Ierunca's qualities remarked/approved by the author/Marino in the book published under the title *The Life of a Lonely Man*. Not many, these emerge from the ranks, "Monica Lovinescu - Virgil Ierunca Case, well known to me, is more complex, full of admirable aspects and full of negative aspects. I was always master of ambiguous feelings of sincere admiration and dissatisfaction (...). Obviously, radio broadcasts were great, current and so useful."¹⁰, "(...) Free Europe broadcasts had and have today, I repeat, all my admiration. Without reservations. For their political and ideological intransigence, for their firm and combative antitotalitarian position."¹¹ But not always found Marino in such a way the Free Europe broadcasts of the two. For example, a contrary case, ".We had done even a usually habit that Friday, some few <<writers >> (why put he the quotes? ...) to gather at my home and listen to the broadcasts in good conditions (...). But immediately start the discussions, the objections, the complaints [writers comments! – our annotation]. All judgments were predictable. The same white and black lists. The same were known hierarchies, in advance. And these were repeated monotonous, invariably, every week."¹²

Of course these were repeated! The repeatability of the lists means constant ideas and constant paradigms! And we want to make a short analysis for another fact of mismatch between the Adrian Marino's theory and Adrian Marino's practice. Marino, we know, proposes and defines *the ideocritic* (criticul de idei), "Ideocritical, through its presence in this median and abstract typology, is a victim of his own ambiguity: critics consider him too theoretical, too esthetician, while in the eyes of literally aestheticians is too literary and too essayist. In short, a shady character, of uncertain sex, hard classifiable."¹³. Too theoretical, too esthetician, too literally, too demanding and inflexible is Ierunca Virgil and Marino rejects, when he receives exactly what himself asks, blaming the author's invariability. Because the ideocritic is born from ideas, but his critical presence means, firstly, a stable core of ideas. Adrian Marino, accusing Virgil Ierunca, rating the *accused* man as ideocritic. Therefore, from *even critical man* we arrive at *ideocritic*.

We conclude the antagonism exposure, finding interesting and real the perception, ultimately, to indifference couple Monica Lovinescu - Virgil Ierunca as beneficial act, "Marino not at all being in the favor of Free Europe and not being on the favorite writers list, for Security it was a very precise indication that in Paris we do not hostile conduct. What helped me enormously to departures. Virgil Ierunca and Monica Lovinescu not suspected that huge service that was made for me, through their systematic boycott. If they did, maybe I would be praised in every... week."¹⁴. Why Marino prefers word with probability value and does not prefer certainly words? Maybe this manner, with some doubt, is sign of Marino's exaggeration!

As a reply, after years, with the launch of the book *On the contrary*, Virgil Ierunca's public speech was, "I'd like to warn potential buyers of my book that will be disappointed. Why disappointed?! Because I'm an old-fashioned, I have fixed ideas, I *take care* by the intellectuals who have prostituted in the Ceausescu regime. I am already cataloged by current neo-intelligentsia (intelighenția) as a man of the *Cold War*. So beware of people so dangerous. There you will not find great things in my book, but only a few obsessions. I was accused very serious that I attributed too much importance to the concessions of the intellectuals during the totalitarian dictatorship. However,

this is an old sin of mine.

I believe that the collaborationist intellectual in a totalitarian regime is more guilty than the seller of guns, after the last war in France, the writers who collaborated were punished more severely than the sellers of guns. I was asked: Why, for a small concession, you draw catalogs of anthology of shame? I sat and I thought. Fortunately, Albert Camus, my imaginary friend and steadfast, quiet me and I had insomnia because of comments that attack intellectuals for their small concessions. There's a phrase of Camus that I take and I hope I can handle the reader: ***A overlapped concession leads to cowardice. A series of two or three concessions leads to disgrace.***¹⁵

It might be the fact that that these counterarguments made at each criminalization of a weakness radio, literary and otherwise meant to upset, but the right to challenge, in one part, gives rise to the right to challenge the other party when the first ones are wrong. And if Virgil Ierunca pissed many people, what matter if we're going to upset a few? We insist that Marino had failed; we volunteer the position that Ierunca has assumed. Otherwise, he would have challenged the place he occupies in our culture. We mean about his position of journalist, memoirist, essayist, poet and literary critic.

A complete picture about the writer's position adopted in exile is found in a letter to Mircea Eliade on October 22, 1972, published by M. Handoca in *The Hearth (Vatra)*, 6-7/2000 and retrieved in *Literary Romania* no. 32/17-23 August, 2005, in an anniversary article signed by Alexandru Niculescu, "It was either trying to become an essayist of French expression (an extremely thin exegete belonging to Blanchot and to literature), and make what we had already done:- the kitchen of exile. I chose the latter solution, because, involved in a religious war against communism... I said myself that Romania is lucky with the great, the above-named [Mircea Eliade, Emil Cioran, Eugen Ionesco, Vintilă Horia – our annotation]. And we, the little ones, to do what we have to do, [for] the larger ones do not lose any time or vocation, with minor accidents exile. I do not play as a Sacrificial Victims (maybe that's not even sure that had something to say on universal plan), but I lived, and live deep conviction that the sacrifice was an absolute duty."

So here is the reason why Virgil Ierunca chose from the possibilities of exile. He did that for making an exile kitchen. But this, in the same style metaphorically, it's not one dull. It is a diverse cuisine, aromatic, healthy, which has a certain sense for detail and aesthetics. The books of Virgil that appeared in Romania after 1990, confirms that the kitchen was one of the royal court, regarding the receipt of the mistakes of those who left the... Court. After the upset ones, they would find productive personal purposes even to the feeling of modesty, and to the choice made. The modesty in order to produce a certain acceptance and friends, but figured as having a boomerang effect (a litotes for him a hyperbole for others and, in fact, hyperbole for him), and the choice to sacrifice, making the kitchen of exile, because this side was one of niche. Approaching it, his name is associated with posterity. Only that this time again dominates the credible in interpretation. Virgil Ierunca, as I have already written was the man big words! This means that at that moment he thought and wrote with humility without the feeling of selfless. As for the other approach, the preference for the niche as a way to (re) cognition, only those that can be done so making them to think so! (Ludic: Who says, that's it. How many wise can be in a childhood game!) Especially our interventions aimed the writers' side as shown in the subsection title. To balance the scales, we do not offer a glossary aspect (re) which configures the human side into exile. From the definitions given so far it is shown that this new space means both loss and retrieval. A retrieval soul through which are acknowledged values that till then did not matter or were aware at another level (higher, of course) the present value of an existing size before. No matter how the emphasis it (was) placed, we are dealing with an inner change, if not essential! Thus, we propose to offer a piece of diary to exemplify this flare axiological sense, "One

thing is certain: he lives true meaning of time without the feeling of space to the retrieval soul of Romanian. Sentimentally, but especially obsessed with the duty of Romanians for being, above all human persons."¹⁶ We are tempted to believe that if Virgil Ierunca had not known external exile and had not felt such a tumult sentimentally painful without the feeling of sweet burden to empower without the feeling of humanize dignity and happiness the Romanian people. But if there wasn't the inner exile it does not mean that we would be given an indolent and narcissistic Ierunca, which rejecting the nationalism exacerbated from communism period of Ceausescu, would be enough to completely repudiate patriotic experience!

Therefore, because the definitions of exile show the impalpable changes, but because the effects on the human side are found as part of the new profile writer, we return to Virgil Ierunca the writer.

Always, and especially today, anyone can challenge any and everyone. And often, without arguments. For those who dispute the writer's position and the role of Virgil Ierunca in the Romanian culture, we also challenge them us, but with arguments.

1. The work does not necessarily mean words encrustations bark. Opera means, above all moral character encrustations of other rugs! *Comprenne qui peut!*
2. The scaling of moral character are / can be hard than the other encrustations. Is not it so true that it's easier to write than to do!
3. The method chosen by the chiseling of a moral point - the spoken word - is/ can be also much easier demanding than writing. The verb sounds better than writes. And the verb spoken right hurries out. Mircea Mihăieș writes: The cultural values - as was also operate in the last decades of communism - was strongly influenced by the vision of this distinguished man, whose splendid Romanian language sounds great in an era when communist demonism managed to pervert - turning it into a sinister barking - even the sweetness of utterance."¹⁷
4. In fact, spoken or written Virgil Ierunca's work is part of Romanian literary criticism! We accept the idea that we cannot afford to exclude from Romanian literature novels (which complements the work of the authors!) Written under the protection of the communist regime because I had the chance of a top literary removed and place of not accept (of Lovinescu) in critical Romanian literature because they have a thin piece!
5. Virgil Ierunca's works showed that:
 - *Romanian (Românește); Subject and Predicate (Subiect și Predicat); Contraries (Dimpotrivă); The Sign of Astonishment (Semnul mirării)* represents Virgil Ierunca's writings which give evidence critic - the classical acceptance - esthetician theorist, and the ideocritic (ideocritul).
 - *Anthology of shame (Antologia rușinii)* is a canon. We are dealing with a public confession by works of some writers. Recording them is, indeed chronically work but the comment both of the author's anthology and (or especially) the reader is critical. A different criticism. From here Anthology canon (as punishment) for sinners vigilance for those at least - for that moment sinless. And for the latter, it is the end: And lead us not into temptation, but deliver us from evil!
 - *The years have passed... (Trecut-au anii...)* is an evidence of the ability to not only making from the journal DOCUMENTATION species but also species of monumentality (Paul Zumthor's values were applied to the work of Virgil Ierunca's in the previous chapter.)
 - *The poems of exile* puts Ierunca in the category of hermetic poets modernists by themes, motifs, structures and figures specific to the lyrical flow but does not give up to the word dull with shades and chill for neological or barbaric lexeme.

Therefore, Virgil Ierunca is the classic chapter of the Romanian contemporary writing.

6. This is the last and the longest point. We pass on from Marino determination on the fact that Ierunca cannot be called literary critic of the oscillatory states, presenting a big misunderstanding. Daniel Cristea Enache, using a title whose nuances may prove inimical to the author, big misunderstanding "exposes two ways. Subject - Ierunca is a diachronic axis. And takes place next schism: **Virgil Ierunca the young and Virgil Ierunca the adult**. First of all, to Ierunca a description it is made. „ You fight forty years for an idea this idea to your country's liberation from communism, to resist practically a moment, to be consistent in this and in this hatred (always refreshed motivated) to organize your despair, making it a record of conscience, to try and manage to stick exile broken in so many churches thinking him on the idea of very reason of being (run - internalized - communism) to fight finally a lifetime of irresponsible leftism to the Parisian parlor, repeating daily tragedies of the East revealing uncomfortable truths behold in a few sentences, about what did Ierunca the after left (at the age of twenty-six) of that Romania and arrived in the cheerful Paris. A lifetime therefore dedicated and sacrificed (not beware, now big words) of an idea: yet a noble idea clean residue purified of personal ambition and pride. Ierunca worth for its defense, the respect and gratitude to all those that on this other side of the Iron Curtain, they continued to hope that one day, the dream will end badly."¹⁸

As Daniel Cristea Enache later on to be annoyed of full appreciation of Ierunca for that young intellectuals like Horia-Roman Patapievici (Marino had a similar attitude; accused of weakness in front of Liiceanu's courtesy).¹⁹

Moreover, for that the author of the article (Daniel Cristea Enache) Ierunca concerned about until obsession by the Romanian problem of consciousness, the young man who dropped out the study that he should have dedicated the thesis (can no longer writes studying but his writing is just abandonment of completing the work. – and just what was considered would later become the Achilles heel for that not recognizing his place into Romanian literature!) to solve these problems first (Romanian matter and consciousness - in fact, reconciliation with the new status of exiled as having a valences of the two (re) configuration: the human side writer's side) turns into an essayist, mature and balanced man with his head on his shoulders ensured a situation: the branches of friends and colleagues who is involved with airtime on Radio Paris, with some safety and sufficiency of which previously abhorred so much."²⁰

And this is incomprehensible? Daniel Cristea Enache continues, writing that material wealth is normal and what is not like a transformation of Ierunca that makes (D. Cristea Enache) to depart from one who was once young and restless. Preferring his youth he attacks its wisdom. This is the paradox of the concluding paradoxes from the article. How to call otherwise, if you switch from the logical portrait inconsistency, an initial presentations such as, where Ethical becomes from a noble principle, a dry, rough and nasty period (even for purely moral beings as I like to think they are)."²¹

In addition, Daniel Cristea Enache has another reaction that borders on logical while the person is considered essentially moral, "(...) it's about the victims. What harm and who made that, for example T. Vianu? He deserves Ierunca's vehement? Or rather, it pays to understand it (without excusing him if we are so pure that it does not excuse anyone) for its compromises putting them in balance with everything he made good and beautiful?"²²
But where is the moral eminently?

What did not understand Daniel Cristea Enache and others plenty of them, as his excellence, is that tolerance is a threat! Or that it should otherwise be understood. I do not take it as a concession but as forgiveness. But forgive is an essayist with a posthumous recognition effect of

blame. And he asked, somehow, someone an apology?... Virgil knew he would be severely criticized for his intransigence and he tried to explain: "Let no one imagine that when we of exile ones, put the question - the tragic one, - the writers the scribes in the country, those who sold their soul to the devil - Satan is a popular democrat! - Do of above, superiors without question to us. No. We know very well that we were not ordained anyone to fall trial or stone throwing. The problem is, however, different. Can we be silent only from a hypocritical humility or a zeal turned upside down? Is not this rogue silent freedom that is given to testify on behalf of those who have lost it?"²³

Further, answers all by disapprove by DCE He asks, "Can they be compared with activists ideology and informers indeed guilty (some criminal) There is no difference between Vianu and Vitner between Arghezi and Sorin Toma between Călinescu and Nicolae Moraru I find that from this essential point Virgil falls into a large, fundamental misunderstanding - as a cop, instead of shooting at the terrorists who took hostage a group of innocent people download their gun just victims."²⁴ And, no! Tudor Vianu, Arghezi, George Călinescu, Marin Preda etc. could not be compared with the activists, ideologues and informers from among the mass. The reason is simple. By training their position intellectuals are more to blame. The one who knows is more despicable than ignorant! The professional reconversion recalled the drawer literature ought to be their sacrifice. Inner Exile needs to have intellectuals by option like these two!

Another position Pro Virgil also has the critic Grigurcu Gh. What might he fight against communism but considering it demonic? How could combat the awfully scourge concerned with vehemence without compromises fine writers and intellectuals the arguments in the field of ethics? And compromises of Sadoveanu, Călinescu, Arghezi, Cioculescu, Streinu, Marin Preda, Geo Bogza - the enumeration of course incomplete, is of Daniel Cristea Enache - is indenegable rolled into countless texts and behavioral acts of notoriety. Recommending a picture of Virgil Ierunca, a divided one, or opposing it on Virgil himself, the young critic dreams - we are perfectly entitled to interpret this - a struggle against communism with flowers instead of swords and silk gloves instead of armor. That's right sir, but it's our right of Lillial day-dreaming identify and to remind it when it would eventually support the contrary!"²⁵ Thus, Ierunca does not fall in any fundamental misunderstanding! He only causes misunderstandings (at the end of the article Daniel Cristea Enache, 'Maybe I do not understand it well Virgil.')²⁶. Those who fall into the sin complicity plan. Sometimes - peak! - Forgiveness is sin!

Apparently unrelated we present: "a son kills his mother, who seeing his bloodstained hand only has time to mutter: 'es-tu fait mal, mon enfant? .. It was prescient. (...)."²⁷It is the story of a poem by Richepin which Monica Lovinescu reminds it in her Crucial Journal as one of the favorite poems of Catherine (Lovinescu) Bălăcioiu his mother. Let the glue to be script. The connection is that as in our case was premonitory that after 1990 Virgil to be punished by those who had sought the good. In our examples, Adrian Marino attacking him, although he and others fought for him to be free in thought, in fact, in writing, Daniel Cristea Enache attack Virgil's vehement, but he does not think at the position in which he himself, the literary critic that they were/are writing over who could see his eyes admiring the young critic precisely because of Virgil Ierunca's. And finally, *the victims have not suffered from it only the curative burning of irony and sarcasm.*²⁸

Because the irony and sarcasm bring about the laughter the victims were subjected to purification process. (We know that laughter purifies.) Thus Virgil Ierunca worked hard to achieve the cathartic reflexivity. First, is the purification of the writer, then, the writing act itself. And there's always an ambition into the hard work. He was optimistic that throbbled ambition to... pessimistic nature I write to save general semantic paradox (as seen in views against Virgil Ierunca's) of a full negative. And ambitions were given the epatation worth. Later he has arisen complicities. A kind complicity, as

is that of retaliation by invoking the lack of work, but as it is also implied that. For those who publicly deny complicity manifest error by proving a different ambition overcoming the exaggerated canons imposed by critical conditions the amount of writing and its body of letter writing! Are partakers equally in the act of degradation of the Romanian literature.

They are not pouring it as the first ones, accepting the minimum time value substituted of quantity, but they made it poor by refusing reverse of these proportions. Do we wonder then that plagiarism is considered a work and obviously it has posterity? For example, if we had asked 5 years ago the author of this study then a student to a prestigious high school, in specialized in philology, the following: *What is the name you know best: Eugen Barbu and/or Virgil Ierunca?*, the author should have said *Eugen Barbu*. Reflecting so a tragic reality. But which only by ambition can be modeled antipodal!

Without continuous our persuasion which proposing optical changes, we conclude:

➤ Diverging views that challenge (we do not have in mind only Adrian Marino and Daniel Cristea-Enache's positions, but also the challenging through the forgetfulness or indifference) the Ierunca Virgil's place in Romanian culture are lacks of criticism which give lacks of Romanian literature.

➤ In exile the writer's (re)configuration has the following forms:

1. The Writer of **Opera** (opera out of communist ideology, but under/in the celebrity shadow; choice that has nothing to blame - as do Marino with Eliade - as long as the fame is based on good writing and as long as the works have the universal attribute, giving universality to Romanian literature);

2. The Writer of Sacrifice/ The Sacrificed Writer has, at least, a triple value:

- He humanizes, shapes consciousness, empowers;
- Through his actions increases at least one of the three forms of literature: samizdat literature; *drawer* literature, pure literature; - Beyond this resistance through culture, the literature of the missed country (a Țării de Dor) cumulates also the personal literature of the sacrificed writer. The cumulation may not be quantitatively significant, but surely it is spiritual!

The human (re)configuration is an evidence of the writer's (re)configuration. Human side of exile (the opinions not concerns the *displaced* persons – *deplasatii*) is a waxed texture sensitive at all scratches and it smoothes only after it ascertaining that the *subject* was finished in spherical and round body. (Apparent redundancy. *Spherical* term is used in the sense of ownership, in the sense that it can become *perfect*, the term *round* is used in the sense of the character proposed by Forster, in the idea of inner tearing).

References:

I. DICTIONAIRES:

1. Comsulea, Elena, Serban, Valentina, Teius, Sabina. Explanatory Dictionary of Romanian language today. New York: International Letter Publishing, 2008;
2. Dinu, Gabriela, wrinkled, Maria. Dictionary of literary terminology, sixth edition. Pitesti: 45: Parallel Publishing, 2009

II. GENERAL WORKS:

1. Cesereanu, Ruxandra. Gulag in the Romanian Consciousness - memoirs and literature Communist Prisons and camps. Mentality essay, second edition, revised and enlarged. Iasi: Polirom Publishing, 2005;
2. Opariuc, Loredana. Virgil Ierunca - Writings recovered, Scientific Annals of "Al. I. Cuza" University, LI tome. Iasi: Publishing of "Al. I. Cuza" University, 2005

III. SPECIAL WORKS:

1. Gogea, Vasile. Voices in uproar. Cluj-Napoca: EIKON Publishing, 2010;
2. Ierunca, Virgil. Romanian. Bucharest: Humanitas Publishing, 1991;

3. Idem. Subject and predicate. Bucharest: Humanitas Publishing, 1993;
 4. Idem. Astonishment sign. Bucharest: Humanitas Publishing, 1995;
 5. Idem. On the contrary. Bucharest: Humanitas Publishing, 1994;
 6. Idem. Years have passed ... Diary fragments. Welcome and accents. Unlost letters. Bucharest: Humanitas Publishing, 2000;
 7. Idem. Poems of exile. Bucharest: Humanitas Publishing, 2001;
 8. Lovinescu, Monica. Seismogram / Shortwave II. Bucharest: Editura Humanitas Publishing, 1993;
 9. Eadem. Essential diary. Bucharest: Humanitas Publishing, 2001;
 10. Eadem. Ethics of remembrance, anthology and introduction of Vladimir Tismaneanu. Bucharest: Humanitas Publishing, 2008;
 11. Marino, Adrian. Romanian presences and European realities: intellectual journal, second edition: Polirom Publishing House, 2004
 12. Idem. The Life of a Lonely Man: Polirom Publishing House, 2010
 13. Steinhardt, Nicolae. God you say you do not believe ... Letters to Virgil Ierunca (1967-1983). Bucharest: Humanitas Publishing, 2000
- IV. PRESS:
1. "The Yearbook of the Institute for the Investigation of Communist Crimes in Romania, Intellectuals and the Communist regime: relationship Histories", Volume IV. New York: Polirom, 2009;
 2. "Ideas in dialogue", IV, no. 6 (45), June, 2008;
 3. "Literary and Artistic Truth", 22 May, 2001;
 4. "Literary Romania", no. 30, 2-8 August, 2000;
 5. "Literary Romania", no. 32, 16-22 August, 2000;
 6. "Literary Romania", no. 24, 20 to 26 June, 2001;
 7. "Literary Romania", no. 40/6, October, 2006;
 8. "Literary Romania", no. 41/13 October 2006;
 9. "22", year II, nr. 14 (64), 12 April 1991;
 10. "22", third year, no. 33 (134), 21-27 August, 1992;
 11. "22", fourth year, no. 38, 29 September-5 October, 1993;
 12. "22", year V, no. 38, 21-27 September 1994
- V. SITES:
1. <http://www.crimelecomunismului.ro/>
 2. <http://www.revista-apostrof.ro/articole.php?id=1071>

¹ Marilena Rotaru, *Exile a key of knowledge*, interview with Horia Vintilă, in "22", year II, nr. 14 (64), 12 April 1991, page 7

² Adrian Marino, *Romanian presences and European realities: intellectual journal*, second edition, Polirom Publishing House, 2004, page 37

³ Libuše Valentová, *Inedited interview* in "Literary Romania", no. 41/13 October 2006, page 16

⁴ Adrian Marino, *The Life of a Lonely Man*, Polirom Publishing House, 2010, page 180

⁵ This is a part of the answer. Virgil Ierunca offers examples, "(...)The most important literary critic Nicolae Manolescu, not only entering the political arena, but also becomes the head of a large opposition party, the Civic Alliance Party.". About the same literary critic Virgil Ierunca asks other and himself, "When a purely literary, like Manolescu, sacrifice their intellectual identity in the void in which no one wants to take on a political role, is he supported by all major Romanian intellectuals?". [Libuše Valentová, *Inedited interview* in "Literary Romania", no. 41/13, October 2006, pages 15-17]

⁶ Adrian Marino, *Romanian presences and European realities: intellectual journal*, second edition, Polirom Publishing House, 2004, page 59

⁷ Ibidem, page 188

⁸ Ibidem

⁹ Ibidem, page 189

¹⁰ Ibidem, page 187

¹¹ Ibidem

¹² Ibidem

¹³ Ibidem, page 55

¹⁴ Adrian Marino, *The Life of a Lonely Man*, Polirom Publishing House, 2010, page 188

¹⁵ The speech from the day with the launch of the Virgil Ierunca's book *On the contrary*, in "22", year V, no. 38, 21-27 September 1994, page 14

¹⁶ Virgil Ierunca, *Years have past... Fragments of the diary. Welcome and accents. Unlost letters*, Humanitas Publishing House, Bucharest, page 88

¹⁷ Mircea Mihăieș, *On Virgil Ierunca's death* in "Literary Romania", no. 40/6, October, 2006, page 4

¹⁸ Daniel Cristea-Enache, *The big misunderstanding* in the "Literary and Artistic Truth", 22 May, 2001, page 5

¹⁹ But who does not feel such a weakness when it receives the appreciation of others? These, the courtesy acts are a panacea, an impetus for continuity and peace in the next triad *optimism - realism - pessimism*. "I never managed to find out how flattered him (...). We'll never know what he felt when, just in the morning when he was taken to the hospital, a young woman handed Mary, their faithful housekeeper, a shirt that artist Ion Barbu printed a poem of his and sent him from the country, happy coincidence, just at that difficult moment." [Doina Jela, *Between silence and absence* in "Literary Romania", no. 40/6 October 2006, page 13]

²⁰ Daniel Cristea-Enache, art. cit., page 5

²¹ Ibidem

²² Ibidem

²³ Alex Ștefănescu, *The spokesman for whom were not allowed to speak* in "Literary Romania", no.40 / October 6. 2006, page 6

²⁴ Daniel Cristea-Enache, art. cit., page 5

²⁵ Gheorge Grigurcu, *Pro Virgil Ierunca* in "Literary Romania", no. 24, 20 to 26 June, 2001, page 6

²⁶ Daniel Cristea-Enache, art. cit., page 5

²⁷ Monica Lovinescu, *Essential diary*, Humanitas Publishing House, Bucharest, 2010, page 437

²⁸ "I have to say that there was no need to sit around to constant: it was not given to kill lions. And that despite the reputation of cruel and ruthless hunter, not killing even the smallest creatures he has harassed, yet without rest, a lifetime, with the respect that only big game you think you deserve it". [Doina Jela, *Between silence and absence* in "Literary Romania", no. 40/6 October 2006, page 13].

ORIGINAL PAPER

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Liberty Privation – Essential Right of a Person¹

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Abstract: *Liberty privation, which is a restriction of a person freedom, can be and must be permitted only with strict regulations in any society, whether it is a democratic society, communist society, monarch society or any other type of society that exist in the world. This is way the modern society had to create a legal round for states, in order to have a adequate protection for the right of persons and to avoid this way the violation of essential rights such as the right of being liberty privated. There for, in order to have a adequate protection of the human rights it was adopted THE EUROPEAN CONVENTION ON HUMAN, regulations which are obligatory for state to join the protocol.*

Key words: *liberty privation, human rights, arrest, detention, victim.*

Article 5 of the Convention of human rights: right to liberty and security

1. *Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:*

- a. the lawful detention of a person after conviction by a competent court;*
- b. the lawful arrest or detention of a person for non-compliance with the lawful order of a court or in order to secure the fulfilment of any obligation prescribed by law;*
- c. the lawful arrest or detention of a person effected for the purpose of bringing before the competent legal authority on reasonable suspicion of having committed an offence or when it is reasonably considered necessary to prevent his committing an offence or fleeing after having done so;*
- d. the detention of a minor by lawful order for the purpose of educational supervision or his lawful detention for the purpose of bringing him before the competent legal authority;*
- e. the lawful detention of persons for the prevention of the spreading of infectious diseases, of persons of unsound mind, alcoholics or drug addicts or vagrants;*
- f. the lawful arrest or detention of a person to prevent his effecting an unauthorised entry into the country or of a person against whom action is being taken with a view to deportation or extradition.*

2. *Everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him.*

3. *Everyone arrested or detained in accordance with the provisions of paragraph 1.c of this Article shall be brought promptly before a judge or other officer authorised by law to exercise judicial*

power and shall be entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial.

4. Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful;

5. Everyone who has been the victim of arrest or detention in contravention of the provisions of this Article shall have an enforceable right to compensation.

Article 1 of Protocol No. 4

No one shall be deprived of his liberty merely on the ground of inability to fulfil a contractual obligation.

Paragraph 1 of Article 5 of the European Convention points to there being a presumption that everyone should enjoy liberty and that, therefore, a person can only be deprived of it in exceptional circumstances.

Thus it begins with an unqualified assertion of the right, "Everyone has the right to liberty and security of the person" and this is followed by the structure that "No one shall be deprived of liberty save in the following cases and in accordance with a procedure prescribed by law".

Furthermore, the presumption in favour of liberty is underlined by the imperative requirement under Article 5 to ensure that liberty should both be lost for no longer than is absolutely necessary and be capable of being readily recovered where such loss is not justified.

The former is evident in the stipulation that suspected offenders "shall be entitled to trial within a reasonable time" and the latter is found in the prescription that everyone deprived of liberty "be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful". There is thus a clear burden of proof on those who have taken away someone's liberty to establish not only that the power under which it occurred falls within one of the grounds specified in Article 5 but also that its exercise was applicable to the particular situation in which it was used.

This burden necessarily requires a self-critical analysis by those who can exercise powers which may lead to a deprivation of liberty to ensure that, when they do use them, the limits imposed by Article 5 are continually observed. However, the assurance that such an analysis is both undertaken and is effective is heavily dependent upon a sceptical perspective being adopted on the part of judges when performing the key supervisory function assigned to them by Article 5 (3) and (4). In any case, where a deprivation of liberty is contested it will be essential for a judge to start from the proposition that the person affected should be free. Pursuant to such a proposition the judge should not only expect and require reasons to be advanced for this deprivation of liberty but also subject them to close scrutiny to see whether they actually support the action that has been taken. Anything less than that would entail an abandonment of the rule of law and a surrender to arbitrary treatment.

The unacceptability of any tendency in this direction can be seen in the European Court's conclusion that a person's continued detention could not be justified in *Mansur v. Turkey*(1995), when the national court repeatedly authorised the continuation of detention using invariably identical and indeed stereotypical form of words, often without further elaboration. In taking such an approach the national judge was merely rubber-stamping the decision of the law-enforcement officials and failing to exercise an independent critical judgement. This can never be consistent with the requirement that a deprivation of liberty be justified.

Paragraph 1 of Article 5 requires that any deprivation of liberty be “in accordance with a procedure prescribed by law”. Further, each sub-paragraph providing for the cases where deprivation of liberty is permitted supposes that the measure be “lawful”.

The requirement of lawfulness has been interpreted as referring to both procedure and substance. Moreover, lawfulness is understood to mean that any detention must be in accordance with the national law and the European Convention and must not be arbitrary

It is, of course, essential to check first whether the requirements of the relevant national law have been satisfied when someone has been deprived of his or her liberty. This may be a matter of determining whether an essential procedure has been followed, or assessing whether there is a legal provision covering the action taken. The latter may be a matter of construing the scope of a particular provision but it may also be a question of establishing that the sort of factual situation to which such a provision applied actually existed. There are a significant number of instances where the European Court has found that these have still not been performed and they should not, therefore, be taken for granted².

The requirement of the legal basis for any deprivation of liberty extends to the whole period for which it lasts. There have been a number of instances where violations have been found because the legal basis for the deprivation of liberty, despite being originally lawful, had at some point had ceased to exist. Thus in *Quinn v. France*(1995) the release had been ordered by a court of a person who had previously been remanded in custody entirely in accordance with French law. However, for some eleven hours after that order had been made, the applicant had remained in custody without being notified of the order or any move being made to commence its execution. Apparently, the prosecutor’s office had needed this time to set in motion extradition proceedings against him which would then have avoided having to comply with the order for release.

The European Court acknowledged that there could be some delay in complying with such an order, but held that the respective interval was clearly too long to satisfy the Article 5 requirement.

Violations of Article 5 have been found by the European Court in cases where the domestic authorities relied on longstanding practices whose legality has not even been questioned. Thus in *Baranowski v. Poland*¹² the applicant had initially been properly arrested and then detained on remand in connection with fraud charges. His detention, however, ceased to be reviewed once the prosecutor filed the bill of indictment with the court. In accordance with the Polish practice of placing a detainee “at the disposal of the court”, the detention which had previously been ordered at the investigation stage of a case was prolonged indefinitely; the court was not obliged, of its own motion, to make any further decision as to whether the detention fixed at that stage should be extended.

This practice had undoubtedly – and understandably – arisen to fill a gap, but there was a complete absence of any support for it in either legislation or case-law. It is doubtful whether the legality of the practice was ever questioned, since the need for continued detention was undeniable – and potentially quite compatible with the European Convention – and its development is a good illustration of how the general legitimacy of a course of conduct can lead one into overlooking or failing to question the absence of legality for it. In this case the Court condemned the practice as a violation of Article 5 (1) because it was seen as lacking foreseeability and certainty, as well as giving scope for arbitrariness³.

Deprivation of liberty legally justified at national level by grounds other than those exhaustively listed in Article 5 (1) will certainly be found “unlawful” as being contrary to Article 5 (1). The grounds do not, for example, permit preventive measures to be taken against suspected criminals where a prosecution is not the object of the detention. Such deprivation of liberty, though legal at national level, runs contrary to Article 5 (1). However, even where deprivation falls within a

listed ground, the Convention can be seen to set a limit to the acceptability of its overall duration. Thus in the case of persons detained pending trial this is found in the explicit requirement in Article 5 (3) that the trial be within a reasonable time; whereas in the case of persons detained in connection with deportation, extradition and related proceedings it is derived from the implied obligation of the authority concerned to act with reasonable diligence.

However, even if a national law authorising a deprivation does not give rise to any of these objections and is in other respects entirely compatible with the European Convention standard, its use in particular circumstances might still not be regarded as lawful because it is considered to be arbitrary. This designation would certainly be seen as appropriate when a power is used in circumstances where a deprivation of liberty is not really needed or is designed to achieve an illegal objective. Furthermore, the use of a lawful power solely to achieve an illegal objective would not be acceptable under the Convention, regardless of whether such a use of a national legal provision is considered within the country concerned to be objectionable. even if a power exists and is not misused, it will not be regarded by the European Court as providing the necessary legal basis for a deprivation of liberty if the legal provision lacks the quality which it considers essential for any law to be acceptable for European Convention purposes. This entails the law being accessible, foreseeable and certain, as well as containing other guarantees against the risk of arbitrariness in the way those subject to it might be treated.

The accessibility requirement is not met if a deprivation of liberty is based on a legal provision that was secret or unpublished. The accessibility requirement will also apply to subsidiary rules adopted in the enforcement of a law.

The terms *arrest* and *detention* are used interchangeably in almost all the provisions of Article 5 and they should therefore be seen as being essentially concerned with any measure – whatever designation is used by national law – that has the effect of depriving a person of his or her liberty. The guarantee afforded by the judicial supervision requirement in Article 5 is taken by the Court to arise as soon as the initial loss of liberty has happened, and any other approach will necessarily entail a violation of the Convention. The essential requirement is to concentrate on what is achieved by processes and not what they are called. It is important to be clear about what constitutes a deprivation of liberty – whether by means of arrest or detention – and when it starts, because it is only then that the requirements of Article 5 of the European Convention become applicable. This might seem self-evident but it still needs to be emphasised as there can certainly be situations where someone has been deprived of his or her liberty but this might still not be appreciated by the persons responsible, particularly if no physical restraint has been imposed. Identifying the moment at which liberty is lost is especially important in the context of the criminal process on account of the need to scrutinise both the delay before the person affected is first brought before a judge and the overall length of any detention prior to any trial that might take place. Elements such as the nature of the confinement involved and the status of the person affected are essential in determining whether a particular measure constitutes deprivation of liberty.

Article 5(1) acknowledges three situations in which deprivation of liberty may be justified as part of the criminal process: the apprehension of someone suspected of involvement in committing an offence (para. c); the imprisonment of someone as a penalty for having committed an offence (para. a); and the detention of someone pursuant to a request for his or her extradition to another country (para. f).

Although either the need to initiate the criminal process against someone suspected of committing an offence or the need to prevent an offence being committed can provide the initial justification for depriving suspected offenders of their liberty, this does not constitute a sufficient basis

for its continuation thereafter. Continuation of detention must be subjected to prompt judicial scrutiny which should not only consider whether it was justified in the first place but also whether it was still appropriate. The latter question cannot be answered in the affirmative merely because there continues to be a reasonable suspicion that the person concerned has committed or attempted to commit an offence. The Court held that the reasonable suspicion can disappear soon after the initial deprivation of liberty because it becomes clear that either no offence has been committed or the person concerned is able to allay any suspicions regarding his or her involvement.

The Court has repeatedly asserted that the existence of a suspicion is essential but not sufficient for any prolongation of detention after a certain lapse of time⁴.

The Court has recognised four reasons as relevant for continuing a person's pre-trial detention where there is still a reasonable suspicion of his or her having committed an offence⁵. These are:

- the risk of flight;
- the risk of an interference with the course of justice;
- the need to prevent crime;
- the need to preserve public order.

It is essential that there be no attempt to use one or other of these reasons to justify a continuation of a person's deprivation of liberty unless due and explicit⁶ consideration has first been given as to the genuineness of their applicability to his or her particular situation. Where none is found applicable the release of the person concerned will then be required by virtue of Article 5 (3).

Paragraph 2 of Article 5 contains a key safeguard against abuse of power to deprive someone of his or her liberty: everyone who is arrested shall be informed promptly, in a language which he understands, of the reasons for his arrest and of any charge against him. This should enable the person affected to understand what is happening to him or her and to consider the appropriate challenge of this measure. In many cases of justified deprivation of liberty an explanation may have the beneficial effect of making it clear that resistance is not appropriate and thereby facilitate the task of the officials involved. In addition, the need to explain why such a measure is being taken is likely to encourage public officials to consider whether they are acting within the limits of their powers and to avoid taking action for which no adequate justification can be given. Certainly the reasons given – or the lack of them – will ultimately be a significant factor for the judicial body called to decide on the acceptability of the deprivation of liberty. In fulfilling the obligation to give reasons, the key considerations are the circumstances in which the duty arises, the nature of the explanation that must be given, the extent to which this explanation must be intelligible to the person actually affected and the amount of time that can elapse before it is given.

In imposing the obligation to give reasons, Article 5 (2) refers to a person who is "arrested" and to the existence of a "charge". This wording should not lead to the conclusion that the need to give reasons only arises in the context of criminal proceedings. It is now well established that reasons must be given in any situation where someone has been deprived of his or her liberty. A person cannot exercise the right to challenge the lawfulness of any and every deprivation of liberty without being aware of the reasons for it. Furthermore, it should be kept in mind that the duty is applicable to each and every deprivation of liberty so that the reimposition of such a measure after some form of provisional release – whether in the form of bail or the release of a convicted offender on licence – would require an explanation, even though the original deprivation had been explained.

In *Fox, Campbell and Hartley* the Court emphasised that the explanation must offer the person concerned the essential legal and factual grounds for the deprivation of liberty which would then allow the person to apply to a court in order to challenge the lawfulness of the arrest or

detention. Therefore it would be insufficient simply to refer to the formal statutory provision authorising a deprivation of liberty as initially occurred in *Fox, Campbell and Hartley*.

There is a need to give some indication of the substantive basis for using that provision, since this will indicate whether the particular circumstances come within its ambit and whether or not its use in the specific context is arbitrary. In *Fox, Campbell and Hartley* the requirements of Article 5 (2) were ultimately satisfied in the view of the Court because the reasons were regarded as having been made clear through the applicants' having been questioned about specific criminal acts and suspected membership of a proscribed organisations. The ruling in this case underlined that a degree of specificity is required in order to satisfy Article 5 (2). Without some indication of the particular conduct which forms the basis for a deprivation of liberty, the person affected is unlikely to be able to determine whether there has been a justifiable use of the power being invoked. In many instances the explanation is perhaps best given by a direct statement to the person affected by the official depriving him or her of his liberty. For example, telling the person that he or she has been suspected of involvement in the theft of something from a particular house on a given day.

In a criminal case the duty to give reasons is likely to entail some information being given both about the offence of which the person is suspected and the way in which he or she is involved in its commission.

Similarly, where the deprivation is based on a person's mental illness, there would have to be some indication of his or her behaviour considered to give rise to concern and the diagnosis regarded as justifying the course of action which is being taken. Equally, in the case of detention prior to extradition, the person affected would need to be apprised of the particular offence involved and the existence of a request for this by a particular country.

The obligation under Article 5(2) is more limited than the duty imposed by Article 6(3) (a) to inform an accused person of the nature and cause of the accusation against him; much more detail is required in the latter situation because this will be essential for the preparation of a defence at the forthcoming trial. It is important that the explanation be worded in non-technical language. Many people deprived of their liberty will not have either the intellectual capacity or professional experience to disentangle the complexities of the law. The overriding consideration is that the person affected must understand what is happening to him or her and therefore there will always be a need to take into account the specific capacities of an individual.

Such an objective may be achieved where official documents – such as a warrant or court order – authorising deprivation of liberty are expressed in language that is generally intelligible. However, this is not always feasible and, since no precise form of communication is required by Article 5 (2), clarifications by officials relying on the official documents can be entirely acceptable. Of course, this may sometimes require extra efforts by them to communicate in straightforward and simplified language. In cases where effective communication is not possible because of a person's age or mental state, the explanation ought to be given to a person having custody over him or her – such as a parent in the case of a very young child – or someone otherwise authorised to represent the interests of the person concerned.

Where the person deprived of liberty does not understand the official language, the explanation must be given in a language that the person understands (this would include Braille or signing). This should not, however, be problematic in most cases since the explanation need not be given at the initial moment of apprehension and there will thus be an opportunity to find someone who can give an explanation in a language that the person does understand.

In addition to the judicial supervision under Article 5 (3) which must come from the detaining authorities, Article 5 (4) guarantees the option of the detainee to bring proceedings challenging the

lawfulness of the detention before a court, which must decide speedily and order the release if the detention is found unlawful. The requirement in Article 5 (4) is that there be something comparable to *habeas corpus* so that the legality of one's detention can be tested. The crucial elements of the obligation in this provision are that the supervision must be by a court, must entail an oral hearing with legal assistance in adversarial proceedings, must address the legality of the detention in the widest sense, and must take place speedily.

Article 5 (5) requires that those who have been the victim of arrest or detention in breach of the other provisions of this article should have an enforceable right to compensation. The absence of such a right will inevitably give rise to liability in proceedings before the European Court. Like Article 5 (4), this provision is a specific manifestation of the more general obligation in Article 13 of the Convention to provide an effective remedy where any of the guaranteed rights and freedoms have been violated.

The terms of Article 5 (5) do not leave a State any discretion as to the body from which the remedy of compensation is to be obtained. Article 5 (5) requires a remedy before a court, meaning that the remedy must be awarded by a legally binding decision.

With regard to the form of the legal procedure by which the right to compensation can be vindicated, the national authorities enjoy a fair amount of latitude. A remedy by other bodies (such as the ombudsman) or an *ex gratia* payment by the government is not sufficient for the purpose of Article 5 (5). In practice, the remedy will normally consist in financial compensation. There is scope for national variations as to the assessment of the amount of compensation that is payable but not as to the precise elements of loss that should be recognised in making an award. Prior to deciding the compensation, the national authorities may require evidence of the damages which had resulted from the breach of Article 5. The Court held that although a person may be a victim of an Article 5 breach, "there can be no question of 'compensation' where there are no pecuniary or non-pecuniary damages to compensate⁷.

¹ Această lucrare a fost parțial finanțată din contractul POSDRU/CPP107/DMI 1.5/S/78421, Proiect strategic ID78421(2010), cofinanțat din Fondul social European- Investește în oameni, prin Programul operational sectorial Dezvoltarea Resurselor umane 2007-2013.

² Although accepting that it is principally for the authorities of a State party and especially the courts – to interpret and apply its law, the Court reserves the power to review whether that law has in fact been complied with; and in some of the cases considered below it has reached a different conclusion from that arrived at by those authorities.

³ Other factors shaping the notion of *lawfulness* are considered further below.

A violation of Article 5 (1) for these reasons in respect of the same practice has also been found in *Kawka v. Poland*, 9 January 2001. Prior to the rulings in these cases the practice had been ended and replaced by one of referring each case where a detention order had been made at the investigation stage to a court in order to obtain a fresh ruling as to whether the detention of the person concerned should continue. This fulfils the Convention's requirements as to lawfulness and judicial supervision.

⁴ *Stögmüller v. Austria*, 10 November 1969, *Clooth v. Belgium*, 12 December 1991, *Contrada v. Italy*, 24 August 1998, *Jėčius v. Lithuania*, (where the suspicion was actually found to be unsubstantiated by the trial court) and *Barfuss v. the Czech Republic*, 1 August 2000.

⁵ The strength of the case against someone can be taken into account but is not in itself a sufficient basis for the continuation of detention; see *Kemmache v. France* (Nos. 1 and 2), 27 November 1991, *Mansur v. Turkey* and *Yağcı and Sargın v. Turkey*, 8 June 1995.

⁶ In *Trzaska v. Poland*, 11 July 2000, the Court refused to accept that the risk of re-offending must have been relied upon in refusing release when it was not expressly referred to in any of the decisions of the domestic authorities.

⁷ *Wassink v. the Netherlands*.

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ORIGINAL PAPER

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Religious Expression

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Abstract: *Particular sides of freedom of expression, freedom of religion represent the individual will, free and intellectual to join, to choose a religion. The particular aspect is the fact that religion is not limited by translating them in faith, but gives rise to practices that ensure the free exercise of religion. Conflict of freedom of expression is double this time, both a freedom-freedom of religion, and with a right-the right to observe beliefs. By the present paper we try to answer whether symbolic expression, understood as attitudes, behaviors, wear of badges, uniforms, carrying signs, or religious clothing is an expression or manifestation of belonging to the community and should be allowed to choose or violates other rights?*

Key words: *freedom of expression, freedom of religion, religious expression, symbolic expression.*

I. The religious freedom is a particular side of the freedom of expression, representing the free and intellectual individual will of binding and choosing or not a religion. The particular aspect consists in that fact that religion is not limited by its transposition in faith, but gives rise to practices ensuring the free exercise of religion.

Before the Gutenberg revolution in 1438, the church or rather the religious institution used censorship as a word regulatory mechanism for the "control of the soul". Once with the occurrence and development of the printing, words knew another dimension of their transcription, with a frequent issue, approaching different subjects. The appearance of monarchy did not delay in controlling the issued publications by censorship. The Enlightenment is distinguished by the fight against this official control, leading, most of the time, to the confusion between anarchy and freedom.

There has always been a special relation between the church and the state, either by merger until complete confusion for some Muslim countries (Morocco), Vatican, secular Japan, ancient Rome; either by union, in which the types of relationship may be the recognition of churches by the state, a result of which there is a representative designated by the State, with the consequence of the existence of a "state religion", either a church incorporation into the state, as the Anglican Church in the UK; either a separation report, in which the state ensures the freedom of religion (Romania), not involving essentially in their operation.

Article 30 paragraph (1) of the Romanian Constitution expressly guarantees the freedom of expression of thoughts, opinions and beliefs and the freedom of creation of any kind, by voice, by writing, by images, by sounds or by other means of communication in public, as being intangible. According to article 29 of our Constitution, the religions are free and organized according to their own states, under the law, are autonomous to the state and enjoy its support. Also, "the freedom of religion cannot be limited in any way. No one can be forced to adopt an opinion or adhere to a religion contrary to his/her beliefs. The freedom of consciousness is guaranteed (...)".

The revolutionary text of the Declaration of Human and Citizen's Rights in 1789, article 10 provided that "Nobody can be concerned as regards his/her opinions, even if they are religious, provided that their manifestation does not disturb the public order established by the law". Article 9 of the European Convention: "Any person is entitled to the freedom of thought, consciousness and religion; this right involves the freedom to change religion and belief, and the freedom to manifest religion or individual or collective belief, publicly or privately, by religion, education, practice and confessions".

II. This time the conflict of freedom of expression is double, both with a freedom-freedom of religion and with a right – right to observing beliefs.

i. **The practice of the European Court of Human Rights** related to this problem, we cannot talk of a unitary vision. The first part of its practice is defined as cautious and non-practical, leaving a wide margin of appreciation of states, exerting a limited control, as is clear from the judgments in *Otto-Preminger-Institut vs. Austria* case as of September 20, 1994 (judging the prohibition of a movie as blasphemous for the Catholic religion) or *I.A. vs. Turkey* as of September 13, 2005 (aiming the seizure of a book containing offensive attacks to Muslims).

In *Otto-Preminger* case, the court manifests its traditionalism in religion and morals, maintaining a single and neutral vote, considering that "it cannot neglect the fact that the Roman-Catholic religion belongs to most Tyrolese. By seizing the movie, the Austrian authorities chose to protect the religious peace in that region and to prevent that some feel unjustifiably and offensively attacked in their religious feeling. The evaluation of the need for measures depending on the local situation in a given epoch mainly belongs to the national authorities which are better positioned than the international judge".

Starting with the decisions rendered in 2005, in *Paturel vs. France* case as of December 22, 2005, *Azdin Tatlav versus Turkey* as of May 2, 2006, *Giniewski versus France* as of January 31, 2006, the Court of Strasbourg detached itself from the previous traditionalism, examining the case in much wider margin by controlling the states' margin in appreciation.

Thus, in *Giniewski vs. France* case, the author of an article was sentenced in a civil case for racial defamation against the Christian community and a Franc damages for its statements in the article according to which certain principles of the Catholic religion contain anti-Semitism tones, favouring the Holocaust. The European Court of Human Rights considers a violation of article 10 of the Convention estimating that the publication "does not constitute an attack against the catholic dogma, but a process of reflection on the genocide origin, which is an important problem to be debated", as he also considered in his subsequent practice (*Obran and other versus France* as of January 15, 2009, *Lehideux and Irseni versus France* as of September 23, 1998).

The case on the dockets of the French Court representing the prophet Mohamed with a turban in shape of a bomb and another representing him holding his hands to his head and saying "it is hard to be loved by idiots" led to violent reactions among radical Islamists. The Court of Paris¹ settled the issue by considering in relation to the title of the "Mohamed loaded by fundamentalists"

cartoon, considering that there is no prejudice to the Muslims in whole, the expression referring only to fundamentalists, so that the cartoon cannot be considered as injurious, not being deemed as exceeding the limits of the freedom of expression.

II. Symbolic expression.

In the United States of America, the limits of the freedom of expression are more difficult to analyze or apply, as the freedom of expression is granted a guarantee and a negative right, respectively the state should not interfere in exercising the freedom of expression.

In the United States, in limiting the scope of the freedom of expression the Supreme Court considers other interests than the freedom of expression, such as other people's rights, child protection, public order or national security, thus determining a gradual transition depending on the nature of the noble expression ("speech"), without the hierarchy excludes, a priori, a form of expression² from the protection provided for in the First Amendment. The First Amendment also protects the *symbolic expression which is understood as capacities, behaviours, wear of badges, uniforms*. In this regard, the Supreme Court admitted the invocation of the First Amendment in case of the refusal to salute the American flag in case 319 US 624/1943, West Virginia State Board of Education versus Barnette, in case of burning the American flag interpreted as a symbolic speech, a mean of political expression in Texas versus Johnson case, 491 US 397/1989 or the wear of Nazi uniforms by the members of a Neo-Nazi party populated by survivors of the concentration camps in 439 US 906/1978 Smith versus Collin case.

Thus, the American conception clearly differs from the European conceptions as regards freedom of expression. The argument validating the American conception was based on the social equality, namely considering the expression of persons who have the capacity or do not want to make a national and intellectual speech.

At European level, this symbolic speech in the absence of a legal explicit dedication is susceptible of restrictions and prohibitions. In this regard, the legal practice manifested by determining that the prohibition applied to officials-firemen to use their uniforms during the public manifestations does not prejudice the freedom of opinion or expression provided for in articles 10 and 11 of the Declaration of the Human and Citizen' Rights and European Convention³.

The legal practice on the so-called religion defiant artistic creations was consistent in terms of not contesting the violation of article 10 on vexed decisions. Thus, the European Court of the Human Rights admitted that such artistic creations can be prohibited because the believers have the right not to be insulted in their religious feeling by the artistic expression of third parties (decision as of September 20, 1994, Otto Preminger Institut vs. Austria case on the movie made according to a play by Oscar Panizza "Council of Love", judged to be blasphemous, the decision as of November 25, 1996, Wingrove vs. United Kingdom case on the prohibition of a video clip on Saint Theresa d'Avila which has also been judged to be blasphemous, decision as of September 13, I.A. vs. Turkey case on the conviction for blasphemy of a Turkish editor of a paper criticizing religions, especially Islam, using injurious terms as regards the Prophet).

Also, the French judicial courts gave a sentence, admitting the legitimate interest of a Catholic association whose object is the protection of the religious feeling of its members by a book whose cover represented a naked woman nailed on the cross and the inscription INRI (Cour de Cass., 1ère Civ. 14 nov. 2000, (AGRIF), D. 2000, IR p. 297). The analysis of the breach or non-breach of the freedom of expression by the courts is still sensitive, so that, even in our century, the pertinent decisions are rare, such as Cass. 1ère civ. 8 mars 2001, AGRIF. D. 2001 IR p. 1077 which

determined that the satiric drawings on the Catholic religion does not constitute a criminal offence of instigation to racial hatred, nor a civil guilt.

The wear of signs, badges or religious clothing is an expression or manifestation of the affiliation to the chosen community or must it be allowed or does it violate other rights?

By the notification as of November 27, 1989 the French State Council defined the principle of secularism within the public education, as being one of the state secularism elements and public service neutrality, prohibited any form of discrimination in the access to education, which was established on religious beliefs so that the wear of signs declaring their affiliation to religion is not incompatible with the principle of secularism if it constitutes an exercise of the freedom of expression and a manifestation of religious beliefs, as long as they do not constitute, by their nature, or their ostentatious or claiming character, an act of pressure, challenge or propaganda, or proselytism by breaching the public order and other people's rights⁴.

The dilemma of the wear of badges is whether the imperative can be based on the freedom of consciousness or expresses an opinion, adhesion to a certain conception, namely a direct manifestation of the religious freedom or a symbolic expression or a simple freedom of behaviour⁵.

In 2004, the French government decided to prohibit the Islamic veil and "Kippa" worn by young Muslims. The same problem of distinguishing between a simple free choice of clothing or a religious sign is also the case of women wearing "burqua".

The right to difference is established by the international right, providing a diversified right to religion, so that the prohibition of wearing the complete veil, niqab and burqa in French public places, streets, shops, parks, means of public transportation, hospitals or public buildings in force since April 11, 2011 still produces heated discussions and protests on breaching or not the freedom of expression, religion or consciousness.

Article 9 of the European Convention of the Human Rights admits the right to freely choose any person who wears or not religious clothing regardless of space. The restriction of this practice should be considered as valid if it was necessary in a democratic society for reasons of security or if the profession or public function of a person requires a proof of identity. But the general prohibition can lead to contrary effects in terms of both social disturbances and exclusion from the educational, economic and social life of women wearing this type of clothing, as it is considered by the EU Parliamentary Assembly by the resolution no. 1743/23.06.2010 and the Recommendation 1927/2010 on Islam, Islamism and Islamophobia in Europe. Or, the most important step consists in the education of Muslim women on their rights, equality between women and men and equal opportunities, aspects which are still difficult to implement in a religion which is still mistaken by the state and in a culture in which the observance of rights and fundamental freedoms is difficult to implement.

The resolution of the EU Parliament no. 1510/2006 on the freedom of expression and the observance of religious beliefs and the Recommendation 1805/2007 which expresses the disagreement to blasphemy, religion-related insults and hatred speeches against persons for religious reasons, fight against the religious defamation and especially Islamism, provided that this orientation is a threat to the freedom of expression.

III. Conclusions.

The democratic regulations require a separation of the state from religion, as it is considered by the EU Parliamentary Assembly within the Recommendation 1804/2007. The possibility of receiving and changing ideas and information depends in the progress of a society and in the individual development. Any society must allow open debates on subjects related to religion

and beliefs in the name of the freedom of thought and opinion and in the name of the freedom of expression⁶.

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¹TGI Paris, 17th correctional chamber, March 22, 2007, no. 0621308076 and no. 0620808086, in case „Sté des habous et des lieux saints de l'Islam and others vs. Ph. Val et Sté Éditions Rotative.

² Elisabeth Zoller, *La liberté d'expression aux Etats-Unis et en Europe*, Ed. Dalloz, Paris, 2008, pp. 286-287.

³ EC, November 4, 1994, CGT Public Service Federation.

⁴ Jean Rivero, *L'ïcité scolaire, signes d'appartenance religieuse. L'avis de l'assemblée générale du Conseil d'État en date du 27 novembre 1989*, *Revue française de droit administratif*, jan-feb. 1990, pp 1-65.

⁵ Jean Morange, *La liberté d'expression*, Edit. Bruylant, Bruxelles, 2009, p. 79.

⁶Resolution of the European Union Parliamentary Assembly no. 1510/2006 on the freedom of expression and the observance of the religious beliefs as of June 28, 2006 (www.assembly.coe.int).

ORIGINAL PAPER

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Local Political Post-Communist Elite: Reproduction or Circulation of Elite? Study case: Râmnicu Vâlcea Municipality

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Abstract: *This paper presents the democratization processes across Europe, either after the Second World War (e.g. West Germany, Italy) or after the fall of communism (e.g. Central and Eastern European countries). These have placed the new political elites in a delicate position in which the arrangements selected should have impeded the restoration of authoritarianism or totalitarianism and ensure the unproblematic consolidation of democracy.*

Key words: *politics, elite, democracy, Central and Eastern European countries, democratization process.*

INTRODUCTION

The democratization processes across Europe, either after the Second World War (e.g. West Germany, Italy) or after the fall of communism (e.g. Central and Eastern European countries), have placed the new political elites in a delicate position in which the arrangements selected should have impeded the restoration of authoritarianism or totalitarianism and ensure the unproblematic consolidation of democracy. As Krouwel and Verbeek argue, it is not an easy task when “power is widely dispersed and organizations such as weak political parties, bureaucracies are still filled with incompetent and corrupt bureaucrats it is hard to deliver the goods of government.”¹ There is no doubt that political elites are an important factor for the democratization process². This aspect can be confirmed in post communist Eastern Europe, which represents an interesting field of investigation regarding the emergence of the new political elite structure and the transformation of the communist one.

Consequently, the present research explores the conversion of local communist elite in Romania during 1989-1992, in order to see if the existing specialized literature on the issue of conversion and reconfiguration of national communist elite can be applied at local level. Moreover, it deals with a thorough analysis of the elite “reproduction” and “circulation” theories, which detects a particular tendency in the Romanian local elite case. The wealth of evidence derived from this enterprise brings to the fore new issues to be tackled, new actors whose behaviour explains the present reality and solutions which could demonstrate their viability.

After almost forty years of communist rule, a “clean” break with the past was apparently unavoidable in Romania. As such, Romania underwent a violent and bloody revolution (1989), the democratic transition being commenced by a “reformed” *ex-nomenklatura* without any intent to perform a transitional justice, the equivalent of a fresh new start. Unlike the other post communist countries, where the transitions have been negotiated, “in Romania does not exist, within the party elite, no enlightened faction oriented to reforms and to negotiate the transition”³. Therefore, the power vacuum that followed the 1989 events was filled with former communist party elite, who claimed revolutionary legitimacy, justifying the concept of “captured revolution”⁴.

Therefore, the interest in a systematic investigation regarding Romanian local political elites was driven by the fact that few empirical studies were carried out on this field. In this context, an examination of reproduction /circulation of elites at the local level might identify certain characteristics of the new Romanian post communist political elite. The relevance of this study for the area of research resides in the possibility to generate additional knowledge further to be employed in a larger research or in a multidisciplinary framework.

Because of the vast area of investigation, this paper analyses one local community, namely Râmnicu Vâlcea municipality. The choice of this case was determined not only by a high degree of familiarity with the specifics of this town, but also due to its relevance for the theme. As such, the purpose of the research is to present a comprehensive account of local political communist elite conversion in the country under discussion. Although the 1989 events appeared to be a break-up of the old social and political hierarchies, the former local communist elite preserved an important degree of political power and succeeded in dominating the decision-making process within the provisional local institutions created in the very moment of the revolution.

The present study has three main sections. The first one provides a theoretical perspective concerning the concepts of political elite, local political elite, elite reproduction and circulation theory. The second part presents and interprets the data, from several illustrative national studies, on the continuity of the communist elites from national level between 1989 and 1992. The last section is the actual study case on the local post communist elite from Râmnicu Vâlcea municipality, for the same period.

RESEARCH QUESTION AND HYPOTHESIS

In this context, the **research question** that arises is *to what extent the conversion of local communist elite influenced the emergence of the new elite?* There are at least two reasons why this question is relevant. First, there is a theoretical and scientific stake which is important in order to understand this subject. Thus, the research investigates the extent to which the current local elites belong to the old nomenclature. Second, there is a conceptual stake, as this study tries to determine the relationship between the communist local elites and the post communist ones.

This inquiry leads to the following working **hypothesis** standing at the basis of this study: *the old networks of the Communist Party continued to serve the base for the recruitment of the new elite*. In order to validate this hypothesis, there is realized an examination of the dynamics of local communist elite reproduction between December 1989 and 1992 (when the first post communist local elections were held in Romania), a period which set up the new post communist elites in Romania. However, the analysis of mechanisms of post communist elite formation in a former communist country implies a return to the communist sociology, to the extent that the actual elites' power and success is rooted in those of the past.

METHODOLOGICAL DESIGN

To serve the objective of this research, the methodological tools employed attend to the requirements of a qualitative study, with a limited use of quantitative data meant to support the arguments and observations drawn throughout the paper. Basically, the research unfolds as a cross-national analysis at the micro-political level centered on local structures of political power, following the deductive approach. The unit of analysis is the Râmnicu Vâlcea municipality.

Inferences about the communist elite transformation after 1989 revolution demand an in-depth analysis at the local level in order to uncover strengths, weaknesses and possible solutions to endemic problems, as well as relevant answers to contemporary debates.

Despite the shortcomings, the present research aims at developing a coherent argument based on empirical observation derived from a variety of sources at hand. The methods chosen are qualitative content analysis and secondary analysis of statistics and data collected by other researchers. The primary sources consist, at large, of official documents from 1989-1992 from the city hall archive, local legislation, mass media outputs, virtual outputs, and data from the County's Agency of National Archives. Regarding the secondary sources, it covers volumes and studies published in volumes and academic articles. The local political elite from Râmnicu Vâlcea are represented by mayors, local councils and presidents of the County Council between 1989 – 1992.

Unfortunately, due to various constraints, this paper could not employ more efficient research methods such as in-depth interviews or direct observation. Nevertheless, the methodological choices have produced thought-provoking outcomes, which are to be given credit when assessing the transformation of local communist elite, in general. The challenges concerning the validity of the conclusions are related to the potential errors presented in the data and the danger posed by bias, which can hardly be reduced to the minimum under these circumstances.

THEORETICAL PERSPECTIVE

The concept of "political elite" has its origin in the works of Gaetano Mosca, based on the uneven distribution of power in society⁵. Nevertheless, Zuckerman faces difficulties in defining, explaining this conceptual term, because the attention was directed toward identifying these type of elite and not defining them⁶. In the view of Laswell Harold the political elite comprises the power holders of a body politic. In this category is included leadership and social formations from where the leaders usually come from and where accountability is maintained within a generation⁷. They are at the command of hierarchies and major organizations of modern societies. For Geoffrey Roberts an elite exercising political influence is called ruling elite, or the political elite.

Taking into consideration these definitions of the concept, political elite can be defined as a category which has more power than others, and which directly influences the political actions and decisions. This interpretation takes into account the senators, deputies, members of the government and presidency. In institutional and organizational terms, political elites are persons who influence societal decision-making regularly and substantially, due to their positions in the local administration.⁸ Therefore, included in the elite are individuals whose decisions affect the everyday life of important segments of the community, and whose views and stances are likely to be taken into account by other influential political actors.

A society in transition can be characterized as generating a "new political class", and a plurality of political parties with different ideological and political programs.⁹ The sequence of political regimes is flanked by the sequence of minorities, who hold social and political functions of conflict arbitration between different interest groups which competition or cooperation between individuals¹⁰.

To continue with, there are two theoretical perspectives which this study employs. On one hand there is the reproduction elite theory during the transition and on the other hand the circulation

elite theory. The first theory, formulated by Jadwiga Staniszkis¹¹ and Elemer Hankiss¹², sustained the idea of a general reproduction of the communist elites by the conversion of the political capital into the economic one. According to them, the old political elite transform it into a new capitalist bourgeoisie by using the power of their offices and their social connection to accumulate economic assets. Both authors argue that in the aftermath of the collapse of communist institutional structure, members of the nomenklatura were able to use their political influence to accumulate wealth. These members have “metamorphosed into private capitalists due to the fact that their positional power has allowed them to appropriate productive assets and because the social networks of which they were members has provided them with advantages in emergent markets”¹³.

There is another opposing image of elite reproduction advanced by Erzsebet Szalai, who focuses on the division of the old elite into two groups. These groups are the old bureaucrats recruited into positions of power on the basis of political loyalty and the young technocrats recruited on the basis of technical competence¹⁴.

In 1993 a comparative study of elite recruitment in four post-communist countries (Russia, Slovakia, Poland and Hungary) was conducted by Ivan Szeleny and Donald Treiman¹⁵. The results did not confirm a massive reproduction of communist elites within the post-communist power structure and infirmed the predictions of Hankiss and Staniszkis. After 1989, a part of the members of this group could be found in the new economic and political elite, and another part was stopped in 1989 to accede in institutional power structures. Therefore, excepting Russia, there was no reproduction of elites, but more a circulation.

Starting from this assumption, Gil Eyal, Ivan Szeleny and Eleonor Townsley formulated the circulation elite theory, the second theoretical point of view of this study. According to this, the former nomenklatura did not succeed in transforming into strong post communist elite who could rule the society¹⁶. The new elites are formed by people who converted their cultural capital into a economic and political one.

The theory of elite reproduction holds that changes in Eastern and Central Europe did not have an impact on the composition of elites, since the members of the nomenklatura was able to stay at the top of the power structures and become the new elite, whereas, the theory of elite circulation the key positions are occupied by new people on the basis of new principles¹⁷.

This discussion of elite reproduction and circulation points toward the national dimension, and the local dimension was not addressed in-depth in theories of elite reproduction and circulation. And in a post communist decentralized society, for example Romania, the local level represents an important element for democratization and modernization.

After the collapse of the communist regime, Ken Jowitt had argued: “whatever the result of the current turmoil in Eastern Europe, one thing is clear: the new institutional patterns will be shaped by the ‘inheritance’ and legacy of forty years of Leninist rule.”¹⁸ He observes the existence of some tensions caused by the absence of recognized successor elite. According to his point of view, the recognized elite is the one who accepts the legitimate role of all its members in the society, regardless of the party and ideology embraced¹⁹. Because of the way in which the regime change took place, the researcher noted the prominent role played by the Leninist personnel in the economic, administrative and politic sector in the Balkans space.

COMMUNIST ELITE CONTINUITY AT NATIONAL LEVEL

In the view of sociologists, social crises and revolutions can be caused or hastened by conflicts within the power elite and the rivalries between elites. The analysis of the role of elites in the replacement and transformation of the communist system in Romania, the following elements are

important: the national elite structure before changing, the role of elites during revolution and crystallization of new power elite after the change. The national character of social structure and political culture should also be considered as an external factor in this change²⁰.

In the chaotic state of affairs surrounding the 1989 events, the so-called vacuum of power was instantly filled with ex-members of the Communist elite that claimed revolutionary legitimacy, thus justifying the widely used concept of “captured revolution”²¹, and intended the “safeguard of the integrity and functionality of state institutions be them administrative, economic or repressive.”²² More precisely, in Alexandru Gussi’s words: “The power instated immediately after December 22, 1989 was the expression of a type of conversion undergone by the former communist elite, which adopted the ‘pro-democratic revolutionary’ image imposed by the fall of the communist regime, and which was later to bring arguments for a policy of forgetting.”²³

Given this continuity of elites, the political, socio-economic and cultural nationalism remained a past induced feature of the new “democratic” political class. In the absence of a decommunization process, the political discourses of the early 1990s were primarily anti-communist and nation-oriented. From top to bottom, the role of personalities was undeniable, being reinforced by the low developed institutional and doctrinal identity of the political parties.²⁴ Some of the figures that dominated the political arena owed their popularity to the participation in the December Revolution, others were placed either in the technical intelligentsia camp or that of the intellectuals, being individuals with high levels of expertise and achievements, perceived as part of the new democratic elite. However, certain elements similar to the previous regime have survived, Frank Sellin even denouncing a post-communist patrimonialism defined through particular aspects: (a) a leader generally recognized as the first and foremost political authority; (b) the development of a personal staff of the leader and a coercive apparatus appointed on the basis of loyalty encouraging nepotism and clientelism; (c) the vagueness of the boundaries between public and private property, to the benefit of the ruling elites; (d) a self-organizing society mirroring the patron-client relations existent at the top of the pyramid of power; (e) large and inefficient state bureaucracy, divided between different interests; (f) “the promotion of charismatic elements” specific to the communist regime (e.g. cults of personality, control of the mass media).²⁵ This particular evolution is confirmed by Daniel Barbu, who outlines the implicit aims of the drafters of the 1991 Constitution: “The Constitution of December 1991 is conceived so as to ensure the continuity of the State and of the former elite, who had already learned how to govern it, and not to facilitate the development of a political function within the Romanian society, thus preventing the emergence of a different type of elite.”²⁶ In such a context, the “unhealthy” rule of law, the pervasive corruption and the slow pace of economic and social reforms come as no surprise in a political system where the former *nomenklatura* were the winners of transition.

One of the last legacies to be discussed is the type of bureaucracy the Ceausescu regime managed to build. The enlarged bureaucratic apparatus, specific to a communist state, was a powerful tool in the hands of the omnipotent dictator in charge of the administration and control of a vast domain. In a noteworthy review of communist legacies, Trond Gilberg’s remarks regarding the bureaucratic system are worth quoting: “Perhaps the most debilitating legacy of all stems from the way in which the Ceausescu clan, a relatively small and homogeneous group at the top, spread its tentacles throughout all of the Romanian society with a vice grip on the process of appointment to public office, overlapping memberships, and interlocking dictatorships.”²⁷

Not only did the post-communist version of bureaucracy suffer from continuity in terms of personnel, but probably even more damaging to the new democracy, from bureaucratic routines established within the collaboration state-society. The politicized, inefficient and overloaded

bureaucratic system comes as no surprise, given the fact that the level of political influence is still high, the rules are overlooked and the procedures are excessively complicated, whereas the numbers of employees is often the result of artificially created positions.

In post communist Romania political elites were recruited especially among young technocrats and members of the nomenklatura of the '80s, raised in the spirit of perestroika under the protective wing of the communist regime. The Romania post communist political elite reproduced on a capitalist society marked by weak ethics and compliant to a provincial mechanism of perpetuation. Belonging to the former nomenklatura was a negative element for representatives who had access to the decision making. The "political survival"²⁸ of a part of the nomenklatura and its influence on the strategic decision making level, gives balance of forces within the political class features. Accordingly, in the aftermath of the revolution the Romania political class was more conservative than in other post communist countries and "hostage to authoritarian ideological clichés"²⁹. These elements are defining as they have put their mark on the decisions and solutions taken during political debates and events.

In the former nomenklatura, the individuals were not recruited on professional grounds, but through creating a permanent subordination to superior posts³⁰. Immediately after 1989, the communist Party and ideology were not explicitly mentioned in the public discourse or condemned. Romania Communist Party practically disappeared from the political scene, without its formal dissolution to take place and without involving a downgrading of the former communist members outside the close circle of Nicolae Ceausescu. Under these circumstances, numerous political organisations have been constituted around different political personalities who have occupied important functions in the communist structures. Affiliating with the elites not involved in the political life, former members of the nomenklatura have consolidated these political parties winning significant percentages in elections, imposing a significant number of members of parliament and government in the post communist era. The most important political parties were: National Salvation Front, Great Romania Party, Socialist Labour Party, National Unity Party from Romania, The Agrarian Democrat Party from Romania and Hungarian Democrat Union from Romania.³¹

In a recent empirical analysis of the political class realized immediately after 1989, findings were more or less contested. In what concerns the average age of the political elite in Romania, is emphasized the limited number of young people who have access to leadership positions. Moreover, there was a trend of male monopoly on power. The system of selection, of recruitment of the ruling class, the social background and environment act as essential elements of the proposed voter picture: about 80% of those analyzed were from rural areas. Almost all of them had residence in Bucharest.³²

However, in its effort to assume political power, Romanian ruling class marks, like the entire political class, an evolution in the process of professionalization. But elite circulation in the political field has different trends. Compared with other countries is much lower, predominantly we talk about a reproduction of elites as a whole. Circulation refers exclusively to change the political echelon and administrative staff, with a vertical move, downward and upward. Governmental personnel of the parliamentary political parties experienced the lowest circulation.³³ This proliferation of a type of selection of superior members reproduces the rules of recruitment of the former nomenklatura. In this context, during first legislatures, post communist political parties send to the parliamentary arena the same figures, at the expense of professional competence.³⁴

LOCAL POLITICAL POST COMMUNIST ELITE IN RÂMNICU VÂLCEA MUNICIPALITY

The research conducted on the local political elites in Romania, in the public administration sector, provides some interesting data on the relation between the old elite (persons who were members of the communist Party before December 1989 and were able to preserve their positions) and the new post communist elite (those assuming political position after December 1989 until June 1992).

Interpreting the data from local press and archives, between 1989 and 1992, will help us to see if the configuration of local elites differs from one region to another, and the same is true for the circulation or reproduction of elites. The local political elites, identified with the administrative elites are represented by mayors, vice-mayors, local councilors, and presidents of County Council. Before starting with an analysis of the political elite, a short contextualization and characterization of the Romanian revolution seen in Râmnicu Vâlcea is necessary, in order to better understand the background of the transformation of the political elites.

Considering that the new post communist political elite was favored by certain particularities of the 1989 revolution, it is important to analyze these revolutionary events and deconstruct this political and social movement.

After several days from the beginning of the revolution in Timisoara (16 December 1989), on 20-21 December, a number of 6-7 thousand local citizens were ordered to be transported (together with thousands of people from Dolj and Olt) to the “city of revolution”, where a group of hooligans devastate the city.³⁵ They had been armed with wooden bats made at the chemical industry sector from Râmnicu Vâlcea. Fortunately, the local citizens had not meet the chance to confront the hooligans from Timisoara, as they came back home on 22 December. Many of them abandoned the mission on their way to Timisoara, attracted by the social and political changes³⁶. In parallel, military forces were involved too, as on 21 December a number of 250 military cadres were detached in Sibiu, and they came back next year on 4 of January³⁷.

In Râmnicu Vâlcea the revolution started on 21-22 December, when “flyers and manifests against the Ceausescu regime appeared on the streets. On 22 December citizens gathered in front of “White House”, headquarter of the Vâlcea County Committee of Romanian Communist Party”.³⁸ When the national television announced the run of the dictator, the crowd entered the headquarter of the Communist Party, occupying the building, beating the people from there, including the general secretary of the Party, destroying documents, portraits of the dictator, books and other. Participation of the local citizens in these events can be summarized as follows: what happened in Bucharest and several important cities in Romania, with scenes of bloodshed and violence, in Râmnicu Vâlcea the revolution was peaceful³⁹, but following at small-scale the same pattern as at national level – occupying the headquarter of the Communist Party and other buildings of the leadership, prolonged demonstrations in front of the local institutions, drilled flags, speeches against the regime and dictator. Representatives of the local police and Securitate did not intervene in these manifestations, thanks to close in their own offices and take care of the armament.

On December 23 it was constituted the County Council of the National Salvation Front⁴⁰. Symptomatic for a political organization like National Salvation Front the transformation into a genuine political party brought to light different interests and political strategies. This Council was composed of 14 members, out of whom two were military cadres during the communist regime, nine were former members of the nomenklatura – not so influential during the communist regime, and the other two had no connection with the ex-nomenklatura. The first president was economist Marian Maciuca, and immediately after, he was replaced by Colonel Mihai Dumitrescu⁴¹, who ran the Council for six months (December 1989 – June 1990).

On 18 of February 1990, on the base of Law no. 81/1990, it was decided that the old County Council of the NSF to become the Provisional Council of National Unity of Vâlcea (Consiliul Provizoriu Vâlcea de Uniune Națională). The Council was formed as follows: half of its members being composed of the members of the already existing Council, and the other half from parties and minorities organizations representatives. Therefore, it was decided that from the old Council to remain 51 members, plus 36 parties' representatives (3 representatives from each political party existent at that time in Vâlcea – from a total number of 12). The Council ceased activity in August 1990.

According to Law no. 8/1990 from January 7, issued by the National Salvation Front Council, is proposed 7 members for the city hall. Traian Dumitrascu – mayor, Marculescu Mihail – vice-mayor, Mesea Nicolae – secretary, and other 4 members (local councils). Traian Dumitrascu held this position from January 1990 to August 1990. In September 1990 it was proposed for this position Eugen Iordache, two vice-mayors, one secretary, and five members. In January 1992, until the local elections, Emilian Ionescu held the position of mayor of Râmnicu Vâlcea. Before 1989, these local political elites held different positions in the local administration, industrial and economic sector. This discontinuity of personnel is probably a consequence of the weakened confidence of the local citizens in these leading elites. This aspect could be measured through opinion polls, and in February 1990 it was conducted the first free opinion poll from Vâlcea. The results showed that the mayor was not seen well than the “mayor of the county” (now prefect), as the first one was constantly associated with the function of manager he held on a local enterprise during 1981-1988⁴².

The successor party organization, National Salvation Front, from the local level was favored in the institutionalization and consolidation process, because it was able to co-opt members from the old nomenklatura or from the administrative communist apparatus (especially members from lower stratum), persons who benefited of a certain decisional *savoir-faire* and who had access to the resources. A group formed by former officials of the party administration became the most important. It gathered people of the same generation, experienced in the party administration and with more contacts within the administration structures. The local structure of the Romanian Communist Party dissolved by itself, without being officially dissolved and thus much of the communist elite enjoyed the advantage of not being in danger of any convictions or any lustration law. Consequently, in the period following the events of 1989, many organizations were formed around individuals who occupied positions of responsibility in the communist regime, associating with local political elites uninvolved in communist political life, strengthening the party. After 1989 the local political elites, who gained their social and political status under communism, tried to reinvent their legitimacy.

In the former local nomenklatura, as at the national level, recruiting individuals was not made on professional and meritocratic grounds, but by creating a permanent subordination to the higher functions. Immediately, after 1989 the communist party and ideology were no more mentioned in the public discourse, or explicitly condemned. Romanian Communist Party disappeared from the local political scene. Its formal dissolution did not involve a downgrading of the local nomenklatura. Persons who had leading positions in the communist apparatus disappeared from the political life. From the data collected from the local press, some of them benefited from early retirement and others moved to economic or cultural sectors.

At a closer analyze we can observe the existence of three types of former communist elite that perpetuated in the post communist local administration structure. First, there was an active member of the nomenklatura, faithful to Ceausescu, but who was marginalized and never during the communist regime held superior position. After 1989 this type of elite infiltrated in the new political structures created.

Second, there were those who constituted the leading revolutionary figures of the revolution in Râmnicu Vâlcea. They were those who were part of the communist party and who represented a sort of passive dissidence to the dictatorship of Ceausescu. This type local elite possessed sufficient prestige and expertise to take over the political power after the fall of Ceausescu.

Third, this elite is atypical, and it is represented by the military personnel. Surprisingly, they held important military positions during the communist regime, and after 1989 revolution they were identified with key political positions at local level. Probably the explication resides from the fact that the Army was seen by the local citizens as an ally, as a friend. This type of elite was active in the process of gaining independence as well, and in this way it was supposed to acquire further legitimacy from the local citizens, necessary to continue in running the public administration.

The brief analysis presented in this paper demonstrates a reproduction of communist elites into the political elites of December 1989 and April 1992 in Râmnicu Vâlcea. However, the demise of state socialism stopped the entry of true newcomers into administration offices, especially for those who did not occupy public offices before 1989. By and large, post communist political elite consisted of individuals who had pursued cadre careers during communism, from political, economic and military arenas. The degree of elite reproduction thus varied according to the elite type in question.

¹ A. Krouwel, B. Verbeek, "Institutions as battleground. Democratic implications of initial institution building in post-communist regimes", In: J. Miklaszewska, (editor), *Democracy in Central Europe 1989-99*, (Krakow: Meritum, 1999), 335.

² John Higley, Jan Pakulski, Włodimierz Wesolowski, "Introduction: Elite change and democratic regimes in Eastern Europe", in John Higley, Pakulski Jan, Wesolowski Włodimiers (eds.), *Postcommunist Elites and Democracy in Eastern Europe*, (London, 1998), 1-33.

³ Vladimir Tismăneanu, *Stalinism pentru eternitate. O istorie politică a comunismului românesc*, (Iași, Polirom, 2005), 269.

⁴ Juan J. Linz, Alfred Stepan, *Problems of Democratic Transition and Consolidation: Southern Europe, South America, and Post-Communist Europe*, (Baltimore: Johns Hopkins University Press, 1996), 345.

⁵ Alan Zuckerman, „The Concept <Political Elite>: Lessons from Mosca and Pareto”, *The Journal of Politics*, 39 (1977): 324-325.

⁶ Zuckerman, „Concept..”, 324-325.

⁷ Zuckerman, „Concept..”, 324-325.

⁸ Marius Tudor, Adrian Gavriescu, *Elita politică în România postcomunistă*, (Compania, București, 2002), 177-178.

⁹ Cătălin Zamfir, *O analiză critică a tranziției*, (Polirom, 2004), 101

¹⁰ Gabriel Ivan, "Noua clasă politică", in *Sfera Politicii*, 4 (1993): 16-17.

¹¹ Jadwiga Staniszkis, *The Dynamics of the Breakthrough in Eastern Europe*, (Berkeley-Los Angeles-Oxford: University of California Press, 1991).

¹² Elemer Hankiss, *East European Alternatives*, (Oxford: Clarendon Press, 1990).

¹³ Eric Hanley et. al, *The making of post-communist elites in Eastern Europe*, Working papers of the research project "social Trends", 4 (1998): 4-5.

¹⁴ Erzsebet Szalai, *The power structure in Hungary after the political transition*, in Christopher G.A. Bryant and Edmund Mokrzycki (eds.), *The new great transformation? Change and continuity in East-Central Europe*, (London: Routledge, 1994)

¹⁵ Ken Jowitt, *New World Disorder. The leninist extinction*, (Berkeley and Los Angeles: University of California Press, 1992), 294.

¹⁶ Gyl Eyal, Ivan Szeleny, Eleonor Townsley, *Making Capitalism without capitalists: The New Ruling Elites in Eastern Europe*, (Romanian Edition: Omega Press, 2001).

¹⁷ Ivan Szelenyi, Szonja Szelenyi. "The Circulation or Reproduction of Elites during the Post-Communist Transformation: An Introduction." Forthcoming in *Theory and Society*, (1995): 616.

¹⁸ Jowitt, *New*, 285.

¹⁹ Jowitt, *New*, 285.

²⁰ Anneli Ute Gabanyi, *Revoluția neînterminată*, (Bucharest: Fundația Culturală Româna, 1999), 61-62.

²¹ Linz, *Problems*, 345.

²² Alexandra Ionescu, "The Short Communism's Journey into Democracy. An appraisal of Romanian Democratization", *Studia Politica. Romanian Political Science Review*, 3, (Bucuresti: Nemira, 2009): 395.

- ²³ Alexandru Gussi, "The Ex-Communist's Policy of Forgetting in Romania after 1990", *Studia Politica. Romanian Political Science Review*, Vol. IX, 2 (Bucuresti: Editura Nemira, 2009): 275-276.
- ²⁴ Gussi, "The Ex-Communist's", 276.
- ²⁵ Frank Sellin, "Democratization in the Shadows: Post-Communist Patrimonialism", In: Henry F. CAREY, (editor), *Romania since 1989. Politics, Economics, and Society*, (Lanham, Boulder, New York, Toronto, Oxford: Lexington Books, 2004), 117-136, 118-119.
- ²⁶ Daniel Barbu, *Republica absentă*, (Bucuresti: Editura Nemira, 1999), 126-127.
- ²⁷ Trond Gilberg, *Nationalism and communism in Romania: the rise and fall of Ceausescu's Personal Dictatorship*, Boulder, (San Francisco, Oxford :Westview Press, 1990), 275.
- ²⁸ Stelian Tanase, *Revoluția ca eșec – Elite și societate*, (București, Humanitas, 2006), 43.
- ²⁹ Tanase, *Revoluția*, 43.
- ³⁰ Tanase, *Revoluția*, 43.
- ³¹ Raluca Grosescu, *Traiectorii de conversie politică a nomenclaturii din România. Spre o taxonomie a partidelor create de fostele elite comuniste*, în Anuarul de Investigare a Crimelor Comunismului în România, (Iași, Polirom, 2007), 201.
- ³² Tudor, *Elita politică*, 190.
- ³³ Tanase, *Revoluția*, 71.
- ³⁴ Tudor, *Elita politică*, 88.
- ³⁵ C. Tamas, *A treia revoluție română. Câteva zile din decembrie 1989 în Județul Valcea*, (Ramnicu Valcea, Conphys, 2006), 27.
- ³⁶ Tamas, *A treia revoluție*, 28-29.
- ³⁷ C. Burlacu, "Amprente enigmatic pe obrazul revoluției. Un ordin clar într-o situație neclară", in *Reporter*, 55 (1992), 2.
- ³⁸ Burlacu, "Amprente", 2-10.
- ³⁹ Local press, scuh as Orizonturi Noi, urged to peaceful participation from the citizens.
- ⁴⁰ "Orizonturi Noi", 23rd of December 1989, 4.
- ⁴¹ "Orizonturi Noi", 23rd of December 1989, 4.
- ⁴² "Curierul de Valcea", 3rd of February 1990, 3.

ORIGINAL PAPER

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Lessons for Post-Communist History: Elements and Objectives of Romanian and Serb-Croat-Slovenian Foreign Policy in the First Past-War

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Abstract: *The socio-economical and political conditions which existed in the south-east Europe at the end of World War I influenced the further evolution of Romania and Serb-Croat-Slovenian Kingdom, both of them being interested in the promotion of a foreign policy program in which elements of traditional continuity interfered with the period requirements. Based on the treaties of Versailles System, both states fulfilled most of their objectives becoming independent entities within internationally recognized boundaries.*

The appearance of the new independent state in central and south-east Europe happened because of peoples' will expressed as a result of self-determination principle through plebiscitary acts. Both states wanted in the new geo-political order, to defend the national unity of the state and its territorial integrity and they both contributed to the development of the international law and international relations, beginning and sustaining through own actions and setting up of the general and regional security, as well as the solving of the crisis between states in a diplomatic way.

Key words: *foreign policy, Romanian, treaties, the Great Powers, the Serb-Croat-Slovenian Kingdom.*

The First World War ceased as sudden as it started, involved many states and more than a billion people¹. World War I began as a continental war between the Triple Alliance and Entente, and then the conflict became a world one when the USA, Japan and other states from America and Asia became participants, shaking the life of the entire planet and influencing even the internal situation of the neutral states. For the Great Powers, "the total war" had an imperialist character, while for small countries, some of them being attracted into the conflict against their will, the war has another purpose: to liberate from the foreign domination and to achieve the entire national unity. "The will of the people was expressed ..., the state of things even millennial cannot last when it was found that it is against justice" showed A. Millerand in the 8th of May 1920; letter addressed to the Hungarian delegation at the Peace Conference in Paris².

The war was held on a large terrestrial territory and also in the air and on/under the water and imposed rapid weapons improvements. The machineguns, hand grenades, poison gas, tanks, zeppelins, aircraft, submarines as well as the mobilization of the entire population and the industrial war were elements of newness at that moment. The main land for battles was Europe, with its eastern and western fronts to which there were added more secondary fronts like the Balkans one and the mobilization was total and had important impacts in the further evolution of the peoples involved in the conflict.

As an object of dispute, both Romania and Serbia were at the beginning of capitalism development, being situated at the interference of the big interests of the Great Powers. In order to act to ensure the independence, the sovereignty and their integrity as well as to form national states, the states from south-east Europe had to take into consideration the complexity of the appeared situations³. A series of factors determined the evolution of the two countries both internally and externally. From these, the religious factor, the political independence desire, the economic nationalism and the state role in the conception of the two states leaders were attempts to have passed the impact of the economic crises, the war participation, the geographic factor and the geopolitical one, etc.⁴. In the foreign policy of the two countries, the idea of common defense developed after World War I. Area authorities, together with the reciprocal treaties, were alternatives which were applied immediately after the end of Peace Conference in Paris⁵.

One of the war consequences was the dissolution of four empires, three of them being multinational: the Czarist Empire, the Ottoman Empire, the Austro-Hungarian Empire, and the German Empire.

The Russian Revolution in February 1917 rushed the disintegration of the Czar army and the efforts of the temporary governments in order to restore the situation failed. The power taken by the Bolshevik in November 1917 led the next month to the Brest-Litovsk armistice and then to the peace signed in the same town in March 1918. Russia renounced to its sovereignty over Finland, Poland and the Baltic countries, recognized the independence of Ukraine, which will be occupied by the German army for a short period of time. The failing of Russia led to the surrender of Romania in May 1918. The surrender of Bulgaria at the end of September and then the surrender of Turkey at the end of October were preceded by the unconditioned surrenders of Austro-Hungary and Germany.

Defeated at Vittorio-Veneto (in October 1918) by the Italians, the Austrians signed the armistice on the 3rd of November and in that moment started the process of the Austro-Hungarian Empire disintegration under the national movements' stroke. Being alone defeated from the military point of view, Germany asked for peace at the beginning of November 1918. The Emperor Wilhelm the second addressed to President Wilson asking an agreement based on the Fourteen Points which maintained the freedom of sea navigation, the economic freedom, the respecting of people auto determination principles regarding the settlement of territorial litigations and colonial problems, general disarmament, an open diplomacy and the creation of a general organization of nations⁶. Refused by the President of the USA and chased by the revolution, Kaiser escaped in Holland and the government of the new Republic of Germany signed on the 11th of November 1918 the armistice from Rethondes (Compiègne), getting the permission that the army could come back to Germany in order to fight against the communism.

So, after 4 years and 3 months of continuous fights World War I ended, with a Europe which was ruined from the material and human point of view, strongly shaken politically and bowled over from the moral values point of view. The ruin brought by the war generated the aggravating of the social tensions, and politically speaking, Europe was more divided and agitated than ever before.

The disappearance of the great empires and the affirmation of the auto determination right principle had as an effect a new configuration of the borders and the appearance of new states, and the diversity of the political regimes amplified by the appearance of the totalitarianism.

The European system was connected with the existence of the double monarchy which was constituted because of a compromise in 1867. The fall of the Austro-Hungarian Empire made possible the solving of the national requests for some peoples which were included in time into the conservatory regime. The end of the Hapsburg domination over the Danube Europe and the defeat of Turkey produced a high geopolitical shake and the oppressed nations did not want to accept the compromise anymore. The Congress of the Austro-Hungary oppressed nations, held in Kiev in the presence of 10,000 delegates and some leaders of allied military delegations, as well as the Nationalities Congress, held in Rome between the 28th of March and the 9th of April 1918 (the representatives of Romanians, Checks, Slovenians, Croatians, Slovaks, Poles, etc.), represented the moment for the starting of the common fight "against the common oppressors by the moment in which each of these peoples will have their total freedom, their complete national unity and their political freedom"⁷.

During the negotiations for peace treaties, the great powers which won the war showed the tendency to map out new influence and domination areas in those territories being in the sphere of the defeated powers.

Both Romania and Serbia ended the war near the Allies. Both states unlike Greece fulfilled their desires becoming sovereign entities within internationally recognized boundaries based on Versailles treaties. Referring to this period, Nicolae Titulescu said that it represents "a mixture of old truths destined to die and new truths which are not clear enough"⁸. Paris Peace Conference was designed to juridical sanction the new political-territorial situation whose equilibrium was difficult from the exclusion of Russia and Germany point of view, two important power centers in Europe⁹. The American, British, Japanese, and French experts presented detailed plans of territorial requests more or less feasible. The idea of creation of a Balkan Federation, in order to keep the integrity of Habsburg monarchy as well as "the peace program" was some of these¹⁰.

The united national Romanian state was constituted during an internal revolutionary process through plebiscitary meetings, within a favourable international context, when the auto determination right became an international right and when the great empires disappeared. Once the national desideratum was fulfilled, the economic potential of Romania increased and this way the capitalist relations were consolidated and the production forces developed while the political life evolved within an unconsolidated democracy.

Romania, after the Great Union (295,049 km², 14.7 million inhabitants)¹¹ developed "as a bastion against the resentments of right of the former Habsburg monarchy and the radicalism of left coming from the former Russian Empire"¹². Because of the radical postwar reform (Universal Vote, Agriculture Reform, the 1923 Constitution Law) between 1917 and 1925, Romania moved to a modern democracy being a strong voice in the European concert of democracies. Because of the revisionist and protester wave of the status quo created through the Versailles system and the dominant totalitarianism of the interwar period, Romania will give up both politically and territorially. The democratic regime will be replaced by an authoritative regime and then with a military regime subordinated to Germany interests.

The Kingdom of Serbians, Croatians and Slovenians (247,542 km², 11.6 million inhabitants)¹³ even if it wanted to represent the old Kingdom of Serbians was from the structure point of view more complex the Great Romania. In that period there were a few people who understood that Yugoslavia (the country of the southern Slavs) represented a new creation. Serbia weakened by

the war, was not strong enough to impose in front of Croatia which expected to be part of a new Austro-Hungary, playing the role of a recognized autonomous entity, of a Slovenia to which, Yugoslavia had to represent the occasion to fulfill and impose, of a Bosnia being between Croatia and Serbia and of which territory was wanted by both of them. The new state of meridional Slavs was constituted through the union of two independent regions (Serbia and Montenegro) and the joining of large areas of former Habsburg Empire (Slovenia, Croatia, Slavonia, Dalmatia, Bosnia-Herzegovina, parts of Baranja, Backa and Banat). There were almost two years necessary to establish the borders of the kingdom. This complex process, which was unfolded in a few phrases, was ended by the signing of Peace Treaties with Austria (on the 10th of September 1919)¹⁴, with Bulgaria (on the 27th of November, 1919)¹⁵ and with Hungary (on the 4th of June 1920)¹⁶.

At a short of time of the union proclamation, after intense negotiations, it was the first compromise between the centralist tendencies and the federalist ones, being formed a coalition government. In the same time, it started to function a temporary National Convention with delegates from the National Yugoslavian Committee in Zagreb and from the Old Serbia and with representatives of Voievodina and Montenegro. The interwar Yugoslavia as well as Romania, presented the features of a country "under development, with an economy mostly based on agriculture"¹⁷.

After a transition period during which the most important problem was the Agrarian Reform, and also a new Constitution to prove that the new state had a democratic regime, in the same way as in Romania, the society was riding to an authoritative regime supported by a new federal constitution. The Porcelain Dictatorship of King Alexandru and his successors was installed on the 6th of January 1929, when he dissolved the Parliament and assumed the task to lead in order to keep the unity and integrity of the state. In fact, the authoritative regimes had already installed in 6 of the European countries, this being the first one in the Balkans¹⁸.

After the fulfillments on the 1st of December 1918, it came next the international recognition of what the peoples of the two states had achieved. During the Peace Conference in Paris the delegations of the two states achieved the recognition of the national and political fulfillments established through plebiscite and large national meetings organized in the same year. Even if the national and political program was realized, the existence of some percentages which represented the minorities, as well as the attempts of coagulation of the provinces and states included in the new entities kept conflictual situations of a low intensity in Romania and at a high one in Yugoslavia.

The international juridical recognition of the new political and territorial statutes through the recognition of nationalities and peoples auto determination principle was not enough in order to simplify the exercise of the stipulations of the Peace conference Treaties. The process unfolded in the field proved to be difficult and sometimes it was contested. Yugoslavia and Romania based on the treaties in June 1914 and August 1916 should have had at the Peace Conference equal rights with the other countries which signed the treaties. But they were included into the group of states with limited interests being able to participate to the debates only when they were invited. During the Peace Conference, the right to decide belonged to the Council of Four¹⁹. Both states could not send delegates to the Territorial Commission and to the Committee for the study of the territorial problem.

The Commission for Romanian-Yugoslavian Affair discussed the problem of Banat on the 8th of February 1919, when from the Great Britain the speaker was Eyre Crowe, France – Jules Laroche and the USA – Live day. As well, in the commission there were other meetings regarding the problem of Banat and Basarabia being made recommendations to the Central Territorial Commission.

After ample discussions (started in the Territorial Commission on the 11th of February 1919), the Supreme Council established on the 11th of June 1919, the border between Romania and Hungary, and on the 13th of June 1919 the one between Romania and the Serb-Croat-Slovenian Kingdom. The discussions continued in 1920 when there were signed minutes of field findings. The documents regarding these actions recognized the historical act from the 1st of December 1918 and this way the Romanian – Serbian divergences regarding Banat came to an end.

The procedures used by the Great Powers limited the right to express of small and middle states. Because of that the delegation of Romania and the one of the Serb-Croat-Slovenian Kingdom could not express their point of view regarding the Treaty with Germany, being obliged to sign the Versailles Treaty (on the 28th of June 1919) without being able to study it and formulate observations²⁰.

In May 1919, for similar procedures of the members of the Council of Four about the treaties which were about to be signed, Ion I.C. Brătianu, the leader of the Romanian delegation had the initiative of a collective oral note addressed to George Clemenceau, the President of the Peace Conference by the Romanian, Serbian, Pole, Czechoslovakian and Greek delegations, through which it was requested "that the projects of the treaties to be communicate in time in order to be analyzed"²¹.

Even so, the events did not happen in the desired way. Because of a new protest addressed by I.C. Brătianu, on behalf of the mentioned delegations, it was obtained the delay for the 2nd of June 1919 of the project delivery to the delegation of Austria. The document contained some clauses which could permit the interference of the Great Powers into the internal affairs of Romania and the Serb-Croat-Slovenian Kingdom. On the pretext of "concern regarding the minority rights observance", the members of the Council of Four reserved the liberty to decide measures which they considered necessary in order to protect the rights and interests of these minorities. The free transit of all goods, means of transport of Allied and Associated Powers without custom, completed the brutal infringement of sovereignty and independence of the two states. The Council did not accept the objections made by the protesters and because of that Ion I.C. Brătianu left the Peace Conference on the 2nd of July 1919. Even so, the peace Treaty with Austria was signed on the 10th of September 1919. So, both Romania and the Serb-Croat-Slovenian Kingdom faced a job done²². During the Senate meeting from the 29th of December 1919, the Transylvanian senator Vespasian I. Pella kept a speech also talking about the division of Banat between the two neighbour states: Romania and Yugoslavia, action which "touched our hearts...because it is of an incontestable importance our right national territorial requests" and it touches us this "unfair cut which we wanted to see that it completes the land of our country and not to disfavor our entire people and to make us sad because of this sacrilege done to our country..."²³.

As for the international reports from the end of World War I, an important role had the problems of Danube navigation and through the Black Sea Straits. Both Romania and the Serb-Croat-Slovenian Kingdom as riparian states were directly interested in the content of the Danube Final Status. This was signed in Paris, on the 23rd of July 1921 and had as distinct points the free and open navigation of all flags in perfect equality conditions on this river. Romania as well as Yugoslavia hardly digested that. The newly created authorities came from the Great Britain, France and Italy, states which were not riparian but with a main role in navigation control on the river.

Between 1918 and 1940 in Romania there were 38 governments, while in Yugoslavia only 12, which shows the existence of long political instability periods. The need to provide an adequate institutional structure for the new requests of the modern state and progress constituted the common point in the evolution of both states. The fundamental problem in the juridical field was the legislative

unity²⁴, and in the political fields the internal consolidation and the external stability through the recognition of the new European status quo.

Through the peace treaties between 1919 and 1920, it was created a new equilibrium, the status being divided between the victorious and defeated states. The first were "obliged" to face the success while the others had to face the resentments. Being at the edge of their powers both groups confronted with the problems of the new territories, populations and electors. The new states tried to solve the national problems while the Great Powers tried to impose their own domination to Europe and the whole world. States as Romania and Yugoslavia had to take into consideration the interests of the Great Powers when they established the borders where there were many ethnic groups as well as the necessity of establishing borders capable to guarantee a minimum of security.

The trying point of faith in the ideal of peace was represented in the period by "the attitude regarding the established status quo by the signed system of treaties. The new political map of Europe offered not only satisfaction for the numerous requests but also a lot of dissatisfactions. Numerous national minorities hardly accepted to integrate in states which appeared from the central empires dismemberment (the Sedets in Czechoslovakia). These dissatisfactions gradually developed in time because of new accumulation developed the revisionism which will be more and more aggressive and will radically influence the evolution of the international relations. The appearance of new national states in contra balance with the conscious crises of the European society in a relatively short period of time diluted in the world equation of power of the decade which followed the crisis between 1929 and 1933.

The Prime Minister Ion I.C. Bratianu, referring to the Romanian foreign affairs directory lines, emphasized that Romania "is one of the states most interested in peace keeping and consolidation of the political situation established through the existent peace treaties"²⁵.

From the five peace treaties signed between the victorious and the defeated states, those from Saint-Germain, Trianon and Sevres contain elements of a great importance for the recognition of both Romania and the Serb-Croat-Slovenian Kingdom. The treaties contained territorial stipulations which interested in the high grade the two states. From these we mention the stipulations from the second part of the Trianon Treaty referring to the routes which had to be followed by the borders between Hungary and the adjacent states as Romania and the Serb-Croat-Slovenian Kingdom²⁶. Based on this document, in 15 days after coming into force, a Demarcation Commission had to start its activity in the field. The consistent efforts of the middle and small states during the Peace Conference could be seen when it was established on the 10th of August, the Borders Treaty and the failure of the Sevres Treaty. Romania, the Serb-Croat-Slovenian Kingdom, Poland and Czechoslovakia on one hand and the main Allied and Associated Powers on the other hand, signed the Sevres Treaty which proved the sovereignty of these countries over the borders recognized by the documents of Peace Conference²⁷. At the Peace Conference, the delegation of the Serb-Croat-Slovenian Kingdom fought "passionately" in order to delimit the borders with all neighbours no matter if they were called Italians, Austrians, Hungarians, Bulgarians, Albanians or Romanians. Compared to all its neighbours, except Greece, the Yugoslavian government presented more or less sustainable claims. With Italy they claimed Istria and Dalmatia, with Austria, the northern border of Slovenia, with Hungary, the northern border of Croatia, Voivodina and Slovenia, with Bulgaria the eastern border and Macedonia, with Albania, the Kosovo area and Shkoder, with Romania, Bana²⁸.

During the Peace Conference was debated the minority problem based on the application of the nationalities principle. In order to solve such a problem, considered of a great importance, there were identified two solutions in the attempt to limit the danger of a great riot: the plebiscites and minority protection. For that it was founded the commission of the new states and minorities in which

there were included the representatives of France, England, the USA, Italy and Japan, this commission elaborated after a passionate debate “minority treaties” whose provisions will be seen also in the treaty project with Austria²⁹.

Because of World War I, the world map and especially the Europe map was changed a lot because some empires disappeared and appeared more new states. The role of the Great European Powers decreased but increased the role of the USA. It also appeared the Soviet Russia. Between the Great Powers appeared divergences even during the peace negotiations.

The Nations Society (the Nations League), an organization created during the Peace Conference in Paris, was not stipulated with enough means in order to eliminate and to prevent new conflicts. It was deprived of the USA participation because the American Congress refused to ratify the Versailles Treaty, the Soviet Russian participation which was not invited not even to Paris between 1919 and 1920 as well as the support of the defeated states. The Nations Society was nothing else but the club of the victorious states without a special political, economical, military and moral authority.

In such conditions, the contemporary period began with a long period of uncertainty of economical and political instability, a permanent climate of crisis, all these leading finally to the World War II (1939-1945). Between the two world wars the international relations followed a sinuous line, the intervals of diplomatic relaxation alternated with tensed ones, this situation being connected with the internal evolution of different states.

In the opinion of the Romanian and Yugoslavian military experts, as well as the politicians of the two states, the necessity of the existence of some bilateral treaties and military conventions with the Great Powers and their neighbours and of an area organization was a priority of diplomacy and foreign affairs of Romania and the Serb-Croat-Slovenian Kingdom.

¹ The human and material damages of World War I were of 10 million dead people, 20 million injured and mutilated people, over 278 billion of dollars (Also see Cezar Avram, *The Political History of Europe in the 19th and 20th Centuries*, Craiova, Reduta Publisher House, 2003, p. 203).

² Apud Mircea Musat, Ion Ardeleanu, *Romania after the Great Union*, vol. II, part. I, 1918-1933, Bucharest, Scientific and Encyclopaedic Publisher House, 2011, p.43.

³ See Mihaela Barbieru, *Romanian-Yugoslavian Military Relations during Interwar Period (1919-1939)*, Craiova, Aius Publisher House, 2010, p. 305-308.

⁴ See Bogdan Murgescu, *Romania and Europe. The Economic Gap Accumulation (1500-2010)*, Bucharest, Polirom Publisher House, 2010, p. 305-308.

⁵ Pacea Conference in Paris (the 18th of January 1919 – the 21st of June 1920) was held at the end of World War I and the purpose was to put back the world on the new bases. At the meeting, started on the 18th of January 1919, participated 27 states, 4 dominions and India (32 states), and the peace negotiations were held in Paris and a few other places. The President of the Conference was the Prime Minister of France, Georges Clemenceau, as a representative of the host country. The representatives of the defeated countries and of the Russian Soviet Republic were not invited. After World War I the political map of Europe established through the Peace Treaties in Paris, had a new configuration because new states appeared: Czechoslovakia, Poland and the Baltic States (Lithuania, Latvia and Estonia), Finland; some states reunited like Romania and the Serb-Croat-Slovenian Kingdom while Austria and Hungary became independent states.

⁶ See Nicolae Ciachir, *The Great Powers and Romania (1856 – 1947)*, Albatros Publisher House, Bucharest 1996; *Congres de la Paix 1919 – 1920*, Paris, 1920; *La Roumanie devant le congres de la paix*, Paris, 1919-1920; Pavel Radulescu, *Traite de paix de Versailles. Traite de Trianon*, Paris, 1922.

⁷ Apud Zorin Zamfir, *Contemporary Universal History*, vol. I, Oscar Print Publisher House, Bucharest, 1999, p. 29.

⁸ The National Archives of Romania (further quoted NAR), the Royal House Collection, 3/1919, f.14.

⁹ See Romanian Academy, *The History of Romanians. Romania reunited (1918 – 1940)*, vol. VIII, Bucharest, Encyclopedic Publisher House, 2003, p. 4.

¹⁰ *Ibidem*, p. 4-5.

¹¹ In 1930, from the number of inhabitants' point of view, Romania was the 8th rank in Europe (18 million) while Yugoslavia was on the 10th rank (14 million). See *The history of Romanians...* p. 31.

¹² Stevan K. Pavlowitch, *The Balkans History. 1804 – 1945*, Polirom Publisher House, Iasi, 2002, p. 236.

¹³ Gheorghe Zbucnea, *The History of Yugoslavia*, Bucharest, Corint Publisher House, 2001, p. 39.

¹⁴ Known as the treaty from Saint Germaine, it recognized the belonging of Bucovina to Romania and the independence of the Serb-Croat-Slovenian Kingdom

¹⁵ Through *The Peace Treaty from Neuilly sur Seine*, there were recognized the borders between Bulgaria and Romania from one hand and Bulgaria and the Serb-Croat-Slovenian Kingdom from the other hand.

¹⁶ *The Trianon Treaty* established the borders of the new state Hungary with its neighbours: Austria, the Serb-Croat-Slovenian Kingdom, Romania, and Czechoslovakia.

¹⁷ Gheorghe Zbucnea, *The History of Yugoslavia*, Bucharest, Corint Publisher House, 2001, p. 50.

¹⁸ See Ioan Scurtu (coord.), *Political Structures in Central and South-Eastern Europe (1918 – 2001)*, vol. I, Bucharest, Romanian Cultural Foundation Publisher House, 2003, p. 99-102; Barbara Jelavich, *The Balkans History. The 20th Century*, vol. II, Iasi, European Institute Publisher House, 2000, p. 135 – 147.

¹⁹ The Great Britain, France, Italy and the USA

²⁰ See Ioan Scurtu, *The Contemporary History of Romania (1918 – 2003)*, Bucharest, Romania of Tomorrow Foundation Publisher House, 2003, p. 58 – 59.

²¹ *Ibidem*, p. 59.

²² Ion I.C. Bratianu resigned from the government. After new diplomatic pressures, which lead to the threat of exclusion of the Romanian delegation from the peace Conference, the new government (Alexandru Vaida-Voevod) signed the peace treaty with Austria.

²³ *Speeches and Parliament Debates. 1864-2004*, Bucharest, Mica Valahie Publisher House, 2006, p. 210.

²⁴ The extent of some laws application from the old Romania and Serbia as well as the elaboration of new unique laws through which there were cancelled the former laws.

²⁵ Ion I.C. Bratianu, *The Activity of the Legislatives Bodies and Government from January 1922 to the 27th of March 1926*, Bucharest, 1926, p. XIX.

²⁶ See Frederic C. Nanu, *Romania Foreign Affair (1918-1933)*, Iasi, European Institute, 1933, p. 17.

²⁷ See Valeriu Florin Dobrinescu, Doru Tompea, *Romania at the Two Peace Conferences in Paris (1919 – 1920; 1946-1947). A Comparative Study*, Focsani, Neuron Publisher House, 1996, p. 172.

²⁸ Gheorghe Zbucnea, *the quoted work*, p. 38.

²⁹ See Lucian Leustean, *Romania and Hungary within New Europe (1920 – 1923)*, Iasi, Polirom Publisher House, 2003, p. 141-147; Gheorghe Iancu, *The Problem of the Ethical Minorities in Romania in Documents of the Nation Society (1923-1933)*, Cluj, Argonaut Publisher House, 2002, p. 29.

ORIGINAL PAPER

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Japan in the Second World War

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ABSTRACT. *In the inter-war period, Japan built a strong army and benefiting by a massive superiority on military level compared to most neighboring states and powers, it started to lengthen its invading tentacles even before the unleashing of the Second World War. In the mentioned article, it is underlined the fact that Japan promoted the "vital space" ideology; the surprise element was used in the military attacks (attacking by surprise the American navy from Pearl Harbor); the war led against the Allies spread out on the sea and in the air.*

Starting with 1945, Japan's territory was massively bombarded: on 9-10 March the capital was bombarded, and on 6 and 9 August atomic bombs were launched over the cities of Hiroshima and Nagasaki and the Nippon government was forced to accept the surrender conditions imposed by the Allies in the Potsdam conference.

Keywords: *Pearl Harbor, Midway, East Asia Declaration, Kamikaze, Hiroshima.*

The policy led by the Nippon governments in the inter-war period - which involved the Empire in the Second World War - was the result of the so-called Eastern Conference (July 1927), after which the famous Tanaka Memorandum was elaborated, through which Japan's interests were promoted in China, South-East Asia and South Pacific¹. Essentially, the stipulations of the Memorandum, in fact a veritable program, would have been realized step by step, and the translation in fact was accomplished through the adhesion of Japan to the *Antikomintern Pact* (25 November 1936) or to the *Tripartite Pact* concluded with Japan, Germany and Italy (27 September 1940). The signing of this Pact between the three powers practically led, in a primary form, to the definition of the dominance field of the three aggressor states in which the new, fascist order had to be introduced. "Japan - as it was shown in the first article - recognizes and respects the leadership of creating of a new order in Europe by Germany and Italy", so that the second article stipulated the engagement of Germany and Italy of recognizing and of respecting "the leadership of creating a new order in the big Asian Eastern space by Japan"². From that moment on the Nippon officials did not make a secret from the fact that the fundamental objective consisted in the creation of "*the New Order in East Asia*"³. The Tripartite pact established the connection with the so called *Otu plan* or *Cantoken plan* (the Nippon variant of *the Barbarossa Plan*) concerning the unleashing and the carrying of a blitzkrieg against U.S.S.R.⁴.

For such ambitious projects, Japan had to dispose of adequate military forces. Towards the end of the 30s, the growth of the political influence of the militarists in Japan accelerated. General Hayoshi Senjuro new government, formed in February 1937, adopted measures to strengthen the

army, allocating more than 60% from the country's budget⁵. So, in the forth decade of the XX century, Japan disposed of 2400000 soldiers, plus a reserve of 3000000 soldiers, of 7500 aircrafts, of 250 big military and merchant ships with a capacity of over 6000000 tones. Without any exaggeration, after 1930, Japan's evolution could be compared with the evolution of Hitler's Germany. Some events, apparently minor, but with a large impact on the Japanese and Chinese public opinion, predicted that the storm "would have burst out in the Far East"⁶. In 1937 the movement for the spiritual mobilization of the country was established and the Empirical Headquarters - formed of commanders of the army and of the navy, subordinated directly to the Emperor- for the coordination of military activities and of the *Planning Council (Kikakuin)* through which the state controlled completely all the economical, financial sectors, the commerce, the working force; all this constituting decisive steps on the totalitarianism lines and new levels of fascistization of the Nippon State⁷. Several months later on 7 July 1937, Japan without declaring war started military hostilities against China, an aggression which would be concluded in 1945.

The war against China would know two distinct periods: 1937-1941 and 1941-1945; in the primary phase Japan rapidly advanced on the East coast, the Chinese answer being a mixture of inefficient resistance and pacifism; in the second phase the Chinese fight dressed the form of an effort of a war common with that of the Americans⁸. China's military force, when war broke out, was much lower than the Japanese army, above all in terms of technical equipping and training of combat. The situation was unfavorable also regarding the ratio of naval and air forces of the two countries. While the Chinese navy owned several small outdated warships of low tonnage whose total displacement was 59,034 tons, the Japanese fleet had many ships with a total of 1.9 million tones; in aviation situation was identical, while China had only 600 aircraft, of which only 305 were fighting jets, the Japanese had 2,800 bombers and fighters⁹. After the unleashing of the war, the fight extended in the biggest part of the Chinese territory and in 1938, Beijing, Shanghai, Ghangzhou and Nanking (Nanjing) resigned in front of the Japanese. The seizure of the Nanjing town continued with crimes, abuses, tortures and plunders, fact which terrified the international public opinion. Towards the Nippon surprise, the Chinese didn't capitulate after Nanjing. The Japanese leaders also feared of a possible Soviet intervention in favour of China. U.S.S.R. had openly expressed their support for China. At the end of 30s many Russian- Japanese incidents took place, incidents that brought open conflicts in the Manchuria border zone and which were solved by signing in 1941 a treaty of non-aggression between Soviet Union and Japan (and which were available until August 1945 when, respecting an engagement made to the Allies at Yalta, in February 1945, U.S.S.R. unleashed a war against Japan)¹⁰.

As a result of the Japanese aggression in China, the American political circles expressed their worrying through the voice of the ambassador Grew, who in a speech uttered on 19 October 1939 at the *Japanese-American Society* session from Tokyo declared that the military operations of the Japanese forces harmed the old "American rights in China"¹¹. In 1938, General Hachirō Arita proclaimed *The Greater East Asia Co-Prosperity Sphere* (the so-called *Muto Plan*) which based on the expansion undertaken through peaceful means, respectively the inclusion of East China and of Manchuria in the Nippon Empire and the expending of the expansion sphere towards South (an alternative definite through the term Nanshin), including Thailand, Indochina, Philippines, Indonesia, Malaysia, the islands of central Pacific. This plan was completed with *the Otu Plan* for a war against U.S.S.R. Otherwise, the first actions were produced in July 1938, when the Japanese troops penetrated Siberia, in the zone of Han lack, and in 1939, in the zone of Halkin-Giol lack in the External Mongolia; both actions finishing with the defeat and the withdraw of the Japanese troops¹². In May 1939 the emperor issued a special decree addressed to the studious young people in which

he asked young people to support without reservation the war; and on 11 February 1940 he said that the system of the imperial powers existed in Japan for 2600 years (according to the Japanese mythology the empire was created by Jimmu Emperor in 660 B.C.) and he encouraged the Nippon people to support the war¹³.

The isolation, the chronological particularities and of structure are the dominant features of Japan, from 1937 until 1945. During the conflict from the Far East, it itself being individualized as “the war from Pacific”¹⁴, Japan is the first one between the big powers which entered the war (the operations from North China, and then from Central China, after which the incidents around Beijing followed- 7 July 1937 - and around Shanghai - August; the conquest of Canton and Hankow towns in 1938)¹⁵. But the continental campaign stuck in the mud, accompanied by the diplomatic failures: the refusal of “the new order in The East Asia” by Chiang Kai-shek (a doctrine proclaimed by Konoe, on 3 November 1938, on the basis of the anti communism and of the panasiatism); the impossibility of an alliance against U.S.S.R. together with Germany, relevant in the moment of the German-Soviet Pact (23 August 1939)¹⁶. The German victories in 1940 instigated again Japan to connect the war from Asia with the one led in Europe.

For the Japanese historians, “the Second World War” represents only a stage - even if it was dramatic and final - of a long “war of fifteen years”¹⁷, that is from 1930 to 1945. In this period, the soldiers become very powerful in the state and, after the seizure of Manchuria, they started to break regularly the more democratic stipulations of the Meiji Constitution¹⁸. The leading circles hesitated in that period over the ways of actions; generally the army inclined towards a closer alliance with Germany, but some of them would have wanted to continue the attack in the North, against U.S.S.R., others considered that more useful would have been an attack towards South, even if this would have led to a war with France, Great Britain, Netherlands and United States. The armed conflicts between the governing factions led to the dismissal of the General Nobuyuki Abe’s office on January 1940 and his substitution by a government led by Admiral Mitsumasa Yonai, having A. Hachirō, the partisans of “the sphere of co prosperity” in the foreign field. In this period all the Japanese leaders believed that they had to obtain the access to the South-East Asia and to the raw materials in order to survive; that Japan was brought to bay by America and The Great Britain; that there was a general availability of risking. Thus, on 6 February 1941 “Japan Chronicle” announced , in a session of the special parliamentary commission for introducing completions to the law *Of general mobilization of the nation*, that Nooki Hoshino, the president of the executive of plans, declared that the South seas region represented the vital space of Japan and that if Japan would not obtain sufficient quantity of raw materials and food from Manchuria and from North China, it had to obtain from the countries situated in the south seas zone¹⁹. The Nippon government explored the ground over the “future” of the European possessions in Asia that is Indochina, Malaysia and Indonesia, but it stroke the firm position of Washington which warned Tokyo that this problem concerned not only Japan but also “many other countries”. When Germany eliminated France the Japanese demanded and obtained airdromes in Indochina: this provoked the first American economical sanction. At this stage only the army wanted decisively the war. In 1941 Indochina was seized and on 28 July America applied total sanctions, including the oil. From that moment, Japan reduced the reserve of oil with 28 000 tons per day and its only perspective of recovering them was to seize the Netherlands East Indies. The navy insisted that either they negotiated an agreement or they declared war. After what Nagano said: “The navy consumes four hundred tons oil per hour [...] We want to decide in a way or another quickly”²⁰. From that moment “the diplomatic game of Japan with The United States” started, behind which the military preparations for a possible confrontation with the Americans was hidden²¹. In the beginning of February 1941, as ambassador of Japan in The United States it was nominated Admiral Nomura

Kichisaburo, a character inclined towards the realization of an agreement with the Americans. He insisted on declaring to Cordell Hull that it was useful an agreement between the two states and that "the less beautiful agreement was better than the war", and the war between Japan and the United States would have been a "crime"²². As a result of these negotiations initiated with the Americans, the Japan's European Allies got angry. Thus, on 3 May 1941, Ribbentrop declared to Ambassador Oshima that he did not understand the real intentions of Japan and that the Nippon Ally did not accomplish the promise to engage in the war against England, by attacking the naval base of this one from Singapore. Meanwhile, the Germany's war against Soviet Union, started on 22 June 1941, produced significant changes either in the domestic policy of Japan or in the international report of forces.

In October 1941, General Tōjō Hideki (1884-1948) occupied the job of prime minister and he would govern until Japan's capitulation in 1945²³. Tōjō Hideki was chief of staff of the Army from Manchuria (1937-1938) and Secretary of state for war (1940-1941); being the official of the extremist wing in the Japanese army²⁴. Thus, at the imperial Conference on 5 November 1941 it was decided: at the beginning of December 1941 the possible opening of the hostilities; the negotiations with the United States to be continued according to the new proposals named A and B (Group A stipulated, among others, a final regulation of the Far East problems, by recognizing the right of Japan of maintaining the troops in The North China, The Internal Mongolia and Hainan for 25 years and Group B stipulated the realization of a *modus Vivendi* in order to avoid the war); to consolidate the collaboration with Germany and Italy; the initiation of secret military relations with Thailand²⁵.

Japan made the last concession at the end of November 1941, coming to the agreement of retreating from the south of Indochina, but not from China. In that moment President Roosevelt and the chiefs of staff had in their portfolio the content of the telegram of the minister of foreign affairs, Shigenori Tōgō (because the American had managed to decode the Japanese diplomatic code as early as 1938), addressed to Admiral Kichisaburo Nomura and to General Kurusu, that were at Washington, at negotiations: "You, the two ambassadors, made superhuman efforts. However The United States made humbling proposals. The negotiations were concluded. Abstain themselves however in order to maintain the impression. Tell them that you wait instructions"²⁶. The Americans didn't accept the Japanese proposals and the Hirohito Emperor formally approved the beginning of the war on 1 December, later sustaining that "as a constitutional monarch in a constitutional political system I could only accept the decision of the Tōjō cabinet of starting the war" and, more important, he himself said that "I would have probably tried to vote against the decision of starting the war if then I could have predicted the future"²⁷.

The first Japanese strike from the Pacific war wasn't against the Americans, but against the British in Malaya. With almost 90 minutes before Pearl Harbor, 5000 Japanese soldiers successfully attacked a British force from Kota Bharu, in the Kelantan Sultanate. The Japanese realized that, anyhow, the war against England meant almost surely a war against the Americans. Thus, the *Action plan* of the Japanese commander (established on 6 December 1941), stipulated in a primary phase: a - a surprising attack over the American naval base at Pearl Harbor; b - simultaneous landings in Malaysia, Philippines, Guam, Hong Kong and Borneo; the second phase consisted in: a - extending the conquests in Philippines; seizing Thailand, Singapore and Wake Island; b - conquering Yava and Sumatra; c - an offensive in China; d - attacking Burma and invading Andaman Islands²⁸.

The idea of a raid at Pearl Harbor, studied since 1925, had become "the keystone of the Japanese strategy" (as a result of three events: the one from 1940 at Pearl Harbor which was the main defense base of Americans in Pacific; the insistence of Admiral Isoroku Yamamoto on attacking this base; the belief of Japanese soldiers that they could lead the attack successfully on the Italian

base from Taranto following the model of the British raid)²⁹. In September 1941, the project of the *Strategic attack plan on Pearl Harbor* was finalized and approved.

To put this plan into practice, the Japanese militarists attacked the military base of the U.S.A. Pearl Harbor - in Hawaii³⁰, by surprise, on 7 December 1941. The fleet, which composed the *Striking Force*, commanded by the vice admiral Chuichi Nagumo and the fleet of commander Mitsuo Fuchida, was the most powerful group assembled until then, made up of six aircraft carriers ("Akagi" – admiral ship, "Koga", "Soryu", "Hiryu", "Shokaku" and "Zuikaku"), eight tankers, three advanced research submarines after the destroyers planned to bomb Midway Atoll, and 26 submarines whose mission was to block Hawaii Islands³¹. The American admiral Husband E. Kimmel, the commander of Pacific fleet with the base at Pearl Harbor³², had nine battleships, three aircraft carriers, 12 heavy cruisers, nine light cruisers, 67 destroyers, 27 submarines, two military infantry divisions, 227 aircrafts among which 158 fighter aircrafts³³. The first Japanese strike consisted of a wave of 183 bombers. The second wave comprised 167 bombers and came one hour after the first attack. The Americans lost constituted more than two thousand people; five battleships were put out of war, three cruisers and three torpedo bombers were damaged, 188 aircrafts³⁴ were destroyed on airfields. The Japanese operation was successfully, the Americans managed to save only the aircrafts. On 8 December, the president Roosevelt asked in a message for the *Congress* to recognize a state of war with Japan, after the "lightening and premeditated attack of the air and naval forces of The Japanese Empire"³⁵. Japan assured its supremacy in the Pacific Ocean for the moment, strengthening the south offensive and succeeding in extending the domination in the Central and Southern Pacific, as well as in South-East Asia. A true *naval Blitzkrieg*, these sudden successes led them to the gates of India, Australia and Alaska, beginning with the spring of 1942 and continuing until the summer of 1942³⁶. Singapore surrendered on 15 February 1942; the Dutch East Indies on 8 March; Philippines on 9 April; Corregidor on 6 May; just a week before the Japanese had conquered Mandalay, in the Superior Burma. The overall material price of these staggering victories was 100 aircrafts, some destroyers and only 25 000 tons of the precious Japanese fleet³⁷. Meantime, the Japanese conquered a large territory, ten times larger than Japan's, namely an area of 4.2 million km², with a population over 200 million inhabitants. The riches of the conquered territories were huge, these places counting 95% of the natural rubber production, 70% of rice, 66% tin, 90% hemp, large coal reserves, oil etc³⁸.

The Japanese domination proved to be brutal and merciless. The whole economy of the conquered territories was strictly depending on Japan war necessities. The important Japanese concerns - Mitsui, Mitsubishi, Yasudo, Sumitomo and others – benefited most from this savage exploitation.

A decisive turning point of the Pacific war took place on 3 June 1942 when an invasion army intended to seize Midway Island (at about 1500 km west of Hawaii) and the Japanese fleet commanded again by Chūichi Nagumo was overtook and defeated, losing four aircraft carriers, a heavy cruiser and many battle aircrafts³⁹. The forced returning in the territorial waters was a proof that, in fact, Japan had lost the air and sea control over Pacific. After six months of war, Isoroku Yamamoto felt obliged to calm his soldiers: "There are still eight aircraft carriers in the united fleet. We mustn't lose our temper. In battle, as in chess, only a fool affords to make a reckless move in despair"⁴⁰. But, in that time, despite some victories and advances in the Asian continent, Japan's fate was predictable. The plans to invade New Caledonia, Fiji, and Samoa were abandoned, as well as any idea to conquer Australia and New Zealand. Japanese troops were driven away from New Guinea and Guadalcanal in the beginning of 1943. The Japanese resources reached the limit. They were then forced to replace their direct control over some Asian countries with an indirect one. Some

conquered nations such as Burma and Philippines received nominal independence. Japan tried to maintain unity among its Asian interests as well as its own leading role, focusing on its mission as alleged liberator from western imperialism. This action materialized in the *Declaration of East Asia*, on 6 November 1943, at Tokyo, when the puppet leaders of Manchuria, Chine, Thailand, Burma, Philippines and “Free India” attacked “the western imperialism” and reaffirmed their Asian cooperation⁴¹.

In the summer and in the early autumn of 1943 it took place the event that marked the beginning of Axis disintegration: Italy renounced war and agreed an armistice with United Nations (3 September 1943). However, on 11 September 1943, the Japanese and German government, after previous consultations, released an official statement in which they claimed that “the Japanese imperial government and the Great Germany government are completely decided to wage war with all the forces they had to the final victory”⁴². The strategy of Japanese army was to keep its conquests, sustaining that American recruits would not survive in the hand to hand battle with the Japanese soldiers and the great losses would determine American public opinion to force its government to make a compromise. But after proving their air and sea superiority, the Allies adopted “the central-pacific strategy” of “jumping” from island to island, to the Pacific centre, leading towards Japan, debarking amphibians and using at maximum the overwhelming advantage regarding the fighting resources and the number of soldiers⁴³. In this sense, the examples speak for themselves: the production of Japanese aircrafts, during war, consisted in 62795 pieces (among which 52109 were destroyed by the Allies), and the Americans had managed to produce, in 1943, over 100000 pieces; the same happened with the war ships, Japan could arm only twenty carriers (among which sixteen were destroyed), while United States had, in the summer of 1944, almost 100 carriers which operated in Pacific⁴⁴.

In time, Japan’s leaders reached the conclusion that they couldn’t win the war and that the defeat was inevitable. In July 1944 Tōjō was overthrown by a putsch. The new cabinet, led by General Koiso Kuniaki was decided to continue the war. Koiso included the representatives of the ex political parties *Minseitō* and *Seyūkai* in his cabinet and dissolved the *Association of serving the throne* to create the impression of having been renounced at the military-fascist political structure⁴⁵. Everything was in vain. A desperate battle plan was adopted: the systematic use of *kamikaze* pilots. Officially known as *Shinpū Tokubetsu Kōgekitai*, the Special Attack Force, the pilots were named after the “sacred wind” (*kamikaze* or *shinpū*) – which saved Japan from the Mongol invasion in the 13th century⁴⁶. Nothing saved Japan from disaster. In the first months of 1945, Americans multiplied the attacks on Japan, using bombers with a large range of action B-29, especially in night missions, at low height. These raids had been highly facilitated by Iwo Jima (Iōjima) conquer, a part of the group of islands Bonin (Ogasawara) in March and the invasion of Okinawa, stated on 1 April and finished on 21 June⁴⁷. Philippines defeat, American raids on Japanese cities, the landing of American troops on some islands which pertained to the Japanese state led to the replacement of General Koiso with Admiral Suzuki Kentaro. In the beginning of May, Germany was defeated, thus, the Allies could freely concentrate on Japan. Desperate, the Japanese asked U.S.S.R., in May 1945, to action as a mediator. But, Stalin didn’t do anything about it, because, at Yalta, substantial territorial recompenses were promised to him if he declared war to Japan.

On 6 June 1945, the *Japanese Supreme Council* (the body established in august 1944 and made of emperor, prime minister, war ministers of foreign affairs and naval forces, the chiefs of staff of the Army and Navy) approved a document *Fundamental Politics to be followed from now on in leading the war*, which stated: “We [...] will continue the war to the end”⁴⁸. Both Suzuki and the army wanted to fight to the end. They felt that if they had surrendered, they would have dishonored those

who had died in that war. In those moments not only the commanders but also the common soldiers had a strong dose of fatalism.

Meanwhile, the Allies - United States, England and China (Chiang Kai-shek gave his consent through radio) -, gathered at Potsdam, gave an ultimatum to Tokyo government, on 26 July, asking the unconditioned surrender of Japan. On 27 July, the Supreme War Council met to discuss Potsdam Declaration and the possibility of a soviet mediation. This Supreme War Council (or restricted Council) was composed of the Six Great Powers of Japan: the prime minister, the minister of foreign affairs, war minister, navy minister and the chiefs of staff of the army and navy⁴⁹. After these tensioned debates the ultimatum given by the Allies was rejected. This ultimatum was rejected by Admiral Suzuki on 28 July. The events were rushed; on 6 August the first atomic bomb was launched on Hiroshima city; the bomb called "Little boy", of 20 kilo-tons, exploded over the city destroying about 60000 buildings and killing about 100 000 people in a few seconds; three days later (9 August) a second atomic bomb called "Fat Man" was launched on Nagasaki city, estimating about 35000 deaths and 60000 wounded⁵⁰. In this context, the Japanese intensified the diplomatic efforts in the soviet capital. The Japanese ambassador N. Sato was insisting to meet the soviet leaders which arrived at Potsdam. Finally, on 8 August, at 17 o'clock, V. Molotov received N. Sato and informed him that the Soviet Union declared war to Japan⁵¹. The following day, August 9, 1945, Mao Zedong released a statement on the last battle against the Japanese invaders, in which he welcomed the participation of the USSR to the anti-Japanese war, saying that "it has closed the final victory over Japanese aggressors and all their associates"⁵².

In August 1945, Japan lost the war and was dispossessed of all that had wanted and had obtained beginning with the last years of shogunate: the independence (the country would be for the first time under a foreign occupation); the army (destroyed, then demobilized); richness (supra explored because of the military effort, then affected by the American air and sea attack). Consequently, on 9 August the imperial Conference was convoked, presided by Hirohito emperor who pronounced in favor of Potsdam ultimatum. On 10 August, Tokyo radio was announcing that Japan was on the point to surrender. Switzerland official for business affair at Washington sent, in the same day, a Japanese official note to American government. The document, written on behalf of the emperor, declared that Japan had accepted the terms of the ultimatum from 26 July, noting that it "contained demands without prejudice to the prerogatives of His Majesty, as monarch"⁵³. It was, in an indirect way, a condition stipulated for surrender. The condition was accepted by the Allies and, on 11 August 1945, Byrnes, on the behalf of these, gave an answer claiming that "after the surrender, the authority of the emperor and of the Japanese government in leading the country will be subordinated to the supreme commander of the allied powers"⁵⁴. On 15 August, Wada broadcaster – from the Nippon Broadcasting Station – announced the Japanese people: "you will now hear a program of a crucial importance. You may stand up"⁵⁵. After they sang *Kimigayo*, the Japanese national anthem, one could hear "as it came from high up in the sky", the Crane's voice⁵⁶ - thrilled, yet calm - that was announcing the end of the war. Suzuki government resigned, and the general Anami, the war minister committed suicide. On 16 August, Prince Higashi Kuni, the cousin of emperor's son-in-law established a new government.

On 2 September, embarked on *Missouri* cruiser, in Tokyo harbor, the Japanese government's delegate, Mamoru Shigemitsu, and the general Yoshijirō Umezu, the representative of the Great Imperial General Staff, met General MacArthur and other allied officials and signed the Japan unconditioned surrender⁵⁷. From that moment on, Japan was strictly controlled by the United States, which refused to divide its authority between other Allies.

REFERENCES

- 1 Vezi, pe larg: Marusia Cîrstea, Gheorghe Buzatu, *Europa în balanța forțelor. 1919-1939*, vol. I, Editura Mica Valahie, București, 2007, p. 330-332.
- 2 Richard Story, *A History of Modern Japan*, London, 1970, p. 208.
- 3 *Ibidem*.
- 4 Jean-Baptiste Duroselle, *Istoria relațiilor internaționale. 1919-1947*, vol. I, Editura Științelor Sociale și Politice, București, 2006, p. 255-256.
- 5 Anna Eva Budura, *Triumful Dragonului. China în cel de-al doilea război mondial*, ediția a II-a, Editura TOP FORM, București, 2007, p. 87.
- 6 Constantin Bușe, Zorin Zamfir, *Japonia, un secol de istorie (1853-1945)*, Editura Humanitas, București, 1990, p. 184.
- 7 Michel Vié, *Japonia contemporană*, Editura Corint, București, 2003, p. 99-105.
- 8 Michael Lynch, *China: de la Imperiu la Republica Populară 1900-1949*, Editura ALL, București, 2004, p. 131.
- 9 Anna Eva Budura, *op. cit.*, p. 93.
- 10 Kennet G. Henshall, *O istorie a Japoniei. De la epoca de piatră la super-putere*, Editura Artemis, București, 2002, p. 151-152.
- 11 Constantin Bușe, Zorin Zamfir, *op. cit.*, p. 307.
- 12 Jean-Baptiste Duroselle, *op. cit.*, vol. I, p. 251; Liddell Hart, *Istoria celui de al II-lea război mondial*, vol. I, Editura Orizonturi, București, 2006, p. 284-291.
- 13 Goro Hani, *Istoria poporului japonez*, Editura Politică, București, 1964, p. 168.
- 14 Michel Vié, *op. cit.*, p. 100.
- 15 Marusia Cîrstea, Gheorghe Buzatu, *op. cit.*, p. 323.
- 16 *Ibidem*, p. 331-332; Emilian Bold, Ilie Seftiuc, *Pactul Ribbentrop-Molotov și implicațiile internaționale*, ediția a II-a, Casa Editorială Demiurg Plus, Iași, 2010, p. 23.
- 17 Danielle Elisseeff, *Istoria Japoniei, între China și Pacific*, Editura Lucman, București, 2000, p. 223.
- 18 Florea Țuiu, *Japonia. Un miracol?*, Editura Politică, București, 1973, p. 68.
- 19 Goro Hani, *op. cit.*, p. 176.
- 20 Paul Johnson, *O istorie a lumii moderne, 1920-2000*, Editura Humanitas, București, 2005, p. 383.
- 21 Constantin Bușe, Zorin Zamfir, *op. cit.*, p. 324.
- 22 *Ibidem*, p. 325.
- 23 Herman Kinder, Werner Hilgemann, *Atlas de istorie mondială*, vol. II, Editura RAO, București, 2002, p. 453; *Enciclopedie de Istorie Universală*, Editura All, București, 2003, p. 1226.
- 24 *Dicționar enciclopedic*, vol. VII, Editura Enciclopedică, București, 2009, p. 132.
- 25 *Istoria diplomatiei*, vol. IV, p. 239.
- 26 Leonida Loghin, *Al doilea război mondial. Acțiuni militare, politice și diplomatice. Cronologie*, Editura Politică, București, 1984, p. 193.
- 27 Kennet G. Henshall, *op. cit.*, p. 155.
- 28 Paul Johnson, *op. cit.*, p. 382-388.
- 29 Valentin Ciorbea, *Din istoria secolului XX*, vol. 2, *Principalele teatre de operațiuni militare. 1939-1945*, Editura Ex Ponto, Constanța, 2008, p. 136.
- 30 F.-G. Dreyfus, A. Jourcin, P. Thibault, P. Milza, *Istoria universală*, vol. 3, *Evoluția lumii contemporane*, Editura Univers Enciclopedic, București, 2006, p. 440; Liddell Hart, *Istoria celui de al II-lea război mondial*, vol. II, Editura Orizonturi, București, 2006, p. 399-404.
- 31 Ioan Damaschin, *Confruntări navale*, vol. II, Editura Militară, București, 1988, p. 164.
- 32 Howard Jones, *Crucible of Power. A History of American Foreign Relations from 1897*, vol. III, A Scholarly Resources Inc., Delaware, 2001, p. 184-185.
- 33 Leonida Loghin, *op. cit.*, p. 193.
- 34 Anatol Petrencu, *Istoria universală. Epoca contemporană. 1939-1945*, Editura Museum, Chișinău, 1996, p. 22.
- 35 Constantin Bușe, Zorin Zamfir, *op. cit.*, p. 343.
- 36 F.-G. Dreyfus, A. Jourcin, P. Thibault, P. Milza, *op. cit.*, vol. 3, p. 440.
- 37 Paul Johnson, *op. cit.*, p. 387.
- 38 Constantin Bușe, Zorin Zamfir, *op. cit.*, p. 348.
- 39 Paul Johnson, *op. cit.*, p. 388.
- 40 *Ibidem*; Liddell Hart, *op. cit.*, vol. I, p. 455-461.
- 41 Kennet G. Henshall, *op. cit.*, p. 162-163.

⁴² Constantin Bușe, Alexandru Vianu, eds., *Relații internaționale în acte și documente*, vol. II, Editura Didactică și Pedagogică, București, 1974, p. 145.

⁴³ Paul Johnson, *op. cit.*, p. 413.

⁴⁴ *Ibidem*.

⁴⁵ Constantin Bușe, Alexandru Vianu, coordonatori, *Istorie universală. Epoca contemporană. 1939-1945*, vol. II, Editura Didactică și Pedagogică, București, 1979, p. 287.

⁴⁶ Kennet G. Henshall, *op. cit.*, p. 164.

⁴⁷ *Ibidem*, p. 166.

⁴⁸ Paul Johnson, *op. cit.*, p. 415.

⁴⁹ *Ziua cea mai lungă a Japoniei*, Editura Politică, București, 1974, p. 25.

⁵⁰ Leonida Loghin, *op. cit.*, p. 48.

⁵¹ Anatol Petrencu, *op. cit.*, p. 48.

⁵² Anna Eva Budura, *op. cit.*, p. 178.

⁵³ Jean-Baptiste Duroselle, *op. cit.*, vol. I, p. 309.

⁵⁴ *Ibidem*.

⁵⁵ *Ziua cea mai lungă a Japoniei*, p. 269.

⁵⁶ *Ibidem*.

⁵⁷ F.-G. Dreyfus, A. Jourcin, P. Thibault, P. Milza, *op. cit.*, vol. 3, p. 440; Liddell Hart, *op. cit.*, vol. II, p. 422.

ORIGINAL PAPER

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An Inquiry into Geographical Identification and Occupational Status as Variables in Assessing Levels of Nostalgia

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Abstract: *The present paper is an attempt to examine one of the most recurrent and multi-faceted phenomena in transitional, post-communist societies, i.e. the issue of nostalgia for the ancien régime and the repercussions and implications it generates and presupposes on particular spheres of the private life of individuals. The paper follows largely the norms and methodology of Anthony Jackson's "anthropology at home" (1987), in order to address the impact of two variables – geographical identification and occupational status – upon the display of nostalgic sentiments among two samples in Romania – in Iași and Tecuci (Galati). Consequently, the main argument put forward is that, besides the typical causal explanations revolving around the age and social class variables, postcommunist nostalgia in Romania might be isolated in certain territorial contingencies and circumscribed to specific occupational categories. Starting from the fourfold classification advanced by Ekman and Linde (2002), the paper suggests that nostalgia should be approached from a socio-psychological, rather than a structural, perspective, and it does so by using empirical pieces of methodology (questionnaires, interviews, participative observation, official statistics). The study employs clusters of respondents (n = 25) to properly analyze the data; the criteria for the formation of the clusters and for further longitudinal analysis are: (1) geographical identification of the units of analysis (hence, two samples were formed, composed of inhabitants of Tecuci and Iași, respectively); (2) educational background (the respondents differ not only in geographical terms, but they also belong to two different educational trajectories, the first sample being composed of workers with a medium education, having graduated high-school or a professional/ technical school, while the second sample gathers only respondents of higher education, having graduated from university studies); and, subsidiarily, (3) socio-economic status (here, the first sample proved homogeneous, being composed of workers exclusively, while the second sample was rather heterogeneous, a proportional mixture of high-school teachers and MA students); and, finally (4) age (which was employed mainly for further differentiating among young – 14 to 35 years old –, middle-aged – 36 to 55 years old – and older – more than 55 years old – clusters of respondents; the groups were pondered according to the previous three criteria). As hypothesized, it has been revealed from the data collected that, firstly, levels of nostalgia are higher in the small-to-medium settings, as compared to that in big cities; secondly, the few remaining representatives of the working class – generally perceived as "the losers" (Kriesi et al., 2006) of democratization and marketisation in East-Central Europe – tend to positively evaluate the former regime, but, as a rule, this favorable evaluation is underpinned by economic facets rather than political terms. Eventually, the present study considers, as explanatory paths: accounting for the impact of socio-economic efficiency, effectiveness and performance of the transitional regime in triggering nostalgic feelings among its citizens; the identification of the mechanisms of manifestation, both at the societal level and in the private space, of communist nostalgia, and its actual extent during transitional and democratic consolidation processes, using, as central variable, the geographical identification and, as secondary independent variables, socio-economic (occupational) status, educational level and age, operationalized on two selected samples; and the evaluation of the possible repercussions, outcomes of nostalgia on the overall evolution of the transition to democracy.*

Key words: *postcommunist nostalgia, geographical identification, occupational status, internally-generated factors, externally-generated factors, socio-economic status, reflective nostalgia, restorative nostalgia, transitional régime, regime performance, democratic consolidation.*

Introduction: The scope of the research

The present research project is an attempt to examine one of the most recurrent and multifaceted phenomena in transitional, post-communist societies, *i.e.* the issue of nostalgia for the *ancient régime* and the repercussions and implications it generates and presupposes on particular spheres of the private life of individuals. The paper follows largely the norms and methodology of the “anthropology at home”, as presented by Anthony Jackson, PhD and member of the Association of Social Anthropologists of the Commonwealth¹. The following theoretical and empirical endeavor employs primarily the CSOP-IICMER opinion polls of 2010 and 2011 on popular mentalities in respect to the recent past², coupled with Andi Mihalache’s quite convincing and extremely original study on “the social life of objects” during late communist and early transitional Romania³, while venturing at the same time in its own empirical inquiries (*i.e.* the administration of questionnaires and conducting a series of interviews). Analyzing the topic of communist nostalgia through personal histories, through geographical identification and through assessments regarding current social-economic statuses, the main argument put forward by this study is that the wistfulness towards communist restoration is the direct repercussion of psychological patterns characteristic to the mindsets of the populations in East-Central Europe (with a special emphasis on Romania), outcomes of amnesia and fragmented memory, results of forgetfulness, foolishness or dishonesty, rather than the consequence of the political and socio-economic performance of the transitional democracy following the Communist breakdown. It hypothesizes that geographical identification, together with age and socio-economic position, puts an imprint on the level of nostalgia towards the *ancien régime* one individual displays. This dominant psychological imprint on nostalgia is most vividly and conspicuously emphasized in the very manner in which people tend to keep and to precious value recollections of a “golden past”. Therefore, the paper suggests that nostalgia should be approached from a socio-psychological, rather than a structural, perspective, and it does so by using empirical pieces of methodology (questionnaires, interviews, participative observation, official statistics), doubled by relevant bibliography stressing the said approach on the topic of communist nostalgia. It employs, for verifying its hypothesis, two samples, one drawn from a small town (Tecuci), the other from a large city (Iași, the capital-city of Moldavia), each of them composed of individuals of two different educational level and occupational status, in order to further stress on the socio-economic changes at the local level the regime change has triggered. Hence, the present study is concerned with four central issues: (1) a brief account on the impact of socio-economic efficiency, effectiveness and performance of the transitional regime in triggering nostalgic feelings among its citizens; (2) the analysis of other conditions generating the popular desire towards restoration of the “old regime”, with a special emphasis on the socio-psychological ones, considered by this paper of paramount importance to the study of communist nostalgia; (3) the identification of the mechanisms of manifestation, both at the societal level and in the private space, of communist nostalgia, and its actual extent during transitional and democratic consolidation processes, using, as central variable, the geographical identification and, as secondary independent variables, socio-economic (occupational) status, educational level and age, operationalized on two selected samples; and (4) the evaluation of the possible repercussions, outcomes of nostalgia on the overall evolution of the transition to democracy.

General Presentation. Operationalization of Concepts

Surely, for both anthropologists and sociologists, the peculiar phenomenon of nostalgia is a truly remarkable scholarly topic. Its widespread societal ramifications and its far-reaching and multifaceted implications are still to be identified and thoroughly debated, while its immediate impact

on behavioral patterns and on policy-making remains an item of open discussion and evaluation. In the sphere of memory and amnesia studies, nostalgia plays a central role, for it addresses not only issues of forgetting and distorted memory, but it also hints to ignorance and personal choice and to socio-economic performance of transitional governments. It is in this wide domain of nostalgia and personal choice that the present paper develops its hypothesis on nostalgia and personal histories, as pieces of remembrance. Soon after the communist dictatorship of Eastern and Central Europe became the *ancien régime*, the communities of this region started to reconsider their recently past totalitarian experience, and in this reevaluation, the frontiers between remembrance and forgetting were redrawn on nostalgic lines. From former *nomenklatura* members to ordinary people, the latter – more than the former – driven by idealizing tendencies towards the recent past –, large segments of the population began to nurture positive memories and powerful nostalgic sentiments in respect to a regime that was officially condemned by the newly installed democratic governments. Bizarre and awkward as this may be, communist nostalgia represents, nonetheless, a warring phenomenon for the evolution of transitional democracies of East-Central Europe. In addition, and especially in the countries of Central Europe (the Czech Republic, Slovakia, Hungary, Poland, Romania, Bulgaria) – countries that are undertaking the democratization path for over twenty years and that are members of the European Union and NATO –, the populations still wonder about the position they should take in references to their communist past and its undeniable and so pregnant and persistent legacy; a significant portion in these populations feels itself insecure and confused regarding its sentiments towards the past and the present regimes. Being rather a polyvalent phenomenon affecting the countries of Sovietized Europe during the period of transition to democracy, being triggered by both generational differences and system's output, nostalgia raises concerns regarding both the degree in which democratic values and principles breakthrough in the political socialization process and the political and socio-economic efficiency of the transitional regime. It is considered that “nostalgia travels together with non-democratic attitudes”⁴, a situation which represents a threat and a challenge for the consolidating democracies in Eastern and Central Europe. In his 1999’ *Developing Democracy: Towards Consolidation*, Larry Diamond⁵ argues that the consolidation of democracy ideally involves at least 70% of the population that share the belief that democracy is preferable to any other form of government. In this manner of thinking, shouldn’t the destabilizing potential of nostalgia be reevaluated and reconsidered ? Probably the most vivid manifestation of communist nostalgia is expressed in the different accounts of people living the same experience, but with so diverse, to some extent diverging and opposing, perceptions on the said experience⁶.

Nostalgia is both a concept and a feeling, or, simply put, a concept with an extremely powerful emotional charge. In the *New Europe Barometer*, “nostalgia” is bluntly and objectively defined as the feeling developed by those individuals who consider that “a return to communist rule” is an acceptable option⁷. Etymologically, it signifies a longing, a strong desire to return home, more exactly, to an idealized past: “*nostos*” (Greek) = returning home, “*algos*” (Greek) = longing or pain⁸. But, analyzing nostalgia, one should wonder if this sweet “home”, this “past”, crudely taken away and irreversibly gone, actually existed in the first place. More often than not, the past the nostalgics refer to is a virtual *utopia*, an old experience, distorted by fragmentary memories and forgetting, idealized and apologetically described as a viable and preferable solution for a disappointing, confrontational and decadent present; the past is seldom that past as actually experienced and lived. Hence, nostalgic sentiments are perceived as a reaction to the irreversibility and irrecoverability of time, the expression of the emotional, psychological impact the acknowledgement of this incontestable reality has on the individual. In a path-breaking study, *On Longing*, Susan Stewart defines nostalgia as “a social disease”, as “the repetition that mourns the inauthenticity of all repetition”, “prelapsarian” and

utopian feeling⁹, a strange desire towards the repeatability of the past under a degraded form. In a book-length inquiry dated 2001¹⁰ dedicated to this peculiar phenomenon – to some extent inherent to the human being –, Svetlana Boym differentiates between two types of nostalgia: “restorative nostalgia” and “reflective nostalgia”. The “restorative nostalgia” – a distortion of the national memory – is, bluntly, the desire to reconstruct the lost “home”, to recreate the past, and it generally stays at the basis of national, religious or ethnic revival and emancipation movements; it seeks to revive a past of “truth and tradition”. On the other hand, “reflective nostalgia” – a distortion of the social memory – is a sentiment and an acknowledgement of loss, is “ironic, humorous, wistful and aware of the gap between identity and resemblance”¹¹; slightly more moderate than the “restorative nostalgia”, the “reflective” variant allows even a certain degree of criticism towards the desired past, in the sense that “[t]he home is in ruins or, in the contrary, has been just renovated and gentrified beyond recognition. The defamiliarization and sense of distance drives them to tell their story, to narrate the relationship between the past, present and future.”¹² Finally, from Berman’s standpoint, nostalgia is “something like a failure of our collective cultural confidence [of the “*Gemeinshaft*”] in the modernizing impulse [towards the formation of the “*Gesellschaft*”].”¹³ Frederic Jameson defines the concept rather pretentiously: he argues that nostalgia is “part of a larger contemporary disease of historical alienation, a position that presupposes the existence of some verifiable ‘historical reality’”¹⁴, a “verifiable historical reality” which is, in the case of communist nostalgia, a regime officially condemned as illegitimate, illegal and criminal, but one which still stirs ambivalent, duplicitous, and confused popular perceptions. All in all, nostalgia has been defined simultaneously or consequently as a sort of second-hand or debilitating memory, conservative, retrograde, obsolete, a defensive reaction to rapid change, ahistorical and “sanitizing” remembrance, an attempt to falsify history, “a form of psychological whiplash, cultural style, the abdication of memory, an aesthetic treatment, an ornament, a technique, a part of the narrative of history, or a part of the narrative of critical theory.”¹⁵ Within this midst of contradictory, divergent sentiments, Maria Todorova cites among the causes of nostalgia: “disappointment, social exhaustion, economic recategorization, generational fatigue, and quest for dignity, but also an activist critique of the present using the past as a mirror.”¹⁶ Eventually, Amelia DeFalco summarizes the observations, definitions and analyses above, but premising and hypothesizing that: “Nostalgia is at the crux of discussions of re-presentation [...]. From its inception as potentially fatal pathology, nostalgia has been considered dangerous for its excitement of the imagination as well as its aforementioned power to substitute fictive ideal for practical reality. [...] This misrepresentational quality of nostalgia has initiated a great deal of the criticism surrounding the phenomenon. The compulsion to return, the fallibility of memory, and the subsequent malleability of the past are central to understand the potential problems and possibilities associated with nostalgia.”¹⁷ The present paper employs as independent variables in assessing level of nostalgia towards communism in two selected samples the geographical identification, the socio-economic status (or occupational status), educational background and age. It operationalizes the phrase “geographical identification” through the following definition: Geographical identification is the geographical, territorial space (village, commune, town, city, region, county, etc.) to which an individual considers *to belong* (i.e. from the place in which he was born, works, lives to the place to which he finds himself emotionally or culturally attached to). The collocation “socio-economic status”, used alternatively with “occupational status”, is operationalized here as “individual’s position on the social ladder (i.e. part of the lower, middle or upper classes, with their intermediate stages) and the amount of his average income, relative to his present occupation”. The educational background was categorized in accordance with the matrix used by the National Institute of Statistics¹⁸. For age variable, the present paper uses the classification: (1) between 14 and 35 years old (with non-

experiential or little remembrance of the communist past); (2) between 36 and 55 years old (the middle-aged, with recollections of “Ceașescu era”), and (3) over 55 years old (with memories from both Gheorgiu-Dej’s and Ceașescu’s periods). It might be determined that, while geographical identification is taken as main independent variable, the actual level of nostalgia to be determined less by this indicator, but rather by the other three.

Methodological Considerations: Research Questions and Sampling

The scope of the present research project bears a rather descriptive, exploratory nature. Consequently, it is rather based on an inductive, observatory process – an inquiry into four indicators worth pointing out when dealing with the study of communist nostalgia. Subsequently, in the findings below, various remarks are drawn, which would constitute, at least, a fragile basis for further inquiries and research. In order to pursue such objectives, the present research project uses, as a research method, the case study, with the focus on the levels of nostalgia among the individuals of two samples, drawn from Tecuci and Iași. By using a case study approach, no generalizations will be made on the entire population whose representatives are to be found within the samples. Based on the method employed and on the chosen sample, the main questions of this research project are the following: How does the geographical identification of the respondents influence the levels of nostalgia displayed by them? Is there a connection between the occupational status of the respondents and their evaluations of the past, present and future? Do educational background and socio-economic status determine the positive evaluations of the defunct regime? What are the externally-generated factors that influence positive appreciations of the past for the two samples? To the questions above, a series of other secondary questions are added during the research process whose tentative, partial answers will be attempted in the paragraphs below. Part of the questions in the questionnaire were inspired by the “*New Europe Barometer*” and by the survey designed for measuring nostalgia among the citizens of the Baltic states by Joakim Ekman and Jonas Linde¹⁹. The questionnaire contained thirty-seven main questions, with 60 close-ended (out of which 24 were designed as intensity scales), one open-ended questions, and 11 mixed questions. The present paper distinguishes between (1) “internally-generated” factors (including relative deprivation, a biological-age dimension and inherent wistfulness towards a lost period of youth and vitality, a mentality inclined towards authoritarianism and strict egalitarianism, towards traditional values) and (2) “externally-generated” (socio-economic difficulties inherent in transition, economic fluctuations on the national or international scene, competition increasing inequalities, corruption, political crises, too complex and complicated democratic procedures, general disenchantment with the democratic regime, etc.). While focusing on the internally-generated factors triggering nostalgia, it does so through the prism of externally-generated ones, as the geographical dimension seems to be. In addition, it employs the scheme proposed by Ekman and Linde, who differentiates between two possible hypothesis: (1) the “political socialization” hypothesis, and (2) the “system output” hypothesis. This paper assimilates Ekman’ and Linde’s distinction into its own “internally-generated” vs. “externally-generated” factors. On the model provided by the two scholars, this paper discriminates between four “analytical dimensions” of nostalgia: (1) the “political-ideological” dimension (at the macro level, universal dimension; e.g. dissatisfaction with the principles of liberal democracy, genuine non-democratic values, as an outcome of political socialization); (2) two “socio-economic” dimensions (one, a “socio-economic” dimension *per se*, at the macro level, with specific dimension, e.g. dissatisfaction with the democratic system’s ability to produce output; the other, a rather “personal socio-economic” dimension, at the micro level, with specific dimension, e.g. the feeling of “losers” of the transformation, the loss of the paternalistic welfare state), and (3) the “life

biography” dimension (at the micro level, with universal dimension, e.g. a “retrospective reevaluation of life under communism, partly as a response to a perceived threat”, deprecation of own life experience, the phenomenon of selective memory, etc.).²⁰ Four types of nostalgia result from this scheme: (1) “principle-driven nostalgia”, (2) “performance-driven nostalgia”, (3) “micro-economy-driven nostalgia”, and (4) “identity-driven nostalgia”²¹. The study employed clusters of respondents to properly analyze the data; the *criteria* for the formation of the clusters were: (1) geographical identification of the subjects (hence, two samples were formed, composed of inhabitants of Tecuci and Iași, respectively); (2) educational background (the respondents differ not only in geographical terms, but they also belong to two different educational trajectories, the first sample being composed of workers with a medium education, having graduated high-school or a professional/ technical school, while the second sample gathers only respondents of higher education, having graduated from university studies); (3) socio-economic status (here, the first sample proved homogeneous, being composed of workers exclusively, while the second sample was rather heterogeneous, a proportional mixture of high-school teachers and MA students); and, finally (4) age (which was employed mainly for further differentiating among young – 14 to 35 years old –, middle-aged – 36 to 55 years old – and older – more than 55 years old – clusters of respondents; the groups were pondered according to the previous three *criteria*). Five interviews were conducted with selected respondents in the questionnaire (one 63-year old worker from Tecuci, two middle-aged workers – a 47-year old female respondent and a 52-year old male interviewee –, a 49-year old high-school teacher from Iași, and a 23-year old student in Iași). The questions in the interview followed the same topics as in the questionnaire, but insightful details were gathered, as the student managed to grasp the mood, the atmosphere of the defunct communist times and the state of mind of some people having the experience of both state socialism and developing democracy. Hence, apart from the written questionnaire at the basis of this paper, there was conducted a series of life-history interviews, aimed to provide an account on the justifications and motivations behind different positions held and various opinions distinguishable from the answers offered in the questionnaire. The interviews, quite short pieces of oral history, asked the respondents about their activities during the defunct regime – with a special emphasis on socio-economic aspect, an aspect frequently drawn as the intrinsic basis for nostalgia –, their educational trajectory, party membership, about members of their family and friends and their occupational statuses, about the general atmosphere within the town/ city, about interactions with local authorities, about the first years of democracy. Relevant pieces of information were gathered, linking personal or family histories during state socialism to various types of nostalgia and its nature and sources. First sample is composed of workers in a bakery factory, of different ages but with similar educational backgrounds, living and working in Tecuci; due to the student-researcher’s familiarity with the place from which the sample was drawn, the interviews were face-to-face, while the questionnaire were self-administered in printed form to the respondents. The second sample is composed of MA students and high-school teachers in Iași, hence persons of different ages, but – once again – of similar educational level; the interviews were face-to-face, while part of the questionnaires were filled in *via* e-mail, part were delivered and filled in in printed form, with the help of a collaborator living in Iași. In choosing the two groups of subjects, pertaining to two quite different social categories and urban *milieu*, the student-researcher attempted in drawing a series of observations regarding communist nostalgia based on two divergent lifestyles. What the present study attempts to isolate are snapshots of “*Alltagsgeschichte*” (or “the history of everyday life”), based on oral recounts of the recent past, that would be able to partly explain – or rather justify – the nostalgic stances towards the defunct state socialism. While acknowledging the contingencies of employing observations drawn from oral accounts, questionnaires and interviews, due to a countless

range of drawbacks from fragmented memory and amnesia to high levels of subjectivity, interviews can nevertheless capture some essential aspects of referring to the recent past at the grass roots of society. Thusly, accounts, outlooks, understandings attributed to different personal or historical episodes, vary considerably on various grounds, from geographical, social to economic and biological ones. Pages of diaries, “eyewitness accounts”, photos, local legends – are all part of the documentation on which oral histories are based upon. They reveal diverse levels of nostalgic feeling regarding the defunct state socialism, though one should initially and necessarily distinguish between those memories associated with the regime and those private, personally held memories. Hardly one can do so. While the construction of the interview followed, as well, the questions and their sequence in the study “*Atitudini și opinii despre regimul communist din România*”, a CSOP-IICMER survey released in May 2011, the actual course of the interview was often deviated by the respondents’ interplay of memories, including examples drawn from the personal experience or the experience of different acquaintances, meant to straighten the alleged “correctness” of their answers. The reticence of the interviewees became a real impediment when discussing the topics linked to their present socio-economic situation: the social frustration is diversely displayed, from anger sprung from becoming aware of the incapacity of change one’s own condition, to resignation and tacit acceptance of the same incapacity. The differences between the two samples regarding spontaneous reactions when addressed a question are negligible: as a rule – and with very few exceptions –, the two attitudes were adopted in the discussion on the current socio-economic status of the respondents. One observation may result from this first aspect considered: one may conclude that there is a generalized socio-economic frustration among the two samples, independent of the social category the individuals composing them belong to, particularly at the moment in which the interviews were conducted, *i.e.* during November–December 2011, in a period of world economic recession.

The Portrait of the Nostalgic Individual in connection with the Externally-generated Factors

As Maria Todorova²² has already pointed out in her 2010’ “*Post-Communist Nostalgia*”, the agents of nostalgia rarely or never refer to themselves as “nostalgics”, the word “nostalgia” is seldom used to self-description in reference to the position one holds towards the recent past. Clearly enough, this observation is completely verifiable in the empirical endeavor of this paper: during the interviews, none of the respondents of the two samples employed the word “nostalgic”, even in the obvious cases where the storyteller expressed positive evaluations on the defunct regime or manifested a conspicuous wistfulness. In addition, when directly asked about whether they would see themselves as characterized by the word “nostalgic”, none of the interviewees admitted such a position. It might be argued that there is one’s intrinsic fear of disclosing himself as marked by nostalgia, for nostalgia towards the *ancien régime* is associated with retrograde, obsolete tendencies: generally, especially for the Romanian context, the notion of “nostalgia” is negatively charged. Using the differentiations designed by Adrian Ciofâncă, but reshaped on the case studies discussed here, in each of the two samples, the student found during the interviews representatives of each of the three categories, according to the type of nostalgia the respondents display: “nostalgic-restorers”, “nostalgic-revolted”, and “non-experiential nostalgics”²³. Since the two samples were randomly picked, they were composed of persons sharing only two characteristics – geographical identification and social category –, hence different under other aspects (gender, age, life experience, family background, etc.) and yielding various results. Generally, the “nostalgic-restorers” are the most nostalgically radical, those who argue for the re-installment of state socialism and who hold clearly hostile attitudes towards democracy. As a result of their radicalism, their convictions are marginalized and their proportion, marginal. Their degree of change supportability is extremely low, therefore they

were incapable of coping with the challenges presupposed by the transition to democracy. Usually, though not necessarily, the “nostalgic restorers” are associated with conservative stances, with authoritarian and xenophobic tendencies, with the rejection of diversity, as both a concept and reality. In the two samples, the “nostalgic restorers” bear the following characteristics: the great majority is composed of males with an average age of 50 year-old (so, they were over 20 years old at the time of the communist breakdown, in 1989), they are surprisingly present among the respondents of both samples, though initially it was assumed that “restorers” are more numerous in small towns, where their social status is considerably declining during the last two decades of transition. The desire to restore the communist regime and the inability to accept the democratic present is explicable if one considers the state in which small provincial towns found themselves after the collapse of state-controlled planned economy: after 1989, these sites, situated at the limits of both urban and rural establishments – *i.e.* not fully-fledged urban centers, though considerably urbanized as compared to the surrounding villages – found their local economies, based on mono-industry, unprofitable in the new context of free market economy. Since the town’s factory has been closed, the unemployment rate mounted and youngsters felt trapped in an environment deprived of any incentives that could provide material goods and social tranquility to them. This is the perceived, classical image for a medium-to-small town in Romania, *locus* where the sole possible economic activity remained the commercial one. Moreover, those young people who were trained for working in the factory, on specific posts in different industries, discovered after 1989 and with the closing of the factory that their skills are obsolete, useless and unnecessary for the activities presupposed by the market economy. Governmental programmes for investment *stimuli* and professional reconversion came much too late or initially did not reach such towns (lack of training personnel and expertise in managing the funds posed additional problems in these regions). The portrait of the Romanian nostalgic is intimately linked to both the felt socio-economic situation and the manner in which his/ her life is arranged. Preserving or keeping decorative objects acquired during the communist dictatorship constitutes a quite peculiar fashion of recuperating or remembering the recent past. Generally, the old-fashioned pieces of furniture are easy to discard of due to their practical utility: they are thrown away when, being of decades intensely used, they deteriorate and lack functionality. Conversely, when the old furniture is kept, this is hardly due to any sense of nostalgia, but rather to a difficult financial situation of the household that would impede it to buy a new, up-to-date furniture kit. So differently is the case with decorative and ornamental objects. Ceramics- or glass-made small decorative statues that proudly and anachronically dominate the top of various pieces of furniture are replaceable and easily dispensable, but, for some reason, they continue to fill bookcases, closets, glass cases, even tops of TV sets, in the homes of post-communist Romania, after thirty years to half a century since they had been received by their owner. Prior to 1989, they represented the tangible evidence of a social status, of the prestige, recognition and reputation the owner of such objects enjoyed within the community²⁴. The hierarchy of gifts – and, as a result, what objects a person has received from that hierarchy – translated into the status hierarchy. Following this logic, it seems that, by keeping decorative objects from the defunct era of state socialism and dictatorship, one nurtures his nostalgia and hangs on to a past period in which his status was cherished and rewarded through these decorative pieces. In the nostalgic rationale, they are perceived as status and prestige trophies. However, after the communist breakdown, ideally a trans-valorization of principles and values, a reconfiguration of statuses and positions should have occurred. Instead, since the democratic values and principles require a quite prolonged and complicated process of internalization, the value and belief systems of Romanians living the confusing period of transition were inherited from the *ancien régime* and remained largely the same to those prior the fall of state socialism. The status valorization and the laws governing the

interhuman relations suffered only small, undistinguishable, almost invisible modifications. Despite the cliché-istic comparison, the following assessment proves to be clearly a postulate in the cases studied here: well-entrenched convictions – even when they are based on fragmentary, amnesiacally amputated memories – are as hard to be shaken as the mountains. This certainty, given by the idea of lived experiences, seems impossible to be contested, even debated: it works like a supreme truth, founded on that lived history, on those events “seen with one’s own eyes”, “heard with one’s own ears”. Those empirically constructed personal histories are definitely irrefutable for those having constructed them. At the psychological level, one cannot sententiously conclude that what triggers the positive evaluation of the communist past in the minds of the subjects of this study emerged on a background of “foolishness” and “conformism”, of “dishonesty” and “cynicism”. It might be a mixture of all these, it might be none of them or it might be indeed that “demon of nostalgia” Andrei Pleșu wrote about so vividly, “the general human instinct to recuperate the past, any past.”²⁵ Generally, considerations on the psychological state of the subjects are difficult to be assessed, though some of these personal features might be coupled with – or doubled by – objective socio-economic aspects or relative deprivation. After all, communist nostalgia is also a matter of color: the *annus mirabilis* 1989 was portrayed as a veritable image of black and white situation, in which the entire society, continuously repressed and disregarded by its leaders, was pillarized against an oppressive, illegitimate, criminal, totalitarian state: both the enemy and the “good guy” were clearly identified and nobody contested such a view. In 1989, the good managed to prevail over the evil, an episode which culminated with the return to democracy and to free market economy and which inaugurated liberty, after half a century of “darkness” and repression. Nonetheless, during the first years of transition to democracy, under the popular pressure of rising political, social, economical expectations faced by the successor governments, still impotent to design or implement viable democratic mechanisms, disillusionment rapidly installed, and the black-and-white picture of 1989 was blurred by shades of gray. Hence, the prior regime ceased to be exclusively and irrefutably “the bad guy”, for the simple reason it offered a sense of social security, equality and social justice the existing regime nowadays disregards almost completely. Moreover, people themselves proved to be frequently ambivalent and, on various grounds, those thought of as having resisted the communist repression turned out to be collaborators of the same regime. Finally, the *desideratum* of democracy came, for many ordinary individuals, with both liberty and poverty: no surprise, then, their disappointment. Therefore, the picture of transition became filled with numerous shades of gray, the situation was by no means so simple as thought before, so clear-cut and black-and-white. Another very narrow group bases its nostalgia on those recollections that are best described by Linda Hutcheon as “an attempt to defy the end, to evade teleology”²⁶. This group is composed of male, older individuals who are retired or in the eve of retirement, though still partially active in those fields which are generally allowing such a status (e.g. in the educational system, hence the study identified two high school teachers in the sample for Iași who presented this type of nostalgia). In this case, the persistent negation of the criminal and illegitimate nature of state socialism (overall, 35.71% of the respondents in the first sample and 14.28% in the second sample refuted the criminal nature of the communist regime, while none of the respondents in both samples failed to identify the illegal character of the said regime) is generated not necessarily by a disappointment with the present, political and socio-economic, context – somehow, these people managed to cope with the “exigencies” of a free market economy and to enjoy the rights and liberties even the incipient democracy can provide –, but rather by an awkward fashion of remembering youth, in which youth identifies, even confounds to the vast period of communist dictatorship. The apologetic accounts on the period of Gheorghiu-Dej’s and Ceaușescu’s rules interplait with the stories on the contact with the first job, on the building of a house and of a home

(the wedding moment, then welcoming their children, etc.), on the beautiful manners of spending the leisure time (the recollections of the Saturday's balls, of the Sundays at cinema, in the town's/ city's parks, at the zoo, cinemas, tea rooms, gas houses, etc.), etc. To this manner of recollecting the past, the desire of restoration or the installation of a strong leadership is associated: there is no wonder, hence, that "[w]hen they [*i.e.* this type of nostalgics] are asked what is need to put Romania right, they say 'an iron hand', 'a six-month military dictatorship', or 'Hitler, Stalin, and Vlad the Impaler rolled into one'."²⁷ The Czech novelist Ivan Klima explains the communist nostalgia of this sort: "They [*i.e.* ordinary citizens] miss the security of Communist times when they knew they would get a pension they could live off, prices were stable and they couldn't lose their flats or their jobs."²⁸ The longing for the irreversibly lost youth couples with the tendency towards authoritarian, strong leadership, in the case of this group of older people, bearing features of "nostalgic restorers". As Laurence Lerner perceptively observes in his "*The Uses of Nostalgia*"²⁹, the feeling of nostalgia, though a manifestation with a profound and complex internal expansion, is triggered rather externally, under the influence and pressure of several outside factors, mainly socio-economical externalities. Concurrently, the classical understanding of nostalgia changed, and "longing" for "returning home" becomes "the emotional response to deprivation, loss, and mourning"³⁰. But – inevitably turning back to the emotional, internally produced, dimension of nostalgia – is this disappointing, inadequate, incoherent, disordered, complicated, difficult, unintelligible present actually so ugly and inescapable as the nostalgic perceives it to be? A partial answer to this question can be accessed through the statistical data available for Eastern and Central Europe showing the socio-economic evolutions of the countries in this region following 1989 and the installation of free market mechanisms. The answers provided through the administration of the questionnaire isolate the group of students in the second sample, that composed of the respondents residing in Iași. Their responses allow for a preliminary profile of the young individual born in 1989 (all student respondents are 22 years old) – thus, a person who lacks any recollection of the communist era – and offer a hint regarding this type's attitude in reference to the recent past, a past which he did not directly experience. Firstly, this category of respondents acknowledges the criminal (62.5%), sometimes illegal (75%), nature of the former regime, being aware of the repression practiced and coordinated by it (87.5%) and, most importantly, of the benefits the higher echelons of the Communist Party had enjoyed in respect to the bulk of the population (62.5%). Almost invariably, this group considers the installation of the communist regime in 1948' Romania as having a profound negative impact on the subsequent political and social development of the country (62.5%) and, fortunately, "communism", for these respondents, is synonymous with an essentially bad idea (87.5%). The large majority adopts a rather liberal stance in economic aspects, cherishing personal merit, as opposed to economic equality and social justice – two largely abandoned *desiderata* for the young generation. The responses provided show a definitive encouragement and support for the entry of internationally-manufactured products on the Romanian market (100%), and for well-stored shops, even in the context of rising prices (62.5%). Concurrently, a good job for this category of youngsters is a well-paid, though unstable, unsecured, one (83.33%). What is misleading and confusing for the further interpretation of the responses is these interviewees' attitude concerning the state and its role; the great majority of them preserves the same paternalistic image of the state as their parents and grandparents: the state should provide jobs for its citizens (53.84%), housing (15.38%), it is, in a nutshell, responsible for the social and economic advance of the citizens (50%) and for planning in economy(?) (23.07%). In the political realm, fortunately enough, the young respondents perceive democracy as the most desirable political regime; some (50%) still consider that, in special circumstances, an authoritarian regime, limited in time, might prove more efficient than democracy. Many (62.5%) are skeptical about the

perspectives the future holds for their country, both economically and politically; most probably, they answered, Romania would not have evolved differently if differently governed. Interestingly, the future seems to evolve predominantly in a good direction at the individual, familial level (in the case of 75% of the respondents). It is true, the large majority of youngsters participating in the survey see themselves uninformed (37.5%) or, at best, poorly informed (62.5%) regarding the history of Romanian communism; the main sources of information concerning the topic remain the family (27.77%) and the school (22.22%), the media and the Internet (each with a proportion of 16.66%), documentaries and movies tackling the subject (11.11%), etc. The youngsters involved in the survey find pretty important or really important current issues in the Romanian *Vergangenheitsbewältigung*: the teaching of the history of Romanian communism in schools (100%); the adoption of “vetting” procedures and lustration legislation (75%); the grant of compensations for the victims of communist repression (87.5%); granting free access to the *Securitate* files (75%); the construction of a National Museum of the Romanian Communist Dictatorship (75%); the establishment of a National Commemorative Day for the Victims of the Romanian Communist Regime (75%). According to the attitudes encrypted in the answers received, the group of students in Iași does not display the symptomatic features of communist nostalgia, they are not “non-experiential” nostalgics: without being really informed about the history of communism, its significances and its legacy, these youngsters do realize – thanks to the influence of school and family during the primary political socialization – the profound negative imprint the defunct regime put on the contemporaneous Romanian society. For them, the past is gone and should be left as such, dilemmas regarding the issue of dealing with the painful past being largely neglected. A liberal, meritocratic stance in the economic sphere is combined, in their case, with an ambivalent, confusing (or, rather, confused ?) attitude towards the state and the political system: the state should take over and coordinate in many fields, but, at the same time, ordinary people should get involved in the governance of the polity. The disappointment with the present political system (an average of 3.5 out of 10 would properly evaluate the Romanian democratic political system) and the skepticism regarding the future political evolution of the country (4.25 out of 10 is the grade that would characterize the Romanian political perspectives) is dissociated from any nostalgic, restorer desires. These youngsters do not trust the public institutions (they all indicated a low to very low general trust in authorities), but they strongly oppose a hypothetical military leadership (50% of the responses) or the perspective of communist restoration (50%). Living in a large urban site, being biologically advantaged (many job opportunities are available to young people), being highly educated or in the process of acquiring a superior specialization, generally unaware of the past and largely uninterested in it, this group of students in Iași does not bear even the most subtle trace of nostalgic sentiment. The results are predictable enough and they fit to the general, normal, conventional pattern regarding different attitudes towards the past of subsequent generations, but they are strikingly divergent to the results for the first sample, that of those middle-aged workers in the small town. The interviews and questionnaires of the two samples reveal is more often than not in sharp contradiction with the statistical data above. Aspects revolving around relative deprivation might partially explain the discrepancy: it is the popular perception, sometimes distorted, augmenting or demining the significance of past or present events, that misses or counterfeits the social and economic achievements of transitional, developing democracy. The mischief and drawbacks of the free market economy and democratic procedures are overemphasized by nostalgic eyes. When the interviewees were confronted with the comparative results of the study conducted by the International Work Bureau³¹, they were consternated, offensive. While countless studies of East-Central European realities have constantly emphasized the fact that, in real terms, the salaries and the prices for basic alimentary items (e.g. eggs, milk, bread, potatoes,

oil, etc.) have remained largely the same to those of the communist period³² – with a slight improvement in the purchase power and in the living standard of the population –, the respondents manifesting nostalgic sentiments still argue vividly that the socio-economic change exists and is expressed exclusively in negative, declining terms.

Considering the Geographical Dimension

In discussing the subtleties of communist nostalgia in Romania, a focal point is the geographical dimension of nostalgia, alongside its biological and social dimensions. The present paper combines aspects linked to the first and the third, while not neglecting or minimizing the importance of the second, which is nevertheless superficially dealt with here. This student-researcher starts from the assumption that in small to medium towns, as opposed to the big urban centers of the country, people confronted different problems, while the interpersonal relations were governed by slightly different rules and norms. The geographical nature of nostalgia plays a peculiar role, triggering both internally- and externally-generated factors. Firstly, living in small towns in communist Romania, as opposed to large cities, has always posed significantly diminished economic problems. Secondly, in smaller to medium communities, despite the consecrated theory of “surveillance”-type society as inherent in towns that are more alike to villages, the actual surveillance and the penetration abilities of the secret police were greatly diminished in comparison to the capital-city, for instance, or any other larger urban establishment, which were the sites of central or regional institutions, official bureaus, state departments, public offices. As a result, in small towns, the repression, though irrefutably present, was considerably less harsh, being diffused and diluted, especially in the context in which people knew each other and were more reluctant in unleashing violence towards familiar faces. At the same time, geographical identification or the actual existence of some sort of “urban consciousness” is difficult to demonstrate, even in the case of small communities. This is the reason why some tightly linked variables of social background and social category should be added to this process of stratifying multiple types of nostalgic and non-nostalgic individuals. Firstly, one can reasonably refer to a “class consciousness”, in the sense that it is more predictably that randomly chosen members of a social class or category may have experienced the same problems and difficulties during state socialism; the same could be verifiably argued about individuals coming from resembling family *milieux*, with similar social backgrounds. Furthermore, one can quite clearly assume that representatives of the same social category might construct similar recollections of the past and might hold alike perceptions and attitudes, might nurture the same feelings about the past, based on coinciding present socio-economic individual realities and past experiences. For instance, it might be – to some extent, correctly assumed – that workers, regardless of their geographical identification, share the same experience of the recent totalitarian past and its alleged social benefits and, subsequently, they might manifest some form of nostalgia, since the defunct regime offered them a sense of social justice and equality. At the same time, some workers might have adapted themselves to the new realities of the free market economy or might have gone through professional reconversion in the years of transition, etc., and, according to their present socio-economic status, their recollections of the past might unveil true non-nostalgic individuals. Perplexingly gravitating around victims of the regime and, consequently, their terrible recollections of the past, and constant crying of “*it was better before*”, one may tend to find this discrepancy of perspectives quite disturbing and troubling. At the same time, those too many caught, during the *ancien régime*, in the so-called “gray zone”³³ are inclined to viciously pendulate between a positive reevaluation of the past and a clean and sound adaptation to the present realities. Some sort of “Rashomon effect” can better describe this strange and complicated instance: the past accounts of both the victims and the

representatives of the “gray zone” are the products, the emanations of individuals living the same experience, *i.e.* that of the communist dictatorship, of state socialism, but whose perceptions and recollections of the said experience are so different, even contrasting, often extremely divergent, incompatible, irreconcilable, opposing, hardly complementary.

Observations on the Results and Findings

From the manifestation of a phenomenon which is difficult to explain and whose extent is problematic in measuring and quantifying, a series of conclusions and observations still transpire. As presented, though marking undoubtedly and implacably the nostalgic sentiments, the socio-economic impact of transition is not sufficient to explain the magnitude of post-communist nostalgia, in spite of the shock produced by the free market economy and its exigencies. Although the large majority of the interviewees, regardless of their geographical identification and the social category to which they belong, tend to expose the economic vicissitudes they experienced after 1989, the externally-generated, objective factors play a complementary and secondary role in triggering and developing wistful feelings towards the defunct communist regime. On the other hand, the psychological, subjective, felt, perceived implications of the economical and social transformations after 1989 augmented the sentiments of relative deprivation of the citizens responding the proposed questionnaire and, subsequently and unavoidably, generated nostalgia.

As expected, the sample from Tecuci provides a hotbed of nostalgia for communism. The interviewees appear as trapped in the ruinous social mechanisms of the defunct regime, incapable of identifying and articulating the veritable drawbacks and shortages of the communist dictatorship, while at the same time vigorously and vocally counting the numerous political, socio-economic and moral handicaps of the transitional democracy. Clearly enough, when asked to evaluate comparatively their socio-economic conditions during and after state socialism, the respondents of this sample positively referred to the period prior to 1989, while negatively arguing on the democratic transition. The situation is definitely inverted when the members of the sample were asked about: being free to say or write what one thinks or believes, to decide for oneself about religious, political, economic, cultural orientations, to form or to join any group, organization or association one wants, to decide whether or not to become involved into politics, etc. The large majority of the sample nuances its responses, by stating they indeed feel freer in the present than before. Hence, the respondents do make intrinsically – through their responses – the central distinction between negative and positive liberties³⁴. What they generally miss – or rather rank differently – is the importance of the two and the precedence, evident in the Western culture, of the former over the later. In the difficult years of an acerbic capitalism that followed after the communist breakdown and against the background of a specific political culture developed by the former regime and internalized by the population, a culture that clearly offered prevalence to social security to the detriment of individual freedom, better evaluating the common good over the particular interest of the individual, the large proportion of the Romanian population – out of which the sample was selected – displayed a terrible malaise towards the newly installed democracy. The respondents of the first sample, composed of workers to a bakery in Tecuci, tend to perceive the system of the free market economy as a species of “ferocious capitalism”, in which those few exploiting and robbing the bulk of the population and the “richness of the country” are the only successful ones, in a mechanism in which social justice and the ideal of equality are neglected, disregarded, dishonoured. Communism was, after all, “a good idea badly implemented” (50% of the respondents) and its accomplishments for the now-impoverished classes were numerous and truly remarkable. The great number of the interviewees’ accounts point to the fact that “during the Ceaușescu regime, every single individual had a job”, as compared to the current

context in which 7.3% of the population is unemployed. Concerning the first sample, composed of middle-aged workers in a bakery from a small town, one would be immediately inclined to assess that such respondents lived wonderfully during the “golden era” of Ceaușescu’s rule. Drawing exclusively from their accounts on the recent past during the interviews, every observer tends to reason that such an assertion is verifiable and justifiable and might prove to be correct. However, one should start from the premise that none of the respondents, be they workers in a small town or high school teachers in a big city, can detachedly provide an objective account on the past, with a permanent tendency towards coldblooded analysis. Rather, people have to be convinced that what they actually lived was a repressive, criminal, illegitimate and illegal regime. Convincing one individual who lived half or more than half of his life under dictatorship, that dictatorship is contrary to fundamental human rights, contrary to the human nature itself is an unnecessary, futile Sisyphus’s task, simply because perceptions upon which pieces of oral history are constructed are well-entrenched, unbreakable structures in the mental construction of an individual. In this sense, it is even harder to explain to the interviewees of the first sample, for instance, about the sufferings of the alleged “enemies of the people” during the Stalinist-styled repression, for such stories and explanations seem so foreign to them, like being detached from another period. The general conclusion among the respondents regarding this particular aspect – *i.e.* that of the communist repression – is that the stories on the victims of repression and their sufferings are “highly overrated” and “exaggerated”³⁵; moreover, according to the responses received, the victims bear a guilt of having incited the authorities through their provocative attitude, of having practically self-inflicted their sufferings and hardships. The extent of the regime’s repression and oppression is refuted, negated, and its victims are repudiated in the *imaginarium* of this study’s respondents. The situation is quite different in the case of cooptation and collaboration: the interviewees do admit the existence of such mechanisms of interaction between the regime and its citizen and even tend to explain in bold and rich details the fashion in which these processes took place. One can also take into consideration the expectations the subjects in the first sample bore during the communist dictatorship and the evolution of these expectations up to the present moment, in a market economy, in a still consolidating democracy. For once, one cannot argumentatively sustain that this first group of the inquiry – the workers in a small town –, exactly like many others who tend to positively evaluate the recent past, forgot the atrocities of the repressive regime they lived under for half a century. They simply did not experience them. Instead, for whatever reason, they fail to mention the short – as well as propagandistic – TV programme, the constant threat of being arrested for any negative remark towards the government, the inaccessibility of the much praised Western culture and way of life, the daily queues, etc. In the interviewees’ recollections of the past, such fragments were expurgated – consciously or unconsciously –, and the communist “landscape” is colored accordingly, bright and shiny in these people’s memories. They are ordinary people, of no high aspirations, expressing no significant or great expectation during state socialism: for instance, since there was no interest and no desire for them to travel abroad, the right to free move being constantly infringed by state socialism was no headache for them. Hence, in a largely restrictive context, this group was provided by the regime according to the expectations it yielded. This was particularly the case starting with mid-60s up to the second half of the 80s. People were generally satisfied and pleased with what the regime offered them in terms of both negative freedoms, but most importantly, of social security. One should also consider the fact that, for older generations, the “modernizing-nationalizing communist dictatorship”³⁶ in Romania was modernizing indeed, in the sense that it went beyond the expectations of the lower classes, of the workers specifically. During the last years of communist rule, when the overall living standards dramatically decreased, informal relations, linkages, connections and interpersonal networks were put into

practice. These mechanisms lied at the basis of a quite peculiar fashion of evading the hardships imposed by the regime, especially in the case of rationed food and gas. The interviewees describe a sort of incipient “second economy”, in which exchange of goods was illegally pursued through well-established acquaintances in “strategic” places (shops, town-halls, inspectorships, etc.) that would facilitate the life under the last half a decade of state socialism. Some interviewees proudly assured the interviewer they had never queued for anything, the food and gas rationing at the end of the 80s had not affected them for a moment. The interviewer even felt a sense of contempt in their tone for those “who did not know to carry it off well”, “the stupid ones” who actually queued. Subsequently, when the discussions with the elements of the two samples developed and became customary, the majority of them acknowledged that they had queued for “yogurt and milk since 1984”.³⁷ (Even admitting the queues, many of them have not considered this practice as an infringement of the regime in their basic individual rights, simply because part of them, the older ones, had also experienced the wartime in their early childhood and, hence, “everything was better than the period spent at my mother’s house”³⁸.) During the interview, the student-researcher ventured in an exercise, for establishing the interviewees’ perceptions regarding official comparative studies on the former and the current socio-economic situation in Romania. In this sense, a study conducted by the International Work Bureau³⁹, demonstrating the fact that the salaries on different occupational (professional) categories remained largely the same to those in the 70s (taking as a referential point the exchange rate of the US dollar), was employed, and the respondents’ opinion was asked concerning the findings of the said study. Vigorous and passionate debate was stirred by this inquiry and its results: the reliability of the entire study, together with the expertise of the researchers elaborating it, were immediately and vividly questioned and contested by a significant part of the first group, while the second sample remained largely balanced in “pros and cons” references regarding the study. One can penetrate, nevertheless, from the attitudes displayed during the exercise and from the overall interview, a sense of profound socio-economic frustration in the case of both samples. One should take into consideration that the members of the lower social classes manifest a greater degree of frustration: it became clear that the workers in the bakery, especially the elder ones, hold more vehement attitudes towards the present economic situation. In perceiving nostalgia as a response to socio-political inefficiency of the transitional regime – as opposed to nostalgia as a natural phenomenon inherent in any society which retrospects to an “*ancien régime*” and immanent to an individual pendulating between two facets of reality –, the main independent variable shifts from age to social and economic status. The socio-economic identification becomes central in this understanding of nostalgia as externally-generated mechanism of remembrance, coupled with the sense of geographical identification discussed above. Hence, the generational cleavage, the conflict between “old” and “young”, changes in the conflict between “the losers” and “the winners” of the new regimes, between the “*nouveaux riches*” and the “*nouveaux pauvres*”, emerging in the period of democratization. From the interviews and the responses received to the questionnaire, a general perception in this sense can easily be noticed: the number of rich individuals has increased in the last twenty years, but paradoxically so did the number of those whose living standard has gradually deteriorated. While some have rapidly adapted themselves to the new economic rules of free market, others have failed to do so. Therefore, the social gap has widened and the economic differences between social classes and categories (in terms of wages and incomes) have considerably increased, becoming conspicuous. The image of the two communist leaders is ambivalent in the mindset of the respondents. Perceptions of the two leaders were considered in the questionnaire because, as a rule, the nostalgic feelings of individuals are directed towards a strong leader, whose figure had been augmented by a well-conducted cult of personality. The fashion in which people refer

to the leader of the *ancien régime* is instrumental in measuring the degree and the type of nostalgia those people actually display. For the young ones, a lack of information on the topic and misleading accounts of their parents are obviously transpiring from their answers to the questions on Gheorghe Gheorghiu-Dej and Nicolae Ceaușescu. Though all of them know who the persons bearing these names were, 92.85% and 78.57% consider that Gheorghiu-Dej and Ceaușescu, respectively, did both good and bad things for the country; the figures indicate clearly an ambiguity sprung from lack of knowledge and distorted images transmitted in the family. But the ambivalent, dualist character of the leader maintains in the opinions of the middle-aged and of the older respondents: 45.45% and 63.63% of the respondents between 35 to 55 years old from both samples and 33.33% and 100% of the respondents older than 55 years old believe that Gheorghe Gheorghiu-Dej and Nicolae Ceaușescu, respectively, did both good and bad things as Romania's leaders. What is surprising is the respondents' attitude regarding the manner in which the democratic state should deal with the recent past. A significant proportion of those questioned (in the first sample, 50% find it very important and 50% important; in the second sample, 57.14% evaluated it as very important and 42.85% as important) acknowledges the imperative of introducing the study of the history of communism in schools, regardless of their actual attitude towards the communist past. It should be also noticed that the exclusive group of the "nostalgic-restorers" is rather prudent and cautious with respect to the necessity of teaching the history of Romanian communism in the public system of education, since, it would presumably imply that an entire "nation" is made responsible of the communist crimes: teaching the lesson of Romanian state socialism is not a means of dealing with the past, by acknowledging the historical reality and assuming responsibility for a problematic legacy, but rather a way of imposing collective guilt. Otherwise, the respondents declared themselves in favor of a series of policies specific to transition and to the process of democratization, that are meant to provide closure to the victims of oppressive totalitarianism, reconciliation between victims of repression and communist perpetrators (mainly the Party *nomenklatura* and the *Securitatea* cadres), eventually to provide the peaceful reckoning with the recent past. Concretely, these policies and transitional justice measures refer to the passing and application of a lustration law (or "vetting" legislation), to the founding of a National Museum of the Communist Dictatorship in Romania, to the annual celebration of a "Day for the Commemoration of the Victims of the Romanian Communist Regime", the founding of an Institute for Researching the Communist Crimes and Abuses, etc. The considerable majority of the respondents in the two samples supports such policies, despite some marked nostalgic references in the interviews. Though this situation is definitely paradoxical and confusing by its clear contradiction, these last attitudes, *i.e.* approving, being in favor or, at least, not denying the above policies, represent probably the only sound ones for a healthy transition to democracy – in terms of transitional justice and the politics of remembrance. The domains in which state socialism had a positive impact are generally indicated as being economy (especially for the respondents in the first group, 25% of the responses) and education (particularly for the units of the second sample and due to the fact that they work within the educational system, their evaluations are prone to concern this field, a similar 25% of the responses). 31.25% of the respondents in each of the two samples pointed to the international position of Romania as state socialism's most positive aspect. The negative implications of the defunct regime are to be found, according to the responses, in the field of internal affairs (33.33% of the respondents in the first sample) and with respect to the position of the individual within the society (the same 33.33% of the responses in the second sample). While the second answer is self-evident, explanations regarding the preference for the first response are outside the reach of this study, though it might be intriguing the fact that the interviewees in the first sample preferred such a response against allegedly more pertinent ones, such as "the position of the

individual within the society". In addition, many of the responses point to the Soviet Union and to the great Western powers as those entities having the decisive role in the installation of state socialism in Romania following the Second World War; the role of the Romanian Communist Party is, as official historical accounts tend to favor as well, refuted or neglected. So it is the role of the Romanian population in the Communist seizure of power. Most of the respondents in the middle-aged sub-sample (45.45%) admit the fact that they are little informed about the history of Romanian communism, that they rarely speak about communism in the family, with their coworkers or with their friends. They recognize the importance of teaching about history of communism in Romania (some 72.72% find it indeed quite important), since they themselves have drawn their feeble knowledge on the topic from school – expectedly, they had learned a completely different "history" than the one to be taught today regarding communism – and from films and documentaries. As opposed to the younger interviewees, the middle-aged respondents attribute an average grade of 7 out of 10 for the former socialist economic system, planned and centralized, a 5 out of 10 for the present market-economy system and a 4 out of 10 for the future economic evolution of the country; the evaluations regarding the political systems are equally pessimistic, as the same is applied for the general evaluation of the political regime: an average of 5 out of 10 dominates the appreciations of the middle-aged respondents (*i.e.* for the political system between 1948 and 1989, for the communist regime, for the present democratic regime, for the future evolution of the political regime in 5 to 10 years); today's political system is evaluated at 4 out of 10, while the future evolution of the Romanian political system receives a 6 out of 10. It is important to note that, employing the age as independent variable, one can observe that, generally, the middle-aged respondents (6) are slightly more optimistic in their evaluation of the future evolution of the political system than the younger ones (4.25); this thin discrepancy can be explained by a general trust and hope older generations nurture towards the younger ones and to the latter's capacity to operate change in leadership and society. The young ones are usually more reluctant when it comes to their actual ability – and willingness – to trigger positive, beneficial transformations. Also, having lived the communist times (especially, the last years), the middle-aged perceive the manner in which democracy functions presently in Romania as satisfactory, while the majority of youngsters participating in the survey (50%) evaluate the fashion in which the Romanian democracy functions as not very satisfactory (35.71%) and unsatisfactory (14.28%). As it is, younger generations bear higher aspirations regarding the course of democracy and its efficiency than the older ones. There is also another observation to consider: nostalgia might be not necessarily and exclusively a popular response to the failure of transitional democracies to generate welfare, as it could have been seen predominantly from the interviews, but also from questioning the two samples (with a special emphasis on the one from Tecuci, where this externally-generated nostalgia is evident and overwhelming). It might be as well a clear proof of a legitimization crisis, *i.e.* the impossibility, the inability of the present political leadership to impose itself against the remote, obsolete figures of the communist dictatorship. The above political references – to Stalin, to Vlad the Impaler, etc. –, coupled with the positive (or, at best, ambivalent) evaluations the two communist dictators still enjoy among the respondents, translate the incapacity of nowadays' democratic leaders to replace, in the popular mindsets, the image of an autocratic, "iron hand" leader, perceived by the radical nostalgics as the only salvation to the decadence and the poverty that dominate the present. Cases of high-level corruption (many of the respondents in the two samples denounced corruption as one of the major perils of today's Romanian developing democracy), a perceived acute elite-masses dichotomy (in which the former enjoy too many privileges and immunities and distance themselves too much from the "*vulg*", from the commoners; 42.85% of the respondents in the first sample and 14.28% in the second sample understand politics as an activity

reserved to elites, in which the ordinary citizen has only a marginal, rather insignificant role), too complex and complicated democratic procedures (unreachable and largely incomprehensible for the general public, as the responses among the two samples have confirmed) – all these, and many other, flaws of transitional democracy determine its own crisis of legitimacy in the public eye. Nostalgia, through its selective memory of the past, through its escapism, passivism and fatalistic façade, becomes an alternative in this context, generating, in turn, disappointment expressed in low levels of electoral turnout, disinterest in and a passive stance concerning the public (*i.e.* political) sphere, and a general distrust in the relationship between citizens and authorities (all the respondents in both samples declared a low to very low trust in authorities). It is important to notice that, while nostalgia can install quickly and easily, being the most general and natural sentiment that follows dissatisfaction and disappointment with the existing regime – excepting, probably, revolt and violence –, a considerable segment of the respondents, particularly in the second sample (drawn from the city among those pursuing largely intellectual activities: students, teachers, 64.28% of the responses), but in the first sample as well (78.57% of the respondents), do not manifest conspicuously a desire towards communist restoration, probably because they are active persons in economic terms and their views are, thusly, moderate. It seems that the most powerful images from the landscape of the defunct regime, to which the respondents feel emotionally attached to, refer to the private life rather than the public life (only 11.53% of the respondents feel emotionally linked to public manifestations, national celebrations, cene, parades, etc., where participation was more often than not compulsory). Those memories that are affectively charged are connected to the general atmosphere at the workplace, to those benefits outside the immediate sphere of work (wage bonuses, for instance): excursions, trips within the country, vacations, etc. 53.84% of the respondents in the first sample and 30.76% of the respondents in the second sample found themselves affectively close to the sweet memory of a holiday to the seaside or at the mountains, or to the time spent in the town's/city's parks, zoos, cinemas, tea rooms, gas houses, etc., with the family. Hence, it might be assumed that the retreat within the private sphere – encouraged to some extent by the regime, during its last phase, and leading to the atomized society, to a communist paradoxical "*Gesellschaft*"⁴⁰ – and enjoying the material benefits of the private life generated, in the popular mindsets, a neglect towards the overall picture of the communist regime, towards its actual dangers and its illegitimate, illegal and criminal overtones. On these pieces of private life and happy family life, the remembrance of communism is constructed. Part of the present inquiry is dedicated to the general knowledge about communism the respondents possess; it could be hypothesized that some historical information could ponder the nostalgic outbursts. Becoming aware of the ravages of the communist rule can hamper the spread of wistful feelings and the desire of regime restoration. Some general questions regarding the extent to which people get informed about communism and the fashion in which this type of information manages to get disseminated were inserted with the purpose of measuring if knowledge on what communism actually represented is able to reduce or annihilate nostalgia or at least to alter the positive evaluation of the former regime. Hence, the respondents were asked about the entities involved in the installment of the communist regime in Romania, about the institutions implicated in the political repression, about the means and channels of information regarding communism, about the frequency of discussions about communism with family and friends, at school and at the workplace. Linear correlations based on the responses indicated a weak connection between the level of historical information one individual has on communism and his attitude on, his evaluation of the *ancien régime* ($r = 0.215$). Otherwise, 60.86% of the respondents in the first sample and 68.42% in the second one indicated the Soviet Union as being mainly responsible for the instauration of the communist regime in Romania, while 85.71% of the answers in each of the two samples

acknowledged the existence of repression in the period 1948-1989, indicating the *Securitate* (43% out of the total of responses) and the police ("*Miliția*") (29.23%) as the institutions conducting the communist repression in Romania. Averagely, mass-media is clearly dominant when it comes to the means of information about the recent past: 20% in the sample for Tecuci and 13.79% in the sample for Iași (mainly due to the large number of students participating in the survey, as compared to teachers). Pieces of information are drawn, as well, from books (8% in the first sample and 24.13% in the second one), films (24% and 13.79%), Internet (4% and 10.34%). Two agents with a marked role in socialization were introduced among the alternatives of response: family and school. The later was added in response to the high percentage of students within the second sample, that for Iași; indeed, the assumption verified itself, since 17.24% of the answers in the second sample indicated school as one of the most frequently used sources of information regarding the history of Romanian communism. The former (28% of the responses in the first sample, 20.68% in the second sample) is central for the topic inquired here, for it generally provides an already based account on communism, filtered through the glaze of subjectivity: it displays probably the greatest rate of biasness among the sources listed in the questionnaire. One can presuppose that acquiring information about the history of communism from a nostalgic family might directly lead, on the part of youngsters, to a positive evaluation of an un-lived past, of a dictatorial regime. It is commonsensical that the new generation of young nostalgic persons, presented above, emerged from primary political socialization within the family. For the selected samples, 27.77% of the young respondents in Iași drew their knowledge of communist history from the family. This proportion should be correlated with the frequency of discussions on communism within the family (7.14% of the respondents in the first sample and 21.42% in the second sample discuss quite frequently and frequently about the topic). Generally, the respondents tend to neglect the topic of communist past in their current discussions with friends (92.85% in the first sample and 85.71% in the second sample discuss it rarely to never), at school or at the workplace (rarely to never at all for 100% in both the sample of Tecuci and the sample of Iași). Probably, this is the reason why the large majority of the respondents, particularly in the first sample (92.85%), but significant in the sample for Iași, as well (78.57%), feel rather uninformed or little informed regarding the history of communism in Romania. A lack of information in respect to the recent past becomes the preliminary step in constructing a misleading image on the same past. Where knowledge lacks, nostalgia takes place.

Final Remarks and Conclusions

The observations drawn from the interviews and the data gathered through the written questionnaires hardly can verify the dependency of the levels of nostalgic feelings to a specific geographical identification. It is true, from the responses, one can distinguish a different mindset, a different fashion of perceiving the recent past, the current situation and the future in terms of political and socio-economic perspectives. The easiest to grasp is a deeper sense of socio-economic frustration among the respondents in the small town, as compared to the ones living in the city, especially due to the discrepancy of economical opportunities the two urban entities can offer. A deep psychological depression would rather characterize some of the respondents – particularly workers, middle-aged, living in the small town, with no links to the surrounding rural area, hence living exclusively out of the monthly salary –; this specific group presents a special case of nostalgia towards the *ancien régime*, a nostalgia mixed with the painful acknowledgement of its falling social status and economic condition and its effete morale. Through a low salary, through the general disrespect displayed by the employer towards their work, through the dissolution of social unity among the workers, through the disappearance of trade unionism in their professional field, through

the overall decrease in importance of their handicraft, skills or profession for the economy, the people in this category continue to see themselves as persistently undermined by an economic and political system which, by being incapable to provide for them and to respect their social and economic rights – paramount for the social class to which they belong and so cherished (at least declaratively) by the communist regime –, neglects and even breaches their civil and political rights. Observing the challenges posed on the consolidating democracies of East-Central Europe by the socio-economic disparities of postcommunism, Claus Offe explains this attitude at the grassroots: “[P]eople do not want to wait until the blessings of the market economy reach them too and the shock waves of the transition have subsided. And nor are they willing to see the new economic elites (which may often be composed of elements of the old ones) becoming rich at their expense. In this mixture of fear, resentment and envy they are encouraged by their own dispositions acquired under the old regime, as well as by the interested parties in the ‘conservative’ circles of the old political elites.”⁴¹ Generally, the middle-aged represent the generation born, educated, schooled and trained under communist rule, one of those generations which, during the first years of transition, missed the opportunity to radically change their existence by rapidly and efficiently adapting to the new rules of market economy. The acknowledgement of this failure – the respondents in this category speak of a “moment of grace” at the beginning of the 90s, a missed turning point – adds to the overall discouraged and pessimistic attitude towards the present and the future. For such a type of nostalgic, what lacks is the security for tomorrow, equality in social-economic terms, the state providing welfare for its citizens and at least the promise of social justice. What annoys this group of people is the disappearance of that society “in which a labour market is unknown and the overwhelming majority of the adult population consist of so-called *Werkstätige* (working people [...]) with similar incomes and uniformly regulated educational, housing and living standards, competitive democracy lacks, due to this ‘atomized’ social structure of ‘repressed difference’ [...]”; of that society in which the ordinary citizen did not have to bother himself with the complexities and subtleties of democratic procedure (57.14% of the respondents in the first sample and 21.42% of the respondents in the second sample sincerely confessed the fact that the complicated democratic procedures pose significant difficulties for their full comprehension). The very idea that a human being must individually and freely pursue the way in which he wants to live (especially from a social and economic standpoint) is still puzzling and confusing for many respondents: 69.23% in the first sample and 71.42% in the second sample consider that the state should provide a job, housing, in a nutshell social security; for this group of respondents, the model of the minimal state is virtually inconceivable. Conversely, the state should be in every domain of citizen’s life, the state should be the paradigm of “supervisor, arbiter, entrepreneur and initiator”⁴² at the same time: every large-scale investment or activity in economy should still be carried out by the state, hence, social engineering and economic development is exclusively the task of the state; the state is still perceived as bearing discretionary powers in the political realm and its authority is never really challenged, since, anyway, the ordinary citizens cannot significantly influence government policies and decisions, the elections are usually rigged, and politics is the parties’ appanage, whose leaders are the ones to take the really important decisions; moreover, state authority is seen to be underpinned by a very complex bureaucratic apparatus and, since procedures and rules are rather complex and complicated, their manipulation for achieving personal interests (corruption, favoritism, patronage politics, clientelism, nepotism, peculation of public money, etc.) flourish in a system characterized by the interviewees by excessive legalism, but with no internalized norms and relations of legal-rational and democratic fashion. This is the general representation of the political system after 1989 constructed in the *imaginarium* of a specific group of respondents, that one can grasp from the answers delivered in the questionnaire. The overall

perspective of taking risks (because, after all, this is how “capitalism” can better be described) is equally foreign and dangerous for this group of respondents, while “communism” is remembered of having allowed men to live decently without them taking risks. In addition, since all men received approximately the same salaries, no social disparities, discrepancies and inequalities were possible. Hence, according to these responses, exactly that “repressed difference”, which Schöpflin writes about, is one important gain of the defunct regime that was tragically lost after 1989: nowadays, the future is unsecure, blurred, unclear, nebulous. Actually, the geographical identification acts rather as a secondary independent variable, as an aggravating factor for communist nostalgia. It affected a series of preconditions (e.g. the extent of repression, the relations between the inhabitants and the communist authorities, the relations at school, at the workplace, the actual degree of material hardships during the last years of dictatorship, etc.) that favored, after the fall of the regime, the evaluations of the recent past of ordinary individuals. Its influence is felt in some of the responses (for instance, asked whether or not the high echelons of the Party had benefited of a range of privileges as compared to the bulk of the population, the respondents provided disproportionately answers that linked them to their geographical provenience: 64.28% answered affirmatively in the sample for Tecuci, while 71.42% answered the same in the sample from Iași). But, generally, the geographical identification proves less pertinent as an independent variable in measuring citizens’ positive evaluations of the past or the desire for regime restoration. It might, indeed, have an irrefutable impact on the everyday life of individuals under state socialism, on the social satisfaction, economical conditions and the living standard of the inhabitants in today’s Romania, and, eventually, on some particular sentiments in respect to the past, present and future; but, it remains surpassed in relevance by other, more significant, independent variables for researching communist nostalgia (*i.e.* age, educational level, socio-economic status, etc.). In addition, one can refer to differences in experiencing and evaluating the communist past, relative to geographical identification, when discussing the extent of informal networks within the dynamics of the “second economy” (or “black economy”) and the mechanisms of favours and nepotism. Such informal constructs were dominant and clearly more prominent in the small towns, in small-to-medium communities. Naturally, an analysis of the data gathered through the questionnaires and the interviews drawn from two small samples presenting marked differences in terms of social-economic (*i.e.* workers, on the one hand, and students and high school teachers, on the other hand) and geographical (*i.e.* the small town of Tecuci vs. the biggest city of Moldavia, Iași) identifications, would result in the generalizing conjecture that the Romanian population, imbued with the “nostalgic neurosis”, is both confused and insolent to the level of masochism, since it desires a communist restoration in which it was constantly humiliated, abused, oppressed, repressed. By analyzing exclusively the data collected through the interviews, the evidences might seem either shocking or warring for a sound mind. As Jean Starobiski observed in a 1966’ study, nostalgia is, after all, “a disorder of the imagination”⁴³, incurable illness of the spirit. But, this is not to say that entire populations of Eastern, Southern and Central Europe are mad in their awkward nostalgia; the oral interviews were meant to nuance the black-and-white perspective on the past and the present sketched in the short answers to the questionnaire. Engaged in an interview, the respondents are inclined to in-depth reflection about their actual situation during state socialism and in democracy. The conclusions they reach are rather different from the answers in the questionnaire; their attitudes are rather moderate, their posture – relaxed. This observation holds true especially for the middle-aged who are less radical in their approach towards the past (they were only 15 to 25 years old in 1989, too young to construct a coherent political affiliation or undertaking) and who tend to reformulate their arguments towards the “golden (communist) past” and the “dark (capitalist) present” when asked about episodes which are representative to their view on communist

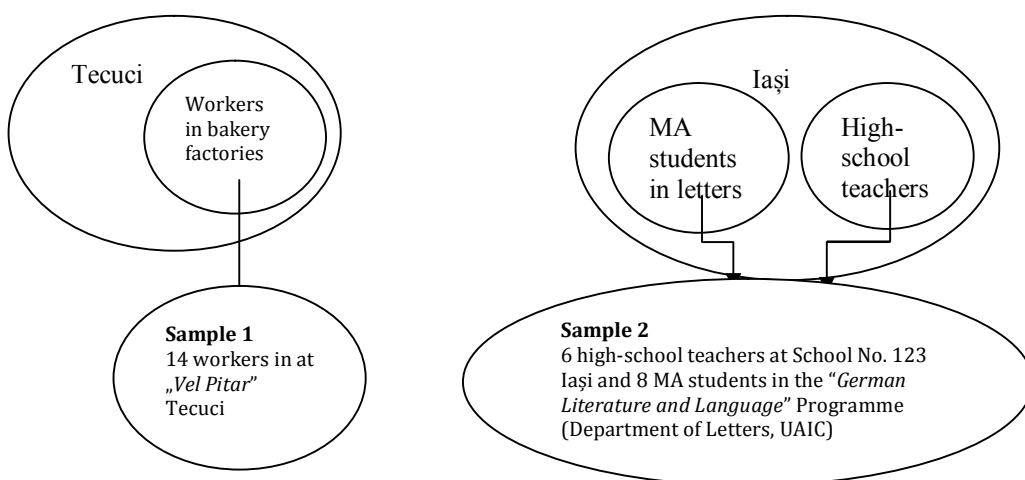
realities. Increasingly, what Rossen Vassilev describes for the Eastern European countries as “the Soviet chic” finds an awkward peculiarity in the Romanian case, even after more than twenty years since the regime change, in the conditions of a truly problematic socio-economic situation among the Romanian citizens: “There is a great disillusionment with the failed promises of the 1989 revolutions, which have brought a rapid decline in living standards for the majority of former Communist citizens. The widespread exasperation with the impoverishment, corruption, street crime and general social chaos that have accompanied the transition to market-oriented capitalism and Western-style democracy has produced a growing nostalgia for the Communist past among many ordinary people (who are not part of their countries’ new cosmopolitan and pro-Western elites), as they look back with increasing fondness to the ‘good old times’ of Communism – a disturbing trend across the region popularly known as the ‘Soviet chic’.”⁴⁴ Vassilev’s explanation is instrumental in describing the symptomatic features of the majority of the respondents in the first sample. The findings of the present study tends to contradict Romanian sociologist Dumitru Sandu’s explanations that “those who [feel] communist nostalgia are neither older nor less educated, nor poorer, [but they are] those who had lived a privileged life during the communist regime”⁴⁵. The administered questionnaire and the interviews partly refute this opinion. It has been observed that the respondents who displayed the most powerful nostalgic sentiments are those in the first sample, the representatives of middle-aged, of lower and lower-middle classes (*i.e.* workers in a bakery), with relatively reduced wages, bearing a problematic, generally cast aside social status, inhabitants of a small town, confronting the feeling of being trapped in a totally disadvantageous space, with no opportunities to pursue, lacking any perspective of socio-economic improvement or advance. Therefore, it might be concluded that the profile of nostalgic is liable to include those older – or, more exactly and frequently, middle-aged –, less educated, poorer individuals. One might add to this repertoire of features the belonging to small-to-medium towns, that are usually disregarded as provincial spaces. In the contemporary era, history means not necessarily a strict systematization, a clear valorization and a scientific operationalization of concepts and dates, carefully and methodically accumulated for the common knowledge of humanity, but rather an appeal to the collective memory of common people, be they witnesses, bystanders, perpetrators, victims, survivors, etc. Though the limitations and the numerous drawbacks of composing histories on collective memory were constantly and persistently voiced by historians (the incomplete, amnesiac, or excessive accounts, contradictory or, conversely, too congruent in constructing a specific representation of the events, the countless subjective motivations, the inner resorts, that drive an individual in presenting a certain kind of story, etc.), judgemental considerations are by no means foreign to historians themselves either. Guilty of having committed arbitrariness and subjectivism under the beautiful disguise of apparently irrefutable evidence and unbeatable arguments, “official” histories, *i.e.* the consecrated, largely accepted, versions of the story, are hardly less biased or jaundiced than the results of oral historical inquiries, and rarely more righteous to all the participants to a historical event. Nevertheless, simply by being “official” and scientifically-based, they hold the legitimacy necessary to explain some actors’ motivations and justifications behind decisions that are bound to change the course of history (if such a “course” exists). Hence, while official historical accounts have the merit of storing about decisions which mark implacably the lives of millions of human beings, oral histories retain the “privilege” of telling the story of those whose lives were influenced by great resolutions, those individuals whose personal decisions affected a quite limited number of other individuals. Moreover, what is peculiar to this kind of historical exercises are exactly their disclosed subjective nature, their individualized character, the beautifulness and the specific color of the language in which memories of personally-felt historic or personal episodes are voiced: it is the often lost significance of the special feeling of a lived, physically and emotionally,

event, that stands as a *nota bene* for emanations of oral history; this sentiment is, indeed, fractured, repressed, substituted, mixed or blended together, even neglected by official pieces of historiography. The discrepancies between the two types of accounts are more often than not troubling, perplexing, warring or disturbing for historians and social researchers, as one may easily see from the inquiry above. But this is how memory works: a mixture of recollections, blended in an original and personal fashion, a mixture in which historical “truth” (if such a “truth” exists, once again) only fragilely and discreetly gleams. The pieces of oral history the paper employs as the basis for its conclusions and observations might be, to some extent, disappointing for the reader: no amazing and fantastic stories are told, no lesson on brave survival and courageous resistance is taught. Both samples selected are deliberately composed of individuals outside the narrow minority of 3% of the Romanian society who considers itself personally affected by the *ancien régime*. Hence, the respondents are ordinary individuals who were part of the broad “gray zone” during state socialism.

A revival of the positive appreciations towards the defunct regime is not striking during socio-economic crises and recessions. Such a rebirth of nostalgia is clearly and irrefutably externally-generated and represents a response to social and economic hardships. Nevertheless, psychological factors (including biological and geographical dimensions), coupled with a poor knowledge of the communist past and its significance and implications are points in case. When dealing with nostalgic phenomena, one should take into consideration three main types of explanatory frameworks: (1) economic, (2) ideological and (3) experiential⁴⁶. While the present inquiry insisted on a largely economic explanatory model, the ideological explanation identifies the nostalgic individuals as those who “understood better something they had known”, those who resonated with the egalitarian ideal and with the *desideratum* of social justice. Finally, experiential explanations refer specifically to those who, according to their own evaluation, did not suffer any kind of state oppression/ repression during state socialism.

Annexes

1. The construction of the samples: samples of convenience



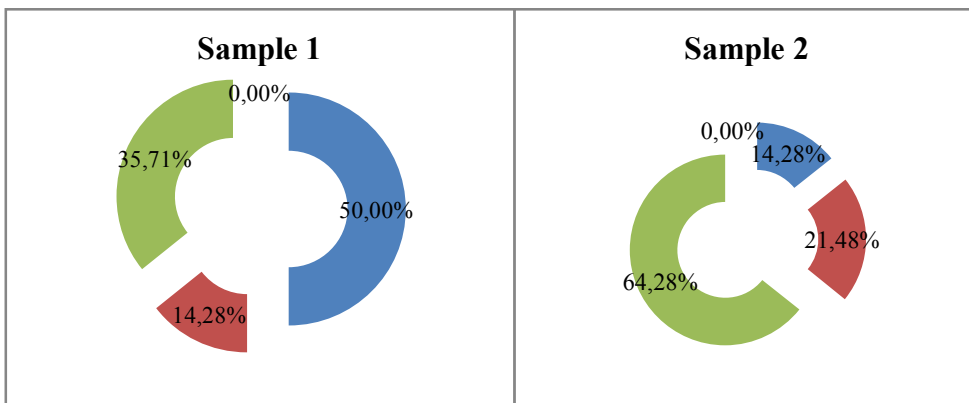
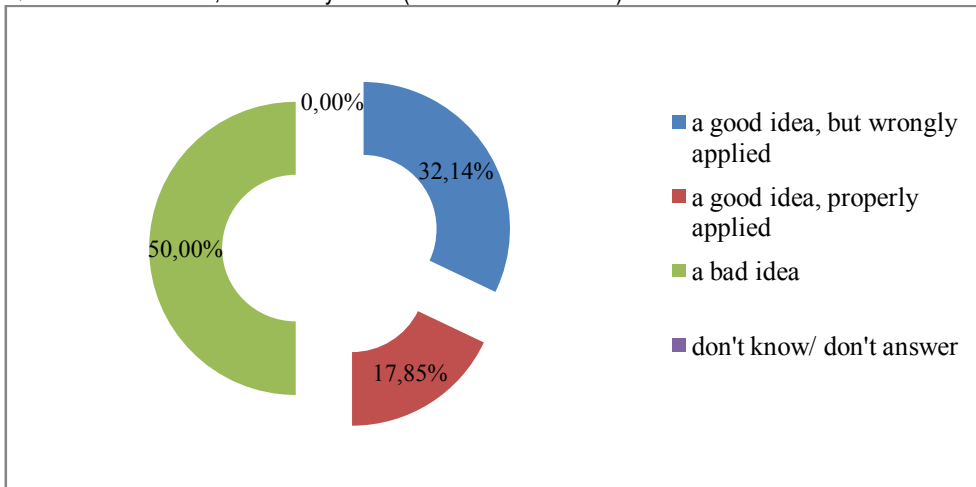
1.2. The structure of the samples

Geographical identification Occupation Educational background Age Gender

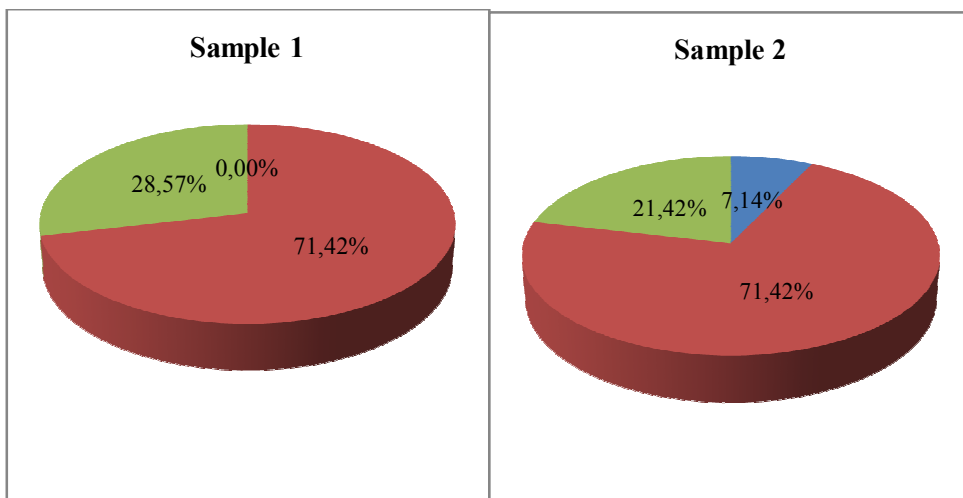
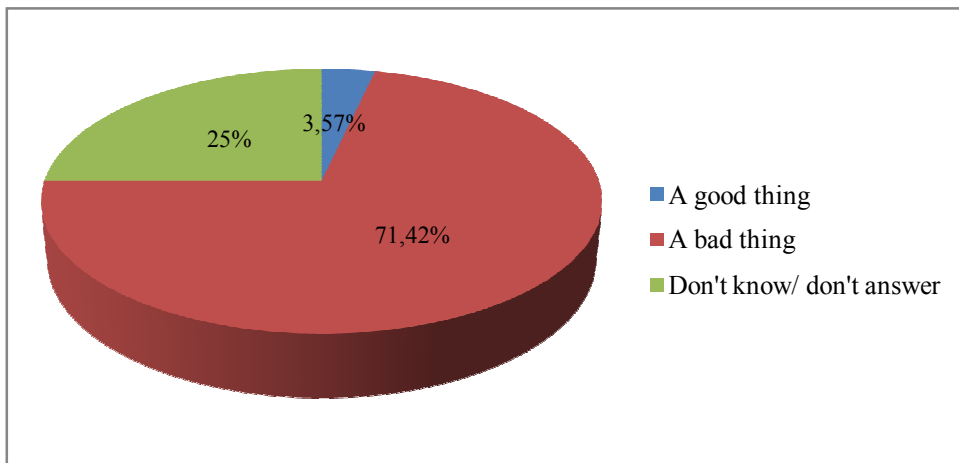
Sample 1	Tecuci – 14 respondents	workers in a bakery factory – 14	high-school studies – 6	14 to 35 years old – 6	male – 5
			professional studies – 8	36 to 55 years old – 5	female – 9
				more than 55 years old – 3	
Sample 2	Iași – 14 respondents	high-school teachers – 6 MA students – 8	university studies – 14	14 to 35 years old – 8	male – 5
				36 to 55 years old – 6	female – 9
				more than 55 years old – 0	

2. The general results of the questionnaire (below, the most relevant responses were codified into percentages; the totality of responses were codified in a SPSS database)

Q1: "About communism, one can say it was: (total no. of answers: 28)



Q4: Do you think that the installation of the communist regime in Romania at the end of WWII was... ?



Q17A and B: How would you think Gheorghe Gheorghiu-Dej and Nicolae Ceaușescu should be presented in the history textbooks? (a total no. of responses: 28)

		Gheorghe Gheorghiu-Dej				Nicolae Ceaușescu			
		as a man who did good things to Romania	as a man who did bad things to Romania	as a man who did both good and bad things to Romania	I don't know who Gheorghiu-Dej is	as a man who did good things to Romania	as a man who did bad things to Romania	as a man who did both good and bad things to Romania	I don't know who Ceaușescu is
Sample 1	18-35	0%	16.66%	83.33%	0%	0%	16.66%	83.33%	0%
	36-55	0%	40%	60%	0%	0%	40%	60%	0%
	over 55	0%	66.66%	33.33%	0%	0%	0%	100%	0%
Sample 2	18-35	0%	0%	100%	0%	12.5%	12.5%	75%	0%
	36-55	16.66%	50%	33.33%	0%	16.66%	33.33%	50%	0%

Q11, Q18A and B, Q19, Q20, Q21, Q22, Q22.1 refer to the “politics of memory” and “dealing with the past” in Romania. The results are as follows:

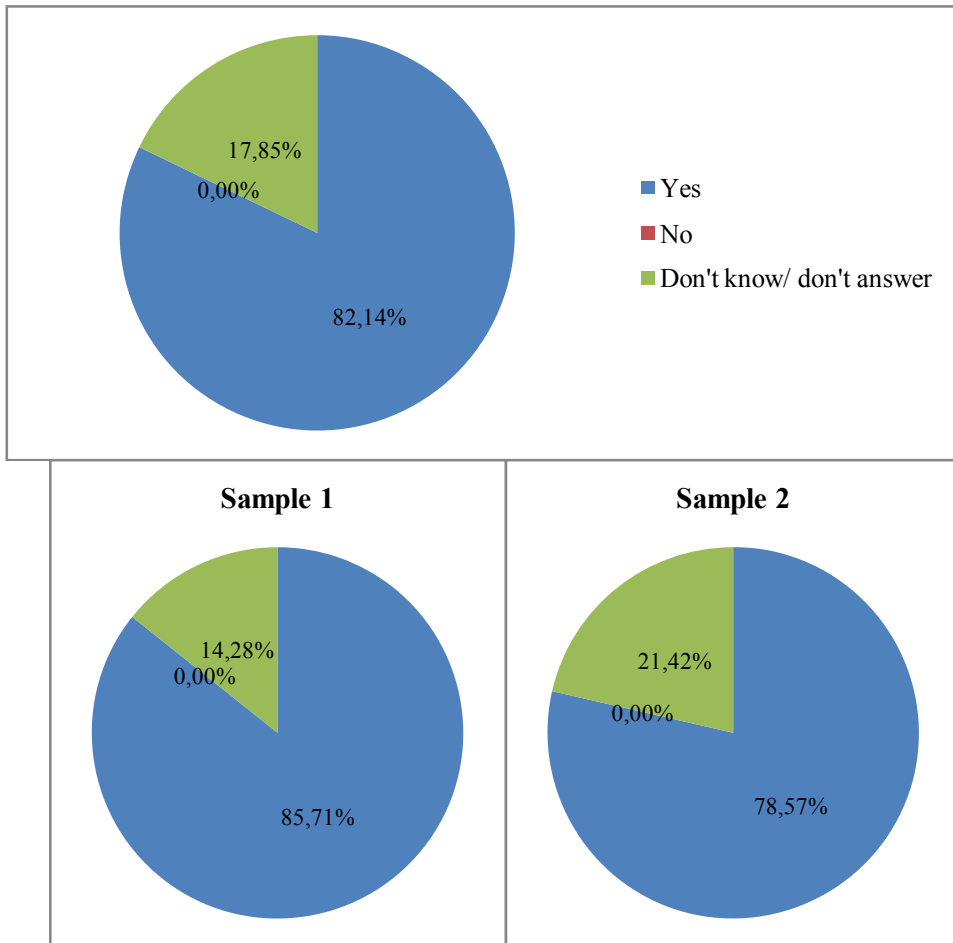
Q11: How important is for the pupils to learn in school about the history of communism in Romania ?

	Total	Sample 1	Sample 2
Quite important	53.57%	50%	57.14%
Important enough	46.42%	50%	42.85%
Not important enough	0%	0%	0%
Quite unimportant	0%	0%	0%
Don't know/ don't answer	0%	0%	0%

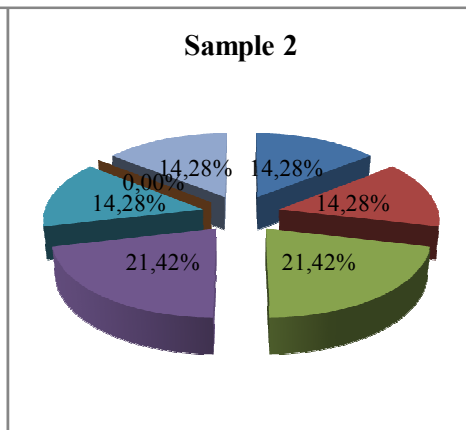
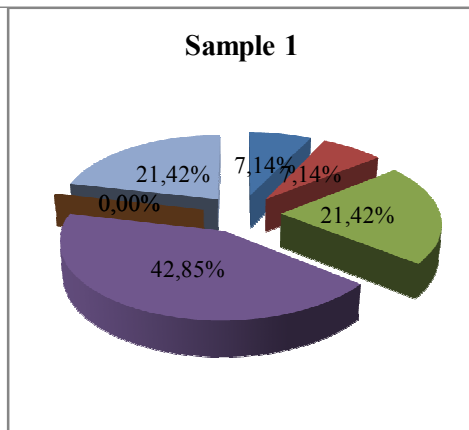
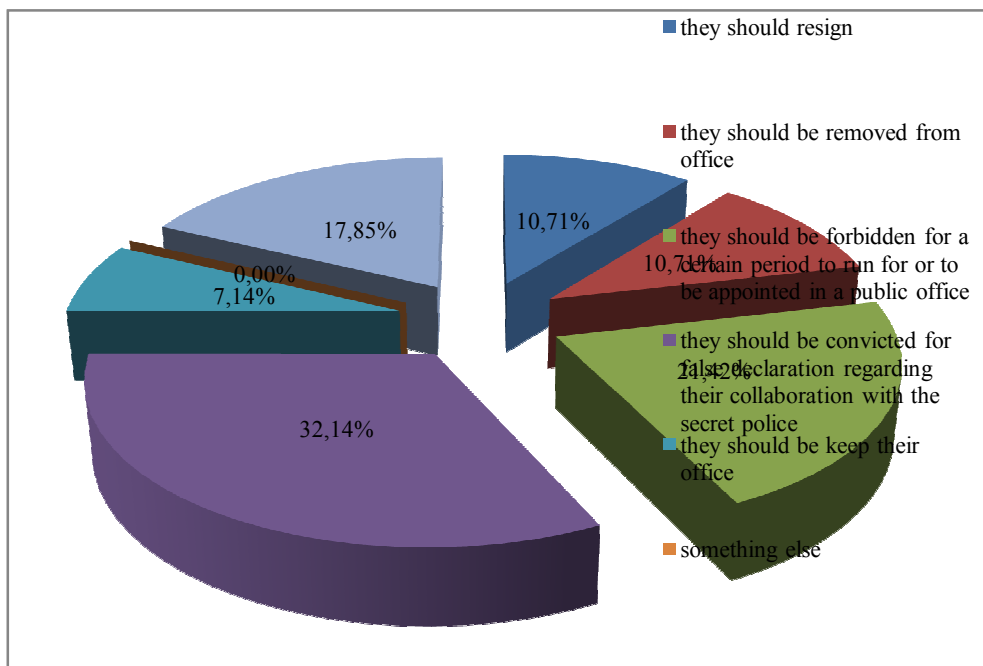
Q18A and B: How important do you think is ?

		the free access to <i>Securitate</i> files					the passing of the lustration law				
		quite important	important	less important	Un-important	Don't know/ don't answer	quite important	important	less important	unimportant	Don't know/ don't answer
Sample 1	18-35	0%	83.33%	16.66%	0%	0%	16.66%	16.66%	16.66%	0%	50%
	36-55	20%	60%	20%	0%	0%	40%	40%	0%	0%	20%
	over 55	33.33%	33.33%	33.33%	0%	0%	33.33%	66.66%	0%	0%	0%
Sample 2	18-35	50%	25%	0%	0%	25%	50%	25%	0%	0%	25%
	36-55	50%	16.66%	33.33%	0%	0%	33.33%	16.66%	33.33%	0%	16.66%

Q19: Do you think that the victims of the communist regime should receive compensations from the Romanian state ?



Q₂₀: What do you think it should happen with the persons who presently hold leadership public offices and about whom their collaboration with the *Securitate* was proven/ will be proven ?



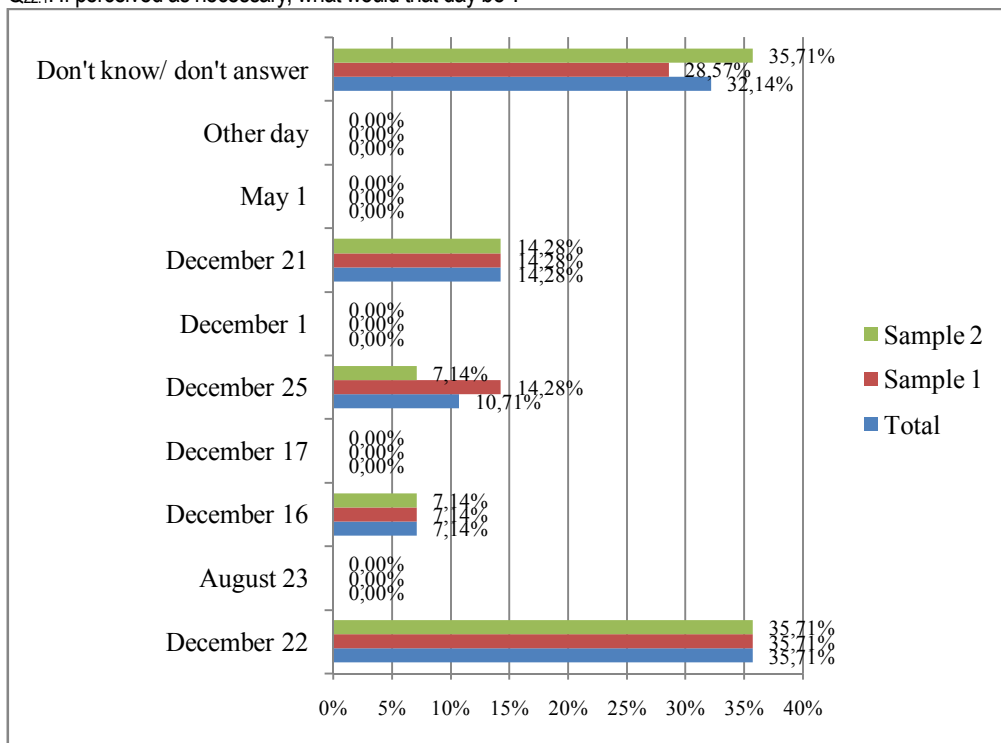
Q₂₁: Do you think a National Museum of the Communist Dictatorship in Romania would be necessary ?

Q₂₂: Do you think a National Day for the Commemoration of the Victims of the Communist Regime in Romania would be necessary ?

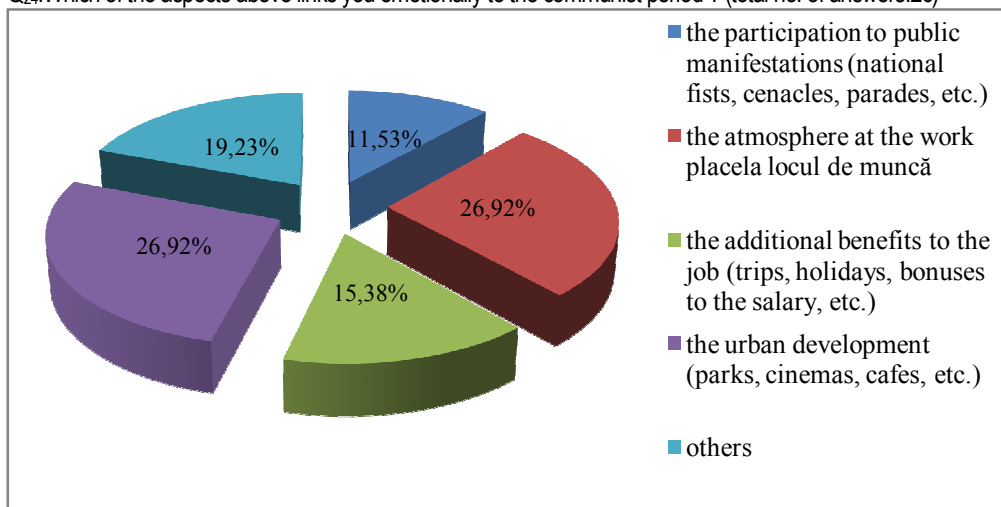
		a National Museum of the Communist Dictatorship in Romania			a National Day for the Commemoration of the Victims of the Communist Regime in Romania		
		Yes	No	Don't know/ don't answer	Yes	No	Don't know/ don't answer
Sample 1	18-35	83.33%	16.66%	0%	83.33%	16.66%	0%
	36-55	60%	20%	20%	80%	0%	20%
	over 55	33.33%	0%	66.66%	66.66%	0%	33.33%

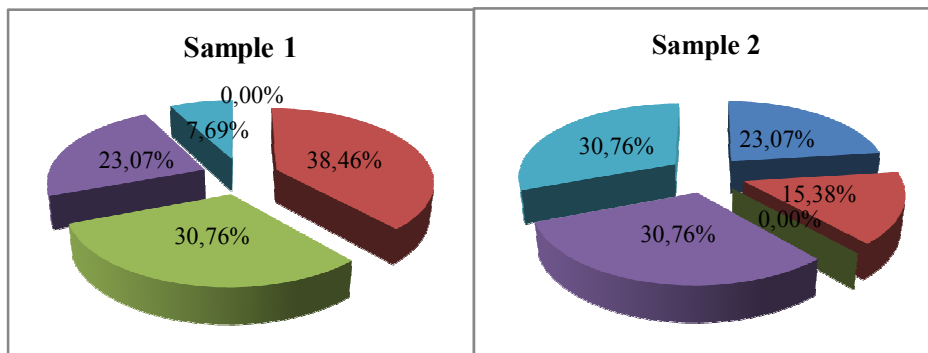
Sample 2	18-35	75%	12.5%	12.5%	75%	25%	0%
	36-55	83.33%	16.66%	0%	83.33%	16.66%	0%

Q22.1: If perceived as necessary, what would that day be ?



Q24: Which of the aspects above links you emotionally to the communist period ? (total no. of answers:26)





Correlations:

Q_{28.1, 28.2} and 28.3: From 1 to 10, how would you evaluate: (1) the socialist economic system, planned and centralized, in Romania, between 1948 and 1989 ?; (2) the present economic system in Romania (after 1989) ?; (3) the evolution of the economic system in Romania in 5-10 years ? (total no. of answers: 27)

Using the scheme proposed by Richard Rose, *op. cit.*, p. 7, according to the grades indicated in each of the three cases for each respondent, four types of respondents are to be identified as follows:

	Sample 1	Sample 2
“Pro-market” individuals (<i>i.e.</i> negative evaluation of the socialist economic system and positive evaluation of the present economic system)	1 – 7.14%	6 – 46.15%
“Nostalgic” individuals (<i>i.e.</i> positive evaluation of the socialist economic system and negative evaluation of the present economic system)	8 – 57.14%	3 – 23.07%
“Constantly negative” individuals (<i>i.e.</i> negative evaluation of both socialist and present economic systems)	2 – 14.28%	2 – 15.38%
“Positively indifferent” individuals (<i>i.e.</i> positive evaluation of both socialist and present economic systems)	3 – 21.42%	2 – 15.38%

* “Positive evaluation” was operationalized as the values upper than 5 on the scale 1-10. Conversely, “negative evaluation” was operationalized as the grades lower than 5 (including 5) on the scale 1-10.

Q_{28.4, 28.5} and 28.6: From 1 to 10, how would you evaluate: (4) the communist political system, in Romania, between 1948 and 1989 ?; (5) the present political system in Romania (after 1989) ?; (6) the evolution of the political system in Romania in 5-10 years ? (total no. of answers: 27)

Using the scheme proposed by Richard Rose, *op. cit.*, p. 15, according to the grades indicated in each of the three cases for each respondent, four types of respondents are to be identified as follows:

	Sample 1	Sample 2
“Democrats” or “prefer present to past” -individuals (<i>i.e.</i> negative evaluation of the communist political system and positive evaluation of the present political system)	2 – 14.28%	4 – 30.76%
“Reactionary” individuals (<i>i.e.</i> positive evaluation of the communist political system and negative evaluation of the	3 – 21.42%	2 – 15.38%

present political system)		
“ Skeptics ” (<i>i.e.</i> negative evaluation of both communist and present political systems)	5 – 35.71%	6 – 46.15%
“ Compliant ” individuals (<i>i.e.</i> positive evaluation of both communist and present political systems)	4 – 28.57%	1 – 7.69%

* “Positive evaluation” was operationalized as the values upper than 5 on the scale 1-10. Conversely, “negative evaluation” was operationalized as the grades lower than 5 (including 5) on the scale 1-10.

Using the scheme proposed by Richard Rose, *op. cit.*, p. 17, according to the grades indicated in the Q_{28.5} and Q_{28.6} for each respondent, three types of respondents are to be identified as follows (total no. of answers:27):

	Sample 1	Sample 2
“ Leading democrats ” (<i>i.e.</i> positive evaluation of both the present and the future political systems)	6 – 42.85%	5 – 38.46%
“ Lagging democrats ” (<i>i.e.</i> negative evaluation of the present political system and positive evaluation of the future political system)	3 – 21.42%	1 – 7.69%
“ Opponents ” (<i>i.e.</i> negative evaluation of the future political system)	5 – 35.71%	7 – 53.84%

* “Positive evaluation” was operationalized as the values upper than 5 on the scale 1-10. Conversely, “negative evaluation” was operationalized as the grades lower than 5 (including 5) on the scale 1-10.

Q₁₆ and 31: How do you think your/ your family’s socio-economic status changed after 1989 ?

With respect to your household, how would you evaluate your and your family’s socio-economic situation ?

Using the scheme proposed by Richard Rose, *op. cit.*, p. 10, according to the answers provided to the two questions above for each respondent, four types of respondents are to be identified as follows:

	Sample 1	Sample 2
Individuals with “ standards rising ” socio-economic situation (<i>i.e.</i> with a current economic situation changed for better after 1989)	1 – 7.14%	7 – 50%
Individuals with “ standards stable, satisfied ” socio-economic situation (<i>i.e.</i> with a current economic situation unchanged after 1989, and with satisfactory or very satisfactory current economic situation)	2 – 40% of those with “standards stable” in Sample 1 (and 14.28% of the total no. of answers)	2 – 40% of those with “standards stable” in Sample 2 (and 14.28% of the total no. of answers)
Individuals with “ standards stable, dissatisfied ” socio-economic situation (<i>i.e.</i> with a current economic situation unchanged after 1989, but with not quite satisfactory or very unsatisfactory current economic situation)	3 – 60% of those with “standards stable” in Sample 1 (and 21.42% of the total no. of answers)	3 – 60% of those with “standards stable” in Sample 2 (and 21.42% of the total no. of answers)
Individuals with “ standards falling ” socio-economic situation (<i>i.e.</i> with a current economic	8 – 57.14%	2 – 14.28%

situation changed for worse after 1989)		
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(total no. of answers: 28)

Q_{16,31} and Q_{32,1}: How do you think your/ your family's socio-economic status changed after 1989 ?
 With respect to your household, how would you evaluate your and your family's socio-economic situation ?
 How would you evaluate your and your family's socio-economic situation in 5-10 years ?
 Using the scheme proposed by Richard Rose, *op. cit.*, p. 10, according to the answers provided to the three questions above for each respondent, four (+one) types of respondents are to be identified as follows:

	Sample 1	Sample 2
Individuals with “ improving ” socio-economic situation (<i>i.e.</i> with a future economic situation changed for better)	5 – 35.71%	7 – 50%
Individuals with “ satisfactory ” socio-economic situation (<i>i.e.</i> “standards rising” or “stable, satisfied” presently and with a future economic situation unchanged)	1 – 7.14%	2 – 14.28%
Individuals with “ deteriorating ” socio-economic situation (<i>i.e.</i> “standards rising” or “stable, satisfied” presently and with a future economic situation changed for worse)	0 – 0%	2 – 14.28%
Individuals with “ continuing poor ” socio-economic situation (<i>i.e.</i> “standards stable, dissatisfied” or “standards falling” presently and with a future economic situation changed for worse)	3 – 21.42%	3 – 21.42%
Individuals with “ unsatisfactory ” socio-economic situation (<i>i.e.</i> “standards stable, dissatisfied” or “standards falling” present and with a future economic situation unchanged)	5 – 35.71%	0 – 0%

* The last category was introduced by the student-researcher as a response to the contexts encountered in the analysis of the questionnaires. (total no. of answers: 28)

Q_{34.1 A, B, and c}: If yes, what would that regime be ? (total no. of answers: 28)

		a communist restoration				renouncing to Parliament and to elections and the installation of a powerful leader capable of rapidly making decisions in whatever sphere				a military regime			
		I totally agree	I agree	I disagree	I totally disagree	I totally agree	I agree	I disagree	I totally disagree	I totally agree	I agree	I disagree	I totally disagree
Sample 1	18-35	0%	0%	66.66%	33.33%	0%	66.66%	33.33%	0%	0%	0%	33.33%	66.66%
	36-55	0%	0%	80%	20%	0%	20%	60%	20%	0%	0%	20%	80%
	over 55	0%	0%	100%	0%	0%	33.33%	66.66%	0%	0%	33.33%	66.66%	0%
Sample 2	18-35	0%	0%	50%	50%	0%	12.5%	75%	12.5%	0%	0%	50%	50%
	36-55	0%	0%	83.33%	16.66%	0%	33.33%	50%	16.66%	0%	0%	50%	50%

Q₅₄ and 55: Do you think that today people in Romania are afraid to say what they think to other people they don't know ?

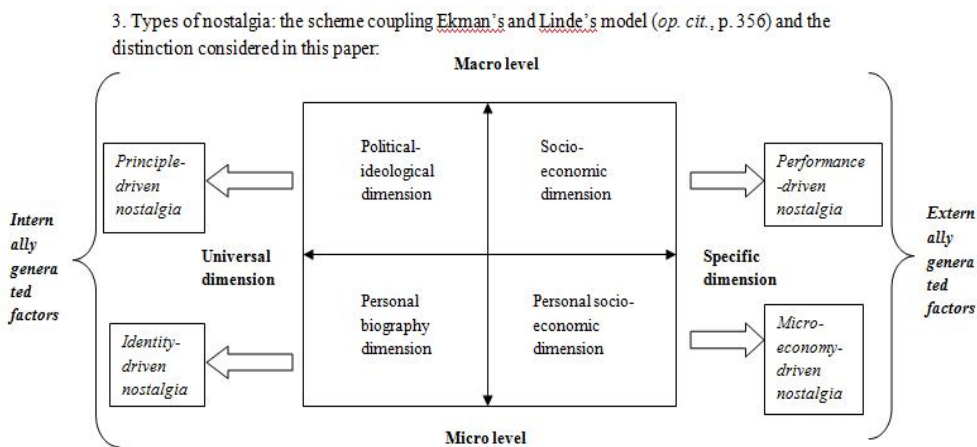
Generally, how would you evaluate your trust in public institutions ?

Using the scheme proposed by Richard Rose, *op. cit.*, p. 27, according to the answers provided to the two questions above for each respondent, five types of respondents are to be identified as follows:

	Sample 1	Sample 2
Individuals who "trust everyone" (<i>i.e.</i> who are not afraid to say what they think to strangers and have a lot of trust in public institutions)	0 – 0%	2 – 14.28%
Individuals who "trust only people" (<i>i.e.</i> who are not afraid to say what they think to strangers and have little to very little trust in public institutions)	7 – 50%	6 – 42.85%
"Distrustful" individuals (<i>i.e.</i> who are afraid to say what they think to strangers and have little to very little trust in public institutions)	4 – 28.57%	3 – 21.42%
"Deviant" type of individuals (<i>i.e.</i> who are afraid to say what they think to strangers and have a lot of trust in public institutions)	0 – 0%	0 – 0%
"Skeptical" type of individuals (or the "Don't know/ don't answer" type)	3 – 21.42%	3 – 21.42%

(total no. of answers: 28)

3. Types of nostalgia: the scheme coupling Ekman's and Linde's model (*op. cit.*, p. 356) and the distinction considered in this paper:



Notes:

¹ Anthony JACKSON (ed.), *Anthropology at Home*, ASA Monographs 25, Tavistock/ Methuen Publications, New York & London, 1987.

² http://www.iicmer.ro/pdf/ro/evenimente/raport_sondaj_comunism.pdf and http://www.iicmer.ro/pdf/ro/raport_sondaj_opinie_publica_iicmer_mai_2011.pdf, last accessed: 10.01.2012.

³ Andi MIHALACHE, *Despre viața socială a obiectelor: patrimoniul, rememorări și biografii înainte și după comunism*, lecture delivered at the Summer University Râmnicu Sărat: *Comunismul între memorie și istorie*, the 5th edition, Râmnicu Sărat (August 21-27, 2011), on the 23rd of August 2011.

⁴ Joakim EKMAN and Jonas LINDE, *Communist Nostalgia in Central and Eastern Europe. A Matter of Principles or Performance ?*, paper presented at the Nordic Political Science Association's Annual Meeting, Aalborg (Denmark), August 15-17, 2002, p. 16.

⁵ Larry DIAMOND, *Developing Democracy: Towards Consolidation*, The Johns Hopkins University Press, Baltimore & London, 1999.

⁶ This phenomenon – i.e. the existence of several, contrasting and perfectly plausible recollections of people experiencing the same period/ event – is referred to as the “Rashomon effect” (after Akira Kurosawa’s film of 1950 bearing the same title), a situation profoundly explained through diverse individual, hence subjective, understandings of and perceptions on a singular experience.

⁷ Richard ROSE (supervisor ed.), *New Europe Barometer*, Centre for the Study of Public Policy at the University of Strathclyde, Glasgow (UK), 2001 and 2004.

⁸ The term was coined for the first time in 1688, being used by a 19-year old Swiss student, Johannes Hofer, for describing, in his medical dissertation, a quite sophisticated, complex sort of severe, even lethal, homesickness, experienced by the Swiss mercenaries in the army who were too far from their mountainous home. See, Linda HUTCHEON and Mario J. VALDÉS, “Irony, Nostalgia, and the Postmodern: A Dialogue”, in *Poligrafias. Revista de Literatura Comparada*, No. 3, University of Mexico & University of Toronto, 2000, pp. 29-54.

⁹ Susan STEWART, *On Longing: Narratives of the Miniature, the Gigantic, the Souvenir, the Collection*, Duke University Press, Durham, 1993, p. 23.

¹⁰ Svetlana BOYM, *The Future of Nostalgia*, Basic Books, New York, 2001.

¹¹ Kristi GRÜNBERG, “Remembering the Soviet Past in Estonia. The Case of the Nostalgic Comedy ‘The Light Blue Wagon’”, in *Academic Journal for New Research in Humanities and Social Sciences in the Baltic States – Atslēgvārdi/ Keywords*, No. 1, pp. 1-16 (p. 6).

¹² Svetlana BOYM, *op. cit.*, pp. 49-50.

¹³ Marshall BERMAN, *All that is Solid Melts into Air: The Experience of Modernity*, Verso, London, 1983, p. 60 (adds mine).

¹⁴ Frederic JAMESON, “Postmodernism and Consumer Society”, in Peter BROOKER and Will BROOKER (eds.), *Postmodern After-Images: A Reader in Film, Television and Video*, Arnold, London, 1997, pp. 22-30.

¹⁵ Sean SCANLAN, “Introduction: Nostalgia”, in Sean SCANLAN and Tom LUTZ (eds.), *Iowa Journal of Cultural Studies*, No. 5, Fall 2004, pp. 3-9.

¹⁶ Marin TODOROVA, “Introduction. From Utopia to Propaganda and Back”, in Maria TODOROVA and Zsuzsa GILLE (eds.), *Post-Communist Nostalgia*, Berghahn Books, New York, 2010, p. 7.

¹⁷ Amelia DeFALCO, “A Double-Edged Longing: Nostalgia, Melodrama, and Todd Haynes’s ‘Far From Heaven’”, in Sean SCANLAN and Tom LUTZ (eds.), *op. cit.*, pp. 26-39.

¹⁸ The matrix differentiates between (1) illiterates, (2) with no graduated school, (3) primary education (4 classes), (4) secondary education (composed of (a) inferior secondary education, i.e. 8 classes, and (b) superior secondary education, that can be: (b.1) professional studies, i.e. 10 classes, or (b.2) high-school studies, i.e. 12 classes), (5) post-high-school studies, (6) university (superior) studies (B.A.), (7) post-university studies (M.A., Ph.D.), and (8) others.

¹⁹ Joakim EKMAN and Jonas LINDE, *Communist Nostalgia in Central and Eastern Europe. A Matter of Principles or Performance ?*, paper presented at the Nordic Political Science Association’s Annual Meeting, Aalborg (Denmark), August 15-17, 2002.

²⁰ Joakim EKMAN and Jonas LINDE, *op. cit.*, p. 356.

²¹ The scheme is reproduced in Annexes.

²² Maria N. TODOROVA, *op. cit.*, p. 7.

²³ Adrian CIOFLÂNCĂ, “Nostalgia pentru comunism. Mod de utilizare (II)”, in *Ziarul de Iași*, on the 27th of September 2010. The discussion on communism nostalgia in Romania is initiated in Adrian CIOFLÂNCĂ, “Nostalgia pentru comunism. Mod de utilizare (I)”, in *Ziarul de Iași*, on the 25th of September 2010.

²⁴ See Andi MIHALACHE, *op. cit.*, Russell W. BELK, “The Role of Possessions in Constructing and Maintaining A Sense of Past”, in Marvin E. GOLDBERG, Gery GORN and Richard W. POLLAY (eds.), *Advances in Consumer Research*, Vol. 17, Association for Consumer Research, Provo (Utah), 1990, pp. 669-676, and Mihaly CSIKSZENTMIHALYI and Eugene ROCHBERG-HALTON, *The Meaning of Thing: Domestic Symbols and the Self*, Cambridge University Press, Cambridge, 1981.

²⁵ Andrei PLEȘU, “Era mai bine înainte...”, in *Literatorul*, 1991 (later included in *Chipuri și măști ale tranziției*, Humanitas, Bucharest, 1996).

²⁶ Linda HUTCHEON, *op. cit.*

²⁷ David A. KIDCEKEL, “The Unmaking of an East-Central European Working Class”, in C. M. HANN (ed.), *Postsocialism: Ideals, Ideologies and Practices in Eurasia*, Routledge, London, 2002, pp. 114-132 (p. 124).

²⁸ Ivan KLIMA *apud* Gareth HARDING, “East Europe’s Communist Nostalgia”, in *Washington Times*, on the 11th of August 2004.

²⁹ Laurence LERNER, *The Uses of Nostalgia*, Chatto & Windus, London, 1972.

³⁰ *Ibidem*, p. 52.

³¹ What is indeed different from the communist era and what actually generates small wages for the lower social classes is the ratio between the proportion of active citizens and the proportion of retired (whose number has increased since 1989 with more than two millions in Romania). This ratio inevitably generates a large portion of the population being state assisted, living out of social benefits which are considerably lower than a salary. Particularly in these strata, nostalgia finds its fullest expression. For the observations on economic transformations, see the comparative studies and surveys of the International Labour Office, on <http://laborsta.ilo.org/> (especially sections “Consumer Price Indices/ Retail prices of 93 food items”, “Economically Active Population, 1969-2008”, “Level of Employment, 1969-2008”), last accessed: 24.05.2011.

³² However, one should not forget the fact that, prior to 1989, especially in the period of “crisis and decline” (1977-1989), basic foodstuffs, footwear and textiles were rationed and literally hard to obtain. See Dragoș PETRESCU, *Explaining the Romanian Revolution on 1989: Culture, Structure and Contingency*, Editura Enciclopedică, Bucharest, 2011, especially pp. 155-174.

³³ The “gray zone” is a label used, more recently, by Aviezer TUCKER, “Paranooids May Be Persecuted: Post-totalitarian Transitional Justice”, in Jon ELSTER (ed.), *Retribution and Reparation in the Transition to Democracy*, Cambridge University Press, Cambridge, 2006, pp. 181-238 (p. 182), defining “mostly professionals who neither collaborated nor resisted [with and to the communist regime] but survived while making necessary compromises on the lower echelons of the totalitarian hierarchy.”

³⁴ On the philosophical distinction between “positive” and “negative” liberties, see Isaiah BERLIN, “Two Concepts of Liberty”, in *idem*, *Four Essays on Liberty*, Oxford University Press, Oxford & London, 1969, pp. 118-172.

³⁵ These are the exact adjectives used during one of the interviews by a 47-year old female worker in respect to the sinister episode of the early communist repression, recently coined in the literature under the name “The Pitești Phenomenon” (14th of November 2011).

³⁶ For the use of this collocation for the first time in the case of Romania and Bulgaria, see Dragoș PETRESCU, *op. cit.*, pp. 48 and 404.

³⁷ The interview with a 63-year old baker in Tecuci, presently retired (the 15th of December 2011).

³⁸ *Ibidem*.

³⁹ Referred to at page 8, and applied to four of the interviewees. The most energetic contestation of the results was in the case of a 47-year old worker.

⁴⁰ For the original use of the concept of “*Gesellschaft*”, in famous opposition to “*Gemeinschaft*”, see Ferdinand TÖNNIES, *Community and Society*, transl. and ed. by Charles P. Loomis, Michigan State University Press, East Lansing (Michigan), 1957 [originally published in German, *Gemeinschaft und Gesellschaft*, Fues's Verlag, Leipzig, 1887].

⁴¹ Claus OFFE, *Varieties of Transition: the East European and East German Experience*, The MIT Press, Cambridge, 1997, pp. 44 [or in Claus OFFE, “Capitalism by Democratic Design? Democratic Theory Facing the Triple Transition in East Central Europe” (transl. by P. Adler), in *Social Research*, Vol. 58, No. 4 (Winter 1991), pp. 865-892.]

⁴² George SCHÖPFLIN, “Hungary: An Uneasy Stability”, in Archie BROWN and Jack GRAY (eds.), *Political Culture and Political Change in Communist States*, Macmillan, London, 1977, pp. 132-133.

⁴³ Jean STAROBINSKI, “The Idea of Nostalgia” (transl. by William S. Kemp), in *Diogenes. An International Review of Philosophy and Humanistic Studies*, Vol. 54 (Summer 1966), pp. 81-103 (p. 87).

⁴⁴ Rossen VASSILEV, “The Tragic Failure of ‘Post-Communism’ in Eastern Europe”, in *Global Research*, on the 8th of March 2011.

⁴⁵ Dumitru SANDU in *Soros Foundation's Public Opinion Barometer: 1998-2007*, quoted in Sandra SCARLAT, “Partizanii lui ‘înainte era mai bine’”, in *Adevărul*, on the 29th of January 2009.

⁴⁶ The discrepancy is to be found in Elena DRAGOMIR, “In Romania, Opinion Polls Show Nostalgia for Communism”, in *Balkananalysis.com*, on the 27th of December (http://www.balkananalysis.com/romania/2011/12/27/in-romania-opinion-polls-show-nostalgia-for-communism/#_edn2, last accessed: 17.11.2011), quoting from a Report to an opinion poll, conducted by the Soros Foundation Romania, *Percepția actuală asupra comunismului. Comunicat de presă* (December 19, 2006): http://www.sfos.ro/ro/comunicate_detaliu.php?comunicat=21. See also, Elena DRAGOMIR, “Explaining Communist Nostalgia in Romania: Some Empirical Evidence”, in *Valahian Journal of Historical Studies*, No. 12 (2009), pp. 7-28.

Bibliography:

1. BERLIN, Isaiah. *Four Essays on Liberty*. Oxford & London: Oxford University Press, 1969.
2. BERMAN, Marshall. *All that is Solid Melts into Air: The Experience of Modernity*. London: Verso, 1983.
3. BOYM, Svetlana. *The Future of Nostalgia*. New York: Basic Books, 2001.

4. BROOKER, Peter and Will BROOKER (eds.). *Postmodern After-Images: A Reader in Film, Television and Video*. London: Arnold, 1997.
5. BROWN, Archie and Jack GRAY (eds.). *Political Culture and Political Change in Communist States*. London: Macmillan, 1977.
6. CIOFLÂNCĂ, Adrian. "Nostalgia pentru communism. Mod de utilizare (I) și (II)". in *Ziarul de Iași*, on the 25th and 27th of September 2010.
7. CSIKSZENTMIHALYI, Mihaly and Eugene ROCHBERG-HALTON. *The Meaning of Thing: Domestic Symbols and the Self*. Cambridge: Cambridge University Press, 1981.
8. DAVIS, Fred. *Yearning for Yesterday: The Sociology of Nostalgia*. New York: Free Press, 1979.
9. DeFALCO, Amelia. "A Double-Edged Longing: Nostalgia, Melodrama, and Todd Haynes's 'Far From Heaven'". in SCANLAN, Sean and Tom LUTZ (eds.). *Iowa Journal of Cultural Studies*, No. 5, Fall 2004, pp. 26-39.
10. DIAMOND, Larry. *Developing Democracy: Towards Consolidation*. Baltimore & London: The Johns Hopkins University Press, 1999.
11. DRAGOMIR, Elena. "Explaining Communist Nostalgia in Romania: Some Empirical Evidence". in *Valahian Journal of Historical Studies*, No. 12 (2009), pp. 7-28.
12. EKMAN, Joakim and Jonas LINDE. *Communist Nostalgia in Central and Eastern Europe. A Matter of Principles or Performance ?*, paper presented at the Nordic Political Science Association's Annual Meeting, Aalborg (Denmark), August 15-17, 2002.
13. ELSTER, Jon (ed.). *Retribution and Reparation in the Transition to Democracy*. Cambridge: Cambridge University Press, 2006.
14. FIVUSH, Robyn. "Remembering and Reminiscing: How Individual Lives are Constructed in Family Narratives". in *Memory Studies*, Vol. 1, No. 1 (January 2008), pp. 49-58.
15. GOLDBERG, Marvin E., Gery GORN and Richard W. POLLAY (eds.). *Advances in Consumer Research* (Vol. 17). Provo (Utah): Association for Consumer Research, 1990.
16. GRÜNBERG, Kristi. "Remembering the Soviet Past in Estonia. The Case of the Nostalgic Comedy 'The Light Blue Wagon'". in *Academic Journal for New Research in Humanities and Social Sciences in the Baltic States – Atslēgvārdi/ Keywords*, No. 1, pp. 1-16.
17. HANN, C. M. (ed.). *Postsocialism: Ideals, Ideologies and Practices in Eurasia*, London: Routledge, 2002.
18. HARDING, Gareth. "East Europe's Communist Nostalgia". in *Washington Times*, on the 11th of August 2004.
19. HUTCHEON, Linda and Mario J. VALDÉS. "Irony, Nostalgia, and the Postmodern: A Dialogue". in *Poligrafias. Revista de Literatura Comparada*, No. 3, University of Mexico & University of Toronto, 2000, pp. 29-54.
20. JACKSON, Anthony (ed.). *Anthropology at Home* (ASA Monographs 25). New York & London: Tavistock/ Methuen Publications, 1987.
21. LERNER, Laurence. *The Uses of Nostalgia*. London: Chatto & Windus, 1972.
22. MIHALACHE, Andi. "Despre viața socială a obiectelor: patrimoniul, rememorări și biografii înainte și după comunism", lecture delivered at the Summer University "Râmnicu Sărat: Comunismul între memorie și istorie" (the 5th edition), Râmnicu Sărat (August 21-27, 2011), on the 23rd of August 2011.
23. OFFE, Claus. *Varieties of Transition: the East European and East German Experience*. Cambridge: The MIT Press, 1997.
24. [OFFE, Claus. "Capitalism by Democratic Design ? Democratic Theory Facing the Triple Transition in East Central Europe" (transl. by P. Adler). in *Social Research*, Vol. 58, No. 4 (Winter 1991), pp. 865-892.]
25. PETRESCU, Dragoș. *Explaining the Romanian Revolution of 1989: Culture, Structure and Contingency*. Bucharest: Editura Enciclopedică, 2011.
26. PLEȘU, Andrei. "Era mai bine înainte...". in *Literatorul*, 1991 [or in *Chipuri și măști ale tranziției*. Bucharest: Humanitas, 1996].
27. ROSE, Richard (supervisor ed.). *New Europe Barometer*. Glasgow (UK): Centre for the Study of Public Policy & the University of Strathclyde, Autumn 2001 and 2004.
28. SCANLAN, Sean. "Introduction: Nostalgia". in SCANLAN, Sean and Tom LUTZ (eds.). *Iowa Journal of Cultural Studies*, No. 5, Fall 2004, pp. 3-9.
29. STAROBINSKI, Jean. "The Idea of Nostalgia" (transl. by William S. Kemp). in *Diogenes. An International Review of Philosophy and Humanistic Studies*, Vol. 54 (Summer 1966), pp. 81-103.
30. STEWART, Susan. *On Longing: Narratives of the Miniature, the Gigantic, the Souvenir, the Collection*. Durham: Duke University Press, 1993.
31. TODOROVA, Maria N. and Zsuzsa GILLE (eds.). *Post-Communist Nostalgia*. New York: Berghahn Books, 2010.

32. TÖNNIES, Ferdinand. *Community and Society* (transl. and ed. by Charles P. Loomis). East Lansing (Michigan): Michigan State University Press, 1957 [originally published in German, *Gemeinschaft und Gesellschaft*, Fues's Verlag, Leipzig, 1887].
33. VASSILEV, Rossen. "The Tragic Failure of 'Post-Communism' in Eastern Europe". in *Global Research*, on the 8th of March 2011.

Internet references:

1. http://www.iicmer.ro/pdf/ro/evenimente/raport_sondaj_comunism.pdf, last accessed: 10.01.2012.
2. http://www.iicmer.ro/pdf/ro/raport_sondaj_opinie_publica_iicmer_mai_2011.pdf, last accessed: 10.01.2012.
3. DRAGOMIR, Elena. "In Romania, Opinion Polls Show Nostalgia for Communism". in *Balkananalysis.com*, on the 27th of December: http://www.balkananalysis.com/romania/2011/12/27/in-romania-opinion-polls-show-nostalgia-for-communism/#_edn2, last accessed: 17.11.2011.
4. Report to an opinion poll, conducted by the Soros Foundation Romania, "*Percepția actuală asupra comunismului. Comunicat de presă*" (December 19, 2006): http://www.sfos.ro/ro/comunicate_detalii.php?comunicat=21, last accessed: 17.11.2011.
5. International Labour Office (especially sections "*Consumer Price Indices/ Retail prices of 93 food items*", "*Economically Active Population, 1969-2008*", "*Level of Employment, 1969-2008*"), <http://laborsta.ilo.org/>, last accessed: 24.10.2011.
6. SCARLAT, Sandra. "Partizanii lui înainte era mai bine". in *Adevărul*, on the 29th of January 2009, http://www.adevarul.ro/life/viata/Partizanii_0_23399608.html, last accessed: 23.12.2011.

POLITICS TODAY: HOW TO DEAL WITH THE RECENT ISSUES?

ORIGINAL PAPER

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The Politics of Spectacle and the Crisis of Democracy in Post-Communist Romania

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Abstract: *The TV entertainment is the primary means of humor for the modern society, the cheapest, most versatile, most comfortable and most affordable. The show is interwoven in the fabric of everyday life, dominating leisure time, shaping people's political opinions and social behaviors. Lately both politicians and scholars complain about the political apathy as the political participation has declined in many democratic countries. The aim of this study is to analyze the relation between political entertainment and young citizens' political engagement. The relationship between entertainment and politics or entertainment and citizenship is a quite young subject among media scholars (van Zoonen, 2005; Dahlgren, 2009). The questions that guide this study are: does entertainment have an impact on democracy, does it provide a context that leads to political engagement or disengagement of the Romanian young citizens?*

Keywords: *communism, democracy, citizens, media, manipulation, political engagement.*

INTRODUCTION

23 years since Romania's liberation from Communism, 23 years of "freedom", 23 years of hopes. Disappointment, disgust, forgetfulness, indifference, false promises, always in the name of democracy. Politicians, actors, clans, gangs, conflicts, all presented in the packaging of a derisory show. No day without scandal, not one day without entertainment. Now more than ever we live in a society of spectacle, as Debord called in 1995. The entertainment has become a part of our everyday lives. According to Liesbet van Zoonen, "politics has to be connected to the everyday culture of its citizens; otherwise it becomes an alien sphere, occupied by strangers no one cares and bothers about" (2005: 3). Since entertainment is a part of our modern lives, the politics had to adapt in order to reach the people. There are two trends concerning entertainment and politics: some scholars disregard the invasion of entertainment into politics, stating that politics should be kept "clean" (Postman, 1985), other scholars believe that entertainment provide a context that allows the ordinary people to understand politics and helps politics to gain people's attention, interest and involvement (Gitlin, 2002).

In Romania the release of the Communist Regime was followed by a still unfinished transition towards what everyone hopes to be democracy. Romania hopes today in a new generation of citizens. Young people interested in politics and desirous to fight for justice and for their rights,

young people able to bring a new fresh air and a new understanding to democracy and to the democratic practices. Romania needs young informed people capable to reinforce democracy, to reconsider the state and democracy. Taking into consideration that today's politics is combined with entertainment, the present article aims to analyze the relation between political entertainment and young citizens' political engagement.

INTERNET, YOUNG CITIZENS AND DEMOCRACY

The current scientific literature makes a powerful claim that the Internet affects various aspects of contemporary societies. The scientific debate of whether or not the Internet has brought about societal progress or regress is still an ongoing debate, but what we can easily notice is that the impact of the Internet can be observed in our daily lives, in politics, economics, behaviors, or communication. Governments tend to use the Internet as a new important tool to help maintain, cultivate, and promote democracy as a whole, while most of the Third World Countries (or some new developing nations) view the Internet as a tool to achieve democratic values such as free press, free speech, and a free market economy. Free speech and free press are among the most important values for people living in developing countries. Democracy is based on informed citizens. Without informed citizens, there can be no healthy democracy. Therefore, the first condition of a healthy democracy should be the free speech, free press, freedom of expression. In emergent democracies people view free speech and free press as a change to end government's control.

The Internet since its beginning has become an important communicative tool and it has been used mostly to express, expose, and share people's views, opinions or ideas. Therefore the Internet is sweeping away national boundaries. As the Internet made its way into the peoples' lives, so did the journalists move from traditional, printed journalism to cyberspace journalism, which created a news field called online journalism. The transition to online helped reduce many undemocratic government's restrictions and increased the level of freedom in many countries. Today the Internet is the barometer by which a country's freedom is measured throughout the world.

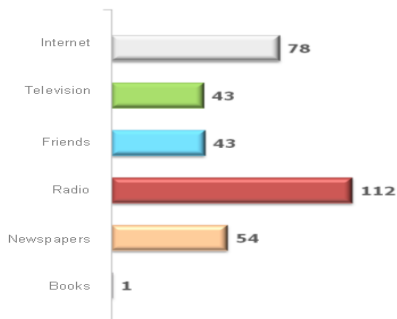
Democracy is based on informed citizens, citizens who can express their views and participate in collective debates. Without informed citizens, there is no democracy. John Keane contends that: „democracy demands educated citizens” (2000: 146). Therefore, the first condition of a healthy democracy should be the freedom of expression and free access to information. The importance of informed and well-informed electorate is essential to rationally and effectively use of information in decision making.

Starting from these considerations we tried to find out what is the Romanian young people's understanding of democracy and what bears a great influence on ones health today. The survey was applied on more than 250 different people of all ages. Only 217 responses were valid. This survey aimed to explore not only the ways in which young people's views do not fit with established understandings of democracy, but also alternative understandings which co-exist alongside those which might be perceived by scholars as mainstream. Almost all the young people involved in the project use the Internet as a main source of information as we can easily notice from the following illustration.

Diagram 1 - Romanian Young People Main Sources of Information
Information Sources

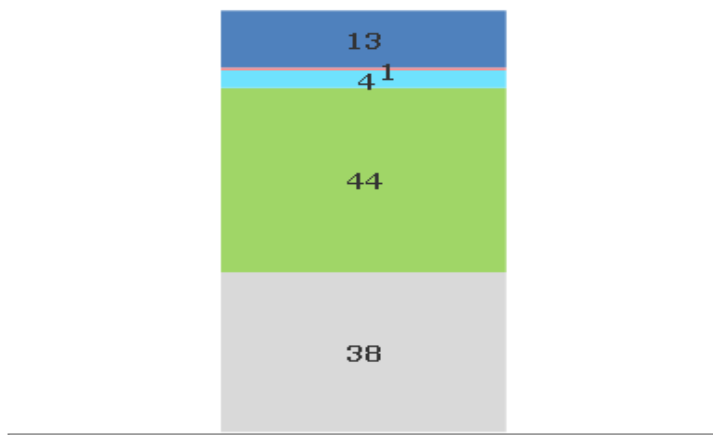
217 respondents

Percents %



After 1989, in Romania there is a fascination for the word democracy, a word used as a justification for even the most undemocratic actions of the Romanian politicians. In the name of democracy people commit the biggest political murders. Democracy has become the favorite word of all, though many people do not even know what it means. When it comes to the importance of democracy, most of the Romanian young people find it important, but they are not able to explain why it is important. More than 57% of the respondents were not able to provide a definition for democracy.

Diagram 2 - Romanian Young People and the Importance of Democracy



38 % - Very important, 44% - Important, 13 % - Cant appreciate how important democracy is, 4%- Not important, 1% - Not important at all.

The concept of democracy is hard to define, hard to comprise into a formula. Beetham argues that "from a democratic point of view the problem with a representative democracy in practice is not so much that it restricts political activity to the vote as that the opportunity for a more extensive involvement, and the degree of influence with the government which it carries, are dependent upon a variety of resources- of time, of money, of learned capacity- that are distributed unevenly between different sections of the population. The freedom of speech and association not only provide the guarantee of a more extensive political activity than the vote; they are also the means whereby the inequalities of civil society are transmitted to the political domain" (1993:64-65). Offe and Preuss observe that "various forms of and aspects of political alienation imply two equally probable effects: either short-sighted, myopic and opportunistic modes of action on the part of political elites who are no longer effectively called upon to comply to demanding standards of political rationality and responsibility; and a moral and political de-skilling of the electorate and the spread of cynical attitudes about public affairs and the notion of a public good" (1991: 165). Warren states that "democracy works poorly when individuals hold preferences and make judgements in isolation from one another, as they often do in today's liberal democracies. When individuals lack the opportunities, incentives, and necessities to test, articulate, defend, and ultimately act on their judgements, they will also be lacking in empathy for others, poor in information, and unlikely to have the critical skills necessary to articulate, defend and revise their views" (1996: 242). In an attempt to find a generally accepted definition, Wolin believes that "democracy is a project with the political potentialities of ordinary citizens, that is, with their possibilities for becoming political beings through the self discovery of common concerns and of modes of action for realizing them (Wolin, 1996: 31). Thus for many scholars realistic democracy raises questions regarding: free and fair elections; well- informed citizens; the effectiveness of the representatives and government thus elected (Almond and Verba, 1989; Beetham, 1993).

POLITICS AND ENTERTAINMENT

The relationship between entertainment and politics or entertainment and citizenship is a quite young subject among media scholars. (van Zoonen, 2005; Dahlgren, 2009). In Romania after 1989 the television practices began to diversify and to redefine, encouraging entertainment. Being "stimulated by marketing, televisions take into account the expectations of the viewers of the show" (Lazăr, 2008: 121). Thus, the contemporary political issues are being presented as an ongoing show and therefore they only "create the illusion of public opinion. Public presentation of political issues via the media is increasingly less political, because the entertainment is now occupying the first place in television programmes. (...) The views propagated via television resort to a limited number of people, while the majority of the population is retiring, they no longer actively participate in political life because they prefer to retire in their private spheres" (Balaban, 2009: 152). The entertainment is prioritizing special ways of covering a speech on television: 1. the choice of topics is made according to an agenda based more on private matters, than public matters; 2. problems are dramatized and presented as special stories; 3. knowledge savvy experts are postulated; 4. participants are asked to recount their experiences and feelings, rather than their opinions; 5. technical and academic dialogue is replaced by popular speech, colloquialisms. Social entertainment has always existed in the public domain, but the people were just spectators. Talk shows and many other television formats suggests that today's individuals have chosen to become actors. Today's politicians have become actors and politics "not only turned into an art of persuasion, but in one of spectacle, in which factors such as style, presentation and political marketing have a great importance" (McNair, 2007: 280). Old politics meant ideas, programs, vision. Today politics is based on the political leaders, political leaders

supported by the media, especially television, which contributes to the creation of a vicious circle, the transformation of politics into an endless show. Television exerts a significant influence and usually changes the behaviour of the contemporary political actors. A politician's discourse is not rendered accurately and in full on television, but is undergoing a process of filtering and selection. Most of the times, the passages chosen by the journalists no longer have any connection with the initial message of the politician because they are cropped, edited, embedded in the texts, articles, or TV news and made attractive, spectacular. Therefore, today "politics means staging. Every leader must show the qualities of a star and must pose as a star" (Schwartzberg, 1995: 7). Today's politician is becoming more and more addicted to polls and television shows. Television journalists are sometimes influencing certain political decisions. We live in a world where the volume, diversity, speed and free flow of information are basic indicators of development progress of a society. These factors have come to express the economic performance of states, and their degree of democracy. Television has become the main means of entertainment of modern society, the cheapest, most diverse, most convenient. As seen earlier the main information sources for the Romanian young citizens are the Internet and television. Therefore they play a crucial role in forming and reflecting public opinion, connecting the world to individuals and reproducing the self-image of society.

CONCLUSIONS

Today, television increasingly informs us about how the world should be. The show is interwoven in the fabric of everyday life, dominating leisure time, shaping people's political opinions and social behaviors and providing materials in which people build their own identity. The civic and political participation is central to the concept of democracy and it is particularly relevant in the context of contemporary democracies. In the absence of a clear programme of the Government, in the absence of any political message often excessive involvement in political affairs broadcasters is invoked. The result? A tired electorate paralyzed by the spectacle, people less informed and indifferent. In the continuous search of sensational, televisions are distorting reality and inducing pessimism, skepticism, disbelief in the values of democracy. Today's people are incapable to believe in an honest political leader. The emergence of media monopolies in the post-Communist Romania decreases significantly the quality of the Romanian media and increases the danger of manipulating the public opinion in the desired direction of the private media investors. Thus, television tends to become the primary means that inevitably leads to the worsening of the Romanian crisis of democracy. TV news is becoming only an element of spectacle that has to attract, to shock the viewers. The entertainment has become more important than just information. Politics had become a show, emphasizing the emotional instead of a real political programme or performance. Television constantly sells us a forced humor. All the politicians want to be funny, they always wish to create a funny scenario for the public, they sing, they dance, they struggle to be ordinary people, not extraordinary politicians. Much of the content of television political programming is now entertainment. Therefore the young people are more and more connecting with politics via entertaining tv shows. The entertainment can be considered a easy way to reach the young citizens but it can also determine them to reject political engagement or any political activity.

References

- Almond, G. and Verba, S., 1989, *The Civic Culture Revisited*, London, Sage.
Balaban, D., 2009, *Comunicare mediatică*, București, Tritonic.
Beetham, D., 1993, "Liberal Democracy and the Limits of Democratization" in Held, D. (ed.), *Prospects for Democracy*, Cambridge: Polity Press

- Dahlgren, P., 2009, *Media and Political Engagement. Citizens, Communication and Democracy*, New York: Cambridge University Press;
- Debord, G., 1995, *The Society of the Spectacle*, New York, Zone Books.
- Gross, P., 2004, *Mass media și democrația în țările Europei de Est*, Iași, Polirom.
- Harper, T., 2011, *Democracy in the age of New Media. The Politics of the Spectacle*, New York, Peter Lange Publishing.
- Keane, J., 2000, *Mass media și democrația*, Iași, Institutul European.
- Lazăr, M., 2008, *Noua televiziune și jurnalismul de spectacol*, Iași, Polirom.
- McNair, B., 2007, *Introducere în comunicarea politică*, Iași, Polirom.
- Offe, C., Preuss, U., 1991, "Democratic Institutions and Moral Resources" in Held, D., *Political Theory Today*, Cambridge: Polity Press.
- Postman, N., 1985, *Amusing Ourselves to Death: Public Discourse in the Age of show Business*, New York: Penguin Books.
- Schwartzberg, R. G., 1995, *Statul spectacol – eseu asupra și împotriva star-sistemului*, Scripta, București.
- van Zoonen, L., 2005, *Entertaining the Citizen, When Politics and Popular Culture Converge*, Oxford, Rowman&Littlefield Publishers.
- Warren, M., 1996, "What should we expect from more democracy?", *Political Theory*, Vol. 24, No. 2, pp. 241-270
- Wolin, S., 1996, "Fugitive Democracy" in Benhabib, S. (ed.), *Democracy and Difference*, Princeton, N.J.: Princeton University Press.

ORIGINAL PAPER

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The Civic Alliance Party

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Abstract: *The heart of the work (the subject) is the Civic Alliance Party. The paper is divided into nine parts, and approaches the following important matters: I. The establishment of the Civic Alliance Party (post political to Romanian revolution, the launching of a non-political organization the Civic Alliance, the foundation of the Civic Alliance Party); II. The Civic Alliance Party (Program and Structure); III. A presentation of the platform adopted by Civic Alliance Party (party goals, policy initiatives, local elections from February 1992, general elections, the emergence of the first misunderstandings); IV. The place of the Civic Alliance Party on the political scene (relations between the Civic Alliance – C.A.P. – N.P.C.D.P. – R.D.C.; the position adopted by C.A.P. at less than two years after being setting up; position held by C.A.P. in the opinion polls from June 1992); V. The evolution of the Civic Alliance Party (the year 1993, the Congress year, the doctrinal clarifications and the endless of “negotiations” with liberal parties, the year of the first divisions; the Congress, motions and reorganizations); VI. The so-called “quiet” period after Congress (the “failure” at N.L.P. in ‘93 of eight deputies and a C.A.P. senator; intense and fruitful activity of the Civic Alliance Party in the summer of 1993; July 2, 1994 and the alliance between C.A.P. and N.L.P.); VII. The Civic Alliance Party in 1995 (the obvious misunderstandings in R.D.C. and C.A.P. Congress; March 14th, 1995 – the exclusion of the Civic Alliance Party from R.D.C.); VIII. Civic Alliance Party after its exclusion from R.D.C. (the most fruitful period of the Party, which produces a series of very important documents; C.A.P. independence by refusing any type alliance; the election year 1996; July 7th, 1996 and the National Liberal Alliance – N.L.A.; 1998 year and the merger with N.L.P.; the entrance into decline and disappearance of the Civic Alliance Party). The last part of this thesis is a diachronically presentation the Civic Alliance Party of Gorj County (founding members, subsequent structure, and the brief presentation of C.A.P. activity in Gorj County). The main goal of this dissertation is recalling the existing political platform after the Romanian Revolution, aiming the bipolarity atypical-typical, mass-intellectuals, popularity-unpopularity, C.A.P.-others and the effect of the political live accepted, not announced in the paper, lived!*

Key words: Civic Alliance, The Civic Alliance Party, N.P.C.D.P., R.D.C.

I. INTRODUCTION

The Civic Alliance Party had a short existence (1991 - 1998). There were dramatic circumstances related to the way it was constituted. The Romanian political life was clearly dominated by the National Salvation Front and its satellites. The giant led by Iliescu and Roman was

conceived (by the social category who in 1989 wanted the total separation of communism) as being the follower of the communist regime. The “historical” parties: the National – Liberal and the National – Peasant (Christian-Democratic), had a reduced election audience. The attempts to found a massive super – party structure (The Democratic Convention, the Antitotalitarian Front etc.) didn’t have the expected success. The foundation of Civic Alliance (a non-political organization whose main aim was to gather the democratic politic forces and also to educate the Romanian election audience in the spirit of democratic citizenship), stirred a great deal of enthusiasm through the ones who didn’t share the politics promoted by N.S.F. (the National Salvation Front)

The year after the foundation of the Civic Alliance, many of its leaders (Nicolae Manolescu, Virgil Feer, Stelian Tănase, George Șerban, Nicolae Constantinescu, Mihai Șora, Octavian Paler, Petre Mihai Băcance, Radu Filipinescu and many others) came to the conclusion that the Civic Alliance doesn’t have everything that is needed to be implied in the political competition. There has been a great deal of debate on the problem that the Civic Alliance should be transformed into a party or on the fact that it should be constituted a political body of the Alliance.¹

On 4-5th of May 1991 a historical meeting took place in Sibiu at the end of which the following *communiqué* was read at the radio station “Free Europe”: “Taking into consideration: 1. The serious state of crisis in which the country was brought by the current political power; 2. The absence of a real alternative politics which should give the hope to disappointed fellow countrymen, that the setting up of real democracy in Romania is really possible. 3. The expressed desire of many members of the Civic Alliance as well as of a wide category of the Romanian society, it is constituted, today, the 5th of May, a group of initiative who should elaborate the statute and the program which are meant to lay the foundation of a modern and dynamic political party whose political platform should be inspired from the *Charta* of Civic Alliance and also from the experience of similar political movements from Eastern and Central Europe.²

The debate continued intensely in the middle of intellectual groups all over the country and also abroad. The Historian Mihai Berindei (being exiled in the 80s of the last century), expresses his opinion categorically: “today, if you are determined to do something for this country, you cannot help yourself from doing politics.”³

The new party was to be “a catalysis of the political opposition, as a central party, without rigid ideology, as a live body, which is both flexible and away from popular, demagogical tendencies.”⁴ At his turn, the philosopher Mihai Șora stated that it is necessary to delimit the Civic Alliance’s attributions from the ones of the party that is to be created. The party, he says, should assume “the inevitable preoccupation for the vicinity of the public life with a considerable political power.”⁵

On the 8th of June 1998 the meeting of the Civic Alliance’s Council was held. It was decided the convocation of the Extraordinary Congress of the Civic Alliance for the 6-7-8th of June. The main topics of the Congress were, among others, the following: the resolution regarding the foundation of a political body of the Civil Alliance, the leadership of this political body; the choice of the draft body of writing the document⁶ etc.

MAIN TEXT

II. The Congress of the Civic Alliance form 5-7th of July 1991 gets also the title of the Constitutive Congress of the party called the Civic Alliance. During the first day (5th of July) the participants debated and noted the resolution of the foundation of a political body of the Civic Alliance and in the 7th of July the main topics of the meeting were:

1. The presentation, debate and endorsement of the statute of political body of the Civic Alliance
2. The presentation of the strategy and tactics of the Civic Alliance

3. The election of the National Committee, of the Censors Commission and the Commission for Ethics⁷

The statute of the party comprises of: how you can get the quality of a member, the national and territorial structure, the rights of obligations of the members, the theoretical principles which are the foundation of the party's activity, the leadership (structure, competences) etc. As far as the members are concerned, the statute forbids the quality of a member to the "persons who, through their activity, contributed to the establishment and the up keeping of the communist regime or who produced severe moral and material damages" as well as the "persons who committed and were sentenced for severe crimes and also those who are in favor of communist, fascist, racial, irredentist and chauvinistic concepts or who are in favor of racism, anti-Semitism and xenophobia".⁸ In the National Committee of the Party – Civic Alliance were elected the following: Nicolae Manolescu, Ana Sinea. The executive management was assured by: Ph. D. Alexandru Popovici and Ph. D. Ion Păun Otiman and Stelian Tănase – vicepresident.⁹ The party was registered at Bucharest Law Court on 1st of August 1991.¹⁰

III. The Platform of the Civic Alliance Party establishes the aims (the construction of a prosperous, free, modern and democratic country, the profound reformation of the society, the cultivation of the civic mentality etc.), the means of political flight (strictly peaceful in the tradition of the European democracy), the principles of organizing the state and government focus which are to be chosen by the people through referendum (constitutional monarchy, presidential republic, parliament republic), the sanctity of the national freedom, the relationship with neighbors (on the grounds of full equality and the alternative military service and, for the future, they are in favor of the elimination of the compulsory military service, for a complete reform after previously consulting the citizens, for asking the opinion of Basarabia's population regarding the future of this province etc.¹¹

Immediately after the registration at the Law Court, the Party of Civic Alliance became member of the Democratic Convention of the Antitotalitarian Front. The first major initiative of C.A.P.(the Civic Alliance Party) was made in August 1991. Together with the Civic Alliance, the Civic Alliance Party brought all the leaders from the country to Bucharest in order to tell their opinion about the putsch from Moscow. At the end of the meeting was published the Declaration – Appeal by means of which it is categorically condemned the attempt to reinstall the totalitarianism in U.R.S.S.¹² In this Declaration – Appeal, the two political parties (still together) demand for: the disavowal of the Communist Ideology by the political power installed in Romania in 1990; the punishment of the guilty for the bloody Suppressing of the Riot in December 1989; the integration of Romania in Euro-Atlantic structures etc.¹³

At the end of 1991, the Civic Alliance Party is found fully engaged in the local elections in February 1992. Being placed on the R.D.C.'s lists (Romanian Democratic Convention), C.A.P. wins the town halls from Arad, Brașov, Bucharest 2nd District, Câmpina, Comanic, Copșa Mică, Gura Humorului, Iași, Ploiești, Sibiu, Sinaia, Timișoara, a vicemayor of Bucharest and two communes.¹⁴ We can add several hundreds of local and county counsellors.

The preparations for the second elections followed. Unfortunately the relationships between C.A.-C.A.P. began to deteriorate. The separation took place on 27th of June 1992, during the „competition” on deciding the candidate of the Democratic Convention for the Romania's Presidency. A jury formed of 67 persons (designed by the component parties and political organisations of the Convention) tested the 5 candidates for 12 hours. Nicolae Manolescu was subjected to unimaginable accusations and offences.¹⁵ Surprisingly, the competition was won by Emil Constantinescu, the most unknown person from the five candidates and the only one who had been a member of the

Romanian Communist Party.* For the sake of human purpose the persons who didn't win overcame the unpleasant situation. Nicolae Manolescu was very engaged in supporting Emil Constantinescu, trying to give him the popularity that he had at that time.

The presidential and parliament election came rapidly. A survey conducted by C.I.S. (a specialized Institute coordinated by the sociologist Pavel Câmpeanu) in 8th - 15th of September gives credit to the main political parties from the Democratic Convention as having a percentage of 10,4% for the National Peasant Christian Democratic Party (N.P.C.D.P) and C.A.P.- 8,6%. The Convention was supposed to have 34,8%¹⁶ (according to the survey).

The presidential and parliament elections took place in 27th of September 1992. After redistributing the votes and the seats, the Romanian Democratic Convention obtains 24.04% (82 seats) in the Chamber of Deputies and 23,77 (34 seats) in the Senate. The most seats (41) in the Chamber of Deputies and 21 in the Senate are taken by N.P.C.D.P. and the second place is taken by the Civic Alliance Party (13 members in the chamber of deputies and 7 senators).¹⁷ The following persons became then Members of Parliament for C.A.P.: Octavian Bot (Bihor), Dorel Coc (Bistrița Nasaud), Ioan Ghișe (Brașov), Petru Lițiu (Cluj), Ioan Joca (Constanța), Șerban Rădulescu Zonner (Dâmbovița), Gheorghe Gorun (Gorj), Vasile Mândroviceanu (Suceava), Vasile Popovici (Timiș), Crin Antonescu (Tulcea), Călin Anastasiu (Vrancea), Stelian Tănase și Alexandru Athanasiu (Bucharest). The Senators for C.A.P. were: Emil Negruțiu (Alba), Alexandru Paleologu (Argeș), Ștefan Radof (Ilfov), Nicolae Manolescu (Sibiu), Păun Ioan Otiman (Timiș), Emil Tocaci (Bucharest).¹⁸ After Rene Radu Policrat's death, Ștefan Augustin Doinaș took his place in the Senate, becoming the 8th C.A.P. senator. The elections made official the "spraying" of N.L.P. (the National Liberal Party), the propulsion of the National Christian Party as the main political group of opposition (regarding the number of seats) and a strange alliance for the government power called the Red Pentagon.

Being credited with approximately 35% in the last survey conducted before the elections, the Romanian Democratic Convention obtains less with 10%, but the Romanian National Democratic – Christian Party, which had imposed its candidates on the eligible placed, strengthened considerably. Moreover, Mr. Coposu's party got the Civic Alliance closer and gave Emil Constantinescu the attributions of a formal leader of the opposition. More analyses made by the press closed to the Romanian Democratic Convention, pointed out the mistakes made by this electoral group¹⁹. While most of the analysts attribute the failure to the weak and non-performing activity of the Romanian Democratic Convention, the coordinator of the election campaign, Dan Căpățână (Emil Constantinescu's next counselor in 1996 and former member in the Civic Alliance Party's leadership), analyzes other two reasons: "the insufficient presence of the Civic Alliance Party in pre-electoral political life, comparatively to the potential of liking which the party held at its establishment" and "the division between the Civic Alliance and the Civic Alliance Party".²⁰

Dan Căpățână reproaches to the Civic Alliance Party: "the fact that they didn't define clearly their ideological and political orientation" (evading the fact that it was just "the adoption of a rigid ideology" which was rejected at the establishment) and also some decisional factors' lack of political experience (especially the one behind-the-scene!!), in comparison with some old parties' political experience." (Dan Căpățână is right in this matter; the Civic Alliance Party never took advantage of some unfair circumstances. Dan Căpățână stood for the Civic Alliance Party in negotiations with N.L.P., in 1994 and he "negotiated" flagrantly against the Civic Alliance Party's interests).

Dan Căpățână is right again when he speaks about the Civic Alliance's attitude when they decided for the candidate to Presidency: it was then when the scission between the two political organizations was official!! The absence of the abilities in the arrangements behind-the-scene is admitted by Nicolae Manolescu, too.²¹

IV. In the Romanian Democratic Convention there was never silence. The National Democratic Peasant Christian Party tries to assume the monopoly of its decision and is supported in its attempts by the other political and non-political components, inclusively the Civic Alliance. The main target of the political attack is Nicolae Manolescu and his party.²² For the “historical” parties and for their leaders, the Civic Alliance Party was good only to bring about the votes of the persons who were discounted by the N.S.F. and D.F.N.S. (the Democratic Front of National Salvation)’s policy, who saw in National Peasant Party and N.L.P. an alternative which was neither viable nor credible.

The Civic Alliance and N.P.P. obstinately cultivate the idea that C.A.P. became the enemy of the Convention. Both N.L.P. – young part and N.L.P. (a party which was not in the Parliament) try to take advantage of the situation and launch the hypothesis of uniting the liberal parties around the Civic Alliance Party.²³ But the Civic Alliance party hadn’t declared itself a liberal party. The pressure put through from everywhere around triggers intense challenges inside the party.

With the view to putting the Civic Alliance Party into defensive, the hypothesis of transforming the Civic Alliance into another party is launched. In 19th – 20th December 1992, at the Civic Alliance’s Congress, the Civic Alliance Party is forced “to change its name and it is also obliged to punish the persons who estranged the party from the Civic Alliance, thus embezzling the initial purpose of the party’s establishment.”²⁴ The Civic Alliance’s request was preceded by a change of words (in media) between Ana Blandiana and Nicolae Manolescu. Nicolae Manolescu gives a reply to Ana Blandiana’s statement according to which the establishment of the Civic Alliance Party was a mistake, saying that the Civic Alliance’s president agreed to the foundation of the party and that it is not normal and unprecedented for a structure, whichever it is, to decide upon the politics of another structure. Nicolae Manolescu definitely reproaches to the Civic Alliance’s members the fact that they want to do the policy of the party.²⁵

Therefore, having only 2 years of life and being new in the “great” politics, the Civic Alliance Party confronts with members’ imponderable matters. The most sensitive ones are related to: its incompatibility with the Byzantine political practices, the accusations came especially from partners, regarding the lack of a doctrinaire orientation, the pressures of the liberal parties in order to attract it to this ideological area, the Civic Alliance’s tendencies to subordinate and direct its political activity, the denial of the Party President’s political competences, the centrifugal tendencies of some leaders etc.

All these influence the general activity of the party and generate new challenges both at a national level and in the country branches. The whole mass-media “stimulates” these challenges. The president Nicolae Manolescu sends firm and clear messages. He says that the branches should be reorganized, the proposals for the ideological orientation should be known, the electoral segment the party counts on should be identified. The only organism able to decide the doctrine orientation of the party is its Congress.²⁶ The tensioned relationships between the Civic Alliance and the Civic Alliance Party weighted very much in the stability process of the two political entities.²⁷

According to a survey conducted by “The Word” magazine, in December 1992, Nicolae Manolescu is chosen by the readers as the most important politician of the year. We shall take notice of the fact that this magazine is read especially by the people who do not vote for N.S.F., D.F.N.S. and Ion Iliescu. There are also other important leaders of the right in the classification we are referring to with only one exception (Th. Stolojan is the fourth on the list): Nicolae Manolescu (the first place – 860 points), Corneliu Coposu (second place – 449 points), Emil Constantinescu (the third place – 362 points), Ion Rațiu (the fifth place – 209 points).²⁸

There are three personalities in this classification who competed in June 1992 to obtain the Romanian Democratic Convention candidatureship to the presidency of Romania (Constantinescu,

Rațiu, Manolescu – classified in this order in June) and no. 1 personality of the opposition (as far as the Right political analysts are concerned), Coposu.

Looking at the classification made by the Romanian Democratic Convention's followers, we notice that Nicolae Manolescu is considerably better than the others and that the voters' opinion is different from those who had expressed their vote in the *conclave* of June 1992.

V. 1993 is the year of the Congress, of the doctrinaire elucidations and also of endless and "fruitless" negotiations with the liberal parties, but also the year of the first scission. In March 1993, a first conflict between the president Nicolae Manolescu and some of the Civic Alliance Party's senators and MPs took place. The "non-conformist" politicians send a letter of distrust to the Committee from 29th of March 1993. The authors of the letter were: Stelian Tănase (vicepresident of the Civic Alliance Party and the leader of the parliamentary group from the Chamber of Deputies), Călin Anastasiu (MP). Dan Grigore resigned from the party. Emil Tocaci (senator) resigned as well.

The challenges inside the party, its ideological orientation, the relationships with the Civic Alliance, are largely analyzed by the well-known intellectual Mihai Șora.²⁹ The philosopher expressed his point of view for the civic-democratic doctrine for the debate related to the party's activity in all its structures and also for the separation of the Civic Alliance's attributions from the Civic Alliance Party's ones.

The study realized by Stelian Tănase and published in 1993³⁰ is related to the same idea of elucidation. Starting from the result of a survey conducted by C.I.S. in 1992, Stelian Tănase comes to the conclusion that the Civic Alliance Party doesn't have many voters, that it is a party for the intellectuals and the intellectual-to-be (high-school students, university students), and that it is subjected to some cleavage. Tănase pleads for a highly qualified leadership, from the political point of view. He claims that the party's leaders not only engage themselves in their profession, but also in the political activity. After a period of growth – until 18% in October – when the Civic Alliance Party is the most powerful party in opposition, there comes the stagnation and beginning of a crisis.³¹ Tănase also pleads for "the politicizing the leadership, for replacing the intellectuals with qualified politicians and for economic liberalism; a doctrine which was embraced by the most dynamic segment of the Romanian society, capable of coagulating a big party in order to win the elections and also to be able to govern the country."³²

Stelian Tănase's pleading, correct and perfect theoretically, aims at two main objectives: the diminution of Nicolae Manolescu's role in the leadership of the party and the preparation for integrating the Civic Alliance Party in the liberal movement. Liviu Antonesei (one of the Civic Alliance Party's leaders), answering to Stelian Tănase's study, expresses his point of view in favour of civic-liberalism, also in favour of alliances with liberal parties, but he insist on keeping the Civic Alliance Party's identity.³³ George Voicu is against the adoption of a rigid doctrine.³⁴

The misunderstandings in the Civic Alliance Party appeared, curiously, after the results of a survey conducted in 1993 which shows that the Civic Alliance Party's popularity is growing... and its president also grows in sympathy.³⁵ Having as background these political arguments (unsuitable scandals for the statute of the persons who triggered and maintains them), the first Congress of the Civic Alliance party began. The venue – Timișoara and the dates (21st – 23rd April 1993) were established by the National Committee of the Civic Alliance Party from 22nd of February 1993.³⁶ The motions that were to be debated and voted were then approved (which had been previously assumed by all the branches). The first working of the Congress was under the dispute between the "civic – liberal group" that is the one against Nicolae Manolescu (Stelian Tănase, Dan Grigore, Emil Tocaci, Alexandru Popovici, Crin Antonescu, Ion Ghișe and others, most of whom were the party's

MPs.) on the one hand and Nicolae Manolescu's supporters (90% from congressmen) on the other hand. The delegation from Gorj, to its great honour and praise, made considerable efforts to reconcile the two groups by continuing the efforts of MP – Gheorghe Gorun from the beginning of the Congress.

The initiative of C.A.P. Gorj had its main aim to persuade the Congress to invite the resigned to take part in the sessions, which really happened in the second day – 24th of April. The presentation of the political report followed, in which the president Nicolae Manolescu reviewed C.A.P.'s activity from its establishment to the present day, insisting especially on the mistakes committed and the unfulfillment in the party. Some leaders' attitudes as well as their centrifugal tendencies were harshly criticized, pointing out the threats to the unity of the party that these attitudes pose. The report was structured into 4 chapters/ sections: political activity of C.A.P., organizational aspect, the search for political identity, conclusions and perspectives.³⁷ The greeting messages of other parties were read: R.D.C.'s, C.A.'s, Doina Cornea's messages. It followed the debates in which many delegates participated. Some of their speeches were revengeful, others were conciliating and a small part of them were embarrassing.

In the second day, on 24th of April, the three motions were presented: civic-democratic, civic-liberal, Christian-democratic. The civic-liberal motion was voted which stated that C.A.P. is a party with a neo-liberal orientation. C.A.P. based its ideology on the values of civism, democracy and morality. "³⁸

The party is placed in central-right part of the political scene. The second part of the day was dedicated to the Statute debate. There were two projects: one which was proposed by Stelian Tănase and the other which belonged to the National Committee. The Congress chose the latter. The statute comprises: General dispositions (chapter I), The purpose of Civic Alliance Party (II), The quality of C.A.P. member (chapter III), The managing organisms: The congress, The National convention, The National Committee, The board of directors, The president and vicepresident (IV), The Jurisdictional organisms (V), Financial control organisms (VI), The patrimony (VII), The territorial organizational structure (VIII), Final dispositions (IX).³⁹ On the 25th of April, the managing organisms were elected: Nicolae Manolescu – president, Nicolae Țăran – vicepresident, Alexandru Paleologu – president of the Honor and Dignity Court. In the national committee, there were 45 persons elected, among them being: Ion Păun Otiman, Virgil Feer, Radu Vlădea, Constantin Dorobanțu, Vasile Popovici (all professors from Timișoara), Ștefan Augustin Doinaș, Mihai Șora, Ștefan Radof, Alexandru Atanasiu, Doru Cosma, Constantin Simirad, Liviu Antonesei, Laurean Oniga, Mircea Ciobanu. Gheorghe Gorun was elected, on behalf of Gorj organization, who was also validated by the national Committee as one of the 15 members of the Board of Directors.

At the end of the Congress, two statements were adopted one of regiving Romanian citizenship to King Mihai and one of condemning the stalinist process from Tiraspol. The media present at the Congress (in an impressive number), including "The Liberty", "The National Courier", "The Truth", " The Daily Event", focused their stories on the gossips, instead of presenting the essence of the Congress' works.

VI. After the Congress, comes a period of tranquility. The ones that were not satisfied with the results of the Congress get organised in the civic-liberal group, insisting on merging with the Liberal Party, conducted by Dinu Patriciu and Horia Rusu.

On the 26th of June 1993, the National convention of the party took place. The tensions were comparable to the ones in the Congress. The members of Parliament from the party were attacked from many directions. Gheorghe Gorun, deputy, asked his colleagues imperatively to cease

accusing each other and proposed that the parliamentary groups should retire from the Parliament. As a reply, Mr. Manolescu proposed the retirement of trust in the leaders of the parliamentary groups: Stelian Tănase – from the Chamber of Deputies and Alexandru Popovici from the Senate. The civic-liberal group was declared unstatutory. The national Convention rejected both the merger with the Liberal Party, 93, asked by St. Tănase and Al. Popovici, and the alliance with this party proposed by others.

Soon after the National Convention, the civic-liberal group left C.A.P. Thus, 8 deputies moved to L.P. '93(Liberal Party '93): Crin Antonescu, Stelian Tănase, Ioan Ghișe, Vasile Mândroviceanu, Petru Lițiu, Călin Atanasiu, Octavian Bot and one senator: Alexandru Popovici. L.P. '93 doubled its number of members of parliament and the parliamentary group C.A.P. from the Chamber of Deputies was dissolved. The issue of organizing the parliamentary groups was discussed in the meeting of the Board of Directors from 23rd of August 1993: the parliamentary group of the Senate was managed by Mr. N. Manolescu and the 5 deputies: Alexandru Atanasiu, Dorel Coc, Gheorghe Gorun, Vasile Popovici, Șerban Rădulescu Zonner who soon were to act as independent deputies.⁴⁰

Returning to *fault* mentioned, we specify that no C.A.P. affiliates went to L.P. '93 and only a small number of members (few tens) followed the ones that left. Thus, the summer of 1993 was fruitful for the party. It involved in the parliamentary activity and in the local administration, it had a say in all Romanian society's problems, it gave its opinion on international events, it strengthened its territorial organizations, it started the draft of the new Program of the party etc.

A whole lot of energy was wasted in the 1994 on the issue of liberal unification. C.A.P. commits the great mistake of entering the game of the liberal groups that follow, each one of them, to subordinate the other formations of liberal conviction. The board of Directors from January 1994 takes note of the "N.L.P. desire of coming back to the Democratic Convention" and thinks that "it would be a beneficial act for C.A.P., as it would create a liberal pole in the Democratic Convention and it would balance the forces in the alliance."⁴¹ Two intellectual personalities, of international dimension, involved in the doctrinal and political clarifications of the party, in preparation of C.A.P.'s international relationships, in the preparation of management staff and local government. It's about the historic Mihnea Berindei (C.A.P. representative in Paris), who organized symposia and training courses (in the country and in the European countries) for C.A.P. leaders and for C.A.P. members of local government and who has established strong relationships with Gaullist Party in France, and about the political scientist Professor Vladimir Tismăneanu, who organized meetings of C.A.P. leaders with very important political figures in the U.S.A.

President N. Manolescu proposed "to ask in the National Convention for permission to start negotiation with the other liberal formations, with a view to forming a liberal alliance".⁴² The idea is discussed in the Board from 19th of January. The delegation C.A.P. was established, the one that would participate the next day (20 January) at the meeting of all liberal parties. It had the following members: Nicolae Manolescu, Nicolae Țăran, Eugen Vasiliu, Dan Căpățână, Gheorghe Jovin, Alexandru Paleologu, Emil Tocaci.⁴³ The idea of liberal unification was also discussed at the National Convention from 29 January 1994, the Convention enforcing the party's directors to continue the negotiations with the other liberal formations in order to form an alliance that would be a civil-liberal federation, able to guarantee the identity of each component party by respecting prior engagements, including the ones to R.D.C.⁴⁴ (The Romanian Diplomatic Convention).

On the 21st of July 1994, the Protocol for forming the Civil-Liberal Alliance "The liberals" is signed in Bucharest between C.A.P. and N.L.P.⁴⁵ It is an excellent move for N.L.P., a party with no perspectives. The alliance will prove to be for N.L.P. the dreamed means for entering R.D.C. C.A.P.

commits another great error. Since the attempts of N.L.P. for entering R.D.C. prove to have no success, C.A.P. takes N.L.P. in R.D.C., on the same place and having the same vote as C.A.P.!!! The liberals started to do everything in order to remain alone on the place and the vote in R.D.C. Falling for the illusion of the liberal unification, C.A.P. signs on the 28th of December 1994 a new protocol by which they integrate in the Civic- Liberal Alliance and L.P. '93 and N.L.P.-D.C.⁴⁶

VII. 1995 is governed by two events: the pregnant misunderstandings between R.D.C. and the C.A.P. Congress from Alba-Iulia. The problems of the Convention have been analyzed more than once by C.A.P. Emil Constantinescu, N.P.C.D.P, most non-political organizations, "Liberal Romania" and N.P.C.D.P criticized repeatedly the firm and main positions of C.A.P. Most of these groups (which later include also N.L.P.), wanted C.A.P. to be thrown out of the political alliance. However, the National C.A.P. Committee decided, ultimately, on the 13th of August 1994, to stay in R.D.C.⁴⁷ The most powerful organizations stated that they wanted to leave R.D.C.

On the 13th of January 1995, Emil Constantinescu publishes the criteria for choosing the R.D.C. President and announces his candidature for the function.⁴⁸ Constantinescu is encouraged by N.P.P.(the National Peasant Party), C.A., other non-political groups and "Liberal Romania". Against Constantinescu's initiatives, the following parties react badly: L.P. '93, N.L.P.-C.D. and R.S.D.P. (the Romanian Social Democratic Party). C.A.P. is neutral.⁴⁹ On the same day, the National C.A.P. Committee rejects the project of liberal unification, pronouncing only for the continuation of the alliance. N. Manolescu declares that "there is in C.A.P. an image of intellectuality and honesty that C.A.P. is not willing to sacrifice for any alliance in the world".⁵⁰

A major conflict in R.D.C. is generated by the statement of L. Tökes according to whom "in Harghita and Covasna should be declared a state of necessity and between Hungary and Romania there should be done population switches". The vicepresident of C.A.P., N. Țăran asks R.D.C. to take firm attitude towards these statements, otherwise C.A.P. will be obliged to discuss retiring from this alliance.

On the 17th of February 1995, Emil Constantinescu and N.P.C.D.P supported by N.L.P. obtain another victory. They amend article 12 of R.D.C. Protocol, which stated that decisions are made by unanimity. The modified articles states that decisions are taken with the vote of the majority of members. All C.A.P. efforts of restructuring R.D.C. were without any results. The N.L.P. attitude is characteristic of this party. Barely entered in the alliance, it detaches itself from C.A.P. (the one that had gotten it there) for obtaining the goodwill of N.P.P. and Constantinescu. C.A.P., R.S.D.P., PL '93 are threatened to be excluded from R.D.C. if they don't sign the Protocol in 30 days.⁵¹ The next day,(18 February), R.S.D.P. retired from the Convention and proposed to the other parties the formation of the „Grand Opposition Alliance”⁵²

On the 27th of February 1995, Constantinescu declares that the parties that have not signed the new protocol of R.D.C., amongst which there was C.A.P., have excluded themselves from the alliance. After that, E. Constantinescu and his supporters made very serious statements to C.A.P. in order to determine a radical solution of the National Committee that would take place on the 12th of March 1995. The said meeting was very tense. The leaving of the Convention by C.A.P. was not discussed, but the signing/not signing, on no conditions, of the Protocol that will make the regime of Constantinescu and of his supporters official. That is why the nominal vote of the members of the National Committee was for signing or rejecting the protocol. From the 44 members, 16 voted for unconditional signing (Carafu, Căpățână, Ciobanu, Coc, Atanasiu, Doinaș, Gulea, Jovin, Paleologu, Popovăț, Popovici, Zonner, Săvulescu, Tocaci, Vasiliu), two were not decided (Rădulescu, Muscă) and one asked for the secret vote (Kovaci). N. Manolescu did not vote⁵³.

On the 14th of March, R.D.C. announced that C.A.P. was officially retired from R.D.C., as it did not sign the Protocol.⁵⁴ At the meeting (R.D.C.'s meeting), also several important C.A.P. members participated (Căpățână, Vasiliu). They announced the retirement from the party of the following: Dan Căpățână, Mircea Ciobanu, Eugen Vasiliu, Gheorghe Jovin, Stere Gulea, Mona Muscă, Alexandru Paleologu, Ștefan Rădulescu Zonner, Emil Tocaci, Paul Popovăț, Lucian Radu, Gh. Rădulescu, Dan Ștefănescu.⁵⁵ Căpățână became presidential counselor of Constantinescu. Vasiliu, Paleologu, Muscă, Zonner, Tocaci, Rădulescu, transferred to N.L.P. receiving mandates of senators/deputies in the next legislatures or other profitable means. The N.L.P. *friend* brought by C.A.P. in the convention paid the service made by C.A.P. by betrayal. In reality, the only member that quit statutorily from the party was Stere Gulea. Prior to leaving to N.L.P., Căpățână și Vasiliu had taken care of all the failed negotiations of C.A.P. (with L.P. '93, with N.L.P., with R.D.C.! – n.n.). A statement of the Civic Alliance (14th of March 1995) retires "the moral and political credit given to C.A.P." and asks that the party "gives up its name as it is detained with no right". C.A. declares that it stands by the members that left C.A.P..⁵⁶ In N.L.P. the ones that left C.A.P. for L.P. '93 join too, amongst who Antonescu and Ghișe.

On the 16th of March, N. Manolescu declares that we are no longer part of any civic-liberal alliance, as we "want to fend for ourselves". A beautiful and responsible statement. On the 22nd of March, N.L.P., N.L.P.-D.C., the groups from C.A.P. and L.P. '93 meet for forming a new liberal party, but they end up dissolving the civic-liberal formation. On the 6th of April, the ones that hit C.A.P. from all possible positions, declare the protocol of the civic-liberal alliance as inapplicable and decide to merge in the "grand liberal party". About the liberal unification, the well-known analyst and minister Ilie Șerbănescu writes: „Politically speaking, it is up to Mr. Coposu and Mr. Constantinescu to reflect to the almost too obvious manifestations of fidelity towards the Convention of some of those that call themselves liberals and that have decided, due to the recent political ruptures, that they could not imagine their lives without the Convention. Still, so many of them have travelled to several political parties and drained everything everywhere they went. And PNL- the one that will be the structure of the projected liberal pole- does not have a very honorable political status either. After an assiduous campaign of convincing Mr. Coposu that they are better than Mr. Câmpeanu, the members of N.L.P.-Quintus tried to use the indirect approach, counting on the one that opposed to the facts from the Convention, Mr. Manolescu. After they were received in the Convention, with his help (Mr. Manolescu's- our annotation)- who agreed to share the own vote of C.A.P. with N.L.P.-Quintus- the grand N.L.P. members started courting Mr. Constantinescu and the member of PNCTD, visibly against Mr. Manolescu...⁵⁷ The truth in the words of Ilie Șerbănescu (who cannot be suspected of being politically partial) will be better seen in 1996 when, after a difficult period, N.L.P.-Quintus turned their back to Constantinescu and N.P.C.D.P.

VIII. C.A.P. also managed to get through this shock. No territorial organization left the party. The retirements were only rare. The Congress from 4-5 May held in Alba-Iulia (at the initiative and with the full implication of senator Emil Negruțiu), was a proof of the intelligence and force of this party. No incident was registered in Alba-Iulia. The C.A.P. Congress was greeted by the representatives of most of the parties (S.D.P.R. – Social Democracy Party from Romania, D.P., L.P.'93, R.S.D.P.). N.L.P. and C.A. were not present. All parties appraised C.A.P. for its intelligence and morality. Mr. N. Manolescu presented the Political Report, in which he analyzed the state of the party, its realizations and failures, its risks and threats, the identity crisis generated by the political scene and the errors in strategy. The president came to the conclusion that C.A.P. has the necessary resources for its affirmation on the political scene. Special attention was given to the future projects: the political offer

of the party and the relationships with the other formations, the actualization of all programs, the preparation for the political campaigns of 1996.⁵⁸

The Congress approved modifications in the Statute of the Party, especially regarding the organs of management 9 (chapter IV: The Congress, the National Committee and the Board of Directors. The novelties refer to the attributions of each structure and its composition. For the first time, the Senate gives operational management attributions to the president, the executive president and to the six vicepresidents that compose the Board of Directors.⁵⁹

National Committee is to have 51 members plus 6 presidents of the most powerful territorial organizations. The following were elected: Nicolae Manolescu – president, Nicolae Țăran – executive president, Laurean Oniga – organizer vicepresident, Costea Munteanu - doctrine and political offer vicepresident, Gheorghe Gorun - human resources and youth vicepresident, Dinu Tănase – electoral vicepresident, Ion Păun Otîman - relationship with the Parliament, Executive and local administrations vicepresident, Ion Hohan - financial resources vicepresident. President of the Honor and Dignity Court was elected Mihai Șora.⁶⁰

The following period is fruitful in which the Party elaborates a series of very important documents. The history of C.A.P., the principles' declaration, the doctrine, the political program, the rules and regulations of functioning of the National Committee, the Court of Honor and Dignity, the Territorial Organizations, Interior Order Rules, Political Strategy (August 1995- September 1996), the civil control on the secret services, the doctrine in the field of local administrations, external policy, the doctrine in the health field, the doctrine in the family issues, the policy in learning and education, the agriculture policy, the military and defense doctrine, the Organization of C.A.P. youth, the C.A.P. organizing documents, from socialism to capitalism. But what kind of capitalism? etc⁶¹.

Meanwhile, many important personalities joined the party: Neagu Djuvara, Mircea Nedelciu, Alexandru Dabija, Nicolae Zamfir etc., personalities that together with Ștefan Augustin Doinaș, Ștefan Radof, Daniel Vighi, Nicolae Țăran, Nicolae Manolescu, Liviu Antonesei, Mihnea Berindei, Emil Brumar, Ana Șincai, Cristina Carp, Ion Păun Otîman, Mihai Șora, Virgil Feer and the others contributed to the growth of C.A.P.'s influence and prestige.

There still were pressures and insurances for attracting the party in all sorts of alliances. On the 15th of July, the National Committee decided that C.A.P. will not get involved in any alliance on the short term. The National Committee from 13th of January 1996 adopts the governing program "The future starts today" with the subtitles "The power of imaginations", "The authority of intelligence", "The courage of responsibility" and decides that the C.A.P. political sign is the **apple**⁶². The new sign is approved by the decision of OSIM no. 2244/16.04.1996.⁶³

Since 1996 is an electoral year, the management of C.A.P. gives special attention to the selection and preparation of candidates and their message but still implies firmly in the problems that the society is confronted with. Several documents are drafted, presenting the party, the mayors' and counselors' of C.A.P. realizations, the guide of the C.A.P. candidate etc.

In the local elections from June 1996, C.A.P. obtained modest results: 44 mayors, 972 local counselors, 56 county counselors.⁶⁴ The results from the elections determine the C.A.P. leaders to think of new electoral alliances. On the 7th of July, C.A.P. and L.P. '93 sign the protocol of forming the National Liberal Alliance (N.L.A.) which introduces the same lists for both parties and unique candidates for the parliamentary and presidential elections from November 1996.⁶⁵ On the 1st of August a new national liberal and **ecologist** alliance is formed (N.L.E.A.), whose purpose is to confuse the electorate.

The National Committee of C.A.P. from 2nd of August 1996 proposes Nicolae Manolescu as a candidate to presidency. At the same time, the list of candidates is approved for the parliamentary

elections. On the 7th of August, Nicolae Țăran, the executive president of C.A.P., retires from the party, probably because of the attitude of the Timiș organization regarding the candidates propositions for the parliamentary elections. On the 20th of September, N.L.P. (*The big friend*) proposes to R.D.C. (and it approves) the decision of eliminating from its alliances program any collaboration with N.L.A.! All pre-electoral surveys give credit to N.L.A. in the margin of the electoral border, 2-4%. The results are disappointing: 1,57% in the Chamber of Deputies and 1,92% in the Senate⁶⁶. The party enters a very difficult period. At the beginning of 1998, C.A.P. merges with N.L.P. (again N.L.P.!) by absorption and disappears from the political life. We are not analyzing here and now the causes of the C.A.P. disappearance. We formulate just one idea: if it disappeared, it means it had to. The electorate did not accept its political offer and the people it proposed!

CONCLUSIONS

One of the most powerful C.A.P. organizations was the one from Gorj County. The organization started to gain form in 1991. Among the founding members are the following: doctor George Iorgulescu (great personality of the public and medical life, a man with an impressive character), Valentin Popa (teacher), Gheorghe Gorun (teacher), Adrian Gorun (teacher), Maria Bădoi (engineer), Emil Stăncioi (lawyer), Adonis Bălan (doctor), Laurențiu Butnaru (economist), Gheorghe Constantinescu (eminent surgeon), Victor Drăgoi (teacher), Ion Giurgiulescu (engineer), Gheorghe Plăveți (plastic artist, teacher), Cristian Vodislav (doctor), Ion Ivancu (engineer), Pătru Andrei (lawyer), Iulian Mitrescu (teacher), Octavian Vulpe (doctor), Doru Strâmbulescu (topographer), Valentin Mazilu (engineer), Ion Ganea (teacher), Ion Carcalicea (engineer), Alexandru Crăciun (worker), Virgil Dănculescu (jurist), Ștefan Rădescu (functionary), Aurelian Iliescu (teacher), Ionel Bușe (teacher), Nicolae Băloi (doctor), Paul Băltănoiu (economist), Liviu Bocean (accountant), Adriana Breazu (engineer), Virgiliu Cercelaru (teacher), Vasile Cioroianu (teacher), Cristian Colac (worker), Gheorghe Marin (engineer), Dragoș Gălă (teacher), Marcel Groza (teacher), Ion Minea (engineer), Eugen Grinea (architect), Iulia Surupăceanu (doctor) and many others.⁶⁷ Numerous other personalities: doctors, engineers, economists, teachers, heads of villages, workers with great qualifications were C.A.P. members. We apologize for not being able to name all of them. In an exhaustive study, their names will be noted. In 1998, the Gorj organization had 2000 members.

From its beginnings (July 1991) and to its disappearance (February- March 1998), the organization was managed by Valentin Popa. Vicepresidents were Gheorghe Gorun, Adrian Gorun, Lazăr Popescu, Gheorghe Grivei. The municipal organization was managed by Adonis Bălan, and the Court of Honor and Dignity by George Iorgulescu. From 1993, Gheorghe Gorun was a member of the National Committee and of the Board of Directors of C.A.P., and since 1995 until the disappearance of the party he was vice-president of C.A.P.

Valentin Popa and Adrian Gorun were also a part of the National Committee, since 1995.

After the elections from 1992, C.A.P. obtained a County counselor (Adrian Gorun), a municipal counselor (Adonis Bălan) and a few dozens of local counselors. Gheorghe Gorun was elected deputy in the Romanian Parliament for the legislature of 1992-1996. He talked in the Parliament's for over 70 times. He gave political speeches, historical (the national day-1993), he made legislative propositions (properties affected by the mining works, amendments to the education law, the Criminal Code, the law of reform etc.), he addressed to the executive interpellations and questions. He was part of the Legal Commission, for discipline and immunities (1992-1993) and from the Commission of the Chamber of Deputies and the Senate for Controlling the Romanian Service of Information (1993-1996). He proposed- for the first time in Romania- that all secret services are under

the control of the Parliament. He represented C.A.P. in the Congresses of D.P. (N.S.F.), D.U.H.R. (the Democratic Union of Hungarians in Romania), R.N.U.P. (the Romanian National Unity Party).

The locals from 1996 ensured C.A.P.: 3 county counselors, 2 municipal counselors, approximately 80 local counselors, 2 mayors (Roșoga Doina – Turburea, Codreanu Damian – Roșia de Amaradia). The parliamentary elections were a result of the exit of C.A.P. from the first rows of the political scene. The Gorj organization confronted with the same problems as the party as a whole: the disagreements from R.D.C., the relationships with N.L.P., the power alliances in Tg-Jiu and in the County Council. In exchange, the relationships with the Civic Alliance were very good.

In 1994 and 1996, the following personalities were the guests of the Gorj county, meeting with citizens in Tg-Jiu, Motru and numerous other places: Nicolae Manolescu, Nicolae Țăran, Ștefan Augustin Doinaș, Ion Păun Otiman, Laurean Oniga, Ion Hohan, Ștefan Radof, Nicolae Constantinescu, Alexandru Atanasiu and others. Weekly, the management of C.A.P. met with the local media presenting for the citizens: the C.A.P. actions, the activity of the counselors, the parliamentary initiatives, the activity of the deputy etc. We believe that C.A.P. was a beautiful and honest party. Maybe these were the reasons why it became inadequate to the Romanian political life and to the pretensions of the electorate.

List of abbreviation:

Romanian abbreviation list	Romanian meaning	English abbreviation list	English form
P.A.C.	Partidul Alianței Civice	C.A.P.	The Civic Alliance Party
A.C.	Alianța Civică	C.A.	The Civic Alliance
C.D.R.	Convenția Democrată Română	R.D.C.	The Romanian Democratic Convention
P.N.Ț.C.D.	Partidul Național Țărănesc Creștin Democrat	N.P.C.D.P.	The National Peasant Christian Democratic Party
F.S.N.	Frontul Salvării Naționale	N.S.F.	The National Salvation Front
P.N.L.	Partidul Național Liberal	N.L.P.	The National Liberal Party
P.L. '93	Partidul Liberal '93	L. P. '93	Liberal Party '93
P.N.L. – A.T.	Partidul Național Liberal – Aripa Tânără	N.L.P. – The Young Part	N.L.P. – The Young Part
P.N.L. – C.D.	Partidul Național Liberal – Convenția Democrată	N.L.P. – D.C.	N.L.P. – Democratic Convention
A.N.L.	Alianța Național Liberală	N.L.A.	The National Liberal Alliance
A.N.L.E.	Alianța Național Liberală și Ecologistă	N.L.E.A.	The National Liberal and Ecologist Alliance
P.S.D.R.	Partidul Social Democrat Român	R.S.D.P.	The Romanian Social Democratic Party
P.D.S.R.	Partidul Democrației Sociale din România	S.D.P.R.	Social Democracy Party from Romania
P.D. (F.S.N.)	Partidul Democrat (Frontul Salvării Naționale)	D.P. (N.S.F.)	The Democratic Party (The National Salvation Front)
F.D.S.N.	Frontul Democrat al Salvării Naționale	D.F.N.S.	The Democratic Front of National Salvation
U.D.M.R.	Uniunea Democrată a Maghiarilor din România	D.U.H.R.	The Democratic Union of Hungarians in Romania
P.U.N.R.	Partidul Unității Naționale Române	R.N.U.P.	The Romanian National Unity Party

References:

General works:

Stoica, Stan. Romania after 1989. Bucharest: Meronia Publishing, 2007

Press and periodicals:

- "22", year II, no. 15 (65), April 19th 1991
"22", year II, no. 18(68), May 10th 1991
"22", year II, no. 20 (70), May 24th 1991
"22", year II, no. 22 (72), June 7th 1991
"22", year III, no. 47(148), November 26th– December 2nd1991
"22", year III, no. 26(127), July 3rd-9th 1992
"22", year III, no. 38(139), September 25th – October 1st 1992
"22", year III, no. 42 (143), October 22nd-28th 1992
"22", year III, no. 42(143), 22nd-28th October 1992
"22", year III, no.48 (149), December 3rd-9th 1992
"22", year IV, no. 12(164), April 1st-7th 1993
"22", year V, no.33 (236), August 17th-23rd 1994
"22", no. 17, April 26th – May 2nd 1995
"22", year V, no. 12 (267), March 22nd-29th 1995
"22", year III, no. 41 (142), October 15th-21st 1999
"The Express", no. 44 (144), 3rd-9th of November 1992
"The Free Romania", October 15th 1991
"The National Currier", year VI, no. 1173, 17th January 1995
"The Politics Sphere", first year, no. 3, February 1993
"The Politics Sphere", first year, no. 4, March 1993
"The Politics Sphere", no. 24, January 1995
"The Word", no. 51-52(151-152), December 22nd-31st
"The Word" – December 8th 1992
"Zig-Zag", year III, no. 43(135), November 1992
"Zig-Zag", year IV, April 8th-14th 1993
"The Day", February 18th 1995
"The Day", February, 20th 1995

Documents in Gheorghe Gorun's personal archive:

1. The Main Topics of the Directory Council of the Civic Alliance from June 6-8th 1991
 2. The Statute of the Civic Alliance, July 1991
 3. Program platform of the Civic Alliance Party
 4. The Appeal – Declaration of C.A.P. and C.A., August 1991
 5. The locally elected of C.A.P.
 6. The list of Civic Alliance Party
 7. Informative Bulletin – C.A.P., no 13, March 1st – 14th 1993
 8. Nicolae Manolescu – Political Report presented at C.A.P.'s Congress, April 23rd 1993
 9. Informative Bulletin of C.A.P.– no. 19, September 13th – 27th 1993
 10. The statute of Civic Alliance Party, 1993
 11. Informative Bulletin of C.A.P., no.22/January 1994
 12. The meeting of The National Committee of C.A.P., January 13rd 1995
 13. Nicolae Manolescu, The political report presented in Alba-Iulia, May 4th 1995
 14. C.A.P.'s statute, adopted at The Congress from Alba-Iulia, May 4th – 6th 1995
 15. Documents from the Congress from Alba-Iulia, May 4th 1995
 16. C.A.P.'s documents
 17. The National Committee, January 13rd 1996
 18. Circular Letter no.12/April 18th 1996
 19. Register of evidence of C.A.P. - Gorj members
 20. Civic-liberal motion
 21. Protocol for constituting the Civic-Liberal Alliance, "Liberals"
- Other Gheorghe Gorun's documents and personal notes

-
- ¹ Alina Mungiu, *The Civic Alliance at Platform would be useful the changing of the Alliance into a party?* In "22", year II, no. 15(65), April 19th 1991, page 2
- ² Dan Pavel, *The Chronicle of an Announced Democracy: meeting of the Civic Alliance*, Sibiu, 4-5th of May, in "22", year II, no. 18(68), May 10th 1991, page 6
- ³ Rodica Palade, Interview with Mihnea Berindei in "22", year II, no. 20 (70), May 24th 1991, pages 6-7
- ⁴ Ibidem
- ⁵ *Only together we shall win* – interview with Mihai Șora, in "22", year II, no. 22 (72), June 7th 1991, page 11
- ⁶ The Main Topics of the Directory Council of the Civic Alliance from June 6th-8th 1991, Gheorghe Gorun's personal archive
- ⁷ The Civic Alliance Congress from July 5th-7th 1991, The main topics, Gheorghe Gorun's personal archive
- ⁸ The Statute of the Civic Alliance, July 1991, Gheorghe Gorun's personal archive
- ⁹ *The Radiography of political parties: The Civic Alliance Party*, in "The Free Romania", October 15th 1991, page 9
- ¹⁰ Ibidem
- ¹¹ Program platform of the Civic Alliance Party, pages 1-5
- ¹² The Appeal – Declaration of C.A.P. and C.A., August 1991, Gheorghe Gorun's personal archive
- ¹³ Ibidem
- ¹⁴ The locally elected of C.A.P., Gheorghe Gorun's personal archive
- ¹⁵ To be seen *A winner and four defeated*, in "22", year III, no. 26(127), July 3rd-9th 1992, page 5
- * Most of the Civic Alliance Party's leaders blamed C.A. for voting for Emil Constantinescu
- ¹⁶ C.I.S. survey, September 1992 in "22", year III, no. 38(139), September 25th – October 1st 1992, page 5
- ¹⁷ Stan Stoica, *Romania after 1989*, Meronia Publishing House, Bucharest, 2007, page 226
- ¹⁸ The list of Civic Alliance Party's, Gheorghe Gorun's personal archive
- ¹⁹ To be seen, for exemple, "22", year III, no. 41 (142), October 15th-21st 1999, pages 4, 10-11, 12; "22", year III, no. 42 (143), October 22nd-28th 1992, pages 1, 5, 10
- ²⁰ Dan Căpățână, *Why we lost*, in "22", year III, no. 42(143), 22nd-28th October 1992, page 10
- ²¹ Ibidem, page 5
- ²² To be seen: "The Express" no. 44 (144), 3rd-9th of November 1992; "The Word" – December 8th 1992, pages 4-5
- ²³ "Zig-Zag", year III, no. 43(135), November 1992, page 3
- ²⁴ Stan Stoica, quoted work, page 57
- ²⁵ "22", year III, no. 47(148), November 26th– December 2nd 1991, pages 5-6
- ²⁶ Ibidem, page 6
- ²⁷ In order to know the Civic Alliance's opinion – to be seen "22", year III, no.48(149), December 3rd-9th 1992, pages 5-6
- ²⁸ "The Word", no. 51-52(151-152), December 22nd-31st, pages 4-5
- ²⁹ Rodica Palade, *Serenity and Involvement*, interview with Mihai Șora, in "22", year IV, no. 12(164), April 1st-7th 1993, pages 8-9
- ³⁰ Stelian Tănase, *A party at crossroads – C.A.P. (fragment)* in "The Politics Sphere", first year, no. 3, February 1993, pages 5-7
- ³¹ Ibidem
- ³² Ibidem
- ³³ Liviu Antonesei, *C.A.P. - Classes, masses and social intellectuals*, notes related to Stelian Tănase's study – "The Politics Sphere", first year, no. 4, March 1993, pages 9-10
- ³⁴ George Voicu – *The complex of identity*, in "The Politics Sphere", first year, no. 4, March 1993, pages 8-10
- ³⁵ Aurelia Boriga, *Will C.A.P have National Liberal Party's fate and Manolescu, Câmpeanu's fate?* In "Zig-Zag", year IV, April 8th-14th 1993, page 4
- ³⁶ Informative Bulletin – C.A.P., no 13, March 1st – 14th 1993, Gheorghe Gorun's personal archive
- ³⁷ Nicolae Manolescu – Political Report presented at C.A.P.'s Congress, April 23rd 1993, Gheorghe Gorun's personal archive
- ³⁸ Civic-liberal motion. Gheorghe Gorun's personal archive
- ³⁹ The statute of Civic Alliance Party, 1993, Gheorghe Gorun's personal archive
- ⁴⁰ Informative Bulletin of C.A.P., no. 19, September 13th – 27th 1993, Gheorghe Gorun's personal archive
- ⁴¹ Informative Bulletin of C.A.P., no. 22/January 1994, page 1, Gheorghe Gorun's personal archive
- ⁴² Ibidem, page 12
- ⁴³ Ibidem, page 6
- ⁴⁴ Ibidem, page 12
- ⁴⁵ Protocol for constituting the Civic-Liberal Alliance, "Liberals", Gheorghe Gorun's personal archive
- ⁴⁶ Stan Stoica, quoted work, page 75
- ⁴⁷ "22", year V, no.33 (236), August 17th-23rd 1994, pages 1-9

⁴⁸ "The National Courier", year VI, no. 1173, 17th January 1995, page 1

⁴⁹ "The Politics Sphere", no. 24, January 1995, page 25

⁵⁰ The meeting of The National Committee of C.A.P., January 13rd 1995, Gheorghe Gorun's personal archive

⁵¹ "The Day", February 18th 1995, page 5

⁵² Idem, February, 20th 1995, page 5

⁵³ Gheorghe Gorun, personal notes, 1995

⁵⁴ Stan Stoica, quoted work, page 78

⁵⁵ "22", year V, no.12(267), March 22nd-29th 1995, page 4

⁵⁶ Ibidem, page 9

⁵⁷ Ilie Șerbănescu, *We do not expect from anyone to promote reform*, in "22", no. 17, April 26th – May 2nd 1995, page 4

⁵⁸ Nicolae Manolescu, The political report presented in Alba-Iulia, May 4th 1995, Gheorghe Gorun's personal archive

⁵⁹ C.A.P.'s statute, adopted at The Congress from Alba-Iulia, May 4th – 6th 1995, Gheorghe Gorun's personal archive

⁶⁰ Documents from the Congress from Alba-Iulia, May 4th 1995, Gheorghe Gorun's personal archive

⁶¹ C.A.P.'s documents, Gheorghe Gorun's personal archive

⁶² The National Committee, January 13rd 1996, Gheorghe Gorun's personal archive

⁶³ Circular Letter no.12/April 18th 1996, Gheorghe Gorun's personal archive

⁶⁴ Stan Stoica, quoted work

⁶⁵ Ibidem, page 90

⁶⁶ Ibidem, page 227

⁶⁷ Register of evidence of C.A.P. - Gorj members, Gheorghe Gorun's personal archive

ORIGINAL PAPER

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The Universal Basic Income and a New Welfare State

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Abstract: *The present study addresses an idea, which is not necessarily new, but has aroused heated debate in the recent decades: the universal basic income - UBI. We aim to weigh the pros and cons of this generous hypothesis and try to find out whether it could be a viable solution to achieve freedom and social justice as well as restore the social consensus in a new welfare society.*

Key words: *universal basic income, negative income taxes, welfare state, cognitive capitalism, social justice.*

I. Introduction. During the last half of this century, with insignificant interruptions, the Western world has enjoyed plenty of welfare and socio-political stability, feeding itself with the illusion of endless economic growth. Poverty and social inequities have only appeared as a consequence of minor, regional and temporary disruptions of the free market. Nevertheless, with the onset of the new millennium, stability and optimism have been gradually and rapidly replaced by all kinds of uncertainty and insecurity, ranging from those aiming at economic welfare, social security and cohesion to those concerning environmental and even cultural health. It is therefore quite natural to ask ourselves whether we are witnessing the final collapse of a certain type of institutional arrangements and reaching the limits of the current economic model, which apparently can no longer lead to growth and prosperity for the coming generations but rather to increased poverty, crises and inequities of all kinds. If it is difficult to make a prediction about the general development of the capitalist system, there have been many studies on the major difficulties that the Western model of the welfare state has encountered, for almost half a century.

As we all know, it is not easy for something new to be born from scratch and thus we should try to find out those particular ideas or achievements of the past that could be placed at the foundation of a new paradigm of a welfare society. Related to the necessity of reforming the European model of providential state, we will bring to your attention the idea, not entirely new, which has aroused heated debates and it was and still is considered utopian. It is the idea of the universal basic income.

In the XVIIIth century, Marquis de Condorcet was the first thinker to promote the thesis of granting a basic income to all citizens. In order to counter the widespread socialist ideas of the era,

Otto von Bismark took over Condorcet's suggestion of introducing a basic income grant and put into practice the first European mechanism for the protection of the members of a society.

However, the model of social security conceived by Bismark and then put into practice by the public authorities of most European states, excluded those who had never been employed: "solidarity is only manifested among employees" (Vanderborght, Van Parijs, 2005, 9) Thus, at least until the 1970s, social solidarity had never been set apart from the development of a certain economic activity.

Starting from the basic observation that employment is a form of dehumanization, a number of intellectuals and lead politicians of the Netherlands proposed, in the middle of the VIIIth decade of the last century, the separation of the universal grant income from all economic and social activity. The idea was systematically resumed by a group of philosophers and economists from UCL known as the „Collectif Charles Fourier”, which included Paul-Marie Boulanger, Philippe Defeyt and Philippe Van Parijs. In 1983, this working group undertook to theoretically explore the consequences of a possible implementation of the thesis of universal allowance - *allocation universelle*. The group became best known after they exposed their main ideas in an essay published in a special issue of the Belgian magazine – in April 1985. A year later, they organised an international conference where they founded “The basic income earth network (BIEN)”, aiming “to serve as a link among those committed to or interested in basic income and to foster informed discussion on this topic throughout Europe.” BIEN defined the *universal allowance* as the unconditional income paid to any individual without regard to whether he/she has other income, with no constraint to carry out a certain economic or social activity and no matter if he/she is rich or poor. The principles set by BIEN as the philosophical grounds of the universal allowance are: “liberty and equality; efficiency and community; common ownership of the Earth and equal sharing in the benefits of technical progress; the flexibility of the labour market and the dignity of the poor; the fight against inhumane working conditions, against the desertification of the countryside and against interregional inequalities; the viability of cooperatives; and the promotion of adult education and autonomy from bosses, husbands and bureaucrats. (Caputo, 2008, 510).

II. Three theoretical models of the universal basic income. Richard K. Caputo has analysed three theoretical models representing the basic income grant (BIG), that he considered being nothing else than mere attempts to eclipse the welfare state. The first model was introduced by Philippe Van Parijs, the second by Ross Zucker and the last by the American libertarian Charles Murray, who, in a relatively recent paper (Murray, 2006) suggested a concrete plan to replace the welfare state with a social formula based on the introduction of the universal allowance.

Van Parijs, a leftist libertarian from UCL, considers that in the advanced capitalist state, the political community has the moral obligation to pay an unconditional income to any member of the society. In his view, the introduction of a UBI aims to ensure equal access to resources for all citizens, thereby granting people's economic power of negotiating and thus properly dividing the social product: “In a free society the ideal socioeconomic regime is one that could afford and would implement the highest sustainable unconditional income subject to the constraint that everyone's formal freedom (that is, security and self-ownership) should be protected.” (Caputo, 2008, 512). Caputo discovers the flaws in Van Parijs's suggestion and shows that the latter's arguments didn't take into account the wide range of human needs and limited themselves to issues of freedom and poverty, thus missing the fact that “the social justice becomes a matter of distributing possibilities, or freedom, not results, and real freedom focuses on those opportunities available to each individual.” (Caputo, 2008, 512).

Gijs van Donselaar also considers that Van Parijs is not actually interested in people's real freedom but only in the social one, he "just wants to organise people's positions in decision procedures in such a way that it produces superior social freedom sets." Totally rejecting the UBI idea, Donselaar emphasizes that under scarcity of economic resources, the provision of a universal basic income is no more than "a net transfer of income from those who work relatively hard to those who work relatively little (or not at all)." (Donselaar, 1998, 327) At the same time, due to its unconditional feature, the universal basic income "would form a significant breach with traditional social policies in modern welfare states, whose provision of benefit to non-working persons is conditional on a host of requirements, including, of course, the requirement that the recipient is willing to accept suitable work." (Donselaar, 1998, 328)

Ross Zucker, an advocate of the theory of distributive justice, approached the complex relationship between democracy and economic justice, thus trying to discover how Western countries with market economy could solve the problem of high levels of unequal income and wealth. He claimed the intrinsic and interdependent nature of democracy and economic activity considered that every member of the "economic community" is entitled to an equal share of the income as well as to the overall wealth produced by his/her work. Therefore, not only the activity of producing certain goods or services should be appreciated and rewarded but also individuals' contribution to the overall wealth of their community. Ross Zicker believes that democracy should not include only political but also economic rights. Unfortunately, like Van Parijs, he could not specify how one can calculate the share of national income that individuals are entitled to, by virtue of their contribution to the overall wealth. In the same way, the state of those who, for one reason or another, do not participate in any way to the productive economic activity but need to have access to resources in order to survive, remained unsolved. (Caputo, 2008, 513).

In 2006, Charles Murray came up with a bold proposal, namely the sudden removal of involuntary poverty and that of the welfare state, in its current form, by introducing a universal basic income. In his book, Murray denounces, from the very beginning, the two basic assumptions laid at the foundation of the Western welfare state which claim that the economic resources are limited and that only the governments have the ability to effectively manage those resources. He strongly argues that "the welfare state degrades the traditions of work, thrift, and neighbourliness that enabled a society to work at the outset; then it spawns social and economic problems that it is powerless to solve. The welfare state as we have come to know it is everywhere within decades of financial and social bankruptcy" (Murray, 2006, 3-4)

Murray goes for a libertarian solution, which consists in preventing the government from redistributing and thus wasting money in the society. However, he is not limited to the idea that Milton Friedman put forward at the end of the 7th decade of the previous century, known as the "negative income tax" (NIT). The latter designed a financial scheme that consisted of replacing the social benefits by an amount of money given to the poor, calculated as the difference between what they earned and the income needed for leading a decent life.¹ Murray suggest that the state should suspend any program or form of social assistance and, from the resources saved, give an annual amount of 10.000\$ to each American citizen who reached the age of 21. The implementation of the plan has a few basic requirements: a universal passport to identify those who take the grant, a bank account, the application of a rule for surcharging and reimbursement of those who have incomes higher than 25.000\$, the elimination of certain social programs (Social Security, Medicare, Medicaid, welfare programs, social service programs etc).

Richard Caputo grasps some major contradictions of Murray's model such as the fact that, although it aims at universality, it contains conditions for the exclusion of the citizens who have

reached the age of 21 as well as of those who have been imprisoned. Moreover, the estimated cost for the implementation of the project shows that it doesn't produce any savings but, on the contrary, it leads to the significant growth of social costs (Caputo, 2008, 514). Caputo, a declared supporter of the universal allowance, considers that Ross Zucker's formula is the most reasonable one since it does not require the abolition of the current welfare state, but the preservation of its structure, along with the initiation of a comprehensive process of reform which would lead to a rapid reduction of poverty.

It is only after a thorough debate and accurate evaluation of the economic resources that one can determine what share from the national income to be granted, unconditionally, to all members of the society. In addition, the introduction of the universal grant income should be done stepwise, starting from the poorest classes of the society and, depending on the resources, continuing with families and less poor classes to the generalization of a new welfare system.

III. The crisis of the welfare state or the crisis of the capitalist model, in general?

The project of the universal basic income does not represent only an abstract concern of philosophers and professionals specialised in political theory; during the last decade, it has also been supported by a growing spectrum of personalities from overseas interested in European economy, politics and culture. The followers of the universal allowance consider this to be a good way to release the individual from the obligation of being employed, and also a concrete method to eradicate the crisis that has affected the welfare state during the last four decades.

When they brag about the bankruptcy of the welfare state, the libertarian or conservative theorists and right politicians address the issue in itself, leaving out the deep general crisis of the capitalist system. Moreover, they believe that the current deterioration of the economic environment is a consequence of the rapid process of globalization, while announcing, with unconcealed joy, the death of the social status. Less state and more free market and deregulation – this is what these economists and politologists consider to be the synthetic recipe of coming out of the crisis which affected Europe and the global economy!

Paul Krugman noticed that the leaders of the united Europe, through the voice of Jacques Delors, while not admitting the true causes of the increasing unemployment, have issued the false hypothesis that the world states find themselves in a vast competition, on a global scale, and that the deterioration of the internal social and economic climate might be caused by the failures of the respective countries in the global market. But “the obsession with competitiveness is not only wrong but dangerous, skewing domestic policies and threatening the international economic system.” This narrow perspective on things mystifies the real source of world states issues and “leads, directly and indirectly to bad economic policies on a wide range of issues, domestic and foreign, whether it be in health care or trade.” (Krugman, 1996, 5). In fact, as Krugman says, the international competition of the states is no more than “a zero-sum game”, which means that the internal problems are only the consequence of the global failure of the post-fordist capitalist model.

Starting from the conclusion of the winner of the Nobel prize for economics, perhaps it would be useful to consider another hypothesis: we may well not facing a genuine crisis of the welfare state, but one of the capitalist system in general which seems, at least in current institutional, economic or political arrangements, to have exhausted its resources to generate welfare. Nevertheless, if we are to analyse the disastrous consequences of applying the right libertarian recipe, by the IMF, to the countries that have been deeply affected by the economic crisis during the last five years, we could easily draw the following conclusion: the social state is definitely not the true culprit for the collapse of several European economies. For the major squander, that has led banking

systems to bankruptcy and indebted many countries, was not necessarily caused by an excessively generous social state but by the systemic flows of capitalism. In fact, reality shows that the northern European countries that follow a successful model of the welfare state do not face the major problems of the current crisis of capitalism. On the contrary, here, the moderation of the excesses of the liberal capitalism and its social measures really contribute to maintaining the vitality of the economic system based on the free market. Actually, the Scandinavian experience has shown that the constant accusations brought to the welfare state are not substantiated in any way.

Daniel Raventos has inventoried and summarized the most spread arguments against the welfare state. These are:

1. "The welfare state removes from the market incentives for investment and remunerated work;
2. The welfare state is inefficient and uneconomical. 'Vast' amounts are spent on the elimination of poverty but poverty is still very much with us.
3. The welfare state entails unnecessary state gigantism. This, in turn, leads to a decline in individual initiative;
4. The welfare state means taxation rates that constitute an attack against freedom.
5. It is not true that the welfare state compensates for 'market deficiencies'." (Daniel Raventos, 2007, 115)

Without going deeper into this matter, we could formulate some brief answers to a few of the libertarian objections summarized by Daniel Raventos: states that have low social intervention and extended free market have neither reduced poverty, nor saved resources, but, even more, they are currently facing huge deficits which are almost impossible to be financed; the tax rates represent, along with the interest rate, effective tools for macroeconomic adjustment – as the Keynesianism has shown us – and freedom is a combination of two interrelated dimensions, the individual and the social one, and it is obvious that these two dimensions are much more respected in the so-called welfare states than in the libertarian capitalism; states like those in Scandinavia do not seem uninteresting to investors as they usually appreciate rather predictability, stability, safe business and a high consumption potential than quite risky high rates of profitability.

Raventos puts more thought into the rejection of the libertarian objection to the assertion that the welfare state pays the costs of market deficiencies and contributes to poverty decrease. For example, one of the failures of the free market is related to the production of *preferred goods*, i.e. goods whose demand is low but which are appreciated by the society and their consumption should be stimulated. This is the case of education: as not everyone has the necessary financial means to get education, the state should take action in this respect, by giving grants and thus contributing to the education of the youth that will then work in the capitalist market economy as well. Furthermore, "the welfare state system of social protection contributes to economic stability by maintaining demand." (Daniel Raventos, 2007, 119)

However, we are all aware of the negative aspects of the welfare state such as the excessive control over the lives of the people receiving social assistance, the high costs of administrating social services and creating a certain addiction to social benefits, which may thus lead to chronic involuntary unemployment and subsistence living. Since, in a welfare state, social grants are only awarded up to a certain level of the income, the beneficiaries will not be encouraged to undertake additional activities in order to increase their revenues and thus severely reducing their willing to perform paid work. Others may yet be looking for non-declared additional revenues in order to maintain their official status as 'poor' and thus feeding the black market labour force. Additionally, in a welfare state, the idle individuals may try to enter the social assisted group as, conversely, due to

bureaucracy, there are many cases where social benefits do not reach the people or groups that really need them.

We have listed a few of the negative aspects that the welfare state has failed to solve. Under these circumstances, we can ask ourselves whether the introduction of the universal allowance is indeed a step forward, a new phase of the welfare state or, on the contrary, it is only a utopian idea, even more utopian than socialism itself – which we have just berried.

IV. The model of the post-fordist crisis and the cognitive capitalism. There are quite a few studies showing that the post-fordist model of capitalism, although relatively new², has failed economically, along with the institutions of power that supported it. In fact, one can easily notice that the last decades of neoliberal policies have been affected by a massive concentration and centralisation of power for multinational companies and financial and industrial groups, and that, although it is not openly acknowledged, these economic corporations have gained a strong power of influence on governments, central banks or international organisations. At the same time, the democratic virtues and their relation to the civil society have been significantly diminished and this fact may explain the decreasing concern of public institutions to manage social issues. It is also true that major union groups, through their leaders, have gradually come under the influence of the neoliberal power thus losing their credibility among ordinary members. This is, broadly, the context in which the Keynesian welfare state was significantly diluted in the last decades of the previous century. However, the overall victory of the neoliberalism seems to be temporary as the current economic crisis has the merit of bringing, besides instability, a growing demystification of the reality we all live in. This is how the most important financial and industrial groups, after asking and receiving as little state as possible with lower taxes and fees, require urgent state intervention to provide the resources necessary for the correction of all imbalances that it has generated.

Thus, we have witnessed, at least after 1970, a number of crises as well as the disappearance, respectively the fall, of two opposing economic and social models: one socialist and the other post-fordist capitalist. Most recently, there is a more and more accepted idea that we should fundamentally rethink the current economic system and one of the most widespread concept is that of 'cognitive capitalism'. Stefano Lucarelli and Andrea Fumagalli believe that post-fordism is only a transition phase from fordist to cognitive capitalism, thus mentioning that, in their opinion, "the phrase CC better captures the links between the exploitation of knowledge and the accumulation of surplus." (Lucarelli, Fumagalli, 2008, 77). The matter of cognitive capitalism has recently been approached, in a systematic way, by Yann Moulier Boutang in a study wearing the same title. He believes that it represents the third form of capitalism, which is specific to the new globalized economy. Briefly, the defining features of cognitive capitalism identified by Boutang are: a). the virtualization of the economy, that is to say the unprecedented increasing of the role played by goods and immaterial services that are difficult to quantify and measure as they derive, in a far greater extent, from higher, rational and emotional features of the human being; b). the production of wealth is no longer based on the standardized and homogenous classical models of organizing and developing the production process, but on information and communication technologies as well as on network activities; c). the balance between quantitative and qualitative work is reversed as communicational, intellectual and relational activities become predominant; d). in what economic activities are concerned, the relationships based on the rigid hierarchical order are vanishing, being gradually replaced by individualised contractual relationships that are designed to introduce individual competitiveness in employees' work behaviour; e). the role of knowledge and innovation becomes fundamental: creating values and welfare by producing knowledge from cognitive and immaterial relational activities; f). the

cognitive capitalism is not linear, but network type reality and the hierarchies it develops work within loops and between the different loops of the same network.

Boutang believes that this third form of capitalism brings fundamental changes on three setting levels, namely in terms of accumulation, mode of production and specific use of living labour. The accumulation is now based on knowledge and creativity, i.e. on the 'immaterial investment'; the production is based "on the cooperative labour of human brains joined together in networks by means of computers" (Boutang, 2011, 56-58), and the intelligent work force, not the automated machine, has come to represent the benchmark of the economic activities.

Regardless of whether the name of cognitive capitalism will continue to be used for defining the society of the future or not, it is obvious that its features description matches the way in which we perceive it today. Therefore, we may ask ourselves, as Boutang does, in the end of its book, "is the current financial crisis the bell ring of the newly born capitalism?" (Boutang, 2011, 167) However, it is important for our study to bear in mind the situation in which the human being is generally found and not just his/her economic dimension, the labour force. The opportunity of the cognitive capitalism or of a society based on knowledge depends on the human condition of the inhabitants of the new world and on the fundamental reconstruction of their relationship with the capital. At the same time, the new welfare state should also be redesigned according to the characteristics and challenges of the society and the knowledge economy, whereas the universal basic income may represent the very pillar on which the welfare state could be rebuilt.

VI. The universal basic income, the cognitive capitalism and the new welfare state.

We all understand that it is not the excessive generosity of the universal allowance project that represents the main cause of resisting to the implementation of this project, but the possibility of financing it. It is also argued that the implementation of the universal basic income would stimulate loafing as the encouragement of participating to the workforce market would disappear. Others believe that this kind of project would lead to slavery since creating the resources for financing it would entail a tax burden. In addition, a state which enforces such an idea would be rapidly smothered by social immigration and thus become completely uninteresting for capital investors. Or, sustaining development is the only solution and guaranty to ensure the resources for various social expenses. Therefore, the right libertarian formula will represent the only solution to reduce poverty rate and social inequities. But, as we have seen above, the concrete reality shows that things are reversed: the inequities have increased, as well as poverty, which means that ours explanation revolves in a vicious circle.

Certainly, we could appeal to multiple philosophical and political arguments that could definitely be persuasive enough to admit the universal allowance project. Essentially, these arguments only refer to the fact that we are social beings, the product of a social environment and that individual choices are always socially conditioned and thus the UBI would increase the level of equity and contribute to the consolidation of social order. It is also equally clear that the universal allowance would be an effective way of promoting democracy and creating a more democratic society, "in which individual freedom and citizenship are of equal worth for everyone" (Carole Pateman, 2004, 90).

We shall not insist on this philosophical dimension but we will only lay stress on the way in which the idea of the universal basic income would be a productive in what we previously called cognitive capitalism.

A number of authors have attempted to highlight the reason why, in the economy based on innovation and advanced knowledge, the universal basic income is not seen as a utopian idea but as a socially fair and economically useful measure. After all, we need to admit that the crucial arguments

when accepting the implementation of this project will be the economic ones. The most important of them are:

a). In cognitive capitalism, the immaterial production share is becoming higher and the salary frame does no longer look as the traditional one, which was based on counting the working time and the goods produced. In the new conditions, we may find it difficult to accurately quantify the increase of individual productivity and salaries cannot be precisely connected to the use of workforce. However, the increase of individual productivity can be found in the increase of social productivity and overall economic development; we thus believe that all participants to the creation of this growth should benefit from it, not only the owners of capital and business. (Lucarelli, Fumagalli, 2008, 83-84)

b). The cognitive capitalism is quite a stable one as business dynamics and sustainability depend mainly on the ability to draw the intelligent and innovative human resource. More and more often, the difference in competitive competition is no longer based solely on the superiority of technical and technological endowment, but on the use of an intelligent workforce. Consequently, the expanding of the new type of economy, based on immaterial goods, will accelerate advanced labour demand and the implementation of the UBI would represent a key source to create the conditions for its construction at a larger scale. This is because, due to growing poverty and inequities, there is an increasing waste of potential for human intelligence, mainly generated by the rising costs of training the superior workforce.

c). As the economic and financial indecisions are expanding in the globalized network economy, assuring a UBI would help stabilize consumption demand and thus securing the production of goods and services. "Through enhancing network and learning processes, BI would increase both productivity and demand, via consumption" (Lucarelli, Fumagalli, 2008, 89).

d). The implementation of the UBI in society would contribute significantly to securing family and household budgets, it would also increase the access to information and communication and the mobility, as all these facilitate the development of a proper environment for the training of a superior intellectual and ethical human being, that is specific in a society based on advanced knowledge.

e). Ensuring a universal basic income would definitely help people to have the right to housing, mobility and culture, as well as have a better access to knowledge and information. In this way, social discrimination and conflict moods would diminish thus laying the foundations for a fair and extended social compromise (Lucarelli, Fumagalli, 2008, 87)

f). Since for more and more Western companies, the fact of conducting legally and morally correct business is no longer seen as a consequence of assuming formal commitments to the different categories of stakeholders, but a way of staying on the competitive market and a real chance to increase their profit, the implementation of the UBI would balance the economy and would also correspond to a broader respect for fundamental social commitments.

g). Finally, the residents of cognitive capitalism, representing the product of a long and difficult period of professional training, demands that the society would provide him/her a higher degree of stability and security and the UBI would represent a solid basis for assuring social peace and consolidating the institution of family and citizenship.

VII. Conclusion. Philippe van Parijs, the most famous promoter of the UBI program, believes that the implementation of the UBI is the best solution for ensuring genuine freedom for everyone. He believes that a free and just society is the one in which all members can do whatever they want to do with themselves and with any external objects they might own. When talking from the perspective of the "true libertarianism", i.e. the left one, Parijs appreciates that three conditions need to be met in order to achieve the society of freedom and justice: 1). There is some well enforced structure of rights (*security*). 2). This structure is such that each person owns herself (*self-ownership*).

3). This structure is such that each person has the greatest possible opportunity to do whatever she might want to do (*leximin opportunity*). (Van Parijs, 1995, 25). When he was asked whether the current capitalism, including its concepts of “providential state”, is justified in terms of ensuring real-freedom-for-all, Philippe Van Parijs answered negatively but added that the only way for this to become reasonable is by introducing the universal basic income. (Van Parijs, 1995, 226).

It is true that a capitalist economic system, rebuilt around the universal basic income, could solve most of the issues that the former welfare state has failed to tackle; these negative aspects were accurately spotted by the supporters of neoliberalism, such as: the redistributive welfare state leads to the waste of resources; social benefits are often given to people who do not need them; the welfare state which distributed some social resources becomes the target of interest groups; the state cannot identify the most pressing needs of social assistance; the current welfare state spends excessive resources to administrate social assistance programs; the welfare state is excessively bureaucratic, etc.

On the other hand, we must admit that the indication of concrete ways of implementing a type of a welfare state based on the UBI, which is in fact far from Bismark’s paradigm, is still far from being presented even by its best advocates. Nowadays, there is a wide range of UBI aspects (Wispelaere, Stirton, 2004, 273) depending on the political ideological orientations of those who envision them, it is precisely this diversity that seems to represent one of the key advantages of its theoretical refining along with the dissipation of current political and economic restrictions for its implementation to be a real necessity and recognized priority.

References:

- Boutang, Yann Moulier, (2011), *Cognitive Capitalism*, Polity Press, Cambridge.
- Caputo, Richard K., (2008), „The unconditional basic income guarantee. Attempts to eclipse the welfare state”, *International Social Work* 51(4): 509–518.
- Donselaar, Gijs van (1998), „The freedom-based account of solidarity and basic income”, *Ethical Theory and Moral Practice* 1: 313–333, Kluwer Academic Publishers.
- Krugman, Paul R. (1996), *Pop Internationalism*, The MIT Press Cambridge, Massachusetts.
- Lucarelli Stefano, Fumagalli Andreea, (2008), „Basic Income and productivity in cognitive capitalism”, in *Review of Social Economy*, vol. LXVI, no.1., 71-92.
- Murray, Charles, (2006), *In Our Hands: A Plan to Replace the Welfare State*. Washington, DC: The AEI Press.
- Parijs, van Philippe, (1995), *Real Freedom for All*, Clarendon Press, Oxford
- Pateman Carole, (2004), „Democratizing Citizenship: Some Advantages of a Basic Income”, in *Politics & Society*, 89-195.
- Raventos Daniel, (2007), *Basic Income. The Material Conditions of Freedom*, Pluto Press London. Ann Arbor, MI.
- Vanderborght, Yannick, Van Parijs, Philippe, (2005), *L'allocation universelle*, La Découverte, Paris;
- Wispelaere, de Jurgen, Stirton Lindsay, (2004), „The Many Faces of Universal Basic Income”, *The Political Quarterly Publishing Co.Ltd*, Blackwell Publishing, 226-274.

ORIGINAL PAPER

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The Political Crisis in Macedonia and the Future Challenges

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Abstract: *In this paper we are going to describe the reasons and consequences of the social transformation under the impact of the political and economical changes in south-eastern Europe after the 90's, with emphasis on Macedonia. A sociological analysis of the Macedonian society as a whole will be performed.*

The process of development of the multiethnic state and the contemporary civil society, the political culture of the citizens and the choices they have to make, the establishment of a civil society based on multiethnic values and common respect, will be our main focus in this paper. Also, we will present the latest political crisis and the lack of political dialog between ethnic Albanians and Macedonians. A special analysis will be made on the latest crisis between Macedonian government and opposition parties, which are threatening the euro-integration processes. This also deepens the economic crisis and endangers the weak interethnic relations in the country. A solution to these and many other problems is offered at the end of the paper. The methodology that will be used in this paper carries comparative and historical methods, statistical and content analysis, which enables the paper to present a realistic picture, based on empirical data and derived evidence from the research.

Key words: *Macedonia, multiethnic, dialog, crisis, civil society.*

- **The disintegration of Yugoslavia and the Soviet Union - the years 1989-90**

In ex- Yugoslavia, despite occasional conflicts, ethnic communities have usually lived together in tolerance. Peaceful coexistence was possible because of traditional mechanisms for the management of ethnic conflicts. But also the case of former Yugoslavia shows how a relatively multiethnic state can turn into a disaster in a short time. It shows the importance of the adequate regulation of ethnic relations in multiethnic environment.

As one of the reasons for the brake-up was quoted the disappearance of the main foundation of the multiethnic socialistic Yugoslavia, the federal communistic union, which left the state unprotected. Therefore, we should take in consideration the opinion given by Ahmed Davutogllu which in one of his papers says that "the systems that control without letting the controlled to take part in the same are not long-lasting". This is a meaningful example and in the same time, a warning for every despot that plans to rule forever, like the ones taken out by the Arabian spring.

- *The role and the impact of the international factor in the breakup and in the creation of the new states in the region*

The international institutions and organizations were mainly focused on bringing an end to escalations between different ethnicities and the newly created states. The Balkan region was on the edge of total war and there was a need for huge international involvement which required enormous budget for funding the peacekeeping missions. The reputation of the international factor, especially the European was put in question.

The European response to the Yugoslav crisis has been widely recognized as a failure as it has been unable to bring the fighting to a rapid end.

- **The impact of the new state in interethnic relations – Unitary state**

After the dissolution of former Yugoslavia there were created many new states, among which, was the new Macedonian state (FYROM). The changes in the economic and political system in Republic of Macedonia, a new democratic system should be established based on equal ethnic and cultural rights, where the human rights and their freedom, as well as the rights of ethnic groups would be respected. Macedonia presents a society deeply divided between two major communities: Macedonian and Albanian, including ethnic, linguistic, religious and social differences. After the referendum for independence and approval of Constitution in 1991, Macedonia was built as national state, and this has produced significant ethnic problems including our neighbors. The continuous demands of Albanians for improved education, equal employment opportunities, and equal economic development did not make significant results.

The transition process represents a social change which in the first place represents a policy change that affects every pore of a contemporary society. For this reason, the total social transformation is necessary prerequisite, but not sufficient for transition. The poorest the country entering the transition path is, the more difficult, longer and more complex is the entrance to the democracy. The transition process in Macedonia was followed by many turbulences and crisis which were generally presented in my previous book called "Social changes and transition".

Many authors define crisis as an unlikely event which represents a challenge for decision makers or political elites, by challenging them for deciding in worsened or unlikely environment, for very short period of time and without further notice. Generally there are several types of crisis which can be examined and further discussed in our paper:

- Economic
- Social
- Political
- Diplomatic
- Military
- Humanitarian
- Ethnic
- Regional, etc

An important issue regarding the crisis and their creation is the nature of their cause it in a first place. Therefore, we thought it relevant to present the internal causes which play a significant role in our contemporary society and political situation as a whole, but we also should not neglect the external factors that generate crisis. **The internal causes:**

- Inadequate and unprofessional leadership
- Incompetent leadership
- Immoral leadership
- Depreciation and not appreciating the public opinion
- Inefficient action of the political leaders
- The lack of dialog, etc.

After the break of the Berlin wall (1989), instead of building infrastructure for sustainable and just world order, the competition between the fields of regional tensions was continuously promoted. This was the case with Yugoslavia which later continued during the 21st century with Macedonia and the region.

The constitution of 1991, as one of the main reasons for the future troubled inter-ethnic relations, was not voted by the ethnics Albanian representatives in the parliament. This led in majorization of Albanians in the parliament, which has continued until today, beside the changes on the constitution after 2001. But nowadays, this is being done by misusing the Badinter Principe (the dual voting system).

Many politicians, authors, analysts and researchers have been involved in the region and have analyzed and suggested how to proceed towards brighter future. One of those was Isaak Adizes. On 1993-95, Isaak Adizes as a consultant of PM Crvenkovski tried to convince the acceptance of the idea of a multiethnic society. Many times he tried to persuade that the Albanians cannot be minority in Macedonia since they are majority in South-Eastern Europe. The author compares Macedonia with Israel, and identifies the majority of the population as unprepared and incapable to accept that in reality they all live in multiethnic society.

Acceptance of this reality is not a compromise made toward the minority population, but should be taken seriously because the consequences by time will increase and will be more complicated. The current situation in Macedonia reflects the hypothetical thesis of Adizes who made these comments in the early 90s. Macedonia's multiethnic situation remains complicated because the freedom and the rights of the Albanians are not realized. The best illustration of this is the Ohrid peace agreement itself, which as a document that stopped the conflict in Macedonia, was supposed to be fully implemented by the end of 2004, which is not the case even today. In support of this thesis, when I was a member of the Parliament of Macedonia, 1998-2002, Macedonians continuously refused the opening of a debate for changes in the constitution fearing of what will happen to the unitary state.

Moreover, the issue of the state symbols and higher education among ethnic Albanians was one of the key factors in creation of crisis on ethnic bases. On this occasion, F. Fukuyama gave an interesting opinion by stating in one of his books that "weak or failing states abuse human rights, provoke humanitarian disasters, drive waves of immigration, and threaten neighbors and shelter terrorists".

This is especially true for Macedonia which now was lately threatened with the withdrawal of the visa liberalization because of the large number of asylum seekers in EU countries.

According to Ahrens who has been directly involved in political developments in the years 1992-96, "Albanians felt excluded from a national state of Macedonians and refused to contribute to its activities. Why should they pay for a television that neglected their language?"

Nationalist politics of the state and the society in favor of one ethnos brought the creation of sporadic ethnic tensions that erupted in the 2001 conflict which ended by international intervention with a negotiated-social contract "Ohrid Agreement", which envisioned to be a condition for overcoming the serious crisis which meant "to be or not to be" for Macedonia.

Before and after the so-called interethnic conflict that took place in Macedonia during 2001, crises continued with continuous violation of the human rights and freedom of the Albanians, which further increased tensions between the ethnicities and which latter were used for political marketing and winning the elections on patriotic and nationalistic basis. The most visible discrimination in the economical and infrastructural level is portrayed in the capital of Macedonia (Skopje), divided by the main river Vardar in Albanian and Macedonian side of the city.

In the other hand, the Macedonian Academy of Sciences and Arts, MANU instead to contribute on improvement of the interethnic relations, they “surprisingly” published The Macedonian Encyclopedia which further provoked many reactions of Albanians intellectuals, some of which were presented in the publication “summary of articles, 2009 Koha”. But, for the first time, we could see interesting and realistic reaction from one of the leading Macedonian political figure and publicist. One of them was Ljubco Georgievski who on 2nd October 2009 in an interview for FOCUS News Agency, the *Former Macedonian Prime Minister and current leader of VMRO – National Party, comments on the Macedonian encyclopedia, issued by the Macedonian Academy of Science and Arts*. Ljubco Georgievski among other states: “The Macedonian encyclopedia is in its essence anti-Bulgarian, anti-Albanian, anti-Greek and pro-Serbian”.

Another interesting issue which turned our attention in the process of understanding the political crisis and causes for further ethnic divisions, was the fact that the Macedonian state did not reflect on preventing and escalation of the same, but made an interesting attempt to intervene with promotion of government commercials for improvement of interethnic relations. The government decision to promote through TV commercials the good interethnic relations is seen as absurdity by domestic experts

- Najcevska: *“The spending of the money in TV commercials for promoting the coexistence is unreasonable when in reality the politic makers in Macedonia prove the opposite”*
- Jonuz Abdullai: *“the ignorance of the government partners in coalition reaches it's peek when the leaders of the government parties itself demonstrate stubbornness with dose of patriotism and can't solve the tensions created in the parliament” (in parliament they demonstrate interethnic tensions while in Macedonian TV they promote coexistence) - the population feels betrayed?!*

An important and an added value to our paper is the analysis of the impact of media in interethnic relations. Lately the Macedonian government was criticized in the European commission report for 2012 regarding the freedom of media: “The media continue to face pressure from the executive government”.

Also this continued and before, during and after the Local Elections 2013 where the media monitored by the OSCE/ODIHR EOM showed significant bias in favour of the governing parties both in terms of quantity and content of coverage. This brought us to the point where we asked how independent are the media in Macedonia and are they divided on ethnic basis?

To answer our question, we conducted a comparative and content analyses and research between two most popular daily newspapers in Macedonia from 17.08.2012 until 23.09.2012. Newspapers used for the research were:

- Daily newspaper Dnevnik in Macedonian language and,
- Daily newspaper Koha in Albanian language.

By analyzing the first pages of the newspapers of the same date, we will see that they differ diametrically and at no point they do not publish similar news. Daily Koha mainly focus on publishing news dealing with the problems Albanians face in Macedonia, such as problems with education, poverty and economic depression in the regions inhabited by Albanians, as well as the news regarding to the law for the security forces known as the law for “branteli” but viewed in a negative connotation. On the other hand, Dnevnik in the fist page focused on news dealing with the work of the government, European integration, the name issue, and in some cases had news related to culture.

- On the front page of the newspapers largely dominate the current political issues in the country such as the issue of the voter lists, the problem with the security forces law known as the law for "braniteli", problems in education as well as economic problems, the crisis between government partners and the issue of the name.
- It is interesting to see the main news on the front page on the same date: The news in the daily Dnevnik, dated 29.08.2012 shows economic stability and strong valute
- On the same day, daily newspaper Koha has the same news but with diametrically opposite message to the citizens by emphasizing that there is inflation but the same is hidden from the government, and this appears as a "blow to the standard of the citizens."
- Both papers rely on the statements of economic experts and officials of the National Bank of Macedonia, but they come to opposite conclusions regarding climate change and the financial stability of the national currency and citizens' savings opportunities.

The research Conclusion

- The analyze shows that both newspapers on the same day have published diametrically different news and at no point they do not meet.
- The issues that have to do with interethnic relations are treated in subjective connotation
- The newspapers have impact in creation of boundaries between ethnicities in Macedonian and are more focused on issues that divide different groups, instead on those that unite people
- There are no examples in the media for good relations between people of opposite ethnicities
- Free institutions are next to impossible in a country made up of different nationalities.
- A lot of energy is spent in presenting the national identities and very few on promoting the common European values
- We had common history and we have common future, the only thing between is the conflict – Stjepan Masic, SEEU Tetovo 07.11.2012
- Political crisis creates interethnic tensions, which can lead to chaos.
- The state control on media, suppress the democracy.
- The political dialog – hope for solving the internal and international problems.
- Building healthy interethnic relations in transitional countries is one of the main reasons for building functional and consensual democracy - *Arend Liphard* .

Having in mind the research conclusions and the other content analyses of the publications and reports, as well as the other relevant documents mentioned in our paper, we came to these conclusions and recommendations.

Having independent media in the country is one of the main factors for developing and maintaining democracy and equal representations of all concerned parties. Also one of the conclusions of Arend Liphard was that building healthy interethnic relations in transitional countries is one of the main reasons for building functional and consensual democracy, which is more than needed for the functioning of the multiethnic and prosperous Macedonia.

The interethnic relations are tool for the diagnosis of the situation in the country, of the government and not to allow one to have a monopoly or to play with the feelings of a citizen or of an entire community at this time. One of the possible alternatives for social and inter-ethnic tolerance is respecting the freedom and human rights and accepting diversity as an advantage and not as handicap.

While Europe tries to expand, we should not place obstacles and new divisions on ethnic basis but we must go towards the reunion and quest among us through knowledge, culture and the creation of common European identity.

Globalization is a social phenomenon which ruins the traditional loyalty towards the national state, feelings of national belonging and the national identity itself.

Stable society can be created only if we put in the focus the citizen, and not the national collectivities, if we promote human rights and freedom, equality norms, social inclusion, etc.

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- The Lessons of Yugoslavia, 3, p.85-88
 - The European response to the Yugoslav crisis story of a two-level constraint, Sonia Lucarelli, p.2
 - Inter-ethnic relations in the Republic of Macedonia as a priority or deficiencies in the process of building democratic institutions, Fadil Zendeli, p.2
 - Social change and transition, *Tetove 2008, f.20, Jonuz Abdullai*
 - Hamit Beqja, Tranzicioni demokratik dhe psikologjia e shqiptarëve të sotëm, Mesonjtorja e parë, Tiranë, 2000, f.203
 - Adizes on politics, Acceptance of reality in Macedonia, 2012, p.87-88
 - Francis Fukuyama, "State Building", Tirana 2008 AHS, p.140
 - Diplomacy on the Edge: Containment of Ethnic Conflict and the Minorities Working Group of the Conferences on Yugoslavia, Geert-Hinrich Ahrens, Tirana 2010. p.428
 - Social change and transition, Jonuz Abdullai, Tetovo, 2008, p.9
 - "Identity changes in the globalization era" Jonuz Abdullai, Kujtim Ramadani, p.145
 - Ali Pajaziti, In Veritas, p.31
 - Vala e tretë – Samuel P. Huntington, Tiranë 2011, p.152
 - Kriza Globale/ Debate rreth 11 Shtatorit, Ahmed Davutoglu, LogosA, 2005
 - Ali Pajaziti - Culturological Studies, Education, Politics, Identity, Skopje 2012
 - Bejtush Gashi - Sistemi i menaxhimit të krizave, Pejë 2012
 - Makthi etnik i Jugosllavisë, Jasminka Udovicki & James Ridgeway, albin 1998
 - 10 Godini Ohridski Dogovor, Tetovo, UJIE 2011
 - Lufta kundër luftës, ISHM 1999, Tirana
 - Një vizion drejt të ardhmes për Ballkanin, Center for Strategic Research, No.1 - October 2011
 - Rosental, Uriel, Michel T. Charles and Paul t'Hart. (1989), The world of crises
 - Ahmet Davutoglu, Logos-A, Shkup 2005, p.39
 - Ethnic Nightmare: The inside story of Europe's unfolding ordeal, Jasminka Udovicki and James Ridgeway, SOROS-albin 1998, p.104
 - <http://www.evropaelire.org/content/article/24707622.html>
 - <http://soros.org.mk/dokumenti/desetti-izvestaj-mk-za-web.pdf>

ORIGINAL PAPER

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Political perspectives of The Romanian regionalization: from European models to communication mechanisms

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Astract: *Romania's regionalization is a process of institutionalization of the future regions of our country. This will create a new level of politics, where parties will compete against each other to lead these new powerful entities. The first discussions about the regionalization process exposed the idea of creating an indirect election process to help elect the new regional governors. In order to better understand the new political situation, our article will present the European models for regional elections. After we will analyze the communication and political changes related to the regionalization process in order to better understand the mechanisms of the future regional political context. Finally we will do a statistical analysis of the political representation in the current regions that will show the most probable future governors.*

Key words: *regionalization, communication, political parties, elections*

Introduction

The regionalization is a central topic of the current Romanian government. This institutionalization of the European recognized Romanian regions is desired by the government in order to improve the attraction of European funds put also to decentralize the decision making process to a level more capable in evaluating the needs of the local communities. This process means the creation of new regional institutions, administrative as well as political.

More and more decision makers talk about the creation of a regional governor and a regional council composed of the mayors, county councilors and presidents from all the counties that compose the new regions. Even know the methods aren't yet established, this opens a new political field in Romanian politics. Used to fight for the sovereignty in their own counties, the local "barons" now have to compete against each other in their own parties for the regional sovereignty before engaging into a regional competition where the rules of the political game are maybe different from those at county level.

Does the Romanian political regionalization process correspond to any of the other European political regionalization? What are the political and communication changes brought by the

regionalization process to the Romanian political life? What will most likely be the future political representation in the Romanian regions?

In order to answer to these questions we will start by presenting an overview of the electoral models used for the regional elections in different European countries. After doing this presentation we will analyze the changes brought by the regionalization to the current political and communication models in Romania. Finally we will present the most probable future political representation in the regions by evaluating the results of the 2012 local elections.

The Regional elections in Europe

In order to understand the Romanian political regionalization and the elections framework we have to take a look at other regionalization models used in Europe. This will enable us to understand the changes brought by the regionalization to the Romanian political life as well as the stakes of this process. The most frequently mentioned models are that of France, Germany, Spain and Poland and this is why we will start by presenting them.

One of the most known models is the France regional elections regulated by a law since 1982. In this sense every six years in March the French people are called to vote for their regional council. Since 2003, the election system is proportional with a bonus of 25% of the seats for the final winning list. To win the elections a list has to be in front after the two election rounds. If none of the lists gets more than 50% of the votes after the first round, the second round opposes all the parties that get more than 10% of the votes in the first round. Between the two rounds, parties of more than 10% can ally directly or ally with another party that got into the regional council, after getting at least 5% of the votes.¹

Before 1998 there were county lists, but now we have a single regional list on which are mentioned the counties of the candidates. The number of seats distributed to each county is calculated based on the number of voters in each county. The number of councilors per region is generally calculated as follows: [(the number of deputies per region + number of senators per region)*2] + number of counties. Sometimes we reduce by one the number of councilors in order to have an uneven number.² Another particularity of the French system is that half of the candidates have to be women and half men. This can maybe explain the recent decision of the Romanian PSD to elect five women vice-president.

We have to mention that the regional councils are directly represented in the French Parliament. The regional councilors participate at the election of the French senators but represent only 5% of the number of great voters that can do so, together with the deputies and general councilors.

Nevertheless this model is not a perfect one, and it was disputed by the former right wing government which wanted to change the way the regional councilors were elected but the current French president, Francois Hollande, decided to abolish all changes after he got elected.³ Poland on the other side is composed of 16 voivodeships (provinces) created in 1998. Each of them have four-year terms assemblies, decided during nationwide local elections. The size of the local assembly depends on the population, from 30 to 51 representatives. The local councils elect a chairman and a deputy chairman from among the members. The chairman organizes the council and leads the debates. The council can adopt and pass laws on matters concerning the province which are not reserved for the administration of the central government. The representative of the government in the province is the voivode, who is appointed by the prime minister, while the local council elects a voivodeship marshal who chairs the provincial executive board. The Polish provinces don't have a

direct representation in the Parliament even if they are influencing a lot the results of the national and European elections.⁴

Spain on the other side has 17 autonomous communities divided into 50 provinces. In 13 communities, the elections take place the same day, the fourth Sunday of May of the year before a leap year. In the other four communities there are different electoral cycles. The communities have Legislative Unicameral Assemblies, where members are elected by universal suffrage according to a system of proportional representation following a D'Hondt method. There is also a Council of Government with executive and administrative power headed by a prime minister, whose official title is "president", elected by the Legislative Assembly and is nominated by the King of Spain. The president of the community can also dissolve the local assembly.⁵

The regions have an indirect representation within the national Parliament. The Congress has 350 members, elected from each province for a maximum four-year term. 50 provinces are given two seats and Ceuta and Melilla one seat each, whereas 248 are elected proportionally. Senators on the other side are elected directly from the provinces and indirectly from the autonomous communities. From the 264 senators, 56 are elected indirectly and 298 directly. In the provinces, a majoritarian partial block voting system is used according to which all peninsular provinces elect four senators each, the insular provinces elect one or three senators per island, and Ceuta and Melilla elect two senators each. The autonomous communities receive one senator, plus one for each million inhabitants and are generally elected by the legislature of the respective community in proportion to the weight of the parties.⁶

Finally, Germany is composed of 16 regions (lands). Each of the regions has a Parliament, a Constitution and a Government composed of the political majority. The region implements the communal law, organizes the police forces and acts in culture matters. Several decisions of the federation enlarged the competences of the regions in fields like university education, land planning or nature protection. Nevertheless the regions have to implement the decisions of the federation in their lands. Each land can perceive taxes, 36% of the direct taxes collected going to the Lands. The lands can also act on different laws if the Federation enables it.

The electoral system is established regionally by the lands. Most of the regions use the same system as the national one, the mixed system, which enables the elections of half of the representatives, threw a uninominal majoritarian one tour election, and half threw proportional list redistribution. Today only Brema and Sarre have a different electoral system.

The regions are represented in the Federal Council (Bundesrat) where the members are nominated by the governments of the lands. In total the Federal Council has 69 votes: the lands with more than 7 million people have 6 votes, the lands between 6 and 7 million people have 5, between 2 and 6 million have 4 votes and those with less than 2 million people have 3 votes.⁷

These models enable us to better understand the political and electoral mechanisms implemented at European level for the regions. We notice a high variety of models in terms of regional powers and political representation. This actually underlines the complexity of the regionalization and the needs for a good organization of the political regionalization.

Political and communication changes brought by the regionalization

The regionalization process leads to important changes in the national political life. These changes have to be anticipated and evaluated in order to be better prepared for the new regional context. In this chapter we propose to identify and explain the main changes brought by the regionalization to politics and the way politicians communicate.

First of all the regionalization creates a new political level in Romania. The regions and their leaders have to represent the interests and the needs of the local communities. Therefore they have to learn how to collect all of them at a larger level than that of a county, express them more clearly and manage to elaborate regional programs that will avoid regional differences or disparities.

Secondly, the appearance of the regions should give more strength to the local level in a discussion with the central government. The regions and the leaders of these regions became the voices and the spokesmen of the people they are representing. This will most certainly lead to a demand from the regions to be politically represented in the national parliament. If this demand will not lead to the creation of a regional chamber, it will most certainly lead to a stronger control from the regional leaders on the parliamentarians elected in the regions.

The regionalization will, thirdly, lead to a change in the campaign and permanent communication of the parties and politicians. Unlike the county presidents, the new regional leaders can't enter in direct contact with the population or even with the local party leaders, mayors or local councilors. This actually intensifies the need for the regional leader to enforce the political organization of the party in every county and to regionally centralize the political power and decision making process.

Finally the new political level changes the profile of the local political leader. If at the county level, the leader was mostly known to be a "baron" capable of controlling the resources and maintaining the relation with the mayors, at regional level the leader has to be able to attract the votes instead of simply controlling them. The new regional leader has to be able to win votes in all the counties and be a good communicator and negotiator within the party or with the other parties. The Romanian political reality at regional level supposes for a regional leader to be capable of negotiating a majority with all the parties.

Analysis of the future political representation in the regions

The version that was the most circulated in the media for the Romanian political regionalization supposes to firstly indirectly elect the regional governor before electing the future regional council directly. Therefore the new and interim regional assembly will be composed from the mayors of all the localities, all the county councilors and the presidents of the counties. Their votes will not be equal and will correspond to the weight of each of the elected body: the mayors will have one vote, the county councilors' two votes and the president of the council 10 votes.⁸

This first method of election of the new regional assembly and executive will most certainly influence and determine the future political representation of the parties in the regions. This leads to a high level of impatience from the parties and political leaders that are struggling to show more and more the importance they give to the regions. This is why the main political parties have elected regional vice-presidents capable of preparing the parties for regional politics.

In order to analyze the political representation in the future regions, we have decided to apply the formula circulated in the press in all the regions based on the results of the parties at the 2012 local elections.

Region Bucharest-Ilfov								
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	Independents
County Councilors	18					3	7	

General Councilors	35					7	10	
Councilors sector 1	19					3	5	
Councilors sector 2	14					3	5	
Councilors sector 3	21					4	7	
Councilors sector 4	20					3	4	
Councilors sector 5	17					4	5	
Councilors sector 6	18					3	6	
Mayors Ilfov	15	5	8	2			8	2
Mayors Bucharest		2	2	1	1			
Presidents of the county			1					1
Councilors	177	5	8	2	0	30	57	2
Mayors	15	7	10	3	1	0	8	2
Presidents of the county	0	0	1	0	0	0	0	1
Formula	430	202	221	7	1	60	122	16
%	68%	32%	35%	1%	0%	10%	19%	3%

Table 1: The political representation in Bucharest-Ilfov

The first region studied is the region Bucharest-Ilfov. Here the office of governor is claimed by all the USL coalition member parties. The most known candidates are Robert Negoită (PSD) and Rareș Mănescu (PNL). On the other hand the PDL vice-president for the region is Romeo Raicu.

By applying the mathematic formula promoted by the first regionalization model we see that the USL has a strong majority with 65% of the total votes. Nevertheless we have imagined the situation in which the USL member parties don't agree anymore and we've divided equally the number of USL councilors and mayors to PSD and PNL. In this estimated situation we see that the PNL seems to have more votes than the PSD and can together with the PDL or even the PPDD build a majority in the next regional council.

We've repeated our analysis for the other regions. In the Center Region the USL doesn't have a majority and needs the UDMR with 33% of the votes to form a majority.

Center Region												
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Alba County Councilors	14					3	15					
Alba Mayors	29	1	2				45	1				
Sibiu County Councilors	13					3	7				9	
Sibiu Mayors	39					1	21			1	2	
Brașov County Councilors	17					2	11	2			2	
Brașov Mayors	5	10	21	1			18	4				

Mureș County Councilors	13					2	6	13				
Mureș Mayors	45						12	38	2	2		3
Harghita County Councilors	3							20				7
Harghita Mayors	3	1	1				1	51		6		4
Covasna County Councilors		3	2					18				7
Covasna Mayors	1	4						35		2		3
Presidents of the county		1	2				1	2				
Councilors	60	3	2	0	0	10	39	53	0	0	11	14
Mayors	122	16	24	1	0	1	97	129	2	11	2	10
Presidents of the county	0	1	2	0	0	0	1	2	0	0	0	0
Formula	323	153	169	1	0	21	185	255	2	11	24	38
%	38%	18%	20%	0%	0%	2%	22%	30%	0%	1%	3%	4%

Table 2: The political representation in the Center Region

Moreover if we take the USL member parties separately we see that the PDL is stronger in this region than the PNL or the PSD individually. From the PDL, the candidate seems to be Mircea Hava (PDL Alba). On the other hand the candidates from the USL are Aristotel Căncescu (PNL Brașov), Ioan Cindrea (PSD Sibiu), Ciprian Dobre (PNL Mureș), Klaus Johannis (PNL Sibiu), Constantin Niță (PSD Brașov), Mircea Dușă (PSD Harghita). In this region the PNL seems to be in front of the PSD and the alliance with the German minority seems to have strengthened this advance.

Nevertheless without an alliance with UDMR a majority seems hard to be realized. This can maybe explain the preferential treatment given to UDMR by the PSD President Victor Ponta, or on the other hand can represent a strong point for Klaus Johannis who can maybe build a majority based on the good political relations with the UDMR.

West Region												
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Timiș County Councilors	21					4	11					
Timiș Mayors	39	12	6			2	37	3				1
Arad County Councilors	14					3	13	2				
Arad Mayors	22	4	5				43	5		2		
Hunedoara County Councilors	17					4	11					
Hunedoara Mayors	47	1	1				16		1	3		
Caraș-Severin County Councilors	18			3		4	5					
Caraș-Severin Mayors	30	17	19	2	1		6					2
Presidents of the county		1	2				1					
Councilors	70	0	0	3	0	15	40	2	0	0	0	0
Mayors	138	34	31	2	1	2	102	8	1	5	0	3
Presidents of the county	0	1	2	0	0	0	1	0	0	0	0	0

Formula	382	183	190	8	1	32	192	12	1	5	0	3
%	61%	30%	31%	1%	0%	5%	31%	2%	0%	1%	0%	0%

Table 3: The political representation in the West Region

In the West, the Social Liberal Union has a majority of 61% of the votes. Nevertheless the PDL is stronger than the USL allies' taken separately. The PSD candidate is Titu Bojin (PSD Timiș) and the PNL candidates are Sorin Frunzăverde (PNL Caraș-Severin) and Mircea Ioan Moloț (PNL Hunedoara). Alin Popoviciu wants on the other hand to be the governor of the West region from the PDL but needs for that to wait for the USL to split even if the PDL seems to be the strongest party in this region.

Nord-West Region												
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Bistrița County Councilors	15					2	13					
Bistrița Mayors	16	11	7			1	26	1				
Cluj County Councilors	16					3	12	5				
Cluj Mayors	36	5	2		1		26	8		3		
Maramureș County Councilors	20					3	9	2				
Maramureș Mayors	25	7	17	1		1	18			7		
Satu-Mare County Councilors	13					2	5	12				
Satu-Mare Mayors	28		1			1	9	19			7	1
Bihor County Councilors	18					2	7	7				
Bihor Mayors	18	12	22		1	1	23	24				
Sălaj County Councilors	14					3	6	7				
Sălaj Mayors	18	10	3			2	12	14		2		
Presidents of the county		2	3		1							
Councilors	96	0	0	0	0	15	52	33	0	0	0	0
Mayors	141	45	52	1	2	6	114	66	0	12	7	1
Presidents of the county	0	2	3	0	1	0	0	0	0	0	0	0
Formula	493	232	249	1	12	36	218	132	0	12	7	1
%	55%	26%	28%	0%	1%	4%	25%	15%	0%	1%	1%	0%

Table 4: The political representation in the Nord-West Region

In the Nord-West region, USL is also strong enough to form a majority. The PSD candidate in this region is Ioan Rus whereas the PNL candidate seems to be Cornel Popa or Horea Uioreanu. The PC is also supporting the new Maramureș County President, Zamfir Ciceu. Ioan Olteanu is the PDL candidate for the Nord-West region.

Nord-East Region												
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Botoșani County Councilors	18					3	11					
Botoșani Mayors	63	1	4				34			1		
Suceava County Councilors	18					3	15					
Suceava Mayors	46	4	1				59			4		
Iași County Councilors	25					4	7					
Iași Mayors	70	12	14			1	10					
Neamț County Councilors	15					5	14					
Neamț Mayors	48	6					42		1			
Vaslui County Councilors	20					4	8					
Vaslui Mayors	54	10	5	1	2	2	11		1	1		1
Presidents of the county		2	2	1								
Councilors	96	0	0	0	0	19	55	0	0	0	0	0
Mayors	281	33	24	1	2	3	156	0	2	6	0	1
Presidents of the county	0	2	2	1	0	0	0	0	0	0	0	0
Formula	583	290	281	11	2	41	266	0	2	6	0	1
%	65%	33%	32%	1%	0%	5%	30%	0%	0%	1%	0%	0%

Table 5: The political representation in the Nord-East Region

The Nord-East region is strongly controlled by the USL and the two main political partners seem very equal. On the other hand the PDL seems to be as strong as the two political partners taken separately. The PDL is pushing forward in this region Gheorghe Flutur whereas PSD is supporting Gheorghe Nichita and the PNL Cristian Adomniței. The political future of this region depends also on the strength of the USL.

South-East Region												
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Tulcea County Councilors	16					3	11					
Tulcea Mayors	33	2	1	1			18					1
Constanța County Councilors	26					3	7					
Constanța Mayors	36	14	14	1			6			2		1
Brăila County	16					7	8			1		

Councilors												
Brăila Mayors	21	5	4		1		13					
Galați County Councilors	22					4	8					
Galați Mayors	38	9	4		1	1	10		1	1		1
Vrancea County Councilors	21					4	7					
Vrancea Mayors	60						9			4		
Buzău County Councilors	20					4	8					
Buzău Mayors	3	47	28				14					
Presidents of the county		5	1									
Councilors	121	0	0	0	0	25	49	0	0	1	0	0
Mayors	191	77	51	2	2	1	70	0	1	7	0	3
Presidents of the county	0	5	1	0	0	0	0	0	0	0	0	0
Formula	625	344	278	2	2	51	168	0	1	9	0	3
%	73%	40%	33%	0%	0%	6%	20%	0%	0%	1%	0%	0%

Table 6: The political representation in the South-East Region

In the South-East Region the USL has a very strong majority but we notice that the PSD alone almost has the majority. The PSD has therefore many candidates like Marian Opreșan or Nicușor Constantinescu, whereas the PNL supports Puiu Hașotti. The PDL can only represent a solution if it allies with the PNL.

In the South, the USL also has a strong majority. The PDL seems to be excluded from any majority if the PSD and the PNL stay together. The PSD candidates are the PSD Prahova Council President, Mircea Cosma, and the PSD Dâmbovița Council President, Adrian Țuțiuianu. On the other hand the PNL Călărași president, Răducu George Filipescu, wants to the regional president.

South Region												
LEVEL	USL	PSD	PNL or ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Ialomița County Councilors	20					3	7					
Ialomița Mayors	23	21	6				19			2		
Prahova County Councilors	19					4	13					
Prahova Mayors	72					2	44					2
Argeș County Councilors	23					4	7					
Argeș Mayors	71		2	2		3	26					

Teleorman County Councilors	22					2	8					
Teleorman Mayors	72	4	5			2	24					
Călărași County Councilors	17					4	9					
Călărași Mayors	28	3	10			1	15			1		
Giurgiu County Councilors	21					5	4					
Giurgiu Mayors	12	10	25		1	2	6			2		
Dâmbovița County Councilors	18					3	13					
Dâmbovița Mayors	42	20					44			1		
Presidents of the county Councilors		5	2									
Mayors	140	0	0	0	0	25	61	0	0	0	0	0
Presidents of the county	320	58	48	2	1	10	178	0	0	6	0	2
Formula	779	408	368	2	1	60	300	0	0	6	0	2
%	68%	36%	32%	0%	0%	5%	26%	0%	0%	1%	0%	0%

Table 7: The political representation in the South Region

Finally the South-West Region is highly controlled by the USL and the PSD is here very strong. Several local leaders from the PSD fight against each other for the sovereignty: Ion Prioteasa (PSD Dolj) and Adrian Duicu (PSD Mehedinți). Nevertheless if the USL splits the PSD can have a bad surprise to see the new PNL member, Mihai Stănișoara, as governor of the region.

South-West Region												
LEVEL	USL	PSD	PNL OR ALLIANCE WITH PC	UNPR	PC	PP-DD	PDL or Alliance	UDMR	PRM	Independents	FDGR	Other
Mehedinți County Councilors	15					2	13					
Mehedinți Mayors	40	3	1		1		42					
Dolj County Councilors	21			4		3	8					
Dolj Mayors	28	48	16	3		2	33					1
Gorj County Councilors	21					5	6					
Gorj Mayors	80			2		2	8			3		
Olt County Councilors	21			2		4	4					
Olt Mayors	59	53	17	5		4	6		1			
Vâlcea County Councilors	21			2		3	6					
Vâlcea Mayors	68	7	6	2	3		8			2		
Presidents of the county		5										
Councilors	99	0	0	8	0	17	37	0	0	0	0	0
Mayors	275	111	40	12	4	8	97	0	1	5	0	1

Presidents of the county	0	5	0	0	0	0	0	0	0	0	0	0
Formula	706	398	277	28	4	42	171	0	1	5	0	1
%	76%	44%	31%	3%	0%	5%	19%	0%	0%	1%	0%	0%

Table 8: The political representation in the South-West Region

The analysis of the political representation in the case of a regionalization based on an indirect vote shows us that the USL can dominate all the regions. Nevertheless the USL needs to build alliances in two regions with the UDMR or the PPDD. On the other hand if the USL splits, this opens the floor for very different political majorities that can make the PDL a key pawn of the political regionalization. This can maybe explain why the PNL and the PSD are fighting to attract as many PDL mayors as possible.

Conclusion

The regionalization is not only a process of institutionalization of the regional administrations. It is also a political process translated by the creation of a new political level designed to stronger represent the local level but also to better identify and satisfy the needs of the local communities.

If we look at the different European regional models we see that the regionalization has lead to the creation of small governed entities with their own rules, projects and methods of action. Nevertheless there isn't a unique or a perfect model that Romania can copy and to have a successful regionalization we need to understand the changes produced on the decision making level, in terms of communication as well politically.

Finally an analysis of the most probable political composition of the regions shows us that the regions don't really have party or political preferences even know we notice a preference for the right wing parties in the Nord of Romania, and a preference for left wing parties in the South. The results announce nevertheless the fact that the regionalization will represent a new era of politics in Romania and open the floor for a new political competition.

¹<http://www.interieur.gouv.fr/Elections/Les-elections-en-France> – consulted on the 2nd of April 2013

²<http://www.legifrance.gouv.fr/affichCodeArticle.do?idArticle=LEGIARTI000006354328&cidTexte=LEGITEXT00006070239> - consulted on the 2nd of April 2013

³http://www.lexpress.fr/actualite/politique/hollande-annonce-le-report-des-elections-locales-de-2014-a-2015_1170584.html - consulted on the 3rd of April 2013

⁴Tatur, Melanie, ed. (2004). *The Making of Regions in Post-Socialist Europe: the Impact of Culture, Economic Structure, and Institutions*. pp. 65–66

⁵Keatings, Michael (2007). *Federalism and the Balance of power in European States. Support for Improvement in Governance and Management*. Organization for Economic Co-operation and Development

⁶Smith, Andy; Heywood, Paul (August 2000). *Regional Government in France and Spain*. University College London.

⁷http://www.bundesrat.de/FR/Home/homepage__node.html?__nnn=true - consulted on the 3rd of April 2013

⁸<http://www.zi-de-zi.ro/calcelele-regionalizarii-dobre-guvernatori-viceguvernatori-udmr/> - consulted on the 3rd of April 2013

ORIGINAL PAPER

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The demographic transition and public policies

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Abstract: *There has been a general debate recently in relation to public policies that the state undertakes regarding the ageing of the population, birth rate stimulation policies, marriage delays, life span, public health, etc. Industrialization was the great force that incited the huge geographical movements being facilitated by urbanization and especially globalization. But, these causal-consequential relations are inciting the natural population movements as well. Some time ago, the birth of children was considered as increase in the workforce; today, it is becoming a burden since most often, governments, besides their promises, do not do enough to protect mothers, children and families. Europe and Macedonia are gradually ageing. Malthusâ s theory on natural procreation has now become a utopia. Birth rates are decreasing and mortality going up. According to Hill et.al. (2008) the decrease in birth rates is a distinctive feature of urbanized and industrialized societies and causes fatal social and economic consequences in relation to the workforce. Statistical data show that the natural population procreation in Macedonia is lower every upcoming year. This is a serious threat for the overall development of the society. The demographic transition in the last 20 years dislocated the natural currents of population renewal. There are fewer and fewer babies and the process of intensive ageing of the population is gathering momentum. The government and its public policies are lagging behind in terms of the prevention of these negative social phenomena, whereas the 2011 census failed due to the political influences and interferences. This research will theoretically and empirically offer the interpretation of these movements through charts, medians and means and will reflect the development trends in Macedonia.*

Key words: *Population, Natural procreation, Macedonia, Public Policies, Birth rates.*

The research methods

The approach on this paper has been used to make the collection of data from different secondary sources. As primary sources are statistical offices which according to methodologies and verified scientific forms collect scientific data, select them analyze and make their interpretation. Then comes the second hand data related papers which deals with papers which also refer to statistical offices and to data published by national authorities. On the same level are the resources as scientific journals and books, professional literature.

Debates about the birth rate

In the last decade, and specifically in the last two years, Macedonia has had a very bitter debate about population movements, registration, ethnic affiliities, birth rate and population. But the

problem that we want to analyze here is to define the various social factors that affect it. First, the global trend of industrialized societies in which there is a large reduction in fertility, postponement of marriages and increasing number of divorce. If I refer to Giddens, he explains that Industrialization was the great force that initiated the huge geographical movements that are facilitated by urbanization and especially globalization. (Giddens,A. 1997). Today, in all countries of first and second world birth rates are decreasing and mortality is increasing. According to Hill et.al. (Macionis, J.J.Plummer,K. 2008), the decrease in birth rates is a distinctive feature of urbanized and industrialized societies and causes fatal social and economic consequences in relation to the workforce. Refers to Tim Dyson (2013,86) “Fertility decline causes the fall in the rate of natural increase and leads to population aging. But it also reflects and contributes to a transformation in the lives of women and men. illustrative calculations suggest that in Europe and the united States in the late eighteenth century, women might spend 70 percent of their adulthood bearing and rearing children. in these societies today the figure is about 15 percent (lee 2003). Fertility decline has underlain the increasing movement of women out of the domestic domain into formal employment and their growing independence vis-à-vis men (davis and van den oever 1982). In this context, it is often suggested that increased female employment stoked the demand for, and realization of, the female franchise: in western countries, voting rights were commonly extended to women after they had been given to men (ramirez, Soysal, and Shanahan 1997). with few exceptions, women only began to gain equal voting rights in the 1920s and 1930s. Significantly, this was when conditions of low fertility were first achieved. initially in the demographic transition, falling child mort”.



Figure 1. More Hope for more Kids
Source: <https://www.google.com/search?q=birth+rate>

Movements in Macedonia

Statistics show that in Macedonia, despite the fact that it is a Balkan country, the natural growth of the population is decreasing. This is a serious problem for the social and demographic state resources. Macedonia is getting older. But this issue is addressed very little by demographers and sociologists in order to research the real causes of this issue. Aging of the population has been debated by the media only as a phenomenon and not as a consequence. In the last decade, at the start of the new school year, issues were alarmed by primary schools, especially from the first grades. School desks were half empty and this trend continued in other years by closing smaller schools or their union with other schools.

Refers to Dragovic (Dragovic,A,2008) “The reasons for such a situation are complex - cultural, demographic, economic and health-related factors. At the same time it is not possible to ignore current transitional position of the Republic of Macedonia: transit to the market economy and pluralistic political system. The reasons have not been completely clarified yet, but we can mention several reasons for the decreasing number of live births. We could point out the ageing of the fertile contingent, the insufficient financial security, the small homes etc.”

According to the State Statistical Office in 1948 the birth rate was 44 promiles, while in 2006 it was 13.7 and in 2011 fell to only 10.8. The last population census was held in 2002 and according to its data RM has 5472022 inhabitants which is 3.9% more than the 1994 census. In determining methodological development in 2011, Macedonia has 2,058,539 (30.06.2011) inhabitants.

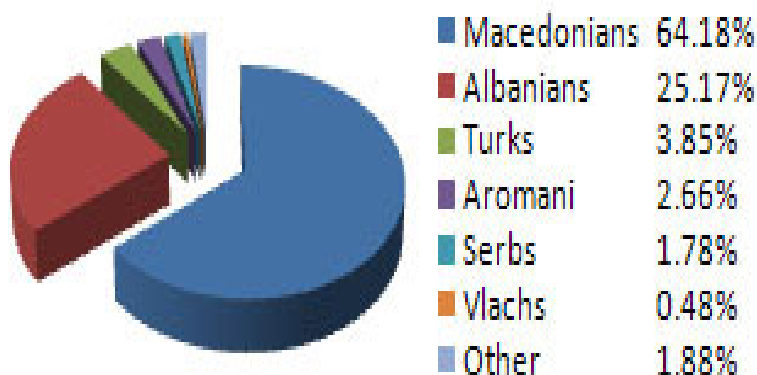


Figure 2.Last Census (2002): Etnical structure of Macedonia. Surce:Drzaven Zavod za Statistika

The data for the aging population in Macedonia are undeniable evidence and a trend that western countries and civilizations have experienced much earlier. According to the Statistical Office of Macedonia (2011) the participation of young people in the general population (0-14 years) is 17.3% and the participation of the elderly population 65 years and over, is 11.8%. In the same year the birth rate was 11.1% of children born in 1000 people. But the data give us numbers that show that the number of children born alive is for 1526 people less compared to last year, or 6.3% (www.stat.gov.mk). Statistical analysis data show that the value of total fertility rate is falling and in 2011 it was 1:46 for born alive children for one woman. Thus, families of the 70, 80 and 90 - the last century with high fertility of women with five and six children are now rarer.

Different styles of life and globalization have displaced all our values and traditions, even the strongest ones. So, because of desire for profit and career most young people postpone their marriages. In the past, the birth of child before marriage was considered a great sin and condemned by the church and mosque and a great shame for the people involved in this occurrence. In all industrialized countries, and especially in Western Europe, America, Australia, Canada, the marriage is considered and understood by young people as an obstacle to their style of life and freedom of their rights. Even in Macedonia, although much more slowly than in other places, the number of children born in a marriage has fallen and in 2011 it was 88.4%. Even the age of marriage have moved and is moving constantly toward older ageas and currently it shows that it is 25.4 years for brides and 28.3 For grooms.

Such changes of the population have their effects on the increase of the total number of dead people. The death toll in 2011 was increased to 1.8% compared to 2010 and this trend shows that the percentage of population is increasing in favor of older people overall. This statistics shows that in the last 10 years the natural population marks show decline from 3.6 in 2001 to just 1.6 in 2011. In general, we can say that Macedonia has been affected with the process of aging population. Polog Region, Debar are considered as exceptions because there the root prompt and natural growth there is still positive. The highest birthrate is in the center of Zhupa and municipality of Lipkovo. From towns the highest is in Debar with 22 per thousand and then Tetovo and Gostivar. Most threatened are the regions of Eastern Macedonia as Kratovo, Berovo, Palanka, Delcevo.

Figure 3: Natural population growth and rate of natural population growth in the Republic of Macedonia: 1994-2006

Region	Indicator	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
R. Macedonia	nat. growth	15772	13717	13064	10457	10011	8341	9083	7393	6288	5783	5417	4076	3609
	Rate	8.1	7.0	6.6	5.2	5.0	4.1	4.5	3.6	3.1	2.9	2.7	2.0	1.8
Pelagonia	nat. growth	721	378	275	-39	-146	105	-47	163	557	480	553	557	512
	Rate	3.0	1.6	1.1	-0.2	-0.6	-0.4	-0.2	-0.7	-2.3	-2.0	-2.3	-2.4	-2.2
Vardar	nat. growth	599	554	650	380	403	356	355	238	226	201	195	-12	41
	Rate	4.6	4.2	4.9	2.9	3.0	2.7	2.7	1.8	1.7	1.5	1.5	-0.1	0.3
Northeast	nat. growth	1376	1224	1418	1006	1027	1125	1060	730	752	722	693	410	365
	Rate	8.4	7.4	8.5	6.0	6.1	6.6	6.2	4.3	4.4	4.2	4.0	2.4	2.1
Southwest	nat. growth	2130	1832	1731	1372	1245	1001	805	706	511	525	385	283	283
	Rate	10.0	8.5	7.9	6.2	5.6	4.5	3.6	3.1	2.3	2.4	1.7	1.3	1.3
Skopje	nat. growth	4600	4092	3980	3555	3445	2879	3374	3225	3059	2634	2571	2576	2271
	Rate	8.4	7.4	7.2	6.3	6.1	5.1	5.9	5.6	5.3	4.5	4.4	4.4	3.8
Southeast	nat. growth	1289	1168	838	876	740	634	690	575	532	532	484	221	179
	Rate	7.7	6.9	4.9	5.1	4.3	3.7	4.0	3.3	3.1	3.1	2.8	1.3	1.0
Polog	nat. growth	4160	3678	3571	2857	2865	2185	2406	1898	1544	1626	1594	1392	1191
	Rate	14.8	12.9	12.3	9.7	9.6	7.3	7.9	6.2	5.1	5.3	5.2	4.5	3.8
Eastern	nat. growth	897	791	601	450	432	266	440	184	221	23	48	-237	-209
	Rate	4.5	3.9	3.0	2.2	2.1	1.3	2.1	0.9	1.1	0.1	0.2	-1.2	-1.0

Source: Drazaven Zavod za Statistika na RM.2007

From the Figure 3 it can be concluded that the natural population growth - birth rate is declining and the trend is moving down from 8.1 in 1994, 7% in 1995 then falling to around 5.4 after 2000 and down below 4%. From 2002 it is below 3%, in 2006 was only 1.8%. This decline continues and for some years and it will meet the prediction based on the declining trend that predicted that it will move towards 1% and then get closer to zero.

Population movements in Central and Eastern Europe

Among the countries which in the past ten years is getting older is Serbia, too. According to the census of 2011 there were 7.7% fewer people than in 2001 or 32 683 fewer than a year ago (Report). In this period the number of children born alive fell from 68 394 to 65 598 for 2706 less, and the number of dead was reduced from 103 211 to 102 935. According to these data the natural growth - has dropped to 34 907 - 37 337. So the birth rate has moved down, and went to high mortality. **(Republican Statistical office.)**<http://www.vesti-online.com>, 2012)

Census of population, households and dwellings in Kosovo 2011 - Preliminary results - June 2011 also shows negative trends.[\(esk.rks-gov.net/\)](http://esk.rks-gov.net/) Birth rate 15.7 ‰. Vital coefficient 4.87, 108.9 masculinity. Mortality 3.2%. Infants 8.4 per 1000 live births. Distribution by age. 0-14 years 28% ... Based on information collected in 2010, Kosovo has 33966 registered births, of which 33 751 live births and 215 stillbirths While based on information collected in 2010, Kosovo registered 7234 deaths, of which 4263 or 58.9% males and 2971 females

Movements in Western Europe

In general, countries of Western Europe and Central have low natural increase of population. If you do a ranking of some of them you would get the following:

Figure 4

	1960	1970	1980	1990	2000	2005	2009	2010	2011
EU-27	.	.	.	.	.	1.51	1.59	.	.
Belgium	2.54	2.25	1.68	1.62	1.67	1.76	1.84	.	.
Bulgaria	2.31	2.17	2.05	1.82	1.26	1.32	1.57	1.49	1.51
Czech Republic	2.09	1.92	2.08	1.90	1.14	1.28	1.49	1.49	1.43
Denmark	2.57	1.95	1.55	1.67	1.77	1.80	1.84	1.87	1.75
Germany	.	.	.	.	1.38	1.34	1.36	1.39	1.36
Estonia	.	.	.	2.05	1.38	1.50	1.62	1.63	1.52
Ireland	3.78	3.85	3.21	2.11	1.89	1.86	2.07	2.07	2.05
Greece	2.23	2.40	2.23	1.40	1.26	1.33	1.52	1.51	1.43
Spain	.	.	2.20	1.36	1.23	1.34	1.39	1.38	1.36
France (1)	2.73	2.47	1.95	1.78	1.69	1.94	2.00	2.03	.
Italy	2.37	2.38	1.64	1.33	1.26	1.32	1.41	1.41	.
Cyprus (2)	.	.	.	2.41	1.64	1.42	1.51	1.44	1.35
Latvia	.	.	.	.	.	1.31	1.31	1.17	1.34
Lithuania	.	2.40	1.99	2.03	1.39	1.27	1.55	1.55	1.76
Luxembourg	2.29	1.97	1.50	1.60	1.76	1.63	1.59	1.63	1.52
Hungary	2.02	1.98	1.91	1.87	1.32	1.31	1.32	1.25	1.23
Malta	.	.	1.99	2.04	1.70	1.38	1.43	1.38	.
Netherlands	3.12	2.57	1.60	1.62	1.72	1.71	1.79	1.79	1.76
Austria	2.69	2.29	1.65	1.46	1.36	1.41	1.39	1.44	1.42
Poland	.	.	.	2.06	1.37	1.24	1.40	1.38	1.30
Portugal	3.16	3.01	2.25	1.56	1.55	1.40	1.32	1.36	1.35
Romania	.	.	2.43	1.83	1.31	1.32	1.38	1.33	1.25
Slovenia	.	.	.	1.46	1.26	1.26	1.53	1.57	1.56
Slovakia	3.04	2.41	2.32	2.09	1.30	1.25	1.41	1.40	1.45
Finland	2.72	1.83	1.63	1.78	1.73	1.80	1.86	1.87	1.83
Sweden	.	1.92	1.68	2.13	1.54	1.77	1.94	1.98	1.90
United Kingdom	.	.	1.90	1.83	1.64	1.78	1.94	1.98	.
Iceland	.	2.81	2.48	2.30	2.08	2.05	2.23	2.20	2.02
Liechtenstein	.	.	.	.	1.57	1.49	1.71	1.40	1.69
Norway	.	2.50	1.72	1.93	1.85	1.84	1.98	1.95	1.88
Switzerland	2.44	2.10	1.55	1.58	1.50	1.42	1.50	1.52	1.52
Montenegro	.	.	.	.	.	1.60	1.91	1.69	.
Croatia	.	.	.	.	.	1.41	1.49	1.46	.
FYR of Macedonia	.	.	.	.	1.88	1.46	1.52	1.56	1.46
Turkey	.	.	.	.	.	.	2.08	2.04	.

(1) Excluding French overseas departments, up to and including 1990.

(2) Break in series, 2010.

Source: Eurostat (online data code: demo_frate)

Main statistical findings

In 2011, 5.2 million children were born in the EU -27, which equated to a crude birth rate (the number of live births per 1 000 inhabitants) of 10.4.

From the 1960s up to the beginning of the 21st century, the number of live births in the EU-27 declined sharply from 7.5 million to a low of 5.0 million in 2002 (Table 2). This was followed by a modest rebound in the number of live births, with 5.4 million children born in the EU -27 in 2008, in turn followed by further annual reductions during the period 2009-2011.

In recent decades Europeans have generally been having fewer children, and this pattern partly explains the slowdown in the EU-27's population growth (see population and population change statistics). A total fertility rate of around 2.1 live births per woman is considered to be the replacement level: in other words, the average number of live births per woman required to keep the population size constant if there were no inward or outward migration.

Total fertility rates across EU Member States tended to converge during the last few decades. In 1980, the gap between the highest rate (3.2 live births per woman in Ireland) and the lowest rate (1.5 live births per woman in Luxembourg) was 1.7 live births per woman (see Table 1). By 1990 the difference had decreased to 1.1 live births per woman, and by 2011 it had narrowed still further to 0.8 live births per woman. Ireland and France continued to report the highest fertility rates for the most recent period available (2011 or 2010), with just over 2.0 live births per woman; they were the only EU Member States to report fertility rates in excess of 2.0 children per woman; this was also the case in Iceland (2011) and in Turkey (2010). In contrast, the lowest fertility rates in 2011 were recorded in Hungary (1.2 live births per woman) and in Cyprus, Latvia, Poland and Romania (all 1.3 live births per woman). <http://epp.eurostat.ec.europa.eu/statistics>

Sociological Aspects

Direct connectivity of with economic and social status migrations of young people. The flight of young people directly affects the natality decrease in the population category which is considered as significant potential fertility. In Macedonia, once as migrative centers have been Bitola and Resen. This map was then expanded to other areas, as Radovish, Vinica, and Berovo in eastern Macedonia. Then later Struga, Debar in western Macedonia. This process has gripped the country. The 1963 Skopje earthquake and the destructive industrialization process and reconstruction of Skopje nipped tens of thousands of workers inside especially in rural areas. These workers chose Skopje as new place to live in. This is an internal migration that lasts even during this time. Centralism of public administration shed large public investment by 300 million EUR for the national Renaissance "Skopje 2014", again attracted workforce and the educated youth towards Skopje.

This topic and this new phenomenon, now great intrigue not only politicians and public policy makers but also scientists, as well as industrial public opinion. The industrial capitalism was that one which for the first time set in motion the population from villages to cities or saying more precisely moving from Homeland and got placed near the new work, industrial areas. Further development of the means of production prompted interstate and international movement of labor force. So, it resulted with growing number of population in cities, industrial areas and in industrially developed countries.

Interstate movements of population happened from the late 60's of last century. First, through State Institute for Employment, the former Yugoslavia began to send laborers to Germany, France and later in Denmark and Norway. At first the workers lived alone with primary opinion to earn money and return to invest the same in homeland, but after 10 years of residence they began to withdraw their families in Western countries. Formal-legal status of these was that they were "workers

temporarily employed abroad." The state implemented specific public policies for them: health protection, disability - pension, additional education for their children in the West, the pursuit of national security to workers of political movements in perëndim etc..

Migration, if formerly was temporary to 5 years, now turned into permanent emigration. If Macedonia in 1981 had about 77,000 workers in Western countries, already in 1994 withdrew there approximately 150,000 citizens. Current estimates say that only in Italy, Switzerland and Germany, which have become major immigration area are about 150,000 workers from Macedonia.

Migration directly affects the increase or decrease of the number of population. At the same time, with the changing of the number of people, given the relatively greater representation of young population, reproductively capable population changes, too, as well as the age-sex structure of the population, which indirectly affects the intensity of the natural movement of the population. Sources of data for mechanical movement of population (migration) are the application for migration, discharge papers of people who fill in the relevant technical services of the Ministry of Interior. State Institute of Statistics, in 2009, the recording the movement and stay of foreigners present in the country, carried out with electronic download of bookkeeping registers of MIA.

Population policy in Macedonia

Regarding the population policies in the world we have different examples of how states are attempting after post-war situations or after migration to stimulate natural growth of population, remaining in place and the arrival of foreigners as a resource or demographic workforce. Industrialized countries do this through public policy using considerable material financial means..

Macedonia must first undertake incentive measures for the mother. Secondly, it should adopt population policies that will operationalize the already tax and fiscal known measures, that are applied in many European countries since 50 years ago. To begin it is a need to build operational policy to help every child in the family. In 2008 it was brought a law concerning the remuneration of women who give birth to children in the communities in which the rate of natural increase is below what statisticians consider as the limit to maintain the population. The Constitutional Court repealed the law in 2009 stating that the right to compensation has every mother, not just those from nondeveloped areas. The Constitutional judges say that the provision that was adopted in 2008 and which provides special financial compensation for living child to the mother who has a place of residence in the municipalities in which the natural rate is below 2.1 percent, according to the State Statistical Office published in the previous year is against the Constitution.

- The Court abolished the provision for three reasons.

- The first reason is the fact that every law must be valid for the entire territory of Macedonia. In this case it refers only to certain parts. The second reason is that it creates inequality among citizens living on the territory of the municipalities of natural growth above 2.1 percent. The third reason is that this provision does not provide protection of motherhood and childhood, because it does not apply to all - (18.03.2009, BBC Macedonian)It is interesting to note that even in experts opinion there was a support of this discrimination to certain areas with Albanian populaton where there is a high birth rate, to ensure human reproduction. For eg. For the third child family cover costs , while at Macedonians, it is covered by the state (Ristovski Slave 0.2006-9, Ilija Acevski 2011)

The population census of 2011

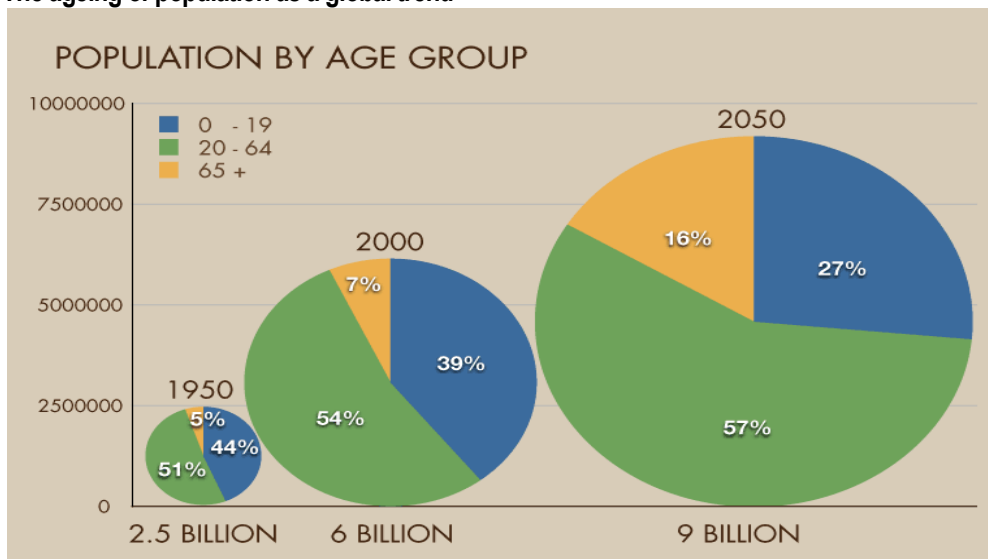
The census of 2011 was cancelled. A census which was too much politicized and which started with counting without starting emerging recorders in the field to collect data. It looked like Macedonians and Albanians wanted to compete as to who will record more of his ethnicity.



Figure 5. The census Logo 2011, Stat.gov.mk, Census

The cancellation-mostly refers to the unequal application of the methodology established by the State Statistical Office, and in compliance with Eurostat in the section that deals with Article 6, paragraph 3, Article 40 and Article 42 of the Law on Census of Population, Households and dwellings in the Republic of Macedonia 2011. (Resident and non-resident population)³

The ageing of population as a global trend



Source: <https://www.google.com/search?q=ageing+of+population&source=societies>

Figure 7. As we can see, in the 2000 year, the age group of population of 65+ years has been 7% of the total and in the 2050 will be 16%.

Recommendations

- Macedonia as a country with growing migration should implement public policies very stimulating for mothers, children, youth employment, education, housing, health protection

- Public policy access should be to both the citizen, not ethnicities.
- Population censuses should be Statistical operations and not partisan races about who would deliver most numerically its population that belongs to its political party.
- Postindustrializmi should support women and her natural specifications (Simone de Bouvoir, 1949)
- In general social habitus women are never articulated and are never are equal interlocutor (Julija Kristeva, 2006).
- This is especially true for the status of women, mother in Macedonia.
- Regional development should largely be rough and not as it is now where the government openly directs investments in monoethnic rural areas -which in turn results in high birth rate in municipalities and communities of poor and low in economically developed areas
- Promote birth through developmental programs for young couples, children, nursery, etc.
- Women in Macedonia should be protected with the help of public policy from wild managerism.
- Sustainability of public health
- Protection of women in the workplace and her career should be stimulated.
- The demographic transition in the last 20 years dislocated the natural currents of population renewal. There are feëer and feëer babies and the process of intensive ageing of the population is gathering momentum.
- The government and its public policies are lagging behind in terms of the prevention of these negative social phenomena,
- Whereas the 2011 census failed due to the political influences and interferences.

References

Journals,Books

1. Babbie, E., (2008). The Practice of Social Research, Belmont, USA
2. Macionis K.Plummer., (2008) Sociology, London, Prentice Hall
3. Taševa, M., 1999 Sociološki Teorij, Skopje .Borografika
4. Giddens, A., (1997). Sociologija, Tiranë , Çabej,
5. Kristeva, J., (1998), Black Sun. New York, Columbia University Press
6. Grupa avtorov , (1980). Osnove nauke o društvu, Beograd, Rad,
7. Parsons, T., and others, (2001). Theories of society, Macmillan Company
8. Dyson, T., (2013), On Demographic and Democratic Transitions, Volume 38, Issue Supplement s1 Page, 86
9. Dyrkem, E., (1984). Rregullat e metodës sociologjike , Prishtinë, Rilindja,
10. Стратегија за демографски развој на Република Македонија 2008 – 2015
11. Dragovic, A., (2006). Differentials of Fertility in the Republic of Macedonia, New Balkans Politics, Skopje .ISPPI
12. Ristovski S., Aceski I. (2011). Populacioni politiki vo RM, Skopje, Dnevnik

Media sources:

- <http://dnevnik.com.mk/default.asp?ItemID=87D0EF1C74D6DC4C9AFC07A5FAB01FD8,01.9.2012,2,50> hour
- Infoplease.com <http://www.infoplease.com/ipa/A0107738.htm#ixzz1ybwRgU6Q>
- www.gov.stat.mk, Periodicni publikacii, 2007-2011
- (By Matt Rosenberg, <http://geography.about.com/od/populationgeography/a/populationgro>
- <http://www.vesti-online.com/Vesti/Srbija/235939/U-Srbiji-32000-stanovnika-manje>
- www.State Statistical Office of Republic of Macedonia, Population ,
- Key indikator, http://www.stat.gov.mk/OblastOpsto_en.aspx?id=2
- <http://www.stat.gov.mk/OblastOpsto.aspx?id=2>, 08.08, 12, 102, 24 minutes
- Infoplease.com <http://www.infoplease.com/ipa/A0107738.htm#ixzz1ybëRgU6Q>
- http://epp.eurostat.ec.europa.eu/statistics_explained/index.php/Fertility_statistics
- Stat.gov.mk, Census, 2011. 21.04.2013, 7.20 hours
- <https://www.google.com/search>

ORIGINAL PAPER

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Mutations in the ethnic structure of the Romanian population in the post-communist period

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Abstract: *According to the Constitution, Romania is a national, sovereign and independent state, unitary and indivisible. Staring from the definition of the national state, Romanians have always represented the major ethnic group. Due to political-economic and strategic reasons, along the history, on the actual Romanian territory, different allogene populations set, temporarily or permanently, that, in time, determined a certain ethnic structure of the population. According to the declarations given by the people questioned, regarding the appurtenance to a certain ethnic group or race, in 2011, the population had the following distribution: 88.6% Romanians and 11.4% national minorities; among which, higher values were registered by: Magyars (6.5%), Roms (3.2%), Ukrainians (0.3%), Germans (0.2%), Turks, Russians–Lipovens and Tartars (0.1% each). A global analysis of the data at the three censuses during the post-communist period, showed that the national structure did not registered major mutations. There are noticed regressive numeric mutations for all ethnic groups, except the Roms (as their statistic number is rather relative) and small changes regarding the territorial distribution. The opening of the frontiers after 1989 determined, beside a significant emigration, also an increase of the number of foreign persons, namely immigrants. The number of foreigners that came to Romania had a positive trend. The legislation regarding the national minorities suffered numerous improvements during the post-communist period. There had been made important steps in creating a protection system specific for the persons that belong to a minority ethnic group, a system that may guarantee that the identity and their own culture are being respected.*

Key words: *ethnic structure, mutations, counties, Romania.*

INTRODUCTION

Ethnic minorities were studied by historians, sociologists, geographers (Scurtu & Boar, 1995, 1996; Nastasă & Varga, 2001, 2002, 2008; Andreescu, 2004; Călușer 2008; Chiriță&Săndescu 2008; Alexandrescu et. al 1993; Crețan 1999; Bodocan 2001; Costachie 2002, 2004; Iordache & Popescu, 2008)etc.

According to the Constitution, art. 1, line 1, Romania is a national, sovereign and independent, unitary and indivisible state. National unitary state must be understood as a state where there exist one nation, made up of the members of the majority ethnicity (Erdeli et.al., 1999). From this point of view, Romania's population is made up of Romanians as majority nationality/ ethnicity and national/ ethnic minorities. Staring from the definition of the national state, Romanians have always represented the major ethnic group. Due to political-economic and strategic reasons, along the history, on the actual

Romanian territory, different allogene populations set, temporarily or permanently, that, in time, determined a certain ethnic structure of the population (Iordache, 2009). The changes in the ethnic structure of the population are the result of the social and economic mutations that marked the Romanian society during the post-communist period.

DATA AND METHODS

In this study the author considered the following aspects: the analysis of the dynamics of the structure of national population using the data collected during the censuses in 1992, 2002 and 2011; outlining the changes registered by the distribution of population on race and their spatial distribution and the changes occurred in the legislations and institutions concerning national minorities. **Because the final results of the census in 2011 had not been published yet, our conclusions regarding this year are not complete. This is the main reason for which we were not able to analyze all fifteen ethnic minorities for which statistical data were available for 1992 and 2002.**

RESULTS AND DISCUSSIONS

Compared to the situation from 1992, in 2011, all the national minorities have fewer people, except for the Gypsies, which increased 1.5 times. The number of Romanians diminished by 3.5 mil., which accounts for a deficit of 17.3%. The greatest percentage loss was registered for the Germans (approximately 70%), Russians – Lipovan (approximately 40%), the Hungarian and Ukrainians (almost a quarter) (Table 1).

The dynamic of the main ethnic groups between 1992- 2011

Table 1

Ethnic group	1992 No %	2002 No %	2011 No %	2011/1992 No %
Romanians	20408542 89,5	19399597 89,5	16869816 88,6	-3538726 -17,3
Magyars	1624959 7,1	1431807 6,6	1237746 6,5	-387213 -23,8
Roma	401087 1,8	535140 2,5	619007 3,2	+217920 +54,4
Ukrainians	64472 0,3	61098 0,3	51703 0,3	-13769 -21,1
Germans	119462 0,5	59764 0,3	36884 0,2	-82578 -69,1
Turks	29832 0,1	32098 0,1	28226 0,1	-1606 -5,4
Russians – Lipovan	38606 0,2	35791 0,2	23864 0,1	-14742 -38,1
Tartars	33769 0,1	23935 0,1	20464 0,1	-4132 -16,7
Other ethnic group	8618 0,03	23445 0,1	96040 0,5	+87422 +915
Undeclared	766 < 0,01	1941 < 0,01	59186 0,3	+58420 +7527

Source www.insse.ro – author calculations

Romanians are the main major ethnic group in all counties, except for Harghitei and Covasna. Their percent exceeds 90% in 26 counties, reaching the maximum values of 98.5% in Botosani. (Table no 2).

For the last census that provides us data, in 22 counties and in Buchraest municipality the Romanians exceeded 95% of the total population. The highest values (over 98%) were in Vaslui, Botoșani, Vâlcea, Neamț, Argeș, Gorj, Vrancea and Iași counties. The percent of Romanians is reduced in Harghita (14.1%) and Covasna (23.3%). Other counties with a reduced percent of Romanians are: Mureș (53.3%), Satu Mare (58.8%), Bihor (67.4%), Sălaj (71.2%) and Cluj (79.4%) .

Romanians represent the major ethnic group also in the historic provinces, their percent oscillating between the maximum value of 97.9% in Moldova and 72.9% in Crișana-Maramureș (Table no 3).

Table 2. The percent of the ethnic groups on counties in 2002

County	Ethnic groups																					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20		
NORTH – EAST																						
Bacău	97.46	0.61	1.67	-	0.02	-	-	-	-	-	-	0.01	0.01	-	-	0.01	-	-	0.11	0.02	0.08	
Botoşani	98.80	0.01	0.74	0.19	0.01	0.15	-	-	-	-	-	-	0.02	-	-	-	-	-	-	0.01	0.07	
Iasi	98.05	0.03	1.17	-	0.02	0.43	-	-	-	-	-	0.05	0.05	-	-	0.01	-	-	-	0.12	0.07	
Neamţ	98.66	0.05	1.08	-	0.01	0.07	-	-	-	-	-	-	0.02	-	-	0.01	-	-	-	0.10	-	
Suceava	96.30	0.05	1.33	1.23	0.25	0.36	-	-	-	-	-	-	0.01	-	0.37	-	-	-	-	0.02	0.08	
Vaslui	98.84	0.01	1.07	-	-	0.02	-	-	-	-	-	-	-	-	-	-	-	-	-	0.06	-	
SOUTH – EAST																						
Brăila	97.22	0.03	1.67	-	0.01	0.93	0.04	-	-	-	-	-	0.08	0.01	-	-	-	-	-	0.01	-	
Buzău	96.98	0.03	2.91	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.08	-
Constanţa	91.27	0.12	0.84	0.02	0.04	0.73	3.39	3.34	-	-	0.01	-	0.08	-	-	-	0.01	-	0.05	-	0.10	-
Galaţi	97.61	0.04	2.12	0.01	0.02	0.04	0.01	-	-	-	-	0.04	0.02	-	-	0.01	-	-	-	0.03	0.05	
Tulcea	90.0	0.05	0.88	0.49	0.03	6.42	1.29	0.06	-	-	0.02	-	0.65	-	-	0.05	-	-	-	0.01	0.05	
Vrancea	98.12	0.03	1.75	-	0.01	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.09	-	
SOUTH																						
Argeş	98.41	0.04	1.41	-	0.01	-	0.01	-	-	-	-	-	0.01	-	-	-	-	-	-	-	0.04	0.07
Călăraşi	94.12	0.02	5.65	-	-	0.01	0.14	-	-	-	-	-	-	-	-	-	-	-	-	-	0.06	-
Dâmboviţa	96.71	0.04	3.05	-	0.01	-	-	-	-	-	0.12	-	-	-	-	-	-	-	-	-	0.07	-
Giurgiu	96.02	0.02	3.88	-	-	-	0.01	-	-	-	-	-	-	-	-	-	-	-	-	-	0.06	0.01
Ialomiţa	95.60	0.02	4.10	-	-	0.20	0.01	-	-	-	-	-	-	-	-	-	-	-	-	-	0.01	0.06
Prahova	97.74	0.07	2.02	-	0.03	0.01	0.01	-	-	-	-	-	0.01	-	-	-	0.01	-	-	-	0.03	0.07
Teleorman	96.76	0.01	3.18	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.05	-
SOUTH – WEST																						
Doj	95.48	0.04	4.29	-	0.02	-	-	-	-	-	-	-	0.02	-	-	-	0.02	-	-	-	0.13	-
Gorj	98.23	0.07	1.65	-	0.01	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.04	-
Mehedinţi	96.11	0.08	3.00	-	0.08	-	0.01	-	0.38	-	-	-	-	-	0.25	-	-	-	-	-	0.05	0.04
Olt	98.06	0.02	1.86	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.01	0.05
Vâlcea	98.77	0.08	0.95	-	0.03	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.11	0.06
WEST																						
Arad	82.16	10.67	3.82	0.37	1.05	0.01	0.01	-	0.26	1.23	0.17	-	-	0.03	0.03	0.01	0.05	-	-	-	0.05	0.08
Caras-Severin	88.24	1.74	2.37	1.05	1.89	0.01	-	-	1.82	0.10	0.01	1.88	-	0.01	0.74	-	0.01	-	-	-	0.08	0.05
Hunedoara	92.70	5.22	1.40	0.04	0.39	0.01	-	0.01	0.02	-	-	-	0.01	0.02	0.01	0.02	0.03	-	-	-	0.03	0.01
Timiş	83.43	7.45	2.37	1.07	2.09	0.02	0.01	-	1.95	0.28	0.82	0.05	0.03	0.06	0.05	0.02	0.03	-	-	-	0.19	0.08
NORTH – WEST																						
Bihor	67.38	25.96	5.09	0.03	0.19	0.01	-	-	1.22	-	-	-	0.01	0.03	-	-	0.02	-	-	-	0.05	0.01
Bistriţa-Năsăud	90.25	5.88	3.57	0.02	0.21	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.01	0.06
Cluj	79.38	17.49	2.82	0.02	0.13	0.01	-	-	-	-	0.02	0.03	-	-	0.01	-	-	-	-	-	0.08	0.01
Maramureş	82.02	9.07	1.74	6.67	0.39	-	-	-	-	-	-	-	-	0.01	-	-	-	-	-	-	0.03	0.07
Satu Mare	58.83	35.19	3.66	0.42	1.74	-	-	-	0.05	-	-	-	-	-	-	-	-	-	-	-	0.02	0.09
Sălaj	71.23	23.04	5.05	0.01	0.04	-	-	-	0.55	-	-	-	-	-	-	-	-	-	-	-	0.01	0.07
CENTER																						
Alba	90.41	5.40	3.73	0.01	0.34	-	-	-	-	-	-	-	-	-	-	0.02	-	-	-	-	0.01	0.08
Braşov	87.28	8.66	3.11	0.01	0.75	0.02	0.01	-	-	-	-	0.01	0.02	-	-	0.01	-	-	-	-	0.04	0.08
Covasna	23.28	73.82	2.72	0.01	0.08	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.05	0.01	0.03
Harghita	14.06	84.66	1.17	-	0.04	-	-	-	-	-	-	-	-	-	-	-	-	-	-	0.02	0.01	0.04
Mureş	53.26	39.36	6.95	0.01	0.35	0.01	-	-	-	-	-	-	0.02	-	-	0.01	-	-	-	-	0.02	0.01
Sibiu	90.59	3.63	4.06	0.01	1.55	0.01	-	-	-	-	-	-	0.01	-	0.01	0.01	-	-	-	0.01	0.04	0.07
BUCHAREST – Ilfov																						
Ilfov	96.05	0.06	3.73	0.01	0.02	-	0.02	-	-	-	-	-	0.01	-	-	-	0.01	-	-	-	0.08	0.01
Municipiul Bucureşti	97.02	0.36	1.46	0.02	0.12	0.05	0.12	0.01	0.01	-	0.01	-	0.08	0.12	-	0.01	0.03	0.10	0.04	-	0.42	0.02

Source: Iordache, 2009; - less than 0.01%

Table 3. The distribution of ethnic groups in the historical regions in 2002

Region	Total of stable population	Romanians		Magyars		Roma		Ukrainians¹		Germans		Russians Lipovens		Turks		Tartars		Serbians		
		No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%	
Banat	1011145	859690	85.0	56380	5.6	23998	2.4	10847	1.1	20323	2.0	185	0.02	101	x	9	x	19356	1.9	
Crisana Maramureş	2187443	1595080	72.9	437845	20.0	82688	3.8	37557	1.7	14546	0.7	204	x	121	x	18	x	1292	0.1	
Dobrogea	971643	883620	90.9	1056	0.1	8295	0.9	1465	0.2	398	-	21623	2.2	27580	2.8	23409	2.4	34	x	
Moldova	4681555	4582157	97.9	5866	0.1	64912	1.4	9663	0.2	2492	0.1	2492	0.1	24470	0.5	31	x	43	x	
Muntenia	6475251	5987597	92.5	7870	0.1	157193	2.4	628	x	3127	0.04	5506	0.1	3562	x	408	x	433	x	
Oltenia	2330792	2264381	97.2	1297	0.1	60265	2.6	113	x	670	0.03	69	x	141	x	14	x	1235	x	
Transilvania	4023145	2938782	73.0	921493	22.9	137789	3.4	825	0.02	18208	0.5	442	0.01	287	x	46	x	169	x	
Region	Slovakians		Bulgarians		Croatsians		Greeks		Jews		Czechs		Polish		Italians		Other ethnic group		Undeclared	
	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%	No	%
Banat	2248	0.2	5614	0.6	6644	0.7	223	0.02	490	0.05	2762	0.3	103	0.01	326	0.03	1590	0.2	179	0.02
Crisana-Maramureş	14632	0.7	862	0.04	21	x	120	x	544	0.02	175	x	86	x	493	0.02	852	0.04	210	x
Dobrogea	37	x	135	0.01	6	x	2270	0.2	72	x	22	x	103	0.01	214	0.02	798	0.1	67	x
Moldova	22	x	55	x	7	x	913	0.02	1165	0.02	17	x	2684	0.1	381	x	1820	0.04	193	x
Muntenia	76	x	1162	0.02	79	x	2295	0.04	2684	0.04	77	x	302	x	945	0.01	9263	0.1	699	0.01

Oltenia	21	x	66	x	10	x	261	0,01	60	x	782	0,03	44	x	272	0,01	1006	0,04	49	x
Transilvania	190	x	131	x	21	x	389	x	770	0,02	104	x	279	x	667	0,02	1521	0,03	544	0,01

Source: Iordache, 2009; x – less than 0.01

In the first decade of the period analyzed there were certain mutations in the territorial distribution of the Romanians, their dynamics being negative. The most important decreases were registered in counties like: Teleorman (10.8%), Hunedoara (10.5%), Caraș Severin (9.7%), Mehedinți (9.1%), Sălaj (8.2%), Olt (7.3%) and Bucharest municipality (7.4%). In contrast, Ilfov and Timiș counties had a positive dynamics, with a demographic increase of approximate 10,000 inhabitants (3.6%) and respectively 5,000 inhabitants (0.8%). The percent evidencing the evolution of the major ethnic group is entirely different. There is an ascending trend in Cluj (2.3%), Arad (2.1%), Brașov (1.5%), Mureș, Bihor, Sibiu etc. and there was a decrease in Sălaj (1.4%), Vâlcea (1.3%), Covasna (0.5%), Harghita, Vrancea, Ialomița, Teleorman, etc. if you consider the historical regions as areas of analyze we notice that the number of Romanians increased in Oltenia (7%), Banat (2.7%), Crișana-Maramureș (1%), Transilvania (0,7%), Dobrogea (0,1%) and decreased in Muntenia (5.9%) and Moldova (0.5%).

The Magyars represent the most numerous ethnic minority in Romania. For now, they are the major ethnic group in Harghita (84.8%) and Covasna (73.6%) county and have a smaller percent in Mureș (37.8%), Bihor (25.2%) and Sălaj (23.2%). During the period considered for analysis, this ethnic group decreased with about 400 thousand persons, the representative percent from the entire country population being reduced from 7.1% to 6.5%. Significant decreases were registered in Arad (from 12.5 to 10.7%) and Bihor (from 28.4 to 26%). The percent of Magyars in the total number of national minorities dropped from 67.7% in 1992 to 62.8% in 2002. At the last census, 98.9% of the Magyars were concentrated in Transylvania, Crișana-Maramureș and Banat. Their percent in the total number of the population of all three regions was 19.7%.

The Center Development Region has 29.9% of the total number of Magyars. The counties of Harghita (84.7%), Covasna (73.8%) and Mureș (39.4%) represent a well individualized area. The highest numbers of Magyars (over 200,000) are in Harghita (19.3% of the total number of Magyars), Mureș (15.9%) and Covasna (11.5%). Another area of Magyar concentration, but with a lower percent, is located in North-West region, representing 20% of this national minority. We can notice the following counties: Satu Mare (35.2%), Bihor (26%), Sălaj (23%) and Cluj (17.5%).

Regarding the urban-rural distribution of the Magyars, we notice that 52.9% live in urban settlements. The urban population registers few concentrations in: Harghita (15.1% of the total urban Magyar), Mureș (14.2%), Bihor (11.5%), Covasna (10.8%), Cluj (10.7%). Demographically we notice the following cities: Tîrgu Mureș (over 70 thousands Magyars), Cluj-Napoca (over 60 thousands), Oradea (over 56 thousands), Satu Mare and Sfântu Gheorghe (over 45 thousands each). The highest percent of Magyars are in: Odorheiu Secuiesc (95.7%), Târgu Secuiesc (90.5%), Gheorgheni (87%) and Miercurea Ciuc (81.6%). The Magyars living in the rural space are concentrated in the following counties: Harghita (24% of the total Magyars living in rural settlements), Mureș (17.9%), Covasna (12.2%), Bihor (10.2%), Satu Mare (10%), Cluj (6.2%) and Sălaj (5.4%).

The Roma represents the second ethnic minority in a continuous increasing number. During the period 1992 – 2011, the number of representatives for this ethnic group increased 1.5 times, and the percent of the total population increased from 1.8% to 3.2%. The demographic dynamics is explained by the high birth rates, as in the relativity of their declarations concerning the appurtenance to this ethnic group. From the total number of minorities, the Roma represented 16.7% in 1992 and 23.5% in 2002.

Compared to the rest of ethnic minorities, the Roma are uniformly distributed, being present in all the regions of the country with various concentrations. Muntenia has 29.4% from the total number of the Roma representatives (2.4% from the entire population of the region), Transilvania 25.7%, while Crișana-Maramureș concentrates 15.5%. The highest numbers of Roma are in: Mureș - 40,425 persons (7.6% from the total number of representatives and 7% from the total county population), Dolj (5.9% respectively 4.3%) and Bihor (5.6% respectively 5.1%) having over 30 thousands persons. The highest percentages of Roma from the total population of one county are found in Mureș (7%), Călărași (5.7%), Bihor (5.1%), Sălaj (5.1%), Dolj (4.3%), Ialomița (4.1%) and Sibiu (4.1%). According to the data from 2011, the percentage of the Roma oscillates between the minimum value of 1.1% in Botoșani county and the maximum values of 8.8% in Mureș.

The Roma population generally lives in rural areas; compared to the nation average of 61%, some counties register higher values as: Bihor (84.7%), Suceava (84.6%), Satu Mare (82.1%), Dâmbovița (79.7%), Brașov (77.1%), Sălaj (75.1%) and Mureș (72.5%). The percentage of the Roma living in the urban settlements is higher in the following counties: Tulcea (82.5%), Hunedoara (78.8%), Gorj (61.1%), Neamț, Alba, Prahova and Buzău (over 50%).

During the analyzed period the number of Ukrainians dropped with 13.8 thousand persons, but their percent in the total population of Romania remained constant (0.3%). Crișana-Maramureș and Banat are the historic regions where the frequency of this ethnic group is higher, but still under 2% of the entire population. On development regions, the West and the North - East concentrate more Ukrainians, but under 1% of the total population. In 2002, Maramureș had 55.7% from the total Ukrainian population, followed by Suceava (13.9%), Timiș (12%), Caraș-Severin (5.8%), Arad (2.8%), Satu Mare (2.5%) and Tulcea (2.1%). Compared to the total county population, Maramureș has 6.7% followed by Suceava (1.2%), Timiș and Caraș-Severin (1.1%). The analysis of data collected during the last census do not show the numeric regression, but a slightly change regarding the hierarchy in the county distribution. Thus, 88% of the Ukrainians are distributed in the following counties: Maramureș (31.2 thousand persons), Timiș (6 thousand persons), Suceava (5.7 thousand persons) and Caraș - Severin (2.6 thousand persons). Regarding the urban-rural distribution of the Ukrainian population, it was and continues to be a rural population with a percent over 85% living in rural area.

The German minority is composed of Saxons (located in Transylvania), Swabians (in Banat and Satu Mare county) and Carpathian Germans or sometimes called Slovak Germans - "țipțeri" - (in Maramureș county). According to the last census there were registered about 37 thousands Germans, that are generally concentrated in the following counties: Timiș (8.5 thousands), Satu Mare (5 thousands), Sibiu (4.1 thousands), Brașov (3.3 thousands), Caraș-Severin and Arad (3 thousands each). Numerically, this minority registered a significant decrease during the period 1992 - 2011, being noted a reduction of 3.2 times of the Germans. The higher reductions were registered in counties like: Timiș (from 26.7 thousands to 8.5 thousands), Sibiu (from 17.1 thousands to 4.1 thousands), Satu Mare (from 14.4 thousands to 5 thousands). Their percent in the total number of the population in Romania dropped from 0.5% to 0.2% during the mentioned interval.

In 2002, most of the Germans were concentrated in Banat (293 thousands) where they represented 2% of the entire population in the region, then in Transylvania (18.2 thousands) with a percent of 0.5% and Crișana-Maramureș (14.5 thousands) with 0.7% from the total number of the population. The West, Center and North-West development regions held 88.8% representatives from this ethnic group. Analyzing the counties, the highest number of Germans were in: Timiș (14.2 thousands, 23.7% of the total number of Germans and 2.1% of the total county population), Sibiu (6.6

thousands; 11%; 1.6%), Satu Mare (6.4 thousands; 10.7%; 1.7%), Caraș-Severin (6.1 thousands; 10.3%; 1.9%), Arad (4.9 thousands) and Brașov (4.4 thousands).

Regarding the urban-rural distribution, most of the Germans live in urban area (69.5%), with higher percentages in the following counties: Maramureș (96%), Hunedoara (92.2%), Caraș-Severin (84.2%) and Timiș (71.5%). The largest German communities live in Timișoara (7,157 persons), Reșița (2,542 persons), Sibiu (2,508 persons), Bucharest (2,358 persons), Arad (2,247 persons). Cities like Brașov, Satu Mare, Lugoj, Viseu de Sus also have over 1,000 German inhabitants. The Swabians living in Satu Mare county live especially in the rural area (about ten communes around Carei town) and speak Magyar as their mother tongue.

Russians – Lipovan is an ethnic group that lost about 15 thousand persons during the post-communist period. The number of the ethnic representatives dropped with 38.1%, and their share in the total population of Romania was reduced to a half, while the share in the total number of minorities remained constant (1.6%). Compared to 2002, at the last census were registered important number reductions for this minority, but keeping the hierarchy in the spatial distribution. Therefore, 87.7% of the total number of Russians – Lipovan are located in: Tulcea (16.4 thousand, 45% of the representatives in 2002, respectively 10.9 thousand, 45.7 % in 2011), Constanța (5.3 thousand; 14.7% and 3.5 thousand, 14.6%), Iași (3.6 thousand; 10%; 2.8 thousand, 11.7%), Brăila (3.5 thousand; 9.8%; 1.9 thousand, 7.9%), Suceava (2.5 thousand; 7.1%; 1.7 thousand, 7.1%).

During the analyzed period, the Turks registered a moderate number decrease, about 1,606 persons, namely 5.4%. They kept the share in the total number of country population and national minorities (0.1% of the total population in Romania and 1.4% of the national minorities). They are concentrated in Dobrogea (81.2%), where they totalize 2.4% of the total population. They have a higher frequency in following counties: Constanța (21 thousand, namely 74.5% of the total number) and Tulcea (1.9 thousand) and Bucharest municipality, where this ethnic group has the same share for the last censuses (2.4 thousand), but raising the share from 7.7% to 8.5% from the total number.

The Tartars lost thousand persons, representing about 17% of the total representatives, but the share in the total country population remained the same. In Constanța county is concentrated over 96% of the Tartars, representing a higher concentration compared to the previous periods. *Other ethnic* groups registered a significant increase from 8,618 persons (0.03% of the total country population) to over 96 thousand persons (0.5%). Also, important increase had been noticed for the category undeclared ethnic groups, from 766 persons (0.01%) to about 60 thousand (0.3%).

The opening of the state borders after 1989 lead not only to a significant emigration flow, but also to inflows of foreigners, to *immigration*. During the 1991-2011, the number of foreigners that came to Romania had a positive trend, most of them being registered in 2008 (10,030 persons), with more than 8,000 persons than at the beginning of the analyzed period. In 2010, there were registered 7059 immigrants (4242 male and 2817 female persons), of which 51.7% were 26 to 50 years old, the young people, less than 18 years of age and of the old, more than 60 years old, being 13.5% and, 8.6% respectively. Most of them originate from the Republic of Moldova (28%) and Italy (18%), followed by Germany (6.2%), USA (6.1%), Turkey *(5.6%), China (4.5%).

As for the typology of immigrants, after 1989, Romania welcomed the economic immigrants and those of family reunion, refugees and persons asking for political asylum, the illegal immigrants or person dealers (CRDE, 2006). According to the General Inspectorate for Immigration, during the last two decades, more than 323 thousands persons received Romanian citizenship, out of which 226,507 came from Moldova. Most of the immigrants that were granted the right of permanent residency came from Turkey, China and Syria. The refugees originate mainly from Iraq (52%) and Iran (18%), while the persons asking for political asylum come from a larger geographical area:

Algeria (29.9%), Marocco (17.2%), Afghanistan (8.7%), Pakistan (8.4%), Syria(6.0%), Tunisia (4.0%), Bangladesh (3.2%).

The legislation for the ethnic minorities has been continuously improved. There was created a system that guarantees and ensures the minorities the right to their identity and culture. For this purpose, there are more than 200 normative acts related to the majority-minority relationship, their representation in the Parliament and local administration, elimination of discrimination, creation and support of state institutions and organizations for the national minorities.

The Romanian legislation regarding the minorities concurs with the international one, i.e. International Convention for the Civil and Political Rights, Declaration of the UN for the Rights of Persons belonging to the Ethnical, Linguistic and Religious Minorities, Helsinki Final Act, the Document of the Copenhagen meeting of the conference on the human dimension of the CSCE, European Charter for Regional or Minority Languages, the Convention for the Protection of the National Minorities etc.

National minorities have representatives in the Parliament, take part to the governing process, and their right to identity is stipulated by Romania's Constitution in article 6: The state acknowledges and grants the persons belonging to national minorities the right to the preservation, development and statement of their ethnic, linguistic and religious identity. It is also worth mentioning that the day of December, 18th, was declared the Day of Ethnic Minorities.

CONCLUSIONS

Ethnically speaking, Romania is a unitary state, made of a major ethnic group and 26 ethnic minorities. The last two censuses, except the last one, give statistical data for only 19 separate nationalities. On a general background of population decrease for Romania, during the post-communist period all ethnic minorities registered a decrease in the number of their representatives, except the Roma community.

National minorities have representatives in the Parliament, take part to the governing process, and their right to identity is stipulated by Romania's Constitution in article 6: The state acknowledges and grants the persons belonging to national minorities the right to the preservation, development and statement of their ethnic, linguistic and religious identity. It is also worth mentioning that the day of December, 18th, was declared the Day of Ethnic Minorities. From this point of view, Romania can be given as a good example for other states.

References

- Alexandrescu Valeria et al. (1993), Structura naționalităților din România (1992), in *Lucrările sesiunii științifice anuale*, Institutul de Geografie al Academiei, București
- Bodocan V., (2001), *Etnie, confesiune și comportament electoral în Transilvania*. Edit. Presa Universitară Clujeană
- Crețan, R., (1999), *Etnie, confesiune și comportament electoral în Banat. Studiu geografic*. Edit. Universității de Vest, Timișoara
- Cucu, V. (1992), *Considerații geografice privind unitatea etnică a României*, in *Terra*, nr.1-2, București
- Dumitrescu D. (coord., 2008), *Istoria minorităților din România*, Edit. Did. și Ped.R. A., București
- Ghețău, V. (1996), *O proiectare condițională a populației României pe principalele naționalități (1992- 2025)*, în *Revista de Cercetări Sociale*, nr. 1
- Lordache Costela, (2009), *Geografia populației și așezărilor umane din România*, Edit. Universitaria, București
- Jura, C. (2004), *Minoritățile naționale în România Democratică după 1989. Cadrul legislativ și instituțional*, in *Geopolitica*, Anul II, Nr.1/2004, Edit. Top Form, București
- Kiss Tamas, Veress Ika (2010), *Minoritățile din România: dinamici demografice și identitare*, in *Romanian Minority Studies*, no. 30, Edit. ISPMN, Cluj- Napoca
- Oprescu D. (1999), *Politici publice pentru minoritățile naționale din România*, in *Sfera Politicii*, nr.6 (66)
- Salat L. (EDIT., 2008), *Politici de integrare a minorităților naționale din România*, Edit. CRDE, București

Szekely Istvan Gergö (2008), Soluții instituționale speciale pentru reprezentarea parlamentară a minorităților naționale, in Romanian Minority Studies, no. 30, Edit. ISPMN, Cluj- Napoca

***<http://anr.gov.ro/docs/statistici/statistici/tdp>

ORIGINAL PAPER

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Discrimination based on grounds of nationality. Case study: Discrimination perceived by Romanian immigrants in the Spanish society

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Abstract: *The tendency in the Spanish media to denigrate Romanian citizens, the aversion reactions of Spanish citizens against our countrymen, registered in the "Reports on evolution of racism and xenophobia" in the last 4 years as well as the decisions issued by the Government of Spain in the summer of 2011 to restrict the labor market for Romanian workers, made us ask ourselves whether the Romanian immigrants in Spain are being discriminated. Therefore, from our point of view, it was necessary to perform a field research in order to identify the level of discrimination and the areas where it is felt by Romanian immigrants in the Spanish state. This article captures some aspects of the discrimination phenomenon felt by Romanian immigrants in Spain, by exposing a part of the individual field research conducted in the summer of 2012 in Madrid.*

Key words: *discrimination, Romanian immigration, Spain.*

1. Aspect of discrimination

The notions of „integration” and „discrimination” are increasingly used in democratic societies, given that the principles of equal treatment and non - discrimination are the essence of these societies. In the European Union these principles are legally established in articles 20 and 21 of the Charter of Fundamental Rights of the European Union.⁴, in articles 18 and 19 of the Treaty regarding the function of the European Union⁵ and in article 14 in the European Convention for the Defense of Human Rights and Fundamental Freedoms⁶ and the adoption of Directives 2000/43/EC⁷, 2000/78/EC⁸ and 2004/113/EC⁹.

Article 2 of the Racial Equality Directive (2000/43/EC) gives us precisely the definitions of the 4 types of discrimination: direct discrimination, indirect discrimination, harassment and instigation to discrimination.

According to the European law there is the *presumption of discrimination* on grounds of “nationality” or “national origin”. Thus:

- Article 14 of the European Convention on the Defense of Human Rights and Fundamental Freedoms provides that: “In order to exert the rights and freedoms recognized in this convention there must be secured without any difference, especially on grounds of ... *national origin*.”¹⁰.

- Article 21, paragraph 2 in the Charter of Fundamental Rights of the European Union states that “in the scope of the treaties and without prejudice to the special provisions thereof, it is forbidden any discrimination on grounds of *nationality*”¹¹.

- Article 18 in the Treaty on the functioning of the European Union states that “in the scope of the treaties and without prejudice to any special provisions contained therein, it is forbidden any discrimination on grounds of *citizenship or nationality*”¹².

What is citizenship? Under Article 2 (a) in the Convention on Nationality of the European Council of 1996, citizenship is “the legal bond between a person and a State”.

The theme discrimination is increasingly approached in the European Parliament, European Commission and especially in the laws and policies of the European states.

Spain has a dynamic policy and legislation on immigration, being a main destination for large - scale immigration.

The most likely groups to discrimination on the principle of citizenship are immigrants.

The Spanish state is aware of this and has created several programs to protect immigrants against discrimination on grounds of citizenship and xenophobia. The Spanish government even created an institution to oversee the acts of xenophobia: OBERAXE - Observatorio Español del Racismo y Xenofobia (Spanish observatory on racism and xenophobia).

Moreover, the Spanish government has set up a body under the “State Secretariat for Immigration and Emigration” namely the “Department of Integration of immigrants” whose responsibility is to promote policies of equal treatment and non - discrimination based on racial or ethnic origin.

However, Spanish media tendency to denigrate the Romanian citizens, the aversion reactions of Spanish citizens against countrymen registered in “Reports on the Evolution of Racism and Xenophobia” in the last 4 years and the decisions issued by the Government of Spain in summer of 2011 towards restricting the labor market for Romanian workers, make us ask ourselves whether the Romanian immigrants in Spain are somehow discriminated.

The discriminatory trend of the Spanish Government was immediately sensed by many Romanian institutions, European bodies and high European dignitaries. Even MEP Renate Weber said that Spain's decision to restrict the labor market only for Romanian citizens, is discrimination¹³.

It was therefore necessary, from our point of view, a research in terms of identifying the level of discrimination and the areas where it is felt by immigrant countrymen in Spain.

2. Case study: Discrimination perceived by Romanian immigrants in the Spanish society

In June - August 2012 I conducted a personal research on the Romanian community in Madrid. In choosing the sample of 428 people I followed that the proportion of men and women surveyed to be “equal to their actual percentage in the total population”¹⁴, so, there were interviewed 221 women, representing 51.63 % of the sample and 207 men representing 48.36 %.

By interviewing 428 people it was achieved an investigation rate of 0.67 % of the total countrymen in the capital of Spain in 2012.

I started from two main assumptions in the research:

1. The Spaniards tend to discriminate the Romanian community in Spain.
2. The Spaniards tend to discriminate essentially in the labor market the Romanian immigrant workers.

How did I identify these assumptions? Making the conceptual framework facilitated fixing a set of cause - variables and effect - variables. “The link, asserted, but unproven between two

variables is called an assumption”¹⁵. I will present the process of identifying (independent) cause - variables, fixing effect - variables, creating assumptions and determining objectives:

a) Based on the variable regarding the financial crisis in Spain and corroborating this with the “Theory of actual conflicts”, I found the effect - variable: Romanians in Spain are discriminated.

We start from the assumption that in a situation of economic crisis the Spanish government and the citizens of this state tend to discriminate the Romanian community in Spain.

Thus, the main objective of the research is to identify the perception of Romanian immigrants in Spain on the level of discrimination in all aspects of social life.

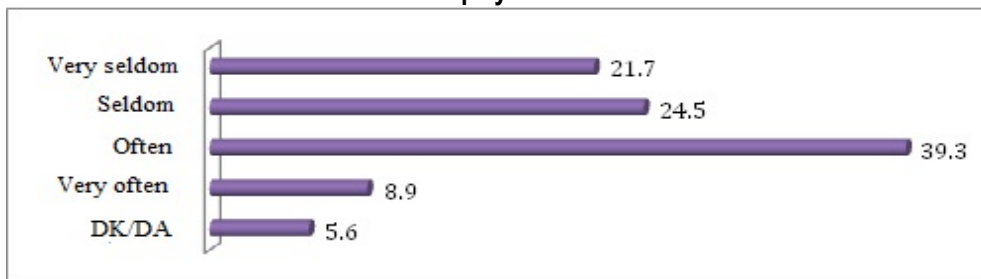
b) Based on the cause - variable of Spain as being the country with the highest unemployment rate in the EU and applying the “Theory of actual conflicts”, I identified the effect - variable: discrimination against Romanians in Spain has the highest level in the labor market sector.

The assumption from which we start is that in case of a high level of unemployment, the Spanish government and the citizens of this state tend to discriminate primarily in the labor market immigrant Romanian workers.

Thus, a set objective is to identify the level of discrimination against Romanians in Spain in the labor market.

I have asked several questions about the perceived discrimination in various social aspects. We will further examine some of these questions.

Illustration no. 1 - Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian at employment?



Question examines the perception of Romanian immigrants on the discrimination phenomenon in their employment, on the labor market in Madrid. It is not a direct experience, yet however, the percentages are alarming.

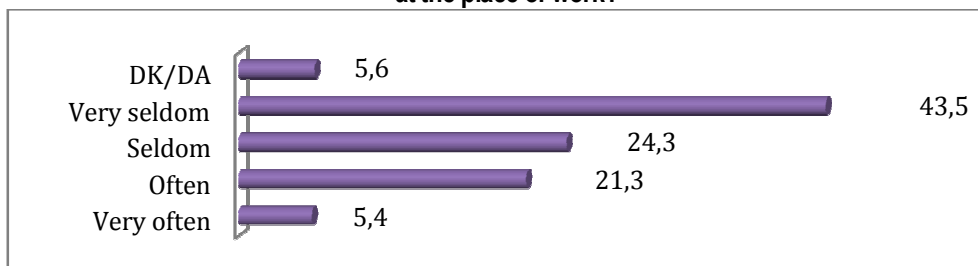
Analyzing the answer to the question “How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian ... at employment?”, we will find that 39.3 % of respondents said they heard “often” of Romanian immigrant discrimination at employment and 8.9 % heard “very often” of this situation. So 48.2 % of the respondents complain about the manifestation of this discrimination phenomenon at employment in a high proportion.

In addition to this percentage of 48.2 %, we emphasize the very high percentage of 21.7 %, those who say they heard “seldom” of this situation. The adverb “seldom” according to the Explanatory Dictionary of the Romanian Language defines the appearance of a situation “at time intervals larger than usual”¹⁶. So, those who responded, heard of the manifestation of this situation but with a lower frequency. Percentage of 70.5 % of those who claim to have heard of this situation in Spain, even if this happened seldom, often or very often is a warning signal for the Romanian and

Spanish authorities that need to consider the appearance of a widespread discrimination phenomenon in the direction of employment for Romanian immigrants in Spain.

Some respondents mentioned that there are not necessarily discriminated because they are “Romanians”, but because they are “foreigners”, while the vast majority stated that discrimination at the place of work is a result of the fact they are Romanians, because many of Spaniards formed negative stereotypes against our nationality or because they fear that Romanian immigrants will take their jobs.

Illustration no. 2 - Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian at the place of work?



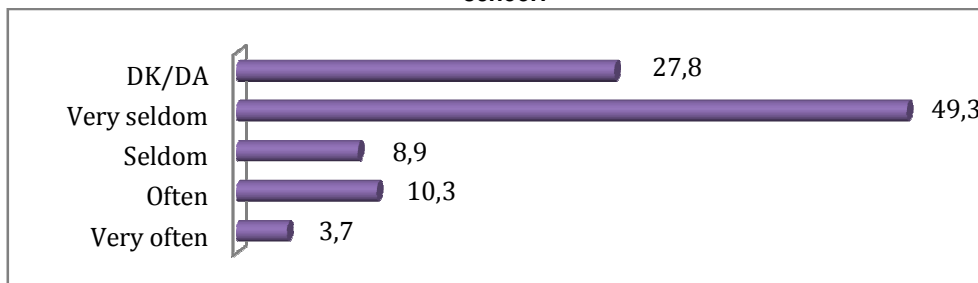
We note that the perception of immigrants regarding the discrimination felt at work has a much lower degree than the discrimination perceived when being employed. Only 26.7 % of respondents said they heard of a situation in which a Romanian was ill - treated at work.

I have also recorded experiences of Romanians who say they are ill - treated at work. In most cases it is about women working in housekeeping and who spoke how some “ladies” of the houses they worked in behaved badly with them. A percentage of 24.3 % of respondents said they heard “seldom” of a situation in which Romanians are treated badly at work, while 43.5 % of them said they heard “very seldom” of this situation.

The surprising aspect came when some of the respondents stated that discrimination occurs at the place of work especially if employers are Romanian. Immigrants said they heard of many cases where Romanian employers exploit their Romanian origin employees, making them work many extra hours without paying them for this and in some cases not paying them all.

The conclusion is that there is a high degree of discrimination of Romanian immigrants in Madrid at the “place of work”.

Illustration no. 3 - Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian in school?



The question: “How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) *in school* because he is Romanian?” was applied in an effort to learn how the children of Romanian immigrants are treated in schools. Unfortunately, a large percentage of respondents - 27.8 % - didn't know how to answer this question because they didn't have children in Spanish schools or knew people with children in school and they haven't even heard very often of this topic to be debated.

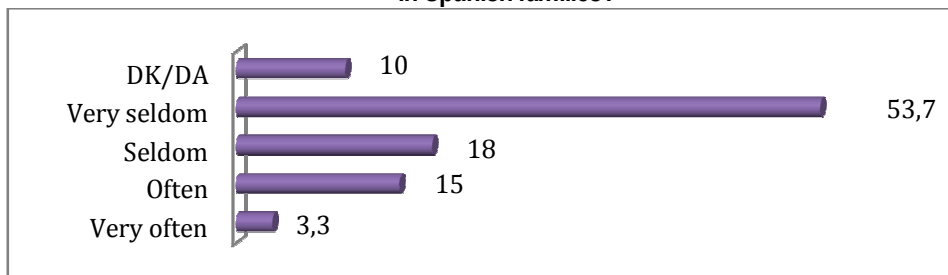
Of the respondents, 58.2 said they heard “very seldom” and “seldom” of the situation in which Romanian children were discriminated in schools. A percentage of 10.3 % of them said they heard “often” of such cases and 3.7 % responded with “very often”.

In essence, the tendency is to consider that discrimination among children in school is rare, because immigrants “haven't quite heard of such cases of discrimination”. However, those who had children registered in schools in Spain, spoke of many cases in which their children suffered embarrassing situations. It is mainly about the xenophobia manifested by classmates or even the school. If the adults become mature in their behavior and no longer show clearly that feeling of “contempt or hatred towards foreigners”, children are still not thoughtful enough in showing feelings and tend to express them directly, without reservation.

Romanian students, who were applied questionnaires, stated that they have no problems with faculty colleagues, in the sense of discrimination.

The conclusion is that the experience of discrimination in schools felt by children of Romanian immigrants is somewhat narrow and xenophobic acts often come from colleagues in school, not teachers.

Illustration no. 4 - Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian in Spanish families?



As it can be seen in the analysis of illustration no. 4, a percentage of 10 % of respondents didn't answer this question, arguing that they only have contact with Spanish citizens only at their place of work, not having close ties with them as to come into contact with their families. Many have even stated that Spaniards are not as hospitable as Romanians and it rarely occurs the situation in which true friendships are formed between immigrants and citizens of Spanish origin.

A percentage of 53.7 % of respondents said they “very seldom” have heard of cases of discrimination against Romanians in Spanish families and 18 % stated “seldom”.

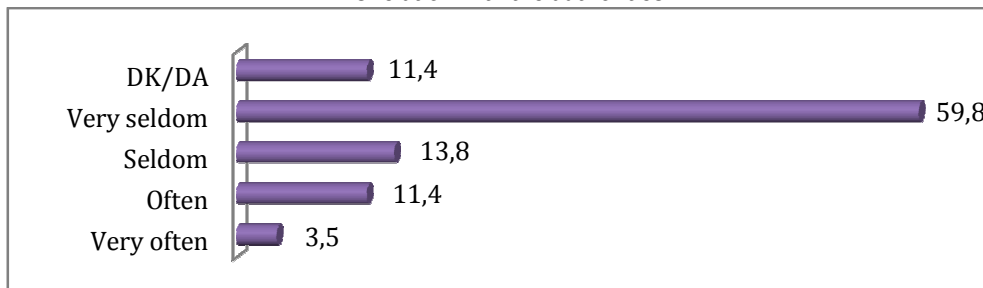
Only 18.8 % of the respondents said they “often” or “very often” have heard of the situation of discrimination among host families.

Analyzing the relationship between the answer to this questions and the respondents' gender, we can see that more women than men answered “often” or “very often”. This is directly

related to the fact that many immigrant women work in domestic or social care (childcare / elderly nursing) and thus are directly connected with families of Spaniards. But, this is perceived rather as a negative treatment of immigrants at the place of work than within the family.

The conclusion is that, in the perception of Romanian immigrants in Madrid, the degree of discrimination is reduced in the direct contact Romanians have with Spanish families.

Illustration no. 5 - Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian in his relation with the authorities?



The relationship with the authorities was perceived as those contacts strictly formal that occur between Romanian immigrants and various state institutions such as the police, Employment office (Oficina de Empleo), the Civil Guard (Guardia Civil), Social Insurance National Institute (Instituto Nacional de la Seguridad Social), Office for foreigners and others.

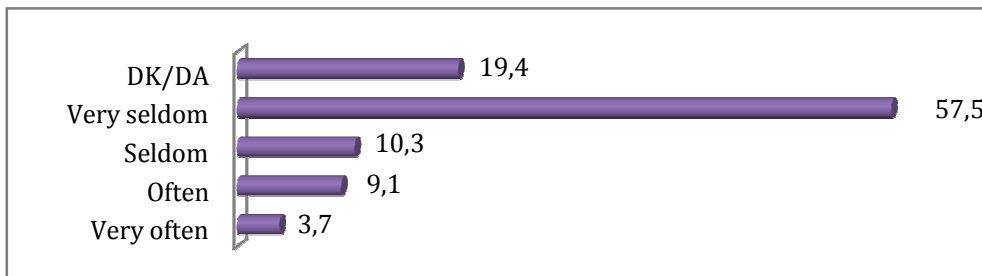
A percentage of 59.8 % of respondents said they “very seldom” heard of discrimination cases of Romanians from the Spanish authorities, 13.8 % “seldom” and only a percentage of 14.9 % said they heard “often” and “very often” of this circumstance.

We note again that a high percentage, 11.4 % of respondents, didn’t answer this question, arguing that they don’t have contact with state institutions being in a situation of illegal “residence” (don’t have residence or medical card).

Although the percentage of people who said they heard “often” of this situation is 15 % and is quite high, from our point of view, given that it represents the connection between citizens and state institutions, there shouldn’t be discriminatory acts.

It should be mentioned that many of the comments of the respondents when asked about the relationship with state institutions, referred to the fact that, although there are also some xenophobic positions among the host country authorities, the most discriminatory attitudes come from Romanian authorities.

Illustration no. 6 - Answer to the question: Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian in his relation with justice?



This question seeks to capture the perception of Romanian immigrants regarding the attitude of the Spanish state judicial institutions in relation to them.

We again find the situation in which a huge percentage of people - 19.4% don't answer this question by arguing they never had dealings with the justice and neither had their acquaintances, so they cannot express a position.

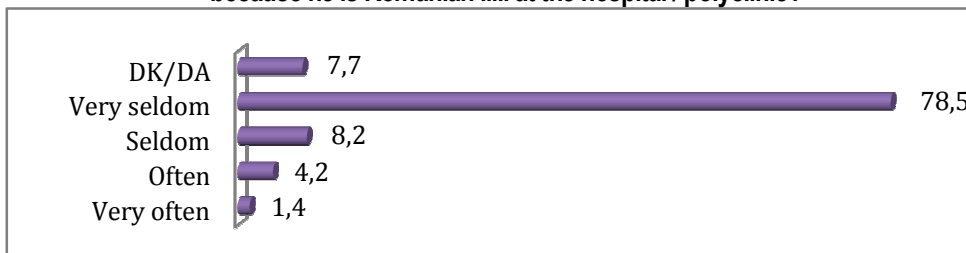
67.8 % of respondents said they "very seldom" and "seldom" were informed of the situation in which Romanian immigrants were discriminated in justice, while 12.8 % said they heard "often" or "very often" of this aspect.

It should be mentioned that when interviewing some Romanian immigrants who declared they perform illegal activities or antisocial deeds on the Spanish state territory, they all pictured one aspect: "Spanish justice is mild" in comparison with that in other countries such as Italy, France or Germany. They told how, even if they are caught committing some "minor" crimes, such as theft, they are detained, their things get confiscated and then after 2 - 3 days they are released from custody.

Also, some news for Romanian immigrants in Spain is that one of the most severe crimes, harshly sanctioned by the Spanish criminal law is "domestic violence", in which the abused woman, when filing a complaint at the police is protected by the state institutions in an "emergency system". Thus the man is drafted an indictment and prosecuted, receiving interdiction (restraining order) to approach the victim who filed the complaint.

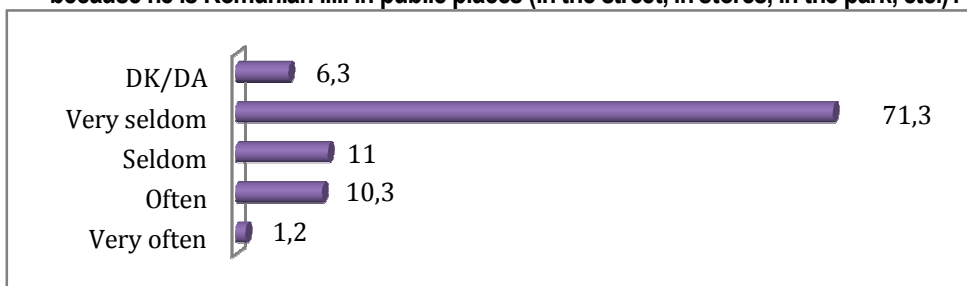
We will make the same comment as with the previous question, although the percentage of those who perceive as "often" or "very often" the acts of discrimination committed in the justice may seem a relatively low, at 12.8 %, taking into account that they represent the connection between citizens and the legal institutions of the Spanish State, where there shouldn't be discriminatory acts, from our point of view, this percentage is a high one and the aspect should be thoroughly analyzed by the Romanian state institutions.

Illustration no. 7 - Answer to the question: Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian at the hospital / polyclinic?



Of all the social aspects studied, the perception of respondents on immigrants receiving treatment in hospitals and polyclinics in Spain is the most favorable, meaning that only 4.2 % of respondents said they heard “often” the situation in which Romanians were discriminatorily treated in hospitals and only 1.4 % said they heard “very often” of this situation. A percentage of 86.7 % of the respondents said they heard “very seldom” and “seldom” of such discrimination. Moreover, we must mention that many respondents that have been forced to seek medical services in the host country said they were very satisfied with the conditions in which they were treated. The conclusion is that the Spanish health system has a very good image in the perception of Romanian immigrants and the degree of discrimination experienced by them in the health care area is very limited.

Illustration no. 8 - Answer to the question: Answer to the question: How often do you see in everyday life the situation in which a Romanian immigrant in Spain suffers (is ill - treated) because he is Romanian in public places (in the street, in stores, in the park, etc.)?



Studying Illustration number 8 we can analyze the opinion of Romanian immigrants regarding the perception of discriminatory acts occurring in public places such as stores, park, street. We note that this discrimination was encountered “very often” only by 1.2 % of respondents, “often” a rate of 10.3 %, ‘seldom’ a percentage of 11 % of respondents and “very seldom” 71, 3 %.

We can illustrate a large number of cases that we were reported, in which Romanians felt discriminated in public places such as injuries or refusal to be served in certain public places, but the most eloquent in this sense seems the example given to us by P.N. from Alba Iulia: “There is a gas station on the road between Madrid and Barcelona where the entry of Romanians is forbidden”¹⁷. Many of the interviewed persons see Spanish people as very tolerant, very seldom manifesting their xenophobic feelings, so we can observe a low level in the perception of Romanian immigrants of the acts of discrimination committed by the Spaniards in public spaces.

Hi!

I am the person that  as at your house for purposes of the census.  ill you be able to respond to the following questions through the  eb since there  as no  ay to get in touch  ith you? So,  hat I need is your personal information such as date and place of birth, address (have you been residing in Karpos Municipality since you  ere born, or  hen did you move there?) Your parents told us that you are currently studying in the US; I need some info about your high

school... I hope that you will be willing to respond to these queries as soon as possible. If you also have the data about your sister, send them to me as well. Thanks in advance! ,Source: On.et/Forum

1 Charter of Fundamental Rights of the European Union

<http://eur-lex.europa.eu/ro/treaties/dat/32007X1214/html/C2007303RO.01000101.htm> (accessed on December 15th, 2012).

5 Treaty regarding the functioning of the European Union

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2010:083:0047:0200:ro:PDF> (accessed on March 19th, 2013) .

6 European Convention for the Defense of Human Rights and Fundamental Freedoms

http://www.echr.coe.int/NR/rdonlyres/E7126929-2E4A-43FB-91A3-B2B4F4D66BEC/0/Convention_ROM.pdf (accessed on March 27th, 2013) .

7 Directive 2000/43/EC on the implementation of the equal treatment principle among people regardless of racial or ethnic origin,

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0043:en:HTML> (accessed on March 19th, 2013).

8 Directive 2000/78/EC of creating a general framework in favor of equal treatment regarding employment and work conditions

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32000L0078:en:HTML> (accessed on March 19th, 2013).

9 Directive 2004/113/EC on the implementation of equal treatment principle between men and women regarding the access to goods and services

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2004:373:0037:0043:EN:PDF> (accessed on March 19th, 2013).

10 European Convention for the Defense of Human Rights and Fundamental Freedoms, art. 14.

11 Charter of Fundamental Rights of the European Union, art. 21, paragraph 2.

12 Treaty regarding the functioning of the European Union, Art. 18.

13 Anda Marin, *The restrictions imposed to Romanians in Spain, „discriminatory”* (Restricțiunile impuse românilor în Spania, „discriminatorii”), Radio România Actualități, July 23rd 2011,

http://www.romania-actualitati.ro/restrictiile_impuse_romanilor_in_spania_discriminatorii-31611 (accessed on September 11th 2012).

14 Ștefan Buzănescu, *The role of surveys in the public opinion research* (Rolul sondajelor în cercetarea opiniei publice) in *Treaty of general sociology* (Tratat de sociologie generală), coordinator: Dumitru Otovescu (Craiova: Beladi publishing house, 2010), 194.

15 Ioan Mihăilescu, *General sociology. Fundamental concepts and case studies* (Sociologie generală. Concepte fundamentale și studii de caz), (Iași: Polirom publishing house, 2003), 33.

16 Explanatory dictionary of the Romanian language, <http://dexonline.ro/definitie/rar> (accessed on September 16th, 2012).

17 Interview applied in Madrid on July 20th 2012.

ORIGINAL PAPER

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The performance of the Romanian Banking System

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Abstract: *Management strategies in banking after the beginning of new global crisis have focused on: reducing costs, new income sources, developing investment banking, sales management control strategies, and all these measures being aimed to maintain a good performance of the banks. But what is performance? The present study offers a theoretical base of the concept from available literature, focusing not on the general concept, but on performance from the point of view of strategic management in sales in the banking industry. The main objective of this study is to offer a perspective of performance of the Romanian Banking system after the new global financial crisis. To achieve this objective, it has been conceived a comparative study of available literature, critical analysis and professional experience of the author. The originality of this paper comes from a different perspective and the insights are valuable for the academic community as well as for practitioners, especially sales managers, who may serve them as a guide for their daily activity.*

Key words: *performance, sales results of banks, sales strategies and behaviors.*

Introduction

The theme of **administrating and optimizing performance** in a bank is a major objective for specialists - top managers, business councilors or researchers. The continuous changes of tendencies in the global economy, the complexity and particularities of the last financial crisis have made the issue of performance more actual than ever before. In the attempt to understand and control success in a financial institution, the complex problem of analyzing performance represents a complex problem (Ganea M., 2012, p. 5-9).

According to the Center for Statistical Solutions (2013, p. 1-9) in order to create a successful model for **business performance excellence (BPE)**, there must be combined experience, knowledge and talent of its people, thus obtaining the ability to achieve and maintain this performance.

The present paper analysis performance correlated to business strategy, the characteristics and specificity of the organization, environmental parameters, and sales management control. From this perspective, performance appears as the overall evaluation of the **rightness** of a chosen sales management and control strategy. The challenge of this study comes from the evaluation and measurement of performance. One of the most common imperfections, for example, concerns the

measurement of salesperson performance, in terms of results, using the total sales volume which is not directly attributable to the respective employee. Therefore in this study there is a clear difference between the performance of the individual salesperson and the company or division as a whole.

Therefore, sales organization results on the organization and salesperson behavioral and salesperson outcome performance on the individual level will be detailed in the following sections.

Theoretical approaches for business performance in banking

Sales organization outcomes or effectiveness is defined as the integrative evaluation of an entire sales organization's or an organizational subset's (e.g. specific sales districts, territories, customer groups or divisions) outcomes. The variation in sales organization outcomes is not only the result of the sales force of the respective bank but also influenced by environmental and organizational factors.

Sales organization outcomes do not refer only to behavior or to behavior directly, but depends on additional factors which are not under individual salesperson's control (Churchill et al., 2000, p. 559).

It implies that sales organization outcomes and salesperson outcome performance are connected, but they are conceptually different constructs (cf. Cravens et al., 1993, p. 50). Common measures of sales organization outcomes include for example return on assets under management, profit contributed, residual income or various forms of cost ratios.

Every portfolio of a company is threatened by market risk (systemic risk), which is influenced by factors such the general evolution of the national economy, interest rates, inflation or the variation of exchange rates, but also the risk specific to the structure of financial assets. This last type of risk may be eliminated by the diversification of the types of financial assets that are included in a bank's portfolio (Matiș E.A., 2009, pp. 29-31). By creating a diverse portfolio of financial assets, banks have as objective the dispersion of risks and also to obtain an increased degree of liquidity. In the specific case of banks, Smithsons (2003, pp. 100-105) believes that there should be at least 30 different types of financial assets in a bank in order to decrease or even eliminate systemic risk.

In terms of profitability, in case of a bank, the idea situation is when short term resources are used on long term. Thus, the interest rates for loans would be much higher than the short term the one of the short term resources, which generates a considerable profit. But in this case there is always the liquidity risk. Even if the performance of the loans would be excellent, with a low rate of default, such type of investment might cause on a short term a lack of liquidity. The banking system is always under the influence of exogenous and endogenous factors. Also, the fluctuating interest rates on long term may lead to losses. Additionally, the Board of the banks must decide the proportion that will be placed in different assets so that the conditions of liquidity, prudential behavior, solvability and a certain degree of profitability to be separately achieved (Matiș E.A., 2009, pp. 29-31).

After the global crisis, sub-10% ROEs shows the challenges facing many banks, but even where that metric is still healthy, external factors such as persistently low interest rates are disrupting business models. In the last years customers also have become a problem for banks as they look beyond them to alternative providers. Retail and technology companies have developed alternatives to banking products (Deloitte, 2013, pp.4-6).

Banks nowadays are looking for a viable response to the problems of the industry. They need a process of quick adaptation to the new environment. A few banks have already declared bold repositioning strategies and many needs to follow in order to survive. We believe that top management must devote enough time to the future and not be swamped by legacy issues.

Considerations on the performance of the Romanian Banking System after the global crisis

The Romanian banking market in order to face the new exigencies of the globalization and the effects of the recent global crisis must radically change and this thing is expected to happen by fusions, acquisitions or even bankruptcies (Spulbăr C., Nițoi M., 2012, p. 481). European integration will increase competition on the Romanian market, the banks having to face important and stronger financial groups. This will most probably lead to farther concentrations in order to obtain the necessary capital. Some brands will disappear as consolidation intensifies among small banks. In Europe, many that survive will be much smaller as deleveraging is expected to shrink balance sheets by more than USD2.5 trillion by December 2013 (Deloitte, 2013, pp.4-6).

The National Bank's Report on Financial Stability (2012) offers a relevant image of the Romanian banking market in the last years. According to this report the market share from the point of view of foreign banks assets has followed a decreasing trend, while in the period 2009-2010, the main 10 banks on the Romanian market had an increasing market share as we could notice from Table1. This fact was due mainly to the selling of nonperforming loans. If we consider the structure of the capital, the banks having capital from Austria have an almost constant market share in the last years (38 % in June 2012). The Greek banks lost market share (from 16.3% to 12.9%), while Romanian banks succeeded to get in the last two years 18.3% of the market. The requirement of increasing capitals, with 42% in period June 2011- June 2013, was insured exclusively by private sector, by adjusting capitals with inflation and by supplying capitals. As structure of the Romanian Banking system's capital, the Greek capital remains predominant (21.5%), but continues to have a decreasing trend since 2010. The Austrian capital increased as percent with 4.3% in the last two years, especially because banks from Austria extended their capitals.

The tendency of reducing expenses manifested in the period 2009-2012 lead to the closing of 130 units in 2011 and 352 in the first semester of 2012 (The National Bank's Report on Financial Stability 2012, pp. 27-28). The number of employees decreased with 3700 people in the first semester of 2012. We observe that this situation lead to an unexploited potential, Romania having presently in terms of branches at 100,000 inhabitants much less than the European average.

As subsidiaries are sold and branches closed, the ability to serve customers will be at risk. However, this might be an opportunity for some to innovate, potentially partnership with other banks facing similar challenges in different locations or cooperating with local banks in new markets. Banks also can learn from the experience of other sectors and we expect the more innovative institutions to follow the example of media and utility firms, who share infrastructure.

One option for achieving the desired performance would be "the e-business models". The combination of new platforms, customer expectations and industry innovation has finally brought us to a tipping point in the mobile money journey, both for banking and payments.

As the banking industry begins to emerge from global crises and more localized challenges, it is moving towards different response options. Although some banks are still battling for survival, most are now focused on transforming their organizations to adapt to the new business and regulatory environment.

For the period 2013-14 researchers expect a growth period (Deloitte, 2013, p.19). This implies, for the banking industry, a necessary change in all means. The process must have as objective a ROE that exceeds its cost.

Table1. The first ten banks as market share in 2009-2010

No.	Name of the institution	2009	2010
1	BCR (Romanian Commercial Bank)	19%	19.8%
2	BRD Groupe Societe Generale	14%	13.80%
3	Raiffeisen Bank	6.06%	6.36%
4	CEC Bank	6.30%	6.35%
5	Banca Transilvania	5.9%	6.3%
6	Alpha Bank	6.4%	6.24%
7	Unicredit Tiriac Bank	6.14%	5.97%
8	Volksbank	6.58%	5.78%
9	Banc Post	4.4%	3.94%
10	ING Bank	3.3%	3.52%

Source: Spulbăr C., Nițoi M., 2012, p.483

Things to consider for Romanian banks when aiming to maintain and increase performance

In the last years banks had to face severe margin compression across their product range. Changing regulation, funding costs, reduced demand for banking products, low interest rates, price competition and fluctuating buying patterns have all affected profitability.

A solution for the margin would be for banks to accept agreements and partnerships with third parties that would help them sell their service and products (direct sales agents, different companies selling banking products or the franchise system). A part of the banks might bet on accepting short-term losses in the hope of profitable growth later on and thus maintain their full-service capabilities.

Banks nowadays face profitability challenges, while customers complain about the prices of banking products and service. In the future period of time, a number of factors must be considered when top management of banks decides the pricing policy (Deloitte, 2013, pp. 31-32):

- **Cost of funding** — whether via customer deposits or the markets, many bank having to pay more for funds to lend.
- **Capital charges** — the additional capital charges imposed under Basel III for loans and other products will overturn the assumptions in many pricing models
- **Customer expectations** — business and retail customers are united in their desire to see more transparent pricing from banks and regulators are scrutinizing fees and charging schedules
- **Consumer loyalty** — loyalty is much less assured

Many existing models are still dependent on cross-selling model which I consider to be a dangerous and no longer adequate approach as more and more customers are multi-banked. Nowadays bank customers are becoming less loyal due to the entrance on the market of alternative providers and there is an obvious opportunity for differentiation. In these conditions flexibility, innovation and adaptation are the key words for banking strategies and these could be achieved with the help of technology, but also by attracting qualified and motivated personnel.

Bibliography

1. BNR [Romanian National Bank], *Raport asupra stabilității financiare 2012 [Report on Financial Stability 2012]*, available online : <http://www.bnr.ro/Publicatii-periodice-204.aspx>
2. Churchill, Gilbert A., Neil M. Ford, Steven W. Hartley, and Orville C. Walker (2000). *Sales Force Management* (6 ed.). Chicago, IL, USA: Irwin / McGraw- Hill.
3. Churchill, Gilbert A., Neil M. Ford, Steven W. Hartley, and Orville C. Walter

4. Center for Statistical Solutions, *What is Business Performance Excellence?*, 2013, available online at <http://csscu.com/index.php/bpe/bpe-articles-t/40-what-is-business-performance-excellence>
5. Cravens, David W., Thomas N. Ingram, Raymond W. LaForge, and Clifford E. Young (1993, October). *Behavior-Based and Outcome-Based Sales Force Control Systems*. *Journal of Marketing* 57 (4), 47–59.
6. Deloitte., *2013 Banking Industry Outlook .Moving forward in the age of re-regulation*, available online at http://www.deloitte.com/assets/Dcom-UnitedStates/Local%20Assets/Documents/FSI/US_FSI_2013BankingIndustryOutlook_pdf_111212.pdf
7. Ganea M., *Modelarea performanței economico-financiare [A model of economic and financial performance]*, Universitaria, Craiova, Romania, 2012
8. Mățiș E.A., *Managementul performanței și riscului în băncile comerciale din România [The management of performance and risk in the commercial banks of Romania]*, Casa Cărții de Știință, Cluj Napoca, România, 2009
9. Mueller F., *Sales Management Control Strategies in Banking*, Gabler, Germany, 2011
10. Smithson C., *Credit Portfolio Management*, John Wiley & Sons, USA, 2003
11. Spulbăr C., Nițoi M. *Sisteme bancare comparate [Comparative analysis of banking systems]*, Sitech, Craiova, Romania, 2012.

ORIGINAL PAPER

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Agrarian Policies in Communist and Post-Communist Romania: Interferences, Discontinuities and Consequences on the Social Development Level

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Abstract: *This research focuses to fulfill the following desiderata: describing the process of Romanian agriculture's collectivization after the model of the Stalinist "kolhoz" and its consequences on social, political and moral level; identifying the difficulties faced by the Romanian agriculture after the fall of communism and after the accession to European Union; defining the main objectives and challenges of the agricultural policy in present Romania, confronted with the global economic crisis. Last but not least, the intention of this paper was to stimulate debate on a subject closely related to social development of Romania in the years after the fall of communism and the role played by the communist mentalities and heritage.*

Key words: *collectivization, property, peasant, land, owner*

An overview to the collectivization process: The communist heritage

Romanian agriculture's collectivization after the model of the Stalinist "kolhoz" was one of the ample activities meant to transform the national economy, to change the social, political and moral spectrum of the people and to allow the perpetuation of the communist party.

The abolition of the individual peasant property "in order not to block the development of the socialist agriculture", after the nationalization of industry, had in view the exclusion, "for the present and for the future", of the resistance hotbeds against the communist totalitarian state¹. In the party's vision, the victory of the socialism in Romania was incompatible with the preservation of the private

property on land. Along with the destruction of the private land property, the land owner disappeared too, being seen as “a virtual and morbid” ally of the outside enemy – “the imperialism”². At the same time, it was possible to come to the social homogenizing through the construction of the “new man” and the “new society”³, meaning the disappearance of the classes and, latter, of the state. Instead, the whole society was to be turned into a proletariat resulting from the alliance between the workers and the peasants, through the complete assimilation of the latter by the former.

Promising the eradication of “the physical and the moral misery”, an accelerating process in all fields, promising a bright future and the individual and family safety, the process of collectivization - implant of the Stalinist model of the “kolhoz”⁴, known as being voluntary, peaceful and natural, became in fact permanent compulsion, repression, physical violence, obviously wearing away the standard of life.

The communist system considered the development of the agricultural production only from the following point of view: the subordination of the small producer to the industrial, super-planned and super-centralized macrostructure, permanently conducted by the party. “Two different ways: one for the peasantry and the other one for the workers do not exist and cannot exist in our country. Their way is the same... and the party is the defender of the working peasantry, its guide”, stated Gheorghe Gheorghiu-Dej in February 1948⁵.

The frequent and haunting references to the Stalinist experience existing on the theoretical and propaganda plan as well as on the institutional plan of the collectivization, proved the lack of motivation based on the local essential features, the absence of the pragmatism of the Romanian party and state leaders in front of the ideological dictate.

Unlike lots of countries belonging to the socialist “camp”, where the curve of the collectivization was moderated and stopped in front of the evident failure, in our country, in 1962, about 96.5% of the arable area belonged to the socialist sector, being a sign to the lining up to the Soviet model⁶. The prevalent characteristic of the collectivization process was rather a political one. Gheorghe Gheorghiu-Dej led the Soviet model to its last results. While the Polish leaders had recorded the first shortcomings within the collectivization process since 1956, asserting in complete awareness that they do not need to follow in the footsteps of the Soviet Union’s agrarian policy, Hungary and Yugoslavia in their turn already operating a decollectivization of the agriculture, on the 11 of August 1961, Gheorghe Gheorghiu-Dej was declaring that, on the whole, “the collectivization of the agriculture was already accomplished” as a result of the knowledge received from the “brilliant Lenin”⁷.

In Romania, the collectivization process, carefully, steady and strongly supervised by the party and security bodies, was “the vector of the village’s politicizing”. In the absence of a favorable social base, the rural environment was penetrated through by a painful ideological implant. With the help of the “kolhoz”, of the Soviet counselors and of the false defenders of “the interest of the people”, the communist mentality and practices succeeded in invading, slowly but disastrously, the village, a pillar of resistance of our national entity in time and space.

The unfolding of the whole process, gradually and slowly at the beginning, was due to the resistance of the Romanian peasant against the wave of disowning and denationalization, in front of the breaking off of his relationship with his own environment, of the forced pauperization and of imposing the status of dependence on the most rapacious master – the communist state. Besides all these, there was the existing political climate from abroad. Due to political reasons, the pressure was diminished, in the pursuit of new forms, the results of which were to lead to the same purpose – the total collectivization.

After the Soviet occupation army retreated, the process of collectivization was enhanced and speeded up. At that time, the Soviet state was undergoing a process of “destalinization”. Without the protection of the “Eastern Empire” troops, the Romanian government considered the high percentage of those not enlisted in collective structures a real danger for the government and the party. The party and the bureaucratic apparatus did not have a bigger popular support in 1958 than in 1945. Distrust in the ordinary people became an obsession for the leadership⁸. On the basis of a decision coming from the Ministers’ Council, the people who commented in a hostile way upon the achievements of the government were sent to working camps. According to article 209 from the Criminal Code, the peasants who wanted to withdraw from the collective farms or those who advised the others to do such a thing were sent to prison⁹.

At the beginning of the collectivization, the punishments had an economical reason; the legislation against the sabotage was correlated with the accomplishment of the state plan, of the collecting plan. In the last stage of the process, the aberrant in form and excessive in severity verdicts revealed the weakness of the totalitarian regime, the distrust in the rural population and the failure in transforming the state into an “Eldorado” through collectivization¹⁰.

During the whole process, a lot of incidents, hostile manifestations and revolts brought the peasantry as a whole in opposition to the Party, Militia and Security. The great number of communist propagandists threatened, beaten, sequestered, driven away from the village, the instances of sabotage from the GAC, SMT and GAS, the devastation of the headquarters of the People Council’s buildings were some of the truthful pieces of evidence concerning the rejection of the communist propaganda¹¹. This evidence worried the authorities. The protesters, named “the people’s enemies”, were not the landlords, the kulaks, the spies but, in most cases, the peasants with some land who had become poor because of an incompetent and greedy regime that considered it could replace the shortcomings of the socialist agriculture by exploiting the private farms until they were brought to ruins¹².

The Communist Party and state, harassed by the prospect of starvation of the urban population between 1949-1955, decided to take away a lot of products from the peasants, at a lower price (the “quota system”)¹³.

The severe punishments stipulated by the law were justified by the dependence of the communist regime on the quantities of the collected products. Against the “refractory people” the regime used force sustained by justice. Violence was protected by the law. The provision, the decrees, the decisions coming from the Ministers’ Council and the laws covered the abuses, brutalities, confiscations, the acts of destroying the land owner or turning him into a humble commuter. The law, as a promoter of violence, offered to all the participants a feeling of solidarity in making aggressions in the first stage and the release from any guilt later on. As a consequence of their brutal deeds, the aggressors turned from simple doers and virtual delinquents punishable by law into defenders of social order. Having in one hand the special laws and in the other one the Party’s instructions, the public justice would become an accomplice in the bloody repression against the peasants.

To the mind of communist leaders, collectivization meant “the setting up of the whole agriculture on the basis of the same property – the socialist property”. The generalization of the collective structures had to lead to “the organization of the repartition relationships on new socialist principles, the work product being distributed corresponding to the vital needs of the peasants”.

The collectivization was supposed to allow “the integration of the whole agriculture in the unique plan of social and economic development of the country”. This goal was achieved. At the end

of the campaign, the Party was proud of the fact that “the peasants’ activity regarding material production had got a direct social character, not being individual, scattered and isolated anymore”.

The consolidation of the political power of the Party and of the totalitarian state also meant the turning of the peasant into a “kolhoz worker”, supervised and threatened continuously by the Communist Party propagandists and Security agents¹⁴, presidents of the GAC and also by the People Council¹⁵, without tools and animals, old and sick, “rushing into town to get bread, living in humility and fear”.

The consequences of the collectivization process extended over the whole family, especially over the children who, because of the “unhealthy origin”, were excluded from schools, universities and employment process. Persecutions were made in the name of the class struggle and social marginalization confirmed the victory of the communist regime in the struggle against the land owners. Individual property disappeared in a proportion of 96% within the 13 years of collectivization. Within the village, the goal of leveling the social classes by eliminating the right of individual property was partially a success. Work was exclusively in the interest of the state that became the unique and biggest owner. The private capital was eliminated and replaced with the state one. The same as in the Soviet Union, at the setting up of the collective farm, all the people becoming collectivists against their will had to lay down all their goods, livestock and the entire estate they owned.

The land belonging to the “convinced” became collective possession, namely the indivisible plot of the Collective Agricultural Farm. If somebody left the collective farm, the land owned before enlisting was not returned, not even exceptionally¹⁶. At best, the decollectivised peasant was given the equivalent of his land surface – an unproductive, not even fallowed plot far away from the village¹⁷. The unit of measure for payment was the work day – the “Trudzina” in the Soviet Union – which established the quality and the quantity of the work done by each collectivist. In the general meeting of the collective farm, the leadership of the Collective Agricultural Farms made up and then reinforced the work rate and the capitalization of the work day. The president, the Party secretary and the economist had the absolute power regarding the settlement of the rate of every work day, minimum work days per year and the quantities that had to be given to the collectivists. The power generated abuses, theft from collective property, leading to the coming out of a section of privileged people in the village.

All along the collectivization campaign there was a correlation between intensified pressures and ever enhanced effects. Due to the family relationships and economic conditions, the peasant had been rooted within the borders of the rural community for ages. He had minimal possibilities of retiring or transferring to the urban areas. The situation was even more dramatic when joining the collective farm meant the changing of the peasant into an agricultural proletarian, the continuation of resistance being equivalent to reprisals, prison, and death. In order for him and his family to survive, the peasant was forced to choose the solution of the collective farm. He opposed it as long as he thought he was defending the material security of his family. After being invested, tortured, threatened with years of prison, those who did not submit were removed through the seizing of their estate.

The collectivist structures increased their land surfaces no matter if the “free consent” was respected or not. The collectivization process did not consist only in ideological monologues and propaganda meetings. There are no statistics to mention the ill-treated, the mutilated, those people killed, “hospitalized” in labor colonies and those insulted in the public law courts in the whole country¹⁸. The roller of collectivization destroyed entire families and lots of destinies were changed. The influence of the institutional mechanisms functioning through administrative, political and economical levels was exclusively negative. Collectivization had not only political and social negative

consequences but also economical ones. Agriculture became a burden because of the excessive economical compulsions the peasants had been subjected to. The farming agriculture practiced on individual properties was eliminated; agriculture, as prior branch of economy in the years of the collectivization, was strongly affected in a negative way.

Some of the negative consequences of the collectivization were conspicuous from the very beginning; others appeared and increased along the communist crusade of the socialist transformation of the Romanian village. For example, extensive areas were deforested and the areas in slope have been cultivated; the effect of this “modern” reason consisted of catastrophic floods and changes within the pluviometric regime. A lot of grasslands have been also broken up and thus the fodder and livestock decreased rapidly.

Large individual wine-growing and fruit-growing areas were taken by the collective farms and state farms; they were partially cleared for farming, actually remaining uncultivated. This is the reason why there were big differences between the total arable surface and actually cultivated arable surface. Farming areas turned into marshes because of the water loss on channels and the irrigations done irrationally. The sprinklers were functioning usually in the same place and so the level of the phreatic waters rose to the surface. Large quantities of limestone or salty soil were brought to the surface through the irrigation channels. Because of this, the natural soil fertility disappeared for a long time. The wearing away of soil fertility also happened because of the leveling proceeding meant to make the mechanization and irrigation easier; another cause of lack of soil fertility was that the fertile areas between the dunes were covered with “dead” land and the high places with unfertile land. Because of nitrogen fertilizer put on the sandy soils left of the Jiu and along the Danube, areas with shallow phreatic waters were polluted with nitrites, five time bigger than the maximum accepted amount, causing, especially with children, the so-called “blue disease”.

The insufficient knowledge of the worker in agriculture led to an unsuitable application of fertilizers, amendments, herbicides, insecticides, regarding dosing, uniform distribution and application period, their efficiency was reduced, the soil and the crops were polluted, the people grew ill and even the productions decreased. The production of chemical fertilizers has increased in the period 1956-1960 by 5.2 times over the period 1951-1956¹⁹. The agricultural work took place under the control and guidance of the Romanian Working Party activists, following the Party’s instructions, and not according to the specialists’ decisions²⁰. The Viliams complex with perennial grasses, the Maltev system, the Lisenco methods, the artificial pollination, used without results and finally dropped in the USSR were further used in Romania with a “revolutionary obstinacy” for many years because “Soviet agriculture, based on collective agricultural household, is the most productive in the world”²¹. A lot of party commissions used to come to the cooperative agriculture farms in turns, giving contradictory suggestions, without having any sense of responsibility. The specialists could not do their work, receiving orders from everybody and nobody. On the other hand, they had the whole responsibility for the results.

At the beginning of the collectivization, the work faithfully followed the Soviet agro-technical programme, and then the decrees and laws that settled a date for seeding, tillage, cultivation and so on. The specialist was forced to follow the orders instead of adjusting himself to the soil and climate conditions.

Concerning the cultivated plants, at the beginning of the collectivization process, there was a negative propaganda regarding the maize crop, as being the crop of the poor countries and considered to cause nourishment illness; consequently, the land cultivated with maize was reduced. This fact had a negative influence on the development of livestock breeding and food industry. At the directions of the Soviet counselors, the cotton crop was introduced in 1950-1951. In 1952, when

cotton reached maturity, the yield was low, uneconomic, of inferior quality. Moreover, the cotton growing caused the transformation of the arable land into marshy and salty soil, fact that has prompted a series of hostile actions of peasantry²².

The wagons, the horned cattle, the horses and the sheep belonging to the peasants went to waste because of the lack of proper care and the absence of suitable water. Huge farms for animal breeding were built; the refuse and the dried water containing toxic substances coming from the animals' hygiene were collected in tanks for evaporating and fermenting. But most of the dried water penetrated into the soil and into the phreatic water, causing the pollution of the soil, of the phreatic waters, of the springs, and so on.

Having in view the aim of unity/enterprise's "politicization"²³, the cooperative agricultural farms came to be led by proletarian workers and peasants (many of the "leading" peasants had sold their land in order to have money for drinking, many of them were tipplers, bad householders, unreliable, the "village tramps"²⁴) who were party members. They had no knowledge of agriculture, nor the competence to manage a collective farm²⁵.

A big realization of the communist regime was the irrigation systems, but only the surface was important, not the production. Instead of obtaining two or three times bigger yields, most of the time such productions were not obtained, as if the land had not been irrigated. More than that, the systems were wrongly set up. Because of these systems, large areas of land were no longer suitable for agriculture, as the result of the digging of channels, the excavating of earth mounds, the transformation of land into marshy and salty soils. If the ploughing and seeding were satisfactory, the crops' maintenance was beneath criticism; for lack of labor and because of bad management large areas turned into not weeded, not hoed crops, which led to considerably diminished yields.

Because of the lack of common interest, a great part of the peasants (usually the best householders) and especially the youth set out for the city. The direct consequence was that the village labor force grew old and scarce and the lack of labor was badly felt²⁶. However, the working day was reduced in comparison with the former situation when the land owners used to work in the field from dawn till night. In the collective farm, the 8 hour-work day became the standard and even coming home from the field at midday was normal. Because of the lack of labor force, a lot of maintenance work and especially the harvesting used to be done with soldiers, workers from factories, students and pupils²⁷. They missed their specific activity and in the field they did little and bad work while the peasants would sit and chat by the side of the field. Sometimes, the people coming to work were provided neither food, nor means of transport to the field.

The established number of work days per year was achieved only by the people involved in livestock breeding, and the payment for the work day was reduced and not in agreement with the amount of the work done²⁸. That is why the agricultural products were stolen. This became a national disease. Stealing was a common practice with the people involved in livestock breeding, the people working in the field and the leaders alike. A great part of the harvest used to be stolen in a general disorder by everybody, but especially by the tractors' drivers, brigade members, and presidents of the collective farms. The products were sold through intermediary agents who were sure to claim a higher price than the producers did. Being perishable, a large amount of the production was wasted.

The patrimony of the cooperative agricultural farms, including the technical support, was entirely under the authority of the bureaucratic apparatus derived from the collectivist structures and the Communist Party and state structures. The agricultural machines were of bad quality and were unsuitably used by the unskillful people. These machines would get worn out very quickly²⁹ and the spare parts were very hard to get because they were imported from the Soviet Union³⁰.

The collectivization was used by those who ruled the country in order to fully control the peasants and all the resources. The consequences on the economic, social and political level were profound and long-lasting.

The dissolution of the private property, the emergence of the agricultural proletariat, the migration of the peasants to the cities, the weakening of the social unit in the rural areas, the destruction of the hamlets and the small villages, the depopulation of entire areas, the desertion of rural households, the disappearance of traditional household industries, the disappearance of traction animals and livestock, the dependence of the village population on the state and on its resources, the appearance of the “poor people” who, for a living, used to steal more or less what they thought belonged to them, and so on, eventually led to the weakening of the economic power of the state, to the upsetting of the normal development of the whole society. The campaign of destroying the land owners and all the inhabitants of the village (whose “class status” was considered hostile) was harmful for the whole human potential of the country; the traditional peasantry being eliminated from the new social order, imported with “sacrifices and a lot of obedience” from the East.

Just like the working class, the people who remained in the villages founded their existence “on the basis of the socialist property on the means of production”³¹. This new form of property leveled, theoretically speaking, the peasantry in the 70’s and 80’s, making it less numerous and older. The desired effect of this new property form failed to appear. The social leveling was achieved only through the depopulation and pauperization of the great majority of the collectivist peasantry.

The collectivization period was a painful stage in our contemporary history, an attempt at the deviation of our development and identity, a path marked by numerous human sacrifices, a process whose negative finality was not in agreement with the communist propagandistic demagoguery.

The Romanian agriculture in post-communism: difficulties, challenges, goals of social development

Because of its population and geographical dimensions Romania is the seventh country (“the seventh power of the EU”) in an EU of 27 members³². Although in the communist period was known especially for its agricultural activity, structural imbalances in the Romanian agricultural sector (mostly caused by the communist heritage, others by the transition period) are much higher compared to other candidate countries that became EU members in 2004. After 23 years from the removal of the communist regime, Romanian agriculture situation is particularly precarious because of the lack of specialists, high costs, lack of technology, agricultural land fragmentation, the existence of subsistence and semi-subsistence farms³³. The global economic crisis which affected the Romanian population in a way inconceivable two decades ago pulled out the fact that Romanian agriculture needs modernization, restructuring and privatization of agribusiness, depositing the efforts to develop private farms, rehabilitation of irrigation system, methods of supply management and marketing, rural infrastructure, development of cooperation in animal and plant health, to align with European standards.

In 2010, the agricultural holdings represented almost a third (32%) of the total number of the EU-27 holdings³⁴. One of the main structural problems Romanian agriculture faces with is the excessive fragmentation of agricultural property (situation comparable to Romania of the year 1948³⁵). The transition period has brought Land Law no. 18/1991 and Law no. 1/2000 for restoring ownership of agricultural land and forest land claimed under the provisions of Law no. 18/1991 and Law no. 169/1997. These were meant to be acts of justice in regard to return land to former owners but the land restitution had more negative than positive effects, although this was a good start of making the reform in agriculture. To allow the re-launch of the rural economy, the Romanian

authorities have adopted a new law, the aim of Law no. 1/2000 being to increase agricultural land area returned from 10 to 50 ha. To be effective, Law no. 18/1991 should be followed by financial incentives and support to associations of owners but, unfortunately, these associations were almost non-existent. Using the term of “cooperative” by the communist regime has given it negative connotations it does not have. Due to old mentalities that equate this form of organization and exploitation of lands with all the evils of the communist regime, it was almost impossible for agricultural associations to develop in post-communist Romania. To this were added the lack of technical knowledge of organization and management in agriculture. The intervening years have demonstrated more and more pregnant that it is necessary to organize such a modern cooperative system. For these reasons the Romanian legislator tried to reduce negative connotations by calling it “agricultural association” or “agricultural society” but this measure did not determine the peasants to join it, even if they have been increasingly affected by the high costs of production. The destruction of the irrigation system built in the communist period, the lack of mechanization and modernization, high prices of fertilizers, seeds and chemicals required in the situation led the individual producer to cover production costs that can not afford. For this reason, many land owners have decided not to obtain an agricultural yield for the market, preferring to produce for their own consumption, or simply to leave the land not worked. So it has come to the sad image of Romania today that most of the agricultural lands are uncultivated and most agricultural products are imported, a reversed image in the mirror of communist agriculture.

The large number of subsistence and semi-subsistence farms also raises obstacles in the process of reforming Romanian agriculture. Statistical data prove that only 125 farms exceed two hectares surface, while the average EU farm area is 30 hectares³⁶. In order to become competitive on the European market Romanian farms should be extended or reunited. Romanian authorities must undertake a restructuring scheme of semi-subsistence farms on principles of efficiency through stimulating measures of transforming family farms in agricultural farms with commercial character, problem which seems to exceed their possibilities so far. EU has no direct powers to tackle the problems of small farmers, but may act indirectly through fixing some directions of action for rural development or establishment of criteria for income support to farmers³⁷.

The wave of enthusiasm that followed the revolution of 1989 and the rush with which the population wanted to make the transition from communism to capitalism has led to a people’s blindness which, in their hatred towards the old system, wanted to destroy the entire post-Communist legacy. It has thus been arrived to the destruction of the former agricultural cooperative of production and their neighborhood, abolition of agricultural machineries and tractors’ resorts (SMT), stealing equipment, agricultural machines and all material which could have an usage utility, the destruction of the irrigation system, the cutting of forests, uprooting fruit trees and vines of the communist farms etc.

The phenomenon of reverse migration compared to that of the communist period, from urban to rural areas, specific for periods of crisis, has severely affected Romania. This phenomenon occurred in counties and towns with most reduced standard of living, contributing to underdevelopment and poverty in these counties. Already poor, they have received an excess labor force under the terms of a very low demand for labor. But the good news is that, in 2011, total agricultural labor input was in continuous decline in Romania (-6.7%)³⁸.

One of the consequences of the migration phenomenon is the large share of farmers in total employment rate and the large number of elderly farmers, a problem compounded by the study of the rural population, since only one person per thousand inhabitants in rural areas have higher education, which does not allow forwarding them to other sectors. Romanian agriculture, with over 4 million households and over 3 million active persons, can not provide necessary food for the entire

Romanian population, in comparison with the EU, where farmers produce food 7.8 million for 350 million people and a significant surplus export³⁹. This situation is a powerful obstacle to Romania's integration. Our country is currently the European country with the largest number of farmers, about 37% of the total active population. Romanian farmers represent almost 40% of existing farmers in the EU, where the share of active population in agriculture, from the total activity, is only 5.3%⁴⁰. Illustrative is also the fact that two thirds of Romanian rural population aged 50 years and almost a third of them over 60 years⁴¹. The situation of the rural population is exacerbated by the crisis of pensions and social insurances system. In order to overcome the crisis of the pension system for farmers⁴² and to fight poverty of rural population⁴³, Romania needs to implement a viable scheme for early retirement of farmers. This represents a challenge for the future governments considering that all attempts to reform the social security system were resulting in failures.

Another factor that could explain the extremely slow pace of post-communist social development is the specific role of agriculture, seen by the majority of the population as the "employer of last resort"⁴⁴. The situation is very delicate because of the high rate of unemployment Romania is facing with. Loss or abolition of jobs in other sectors of activity has led to widespread orientation towards agriculture but, unfortunately, not towards a modern and efficient agriculture. Those who have returned to agriculture as the only and last alternative to get a job should be offered other possibilities of choice, through the promotion of active policies in the labor market. This is why another challenge of present Romania is to develop attractive activities outside agriculture to maintain people in rural areas, mainly young people. One of the best news is that in 2011, the biggest increases in agricultural income were seen in Romania (+ 56.8 %)⁴⁵.

In order to combat the phenomenon of the ageing of rural population and depopulation of the Romanian villages, it was adopted the Law no. 646/2002 on state aid to rural youth, which governs the legal framework to support integration of young people in rural areas, to boosting the living space by developing programs and projects aimed at exploiting natural resources and local traditions, and developing a new concept of agriculture, non agricultural activities and services. According to this law, young families and young people aged up to 40 years who live or wish to establish their residence in rural areas, and professionals working in agriculture, civil servants, teachers, health professionals, ministers legally recognized religious denominations, which live or wish to establish their residence in rural areas, up to age of 40 years, enjoy the following facilities: assigning the property, free of charge, of up to 1,000 m² land for housing construction and household annexes; awarding the use of agricultural land up to 10 ha; a tax exemption percentage⁴⁶.

Another sector that requires revitalization is the one of the commercialization of agricultural products. Even though the products of Romanian farmers may prove competitive on the market, this sector needs a number of measures to support the recovery of agricultural production through the market: amendment of the law of markets; the use of guaranteed minimum prices for agricultural commodities (wheat, milk, meat); supporting the development of the markets of agricultural products and wood; expanding network of wholesale markets; development of the supply of services and products of the forest other than wood; encouraging public-private partnership for purchase of agricultural products.

For the above-mentioned reason, knowledge and application of quality standards and sanitary and phyto-sanitary regulations by farmers are vital for at least two points of view. On the one hand, the respect of these legal dispositions are a condition for access to EU's support mechanisms: the principle of conditionality or "cross-conditionality" and linking payments to respect the environment, food safety and animal welfare and maintaining land in good conditions⁴⁷. On the other hand, manufacturers' failure to respect standards entails the impossibility of marketing agricultural

products on the European market. Although in the last years there has been an accelerate transposition of the "acquis" in quality, sanitary and phyto-sanitary field, this issue still raises problems for both farmers and processors.

With regard to forestry development, given that in our country the forest area is 26.7% of the national territory and it is in constant decline, well below the European average, a prime objective is to continue increasing the pace of reform land restitution to former owners of forests. Other measures which can contribute to efficient management of forests are: stopping abusive cutting trees; increasing the areas occupied by forests through forestation of degraded lands, unfit for agriculture, with funding from the State budget; the establishment of forest-protection curtains for the protection of agricultural lands, communication and human settlements; exemption from tax for trade of forest land in order to stabilize the site and reunite private properties; support from the State budget to works of private forests; promoting a national program for construction of forest roads; supporting the establishment of forestry houses, revitalizing the small mountain communities, etc.

Another great resource untapped or insufficiently exploited is fish farming. The development of fish breeding can be accomplished through the following policies: implementation of technical measures for the protection of fishery resources; protecting species and breeds of fish for breeding and providing selected biological material for fish farms; modernization of aquaculture marine units; facilitation of new investments.

Among the social phenomena recorded in Romania of the last two decades include the decline of rural education that is caused, mainly, by the difficulties of socio-economic nature that rural families are confronting with. Being proven the relationship between the rural education's recovery - recovery of agriculture - economic recovery⁴⁸, the emphasis should be placed on the implementation of stimulating action in the field of education⁴⁹: the allocation of funds for village communities to create conditions of teaching, health, agricultural and veterinary staff in rural areas; enforcing of a practical training in a rural settlement by the graduates of higher education in areas of relevance to the development of the rural environment: agronomists, architects, physicians, veterinarians, dentists, pharmacists, teachers and so on, a measure through which would be solved or at least ameliorated other issues affecting the rural world: health, nutrition, sexual education, environmental protection, etc.: "improving the living conditions of the peasantry and rich is a problem of education"⁵⁰.

A major problem for Romania is the social development of the rural world⁵¹, concept of vital importance for the future development of the Romanian state. In conclusion, we can say that social development can not be achieved without a viable agriculture by reforming all sectors, which are closely related, and the mobilization not only of government but of all segments of civil society. Agricultural development and modernization of villages is a continuous process, very complex, to be followed by measures aimed primarily at sensitive sectors and weaknesses that we have highlighted in this paper, starting from: developing a national program to paving and asphalt roads; correlation of spatial plans in rural profile development projects with services related to agriculture (phytosanitary, veterinary, quality laboratory, consulting services), public services (education, health, welfare, culture and religions) and public utilities: water distribution, gas, sewerage, waste collection; stimulating the development of alternative economic activities: traditional crafts, textiles, leather and other non-agricultural activities and services; encouraging tourism, fish farming and organic farming; promotion of financial policies to allow family farms and rural communities' access to European funding programs in full absorption of structural funds for rural development; improving processing and marketing of agricultural and fisheries products; development and diversification of economic activities that generate multiple activities and alternative income, for which the raw materials are agricultural, livestock and vineyards products; economic evaluation of peripheral rural areas and the

ones naturally deprived in order to conceive local development plans; development and implementation, in the agricultural settlements, of their own green energy sources - wind, solar, etc.

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- ¹ Cezar Avram, *Politici agrare în Oltenia anilor 1949-1962. Mutații socio-economice în satul românesc*, Editura de Sud, Craiova, 1999, p. 277, 285.
- ² See *Instaurarea comunismului - între rezistență și represiune. Comunicări prezentate la Simpozionul de la Sighetul Marmăției (9-11 iunie 1995)*, Fundația Academia Civică, 1995.
- ³ Ruxandra Ivan (coord.), *„Transformarea socialistă”. Politici ale regimului communist între ideologie și administrație*, Polirom Publishing House, Iași, 2009, p. 20; Jean-François Soulet, *Istoria comparată a statelor comuniste din 1945 până în zilele noastre*, Polirom Publishing House, Iași, 1998, p. 87.
- ⁴ O. Roske, *Radiografia unui eșec. Colectivizarea agriculturii în România*, in Ruxandra Ivan (coord.), *cited work*, p. 82.
- ⁵ Gheorghe Gheorghiu-Dej, *Articole și cuvântări*, PMR Publishing House, Bucharest, 1951.
- ⁶ Cezar Avram, *cited work*, p. 329.
- ⁷ Gheorghe Gheorghiu-Dej, *Articole și cuvântări, iunie 1961-decembrie 1962*, Editura Politică, Bucharest, 1962.
- ⁸ O. Roske, *cited work*, p. 82; D. Cătănuș, O. Roske, *Colectivizarea agriculturii în România. Dimensiunea politică*, vol. I, 1949-1953, Institutul Național pentru Studiul Totalitarismului, Bucharest, 2000, p. 14.
- ⁹ See Cezar Avram, *cited work*, p. 84-85, 177.
- ¹⁰ *Ibidem*, p. 330.
- ¹¹ *Ibidem*, p. 283-284, 286, 288, 292-298.
- ¹² *Ibidem*, p. 286.
- ¹³ O. Roske, *cited work*, p. 99-101. For details, see Cezar Avram, *cited work*, p. 134-158.
- ¹⁴ O. Roske, *cited work*, p. 94.
- ¹⁵ R. Levy, *Primul val al colectivizării: politici centrale și implementare regională, 1949-1953*, in Dorin Dobrinu, Constantin Iordachi (coord.), *Țărănimia și puterea. Procesul de colectivizare a agriculturii în România (1949-1962)*, Polirom, Iași, 2004, p. 89.
- ¹⁶ See Cezar Avram, *cited work*, p. 290-291.
- ¹⁷ *Ibidem*, p. 279.
- ¹⁸ O. Roske, *cited work*, p. 98. D. Șandru, *Satul românesc între anii 1918-1944*, Casa de Presă și Editură “Cronica”, 1996, p. 53; D. Cătănuș, O. Roske, *cited work*, vol. I, p. 31-32; D. Dobrinu, *Colectivizarea agriculturii și represiunea împotriva țărănimii din România (1949-1962)*, in Ruxandra Cesereanu (coord.), *Comunism și represiune în România. Istoria tematică a unui fratricid național*, Polirom Publishing House, Iași, 2006, p. 115; I. Bălan, *Regimul concentraționar în România, 1945-1964*, Fundația Academia Civică, Bucharest, 2000, p. 104.
- ¹⁹ O. Feneșan et al., *Dezvoltarea agriculturii în Republica Populară Română*, Editura Agro-Silvică, Bucharest, 1958, p. 88.
- ²⁰ O. Roske, *cited work*, p. 103.
- ²¹ D. Cătănuș, O. Roske, *cited work*, vol. I, p. 19; O. Roske, *cited work*, p. 84.
- ²² Cezar Avram, *cited work*, p. 263.
- ²³ *Ibidem*, p. 240.
- ²⁴ *Ibidem*, p. 239-241.
- ²⁵ *National State Archives*, Dolj, Regionala PMR Craiova, Secția propagandă, dos. 51/1952. *Ibidem*, Sf. Pop. Reg. Craiova, secția agricolă, dos. 58/1955, f. 9.
- ²⁶ D. Cătănuș, O. Roske, *cited work*, vol. I, p. 17-18.
- ²⁷ M. Oprea, *„Transformarea socialistă a agriculturii”: asaltul final, 1953-1962*, in Dorin Dobrinu, C. Iordachi (coord.), *cited work*, p. 94.
- ²⁸ See Cezar Avram, *cited work*, p. 248-249; O. Roske, *cited work*, p. 104.
- ²⁹ D. Cătănuș, O. Roske, *cited work*, vol. I, p. 59.
- ³⁰ See also D. Șandru, *cited work*, p. 47; D. Cătănuș, O. Roske, *cited work*, vol. I, p. 13.
- ³¹ See Cezar Avram, *cited work*, p. 214.
- ³² Ion Jinga, *Profilul României în Uniunea Europeană*, in Revista Română de Drept Comercial nr. 1/2005, p. 13.
- ³³ Roxana Radu, Neamțu Mioara, *Implementarea acquisului comunitar în agricultura României*, in La Revue de Sciences Juridiques no. 2/2007, p. 158-169.
- ³⁴ *Agriculture, fishery and forestry statistics. Main results 2010-2011*, 2012 edition, Eurostat, p. 27.
- ³⁵ Jean-François Soulet, *cited work*, p. 73.
- ³⁶ Source: www.newsinfo.ro.
- ³⁷ Source: Eurostat.

³⁸ *Agriculture, fishery and forestry statistics. Main results 2010-2011*, 2012 edition, Eurostat, p. 74.

³⁹ Radu Roxana, Neamțu Mioara, *Difficulties and Priority Objectives of the Romanian Agricultural Policy as Part of Social Policy*, in *International Journal of Agriculture: Research and Review*. Vol., no. 1 (4)/2011, p. 153.

⁴⁰ *Ibidem*.

⁴¹ Source: Eurostat.

⁴² Livia Popescu, *Politicile sociale est-europene între paternalism de stat și responsabilitate individuală*, Presa Universitară Clujeană, Cluj-Napoca, 2004, p. 119.

⁴³ E. Teșliuc, L. Pop, E. Teșliuc, *Sărăcia și sistemul de protecție socială*, Polirom Publishing House, Iași, 2001, p. 101.

⁴⁴ Dăianu Daniel, Voinea Liviu, Păuna Bianca, Stănculescu Manuela, Mihăescu Flaviu, *Câștigători și perdantți în procesul de integrare europeană. O privire asupra României*, CRPE, no. 27/March 2001, <http://www.cerpe.ro/pub/study27ro.htm> (last accessed in November 2010).

⁴⁵ *Agriculture, fishery and forestry statistics. Main results 2010-2011*, 2012 edition, Eurostat, p. 61.

⁴⁶ See Article 2 and 3 of Law no. 646/2002.

⁴⁷ Nicola Ursu, *Politica agricolă comună în 2005*, in „Euroconsultanță. Ghidul firmei” no. 1/2005, p. 58.

⁴⁸ Ioan Mihălescu, *Factori de risc în evoluția mediului rural din România*, in „Sociologie Românească” no. 4/2005, p. 21.

⁴⁹ *Ibidem*, p. 34.

⁵⁰ Dimitrie Gusti, *Starea de azi a satului românesc*, 1938, apud Maria Larionescu, *Controverse teoretice asupra dezvoltării sociale: puncte de vedere în sociologia românească*, in „Sociologie Românească”, vol. II, no. 3/2004, p. 139.

⁵¹ Ilie Bădescu et al., *Tratat de Sociologie Rurală*, “Mica Valahie Publishing” House, Bucharest, 2009; I. Mihălescu, *Factori de risc în evoluția mediului rural din România*, in „Sociologie Românească” no. 4/2005; Maria Larionescu, *op. cit.*, p. 130-139.

ORIGINAL PAPER

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Strategy and strategic management in the Romanian banking system

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Abstract: *This paper aims to answer three main questions: 1. What do we know about strategy and strategic management in banking? 2. Which are the main objectives of the Romanian banking system? 3. What can they do, as strategic approach, in the context of the new global realities? In order to answer these questions, it has been conceived a comparative study using available literature, critical analysis and professional experience of the author. As practical implications, the study could be considered when elaborating or implementing strategy. The originality and value come from the new approach of banking strategy and the suggestions of the author regarding concepts and methods.*

Key words: *strategy, strategic management, business strategy, banking.*

Introduction

A healthy economy cannot function without a banking system that allows it to maximize its growth potential by financing investment opportunities at minimum costs. In the same time the financial system must be capable to attract the money of population and companies and to give loans that have as results productive and efficient investments.

The banking system consists in the coherent assembly of different categories of banks having internal or foreign capital, state owned or private, as well as combinations of these, and it functions inside one country. It must answer the specific needs of each phase of economic and social development. The banking system is the essential link between the owners of the capital and real economy and society that need this capital to function and develop, having thus a very important role for the progress of human society. (Spulbăr C., Nițoi M., 2012, p. 22-24)

The present paper aims to analyze the concept of strategy and strategic management as well as the strategic options in the banking of Romania. In the new global context the Romanian banking system will most probably radically change in terms of fusions, acquisitions or even bankruptcies.

In general terms, this article attempts to present the new challenges and possible answers of Romanian banks to these challenges. It is the moment to change not only in order to adapt and survive, but also, for those who have the resources, to be able to benefit from the next wave of growth.

In order to achieve this objective, the present paper will define the concepts of strategy and strategic management using available literature as well as the considerations of the author.

Strategy

The word **strategy** comes from the Greek word **strategos** that combines two terms **stratos** [army] and **ago** [to lead] (Nistorescu T., 2011, p. 10). We might consider that first references to strategy appear in the Bible, afterwards the concept being mentioned and discussed by famous writers, philosophers, scientists such as Homer, Euripides, Socrates, Sun Tzu, Montesquieu, Immanuel Kant, Georg Wilhelm, Friedrich Hegel, Carl von Clausewitz or Lev Tolstoy (Mueller 2011, p. 40-42).

Comparing military strategy to business strategy, we could easily notice that both refer to using your powers to combat the weaknesses of the opponents. The essential difference consists in the fact that military strategy is based on the idea of conflict, while economic strategy is based on competition.

Business strategy, according to Spulbăr C. (2008) is considered to be a complex process that combines objectives, activities, decisions concerning the orientation direction of efforts during a determined period of time. A similar, but more complex approach of business strategy is the definition of the Dictionary of Management (Nicolescu O. General Coordinator, 2011, p. 588-589): “ The assembly of strategic objectives of the organization, the main ways of achieving them, together with the allocated resources and the established terms, aimed to obtain the competitive advantage according to company’s mission”.

In his brilliant book “The rise and fall of strategic planning” Henry Mintzberg (p.41-46) underlines several aspects essential in his opinion when defining strategy:

- Strategy is **a plan** or something equivalent, meaning **an orientation guide** or an approach direction for the future.
- Strategy is **an action pattern**, meaning a behavior that is maintained in time. Taking into consideration this aspect, Mintzberg distinguishes several types of strategies: intended strategy, deliberate strategy, emergent strategy and unrealized strategy.
- Mintzberg, following the ideas of Michael Porter, considers that strategy also means **position**, setting place for certain products on certain markets.
- For other authors, cited by Mintzberg, for example Peter Drucker, strategy means **perspective**, the way that organizations make things, their conception about their activities.

Like any other conceptualization, Mintzberg vision offers several advantages, but also certain limitations. The main benefit comes from the conception opening that surpasses the restrictions of classical vision. In the same times it lacks referring to activities that must be included in the strategic approach of a company, or the weak and strong points of the organizations.

In a book that surprises by fresh ideas, Gary Hamel and Bill Breen (2010) underline that in order to create an authentic management advantage, it is necessary for the leaders of organizations to allocate budgets and people for innovation, for generating a flux of management ideas and experiment. In other words the base of strategy could actually come even from the down part of the organizational pyramid.

As I mentioned before, **the business strategy of a bank** is the relevant level of analysis for the purpose and objectives of the present paper. In banking, just like in all the other fields, we might apply the theory of competitive advantage of Michael Porter (1985), according to which organizations, following strategic orientation, can be separated considering the business position compared to the

market. Other researchers (according to Mueller F., p.48-50) distinguish, from this point of view, four types of business strategy: prospector, defender, analyst and reactor.

In order to reduce complexity, a conceptualization of business strategy that has a powerful theoretical base and includes the most important strategic dimensions is the most adequate for the analyses of business strategy of a bank. I agree to the point of view according to which the strategy options for banks are to make the difference by a cost strategy, a differentiating strategy or a focalization strategy. However, a bank that focuses on a cost strategy, must also invest in activities that differentiate it from competition, in the same time a strategy based on quality cannot ignore cost aspects.

Considering the sales focus, we identify the following types of banking business strategies:

1. Banks that are **sales oriented** and follow a business model that is based on efficiency by costs. Sales in these institutions are pro-active, sometimes may be considered even aggressive, and products are not clearly different from those of main competitors. The focus, in this case, is on short term sales results rather than on maintaining long term relationships with their customers.
2. Banks that are **customer oriented** and have a long term objective of maintaining and developing with their customer. They aim to make the difference for the customer offering products and service adapted to their needs and counseling them when choosing financial products.

Banking strategy must be formulated considering the following essential components (Spulbăr C., Nițoi M., 2012, p.39-40):

- **place on the market** – the position of the bank inside the banking system from the point of view of size, relationship with competitor, sustainable internal or external projects.
- **internal and external agreements with financial and banking institutions** – corresponding banks abroad, strategic partnerships with financial institutions, participation to governmental programs.
- **the portfolio of products and services** – banks must always follow their products compared to competition and adapted to the changing needs of its customers.
- **the IT solutions** – must always be considered an important strategic objective, as no possible development is nowadays banking can be done without adapting the technology.
- **the territorial network** – has to adapt to economic, financial and social local conditions, taking into consideration the link to strategic customers and solutions for untypical situations.
- **employees**- motivated and devoted personnel is essential for the success of any business and in banking, where trust is at the base of the functioning, attracting well prepared staff has a major importance.
- **management** – has also a central place when elaborating strategy taking into consideration not only the qualification, leadership skills of the managers, but also their capacity to administrate resources so that they cover risks and obtain profit.
- **flexibility**-is also essential, meaning that banks must predict and have strategic alternatives for environment instability conditions.

Strategic management

According to Management Dictionary (Nicolescu O. - General Coordinator, 2011, p. 353), **strategic management** is “a category of management based on **strategy**, through which managers aim to ensure the evolution and performances of the organization on long term, the focus being on rigorous formulating strategy and its systemic implementation and on continuous evaluation of the results”. The same paper presents another perspective that is accepted by many researchers and that I consider very complex and comprehensive stating that strategic management is a modern form

of management, based on anticipating the changes of the environment, evaluating internal potential of the company and operating changes in order to harmonize it to the environment, to achieve its mission and established objectives and to ensure its survival and development.

Mueller (2011, p. 52-54) analyzing the points of view of more researchers consider strategic management as being the integration of strategic planning and management in the same unique process. It is no longer enough to do strategic planning once a year and then implement it, strategic planning must be part of the management system itself in order to an adequate and quick reaction to environment changes.

Strategic management must combine several distinctive phases: establishing general objectives of the organization, analyzing environment, formulating strategy, evaluating strategy, implementing it and strategic feedback and control.

Nowadays challenges in banking

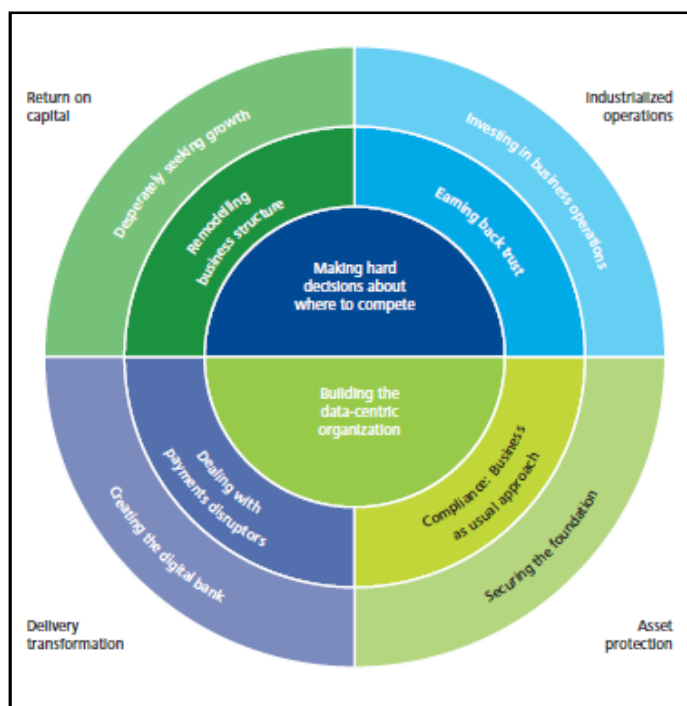
After a severe world crisis, banks all over the world still suffer the consequences of their previous strategic options. Nowadays, banks are in front of the following set of challenges (Căpraru B. 2009, p. 149-152, Căpraru B. 2011, p. 156- 159, Ernest&Young, 2013, p. 1-3):

- Retail and small business customers still have a limited trust in banks.
- Large corporations keep their cash reserves being reluctant to major investments.
- The regulatory environment has constantly changed in the last three years, but the general opinion has not changed yet.
- Banks from many developed markets remain undercapitalized and are unwilling, or unable, to write down asset values to more realistic levels and accept credit losses. Many of those same banks will also face the challenge of weaning themselves off central bank liquidity support before the repayment deadlines. The Romanian banking system, having major foreign capitals, will continue to be affected by the challenges of mother banks. Restructuring becomes a valid option on short and medium term.
- Banks in rapid-growth economies are generally well-capitalized and aim growth rather than restructuring. Yet the recent credit boom will leave some vulnerable to rising default rates as these markets shake off the effects of the global slowdown. Competitive pressures are intensifying, and there are concerns about rapid development.

The Romanian banking system is expected to be radically changed by fusions, acquisitions or even bankruptcies in order to adapt. European integration puts Romanian banks in front of a more important and powerful competition of important financial groups.

The Deloitte Report - **2013 Banking Industry Outlook Moving forward in the age of re-regulation** shows very interesting perspectives over the interdependent factors that will influence the banking industry this year (see Exhibit 1)

Exhibit 1 10 Issues for 2013



Source: http://www.deloitte.com/view/en_US/us/Industries/Banking-Securities-Financial-Services/7f28260b3b4fa310VgnVCM3000003456f70aRCRD.htm

What will banks do in 2013 and in the next years?

After a brief review of the concepts of strategy and strategic management and of the main challenges, we will further analyze the strategic options for banks in 2013-2014. Following the opinions of Deloitte as well as Ernest&Young, of the Romania authors, I have conceived with a list of strategic options for the banks in Romania and not only (Căpraru B. 2009, p. 149-152, Căpraru B. 2011, p. 156- 159, Ernest&Young, 2013, p. 1-3, Deloitte 2013, p. 2-7, Spulbăr C., Nițoi M., 2012, pag. 481-485).

Sub -10% ROEs has been a real challenge for many banks, low interest rates or inadequate business models are other problems for nowadays banking. Customers issues are another major challenge, although there is an obvious need for banking products and service, customers have started to search for alternative providers. They have become less faithful to their banks and sometimes reluctant to financial solutions offered by banks. In these conditions banks have to adopt daring new strategies in order to adapt. Top management must devote time and resources to the future.

1. Data bases – the way to success

Nowadays regulators are demanding more transparency, customers are looking for optimum financial solutions and bank management is looking for growth opportunities. The common key element of these three is data management. Effective data management was not a strong point for banking industry, but it becomes a necessity. Complex IT solutions are the answer for analyzing customer decisions, for maintaining valuable customers by offering them the right solutions, but also for risk management.

Banks must invest massive resources in order to master data management, ensure data hygiene and customer relationship management. The banking industry is becoming a technology business and the way banks deal with it will define their positions of future winners or losers.

2. Restore and protect trust and reputation

Trust is at the very basic of banking. Reputation is another important aspect for any banking institution of the world. In the last few years both were heavily affected. Nowadays restoring trust and reputation is a necessity for survival and development. To deliver a future business strategy that is credible is only a part. Banks must also implement compensation models having a long term aim and recognize a lower-return environment will further improve shareholder relations as well as shareholder returns.

In the new environment, a good reputation is crucial and some banks are already taking steps to reduce the past damages. Assessing new product opportunities in the context of customer perception, shareholder benefit and reputational risk should become the norm. The banks must managing business conduct based on suitably and integrity.

3. Organizational culture, behavior, rewards

The bank employees are considered to be very well rewarded. The truth is that after the global crisis, banks applied drastic cuts. Reducing HR costs was necessary, but banking nowadays requires other nuanced changes, because the behavior of the employees is crucial for implementing new strategic options.

The challenge for top management is to communicate a vision for the future that is relevant and motivating for the employees. Many key employees suffer from professional fatigue and demotivation. Managing potential conflicts is very important as well as restricting compensation models. The new strategies in banking must balance the realities of the organization to the long term vision.

Bibliography

- Căpraru B., *International banking*, CH Beck, Bucharest, Romania, 2011
- Căpraru B., *Retail banking*, CH Beck, Bucharest, Romania, 2011
- Deloitte., *2013 Banking Industry Outlook .Moving forward in the age of re-regulation*, available online at, http://www.deloitte.com/assets/Dcom-UnitedStates/Local%20Assets/Documents/FSI/US_FSI_2013BankingIndustryOutlook_pdf_111212.pdf
- Ernest&Young, *Time for bold action. Global banking outlook 2013-14*, available online at [http://www.ey.com/Publication/vwLUAssets/Global_banking_outlook_2013-14/\\$FILE/Global_banking_outlook_2013-14.pdf](http://www.ey.com/Publication/vwLUAssets/Global_banking_outlook_2013-14/$FILE/Global_banking_outlook_2013-14.pdf)
- Hamel G., Breen B., *Viitorul managementului [The future of management]*, Publica, Bucarest, Romania, 2010
- Mintzberg, H., *Ascensiunea și declinul planificării strategice [The rise and fall of the strategic planning]*, Publica, Bucarest, Romania, 2008
- Mueller F., *Sales Management Control Strategies in Banking*, Gabler, Germania 2011
- Nicolescu O.(General Coordinator), *Dicționar de management [Management dictionary]* , Pro Universitaria, Bucharest, Romania, 2011
- Nistorescu T., *Strategii manageriale [Management strategies]*, Universitaria, Craiova, Romania, 2011
- Porter M., *Competitive strategy. Techniques for Analyzing Industries and Competitor*, The Free Press, New York, US, 1985
- Spulbăr C., *Management bancar [Banking management]*, Sitech, Craiova, Romania, 2008
- Spulbăr C., Nițoi M. *Sisteme bancare comparate [Comparative analysis of baking systems]*, Sitech, Craiova, Romania, 2012

ORIGINAL PAPER

Ileana NICULA

Dolj County – The loans and deposits evolution (2011-2012)

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Abstract: *During 2011 and 2012 the economic development was heavily influenced by the world financial turmoil. The European Financial System has supported great difficulties in financing credit operations, difficulties which have been worsened by the sovereign debt crisis. Yet, after two years of GDP declining, 2011 came with a slightly increasing in real terms (2.5%), mainly by the revival of the industry and statistics showed that Dolj County has slightly improved its economic parameters. The working paper provides an analysis of the evolution of loans and deposits for the first nine months of 2012 against 2011 in Dolj County. Despite the pinkish image at the macroeconomic level, the financial intermediation has an eclectic evolution, reflecting the inertia of the economic engine and Dolj County is part of the described parameters. These miscellaneous trends are analysed using charts and tables.*

Key words: *loan and deposit structure, mortgage-backed and currency-denominated loans, corporate loans, consumer loans, Dolj County banking activity.*

Dolj County – Ratios and Numbers

A statistical profile of Dolj County shows that the county represents 3.1% from Romania surface and about 3% of its population (694,266)¹, counts 225,496 households and 275,757 residential houses (dwellings). (According to provisional data from the last census)².

The employees' number was 121,925 (see Notes 1) at the end of November 2012, and its structure: 2.3% agriculture, 31.5% industry and 66.20% services (almost constantly with the previous year). The maximum number of unemployed in 2011 was recorded in November 26,406 (56.69% men), in January 2012 the number was 26,242 (57.81% men), and in November 2012 it was 27,398 (57.6% men) (see Notes 1). The average unemployment rate was around 8.5% in the first half of 2012, a slight decline compared with 8.6% in the second half of 2011. But at the end of November 2012 the unemployment rate shows a pick, 9.6%, the highest in the South-West Region (see Notes 1). The share of pensioners in the total population represents about 26% and their average income is around 730 lei.

The industrial output decreased to 96.4% in Mars and to 98.9% in Jun 2012, compared with the same periods of the previous year. In the period January - November 2012 the industrial output

increased by 124.5% compared to the same period of 2011 (the highest in the region - provisional data, see Notes 1).

The turnover fell dramatically to 52.4% (Mars 2012) and to 77.1% (Jun 2012), compared to the same months in 2011. But the provisional data (see Notes 1) show a good revival in the period January - November 2012, namely 152.8 %, compared to the same period of 2011. The international trade of the county maintains the negative balance of the last years. The maximum for the gross average income was in December 2011 (1,973 lei) and in July 2012 (2,125 lei) after the implementation of the Emergency Ordinance 19/2012 for recovery of the salary reduction for employees paid from the public funds (see Notes 1).

The shares of loans in Dolj County (in national currency and in foreign currencies) in the total loans (at Romania level) and the shares of deposits in Dolj County (in national currency and in foreign currencies) in the total deposits (at Romania level) are presented in Table 1.

Table 1. The shares of loans and deposits in Dolj County in total Romania

	2012		2011	
	June	Mars	June	Mars
Loans in lei (%)	2.69	2.8	2.92	3.19
Loans in foreign currencies (%)	2	1.92	1.99	1.91
Deposits in lei (%)	2.11	1.99	2.04	2.06
Deposits in foreign currencies (%)	1.03	1.12	1.13	1.13
Overdue loans* (%)	1.92		1.62	

* for the first nine months of each year

Author's computation

Methodological framework

The paper investigates the loans and deposits evolution on components, analysing 2011 data and comparing it with the first half of 2012 in Dolj County. The banking data are extracted from Stability Report 2011, Stability Report 2012 H1 (the first semester) and Annual Report 2011, documents issued by National Bank of Romania (NBR). Some aggregated data (assets and liabilities structures of credit institutions operating in Romania) from these documents were recomputed in order to identify the domestic structure of deposits and credits, the claims on nonbank sector deployed on the main components, namely companies and households, and other elements.

The banking data for Dolj County were extracted from the National Bank of Romania site (Data sets ⇒ Financial and monetary statistics, www.bnro.ro/Data-sets-3205.aspx) and were consolidated for analysis purposes. The values of loans and deposits represent only the principal (accrued interests are excluded) and the exchange rates of the elements denominated in currencies are the reference rates at the end of the period. The weights of different components were computed by the author, using the values of the last working day of each month, the only available within the *Financial and monetary statistics* issued by NBR.

In order to analyse the Dolj County banking operations and to compare with the average at Romania level, the author computed components' averages, based on the *Financial and monetary statistics*, as well as their weights, using the nine months of 2011 and 2012 (the only available data for 2012 at the moment of data collection for the working paper). For the last six months of 2012 (namely in the paperwork analysis for July, August and September) statistical data for loans and deposits are provisional.

For non-banking data the working paper used the documents issued by the National Institute of Statistics, namely *Monthly statistic bulletin of the South-West development region Oltenia* and different issues from the Dolj County Statistics Department.

An overview over the banking industry in 2011 and 2012 H1 (the first half)

The financial intermediation has a tremendous importance on economic activities and on social development, being a real gauge in detecting the early trends, as well as the “tail” of the economic phenomenon (the degree of inertia). The core of the financial intermediation is mobilising the liquid resources, allocating them correctly and, of course, minimising the risks.

The National Bank of Romania has been using a “mix of monetary policy instruments”⁴ to impose the right pace of the financial transactions, to reduce the moral hazard and to strengthen the accountability/creditworthiness of the banking system, which has been experiencing a “weakening of confidence”⁴. Therefore NBR during 2011 and 2012 had to align its monetary policy with the market behaviour, in order to fulfil its task, namely to maintain the financial stability.

For Romanian banking system the evolution of the Herfindahl-Hirschman index (HHI) illustrates the increasing of the competition within the industry (from 1.124 points in 2005 than 1.171; 1.046; 926; 857; 871; 879 in the next years and 866 points in the first half of 2012)⁴.

According to Stability Report 2012 H1 (the first half of the year) „HHI highlights a higher concentration degree in the case of deposits (983 points) than in that of assets” and a little higher for loans. Anyhow, one could admit that, lately, the financial education of the companies and the population has increased, to some degree, and the competition has sharpened. This explains the mitigation of the HHI points.

Although there has been a positive economic trend at the macroeconomic level in 2012, the banking sector has been experiencing losses in 2011 and in the first half of 2012, namely 777.3 mills. lei (in 2011) and 192 mills. lei (in 2012 H1), according to The Stability Report 2012 issued by NBR. The main costs were the provisioning ones due to (1) the higher level of risk recorded by banks, (2) collateral value decreasing and (3) the tough NBR regulation in this matter. On the other hand, the net interest income decreased during the investigated periods, leading to a negative trend in the operating profit. Nevertheless 21 banks from 41 reported profit for 2011.⁴

An important number of banks' branches (352)⁴ closed during the first half of 2012, almost *three times more* than in the whole 2011. The number of banks' employees decreased dramatically in the first half of 2012 (3,700)⁴, namely *four times more* than in the previous year. The common perception is that there are too many financial institutions in our country. Nevertheless „the Romanian banking system further stood below the European Community average with regard to the number of branches and credit institutions per 100,000 inhabitants”⁴.

A constant of the non-bank clients' behaviour is the fact that they are in a net debtor position against the credit institutions industry. Thus companies and households contribute heavily to the supra unitary value of the *loan to deposit ratio*. This contribution remains practically unchanged from 2010, when the ratio at the end of the year was 118%, raised a little at the end of 2011 (119.1%) and is maintained at the same level in the first half of 2012⁴.

There was a slight downward trend of the non-government loans, more in the households than in the corporations (around 52% in 2011 to 53% in 2012 for companies and 48% in 2011 to 46.5% in 2011 for households), as share in total claims. This trend should be corroborated with the increase of the claims on government sector within the investigated periods.

Concerning the shares of nongovernment loans sector, they remained almost constant within 2011 and 2012 years, as a percentage of the domestic assets. But the outlook shows a slight decline from 2011 to 2012 (except companies). (Around 30% in 2011 to 31% in 2012 for companies and around 27% in both years for households).

The corporate deposits decreased in the first semester of 2012 compared to 2011 (from around 25% to 24%) and the household ones increased in the same time framework (from around

38% to 39%), as a percentage of domestic liabilities. The government sector deposits had a higher decline in the first quarter of 2012 against the same period of 2011 (around 2% against almost 3.5%), and then, comparing the first half of 2011 to 2012, the decline was somewhat smoother (around 2.8% to around 2%), as a percentage of domestic liabilities.

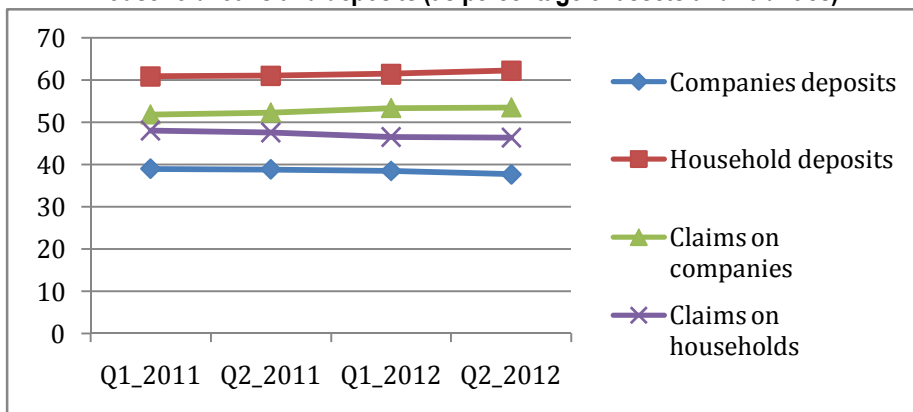
The analysis shows that there is a larger gap between the companies loans and the household ones, especially in the first quarters of 2011 and 2012 and it is expected that the trend will continue.

An overview over Dolj County loans and deposits in 2011 and 2012

As Table 1 shows, the overdue loans decreased in the first nine months of 2012 against the same period of 2011, being under the shares of Dolj County loans in the total loans in the Romanian banking system.

The Chart 1 outlines the trends of *the deposits* (companies and households) and *the claims* (on companies and households) within the first two quarters of 2011 and 2012 at Romania level, as a percentage of liabilities and assets. The companies loans slightly increase, as the household loans slightly decline, compared to 2011. On the liabilities side, the companies deposits recorded a downward trend and the household deposits an upward trend.

Chart 1. Romanian Banking System: The quarterly trends of the corporate and household loans and deposits (as percentage of assets and liabilities)



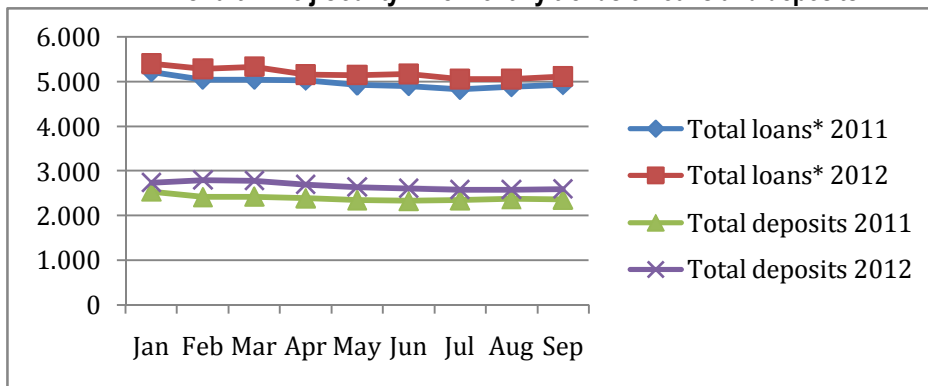
The gap between the shares of claims on companies and the claims on households has continued to broaden „for the second year in row, in favour of the corporate sector (up to 7.2 percentage points).⁷⁴ This aspect is very well captured by the Chart 1.

Monthly trend of loans and deposits

The Chart 2 illustrates the *loans* and *deposits* evolution in Dolj County within the two analysed periods and the gap between the two components being very visible. The trends in the first nine months are almost the same for both components in 2012 against 2011 and very similar to the whole Romania (see Chart 1). The deposits component includes *demand deposits*, *time deposits* and *deposits redeemable at notice*. In 2011 the average of companies contribution was around 25% and population contribution was around 69% (the difference includes other). In 2012 the companies contribution remained unchanged (a very little downward trend, the same with the national evolution), but the population contributed to 71.7%, amid the increasing of the population deposits share in the total liabilities at the macroeconomic level (around 1%). The foreign currencies represents ¼ in 2011

and less in 2012 (about 24%), as average of total deposits. The average contribution of the companies to the foreign currency deposits represents around 15% in the analysed years and the lion part is heading towards population, an upward trend (from about 77% to 82%), reflecting the constant mistrust in the national currency.

Chart 2. Dolj County: The monthly trends of loans and deposits



* overdue loans are included

The structure of household loans

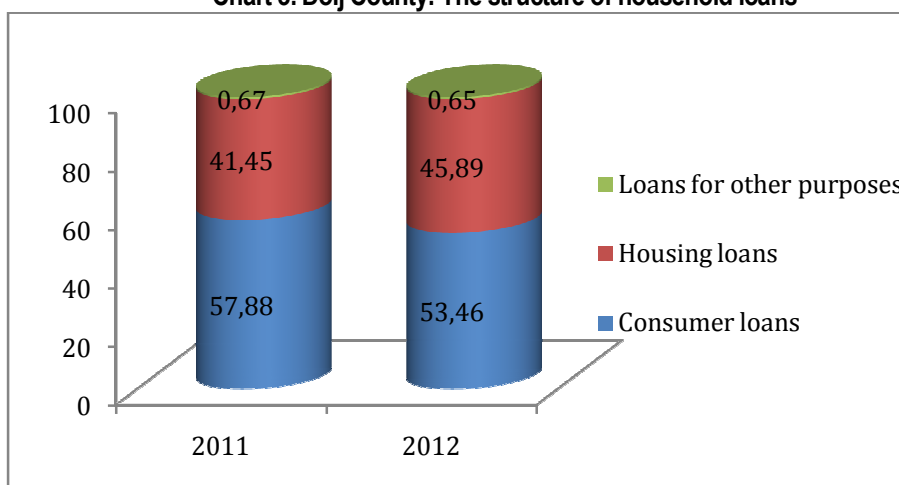
The data for the household loans are presented in three parts, namely (1) *consumer loans*, (2) *housing loans* and (3) *loans for other purposes*. The evolution (the percentage of total) within the analysed periods is outlined in Chart 3.

Except the housing loans, the others diminished in 2012 compared to 2011, similar to the trend in Romania level. The explanation is that **The First Home** programme has continued and contributed to this evolution, „53% of real-estate loans being extended through this programme in 2011 and the first half of 2012⁴,” on the entire Romanian banking system. As the Report stated, the loans are almost in foreign currency (99%) and Dolj County fits almost perfect in this picture.

From the available data for Dolj County, the share of currency-denominated loans was 52.53% in 2011 and 55.46% in 2012, an increase of 5.6%. The above values were computed based on the nine months average and are in line with the Romanian banking system trend.

It should be added that an important part of the consumer loans are mortgage-backed and currency-denominated (91%)⁴ and this structure brings a high risk of household' indebtedness. The trend shows that the new housing loans together to the mortgage-backed consumer loans are and will be extended in foreign currency. At Romania level „the banks' non-performing loan ratio in relation to households rose to 9.5% in June 2012⁴.”

Chart 3. Dolj County: The structure of household loans



Based upon the available data for Dolj County, the share of the *lei-denominated overdue loans* was 8.47% in 2011 and 9.30% in 2012, an increase of 9.8%. For *currency-denominated overdue loans* the ratio was 6.1% in 2011 and 6.46% in 2012, an increase of 5.9%.

Overdue loans refer only to principal and exclude off-balance-sheet items and falling under this heading are those which, on the last working day of the month for which the report is made, are overdue for at least one day. The overdue loans ratio is different from the *ratio of non-performing loans*. The latter considers „the principal and the interest overdue over 90 days and/or in which case the legal proceedings were initiated against the operation or debtor as share in total classified loans and interest” (compliant with the provisions of the IMF’s *Compilation Guide on Financial Soundness Indicators*).

The above values were computed based on the nine months average and are in line with the Romanian Banking System trend.

„Although the ratio of non-performing loans in national currency is higher than that of non-performing loans in foreign currency, the quality of loans in foreign currency continues to see a stronger deterioration.⁴⁹”

Anyhow the future of the mortgage-backed and foreign currency-denominated consumer loans is darkish due to a new regulation on household lending (NBR Regulation no. 24 of 28 Oct. 2011).

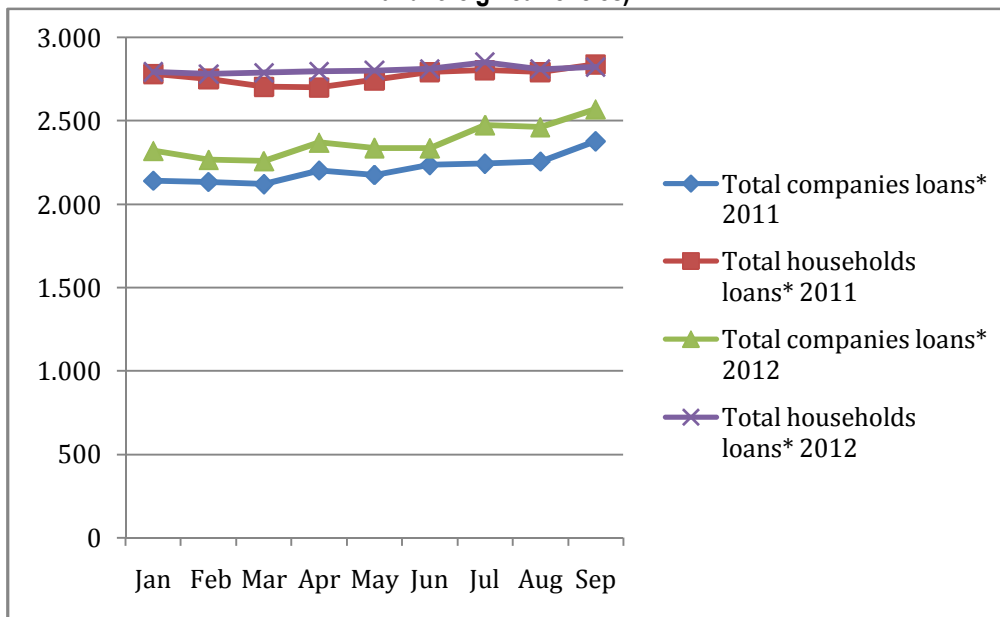
At general level there is a higher deterioration of the mortgage-backed consumer loans against the real-estate portfolios.

The monthly trends of corporate and household loans

The evolution of the two components of credit operations within Dolj County (companies and households) is illustrated in Chart 4.

The values within Chart 4 represent the total loans in national and foreign currencies and in both years the share of population contribution overcame the corporate share. As the trend of household loans in the analysed periods is fairly steady (the consumer credits decreased and the housing increased – see also Chart 3), the dynamic of the real GDP (returning to the positive area since 2011) gave an impulse to the corporate credit activity in 2012. The pattern of population credit activity in Dolj County is in line with this activity within the whole Romanian banking system.

Chart 4. Dolj County: The monthly trends of corporate and household loans (national and foreign currencies)



* overdue loans are included

Regarding the currencies, the corporate loans in foreign currencies are in both years under the household loans, amid the increase of the currency loans in 2012 (from 52.53% to 55.46%, as average). Just as the whole banking system (as was explained above), in Dolj County there is a downward trend in currency denominated loans for households, from about 64.5% in 2011 to around 62% in the first nine months of 2012, as average.

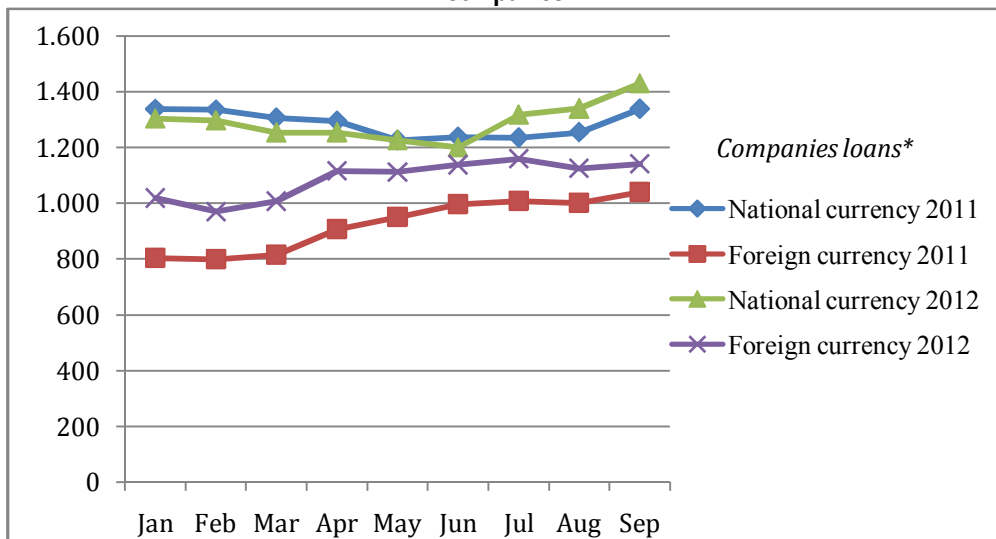
The monthly trends of national and foreign currency corporate loans

The trends of companies loans in national currency and in foreign currency within the two analysed periods are presented in Chart 5.

The light revival of the economy (especially the industry) in 2011 has continued in 2012 at the macroeconomic level, being visible also within the South West Development Region. Dolj County is the prizewinning of the region (except the unemployment). The industrial output of Dolj increased in 2012 against 2011 and also the turnover of the analysed sample¹, which shows an important increase (even some data are provisional). The exports of the region represent 4.4% and the imports 2.8% of the total international trading in 2012, an increase against 2011¹. The county contributed about 17% of the exports and about 37% of the imports, in the last year.

This above short description is mirrored in the Chart 5 and explains the increase of the credit activity on the corporate side. Anyhow the national currency loans overcome the foreign currency loans (expressed in national currency) in both years and the revival of 2012 can be seen in the banking corporate operations (on the credit sides and on deposits side - see also Chart 2).

Chart 5. Dolj County: The monthly trends of national and foreign currency loans for companies



* overdue loans are included

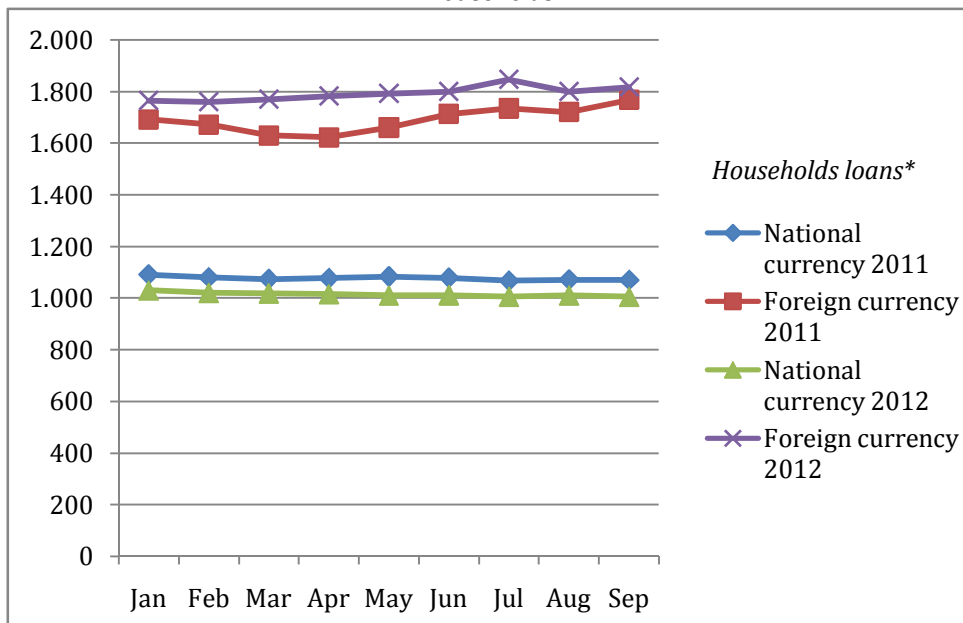
Monthly trends of national and foreign currency loans for households

The trends of household loans in national currency and in foreign currency within the two analysed periods are presented in Chart 6.

As expected (and explained above), the foreign currency loans in both years overcame the national currency ones in Dolj County, being in the same trend nationwide.

In 2011 at macroeconomic level the increase of the nominal wages in the private sector allowed at least the preservation of the purchasing power, but the situation was reversed within the budgetary sector (25% wage cut and the elimination of some bonuses and benefits in 2011). The Emergency Ordinance 19/2012 allowed the recovery of the previous wage reduction for personnel paid from public funds, amid an important advance of the inflation (at the end of quarter 3 it reached 5.3%, up 3.3% from the end of quarter 2)⁵. Concerning the gross average income of Dolj County, in December 2011 it reached 1,973 lei and in July 2012 it reached 2,125 lei. In November 2012 it was recorded a pick in the unemployment rate in Dolj, namely 9.6%.¹

Chart 6. Dolj County: The monthly trends of national and foreign currency loans for households



* overdue loans are included

These miscellaneous evolutions corroborating with the negative expectation of the population (due to a gain in financial education) and the tighten of the credit conditions (both for national and foreign currency) could explain the slowdown lending in the 2012 against 2011, but the shape is the same (see blue and green lines for 2011 and red and purple lines for 2012 from Chart 6).

Conclusions

According to NBR Monthly Bulletin January 2013, the unemployment rate at the end of the last quarter of each year was 6.97% in 2010, 5.12% in 2011, 5.59% in 2012 and almost 6% at the end of January 2013, but it is difficult to capture the real figure as long as most of the long term unemployed does not renew their applications to the National Employment Agency. Anyhow, in Dolj County the unemployment rate is over the country level and over the other counties of South West Region (over 65% of employees work in the service industry, which is more sensitive to the turmoil periods). Nevertheless in the last year economic revival can be seen within Dolj County, where the industrial output and the companies turnovers have recorded positive trends.

The banking activity nationwide experienced losses in the last two years (although 21 of 41 banks reported profits).⁴ The financial *deleveraging*⁶ within the Romanian banking industry is modest, the pace of financial transactions has reduced, but the main characteristics of 2011 remains rather steady in 2012, namely: the supra-unitary loan to deposit ratio, the downward trend of non-government loans and, of course, the upward trend of the claims on government sector – financing the budget deficit, the decline of corporate deposits as percentage of liabilities and the gap between the companies and household loans.

The Dolj County population has maintained its propensity to save, similar behaviour nationwide, as well as its mistrust in the national currency (in fact in the preservation of the real value of the national currency deposits).

The *First Home programme* nationwide represents more than 50% of the real estate loans and Dolj County fits in this picture. There is a high weight of the foreign currency loans in the last two years, mostly for housing financing, as the consumer loans follow the same national trend, namely a downward. The Romanian government intends to renew the *First Home* and the modifications could have a positive or a negative impact on housing loans.

Concerning the corporate activities, the outlook is unfavourable for restarting the credit engine, as the credit risk increases (the non-performing loan ratio of SME was 23.2% in July 2012 against 15.1% at the end of 2010, while this ratio for large corporations reached 4.3% in July 2012, being rather steady compared to December 2010).⁴ Nationwide, the companies with the highest indebtedness are those in trade, real estate and construction and Dolj County cannot be an exception.

Notes

¹ Monthly statistic bulletins of South-West development region Oltenia (operative data) 8/2012, 11/2012 available at <http://www.dolj.insse.ro/cmsdolj/rw/resource/bslreg.pdf?view=true> (some data are provisional)

² www.dolj.insse.ro/cmsdolj/rw/resource/comunicat_rpl_dolj.pdf

³ www.bnro.ro/Data-sets-3205.aspx

⁴ National Bank of Romania - Stability Report 2012 H1

⁵ National Bank of Romania - Inflation Report Nov. 2012

⁶ There is no unique definition of deleveraging. Simply it means the reducing of leverage and increasing capital adequacy in a bank. There are many indicators to capture this characteristic: annual growth rates of bank assets, assets-to-equity ratio, loan-to-deposit ratio.

ORIGINAL PAPER

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False Reporting on the Romanian agriculture production (1989)

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Abstract: *One of the biggest problems of Romanian citizens in the 1980s was the lack of food on the market. This situation was generated by Nicolae Ceaușescu, who decided in the early 80's to pay in advance entire external debt of the country by increasing the Romanian exports of food and decreasing the imports of ordinary goods. On the same time, the communist authorities from Bucharest used mass-media for saying that they had obtained new records of agriculture's production. Of course, these were big lies and the Romanian citizens knew that very well but they didn't have courage to fight against the Communist regime led by Nicolae Ceaușescu.*

Key words: *agriculture, communism, false report, Nicolae Ceaușescu, Romania*

A novel statistical report, drawn up on 24 July 1989, reveals the fact that during the first semester of the year 1989, Nicolae Ceaușescu received 25,076 letters from the citizens and Elena Ceaușescu 13,389 letters. All of them had been registered in the Letters and Audiences Selection of the Central Committee of the Romanian Communist Party (CC of the RCP)¹. Their number was mentioned in a report sent to Nicolae Ceaușescu by Nicolae Constantin on 4 August 1989. That document bore the heading of the Central Board of the Party and was entitled „Report on the activity carried out during the first semester of 1989 in order to deal with the working people's proposals, complaints and requests, addressed to the party leadership”².

The respective document on which Nicolae Ceaușescu put the resolution “To the EPC” (Executive Political Committee, our note) and his short signature³ had five annexes. The last one of these can be an indisputable evidence that the supreme leader of the RCP (Romanian Communist Party) was well aware of what was happening in the country, even if, according to the rumors which were circulating in Romania, “uncle Nicu” did not know or, even worse, that the people in his entourage isolated him from the reality of daily life of the citizens.

“Let us agree. We discussed all these issues during the spring”⁴. Briefly, clearly and precisely. That was Nicolae Ceaușescu's statement-order at the meeting of the Executive Political Committee of the CC of the RCP on 18 August 1989, at the moment when they reached the third point on the agenda: “Report on the activity carried out during the first semester of 1989, in order to

deal with the working people's notifications, complaints and requests, addressed to the party leadership. „Of course, nobody objected and they passed to the next item on the agenda.

A communique concerning the meeting of the Executive Political Committee of the CC of the RCP, held the previous day, was published in the central press on Saturday, 19 August 1989. One of the topics was the above-mentioned report.

Unfortunately, the press release did not offer details about the manner in which the discussions had been conducted during the meeting. And also, no statistical evaluation was published regarding the number of letters and notifications sent to Nicolae Ceaușescu by the citizens. The paragraph about the above-mentioned report was the following: „The Executive Political Committee then analyzed the Report on the activity carried out during semester I, 1989, aimed at solving the working people's notifications, complaints and requests, addressed to the party leadership.

The Executive Political Committee requested that great importance should be further attached to solving the problems raised by the working people through letters, audiences and also on other occasions and manifestations - expression of the genuine democracy that characterizes our Socialist Organization, of the confidence of the popular masses in the party, in its domestic and foreign policy, which fully meets the vital interests of the whole nation⁵.

What was hidden behind this propagandist smoke screen? In the first place, a few examples of the deficiencies ascertained in industry and agriculture, as a result of the citizens notifications. The above-mentioned document also specified dozens of citizens in Ilfov agricultural sector were determined not to apply systematic program initiated by Nicolae Ceaușescu to villages around Bucharest.

Why was this secrecy mania sweeping the corridors of the Central Committee? An answer to these questions can be found in the very report, already mentioned, from which we entirely publish the annex entitled „Examples of letters addressed to the party leadership and solved during the first semester of 1989, letters which proved to be well founded.

It is worth mentioning that in the summer of 1989, the newspaper „Scântea” (The Sparkle) was permanently announcing new record productions in agriculture. Of course, these were simply lies: 8510 kg of wheat per hectare obtained in the Olt County, 12683 kg of wheat per hectare at the Agriculture Production Cooperative in Scornicești (in the Olt County), 8125 kg of wheat per hectare at the State Agricultural Enterprise in Moțăței (in the Dolj County).⁶ And further examples can be added.

Unfortunately, one of the outstanding issues that have faced the Romanian citizens in the 1980s was food shortages, caused by Nicolae Ceaușescu's decision to pay in advance the country's foreign debt by increasing exports of food, while drastic drop in imports of goods (with the exception of raw materials). The effect obtained in the short term was the restoring of the balance of Romania's foreign payments, whereas great difficulties were created for industrial units, who needed permanent imports (machinery, materials and spare parts, etc.) to continue production of goods⁷. At the same time, there was an exceptional pressure over all citizens for the purpose of rapid growth of agricultural production in the country⁸.

Spring sowing and irrigations

As he considered he had knowledge of agriculture, Nicolae Ceaușescu used to establish himself the period of sowing and the way it had to be done. For instance, during the meeting of the Executive Political Committee of the CC of the RCP on 2 March 1989, the president of Romania declared: “The rains that have fallen recently have created good conditions for the agricultural work and the rains will continue. We have to sow in time, to use the present humidity so that we can

actually obtain a satisfactory harvest. We must obtain at least 1 million hectares for irrigated maize and the entire irrigated area for vegetables in all the counties. This question should be discussed very seriously. We must have an abundance of products. Anyway, in 1988 we had no problems regarding vegetables and nor do we have now, but we should have abundance and also better sources for the export of vegetables. The programmes are clear and have been discussed (...).

Last Sunday, 26 February 1989 (our note), I was in the field and the soil temperature was 8-9 degrees (Celsius - our note).

Maize can be placed even at 6 degrees because we are not expecting winter now. If we put maize at a depth of 6 cm in the soil, it will need 10-15 days until it sprouts, and even if the temperature will fall a little, the root goes deeper. Of course, if frost occurs somewhere, then we shall see, on the whole, the time limits should be shortened.

Anyway, we have drawn the comrades' attention to the fact that we should not sow anything in May. Rice including and all the other crops should be sown earlier. We must gain a month because if in spring we win a month, we shall win 30 per cent increase in production. If we get rid of the month of July and the beginning of August, that is the highest temperatures, and if we have maize and sunflower with good link, we have production assured. This is a well known fact, so it must be shortened deadlines! This is the sense that it must be discussed and that measures must be taken. You don't have to come up with justifications. We have counties where more than 90 percent of the irrigated area and they can not come to say that it was drought. We discussed that in the autumn and I hope they really worked at the irrigation systems. At least on television they mentioned every day that the works were made. It is necessary to act in such a way that all irrigation systems operate, because we must ensure suitable productions⁹.

At the same time, Nicolae Ceaușescu was discontented, for good reason, because of the low efficiency of the irrigation systems in Romania. That is why, the RCP leader declared on 2 March 1989: „We must reexamine also the irrigation systems. For irrigations we consume 3-4 times more water than other countries which have irrigations, because we leave everything to chance and let the water flow until the flood. Nobody is interested in what happens.

As a general rule, in the whole world water is very rationally (sic!) given to the plant.

We have to make up a collective which should rapidly deal with the irrigation systems and should make a programme. Of course, a certain period of time is necessary, but we immediately have to tackle with the question of modernization of the irrigation systems and we must work very seriously to solve it. (...)

In this programme we also have to set to solve the problem of water desalination. Things are already known. There are new technologies, but let us start to deal with this problem ourselves¹⁰.

Two months later, during the Executive Political Committee's meeting of 19 May 1989, Nicolae Ceaușescu approved the programme of carrying on the summer agricultural campaign. On that occasion, the RCP leader specified: *“We have already discussed with the comrades from agriculture, and we have to add to this programme the necessity to put the law into operation during the agricultural campaign, that is to close the restaurants and all the shops, so that nobody hangs in pubs. Everybody is supposed to go and gather the harvest, as the law provides, and so, the stipulations of the law must be firmly put into force. Then it is the responsibility of the Minister of Transport, for the transportation of the harvest, under control, as it is settled, including the use of military transport, the responsibility of the authorities of Internal Affairs for guarding and taking all the measures so that all shipments are carried out in good conditions, without any problem whatsoever. Any storing in other places should be considered an offence and punished as such (...).*

Not to remain only as a program, maybe until Monday we should make a decree, under the responsibility of all and which should remain as a practice for each campaign – for summer and autumn – and with everybody's obligation, as the law is the law and everyone must obey the law (our underlining)¹¹.

In that programme it was mentioned that 43.000 combines and 20.000 pressing machines for baling were supposed to participate in the campaign of harvesting the agricultural products available on 3610,7 thousand of hectares (2348 thousand ha with wheat and rye, 705,3 thousand ha with barley and autumn two-row barley, 80 thousand ha with flax and 64,9 thousand ha with spring two-row barley). At the same time, time limits for harvesting were established for each product and activity separately: wheat (7-8 days), barley and two-row barley (3-4 days), flax (4 days), removing the straw from the ground for barley - 6 days; for wheat 10-18 days)¹².

With a view to ensuring the immediate transportation of the harvest from the fields to the reception centers, a compulsory extending of the working programme till midnight was stipulated, taking into account the available daily transportation capacity of 660.000 tons¹³.

As if she wanted to demonstrate she was in no way below her husband, Elena Ceaușescu unexpectedly broke in on the discussions of the next item of the meeting agenda on 19 May 1989 (report on the balance of the land fund by 31 December 1988 and the measures that should be taken in order to achieve the agricultural areas and arable lands in 1990). On that occasion, she declared: „If only they observe (the established plan of measures- our note) because *they still take a lot of land out of the agricultural circuit and they plant fruit trees and vine. I have seen also on the road to Turnu-Severin that the programmes and the law are not obeyed. The hills lie bare and people plant vine and trees on arable lands. The land is not used as it should. A lot of land is taken out of the agricultural circuit by the industry too and then it is not given back to use. Then, there is also a very large area of uncultivated ground in the courtyards, including in Bucharest. Vegetables should be cultivated on these grounds. The land is still not used as it should. Land is also taken out of the agricultural circuit by the work of placing various pipelines into the earth* (our underlining)¹⁴.

Nicolae Ceaușescu let his wife express her grievances, and then concluded: „*It is necessary that the norms and regulations, which we have, should be enforced, because they are very clear. Something has been done and is being done, but too slowly. Now let us approve the report and carry out the stipulations for this year* (our underlining)¹⁵.

As regarding the activities in the animal husbandry sector, Nicolae Ceaușescu specified at the meeting of the Executive Political Committee on 2 March 1989 the following: „*As a matter of fact, we must buy, on the whole, all bovine animals and all bulls from households that are not retained for breeding. And this issue should be discussed by the counties. We have to take all the necessary measures to ensure reproduction and no little cow from the state and cooperative sector should be killed any longer, as it is stipulated. I suppose you have seen the report. We must ensure everything as it is established. In fact, we set up now and the political Executive Committee to import this year and perhaps in the future, only the meat of bovine animals. We are already in talks on this issue, because we must have additional safety. That being said, we have to ensure all bovine meat according to the established quantity, but we also have to import a part of meat, so that we can reduce killings by 500.000- 600.000 heads of cattle.*

We shall do this year and also the next year, to ensure, in this way, additional certainty in fulfilling the plan. For the other animals this is not necessary.(..)

Each county, each commune, in conformity with the programmes, should have its own plan, so that we know how many bovines and sheep are supposed to be in each state enterprise, each cooperative and each commune (our underlining)¹⁶.

Through these measures, Nicolae Ceaușescu wanted to deprive those who were dealing with animal husbandry of certain means of subsistence, by offering them a ridiculously low price for their cattle.

Vexed by his father's words, Nicu Ceaușescu declared at the meeting of 2 March 1989: "We have programmes. So far, we used to kill bovines at the weight of 400 kg, but now it is stipulated an increase of this weight (...). But specialists say that cattle weighing over 400 pounds take hard in weight gain"¹⁷.

Nicolae Ceaușescu immediately replied to his son: "Guys in agriculture are wrong. Between 400 kg and 600 kg, it is the easiest for bovines to put on weight and it is very advantageous. *You had better send the specialists in your county to study more (our underling)*"¹⁸.

To this, Nicu Ceaușescu replied dryly: "*They are not from my county. This is what the specialists from the whole country say (our underlining)*"¹⁹.

Suddenly, Ferdinand Nagy broke in on the discussion. In order to work out the differences between father and son, the state secretary from the Ministry of Agriculture and Food Industry declared: "As regarding the increase in weight, from 400 kg upwards the increase can be of 1000 – 1200 grams, per day.(...) But the feeding stuff should also be ensured in order to attain this increase. But, of course, our idea is to attain the biggest increase and by no means under 400 kg"²⁰.

Nicolae Ceaușescu did not give up his idea and stated: "from 300 up to 550 is the best growth.(...) Our race, Bălțata (the Spotted), should attain 700 – 800 kg. This is her biological capacity, and so it is in those countries that have this race. And you have to discuss these problems, so that all the people understand and stop going on and on with theories and justifications, but start making the necessary arrangements for ensuring the suitable weight on the time of slaughtering"²¹.

Nicolae Ceaușescu, displeased with food products speculation

In the 1980s, Romania's President intervened repeatedly to improve supply of Bucharest with agro-food products. Unfortunately, the reorganizations he enforced – starting with the Ministry of Internal Trade and Ministry of Agriculture and Food Industry, and ending with the slaughter houses in the Romanian capital have further complicated the already existent problems.

The organization systems of the above-mentioned ministries were perturbed by Nicolae Ceaușescu's decisions regarding the rationalization of food consumption. For example, during the meeting of the Executive Political Committee on 20 October 1989, the RCP leader declared: "As regards the Capital, for instance, only meat itself represents 100 kg per head yearly, to which soya bean is to be added, which ensures, together with the prepared items, about 140 kg, but the equivalent in meat, according to the data and requirements of a rational nourishment, by far exceeds the necessary.(...)"

Adequately, all the other products ensure a good supplying, in conformity with the requirements. According to international norms, we should consume 2650 calories. Actually, we have consumed almost 3300 calories so far and with this we will much increase the consumption of calories!

In general, the norms of WHO (World Health Organization - our note) stipulate, for all countries, a consumption between 2500 – 2700 calories at the most, for some of them. We are at 2650! We are towards the upper limit, taking into account the colder area!

To this we add the consumption of fish.

To what do I want to attract your attention?

To the fact that as regards the number (of animals - our note), we have it entirely. So there are no problems! The problem is to attain the weight on slaughtering! We have very good conditions

of feeding the animals with fodder. It depends on the way each county – state and cooperative enterprises and, in general, the producers – will provide a good feeding and proper care of the animals! (...)

In general, in the Capital, there is a bad organization, starting with the ministries of food industry and commerce, which have not been properly dealt with as the products (food- our note) who are assigned to the Capital to be properly disposed of. The organization of the trade itself is inappropriate in the capital!

Now I said that it should be discussed that, within the shortest possible time, during this month (October 1989 – our note) the whole network should be reorganized, especially in the food domain! First and foremost! (..)

In general, in the provinces we have not had special problems.

We have had the most problems in the Capital, though, during this year, monthly, the Capital has received 21.000 – 22.000 tons of meat and meat products and, in fact, it was supposed to have an excellent supplying.

The capital, the food industry and also the home trade have worked very badly! Not just bad! In fact they encouraged speculation; they encouraged theft through their manner of managing this sector of activity. The Ministry of Agriculture also has a very great responsibility in this regard²².

Obviously, Nicolae Ceaușescu was blaming his subordinates, but he was not assuming any responsibility for his own mistakes. After all, it was him who promoted and “rolled out” the ministers, who were then criticized and dismissed a few months after having been installed in their positions, with the silent and equally guilty agreement of all the members of the Executive Political Committee of the CC of the RCP.

The meat products and the counter-revolutionary actions

The selling of food products on the “black market” was only a consequence of the mistaken decision taken by Nicolae Ceaușescu along the years. The shortage of basic necessities was evident in all the stores in the country. However, the Romanian President wished to maintain for his countrymen a rationalized alimentary regimen, just like in wartime. We can assume that his attitude was influenced by his wife, by persons in the vicinity of the presidential couple, as well as by his own lifestyle, as a consequence of the diabetes he was suffering from.

In a fit of rage, the president of Romania acknowledged that pressure from speculators on the system for the allocation of food, especially meat, were dangerous. “We have, for instance for pork, a special Trust for the Capital – stated Ceausescu on 20 October 1989, in a dogmatic speech held at the meeting of the Executive Political Committee. Now, after we have carried out the control, also with the Ministry of Internal Affairs, who have been sleeping, just like some people of the militia – they have not been exposed yet, I think they have been accomplices to everything that has happened – it turned out that they had not delivered in the Capital and, based on orders given from commerce, food industry and agriculture, they had send around the country, thought, according to the law, they are supposed to deliver the pigs only to Capital, because that one is a Trust meant precisely for the Capital, precisely for ensuring the proper provision! They got to Brașov, to Iași, to Pitești, everywhere, including several places in agriculture, except for the system maintained at the Ministry of Agriculture and at the home delivery houses from the internal trade, which have several centers which in fact were also included in the funds allotted for Capital, but no checking had been ensured.

I have told the comrades that if they have the products ensured and if those who phone them assure them of what and how much they ask, they are no longer interested in what the Capital's citizens really find (in the shops – our note)!

I have decided and I propose to be approved by the Executive Political Committee that all the enterprises, so far belonging to the Ministry of Agriculture, "30 Decembrie" Enterprise included, should pass to the Capital's provision Trust! All of them!

Apart from "30 Decembrie" Enterprise, where they make meat preparations for the Capital, we have closed all the slaughterhouses for the Capital in the enterprises because these represented one of the main means of purloining, and stealing, of theft.

The slaughterhouse of the Capital has the capacity to slaughter more animals than it is necessary. The Capital has the meat preparation factory, which we are developing, of 100.000 tones by the end of the month, and there are also your slaughterhouses and there will be more capacities as it is necessary for the Capital.

All the enterprises of food products marketing are to be taken over from the home trade to the Capital; the principle of the home delivery centres is to be maintained but on a new basis, according to the norms of consumption! Nobody can receive more, no matter who they are! The meat we give is sufficient for anybody! Of course, paying the difference imposed by delivering to the client's home, without affecting the profits of other domains, as it has happened so far.

Together with the Committee of Prices you must examine the prices because, on the whole, the sending to the client's home implies that the expenses should be met by the person who wishes to receive at home! Not at the expense of the general profits!

The general profits represent one thing, they are to be especially highlighted and there is a certain profit to remain for us, like it happens, in general, all over the world!

The shop for diplomats is also to pass to the Capital, and is going to serve the diplomats only, nobody being allowed to buy from these shops from the Ministry of Foreign Affairs, nor from the Foreign Trade!

Nobody! They are not very many and even if they took 1 kilogram of meat daily, as many as they are, a little over 200 persons, if we catch them dealing with speculation, we have to tell them too.

We must establish the order and discipline!

I have established and said that by the end of the month we should make a new distribution of the shops on sectors, we should extend the marketing centres and make a distribution of the supplying on districts, so that people should not run from one place to the other.

The amount of meat, actually twice exceeding the consumption norms, is more than sufficient for ensuring the provision!

In the capital, there are 2 million inhabitants, except for the (Ilfov) Agricultural Sector, which is included in the provision for the counties and I have taken into account 2.3 million (inhabitants). So, in fact, there is not such a big circulation.

In the restaurants there has also been anarchy, they drank irrationally and these have been another way of changing the destination of meat and meat preparations.

Now we have established and the Capital will be directly responsible for everything, according to the established norms!

I am pointing to all these facts because I wish to drop your attention that it is necessary and the Executive Political Committee is to formally draw all the conclusions, so to say, it is to be known the comrades who have worked and are working in this sector have not properly done their duty, but, especially for taking measures and ensuring that all the last and decisions of the party are obeyed

entirely, in order to place in the centre of their inhabitants of the Capital, of the whole country, according to the established programmes, in order not to permit by no means any other destination for the products, in order to be merciless towards the profiteers, towards anybody, no matter who they are, just like everywhere in the world, they are harshly punished!

I will only remind you what happened at the White House, when even Reagan's counsellors who had been exposed for stealing, were put on trial and sentenced!

Now here in the world can they or do they turn a blind eye like our militia, justice and state authorities did, as they turned a blind eye to this thing and encouraged it! No earlier than yesterday, a comrade was saying: you know, he was a good comrade! Some good comrade! If he steals, he hasn't been a good comrade and one can't consider he has been good! No one who steals can be considered to have been good! He has been false; he has been concealing things and has come to this situation! It is necessary that we take a firm stand in this respect!

We must demand from the Capital's Popular Council to get the whole system into shape, the system of products marketing and also the marketing and providing of food products to the food factories according to the stipulations and to stop turning the restaurants into public houses for wedding receptions, christening parties and revelries and to stop distributing products from the population's fund to these events!

A week ago I asked the comrades who works for me, as I have repeatedly asked those from the Capital, and I sent them to several restaurants in the centre of the city. From the visited restaurants, 6 – 7 of them were wholly occupied by wedding parties. Looking at the menu, I saw that it included sirloin, caviar, and not in a limited quantity, according to the low, whereas in the shops I didn't find anything! The same thing was noticed in the NTO (National Tourism Office) restaurants and also in the restaurants directly belonging to the Capital! Certainly, I took measures to stop this! It is allowed to server dishes, but without exceeding 20% of what is available. So was it in the past, so is it now, but let them not give everything! Nothing in addition can be given from the supplying fund of the population!

Any allocation from the population's supplying fund will be considered a counter-revolutionary action! I want it to be clearly understood, so there won't be problems!

We are not allowed to take from the funds meant for the population and give it to weddings, baptism and parties!

For example, when they started a more rigorous control, the comrades found that a single restaurant had received 4.000 kg meat without any allocation. According to the norms of meat consumption per day, this means that 40.000 people were left without meat, because of a single restaurant. Let us consider 150 kg per head, but we have also given minced meat to attain 200 kg per head. 40.000 people were left without meat!²³

Since Nicolae Ceaușescu went on stubbornly imposing inhumane and stupid measures against his own fellow countrymen (who wished to celebrate a newborn or a wedding according to traditions), we can hold that the president of Romania was no longer capable of understanding the world he was living in.

The “hunger circuses”

Concerned about the special problems faced by the citizens of Romania's capital, Nicolae Ceaușescu initiated in Bucharest, after 1984, the building of six commercial centres, ad hoc nicknamed “circuses of hunger” because of the large domes designed in the building plans. For their identification, Nicolae Ceaușescu approved their being named after the street or the area in which they were situated.

In the year 1988, the president of Romania inaugurated the new commercial centres of agricultural and food products in “Floreasca” neighbourhood. Others were going to be opened in 1990 (“Lujerului”, “Dudești”, “Rahova”, “Timpuri Noi” and “Mureș”). Each of them were meant for housing 4-6 shops for meat products, 4-5 places for fish selling, 3-5 shops for cooked food, salami and sausages, 2-5 bread outlets, a self- service food store, 2-3 outlets for cheese and dairy products, 6-14 places for vegetables and fruit marketing.²⁴

After the “coup d’etat” on 22 December 1989, the building of the large commercial centres in Bucharest was stopped for lack of funds and Romania’s record agricultural production of that year “vanished” all of a sudden. The result reported to Nicolae Ceaușescu by his subordinates, in the summer and autumn of 1989, regarding the obtained harvest proved to be a big lie: 18, 739,047 tones of wheat and rye, 4,686,394 tones of oatmeal, 63,829 tons of autumn rape, 421,670 tons of peas, 54, 215 tons of beans²⁵.

The system of reporting the amounts of harvested agricultural products proved to be extremely harmful, both for the ordinary people and for the members of the RCP leadership – who rapidly “disavowed”, after 22 December 1989, the lies they had told in the 80s in order to meanly keep the privileges granted to them by Nicolae Ceaușescu.

Annex no. 1

May 1989

The list of industrial products and activities which remained unprofitable by 30 April 1989

The list of industrial products and activities which remained unprofitable
By 30 April 1989

lei/UM

No.	Product or activity	MU	Delivery	Production price	Cost price	Loss *
THE MINISTRY OF METALLURGICAL INDUSTRY						
1.	Metallurgical coke	t.	1755	1755	2076	321
2.	Blum for low alloy steel re-rolling	t.	4213	4213	4698	485
3.	Tubes for Boilers solid steel heat exchangers	t.	24.454	19.940	20.752	812
4.	Coke briquettes	t.	2650	2650	3860	1210
5.	Bandages and disks	t.	5588	5588	8167	2579
6.	Fines for railway	t.	5965	5965	7224	1259
7.	Mining chains	t.	25.821	25.821	29.069	3248
8.	Billets for re-rolling of mild steel	t.	4104	3910	4158	248
MINISTRY OF CHEMICAL AND PETROCHEMICAL INDUSTRY						
1.	Furfural	t.	17.000	17.000	36.348	19.348
2.	Resorcinol	t.	160.000	160.000	256.980	96.980
3.	Methyl methacrylate	t.	37.965	37.965	43.659	5694
4.	NPK chemical fertilizers with sulphuric attack 100% P ₂ O ₅	t.	5800	5800	7005	1205
5.	Copolymers of styrene C	t.	29.700	28.255	34.732	6477
6.	Polypropylene	t.	13.000	12.305	22.675	10.370

No.	Product or activity	MU	Delivery	Production price	Cost price	Loss x
7.	Viscose threads	t.	70.880	70.880	100.067	29.187
8.	Electrolytic copper	t.	62.480	62.480	71.431	8951
MINISTRY OF MINES						
1.	Onnary lignite	t.	149,2	149,2	152,3	3,1
2.	Underground lignite	t.	269,0	269,0	322,7	53,7
3.	Coarse pit coal from Valea Jiului	t.	451,0	451,0	520,1	69,1
4.	Prepared baryta	t.	2068	2068	2562	494
5.	Copper in concentrates	t.	88.565	88.565	93.091	4526
6.	Gold in euros-argentiferous concentrates	t.	390.830	390.830	403.120	12.290
MINISTRY OF PETROLEUM						
1.	Crude oil from domestic production delivered by oil derricks	t.	839 ^{**}	839	1003,2	164,2
MINISTRY OF ELECTRIC POWER						
1.	Thermal energy	Gcal	137,94	137,94	152,94	15,0
MINISTRY OF TRANSPORT AND COMMUNICATIONS						
1.	Underground transport	thousands/lei	-	-	-	18.831 ^{xxx}
THE OF TRANSPORT AND COMMUNICATONS						
1.	Drinking water	thousands/lei	-	-	-	11.314 ^{xxx}
2.	Public transport	Thousands/ lei	-	-	-	128.00 ^{0xxx}
^x Operational data communicated by the ministries. ^{**} Price of delivery to oil distilleries is 2.000 lei/ton.; ^{xxx} Loss registered in the period 1.1.1989- 30. IV. 1989.						

C.N.H.A., fund of the CC of the RCP – The Office, file no. 35/1989, f. 38.

Annex no. 2

June 1989

Document entitled „The fulfilment of the plan of incomes to the fund and contracting the agricultural products in the period 1.1.- 31.V and during May 1989, as compared with the same period of the year 1988”.

Service secret

THE FULFILMENT OF THE PLAN OF INCOMES TO THE FUND AND CONTRACTING THE AGRICULTURAL PRODUCTS IN THE PERIOD 1.1- 31.V AND DURING MAY 1989, AS COMPARED WITH THE SAME PERIOD OF THE YEAR 1988

1. The plan stipulations regarding INCOMES TO THE STATE FUND, in the period 1.1 – 31.V and during May 1989, have been fulfilled as follows:

	MU	1.1 – 31.V.1989			Achieved 1.1 – 31.V. 1988	The month of May	
		Plan	Achievement	% compared with the plan		Achievement	% compared with the plan
Meat as a whole (live weight)	Thousands tones	797,8	490,5	61,5	535,9	88,0	55,9
- bovine animals	Thousands tones	206,5	141,4	68,5	151,4	21,4	72,9
- porcine animals	Thousands tones	433,9	226,3	52,2	243,3	42,1	47,0
- ovine animals	Thousands	24,0	27,7	115,4	26,3	6,4	101,5

	MU	1.I – 31.V.1989			Achieved 1.I – 31.V. 1988	The month of May	
		Plan	Achievement	% compared with the plan		Achievement	% compared with the plan
	tones						
- fowl	Thousands tones	124,3	91,8	73,9	111,8	17,5	59,1
- hare	Thousands tones	6,8	2,2	32,4	2,0	0,4	23,5
- horses	Thousands tones	2,3	1,1	47,8	1,1	0,2	25,5
Cow milk	Thousands hl	14525	6036,0	41,6	5534,5	1774,1	45,0
Eggs for consumption	Thousands tones, pieces	1566,9	1218,4	77,8	1226,3	215,0	60,5
Vegetables	Thousands tones	373,1	290,1	77,8	134,1	170,0	80,3

*The plan data regarding meat are those stipulated in the slaughtering programme.
 NOTE: The operative data have been reported in accordance with the contents and structured of the plan approved for the period 1.I – 31.V and during the month of May 1989.

C.N.H.A., fund of the CC of the RCP – The Office, file no. 40/1989, f. 171.

Annex no. 3

EXAMPLES

Of letters addressed to the party leadership and solved during semester I 1989, which proved to be well-grounded

INDUSTRY ISSUES

1. The notified aspects and the proposals of an engineer from the geological prospecting enterprise in Bucharest of modernizing the equipment for seismic prospecting in order to discover new reserves of petroleum and gas have been proved justified.

Several measures have been decided for an improved supplying with modern equipment for seismic research: the Ministry of Machine Building Industry, the Ministry of Electro technical Industry and the Central Department of Geology will pursue the achieving of five vibrators of 12.5 tf by 30 April 1989. For the stage of prototype and until September 1989 they are to be fully equipped with components produced in the country. (The development of these vibrators is justified by the increase in labour productivity, the decrease in cost price/km, the elimination of material consumption, the diminishing of the damages in agriculture, the increase in the resolution power of the seismic prospecting for the types of traps with hydrocarbon, still undiscovered).

Every three months, the Central Department of Geology, the Ministry of Machine Building Industry and the Ministry of Electro technical Industry are to report to the government about the stage of carrying out the program of assimilation and manufacturing of machinery and equipment for geological and geophysical research.

2. At the Livezeni Mine, in Hunedoara county, the plan targets of 1988 were fulfilled by only 50%, this situation having been largely in the operation of transportation equipment as well as by the deficiencies occurred in production and work organization. Six mechanized complexes, out of which two are situated underground in the exploited areas and two hewing combines have been unused for a long time. Certain persons who had carried out activity on the surface were nevertheless remunerated for underground work.

Measures: the exploitation plan drawn up for 1989 has stipulated that the mechanized complexes should be taken out of underground and reintroduced in other coal faces; the unjustly received amounts of money are being retrieved and the mine manager has been unseated and penalized by "vote of censure" (by the party organization he belonged to – our note).

3. The notification about a series of deficiencies at the Heavy Equipment Plant in Iași, negatively influencing the working people's retributions, has proved to be well-grounded. On 15 April, current year, the plant was registering losses of 111.3 million lei, the main causes being: not abiding by the productive capacities (equipment and machine tools amounting to over 200 million lei were inadequately used); high rate of rejects in the warm sectors, lack of technological discipline, low level of labour qualification, frequent breaking of work discipline, failure in providing technical assistance in all the shifts.

Measures have been taken to ensure the marketing of the plant production. (On 15 May, current year, for the 1989 there was no contract regarding the export production on C.C. <convertible currency- our note > planned to attain 3.5 million dollars), putting into operation by 15 June, current year, at the planned capacity, the machine- tools delivered to the plant, charging the capacities with production tasks which are to ensure the fulfilment of the plan for commodity production and enhancing the lucrative activity of the plant, etc...

4. At "Neptun" enterprise – in Câmpina, Prahova county, during the first 4 months of the current year, the industrial production has recorded a backlog amounting to 6.840 thousand lei, labour productivity has not been attained by 1,717 lei per person, important failures also existing as regards export production.

The control undertaken has revealed that, apart from not providing certain raw materials at the necessary level, the failures in fulfilling the plan have been influenced by several deviation from technology, by rejecting certain items, by not rhythmically providing semi-manufactured goods, especially cast pieces, by not suitably using the machinery and working time.

A programme of measures has been settled for perfecting the organization and modernization of production, especially the assembly limes and reducers, as well as for strengthening production discipline.

5. By analysing the letter of an engineer from the Auto transport company for oil products in Bucharest, who made several proposals for a better organizing of motor transport, it followed that the proposals concerning the correlation of the transport capacity usage ratio with labour productivity and with the extend equipment with of transport, the way of settling the amounts of fuels for the means of transport park are important and it was established that, together with the specialists from the State Communications, measures of perfecting these proposals should be taken in order to be put into practice.

6. As a result of the notifications of some citizens from Baia de Aramă town, in the Mehedinți county, concerning the pollution of the Brebina Brook and the Motru river by the copper flotation in Mărășești village, the Mining Central Office in Deva finalized the proper solutions suitable for pumping station technology improvement tips and avoiding the discharge of pollutant substances into the waters of the zone.

AGRICULTURAL ISSUES

7. At the S.A.E (State Agricultural Enterprise) in Mănăstirea, in Călărași county, in the year 1988, as a result of the poor activity of the farm management, the economic and financial activity closes with a loss of 23 million lei in contrast to a planned profit of 13 million lei. The wheat production was achieved by 70% as compared with the plan, maize 47 %, soya 46%, cow milk 63%, wool 54% and the plan for vegetable export- by 29%.

The Secretariat of the Party County Committee in Călărași set measures for improving the economic activity of the farm. At the same time, the enterprise manager was unseated and penalized by "vote of censure" (by the party organization he belonged to – our note), while the chief accountant were reprimanded, being also penalized by a decrease in the remuneration and management allowance by 10% during one month.

8. At the Agricultural Production Cooperative (APC or CAP, in Romanian – our note) in Negomir, Gorj county, in the year 1988, the economic results were unsatisfactory- only 3.242 kg corn cob per hectare, 310 kg peas/ha in contrast to the planned 2.860 kg, poor productions being recorded for other crops too. The cooperative has only 1.660 sheep, as compared to 2.500, settled in the plan, etc...

The result of examining several notifications was that the situation had been caused by not following the technologies for each crop, not affecting the work of maintenance and harvesting in time and by the improper activity of the management factors.

Measures: the mayor of the commune was unseated, while the APC manager was penalized by "vote of censure" (by the party organization he belonged to – our note). The chief engineer, the chief of the vegetables farm were also punished by "vote of censure" , and also penalized by a decrease in remuneration by 10% for three months, a punishment also administrated to other specialists. Concurrently, measures were decided for the better organization of agricultural activity this year.

9. At the Agricultural Production Cooperative in Aleșd, Bihor county, it was signalled the lack of requirement in the judicious use of the land fund, the bylaws relating to the assignment of lots, low concern for payment of the debt owed by members of the cooperative.

Measures: the chief executive, the chief engineer and the chief accountant of the cooperative were penalized by the Plenary meeting of the party town Committee by "vote of censure", land management and for the recovering of the delayed debits.

10. At the Institute of biology and animal nutrition in Balotești, Ilfov Agricultural Sector, because of the divergences among the 3 directors of the institute, a unitary coordination of the research and production centre failed to be achieved, which led to the appearance of aspects of indiscipline and to an atmosphere of confusion among the working people.

In the institute there were both import apparatuses and Romanian ones which were out of order from the bio- basis of combined fodder and the research sector, important amounts of food and grain had been made profitable outside the state fund, contrary to legal provisions, significant amounts of food and grain.

From the findings, the three executives were sanctioned with diminishing retribution and put into discussions of the Party Committee and the Scientific Council of the Institute, establishing measures to improve the working climate. He also ordered that the unused equipment to be placed in condition to operate and redistributed and acted to combat theft of grain.

ASPECTES FROM OTHER DOMAINS

11. At the Unit of communal and housing husbandry in Dej, Cluj county, within the sector of small- scale industry, which also makes products for export, losses of over 670 thousand lei were registered in the year 1988 because a series of wooden items (stools, tea trolley, small table for telephone, kitchen sets) had been manufactured at a higher cost than the established one.

In order to improve the economic and financial results of the enterprise, measures have been taken for labour provision corresponding to the technological processes and for supplying the joinery section with high productivity equipment and also the setting of all products within the limits of the established cost price.

12. After examining the letter signed by 35 citizens of Cosmești commune, Galați county, it was ascertained that, as a result of drilling- in the area- the wells for the water supplying of Tecuci municipality, the phreatic water level became lower and, consequently, wells in Cosmești ran dry.

It was settled that population of Cosmești commune should be provided with drinking water by effecting junctions from the repression pipe of Tecuci municipality.

13. 60 citizens from Buciumeni village, Ilfov Agricultural Sector, requested that this village should not be included into Mogoșoaia commune, as the local authorities had proposed. After reanalysing the position of Buciumeni village in the territory, the authorities proposed that it should continue to belong to Butea town.

14. 73 citizens from Jilava commune, Ilfov Agricultural Sector, who live outside the building perimeter of the commune and who had expressed their approval for the programme of rural settlements systematisation, demanded that they should not be removed to 30 Decembrie and Măgurele communes, as recommended by the local authorities, because that would place them farther from their jobs in Jilave commune and Bucharest. After analysing the letter, by mutual consent of the Ilfov Agricultural Sector management and the petitioners, it was settled that the latter's houses were to be evacuated when new blokes of flats were provided for use in Jilava commune.

STAFF MISCONDUCT

15. The manager of the Enterprise of Industrial Processing of Meat in Giurgiu town was replaced from his position, sent to executive activity in another enterprise and penalized by "vote of censure and warning" for infringing the principle of collective work and leadership, repeated transgression in his relationship with the working staff and taking illegal decision in personnel matters, delivery of meat products- without allotment – to other counties or touristic units, illegal sale of equipment which had been meant for the enterprise investment, etc...

16. The manager of the Mechanical factory in Târgoviște, Dâmbovița county, was unseated for improper organization of the activity of inventions and innovations, for deviations regarding the use of funds meant for the inventors and innovators stimulation (during the years 1987 and 1988 the amount of 25.000 lei was granted to persons not entitled to receive incentives), maintaining an unfavourable climate for technical creation through his deficient working style. At the same time, the chief accountant was also dismissed from his job. The amount of money granted to persons not entitled to receive it was retrieved from those who had ordered the payment of undeserved incentives.

17. The manager of Lunca Agricultural Production Cooperative, Teleorman county, was dismissed from his post and penalized by "vote of censures and warning" for lack of care about organizing the activity in the livestock sector where, as a consequence of improper care and deficient feeding of animals with fodder, a large number of deaths was registered.

18. At the APC in Mosna, Iași county, the APC manager, the chief and a farm manager got penalized by "vote of censure", the chief engineer was also turned out of office, while the chief accountant was dismissed from his post for illegal granting of remunerations, for buying products from the APC at lower prices than those established, for neglect in the livestock activity, causing deaths among the livestock, as well as for incorrect aspects in managing the cooperative's property. At the same time, there was damage to the ACP amounting to over 56.400 lei, but the losses were recovered from the guilty people and for certain penal offences the state authorities were notified.

19. The director of the Mixed commercial state enterprise in Anina town, Caraș-Severin county, was unseated and penalized by "2 year interdiction to chief party and state leadership positions", while the chief accountant was penalized by "vote of censure" for failure in checking the administrators activity of keeping and operating the wares fund and the wrappers, as well as for not taking all the necessary measures for recovering the losses from the public property. At the same time, actions were taken to recover all the losses, which, at the end of 1988, were amounting to 2.515 thousand lei.

20. The manager of "Unirea" Handicraft Cooperative in Bolintin Vale, Giurgiu county, was unseated and penalized by party by "5 year suspending of the right to be elected for party leadership positions", while the party secretary was turned out of office and penalized by "vote of censure" for severe illegalities in production activity and in the unit's balance sheet (drawing up documents with fictitious data, falsifying of documents, etc.) which had created conditions for damaging the public property by the purloining of materials. At the same time, it was settled that the investigations conducted by the state authorities would continue with a view to recover all the losses suffered by the cooperative.

21. For the first 9 months of the year 1988, the management of Enterprise selling vegetables and fruit, in Dolj county, reported false figures about plan task achievement representing 17.3 million lei and, as a consequence, and illegal payments in the amount of 299.233 lei.

Measures: the illegally paid amounts of money were recovered; the manager of the unit was penalized by "vote of censure and warning", dismissed from his post and sent to work in an agricultural unit as agricultural engineer. Other 7 cadres with various management positions within the enterprise got also penalized both at party and administrative level.

22. The manager of the Enterprise of social groups and canteens management within the Central General Contract Building – Assembly in Bucharest was unseated and penalized by "vote of censures and warning" because he had used labour force, means of transport and materials from the unit to fit out his house and illegally ordered that bonuses should be granted to same workers who had carried out activities in his interest.

23. The mayor and the vice-president of the Executive Office of the Popular Council of Fundeni commune, Călărași county, were unseated and penalized by „vote of censure and warning” for lack of concern with fulfilling the economic plan at the local level, lack of interest in fulfilling the plan of contracting and purchasing of agricultural and food products from the population and renting

same pieces of ground to private sheep owners living in Bucharest. The CUASC manager in Fundeni was also turned out of office and penalized by „vote of censures and warning” for lack of responsibility and superficiality in carrying out the tasks entrusted to him.

24.07.1989

- C.N.H.A., fund of the CC of the RCP –The Office, file no. 56/1989, f. 85-89.

MINISTRY OF AGRICULTURE
No. 01702 of 2.VIII.1989
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Annex no. 4
SECRET

CENTRALIZING
Of the agricultural work on 1 August 1989

Name of indicators		Socialist sector	SAE	APC
Yield of WHEAT+ RYE				
Area- hectares	Plan	2.309.500	335.787	1.951.537
	Achieved	2.209.848	335.286	1.933.412
	%	99	99	99
Average production– kg/ha	Plan	5818	6400	5720
	Achieved	8184	8533	8113
	Difference	+ 2366	+ 2133	+ 2393
Total production - tone	Plan	13.962.000	2.176.000	11.666.700
	Achieved	18.739.047	2.861.156	15.685.913
	%	134	131	134
Total production delivered to the state fund		18.739.047	2.861.156	15.685.913
Yield of BARLEY				
Area- hectares	Plan	642.162	207.107	410.271
	Achieved	642.162	207.107	410.271
	%	100	100	100
Average production– kg/ha	Plan	6707	7260	6400
	Achieved	7360	7658	7103
	Difference	+ 653	+ 398	+ 703
Total production - tone	Plan	4.248.900	1.514.400	2.570.200
	Achieved	4.686.394	1.586.076	913.988
	%	110	105	113
Total production delivered to the state fund		4.686.394	1.586.076	913.988
Yield of AUTUMN TWO-ROW BARLEY				
Area- hectares	Plan	57.896	9700	47.244
	Achieved	57.896	9700	47.244
	%	100	100	100
Average production– kg/ha	Plan	4200	4600	4100
	Achieved	5120	5490	5027
	Difference	+ 920	+ 890	+ 927
Total production - tone	Plan	239.000	41.400	193.300
	Achieved	296.432	53.253	237.511
	%	124	129	123
Total production delivered to the state fund		296.432	53.253	237.511
Yield of PEAS				
Area- hectares	Plan	98.649	17.223	75.610
	Achieved	98.419	17.173	75.430
	%	99	99	99

Name of indicators		Socialist sector	SAE	APC
Average production– kg/ha	Plan	2600	2700	2570
	Achieved	4284	4381	4244
	Difference	+ 1684	+ 1681	+ 1674
Total production - tone	Plan	260.000	47.200	196.300
	Achieved	421.670	75.229	320.146
	%	162	159	163
Total production delivered to the state fund		421.670	75.229	320.146

- C.N.H.A., fund of the CC of the RCP –The Office, file no. 95/1989, f. 28-30.

Annex no. 5

July 1989

Standings at average yields of wheat and barley, in each district, in 1989

FINAL STANDINGS
on counties and the average wheat yields
-29 July 1989-

	County	kg/ha		County	kg/ha
1.	Brăila	9110	22.	Giurgiu	8100
2.	Olt	8510	23.	Tulcea	8095 [writing by hand:] 8024
3.	Sect. Agr. Ilfov	8267	24.	Cluj	9095
4.	Arad	8246	25.	Suceava	8092
5.	Timiș	8214	26.	Vâlcea	8085
6.	Constanța	8210	27.	Bistrița-Năsăud	8081
7.	Teleorman	8190 [writing by hand:] 8011	28.	Neamț	8075
8.	Botoșani	8185	29.	Bacău	8072
9.	Bihor	8165	30.	Sălaj	8072
10.	Prahova	8160 [writing by hand:] 8010	31.	Brașov	8067
11.	Dâmbovița	8160 [writing by hand:] 8023	32.	Sibiu	8065
12.	Satu Mare	8155	33.	Gorj	8064
13.	Călărași	8150	34.	Alba	8060
14.	Iași	8145	35.	Caraș-Severin	8056
15.	Galați	8140	36.	Maramureș	8055
16.	Ialomița	8140	37.	Hunedoara	8052
17.	Dolj	8125 [writing by hand:] 8022	38.	Covasna	8046
18.	Mehedinți	8122	39.	Vaslui	8042 [writing by hand:] It was drought
19.	Argeș	8114	40.	Harghita	8031
20.	Buzău	8110 [writing by hand:] 8008	41.	Vrancea	8018
21.	Mureș	8105			

STANDINGS
On counties and average yields from BARLEY
-31 July 1989-

	County	kg/ha		County	kg/ha
1.	Olt	7982	22.	Botoșani	7025

	County	kg/ha		County	kg/ha
2.	Timiș	7655	23.	Maramureș	7025
3.	S. A. Ilfov	7650	24.	Bistrița-Năsăud	7021
4.	Doj	7605	25.	Satu Mare	7020
5.	Călărași	7590	26.	Brașov	7020
6.	Dâmbovița	7525	27.	Gorj	7020
7.	Arad	7523	28.	Tulcea	7016
8.	Constanța	7511	29.	Mehedinți	7011
9.	Giurgiu	7510	30.	Vrancea	7010
10.	Brăila	7509	31.	Vâlcea	7010
11.	Argeș	7506	32.	Cluj	7007
12.	Prahova	7505	33.	Harghita	7006
13.	Ialomița	7501	34.	Iași	7005
14.	Teleorman	7500	35.	Vaslui	7005
15.	Bihor	7245	36.	Caraș-Severin	7005
16.	Hunedoara	7112	37.	Galați	7005
17.	Suceava	7100	38.	Bacău	7004
18.	Sibiu	7064	39.	Buzău	7004
19.	Mureș	7056	40.	Neamț	7003
20.	Alba	7050	41.	Sălaj	7002
21.	Covasna	7041			

- C.N.H.A., fund of the CC of the RCP – The Office, file no. 95/1989, f. 50; 53.

Notes:

Central National Historical Archives (after that known as CNHA), domain CC of the RCP Office, file no. 56/1989, f. 78).

² *Ibidem*, f. 73.

³ *Ibidem*, f. 72.

⁴ *Ibidem*, f. 21.

⁵ *Ibidem*, f. 21.

⁶ Working people in the fields report the ending of wheat and barley harvesting and the obtaining of big productions per hectare, in „The Sparkle” (“Scântea”), the year LVIII, no. 14582, Friday, 7 July 1989, p. 1.

⁷ For details about the unprofitable products and activities in April 1989, see Annex no. 1.

⁸ At the beginning of June 1989, Nicolae Ceaușescu received a synthesis concerning „ the fulfilling of the plan of incomes to the state fund (and of contracting the agricultural products in the period 1.I – 31.V and in the month of May 1989 as compared with the same period of the year 1988. Among others, the respective document specified that “incomes to the state fund in May 1989, as compared with the same period of the previous years were: bigger with 200.5 thousand hl (+12.7%) as regards cow milk; 479 tons (+8.1 %) as regards mutton; 78 tons (+22,6%) as regards have meat; 94 tons (+ 66, 7%) as regards vegetables; smaller with 4981 tons (-18,7 %) as regards bovine meat; 2921 tones (-6,5%) as regards pork; 4967 tones (-22,1%) as regards fowl; 50,5 million items (-19,0%) as regards eggs for consumption. C.N.H.A, fund of CC of the R.C.P. – Office, file no. 40/1989, f. 171. For details, see Annex no. 2. The above-mentioned synthesis was signed by Radu Bălan (president of the State Committee of Planning), Paula Prioteasa (minister of Food Industry), Nicolae Ionescu (managing director of the Central Department of Statistics) and by a deputy minister of Agriculture. Two decades later, Silviu Curticeanu, secretary of the Council of State (1975- 1982) and chief of the Office Department of the C.C. of the R.C.P. (1982 - 1989) mentioned the record agricultural production of Romania in the 80s in the following way: „Nor did agriculture escape the daily analyses (effected by Nicolae Ceaușescu – our note) and the process of falsifying the figures, by raising the agricultural productions to aberrant dimensions, on paper and reducing the consumption to unacceptable dimensions. The remarkable material efforts gave real yields in all the sections of agriculture, but it is only to a small extent that they reached the population, because Ceaușescu, making one of the biggest mistakes of his life, filled the country's granaries to the full, emptied the peasant's pantry to the bottom turning him into a day labourer, and left in the city dweller's refrigerator only the amount for a rational nourishment. Silviu Curticeanu, *Uncensored Meditation*, Historia Publishing House, Bucharest, 2007, p. 170.

⁹ CNHA, fund CC of the RCP – Office, file no. 11/1989 vol. I, f. 29 – 30.

⁰ *Ibidem*, f. 33- 34.

¹ *Ibidem*, file no. 35/ 1989, f. 29-30.

² *Ibidem*, f. 103.

³ *Ibidem*, f. 104. The minister of Transport and Telecommunications was supposed to ensure a transport capacity of 79.000 tons daily, during the agricultural campaign of summer 1989.

⁴ *Ibidem*, f.30.

⁵ *Ibidem*.

⁶ *Ibidem*, file no. 11/1989, vol I, f. 30.

⁷ *Ibidem*, f. 31.

⁸ *Ibidem*.

⁹ *Ibidem*.

²⁰ *Ibidem*.

² *Ibidem*.

²² *Idem*, file no. 66/1989, f. 10-12.

²³ *Ibidem*, f. 12-14. Though he did not mention any names in his speech, Nicolae Ceaușescu was certainly referring to „Orizont” (Horizon) restaurant in Bucharest, managed by Vasile Gheorghe. On an unforeseen control undertaken in the autumn of 1989, 3,363 kg of meat and 347 kg of meat preparations were found in the restaurant storehouse. That piece of information was published on 17 October 1989 in „The Sparkle” newspaper, with the aim of discouraging the food products profiteering.

²⁴ CNHA, *fund of the C of the RCP- The Office*, file 67/1989 f. 207.

²⁵ For the amounts of wheat, rye and barley planned to be obtained in 1989 and harvested by 1 August 1989, in each county, see *Ibidem*, file 95/1989, f. 33-38.

ORIGINAL PAPER

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Political Implications of Preserving Traditional Rural Industries in Eastern Europe: Evidence from the Romanian Wine Sector

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Abstract: *Coincident with the effects of globalization, in recent decades, the role of agriculture in much of the advanced world as a pillar of economic and social life is redefined. Romania, a former communist country, illustrates the struggles of European rural regions due to the lack of economic and trade opportunities. The challenges that Romanian rural areas are facing are supplied by the complexity of the backwardness as compared to urban areas, these too ruined by the political and governmental actions which led to the construction of post-revolutionary democracy that depleted the industry landscape competitive in an era already bygone, which limits the potential and resources necessary for the rising of new industries. In this analysis we try to focus on the changes taking place in the Romanian rural areas, in terms of vine-growing and wine-making business operators. The Romanian rural area is a space that, in the context of the transition from centralized economy to market economy, has accumulated multiple dysfunctions, whose resolution requires the identification of viable solutions, matching local potential and at the same time preserving traditional specificity. Taking into consideration the cultural, historical, natural and economic values of the Romanian village, it can be capitalized as a highly original tourism product - enotourism. On small wine businesses in rural areas it was less discussed at academic level, with a tendency towards issues as generational renewal or decline of the industry in which they operate. On the other hand, in this paper we analyze the hypothesis according to which businesses of small producers in the traditional wine industry face severe challenges related to their viability and continuity.*

Key words: *wine family business, enotourism, rural communities, rural area, traditions, development regions.*

1. Introduction

Globalization, an inevitable development process (Frank and Hershner, 2003), having as objective to integrate the world economies and build bridges over large territories for the sake of prosperity, has shaken the foundations of many industries and nations in the irreversible process of change. Europe, in its rich heritage and diversity (Lowenthal, 2000) is changing forever - changes that include transforming the rural landscape in many geographic regions. It is worthy of note the impact that urbanization has on rural areas of Western Europe, manifested as severe changes in traditional countryside, as a crisis of the traditional functions such as agriculture, declined as a

consequence of globalization and the associated business processes: the landscape does not suffer less from degradation in terms of fragmentation, standardization and progress of pests (Buijs, Pedrola, and Luginbuhl, 2006).

Romania, a former communist country, illustrates the struggles of European rural regions due to the lack of economic and trade opportunities. Depopulation and alarmingly low birth rate, coupled with an aging population and the implicit decline of generational renewal, i.e. the insufficient number of new entrants to compensate for the gap that those retired from farming, are issues that present serious challenges for many rural regions of the country (Pinilla, Ayuda, and Saez, 2008). The demographic and economic decline of agriculture can also be exacerbated by land ownership inventory. After almost half of century, land ownership reconstitution can be depicted as a slow motion, syncopal episode, most often grounding on unfair and incorrect premises.

The decline of the agricultural sector may result in the sale of rustic or arable land, leaving room for speculators to take advantage of the unfavorable economic climate, buying devalued land and fragmentizing it in order to raise domestic constructions. Thinking ahead, this process leads to the extinction of culture and traditions in rural areas. The reality of rural abandonment in the Romanian mountain areas occurs when the land "ceases to generate an income flow for businesses or households and the opportunities for resource adjustment through changes in farming practices and farm structure are exhausted" (MacDonald et al., 2000).

In this analysis we try to focus on the changes taking place in the Romanian rural areas, in terms of vine-growing and wine-making business operators. The challenges that Romanian rural areas are facing are supplied by the complexity of the backwardness as compared to urban areas, these too ruined by the political and governmental actions which led to the construction of post-revolutionary democracy that depleted the industry landscape competitive in an era already bygone, which limits the potential and resources necessary for the rising of new industries. On small wine businesses in rural and semirural areas it was less discussed at academic level, with a tendency towards issues as generational renewal or decline of the industry in which they operate. On the other hand, in this paper we analyze the hypothesis according to which businesses of small producers in the traditional wine industry face severe challenges related to their viability and continuity. In order to know the background and to approach the hypothesis, we will discuss the following questions:

- (1) What are the main reasons for operators to get involved in the wine industry?
- (2) What are the main challenges they are facing?
- (3) If the winegrowing farms are located in a popular tourist destination, to what extent are they related to tourism?

2. Problem Formulation

2.1. Culture and Tradition under the Sign of Change

Although Europe's economy has become, in the last 20 years, disintegrated and global, in a faster pace than expected one can also notice the negative parts of the individualization of nations: large scale denationalization and de-institutionalization of culture. Mazzarella (2004) explains that "world after globalization is one in which culture is everywhere", while Shields (1999) notes that "rather than mutually exclusive categories, culture and economy in general, represent sets of overlapping and interdependent actions". Coincident with the effects of globalization, in recent decades, the role of agriculture in much of the advanced world as a pillar of economic and social life is redefined (Marsden, 1995). One of the implications resulting is that the preservation of local cultures, and the potential impact of losing them, is alarming to government and non-government agencies.

Despite the continuing effects of globalization, some regions have found ways to counter them. Several countries in southern Europe, for example, opposed what they perceive as an excessive influence or impact of globalization, which has its roots in the processes of standardization and mechanization of food production. These developments were seen as a threat to agricultural and culinary traditions (Mulholland, 2000; Miele, 2001, as cited in Parrot, Wilson, and Murdoch, 2002).

Rural communities fighting against globalization in order to preserve their ancient identity and unspoiled traditions, appear as opposed to rural communities united in the goal of innovation in order to increase economic prosperity, designed as a final showdown of local traditional products for the world "beyond". Wine production in Romanian regions has ancient roots, the notoriety of such territories, obtained through the wine quality steadfastness, promotion and marketing as part of concerted efforts to propel this valuable resource of the domestic economy, is currently a mix of tradition and innovation.

A more comprehensive and radical demonstration of the progress that small communities have faced is the evolution of forms of tourism in rural destinations by exploiting the local specific and traditional products, in some cases resulting in the creation of the major tourist resorts, reflecting especially in the developed countries, where over two thirds of the occupied population is hired in services sector, a transition from pure agricultural activities towards services (Georgescu, 2012). The tourism sector must therefore be alert, following every step of their development, adapting and reacting in order to optimize its resources and add more value to its organizations and to the experience of 21st-century travellers (Nistorescu and Constantinescu, 2011). Kneafsey (2000), explains the implementation of tourism related activities as alternative development strategies in some rural areas of Europe.

However, at the opposite end of the spectrum, the reality also confirms European rural regions where, despite a steady decline, farmers were not receptive to such changes, showing resistance by adopting pluriactivity, which resulted in poor performance levels in the activities implemented (Maestro, Gallego, and Requejo, 2007).

The creation of accommodation units inside the wine holdings (enoturism) is a phenomenon that has been gaining ground (Albadalejo-Up, Díaz-Delfa, 2009) in Romania too, suggesting both the involvement of farmers in using these opportunities as a source of additional income, and tourists' interest and demand for this concept of tourism. The concept of ecocultural tourism has also been suggested as a tool that could help support marginalized cultural regions and landscapes (Wallace, Russell, 2004). Combining cultural aspects with tourism is also seen as a valid strategy. Herrero, Sanz, Devesa, Bedat and del Barrio (2006) emphasize the importance of cultural economy, as well as the cultural events impacting social, cultural and economic life.

Merciu et al. (2011) also consider that the Romanian rural area is a space that, in the context of the transition from centralized economy to market economy, has accumulated multiple dysfunctions, whose resolution requires the identification of viable solutions, matching local potential and at the same time preserving traditional specificity. Taking into consideration the cultural, historical, natural and economic values of the Romanian village, it has proved to be and can be capitalized as a highly original tourism product.

Thus, while some studies claim that tourism development could lead to negative effects in the form of social change and social exclusion in some rural societies, there is evidence that tourism could act as an economic force in many European regions, considering the influence between the evolution of tourism product and services market and the evolution of other sectors of activity and the national economy (Georgescu, 2011).

Hereinafter, it is important to discuss the *impacts of rural tourism*, seen as both rewards and risks of rural tourism in an effort to paint a picture of the potential issues that may be experienced by Romanian rural areas experiencing an influx of tourists. Due to the unique nature of wine tourism, both in terms of product and visitor, there are some *benefits* are particular to this type of tourism. We present these below (Table 1).

Table 1: Benefits of wine tourism

Benefits	Explanation
Job Creation	Tourism usually manages to bring a large amount of job creation because new facilities and amenities are built to attract visitors to the area.
Redevelopment	Economic development usually brings redevelopment with it, especially true in historically rich areas. Old buildings are rehabilitated to accommodate new uses, vacant lots are cleared of weeds and new structures are built.
New Development	Small rural villages often have limited options in terms of retail and living choice, increasing tourism can change both of these things. With an influx of visitors comes new construction such as restaurants, hotels and boutiques. This has the double benefit of creating more options for local residents in terms of spending capital, but also creates even more jobs.
Preservation of open space or agricultural land	Because growing and producing wine is primarily an agricultural pursuit, a large amount of agricultural land is often preserved than might otherwise be the case in rural villages that experience sudden economic growth.
Influx of capital into the economy	Wine tourists are often affluent, so they are likely to spend a larger amount of money than most tourists in an average visit, a large amount of capital flowing this way into the community because most of wineries are locally owned and operated. In addition, tourism increases the tax base for the community which increases local government's ability to develop and enhance the community.
Promotion of products and region at a wide scope	Because wine tourists are a unique breed, they will often travel great distances to taste and experience the wines of a certain region, so the toured region might achieve great notoriety without much promotion costs. Additionally, because wine can be mass distributed to grocery and wine outlets, a person tasting the wine could consider visiting the rural area found on the label.

Source: Adaptation after Roberts and Hall, 2001

Tourism research also points to several possible *drawbacks* or issues that may be experienced by host communities. Table 2 presents these issues and the causes of their occurrence:

Risks	Explanation
Traffic	Many rural villages, especially in isolated areas, are ill equipped for a sudden influx of population, causing an increase in traffic. Just like traffic congestion in urban areas, congestion in rural areas is frustrating, especially because it interrupts the isolated character of the place.
Loss of Cultural or Rural Identity	When an isolated rural area experiences an influx of new people, it is possible for the existing people to experience a shift in culture and values. "Wine tourism leads to a shift from a mind-set associated with agricultural production to one in which rural residents view themselves and their countryside as being «consumed» by visitors within a service economy".
Social Exclusion	Beyond a shift in culture, visitors to rural areas can have other adverse effects. In areas experiencing wine tourism it is often the case that the new visitors are more affluent than the existing populations. The lifestyles of the tourists can be different than the one enjoyed by

	the current residents of a rural area which can lead to a feeling of "social exclusion".
Increase in Real Estate Costs	Because wine tourists are more affluent than general tourists, they generally have the financial force to purchase properties in the visited areas. This increased interest in the existing real estate drives up the value of land in the host community and can increase property taxes and make homes unaffordable for people who have lived there for generations. In addition, this would turn construction very expensive, rendering difficult homeownership and tourism estate development. Young people who grew up in the area may find it difficult to purchase property and choose to move elsewhere, resulting in an outflow of the original population and further affecting the shift in cultural values.
Loss of agricultural lands	There are two ways the increase in tourism can decrease agricultural lands. (1a) loss of land as a result of development to service the tourism industry (housing new grocery stores and restaurants). (1b) many visitors to places may later decide to move there, so as rural towns are often surrounded by agricultural land, the only place for new development to accommodate new residents is onto those lands. (2) as tourism is related to recreation, the agricultural lands will be developed as trails or green-ways, in the case of wine tourism it may be lost to the development of vineyards or tasting rooms; it can be argued that vineyards are still agricultural lands and thus do not count as a loss of agricultural lands, but this overlooks the loss of crop diversification.
Influx of large wineries	As wine tourism becomes an even larger part of the landscape, it is possible that bigger wineries will opt to do business in rural villages, creating a dichotomy between the small independent wine producers and the larger corporate wineries. With the increase in number of large wineries, the character of the village will once again shift, as these larger wineries may gain more influence in local politics, but may not have to experience the outcomes of their decisions as keenly as the smaller artisan wineries.

Source: Adaptation after Roberts and Hall, 2001

Successful economic development in Romanian rural areas should follow some best practices encountered in other rural communities experiencing rapid tourism growth, and at the same time striving to maintain the productivity of existing agriculture important in an area:

- Safeguardation of rural character by maintaining clear boundaries between urban and rural
- Preservation of historic assets
- Creation value and lasting beauty
- Enhancement of the economic vitality of small towns through a series of reinvestment in the core town
- Anticipation and strengthening of domestic needs of all community residents
- Preservation and presentation of the natural assets of communities
- Maintenance of the economic productivity of agricultural lands and forests of a region
- Maintenance of the health of natural systems that sustain life in the region
- Expansion of local and regional transportation options to reduce traffic congestion

The *conditions to maximize the benefits* of economic development through enological tourism include:

- Maximizing the length of stay;
- Ownership of cellars and other businesses remains local;
- Most products, including wine and food, are produced locally and include local ingredients;
- Employees in the wine industry are mostly locals.

These aspects remain important for our country to consider as it continues to encourage wine tourism to develop in its rural areas. Political strategies should maintain a strong emphasis on 'local' throughout recommendations, which is important for several reasons. Firstly, keeping ownership of wineries and other businesses local allows a larger amount of capital to remain in the community; secondly, limiting the outflow of capital helps to build the economic base within the community more quickly than the case when capital is being redistributed to large national or international interests.

2.2. Romania's Rural Regions

Most studies from the Accession Agreement to the EU and from the National Program for Agricultural and Rural Development (NPARD) underlie Romania's needs for a multifunctional, competitive agriculture, at the same time complementary to the agriculture of the other EU Member States, and simultaneously our country's decision making in respect of the support given to different competing farming systems, such as food production vs. biofuel production, conventional agriculture vs. biotechnological agriculture, conventional farming vs. organic farming, modern agriculture vs. traditional agriculture, family farm agriculture vs. large farm agriculture, semi-subsistence agriculture versus commercial agriculture.

Sustainable rural development, considered the newest and most impacting philosophy on development in rural areas, implies the balanced intermingling of the rural economy's agricultural and non-agricultural components, standing on principles such as economy – ecology equilibrium, medium and long term sustainable development programs, preservation of rural natural environment, preservation of a natural-like anthropized environment, the use of domestic renewable resources, diversification of the agricultural economy structure through pluriactivity, by supporting the development of agri-food economy, non-agricultural economy and services (Oțiman, 2008).

The European Charter describes the rural area in Europe as a precious landscape, having a long historical background, and a perspective under the society's concern. The relationship between the rural area and society is conditioned by the safe-keeping of an attractive and original living space that could guarantee under these conditions the supply, recreation and equilibrium functions, through a well-adjusted infrastructure, a healthy agricultural and forestry sector, non-agricultural economic activities whipped up by favorable local conditions, and an unspoiled environment with a green landscape.

By analyzing the present agricultural structures and their underperformances, the rural economy with predominantly primary character and the rural population's resource consumption, any rude observer can reckon the high poverty rate of the Romanian countryside, determining a shift towards the natural, subsistence economy and getting isolated from the market economy.

Agritourism, alternative form of tourism strongly developed in the last decade in many European regions, is able to capitalize on existing accommodation surplus existing in peasant households by involving tourists in farm life and supplying them with services and activities (meals, accommodation, interaction with the socio-natural environment) specific to a rural household, without disturb its specificity. Rural tourism embraces all tourist activities carried out in rural areas, aiming at making the most of the natural and human potential of villages (Nistoreanu, Ghereș, 2010), by involving farm families usually, whose customs and traditions are preserved.

"Vinitourism" seems to be incomplete without the "eno" component. And the latter is limited without the "viti" part. From the point of view of those who work in the wine industry, the benefit that the public gets to know the wineries, to see the plantations, to hear the words of winemakers, is undeniable. (<http://catalinpadurar.ro/2011/12/turism-oenoturism-turism-viticol/>)

Distrust, false myths disappear and are replaced with understanding, empathy towards effort, emotion associated with great life stories. Thus, we believe that we will increase responsible and endorsed consumption of wine, as a sign of a maturing market within a country, once important component of the viticulture world, a position to regain by this beautiful way.

We find it imperatively necessary to redefine the meaning of horticulture product. A proper understanding of the phenomenon brings under one umbrella grape, wine, enotourism, pharmacosmetic essences, but also wellness resorts dedicated to "wine" or traditional caterers. The immediate result would be the improvement of many economic and social parameters, the reactivation of deprived areas, and turning hitherto unseen veins of the cultural layer, contributing to the preservation of the architectural and cultural heritage.

Fixing the domestic capital or attracting the foreign one, the total capitalization of products, by-products, derivatives and even waste, the "on spot" export, the import-export balance equilibration, the absorption of an important category of educated young people, the creation of new jobs in interrelated industries, new possibilities for recovery of emigration or, equally important, setting in the home area for young people, in one meaning - the former bohemia, the effervescence of creative writing - can be considered "restorations" in the new world of wine.

The development of a rural area can and should mean ecological conducting, material contribution towards the construction of waste-to-energy powered microplants, water purification plants, and at human level - cohesion and identity of the local community.

The presentation of wine routes, lodging, entertainment, sports opportunities, and cultural and historical objectives becomes advocate for wine tourism.

3. Problem Solution

3.1. The Implications of Generational Renewal

To the decline of rural areas a pervasive problem was added, that of generational renewal decrease. Ruiz (2006, 2007) argues that market liberalization has caused a strong foreign competition, whose consequences were the increase in rural areas abandonment, the emergence of so-called rustic soil, and the discouragement of young people from following their parents' occupation and engaging in agriculture, and once with these, the loss of traditional industries. This analysis addresses these dimensions by exploring the context of small family businesses in the wine industry.

The review of the literature on family business stresses the fact that succession and economic viability are the biggest challenges that small wine producers in the Romanian area are facing. The founders of many wineries have indicated a high probability that their business operations cease once they reach retirement age, thus confirming the hypothesis that the viability and continuity of small businesses in traditional industries in rural areas is threatened. The disappearance of traditional entertainment, the preference of not being self employed, business sustainability implications, impediments to succession and generational transfer, make it difficult even for people with personal motivation by family tradition to take the decision of becoming successors in family businesses.

As for the Romanian wine farms, the lack of young people entering the industry is the result of aging of farmers, but also of the high financial investment which involves the establishment and development of a winegrowing domain. Grape growers (associates or partners) are getting old, while the younger generation is running from agriculture. In some cases, the generational problem is not triggered only by costs, but also by the operators' young age. A solution for attracting revenues to finance the winegrowing holdings' activity is to include them in tourist itineraries marketed by tour operators.

3.2. *Wealth in Perspective: Passion, Tradition and Performance*

The motivations and reasons for entering the wine industry have always been maintaining tradition, the existence of a passion for wine making technology, following a hobby, and the primary source of income it represents. This industry flourished in the seventeenth and eighteenth centuries, currently maintaining the significance of keeping a national tradition. Generally speaking, an important tool for the preservation of this and any other industry are government subsidies. Agriculture is neglected in discussions on strategy and the future of the European Union, the danger of food security and many farmers and rural areas extinction being obvious (www.ziare.com). In recent years, the financial assistance offered by the European Union and local government agencies aimed at encouraging young people to engage in agriculture, reducing rural abandonment and preventing the loss of traditional industries.

Tradition and commercial benefits are the main motivations of operators activating in the wine industry. Generally, these family wine farms are inherited, on generational line, the last generation being that put in a position to decide to sell or urbanize the land which they inherited, or remain rooted in family tradition and exploit the vineyard as sole proprietor or together with a couple partner or with children.

Many winegrowers describe innovation and modernization as important steps to progress beyond the purely artisan winemaking process towards a more professional wine production, while firmly remaining a family exploitation. However, despite the obvious strengths that suggest the positive progress and the potential of grapes growing in the famous Romanian areas, there are several clues that the industry is also faced with threats such as saturation of Romanian wine market with imported wines, the pressures on the development of the wine industry and difficulties related to the generational transfer, a complicated process primarily because the old winegrowing farmers' descendants have other careers or are not prepared to spend money in an investment that would eventually not bring profits, which determines them to closely monitor the legislative changes in order to sell their land to developers.

Observations from the winemakers suggest that the number of persons employed in agricultural activities declined dramatically in recent years, which hampers the smooth conduct of certain vine-growing processes due to the lack of human labor, knowing that small, traditional producers are not followers of mechanization. It is important to story the dramatic changes that have taken place in terms of land availability, indicating the existence of a plethora of vineyards in some parts of Europe, making it virtually impossible to purchase land in some regions as a result of fierce competition, while producers today would give their product for free but not to abandon the land. Today, from the point of view of policy makers, winegrowers are endangered animals.... Therefore, the current situation is critical, despite the extraordinary efforts of wine local operators and other stakeholders, including regulatory measures of local councils, made to boost the wine industry, many winemakers are very apprehensive about what the future reserves them.

3.3. *Creating Industry Viability through Traditional Product – A Wine to Remember*

The winery, retail stores, wine fairs, hospitality chains and the retail free service are distribution channels for the wine industry products. But not incidentally, engaging in tourism to show visitors how old ways of working are kept and how an ancient industry is transmitted is a major source of attracting visitors and promoting winery direct sales, bringing on the one hand profits from accommodation, on the other hand encouraging wine selling by allowing lower prices. For any passionate of wine and travelling, wine tasting at the winery has a special flavor - that of the story of

the place and people, wine whispering its secrets among nicely appointed barrels and smell of fermenting, inviting us to explore its lands (Nistorescu, Pavel and Constantinescu, 2012).

Thus, the cost factors both from production and the finished product, global competition and the lack of understanding and appreciation for authentic local products, all hamper the efforts to make traditional industries financially viable. The family business status, without a need for external labor force, appears to be an important factor in the financial viability of these small traditional businesses in the wine industry.

In some cases, the abandonment of rural areas may benefit the family businesses. At European level, only 7% of farmers are younger than 35, so the intervention of Romanian Euro-parliamentarians manifested in the application for the provision of specific measures to encourage young farmers. The document calls on the European Commission to also support, through special programs and EU funds, the traditional agriculture, family estates, small farms and green agriculture.

Although Romania is the sixth-largest wine producer in the European Union, making 4 million hectoliters a year, its viticultural heritage was trampled during more than four decades of communist dictatorship. The communists collectivized landholdings and focused on the quantity produced regardless of the quality, consequently the image of Romanian wines deteriorated. At almost 24 years after communism fall in Romania, the country's wine producers are proclaiming their revitalized industry as the next big thing in Europe, hoping to re-establish the ancient tradition of making the type of high-quality wines that were praised by the poet Ovid (43 B.C.- A.D. 18). Winemakers and grape growers have rediscovered Romania's best sites and embarked on a long-term project to restore the country's reputation, by bringing vineyards back to life, with millions of Euros investments, by planting scores of hectares of vines, by rebuilding modern and welcoming cellars, along with tasting rooms looking out over the hills, and creating jobs. The country has been given a boost by European funding following its accession to the European Union in 2007, stimulating local and foreign investment.

Many advantages are capitalized: Romanian wine regions' location, on the same latitude as the vineyards of Bordeaux and Tuscany, is facilitating the culture of white, red and rose grapes, gaining a reputation for making high-quality cabernet sauvignon, merlot or fetească neagră. Foreign investors in Romanian wine regions, such as Dealu Mare, Sâmburești, Drăgășani, consider Romania and Bulgaria the European Union's Australia and Chile. While some quality wines have started to win over international markets, producers agree that a major national marketing effort is required to overcome negative stereotypes and achieve prices commensurate with the product's quality. The answer could lie in a portfolio of international varieties such as merlot, cabernet sauvignon and pinot noir, together with indigenous grape varieties which contribute to the wines' unique character - such as fetească neagră, with its hints of dried plum, or fetească albă and tămâioasă, giving the country a unique selling point.

4. Discussion and Conclusions

Succession and financial viability, the two concerns raised in this paper, are closely related. Domestic and international product competition of the greatest producers using modern technologies can not be beaten on price. Except family farms, high labor costs make it extremely difficult to keep the business financially viable. Younger generations may not be prepared to manage the risk of entering a family business, mainly characterized by strong competition intensified by market liberalization. Pressure of globalization, added to the economic, environmental and demographic pressures, negatively affect the social component of many rural communities worldwide.

Depopulation problems and difficulties of generational renewal and succession process are not unique to Romania, but have been reported in the rest of Europe too.

In an effort to improve commercial opportunities for wine producers, the introduction of designations of origin for quality control, coupled with the winegrowers' efforts and the focus on quality, contributes to the development of the wine industry, helps winemakers to gain international reputation, to rehabilitate after a time in the shadow of anonymity due to agricultural pests and other factors of decline. France has several classification systems based on production site; Spain, Greece and Italy have classifications based on a dual system of quality and origin of the grapes. Outside Europe, the wines tend to be classified by grape variety rather than by place of production or region of origin, and there are some informal attempts of classification by quality. In Romania, ONDOV (National Office of Appellations of Origin for Wines), a public institution with legal personality established in 2002 and subordinated to the Ministry of Agriculture and Rural Development, develops the technical standards to produce wines with designation of origin (DOC) and wines with a geographical indication (GI), in consultation with the National Office of Vine and Wine (ONVV) and wine producers' organizations in the area concerned and issues the authorization for producer of grapes to obtain wines with protected designation of origin, and the certificates attesting the right to market wines with a protected designation of origin. The regulation of these aspects related to product has as ultimate purpose the progressive and successful development of the national wine industry that can ensure the future preservation of this traditional sector.

Vineyards have been part of the Romanian rural landscape ever since our ancestors. Geto-Dacians, ancient inhabitants of the land from the Danube, the Black Sea and Carpathians, particularly valued wine, and vine was one of the most prominent of their riches. However, the lack of incentives for younger generations for vine cultivation, the lack of labor force in agriculture - an aspect that hinders all stages from the work in the vineyard until the must is put to ferment in barrels in cellars -, the temptation to sell owned land for other uses, for some ridiculous prices because of the lack of generational continuity at the helm of small family farms, the growing pressure on owners to sell the land they inherited to get cash on the expense of the real estate boom, may seal the fate of this local industry; unique landscapes may be lost forever in this destructive process.

In recent years, the financial assistance offered by the European Union and local government agencies aimed at slowing down the process of urbanization, reducing rural abandonment and preventing the loss of traditional industries. However, lifestyle and demographic changes seem to contribute to the rapid decline of traditional industries. The local authorities' dilemma is whether to support local industries and the conservation of rustic soil, while providing trade opportunities and incentives for entrepreneurs to stay on the land or in cellars, helping to keep alive the traditions. Preserving and encouraging passion and traditions are not enough. It becomes really necessary to differentiate quality local products to cheaper imported products. Opportunity lies not in unnecessary competition by price, but in emphasis on uniqueness, local tradition, and being truly authentic and manufactured. In addition, addressing many forms of tourism, such as enological tourism, can meet changes in tourists' expectations over time. This process involves providing a wider range of attractiveness and accommodation services, including those facilities that meet the high demands of comfort, to satisfy demand.

Construction sector crisis was a rude awakening of local authorities and population about the dangers of short-term, damaging, unsustainable strategies, wanted to promote economic development. The illusion of high salaries obtained easily in nontraditional industries quickly vanishes, appearing in contrast to more modest rewards in commercial terms, assuming a higher volume of work.

In addition, abandonment and loss of generational renewal in rural areas will undoubtedly affect the social structure of rural communities, leading to loss of traditions and local gastronomic culture. In turn, these events can have complex consequences for the local population, such as negative social ramifications, already noticed. Future research should focus on exploring the challenges, opportunities and stages of Romanian traditional industries. A longitudinal perspective is recommended to identify and monitor potential changes and facilitate government and non-government agencies to support development and assist preservation of local traditions and lifestyles.

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6. References

- Albadalejo-Pina, I. P.; Díaz-Delfa, M. T. (2009). Tourist preferences for rural house stays: Evidence from discrete choice modelling in Spain. *Tourism Management*, 1–7 (in press).
- Buijs, A. E.; Pedrolí, B.; Luginbühl, Y. (2006). From hiking through farmland to farming in a leisure landscape: Changing social perceptions of the European landscape. *Landscape Ecology*, 21, 375–389.
- Frankic, A.; Hershner, C. (2003). Sustainable aquaculture: Developing the promise of aquaculture. *Aquaculture International*, 11, 517–530.
- Georgescu, Silviu Dorin (2011). Model of Analysis of Influencing Factors on the Romanian Postal and Courier Services Market. *Revista de Științe Politice. Revue des Sciences Politiques No. 32*, 104–112.
- Georgescu, Silviu Dorin (2012). The Romanian Market of Postal and Courier Services–Monitorization and Control. *Revista de Științe Politice. Revue des Sciences Politiques No. 35*, 208–213.
- Herrero, L. C.; Sanz, J. A.; Devesa; M., Bedate, A.; del Barrio, M. J. (2006). The economic impact of cultural events. *European Urban and Regional Studies*, 13(1), 41–57.
- Kneafsey, M. (2000). Tourism, place identities and social relations in the European rural periphery. *European Urban and Regional Studies*, 7(1), 35–50.
- Lowenthal, D. (2000). “European identity”: An emerging concept. *Australian Journal of Politics and History*, 46(3), 314–321.
- MacDonald, D.; Crabtree, J. R.; Wiesinger, G.; Dax, T.; Stamou, N.; Fleury, P.; et al. (2000). Agricultural abandonment in mountain areas of Europe: Environmental consequences and policy response. *Journal of Environmental Management*, 59(1):47-69
- Maestro, R. M. H.; Gallego, P. A. M.; Requejo, L. S. (2007). The moderating role of familiarity in rural tourism in Spain. *Tourism Management*, 28, 951–964.
- Marsden, T. (1995). Beyond agriculture? Regulating the new rural spaces. *Journal of Rural Studies*, 11(3), 285–296.
- Mazzarella, W. (2004). Culture, globalization, mediation. *Annual Review of Anthropology*, 33, 345–367.

- Merciu, Cristina; Cercleux, Loreta; Peptenatu, Daniel; Văidianu, Natașa; Drăghici, Cristian; Pintili, Radu (2011). Tourism – An Opportunity For The Economic Invigoration Of Rural Areas In Romania?, *Annals of the University of Bucharest, Geography Section*, pp. 75-90.
- Mulholland, R. (2000). The Roquefort revolutionary. *The Independent on Sunday*, pp. 26–29.
- Nistoreanu, Puiu; Ghereș, Marinela (2010). Turism rural. Tratat, C.H. Beck, ISBN: 978-973-115-780-1
- Nistorescu, Tudor; Constantinescu, Adina (2011). The Internet as a factor of competitive advantage in the tourism industry; Study Case: Correlations in the evolution of E-tourism in Romania. *Proceedings of the WSEWAS/IAASAT 1st International Conference on Tourism and Economic Development (TED'11), Drobeta Turnu Severin, România, ISBN: 978-1-61804-043-5, WSEAS Press, October 27-29, 2011*, pp. 315-320.
- Nistorescu, Tudor; Pavel, Silvia-Mihaela; Constantinescu, Adina (2012). Viable Part of Winemakers' Strategy: Study on the Content of Romanian Websites. *Revista Economică, Journal of economic-financial theory and practice, ISSN: 1582-6260, Sibiu, Romania, Supplement No. 3/2012 - Marketing, Commerce and Tourism and a New Paradigm of Change*, pp. 279-287.
- Oțiman, Păun Ioan (2008). Sustainable Development Strategy of Agriculture and Rural Areas in Romania on Medium and Long Term - Rural Romania XXI. *Agricultural Economics and Rural Development, Year V, no.1-2, 2008*
- Parrott, N.; Wilson, N.; Murdoch, J. (2002). Spatializing quality: Regional protection and the alternative geography of food. *European Urban and Regional Studies*, 9(3), 241–261.
- Pinilla, V.; Ayuda, M-I.; Sáez, L-A. (2008). Rural depopulation and the migration turnaround in Mediterranean Western Europe: A case study of Aragon. *Journal of Rural and Community Development*, 3(1), 1–22.
- Roberts, L.; Hall, D. (2001). *Rural Tourism and Recreation: Principles to Practice*. New York: CAB Publishing.
- Ruiz, M. Á. (2006). El campo canario no da con la formula para atraer a los jóvenes. Retrieved November 1, 2007, from <http://www.eldia.es/2006-11-11/dinero/dinero0pm.htm>
- Ruiz, M. Á. (2007). El abandono de tierras dedicadas a plantar papas en Canarias es “alarmante.” Retrieved March 15, 2013, from <http://www.eldia.es/2007-02-05/dinero/dinero2pm.htm>
- Shields, R. (1999). Culture and the economy of cities. *European Urban and Regional Studies*, 6(4), 303–311.
- Wallace, G.; Russell, A. (2004). Eco-cultural tourism as a means for the sustainable development of culturally marginal and environmentally sensitive regions. *Tourist Studies*, 4(3), 235–254.
<http://www.ziare.com/daciana-sarbu/stiri-daciana-sarbu/raportul-daciane-sarbu-privind-agricultura-traditionala-adoptat-de-pe-1069513>
<http://catalinpadurar.ro/2011/12/turism-oenoturism-turism-viticol/>
<http://www.wine-searcher.com/m/2012/10/romanian-wine-revolution>

ORIGINAL PAPER

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Maternity Representations in the Romanian Normative Area. Communist Reminiscences and Postmodernity

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Abstract: *There are two premises in this research. The first one belongs to the constructivist sociology, according to which the human reality is an ample construction determined by complex socio-cultural mechanisms. The second premise may be put in the following words: maternity, beyond the fact that is an individual matter, has a certain and categorical social dimension. This paper has two major objectives. Firstly, it explores the reasoning of constructing maternity as a social reality in the Romanian normative area, taking into account the law project for psychological counseling before abortion and the law of the assisted human reproduction. Secondly, it reveals the oscillation of this area between a weak postmodern side (feminine individualism) and a side of the communist reminiscence (the guilt of abortion, the privilege of the state over the individual or the family).*

Key words: *maternity, normative area, communism, postmodernism, abortion, assisted human reproduction.*

1 Introduction. Cultural-Semiotic Reading Proposal of Reality Representation through Law

The legal area of a country is a propitious environment to study the present socio-cultural representations of some important aspects of social life. More precisely, this is an environment in which we may observe some tendencies of configuring the social reality, fact that is decided explicitly and also implicitly by a country regarding what is desirable about one matter or another, about ideals concerning these matters, as well as the strategies of controlling what could hinder the performance of this legal standard. The first decision is contained in the mere principle of stating the law and it refers to the political passing from the private to public area. The mere entrance in the legal sphere of one reality element supposes the assumption that that element must be subject of entering a norm - a norm of comprehension, interpretation and functioning, a norm that has validity (as being mandatory to respect and as stipulated rights) in the entire country. Actually, the law/norm contains two significant operations of transforming the reality. Reality standardization – meaning being part of a formula that may explain all occurrences in which the law project may be, a formula that states the trust in repetitive social phenomena – and, of course, based on the first operation, reality

normalization – meaning the institution of a reality model and, reciprocal, valorization of this model as being *reality* and more the *normality* (defined by the differentiation from pathologic, morbid, and other vectors of deviation)¹. The hidden claim of any law consists in the fact that it may detect reality, represent it and, last but not least, bring it into the possibility of realizing the maximum (ideal of a *well* organized reality). On the other hand, reality institution is motivated by the fragility, the impulse of de-structuring a portion of reality that is desirable to be part of a law. That is precisely why the law states the sanctions for the cases where it is broken or, rephrasing, the body of the law is known to being limited in the first place.

In its own way, the legal area functions as a matrix of representation – the process of generating some image-representations, product-representations². This is a trigger for representations situated on other levels of reality – personal, artistic, social level etc. Moving forward to our interest in this research, legal representation of maternity influences other maternity representations: social, personal, collective, artistic, favoring some propensities to traditional maternity representations or representations that would be rather part of (post)modernity and, reversely, disfavoring others. The relative extensive circulation of these normative maternity representations should determine a high research interest, as it is supposed that they are to be instilled in many ways in the conception of a people on maternity at a certain point and they are to act, generally speaking, even weakly as an instrument of evaluation of other non-legal representations. On the other hand, it is necessary to state that the report of forces and influence is never directed only from the upper to lower level, from political to personal, but also in the reversed order. The first type of report – from upper to lower level is the one that may be studied during the time of production (the researcher may detect the mechanisms through which the report is activated), while the other type is less detectable on the present axis and it is rather related to cultural archaeology.

We are to analyze two elements that are related to the Romanian normative area of maternity during the last several years, elements that raised some controversies: assisted human reproduction and psychological counseling in case of abortion. We are not concerned with the legal environment from a pure political perspective but we are to approach this matter from a sociological point of view, which finds in political formulas a great occasion to meditate on the social articulations of ideas and socio-cultural practices of maternity. Thus, we may say that we approach the text of the law as if it were any other socio-cultural product (press articles, TV shows), without pretending to bring into discussion the real situation of abortions or of assisted human reproduction. Therefore, we are not concerned too much with the area of social politics. The law, in its two forms, is to be analyzed in a non-exhaustive manner, as a means of coding maternity reality, as a form of emphasizing some ideals and some socio-cultural fears concerning this matter, and also of the possible conceptual implications on maternity.

We are going to investigate elements of the laws that concern maternity, such as the explicit text (the used type of the text, beyond the restraints of the legislative rigors, formulas, privileged collocation, referring to maternity and which may betray the adherence to some principles regarding the due relationship with maternity), submerged social narratives – conceptions on reality of maternity that are not actually present in the text but which constitute a background on which laws are grafted and which are considered to be shared by all citizens of the country³, being instilled with judgments of value (good/bad) – but also by the dynamics of the actors appointed by the law as being responsible for its deployment (responsible, intermediate organisms etc.). The relationship between the explicit discourse of the law and the submerged social narratives is going to be useful for examining law objectives and the manner of management (textually and as a proposed solution) the

tension series between visibility and non-visibility, between objective-strategic assumption and context of assumption, between the intended result of law adoption and the possible impact (anticipative construction whom the interaction between the two types of discourse, explicit and implicit, transforms into reading strategy of the law).

We are to discover that both forms of rate-setting maternity present structural incoherence from an insufficient cultural elaboration of this social and personal-human dimension. We also observe that, although being almost simultaneous and spatial-economical, the two forms develop impossibilities of functioning together, contradicting each other as prime discourse, and, moreover, as submerged discourse even in their starting and legitimating points. This fact takes place, because beyond each of the two legislative occurrences there are two different cultural paradigms.

2. Psychological Counseling during the Pregnancy Crisis

The first law that requires our analysis – a legislative proposal from spring 2012 to establish and organize functioning counseling units/cabinets in what was called “pregnancy crisis” – is nowadays a failed law. More precisely, it was rejected by the Romanian Senate in September 17, 2012, and in March 2013 it was also rejected by the Chamber of Deputies⁴.

In a nutshell, the content of the law was referring to the women obligation to receive psychological counseling in a medical environment with certain credentials in case women desired to abort until the term established by the law. Planning at least one session with a woman, the psychologist should have presented the potential mother the medical and psychological risks at which she is exposed in an abortion procedure, presenting her photos or videos of the abortion procedure, and also visualizing the eco with the embryo. The woman would have to wait (or, more exactly, to meditate on the information) five days and if however she would have wanted to give up her pregnancy, the psychologist would have given her the certificate without which the abortion would have not been possible either in private medical system or in the state medical system.

Although the various feminist movements of female emancipation have signaled the political sub-representation in politics and the negative consequences of this fact concerning the accordingly approaching of matters that regard mostly (housework, raising children) or exclusively (pregnancy, birth, menopause etc.) women, here is a case of a law co-initiator woman, law that, paradoxically, puts implicitly the blame on women that would desire to abort and not to give birth to an unwanted child. This is the case of the depute of the Democrat Liberal Party, Sulfina Barbu. The other initiator, being part of the same party, is Marian Dugulescu. They motivated their proposal by the great number of abortions in Romania (over 22 billions between 1958-2008), by the fact that a number of young women uses this procedure in case of their first pregnancy⁵ and by the fact that the abortion decision doesn't reflect woman's desire to give up to their pregnancy but a form of social restrain, pressure to which woman responds in this way, being given the fact that she doesn't have enough time of thinking. The negative consequences of abortion are stated (immediate – intense bleeding, infection; later – sterility, following premature pregnancies, risk of uterine cancer, and psychic consequences – guilt, post-partum syndrome, emotional instability etc.). Some solutions are proposed as alternatives to abortion - placing children in maternal houses administrated by non-governmental organizations and adoption (which is said to be accomplished much easier). The fetus is almost everywhere named child and embryo is considered a person with the same rights (of donation, inheritance etc.) from the moment of conception⁶.

2.1. Maternity Psychologization or between the Question Liberty and Unique Response Requirement

The submerged social narrative is double here. Besides from the fact that a child is always good, under all circumstances – on the individual level the child is not socially corrupted, being pure,

but also on the inter-individual level the relationship of an adult with the child is beneficent for both⁷ - there is a second narrative, specific Occidental, of the benefits of psychology in the everyday life either we talk about serious problems or about managing normal feelings. A theoretician of the social reality Gilles Lipovetsky showed in 2006 that nowadays Occidental society endures a psychologization process⁸, supposing the temptation of signifying reality through a psychological grid, the growth of specialist's authority in the psychological area and especially mass culture contamination with notions and reflexes of psychological interpretation. Indeed, the postmodern man manages to cope with the stressful life with difficulty, being in need of a therapy named *everything's gonna be all right, it will all sort out*, a therapy served as warm bread by the psychologist (person or set of strategies of more or less *calming*, diminishing existential anxiety). It is clear that the person of psychologist acquires power in the contemporary socio-cultural imaginary and, consequently in the relation with a woman who desires abortion – psychologist who rather counsels her to maintain the pregnancy, power being on the side of the latter. We realize this fact especially when analyzing that the report, induced by the state institutions, is between someone *in a crisis*, defined by the mere motivations of this law proposal as being susceptible of being under exterior pressure (thus, a *weak, vulnerable person*) and a representative of state structures – psychologist assigned by the state to bring light in the situation of a woman who doesn't desire to become mother. The law project mentions in vain that the decision would be woman's exclusively, as it is evident that she deals with a priori lack of trust on the behalf of the state. The mere idea of the law project has as a starting point the fact that the woman's first decision to abort is not the best and it is not according to the social desiderates seen as such by the state. Thus the first woman's perception and judgment towards herself, her body, her life and status of mother is considered wrong ("the pregnant woman must be aware of the fact that the unborn has the right to live").

Indeed, if we judge only from the strict perspective of the relationship between what the woman desires and what she decides (relationship that is beyond the sphere of good and bad, respectively of correct/incorrect), it may happen that the decision would be incorrect. Meaning that for the woman to decide to abort not thinking to what she actually wants, not acceding a certain authenticity of personal feelings. But it may also happen that a woman would decide to maintain the pregnancy and this decision would not be according to her desire. If we may speak about the social pressures in order to give up having a child, there are also real pressures, although less accepted and conscious, to have a child. The ideological basis of the law project is revealed.

Another way of undermining and despising woman's will is the content of the process of counseling – watching videos with fetus abortion etc. – a brutal process oriented towards the desirable direction of the state of keeping the pregnancy. This requirement of informing regarding the medical procedure through which the giving up of the fetus is performed is a violation of woman's right (of every man) to know, which also involves what and how much a person desires to know. For instance, in no medical facility the individual is not required to watch images or films with appendicitis surgery, slipped disc, transplant, dental extraction etc. There is a serious confusion between the notion of *information* (the general knowledge of some aspects that are of interest or affect the individual) and the *specialization* (detailed and quasi-professional knowledge). Even when not taking into account this confusion there is still the idea that if the state would have desired through this psychological counseling that women would actually be aware of the consequences of their choice, it would have been necessary that they watch images and movies with abandoned children in orphanages – the viable alternative to abortion, as the initiators of the law project pretend. Respecting an objective and neutral demarche oriented towards the woman become patient, the physical and *psychological risks of the intervention* stated in the law project that should be known should be

correlated at least with the birth risks (maternal mortality remains a difficult matter of contemporaneity⁹) if not with the psychological risks of becoming less happy. These are the risks not merely mentioned¹⁰ but they are well-known to researchers¹¹.

All these happen because the medical and social background of abortion (which - we are going to see - doesn't happen in case of assisted human reproduction where medicalization is raised to the level of primal dimension) are almost completely eluded, persisting only the psychological aspect. The brief referrals to uterine and breast cancer as abortion effects, extremely disputable¹², are inconclusive and peripheral in the argumentative environment of motivating the law proposal. Actually, the psychological counseling, as it is perceived by the state is hypocrite, as it has to act the dialogue woman-counselor (as a negotiation, play of perspective plurality) and not to perform it, considering the woman in a true *inferiority of knowledge* compared to the counselor. Thus, there is an opposition between the specific questions of a dialogue and the plurality of meanings that may appear and the unique and violent answer: the woman must choose to become mother. It is true that there is not a total obligation, but at least a moral one. We understand from the way of proposing the law that the psychological counseling is identified with an accentuated ideological and propagandistic source: any child is better than no child. It is in the sense of a law to generalize, to *standardize*, as we mentioned above, but this shouldn't determine limits of liberty, even if it is the case of liberties gained recently by the female part of the citizens.

2.2. The Sublimed Body. "Yes" to the Child, "No" to the Embryo

Psychologization is not the only characteristic of the law project. Another trait, in close connection with psychologization is the sublimation of the body in soul. First of all, this is the case of the fetus' body. Among all the words used in the text of the law (*the child, the unborn one*), whose idea is the same, as it is said in the counseling bulletin ("fetus is a live human being even from the beginning of its conception") results a true transformation process from body to soul. Fetus and embryo (corporal structures) is considered a baby. The debates on the subject when a fetus starts to become a human person are endless, merely common place, but this fact doesn't serve as an excuse, but accuses the easiness with which rigid significance is granted to this sort of matters by the Romanian law makers. The only method through which women could be convinced to have the children they don't want – a purpose vaguely declared and partly recognized in the text and motivations of the law project – is to consider them a human and spiritual form. The transformation of body into soul is a symbolic process, but which brings into play a manipulation potential. The relationship established between the woman and fetus is not anymore one between the woman and her body, nor between the woman and another body that may become a soul, but this is a relationship between soul and soul. And the woman is not only woman, but mother – woman being named preponderantly mother in the law proposal so that soul requirement is doubled – as self assumption and the other's assumption. Under these circumstances, aborting is equivalent to committing a murder (*abortion means ceasing a life* and considering those 22 billions abortions *human loss*), except for the fact that its sanction is not that harsh.

In the imaginary that supports the discourse of this law the body belongs to a classical conceptual paradigm of Christian inspiration. The antagonism between body and soul exists, placing us in dualism and schism between the two, while the body is subordinated from the valuable perspective to the soul, being the vehicle for the soul, a simple instrument that doesn't affect the quality of who is using it. From this point of view, we are far away from the postmodern paradigm of the strong body that corporates the human being¹³ and that becomes extreme¹⁴, but, at the same time, machinized, functionalized at its best¹⁵. A paradigm that instills in the submerged social narrative is the law of the assisted human reproduction.

2.3. In the Name of the Father or About Another Female Commodification

The desire of manipulation is pretty clear in expressions such as “a reflection time might change the initial decision to abort, reducing the number of abortions and thus giving the chance to a child to come to this world”¹⁶. It is to be seen that the state objective – reducing the number of abortions – is situated in the sentence before the individual chance for life, not a random aspect at all.

We said that the appeal to psychology and counseling is a *mise en scene*, a masquerade. We are to reveal more on this matter. After unveiling the masks we discover the figure of the father-State. He is the true counselor, the force that is in action, for the own benefit, through the postmodern cultural formula of necessity of psychology. And this father-State can't be unstuck from its communist history when (using Goya's imagistic metaphor) is was a reversed Saturnian father, as it devoured its sons, throwing them in the world and forcing them to throw other sons in the world. The well-known decree 77 from 1966 that had imposed a forced maternity, along with the entire propagandistic convoy of communist discourses had made history¹⁷. As it seems, that wasn't enough, as the two initiators of the law of psychological counseling reactivate a paternal perspective of the approach of maternity typical for those times¹⁸. If during communism woman was perceived as a being that had the duty to give birth for the patrie, in the Christian religion maternity was and is considered, as Petrina Brown shows in her book¹⁹, a means of exorcizing evil done to the world by the one that had thrown the world into sin – Eva.

In this exaltation of the idea of self sacrifice for the other, for the baby, the communist ideology meets the Christian tradition, highlighting the lack of equality of chances between the woman and the man. Taking into account the alliance between politics and Church (as institution) it has to be noticed that the initiators of the legislative proposal come from the Orthodox background, except for the politicians (Federation of the Orthodox Organizations Pro-vita from Romania, Centre Noua Speranta, Foundation Arsenie Boca etc.)²⁰. Politicians trust in the expertise of the Orthodox organizations Pro-vita and they extract their arguments to support the necessity of a counseling before the abortion from the cases of the Foundation Pro-vita Medica, Timisoara. The cultural and religious unilaterality of those who signed the law proposal is obvious. They opposed to sign an open letter to Crin Antonescu, president of the National Liberal Party from Romania²¹, naming themselves apolitical and democratic organizations in order to suggest the bias of the others. Among the organizations there is ECPI – Euro regional Centre for Public Initiatives, IPP – Institute for Public Policies, CPE – Centre Partnership for Equality, SECS – Society of Sexual and Contraceptive Education, Foundation Pro Women etc. These plead for respecting the women's rights and emphasize the other attempts of pro-Christian organizations to annul the women's right of therapeutic abortion or to determine the legal interdiction of each form of abortion²².

There is another dimension present in the law proposal that differentiates the political vision as it is revealed by this project, by the Christian traditional vision on maternity without placing them in total contradiction. This dimension, functioning as an intermediate nuance between political and religious and dealing more with the political aspect is *commodification*²³. The women are treated as goods or, moreover, as generators of social goods – children, on the basis of such a social contract more or less explicit. The cultural-economic paradigm responsible of this status of the woman is, of course, the late capitalism and hyper consumerism, but the social phantasm of continuing the national identity through successive generations of human beings is lost in the darkness of times and it is bound to the mechanism of species survival²⁴. Nevertheless, the specific rhetoric of our times is that of saving the state (often acquiring nationalist nuances; for instance, the problem is not that the number of people is diminishing on the entire Earth, but the fact that Romanian birth rate is weaker

than in the case of Gipsy population), and, by extension, of Terra through children and treating the idea of human reproduction in statistical and economic terms²⁵. Commodified or not, the etatist perspective on maternity enters frequently in opposition with the individual perspective or group perspective of the same subject, exactly as it is going on with the problem of death attitude²⁶.

For the Christian religion and especially for the most conservative Orthodox, frightened²⁷ by feminism, regarded a derived from the natural femininity²⁸, left by God, maternity may be a form of commodification while we think of a woman become not a capitalist resource, but, forcing the expression, an essentialist resource. In other words, an instrument, which, well used – meaning learned to accept pregnancy, birth as mandatory elements of personal life – is a clear demonstration of the fact that the social aspect is natural at the end of the day and there is an intrinsic order of things that must be respected. Religiously instrumented maternity helps the Orthodox Church to show that reality isn't socially constructed, but divinely. And, last but not least, maternity commodification is useful to Church so that it may reaffirm its power, even if it is the case of a power functioning in vain, unconsciously or inertial.

In a socio-cultural background as it is the Romanian case, the general perception of the Orthodox Church on woman comes to emphasize the political commodification of women and – important to notice – it diminishes the risk of political commodification of the father, man through reactivating, practically and textually, the traditional structures of the family. It is worth lingering a bit over this aspect and observing the fact that the analyzed law is constructed on a true paradox: the fetus has human rights, it is considered a soul (as we have already mentioned) that doesn't belong to the woman, but that, on the other hand, the woman has responsibilities for this soul from the conception moment, while the man, the partner, has no responsibility at all, not being called to participate at the so-called cell of crisis, he isn't taken into account at all. But, if having children is a duty of the citizen for the state, men have to be more present in law projects.

2.4. Brief Conclusions

It may be said, briefly, that the law project concerning establishment of counseling units destined for women that desire to abort contribute to women representation in an outdated, traditional manner and it risks to deepen the inequality of chances between men and women persistent in the Romanian society, through the interpretative abuse of what may be considered the human being and the quality of life (privileging adoption compared to non-life), through diminishing the feminine authority concerning her life and her status (mother, non-mother), through eluding the masculine responsibility and through the political and religious handling of women who should assume their maternity as a duty towards the state and morals. The mere idea of counseling, of giving time to think could be welcome, but not in the context of this law project that establishes an extremely vicious protocol of the dialogue, which hiddens the desire of persuasion in order to keep the child and which has as a side effect de-ontologizing, at the same representation level, the idea of having children, of giving birth to children.

Although this is not the objective of our research, we can't ignore the fact that such a law project may cause more problems than solutions. We may admit, beyond the critics for the pro-giving birth etatist politics of which we have discussed above, that the Romanian state needs politics of enhancing birth rate. But, as Victoria Stoiciu observes in the quoted article, it is tricky how the state would handle the Romanian citizens wanted at all costs, while it doesn't cope well with taking care of the existent citizens (it is significant to analyze the number of emigrants) and it has serious problems in ensuring the necessary infrastructure of growing the number of its citizens (the publicized problem

of the diminishing number of kinder gardens and schools, reducing the period of the maternal leave and of the allocated quantum).

3. The Medically Assisted Human Reproduction

In Romania the normative background of medically assisted human reproduction is characterized by indetermination and by multiple searching, in 2003 being in course of clarification. The first legislative proposal, entitled *Law project regarding the health of reproduction and medically assisted human reproduction* dates back from 2004 and its author is the senator of the Social Democrat Party, Ovidiu Barzoi, which after a long series of examination and re-examination, ways from Senate to the Chamber of Deputies, with waiting periods while being analyzed by evaluating commissions after some intimations at the Constitutional Court, is rejected two years later, in February 9, 2006. In 2009 the second legislative proposal, initiated this time by more senators of the Liberal Democrat Party, is adopted by the Senate, but rejected by the Chamber of Deputies in October 19 2010. In 2011, depute PDL, Sandru Mihaela-loana, proposes a new law on the same subject of medically assisted reproduction. On the 2nd of May 2011 the law is sent to require a point of view of the Government that expresses its reserve towards it (lack of constitutionalization of some articles, the complex of bio-ethical elements, health and educational elements that should be subject of some more ample debates). The initiator withdraws the law project on April 11 2011.

Another law project regarding medically assisted human reproduction with a third donator is registered at the Senate on October 11 2011, Romanian Government being the initiator (approved by the Government) and being debated at the Chamber of Deputies after being adopted by the Senate in 13 March 2012. It is interesting to mention that even in such an unstable legal environment in Romania had taken place programs of fertilization in vitro as in 2011 *The national program of fertilization in vitro and embryo transfer*²⁹, realized in order to enhance the reproductive health of which could and continue benefiting infertile couples, married for at least 2 years, without donating oocytes or sperm and with no surrogate mother. The act afferent functioning of the National Program was emitted by the Ministry of Health and published in the Official Monitor on May 31 2011, and for this to be possible the Association SOS Infertility had been fighting³⁰. Coordination on the national level of the sub-program FIV/ET was ensured by the Institute for Mother and Child Protection "Prof. Dr. Alfred Rusescu". For the accepted couples in the program, the Health Ministry supports part of the necessary costs of a single procedure of medically assisted human reproduction. Another rather interesting aspect is that Mihaela-loana Sandru, who had initiated the law project in 2011 was supported in research work by the Association SOS Infertility that had also the initiative of the sub-program FIV/ET.

Among the principles of the 2011 project and of the national program FIV/ET is that of guaranteeing the human individual and family dignity and it is about *respecting the superior interest of the child*. Other rights considered to be guaranteed are the information concerning the medical procedures, protection against eugenics, cloning etc. It is to be noticed here that this law is described as being a protective instrument of women rights, exactly as the law examined above. Among the initiators' motivations we find, as in the case of the already analyzed law, the diminishing of birth rate in Romania in the last decades and stating that infertility is an illness that tends to affect more and more the population of the country (1 out of 5 couples are infertile, and there is an yearly growth of 20% in the last five years of couples declared infertile that appeal to techniques of medically assisted human reproduction). In a nutshell, medically assisted human reproduction has two main components: artificial insemination (the embryo is introduced in woman's body through inserting sperm from the partner or donator) and in vitro fertilization (the embryo is produced exogenous

woman's body and then introduced in her uterus). Both procedures are preceded by a stage of ovarian stimulation (for producing more ovule), and the second is based on a process of embryo selection so that the embryos that are not introduced in the uterus are cryogenized for another usage or destroyed. Egg cells may belong to the mother or, according to the law from October 2011 and the national programs that are already developed, from a donator (voluntary with no remuneration). There is a real glossary of terms (surrogate, post-mortem reproduction, bearing mother, pre-embryo etc.) in case on the 2011 law and in case of the methodological norms of the mentioned program. Unlike the first case when a single term was used in order to designate different realities (embryo, fetus, child), here the maternity and conception realities seem to be fragmented and to each fragment correspond one or more terms.

3.1. Medical Nemesis. Towards a Post-Medicalization of Maternity?

If in the case of counseling in the cell of crisis psychologization was hidden (as we have seen incomplete and formal) in this case we deal with the submerged narrative of medicalization. At the same time, a solution for maternity issues is found, as the law puts it, through medicine. The etatist imaginary of the necessity of the young generations as numerous as possible but probably also some cultural anxieties specific to postmodernity of extinction of the human species through inhibiting reproductive capacity are the basis of this submerged narrative of medicalized maternity. Fear of the human extinction is often captured by the movies of the popular culture, as it is often illustrated the saving potential of children³¹. Nevertheless, the global population is in continuous growth. If in 1950 there were approximate 2,5 milliards people, in 1999, according to ONU, the population has overcome 6 milliards inhabitants, and the estimations are that in 2100 there are going to be 11 milliards people³². On the other hand, the benefits of medicine over maternity, undeniable in some sectors and contexts, become questionable when they force a baby to come into the world. Especially, as numerous Christian organizations that contest the law of the medically assisted human reproduction reclaim, in vitro fertilization and other similar techniques don't manage by far to solve the problem of diminishing birth rate in Romania or elsewhere.

Being started in modernity, medicalization is a social process that reaches its maximum development in late capitalism. In the specialized socio-cultural literature medicalization was associated with implementing some practices through which there is an attempt to control individuals³³. Among the most significant works there is Ivan Illitch's work written in 1975³⁴. Without rejecting the accomplishments of medicine, he crashes a number of myths of the medical sciences and he observes grimly the losses of society and individuals in this process of medicalization. The lack of responsibility towards the individual's health, passivity and adoption of the patient status is one of the fieriest critiques. In a recent article, in 1999³⁵, Illitch restates his older concepts, adding new nuances: health supposes a continuous search, being a true mission for the individual of those times and, severely, an obsession, which throws this search in the area of pathology. Besides, health becomes more and more difficult to achieve, as society and medical sciences seem determined to find new and new illnesses, while the engine of this mechanism is the commercial interest.

Among the social processes of medicalization the most frequent ones were medicalization of death³⁶, of agedness³⁷, of birth (as a process of expulsion of the fetus). All three have been harshly criticized and nowadays at least concerning birth there are numerous movements that support a coming back to natural³⁸. Practice, all three medicalizations were known in two stages – one of affirmation and glory, and one as basis and critiques. Someway anachronistic from these three types, reproduction medicalization, with an emphasis on the conception moment, but containing the preparatory stage for conception (preparation, medication etc.) continues to be in the first stage of development. The critiques regarding the assisted human reproduction, apart from the religious ones,

on sociological or cultural premises are few³⁹ and weakly represented in the media, as they are more part of theoretical research. Less are critiques in what concerns the functioning of the assisted human reproduction in the capitalist context, critiques that deal with, possibly, the leeway of medicine towards the financial interests, as, at least in Romania, the majority, if not all the fertilization and in vitro insemination procedures are performed in private medical clinics, being extremely expensive and with a rate of success that doesn't overcome 35%. Cases similar to Sabyc clinic, accused of ovule traffic, were not that loud in the media and left the Romanian public opinion indifferent⁴⁰.

For now, the Occident feels the fascination for what the assisted reproductive medicine manages to achieve: nature subjection, reigning over its caprices, while other states are involved in elaborating some national programs of in vitro fertilization and it crystallizes its legislative directions concerning the assisted human reproduction. Medicine is called to fight against infertility and it is accomplished with the help of the state, as infertility is medicalized and, more precisely, pathologized⁴¹. Infertility is considered an illness. By extension, not being able to have children becomes an illness, and this supposes, as we may see from the law project regarding the assisted human reproduction with a third donator that non-birth, female inability to give birth to children, hers or others', could be related to illness and the reverse is possible: a woman, who gives birth, even if it's not her biological child, may redeem her status as *ill*. And this due to the fact that they consider that a couple may choose to have a child (the woman to be more specific) even using genetic material from the woman of the couple and sperm of a donator, sperm of the man of the couple and oocytes of a donator or, an extreme case, both genetic materials donated. And here, at this point, the socio-cultural implications are difficult to evaluate, but they shouldn't be neglected. A bizarre fact that confirms an excessive pathologization of infertility are cases of unknown origin – those that medicine can't figure out, being like a pathological code, treated consequently (see the law recommendations).

Infertility medicalization and enlarging the perspective, as we are going to notice right away, maternity medicalization under the sight of the vigilant and standardized eye of assisted human reproduction could be put under the sign of *Nemesis*, as the risks for the woman are countless (cancer after administrating medicines for ovarian stimulation, hyper-stimulation ovarian syndrome, multiple pregnancies, abortion, pre-eclampsia etc.), and the fetus isn't spared the high risks of genetic malformations⁴², useless risks, as not all such interventions end up having the desired child. Then, the role assumed by medicine is one of force and rupture with tradition, a role of redefining the human values, of fragile lines between health and pathology and it would be a case of post-medicalization, of course. And this is not only because, unlike death medicalization, reproductive medicalization starts and especially reaches its highest point in postmodernism, but also because the mere medicalization substance isn't nowadays unitary, often contradictory, integrand multiple stories, as the one of alternative, allopathic or naturist medicine.

3.2. The Extremely Functionalized Body. Egg Cell, Embryo, Child

An important characteristic of the mentioned above series – egg cell, embryo, child – is that the elements are not of the same ontological nature from the assisted human reproduction perspective. The last term is the most powerfully ontologized, being the product of the first two elements. There are also some other elements of organic nature (sperm etc.), but not yet animated, invalidated in a human paradigm, elements over which the medical power is exercised. We are far away from that expression in the bulletin signed by the counselor and by the woman who wants to abort ("fetus is a human being from the very moment of its conception"), document necessary for the doctor to intervene in case of his patient. We are in another socio-cultural paradigm of the body towards the counseling case in pregnancy crisis. This is the case of the body described (and

criticized) by theoreticians of social sciences as Patrick Baudry⁴³, Alain Corbin, Georges Vigatello⁴⁴ or Glennys Howarth⁴⁵ and which is defined as over-investing semantically and pragmatically the body so that “the body became more important than our soul, it became more important than our life”⁴⁶. And this becoming of the body supposes a transcendence of the usual body, a getting out of its natural limits⁴⁷ and its de-spiritualization⁴⁸. The Occidental medical practice continues being accused of treating the body through a rupture from the soul. Indeed, in such a cultural paradigm, which, without being the single one, is, most probably, the dominant paradigm, the medical practice only contributes to this emphasis of falling movement, of reducing the soul to the body⁴⁹ - a contested movement by some towards the psycho-somatic medicine⁵⁰.

The extremely functionalized body goes hand in hand with medicalization of the human reproduction and with the emergence and imposition of the assisted human reproduction as its extreme point (as we have said sharp point). And this is happening, because medicalization empowers towards its maximum the *natural* possibilities of the body by restoring the lost, vanished functions of a not so good and functioning nature. And since we have reached nature, it must be said that in case of the assisted human reproduction law the imaginary of nature is different from that in case of the counseling law in case of pregnancy crisis. In the first case, woman didn't want children but was pregnant and the state intervened in their decision to give up her pregnancy, considering that, no matter how prepared felt the woman to become mother, the child is precious for the state and it is a gift from nature, from God. In the second analyzed case, the woman can't be with child, and the state decides she should be, taking into account that, no matter what the risks are, the child is precious for the state and since it is not given by the nature, it must be convinced to surrender. The strong nature from the cultural background of the first law is opposed to the weak nature from the second (on which people can intervene). It must be stated that this mechanism of imaginary is overwritten so that it wouldn't be ostentatious and wouldn't reveal too much from a possible structure of manipulation, of individual valorization, even in a sense of woman empowerment. The motivation of organizations that militate for assisted human reproduction programs is the right (not obligation) of the couples to have a child and especially in European countries in which such procedures are well represented legislatively. The child becomes goods, and if we may talk about commodification in this area of imaginary that irrigates, underground, the reasoning for assisted human reproduction, the future child is most affected by commodification. In order to obtain a viable child and to raise this possibility there are products in case of fertilization in vitro, ovarian stimulation, more ovule, more embryos are obtained out of the feminine body, from which only several are implanted in the uterus, from which only one or two would probably develop. The rest of the embryos are residual and treated consequently.

The sub-investing of embryo from the medically assisted human reproduction differs flagrantly from the over-investing the embryo in the same Romanian normative area from the law project for counseling women to obtain more children or less biological (less, as the idea of donator is accepted, which raises multiple ethical problems) and the involved risks (the law doesn't state what is the woman's *informed consent*), and, on the other hand, discouraging women that, at a certain point, don't desire a child. Both of them may seem reasonable according to the premises, but both carry ethical and conceptual difficulties.

3.3. Brief Conclusions

Apart from those conclusions stated in the previous section, there is a fact that imposes itself as a conclusion and which results from the law analysis regarding the assisted human reproduction, beyond its nuances from various proposals and beyond the lack of actual clearance, is that the law of the medically assisted human reproduction favors some types of maternity and

despising other types. The preferred and supported maternity is the desirable maternity, the one that associates a capitalist imaginary regime of desire and ambition, of effort in order to obtain a result – in this case – the child. On the other hand, the biological maternity is devalued, reduced to a function of the organism that may be used according to the wish of the one who *detains* the body. The woman that donates its ovule becomes mother for a child she isn't going to meet and for which she is required, opposed to the case of psychological counseling not to have the curiosity or right to know who that child is. On a collateral plan, as Sabyc case proves, ovule donation may transform in an ovule business, in the trap of which may fall women with low income, with a weak financial situation or low educational level. At the same time, the situation of the surrogate mother is not that free of dangers. In 2011 law it is said that “The voluntary interruption of the pregnancy may be done according to the law by the carrying mother or by anyone of the beneficiary couple, bearing the caused prejudices”. This being said, it may not be exaggerated to present a game of pregnancy concerning the assisted human reproduction. First of all, a game of giving birth (even if the child isn't the biological child of the couple), when the donator woman or/and man is biologized (considered only from the aspect of biological possibilities), then a game of the inheriting child of genetic material, when it is biologized the function of giving birth (case in which we deal with the surrogate mother).

However, the discursive, conceptual and paradigmatic discrepancy between the two analyzed laws is not just obvious, but huge. It demonstrates that maternity continues to be subject of different cultural codes in the context of the same culture, indicating, underground, the women difficulty of conforming to a code or another and the pressure to which they are submitted in assuming the maternal role and in its politicization.

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¹ Peter L. Berger, Thomas Luckmann, *The Social Construction of Reality. A Treatise in the Sociology of Knowledge*, Anchor, 1966.

² See for the difference between representation as process and representation as product, Paul Ricoeur, *La mémoire, l'histoire, l'oubli*, Editions du Seuil, Paris, 2000.

³ Social submerged narratives would be those common conceptions about maternity reality (or what is considered to be generally accepted) that are beyond the significances popularized by the law. For example, briefly; having a child is a right (for the law of the assisted human reproduction) and, moreover, a desirable social thing (here all the myths of social continuity through children come into action) or abortion is a way of questioning human dignity and of jeopardizing the psychical state of the pregnant woman etc.

⁴ <http://www.senat.ro/Legis/Lista.aspx?cod=16636&%20pos=0&NR=b118&AN=2012>, last consulted on 09.04.2013.

⁵ See the document entitled *Exposing the Motives of the Legislative Initiative* on the website of the Romanian Senate above.

⁶ *Exposing the Motives of the Legislative Initiative*, p. 4.

⁷ Cf.: Paul van Tongeren, *The Paradox of our Desire for Children*, in *Ethical Perspectives* 2 (1995) 1, pp. 55-62.

⁸ Gilles Lipovetsky, *Le bonheur paradoxal. Essai sur la société d'hyperconsommation*, Gallimard, Paris, 2006.

⁹ Petra Ștefan, *Mortalitatea maternă în contextul social contemporan (Maternal Mortality in the Contemporary Social Context)*, în *Calitatea vieții*, year 11, no. 1-4/2000, pp. 109-121.

¹⁰ Bonnie Rochman, *Why Having Kids Is Bad for Your Health*, in *Time(Health and Family)*, 11 April 2011, *Parentalitate = fericire?(Parenthood=Happiness?)* in *Psychologies Magazine*, no. 58 April 2013.

¹¹ Cf. Roy F. Baumeister, *Meanings of Life*, Guilford Press, 1991, Ranae J. Evenson, Robert W. Simon, *Clarifying the Relationship between Parenthood and Depression*, in *Journal of Health and Social Behavior*, December 2005 vol. 46 no. 4 341-358.

- ¹² Cf.: http://www.sfatulmedicului.ro/dictionar-medical/sindromul-de-hiperstimulare-ovariana-ohss_7199, last consulted on 12.04.2013.
- ¹³ Alain Corbin, Jean-Jacques Courtine, Georges Vigarello (coord.), *Histoire du corps* : Tome 3, *Les mutations du regard, Le XXe siècle*, Editions du Seuil, Paris, 2006.
- ¹⁴ Patrick Baudry, *Le corps extrême. Approche sociologique des conduits à risque*, L'Harmattan, Paris, 1991.
- ¹⁵ Glennys Howarth, *Death & Dying. A Sociological Introduction*, Polity Press, Cambridge, 2007
- ¹⁶ *Exposing the motives of the legislative initiative*, p. 4.
- ¹⁷ Cf.: Ramona Păunescu, *Evoluții politice ale maternității (Social Evolutions of Motherhood)*, Polirom, Iași, 2012, pp. 117-155.
- ¹⁸ A recent article that approaches again the subject of the negative consequences of the 1966 Decree:http://adevarul.ro/news/societate/video-decretul-mortii-10000-femei-ucise-numele-maternitatii-povestile-tulburatoare-femeilor-obligate-bata-devina-mame-epoca-aur-1_51654bd300f5182b85a327fb/index.html, last consulted on 11.04.2013.
- ¹⁹ Petrina Brown, *Eve. Sex, childbirth and Motherhood through The Ages*, Summersdale West Sussex, 2004. Brown talks about the suffering canon through birth imposed by Christianity to the woman, mentioning her diminished identity at birth. See especially p. 60, p. 64, p. 70.
- ²⁰ *Exposing the motives of the legislative initiative*, p. 11.
- ²¹ http://www.centrulfilia.ro/images/PDF/scrisoare_deschisa_adresata_domnului_crin_antonescu.pdf, 25 April 2012.
- ²² We don't expose all arguments raised against this law project, as we are interested at this point of our research in maternity representation of this legislative proposal. There could be done an entire research only on the impact of this law on public opinion. There are lots of comments on the online media to newspaper articles that were mostly negative, but it is still difficult to state the opinion of the majority, as there are segments of population that don't have access to internet.
- ²³ Term is taken from the Anglo-Saxon language, designating, in a capitalist paradigm those attitudes and behaviors through which people are considered objects of consumption.
- ²⁴ Zygmunt Bauman, *Mortality, Immortality, and Other Life Strategies*, Polity Press, Cambridge, 1992, p. 90.
- ²⁵ Cf. Victoria Stoiciu, *Politici de natalitate: despre clasă, rasă și biopolitică (Politics of Nativity: on Class, Race and Bio-Politics)*, in *CriticAtac*, 29 January, 2013.
- ²⁶ Cf. Roy F. Baumeister, *Op. cit.*, p. 362. The socio-psychologist says that the social problem of death contradicts the individual problem of death. Society wants to replace as soon as possible people who are not useful anymore, while the individual needs to feel unique and irreplaceable.
- ²⁷ There are many examples, starting with the priests' religious discourse during their religious services to the content of the Christian articles and Christian mass culture, pop Orthodoxy if such an expression is permitted. Cf. <http://www.razbointrucuvant.ro/2011/05/10/feminismul-si-pervertirea-feminitatii-cu-parintii-epifanie-teodoropulos-si-nicolae-tanase-intr-un-stil-putin-mai-nonconformist/>, last consulted on 11.04.2013.
- ²⁸ For a detailed presentation of considering woman from the natural perspective, see Elisabeth Badinter, *Le conflit : la femme et la mère*, Flammarion, 2010.
- ²⁹ <http://www.legex.ro/Norma-Nr.0-din-27.05.2011-112692.aspx>, Act Published in Monitorul Oficial Nr. 378 - 31 May 2011, last consulted on 13.04.2013, <http://www.ms.ro/?pag=62&id=9008>, last consulted on 13.04.2013.
- ³⁰ See www.infertilitate.com (last consulted on 13.04.2013).
- ³¹ Cf. *Children of Men* (2006, Alfonso Cuarón).
- ³² Cf.: Frederick F. Cartwright, Michael Biddiss, *Disease and History*, Diane Pub Co, 2000.
- ³³ The fact that the medical discourse is a power discourse was emphasized in 1954, referring to the psychic illness: Michel Foucault, *Maladie mentale et personnalité*, 1954. Cf.: Bryan S. Turner, *Medical Power and Social Knowledge*, Sage, London, 1987.
- ³⁴ Ivan Illich, *Némésis médicale*, Editions du Seuil, Paris, 1975.
- ³⁵ Ivan Illich, *Un facteur pathogène prédominant. L'obsession de la santé parfaite*, in *Le monde diplomatique*, mars 1999, p. 28.
- ³⁶ The critique of classical thanatology against de-personalization of dying and estranging the dying person from the family. Cf. Louis-Vincent Thomas, *Mort et pouvoir*, Éditions Payot & Rivages, Paris, 1999, Philippe Ariès, *L'Homme devant la mort*, Editions du Seuil, Paris, 1977
- ³⁷ Cf.: Elias, Norbert, *La solitude de mourants* (traduit de l'allemand par Sibylle Muller) suivi de *Vieillir et mourir, quelques problèmes sociologiques* (traduit de l'anglais par Claire Nancy). Christian Bourgois Editeur, 1998.
- ³⁸ Parenting philosophies such as *attachement parenting*, which discourages medical interventions during birth, considering that they could bring the affective rupture between mother and baby. Cf.: Judith Warner, *Perfect Madness. Motherhood in the Age of Anxiety*, Riverhead Trade, New York, 2006.
- ³⁹ Cf.: David le Breton, *Anthropologie du corps et modernité*, Presses Universitaires de France, 1990. According to Breton, the model of the machinized body is the one that explains mostly the proliferation of assisted human reproduction.

⁴⁰ For more information: http://www.realitatea.net/dosarul-sabyc-inchisoare-cu-executare-pentru-medicii-vinovati-de-traffic-de-ovule_1052704.html, last consulted on 31.01.2013, <http://www.evz.ro/detalii/stiri/sentinte-fara-precedent-medici-condamnati-pentru-traffic-de-ovule-1011047.html>, last consulted on 31.01.2013, <http://www.evz.ro/detalii/stiri/israelieni-suspectati-de-traffic-cu-ovule-fara-pasaport-860058.html>, last consulted on 31.01.2013, <http://www.evz.ro/detalii/stiri/sefii-de-la-sabyc-ca-la-auschwitz-860030.html>, last consulted on 31.01.2013, <http://stirileprotv.ro/stiri/eveniment/clientii-clinicii-sabyc-isi-vor-primi-inapoi-ovulele-si-spermatozoizii.html>, last consulted on 31.01.2013.

⁴¹ See also the campaigns of the SOS Infertility Association, "Infertility is an Illness", <http://infertilitate.com/category/campania-infertilitatea-este-o-boala-sezonul-trei/>, last consulted on 13.04.2013.

⁴² http://www.sfatulmedicului.ro/Reproducerea-umana-asistata/complicatiile-tehnicilor-de-reproducere-asistata_1170#Riscuri_pentru_vitorea_mama, last consulted on 12.04.2013, <http://www.csid.ro/family/fertilizarea-in-vitro-risc-de-malformatii-genetice-la-bebelusi-5121246/>, last consulted on 12.04.2013. http://www.sfatulmedicului.ro/Reproducerea-umana-asistata/transferul-embriionar-a-fertilizarea-in-vitro_1080, last consulted on 31.01.2013.

⁴³ Patrick Baudry, *Op. cit.*

⁴⁴ Alain Corbin, Jean-Jacques Courtine, Georges Vigarello (coord.), *Op.cit.*

⁴⁵ Glennys Howarth, *Op. cit.*

⁴⁶ Alain Corbin (et all), *Op. cit.*

⁴⁷ Some signs of this overcoming: tattoos, practice of extreme sports, aesthetic surgery.

⁴⁸ See organ donation. Becoming useless, the body is nothing, existing only through the social function that it manages to accomplish. Cf.: Glennys Howarth, *Op.cit.*

⁴⁹ We attempt to describe the deep reasoning of a cultural paradigm and the presented aspects are not to be understood as an apocalypse of the general things, of the exclusiveness. The idea is to capture a functioning principle that, of course, in the complex ensemble of the human culture, from non-theoretical perspectives, may be seen as a tendency.

⁵⁰ Darian Leader, David Corfield, *Why do people get ill?*, Hamish Hamilton, 2007.

ORIGINAL PAPER

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The role of information systems in analyzing the EU labour market

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Abstract: *A wider European labour market, since the starting of the integration process, lead in time to the appearance of more complicated inconveniences concerning the correct, unitary analysis of the European labour force structure. The lack of clear, common, unitary criteria allows each country or group of countries to analyze and, implicitly, to report sometimes false situations, making impossible to create an at least clear image of the real number of occupied, respectively unoccupied persons, in the EU. Utilizing a standard information system, with clear, unitarily applicable procedures, can constitute the solution to this problem, imposing some analyze and reporting rules that each country would have to follow.*

Key-words: *Information systems, labour market, European Union.*

The year 1989 represented a watershed in the economical and political evolution of Europe. After decades of communism and isolation, the Central and East-European countries decided that a change would be needed. Shortly after, at least from a declarative point of view, the situation knew a major change through a quick leap towards a total embracing of capitalism. Unfortunately, this was precisely the moment in which the „start” was missed, because of the attempt to copy functional, capitalist politics and practices, on a technical and material support completely non-operating from a structural point of view, with communist origins.

The result was easily foreseen- in a competitive economy, in which the most important thing is work productivity, the highest card of the Central and East-European countries was, at the beginning, the low cost of the labour force. In time, while people’s desires and aspirations begun to raise, this card started to diminish in importance and, in some cases, even to disappear.

Thus, the only solution that would insure the surviving of some economic sectors was the privatisation and, compulsorily, the modernisation and updating from all point of views: technical,

human, informational. This eventually lead to investment costs and, implicitly, to higher total costs that could be covered only by increasing productivity or reducing „indirect” costs – personnel, administrative costs etc.

The reality proved that the most used method of cost reduction was to reduce personnel costs which translated into lay offs, on one side justified by the technological boost given by the new technological production line and, on the other, by the personnel's lack of qualification in operating this new equipments.

These were the times when the unemployment rate dramatically increased, situation that was also caused by the lack of real professional reconversion or economic activity development policies. The period was characterized by economic anxiety, uncertainty, a period in which the mirage of escaping from an apparently closed situation was the integration in the European Union. Thus, the first EU enlargement in Eastern Europe started in 2004, when Poland, Slovenia, Hungary, Malta, Cyprus, Latvia, Estonia, Lithuania, Czech Republic and Slovakia completed their negotiations for EU accession. In 2007, Romania and Bulgaria acceded, which ended this stage of EU enlargement. The number of state members reached 27, all theoretically equal in rights and obligations, but in reality so different in what it concerns their economic development or economic and social politics. The need to follow a common and unitary set of rules was even greater, as the final aim was to completely eliminate travelling barriers for food and services, labour force or adopting the EURO single currency.

Concerning the labour market or, more specifically, the analysis of the unemployed number, the most used indicators are:

a) The number of unemployed persons, standardly defined, includes 14 years old plus persons that, during the reference period, simultaneously comply with the following conditions¹ - do not have a job, do not work; are available for immediately starting work; are searching for a job.

b) The number of registered unemployed persons contains all persons that have declared that, during the reference period, they were registered in job and unemployment centres, receiving or not unemployment benefits or support allowances.

The number of unemployed persons- as defined by the first two indicators- disguises an important part of the unutilized work time. Thus, because of the economic recession, a larger or smaller segment of population is now affected by the reduction of worked hours, without being statistically included in the unemployed category.

These persons are, in fact, in a state of partial unemployment, a phenomenon especially implying a temporary interruption of work, because of economic contexts, shortage of energy and raw materials etc. In these conditions, for entirely quantifying unemployment, one utilizes the „available and unused work time”, that cumulates both unutilized work time by the unoccupied population (the unemployed persons) and the unutilized work time by part of the occupied population (in a state of unemployment).

c) The unemployment rate is an indicator used to measure the intensification of unemployment, calculated as a ratio between the number of unemployed persons and the reference population.

It remains thus easily understandable that these are general guidelines, each country being allowed to adapt the methodology of the labour market analyze, to impose some own set of rules and provisions, leading to major differentiations when it comes to treating the same subject between EU member states.

In this context, the problems generated by the economic crisis were felt differently in EU countries, depending on their gravity and imperativeness. Countries such as Italy, Spain, Portugal have strongly felt the disequilibrium created in the financial system, but this did not necessarily

implied a disadvantage in implementing reforms for sustaining the community economy. As mentioned before, a dominant market position is occupied by European companies and their major goal is to identify areas with affordable work force prices. Why this phenomenon? A cheap work force adds a plus-value, hence the company's ability to continue to develop and reinvest its profits.

To develop attractive economies every state is interested in providing a stimulating package and cheap labour to attract investors for various areas of the national economy. This phenomenon is quite recent but did not appear as a government desire, but because of the recession, felt in all economic sectors.

Thus, governments are obliged to reduce labour costs to be able to attract investors, any investment actually representing a country's ability to honour its public debt.

As a result of various reforms in national economies and, implicitly, of the European economy, solutions were imposed in the form of salary cuts, staff reductions and massive cuts in social benefits. Also, European countries increased retirement age, although it is known that many people past a certain age are now in direct competition with the young for a job. All these have made the EU a daily avalanche of unemployed trying to find a job in any European country.

Imbalances caused by these events are actually directly generated benefits for local companies, a broad range of workforce offers employers the opportunity to choose quality employees at a low cost.

The reforms discussed above have been and are being implemented not only in small countries, but also between the great powers, because there are European countries that have overcome the crisis precisely by reducing wages and speeding the development of private companies, the economic crisis been overtaken. An example in this area is Germany, which has surpassed France and has consolidated its position in international markets through reforms intended to reduce wages.

It is important that any reform aimed at stabilizing the labour market and the economic crisis has not short term but long term repercussions, the EU Member States providing a framework for interstate competition. Also, countries with low labour remuneration are required to align the standards set at EU level, which will result in future optimal investment in private companies. Investing in cost savings is a feature of the competitiveness and sustainability of European Union imposed as a condition sine qua non for each country in its composition.

It is real that any competition leads to an increase of quality in any economic sector within the context in which the European Union wants to become a competitor in the international market by 2020. This policy is noticeable, both in the financing directions offered by the state members and in the day-by-day policy of its resources. But the question on everyone's lips is whether these changes will be perceived by the population as saving, or be considered as gratuitously imposed restrictions. This was highlighted in several events occurred in Portugal, Spain, Greece and Romania, due to the reduction of salaries and massive reduction of staff

You should be aware that industrial development actually means a change in production cycles, a higher automation, which inadvertently leads to fewer employees for jobs filled by machines. We are seeing, however, a demand for diverse qualifications in private companies and a more acute shortage in certain types of professions that the labour market needs to cover through homogenous reforming and professional reconversions programs, through unemployed placement in the community space projects, possible with a common data base so that you can track exactly how many unemployed people there are and how they can be oriented towards sectors that lack personnel.

An optimal training policy, in line with the market requirements begins to take shape since

college, when training departments are represented by practical cases. This phenomenon should be encouraged and helped to develop, due to the fact that investment in the knowledge economy should be successful and effective, this only being possible through flexibility and continuous training. Unemployment is one of the relevant indicators for measuring the efficiency of the labour market directly involved in the economic development of that country. Also influences the smooth running of industrial relations and labour market impact of addressed development strategies.

Late twentieth and early twenty-first century marked the transition to the knowledge economy, an economy where information gained unsuspected power, a place where the well-informed, accurate and up to date, have an extra chance to get success. Technological advance has allowed not only to obtain the same amount, if not a larger quantity of products with a reduced staffing, but also helped correct orientation of attention toward the most appropriate markets and allowed operators to increase competitiveness and productivity. At the same time, it helped to establish a better link with the immense labour market - more or less free (see the current situation in the EU, with the remaining restrictions for Romania and Bulgaria) - market where are recruited those who meet the requirements of the employer, when certain qualifications are requested, and in the extent in which they are required. The evolution of industrial level has increased the requirements of employers in the skill level of future employees, asking them for a higher level of performance and curriculum.

Nowadays, computers are commonplace, and even essential one would say in the economic activity. For economic organizations, the use of computers significantly increases economic efficiency and one of the means by which economic activity is automated is given by the economic management systems.

In individual entities there are many activities that can be subject to computerization, and each of the compartments of an economic unit can be more or less computerized, but ideally would be that all these to be embedded in a global information system of economic administration throughout the company, therefore intended to cover all the problems of an economic agent, to create interdependencies between components, so that the physical structure of the economic system attached to the economic agent to be upgraded with an informational structure.

Based on this idea, we propose to use a computer system at EU level in order to manage-unitarily, with clear rules, generally applicable- the labour force, respectively the unemployment rate. The information system operation will involve mainly the following activities: gathering data on the economic situation in each country; transmitting data for processing; data processing; obtaining information and unitarily transmitting it; generating reports on the real situation of the labour force structure and, respectively, the unemployment, at an EU level.

Using electronic computer techniques in this field can produce major changes in the way of performing these activities and thus determining the reduction of disparities reports submitted by each country. It will thus eliminate at least some of the problems of national policy- different times to realize certain statistics for each country, different ways and times to analyze economic indicators, the attempt to „brush” certain official results in order to hide the real economic situation in times of crisis. Correlation between official data provided by the state authorities, and data provided directly by businesses - public or private - should be complete (of course, with that $\pm\%$ considered acceptable), so the final data to be as close to the real situation as possible.

The proposed system takes into account, in a very simplistic description, the following method of data processing and analysing:

- each economic operator (public, private, state institutions etc.) provides the data on the employers' situation according to accounting documents, based on clear regulations, adopted and

respected in the EU;

- each statistic institute, official organization – at a national level – provides the official data, based on clear regulations, adopted and respected in the EU;

- all data provided by the operators and the official data should be linked through control keys;

- after the data correlation at a national level, the results can be reported to the EU level, in order to create the data base to be utilised at a given time;

- since the creation of the database, the system should be made available to the general public, so that everyone - private or legal – should have access to the system, adopting the user's rights and restrictions imposed by the EU.

As a working method, the recommended is the online method, so that all information is quickly available anytime, anywhere and anyone has the right to access the system.

The involvement must, however, be complete - we're talking full cooperation - or as complete as possible – between state authorities, through labour market surveillance organizations, and every trader or group of traders, in their capacity as market players workforce. By implementing the use of mathematical models and computer electronic technology, the information system prints enhanced valences to the informational system, both quantitatively and qualitatively. Thus, we may witness an increase in the calculation capacity, considering the volume of data to be processed and the operations to be effectuated, an increased in information's exactness, an enhancement in information efficiency, given the increasing complexity of economic activities seen to region, country, group of countries or the EU. All this leads to greater closeness to the decision maker - whether state authority or economic agent - the economic phenomena and processes that coordinate with many positive economic effects derived from it.

Achieving sustainable systems at European level requires joint action to all the above elements, neglecting even only one of which can compromise the overall system.

The state must participate in creating such a system, in that it is the guarantor of economic and social policies that will result from the analysis. Business entities must participate, in their capacity as creators of "added value" of players involved directly in the production process using the resource "labour". People - actual labour - must attend to them considering that will go with the direct effects of economic and social policies and / or decisions of economic agents.

Computerization of society has unwillingly led over time to a better organization, and to a centralization developed for every level of society. Given policy coordination at European level, the desire to unify and, where possible, to coordinate policies of EU member countries, creating a unified system of labour market analysis at EU level can only have beneficial effects.

Notes

¹Joan Benach, David Gimeno, "Types of employment and health in the European Union", Luxemburg, 2002, pg. 5-10

ORIGINAL PAPER

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Managerial Policies and Legislation within Romanian Courier Services Market

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Abstract: *For the European market, services have a major importance, representing over 70% of the European Union's economic activity and, in a similar proportion, the labor force. The objectives of the European Union's postal policies are to establish an increase in the quality of postal services. The liberalization of postal services has become one of the European Union's priorities. Gradually, this process of liberalization was marked by three directives – Directive 97/67/EC of 1997, modified through Directive 2002/39 and Directive 2008/6/EC. The third postal directive establishes the market opening for most of the European Union Member States until December 31st 2010, however, for Romania and a few other Member States the deadline is December 31st 2012. In Romania, the market of postal and courier services is regulated by the ANCOM. The present paper aims at presenting an analysis of Romanian courier services market as well as of managerial policies adopted during the economic crisis.*

Keywords: *courier services, crisis, legislation, managerial policy.*

Postal services represent an extremely important sector for the European Union, their interdependence with other sectors of activity rendering a role of utmost importance in the development of national economies. Since traditional postal services are usually generated and managed by state companies, for the last 20 years one witnessed the appearance and growth of private companies – an increasingly menacing competitor to the supplier of traditional postal services.

The postal services market at European Union level was of approximately EUR 72 billions, representing 0,6% of EU's GDP and ensuring over 1,5 jobs¹.

Postal services liberalisation became one of EU's priorities. This liberalisation process was gradually marked by the adoption of three directives: Directive 97/67/EC of 1997 amended by Directive 2002/39/EC and Directive 2008/6/EC. The third postal directive pinpointed the term for the market opening for most of the EU Member States for December 31st, 2010. however, for Romania and for a few other Member States the deadline was prolonged to December 31st, 2012.

International organisations bearing a mandate in regulating and developing postal services are: the *Universal Postal Union* (UPU) created in 1874, having 192 member states, establishes rules for international exchanges of goods, makes recommendations towards stimulating the increase in the volume of postal sending and improving services quality; the *European Conference of Post and Telecommunication* (ECPT) is a pan-European organism where are discussed issues linked to the elaboration and implementation of European policies and regulations in the field of post and telecommunications; the *European Committee for Postal Regulations* (ECPR) is a committee within the ECPT, specialised on postal issues, having among its attributions informing member states on the need to implement and develop the universal service within the sector of postal services.

In Romania, the legislative framework regarding the functioning and regulation of the postal services market is attributed to the National Authority for Managing and Regulating in Communications (NAMRC) contributing to the development of the postal market and the supply of a quality service. Government Ordinance no. 31/2002 regarding postal services, approved with amendments by Law no. 642/2002 with subsequent amendments had as purpose the creation of a concurrent market, the promotion of users' interests and the increase in the quality of services necessary to cover clients' needs through the establishment of supply conditions for postal services and the access to the universal service.

The *Document of policy and strategy of July 18th, 2003 regarding the implementation of the universal service in the sector of postal services, approved by the Order of the Minister of Communications and Information Technology No. 225/2003* had as main purpose the respect of international requests regarding the liberalization of postal market. Thus it ensured the national framework for providing flexible, quality services, the policy and strategy for implementing the universal service within services' sector.

Evolution and dynamics of courier services market

With Romania's accession to the European Union and due to the world economic context during the 2000-2008 period the courier services market witnessed a continuous growth, the number of postal services suppliers increasing from 7 suppliers in 2000 to 248 in 2007 and 889 in 2009. This increase was possible due to the development of local subcontractors who did not activate in their name but in the name of other suppliers. However, 2010 was marked by a drastic decrease in the number of postal services suppliers, on the one hand, due to the economic crisis, on the other hand the authorisation obligation was suspended for suppliers who develop their activity in the name of another supplier.

In Romania, 2011 continued the decreasing trend of 2010, the number of authorised suppliers reaching 346.

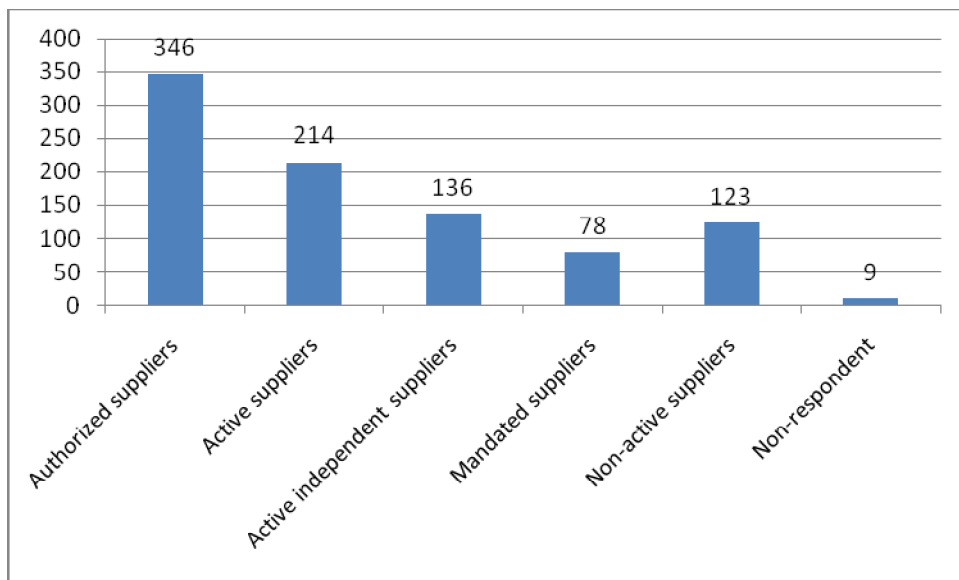


Figure 1. Situation of postal services providers in Romania in 2011

Source: Author's analysis based on data obtained from the National Authority for Managing and Regulating in Communications (NAMRC)

One can notice the fact that from the 346 authorised suppliers 61,85% were active suppliers and, also, from the 346 authorised suppliers 136, representing 39,31% from the number of authorised suppliers and 46,57% from the active suppliers, have unfolded activities in their name, while 78 active suppliers have carried out their activity in the name of another supplier, based on a contract, which means with less than 43,5% as against 2010.

The main companies appeared in this sector were: Cargus, created in 1991, Pegasus Courier created in 1997, Fan Courier, created in 1998. After 2000 the competition in this sector became even greater through the appearance of a large number of suppliers who chose their entering the courier services market through dumping policies by supplying courier services at extremely low tariffs: RoCourier Express, Couriero etc. along these companies, the most important international suppliers entered the courier operators' market: DHL, TNT, DPD, GLS etc., who entered the market by acquiring autochthonous companies. The liberalisation of postal services has opened the courier services market for foreign companies, the latter sharing their experience in management and marketing. One can say that the courier services market witness a bunch of strategic options. Most of the companies have chosen to develop through strategies of growth based on local subcontractors.

2. The impact of the economic crisis on the courier services market

The courier services market has also witnessed less pleasant situations. Companies experiencing a rapid increase in their market share could not face the economic crisis entering great difficulties since its beginning. Such an example is Couriero who, although trying its merger with TCE, a company with an aggressive acquisition strategy of smaller companies, the result was negative, TCE's image had to suffer, while clients re-oriented themselves towards more stable companies. Among companies disappearing with the economic crisis is RoExpress who, just like Couriero, had a rapid growth due to extremely small tariffs, however, on the long run, its strategy proved to be unfavourable.

Although, beginning with 2009 the economic crisis was highly present within the courier services sector, companies who succeeded in adapting themselves and surpassed these last few years experienced an ascending evolution of their turnover². The value of the courier services market increased constantly also due to the sector companies reorientation towards new services generated by the development of new fields such as E-commerce³, but also due to investments in modern technologies capable of offering quality and performing services which would satisfy consumers' needs.

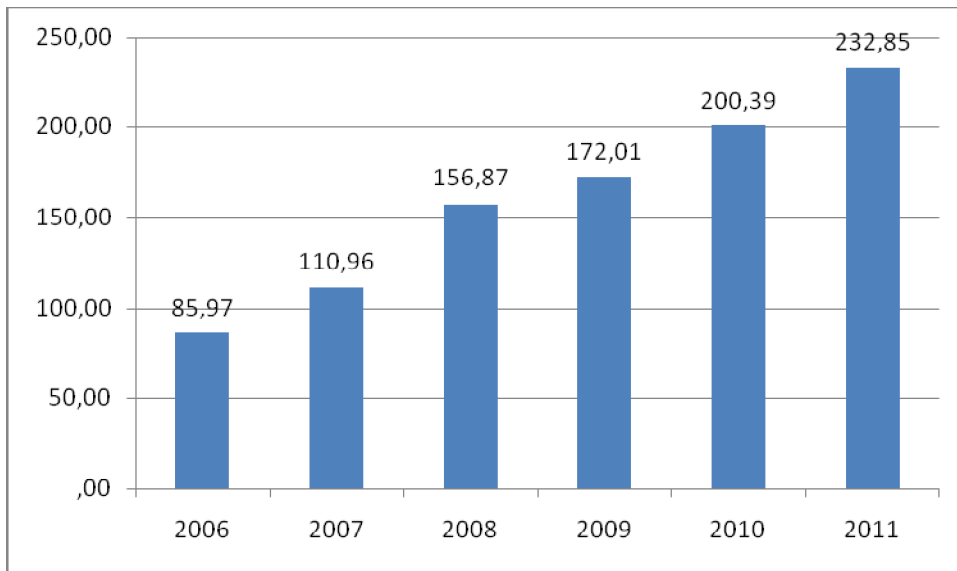


Figure 2 Evolution of courier services in Romania 2006-2011 (mil. EUR)

Source: Author's analysis based on data acquired from the Ministry of Public Finances

Strategies and managerial policies adopted by courier services companies during 2009-2012 had as starting point, on the one hand, the analysis of costs and tariffs evolution, but also inclinations towards increasing the quality and diversity of the services delivered. A fair as possible analysis of the existing relations among sector companies and the market show the variety of the development opportunities offered to those companies⁴. Thus, focusing on e-commerce development opportunities ensured the growth of the market value for the courier providers who embraced this niche segment⁵.

Companies that in this period of economic crisis have adopted policies based on the services' quality/consumer's needs analysis, implementing different marketing policies, services quality models, are those having an ascending evolution during this period in spite of the economic crisis experienced within the courier services sector. For these companies, improving services' quality is made with high costs, for this matter they have to learn where to focus their resources in order to obtain the best results⁶. Also, during crisis, public relations and external communication on the one hand, made the difference between companies succeeding to overpass the crisis and those who failed to do so, and, on the other hand, were an indicator of the management capacity to plan ahead and to follow a strategic objective⁷.

Table 1 Turnover of the most important companies during 2006-2011(mil. RON)

	2006	2007	2008	2009	2010	2011
Fan Courier	75,93	104,05	153,73	167,41	190,16	222,63
DHL	75,69	94,87	127,88	136,1	151,96	175,53
TNT	95,89	111,09	126,62	129,37	143,5	160,82
Cargus	64,04	86,46	111,19	102,99	92,96	93,31
Urgent Courier	7,58	15,99	29,34	39,89	51,61	68,39
DPD	9,15	14,06	23,37	22,39	30,04	36,02

Source: Author's analysis based on data acquired from the Ministry of Public Finances

As one can notice in Table 1, during 2009-2011 the main companies present on the courier services market in Romania have increased their turnover by adopting managerial policies and marketing strategies whose essence is represented by the quality of the service through its fundamental elements: promptness, fairness in service delivery, speed, education and training of the personnel, assessment system and performance reward system⁸.

Managerial policies – policies of price, policies of product, policies of personnel – adopted within the courier services sector have as purpose the fulfillment of long-term objectives, the increase in productivity, the increase in the degree of service provider-client cooperation in order to enhance the efficiency of services and satisfy clients' needs.

Product strategies are based on three criteria: quality, novelty degree and diversity degree. Improving the quality of the service requires, on the one hand, the fulfillment of promises and providing the basic service at a higher level – in the case of the courier services this is translated through expeditions delivery, while, on the other hand, winning and maintaining the trust of both clients and personnel. Within the courier services sector, quality is rendered by the speed of delivery, flexibility, transparency, innovation. As regards the strategy of diversification of existing services, it applies by extending supplementary services. Within the courier services it is translated through supplementary insurance, exchange, delivery on Saturday, collection request.

Policies of price have a determining role in the increase and development of companies, in the influence on demand, in the rentability of activity, they influence the aggregate perception on the product or service. Unlike the other components of the marketing mix which create value, the price turns this value into profit⁹. Within the courier services sector, policies of price take into account certain peculiarities: offering a group of services or establishing the price according to services attributes as perceived by the consumers. The objectives that courier companies wish to reach are: gaining a profit as large as possible, attracting a number of clients as great as possible and maximum use of the company's capacities. Thus, strategies of price can be oriented in relation to costs, demand or competition¹⁰.

Politics of personnel within services sector are established based on two different approach segments: employees of the providing company and the consumers. The interaction between the personnel of the services supplier and the consumer increases the role and importance of personnel policies and of organisational culture from these companies.

Within services sector the labor productivity and the improvement in the quality of services delivered depend on the promotion of organisational culture within the company. Within courier companies the management must create an environment that ensures the necessary conditions for employees to deliver quality services in order to satisfy consumers' needs in the best circumstances.

One can thus notice that the courier services sector remains one of the few activity sectors which witnesses an ascending evolution and in which the employees evolution is also ascending.

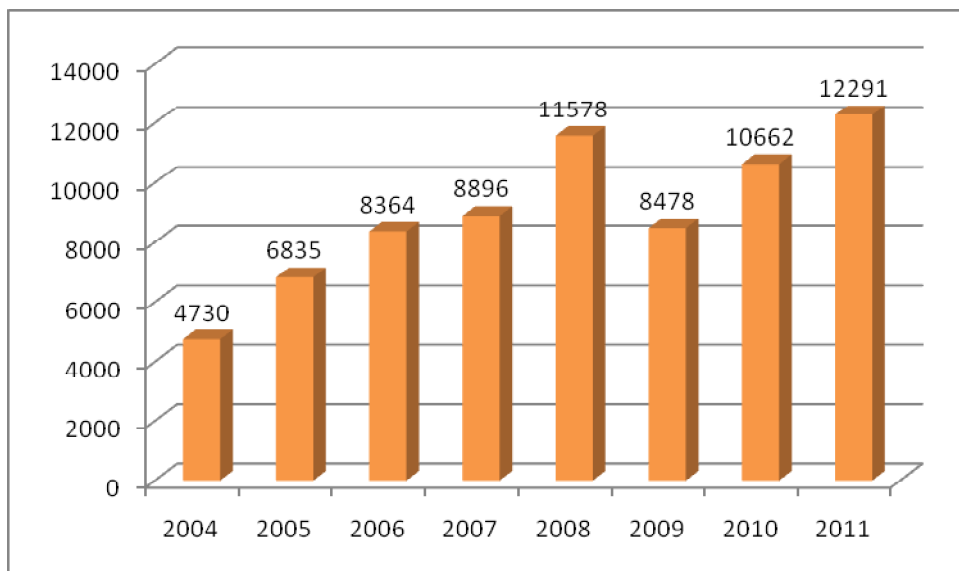


Figure 3 The evolution of employees number in private sector during 2004-2011

Source: Author's analysis based on data obtained from the National Authority for Managing and Regulating in Communications (NAMRC)

In 2011 within the private sector legally activated 12291 employees representing 25,55% of the total personnel from the postal sector, 8903 being employed full-time and 3388 being part-time.

Conclusions

Postal and courier services have a special importance contributing to the free movement of goods and to communication. The development of this sector had a strong social impact. During the economic crisis period companies activating in this sector have focused on strategies of costs-cutting which allowed them to reduce prices and obtain profit¹. The success of courier services supplying companies is based on their capacity to offer quality services which reflect indicators such as speed, safety, flexibility. Future researches should focus on studies regarding consumers' behavior and attitude, as well as on consumers' perceptions regarding the quality of postal and courier services provided by private companies within this sector in Romania.

Notes:

¹ http://ec.europa.eu/competition/sectors/postal_services/overview_en.html

² For a discussion on economic crisis and its effects on the "organizational soul" see Radu Florin Ogarcă, Liviu Crăciun, Silvia-Mihaela Pavel, *Corporate Spiritual Crisis in the Context of Global Crisis, in Proceedings of the WSEWAS/IAASAT 1st International Conference on Tourism and Economic Development (TED'11)*, Drobeta Turnu Severin, Romania, ISBN: 978-1-61804-043-5, WSEAS Press, October 27-29, 2011, pages 391-396.

³ For a discussion on the potential of e-commerce in developing countries see Adina Constantinescu, *The potential of E-commerce in developing countries, The International Conference Competitiveness and Stability in the Knowledge-Based Economy, iCOnc 2011, Craiova, Romania, November, 2011, p. 9.*

- ⁴ Ilie Budică, *Management*, Sitech Publishing House, Craiova, 1999, p.212
- ⁵ Adina Constantinescu, Management of the IT&C and E-Commerce integration process by the enterprises in Romania, *International Conference EMQFB 2012 Emerging Market Queries in Finance and Business, 24-27 October 2012*
- ⁶ Kasper, H., Helsdingen, P., Gabbott, M., *Services Marketing Management. A Strategic Perspective*, second edition, John Wiley & Sons, LTD, West Sussex, 2006, p.175
- ⁷ Sorina-Raula Gârboveanu, Silvia-Mihaela Pavel, *How to Manage a Public Relations Crisis*, in *Annals of the University of Craiova, Economics Series*, 2010, volume 3, issue 38, Universitaria Publishing House, Craiova, pp. 320-331.
- ⁸ Iuliana Cetină, coord., *Marketingul serviciilor. Fundamente și domenii de specializare*, Uranus Publishing House, Bucharest, 2009, p.77
- ⁹ Gheorghe Meghișan, Tudor Nistorescu, *Bazele Marketingului*, Economic Publishing House, Bucharest, 1998, pp.186-187
- ¹⁰ Iuliana Cetină, coord., *Marketingul serviciilor. Fundamente și domenii de specializare*, Uranus Publishing House, Bucharest, 2009, p.95
- ¹¹ Tudor Nistorescu, Silvia Puiu (2011), "Considerations regarding behavior and strategic orientations of Romanian retailers during the economic crisis", *Management & Marketing*, 9, 183-194

Bibliography

- Ilie Budică, *Management*, Sitech Publishing House, Craiova, 1999
- Iuliana Cetină, coord., *Marketingul serviciilor. Fundamente și domenii de specializare*, Uranus Publishing House, Bucharest, 2009
- Adina Constantinescu, Management of the IT&C and E-Commerce integration process by the enterprises in Romania, *International Conference EMQFB 2012 Emerging Market Queries in Finance and Business, 24-27 October 2012*
- Adina Constantinescu, The potential of E-commerce in developing countries, *The International Conference Competitiveness and Stability in the Knowledge-Based Economy, iConEc 2011, Craiova, Romania, November, 2011*
- Sorina-Raula Gârboveanu, Silvia-Mihaela Pavel, *How to Manage a Public Relations Crisis*, in *Annals of the University of Craiova, Economics Series*, 2010, volume 3, issue 38, Universitaria Publishing House, Craiova, pp. 320-331.
- Kasper, H., Helsdingen, P., Gabbott, M., *Services Marketing Management. A Strategic Perspective*, second edition, John Wiley & Sons, LTD, West Sussex, 2006
- Gheorghe Meghișan, Tudor Nistorescu, *Bazele Marketingului*, Economic Publishing House, Bucharest, 1998
- Tudor Nistorescu, Silvia Puiu (2011), "Considerations regarding behavior and strategic orientations of Romanian retailers during the economic crisis", *Management & Marketing*, 9, pp: 183-194
- Radu Florin Ogarcă, Liviu Crăciun, Silvia-Mihaela Pavel, *Corporate Spiritual Crisis in the Context of Global Crisis, in Proceedings of the WSEWAS/IAASAT 1st International Conference on Tourism and Economic Development (TED'11), Drobeta Turnu Severin, Romania, ISBN: 978-1-61804-043-5, WSEAS Press, October 27-29, 2011, pages 391-396.*
- http://ec.europa.eu/competition/sectors/postal_services/overview_en.html
- <http://www.ancom.org.ro>
- The Ministry of Public Finances – www.mfinante.ro

JUSTICE AND INSTITUTIONAL REFORM: PATHS TO EU INTEGRATION

ORIGINAL PAPER

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Equality and Justice

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Abstract: *Equality* is a contested concept: “People who praise it or disparage it disagree about what they are praising or disparaging” (Dworkin 2000, p. 2). Our first task is therefore to provide a clear definition of equality in the face of widespread misconceptions about its meaning as a political idea. So in what respects are people equal? According to the Declaration of Independence, all men are equally endowed with rights to life, liberty, and the pursuit of happiness. We must ask whether justice is always synonymous with equality. How, then, is social justice to be defined? Would we want to live in a society in which incomes were, literally, equal? And, if not, what's the right amount of inequality, and do we have too little or too much at present? In thinking about distributive justice, the natural tendency is to focus on income and wealth. Our own treatment of the topic will follow a similar bias. Nonetheless, other outcomes or “goods”- political rights, individual liberties, economic efficiency, and happiness - also matter.”

Key words: equality, justice, human rights, society

The terms “equality” (Gr. isotes, Lat. aequitas, aequalitas, Fr. égalité, Ger. Gleichheit), “equal,” and “equally” signify a qualitative relationship. ‘Equality’ (or ‘equal’) signifies correspondence between a group of different objects, persons, processes or circumstances that have the same qualities in at least one respect, but not all respects, i.e., regarding one specific feature, with differences in other features. ‘Equality’ needs to thus be distinguished from ‘identity’ — this concept signifying that one and the same object corresponds to itself in all its features: an object that can be referred to through various individual terms, proper names, or descriptions. . For the same reason, it needs to be distinguished from ‘similarity’ — the concept of merely approximate correspondence¹. Thus, to say e.g. that men are equal is not to say that they are identical. Equality implies similarity rather than “sameness”.

Equality is highly prized in liberal-democratic societies. In America, it's often used "equality" as a synonym for justice. A just society is one in which everyone is treated equally. After all, the guiding first principle of the American founding, according to the Declaration of Independence, was that "all men are created equal." Abraham Lincoln confirmed as much in his Gettysburg Address, proclaiming nearly a century after the Declaration that America was still "dedicated to the proposition that all men are created equal."

But America's founders knew that, while human beings are equal in some key respects, they are not equal in every respect. And justice also requires that we recognize these differences. Where people are equal, it is just to treat them the same; where they are different, it is unjust to treat them the same. So in what respects are people equal? According to the Declaration of Independence, all men are equally endowed with rights to life, liberty, and the pursuit of happiness. The author of the Declaration, Thomas Jefferson, wrote elsewhere that no one is born either with a saddle on his back or with boots and spurs to ride his fellow man. In other words, no person has an inherent duty by birth to submit to another, nor does anyone enjoy an inherent right by birth to dominate another. On the basis of this principle, justice demands that all people be treated equally before the law. Moreover, every life, by virtue of being a human life, is equal in value. No matter how young, old, weak, or poor a man may be, his life is just as worthy of respect and protection as any other. No one should be excluded from the opportunity to live freely and contribute to society.

But our equal worth as human beings does not mean that we must be treated equally in every sense and in every situation. We need not expect to possess equal faculties; society need not provide us with equal material circumstances.

'Equality' can be used in the very same sense both to describe and prescribe, as with "thin": "you are thin" and "you are too thin." The approach taken to defining the standard of comparison for both descriptive and prescriptive assertions of the concept of equality is very important². In the case of *descriptive* use of equality, the common standard is itself descriptive, e.g. two people weigh the same. A *prescriptive* use of equality is present when a prescriptive standard is applied, i.e., a norm or rule, e.g. people ought to be equal before the law. The standards grounding prescriptive assertions of equality contain at least two components. On the one hand, there is a descriptive component, since the assertions need to contain descriptive criteria, in order to identify those people to which the rule or norm applies. The question of this identification — who belongs to which category? — may itself be normative, e.g. to whom do the U.S. laws apply? On the other hand, the comparative standards contain something normative — a moral or legal rule, in the example, the U.S. laws — specifying how those falling under the norm are to be treated. Such a rule constitutes the prescriptive component³. Sociological and economic analyses of (in-)equality mainly pose the questions of how inequalities can be determined and measured and what their causes and effects are. In contrast, social and political philosophy is in general concerned mainly with the following questions: *what kind* of equality, if any, should be offered, and to *whom* and *when*? Such is the case in this article as well.

'Equality' and 'equal' are incomplete predicates that necessarily generate one question: equal in what respect? Equality essentially consists of a tripartite relation between two (or several) objects or persons and one (or several) qualities⁴. Two objects a and b are equal in a certain respect if, in that respect, they fall under the same general terminus. 'Equality' denotes the relation between the objects that are compared. Every comparison presumes a *tertium comparationis*, a concrete attribute defining the respect in which the equality applies — equality thus referring to a common sharing of this comparison-determining attribute. This relevant comparative standard represents a 'variable' (or 'index') of the concept of equality that needs to be specified in each particular case⁵; differing conceptions of equality here emerge from one or another descriptive or normative moral standard. There is another source of diversity as well: As Temkin (1986, 1993) argues, various different standards might be used to measure inequality, with the respect in which people are compared remaining constant. The difference between a general concept and different specific conceptions⁶ of equality may explain why according to various authors producing 'equality' has no unified meaning — or even is devoid of meaning⁷. For this reason, it helps to think of the idea of equality or for that matter inequality, understood as an issue of social justice, not as a single principle,

but as a complex group of principles forming the basic core of today's egalitarianism. Depending on which procedural principle one adopts, contrary answers are forthcoming. Both equality and inequality are complex and multifaceted concepts⁸. In any real historical context, it is clear that no single notion of equality can sweep the field⁹. Many egalitarians concede that much of our discussion of the concept is vague and theoretical. But they believe that there is also a common underlying strain of important moral concerns implicit in it¹⁰. Above all it serves to remind us of our common humanity, despite various differences (cf. 2.3. below). In this sense, egalitarians tend to think of egalitarianism as a single coherent normative doctrine — but one in any case embracing a variety of principles. Following the introduction of different principles and theories of equality, I will return in the last section of this article to the question how best to define egalitarianism and the value of equality.

In distinction to numerical identity, a judgment of equality presumes a difference between the things being compared. According to this definition, the notion of 'complete' or 'absolute' equality is self-contradictory. Two non-identical objects are never completely equal; they are different at least in their spatiotemporal location. If things do not differ they should not be called 'equal,' but rather, more precisely, 'identical,' as e.g., the morning and evening star. Here usage might vary. Some authors do consider absolute qualitative equality admissible as a borderline concept¹¹.

Equality in its prescriptive usage has, of course, a close connection with morality and justice in general and distributive justice in particular. From antiquity onward, equality has been considered a constitutive feature of justice¹². Throughout history, people and emancipatory movements use the language of justice to pillory certain inequalities. But what exactly is the connection between equality and justice, i.e., what kind of role does equality play in a theory of justice? The role and correct account of equality, understood as an issue of social justice, is itself a difficult philosophical issue. To clarify this, philosophers have defended a variety of principles and conceptions of equality.

How, then, is social justice to be defined? Would we want to live in a society in which incomes were, literally, equal? And, if not, what's the right amount of inequality, and do we have too little or too much at present? In thinking about distributive justice, the natural tendency is to focus on income and wealth. Our own treatment of the topic will follow a similar bias. Nonetheless, other outcomes or "goods"—political rights, individual liberties, economic efficiency, and happiness—also matter."

A commitment to real equality of opportunity would require a more active public role than is currently found even in the welfare states of Western Europe, and *a fortiori*, than in the United States. Because the public sector would need to compensate not only for differences in family background but also, and more controversially, for natural ability, it would imply a degree of intervention in the family and in society generally that most Americans would find offensive.

To be morally acceptable, a society's institutional order must treat its citizens justly. Justice is closely related with equality, and this relation has two aspects. First, it is uncontroversial today that there is an important sphere of social regulation in which justice requires strictly equal treatment. Thinkers and countries differ on what they include within this sphere of equality, what they take equality to require in the various included domains of regulation, and what they want the equal rules to be in these various domains. Still, there is rough agreement that the sphere of strict equality includes voting, parenting, punishment, public traffic, taxation, as well as participation in commodity, labour and capital markets.

The sphere of strict equality has limits. If citizens have equal rights to acquire personal property, then inequalities will arise — not merely because different things will belong to different people, but also because some will own more than others. Such inequalities could be avoided by extending the sphere of equality, for instance by understanding the social product as communal

property from which all may consume what they need. But this would entail substantial moral costs in terms of liberty and economic efficiency. Justice may be better served, then, by permitting such socio-economic inequalities, especially when they are institutionally moderated.

This is the other aspect of the relation of justice to equality. Outside the sphere of equality, social institutions affect the degree of inequality in many ways. A social safety net and bankruptcy laws can ensure that citizens do not fall into destitution. Public funding can secure decent educational opportunities for children born into poor families. Progressive income, wealth, and inheritance taxes can moderate the concentration of income and wealth. And a generous supply of public goods can limit the special advantages wealth confers. With an inequality-moderating institutional design, we can achieve a just social order even if the sphere of strict equality is relatively small.

Institutional designs that moderate inequalities outside the sphere of strict equality are crucial to the stability of a just society. European states illustrate that it is not hard to keep socio-economic inequality in the moderate range. But once it breaks decisively above this range, it may be next to impossible to prevent justice from unraveling. This is what we may be witnessing in the U.S. today and, in a different way, in China as well.

Through its connection with justice, equality, like justice itself, has different *justitianda*, i.e., objects the term 'just' or 'equal' or their opposites can be applied to. These are mainly actions, persons, social institutions, and circumstances (e.g. distributions). These objects of justice stand in an internal connection and order that can here only be hinted at. The predicates "just" or "unjust" are only applicable when *voluntary* actions implying responsibility are in question. Justice is hence primarily related to individual actions. Individual persons are the primary bearer of responsibilities (ethical individualism). Persons have to take responsibility for their individual actions and for circumstances they could change through such actions or omissions. Although people have responsibility for both their actions and circumstances, there is a moral difference between the two *justitianda*, i.e., an injustice due to unjust treatment through an individual or collective action and an injustice due to a failure to correct unjust circumstances. The responsibility people have to treat individuals and groups they affect in a morally appropriate and, in particular, even-handed way has hence a certain priority over their moral duty to turn circumstances into just ones through some kind of equalization. Establishing justice of circumstances (ubiquitously and simultaneously) is beyond any given individual's capacities. Hence one has to rely on collective actions. In order to meet this moral duty, a basic order guaranteeing just circumstances must be justly created. This is an essential argument of justice in favor of establishing social institutions and fundamental state structures for political communities; with the help of such institutions and structures, individuals can collectively fulfill their responsibility in the best possible manner. If circumstances can be rightly judged to be unjust, all persons have the responsibility and moral duty, both individually and collectively, to change the pertinent circumstances or distributive schemes into just ones.

Until the eighteenth century, it was assumed that human beings are unequal by nature — i.e., that there was a natural human hierarchy. This postulate collapsed with the advent of the idea of natural right and its assumption of an equality of natural order among all human beings. Against Plato and Aristotle, the classical formula for justice according to which an action is just when it offers each individual his or her due took on a substantively egalitarian meaning in the course of time, viz. everyone deserved the same dignity and the same respect. This is now the widely held conception of substantive, universal, moral equality.

The principle of equal dignity and respect is now accepted as a minimum standard throughout mainstream Western culture. Some misunderstandings regarding moral equality need to be clarified. To say that men are equal is not to say they are identical. The postulate of equality

implies that underneath apparent differences, certain recognizable entities or units exist that, by dint of being units, can be said to be 'equal'¹³. Fundamental equality means that persons are alike in important relevant and specified respects alone, and not that they are all generally the same or can be treated in the same way¹⁴. In a now commonly posed distinction, stemming from Dworkin¹⁵, moral equality can be understood as prescribing treatment of persons as equals, i.e., with equal concern and respect, and not the often implausible principle of treating persons equally. This fundamental idea of equal respect for all persons and of the equal worth or equal dignity of all human beings is accepted as a minimal standard by all leading schools of modern Western political and moral culture. Any political theory abandoning this notion of equality will not be found plausible today. In a period in which metaphysical, religious and traditional views have lost their general plausibility, it appears impossible to peacefully reach a general agreement on common political aims without accepting that persons must be treated as equals. As a result, moral equality constitutes the 'egalitarian plateau' for all contemporary political theories. To recognize that human beings are all equally individual does not mean having to treat them uniformly in any respects other than those in which they clearly have a moral claim to be treated alike. Disputes arise, of course, concerning what these claims amount to and how they should be resolved.

Today the following postulates of equality are generally considered morally required.

Strict equality is called for in the legal sphere of civil freedoms, since — putting aside limitation on freedom as punishment — there is no justification for any exceptions. As follows from the principle of formal equality, all citizens of a society must have equal general rights and duties. These rights and duties have to be grounded in general laws applying to everyone. This is the postulate of legal equality. In addition, the postulate of equal freedom is equally valid: every person should have the same freedom to structure his or her life, and this in the most far-reaching manner possible in a peaceful and appropriate social order.

In the political sphere, the possibilities for political participation should be equally distributed. All citizens have the same claim to participation in forming public opinion, and in the distribution, control, and exercise of political power. This is the postulate — requiring equal opportunity — of equal political power sharing. To ensure equal opportunity, social institutions have to be designed in such a way that persons who are disadvantaged, e.g. have a stutter or a low income, have an equal chance to make their views known and to participate fully in the democratic process.

In the social sphere, social positions, equally gifted and motivated citizens must have approximately the same chances at offices and positions, independent of their economic or social class and native endowments. This is the postulate of fair equality of social opportunity. An unequal outcome has to result from equality of chances at a position, i.e., qualifications alone counting, not social background or influences of milieu.

Bibliography:

1. Dann, Otto, 1975, "Gleichheit", in: *Geschichtliche Grundbegriffe*, ed. by V. O. Brunner, W. Conze, R. Koselleck, Stuttgart: Klett-Cotta 1975, p. 997;
2. Oppenheim, Felix, 1970, "Egalitarianism as a Descriptive Concept," *American Philosophical Quarterly*, 7: 143-152, reprinted in L. Pojman & R. Westmoreland (eds.), *Equality. Selected Readings*, Oxford: Oxford University Press 1997, p. 55-65;
3. Westen, Peter, 1990, *Speaking Equality*, Princeton: Princeton University Press, p. 77;
4. Rae, Douglas, et al., 1981, *Equalities*, Cambridge: Harvard University Press, p. 132;
5. Westen 1990, p. 10;
6. Rawls, John, 1971, *A Theory of Justice*, Cambridge: Harvard University Press, rev. ed. 1999, p. 21;
7. Rae, Douglas, et al., 1981, *Equalities*, Cambridge: Harvard University Press, p. 127, 132;

8. Temkin, Larry, 1993, *Inequality*, Oxford: Oxford University Press, chap. 2);
9. Rae 1981, p. 132;
10. Williams, Bernard, 1973, "The Idea of Equality," in: B. Williams, *Problems of the Self*, Cambridge: Cambridge University Press, pp. 230-249, reprinted in L. Pojman & R. Westmoreland (eds.), *Equality. Selected Readings*, Oxford: Oxford University Press 1997, pp. 91-102.
11. Tugendhat, Ernst & Ursula Wolf, 1983, *Logisch-Semantische Propädeutik*, Stuttgart: Reclam, p. 170;
12. On the history of the concept, cf. Albenethy, Georg L. (ed), 1959, *The Idea of Equality*, Richmond: John Knox, Benn, Stanley, 1967, "Equality, Moral and Social," in: *Encyclopedia of Philosophy*, ed. by Paul Edwards, New York: Macmillan, 1967, Vol. 3. pp. 38, Brown, Henry Phelps, 1988, *Egalitarianism and the Generation of Inequality*, Oxford: Clarendon, pp. 995-1046, Thomson, David, 1949, *Equality*, Cambridge: Cambridge University Press;
13. Thomson 1949, p. 4;
14. Nagel, Thomas, 1979, "Equality," in T. Nagel, *Mortal Questions*, Cambridge University Press, pp. 106-127;
15. Dworkin, Ronald, 1977, *Taking Rights Seriously*, Cambridge: Harvard University Press, p. 370.

ORIGINAL PAPER

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Access to justice in order to protect the right of property

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Abstract: *The right of access to court is a distinct right established by the European Court of Human Rights in its case law and requires not only the right of a plaintiff to formally initiate the civil lawsuit but also the right that de facto and de jure issues concerning its civil rights and obligations to be reviewed in substance by the court, as well as the right to obtain the execution of the final court decision (and irrevocable). The conditions of admissibility of an action will be analyzed from the perspective of the right of access in relation to the prior administrative procedure provided by the Law no. 10/2001 on res judicata or on the prescription institution. At the end of this article there will be made some remarks on the limitations of the right of access to court in terms of legal taxes or procedural deadlines for an action. Also, references will be made on grounds which may justify the failure of a final court decision as analyzed by the European Court of Human Rights.*

Key words: *access to justice, right of property, legal taxes, the prescription institution.*

Any aspect of the right to a fair trial would be worthless unless the dispute is brought in front of a judge. The control exercised by the judicial power, that is „the right of access to court” represents one of the rigors of the rule of law.

However, it is important to underline the fact that the right of access to court does not automatically lead to the initiation of legal procedure, as the law establishes certain conditions such as the courts’ competence, the necessity to go through preliminary procedures, conditions for the exercise of rights or legal taxes rules¹. Thus, the expression „access to court” should be preferred to the „free access to court” expression, which is provided by article 21 of the Romanian Constitution. This right would represent the faculty of any person to file, according to its own *appreciation*, a legal action, whether it is based on facts or legal provisions or not, „triggering the correlative obligation of the state, which, by means of competent court, is to judge that action”².

The regulation of the way of access to justice belongs to the States parties to the Convention, thus the analysis of this right may vary „according to individuals’ needs and community resources.” Following this rule, the European Court has shown that this right is not absolute and it agreed that it is possible to exist implicit limitations that contracting States can establish under a certain right of appreciation³. According to the Court, whenever a limitation brought to a right or to a fundamental freedom is analysed, limitation which must not affect the substance of the right, the Court has to see whether the principle of proportionality has been respected. This principle refers to

the fact that the limitation has to have a legitimate purpose and there has to exist a reasonable proportion between the means used and the intended purpose. On the other hand, each time "proportions between the needs of the society general interest and the need to protect the individual fundamental right have to be maintained"⁴.

Article 1 of the First Additional Protocol to the Convention provides the content of the protection of right of property and comprises a general provision stipulating the protection of the right of property in the first phrase of the Article 1, and other two provisions in the other two phrases of the same article, regarding the conditions under which limitations can affect the right of property, as well as the use of the good as the object of this right in accordance with the general interest.

The matter submitted to the analysis refers to the right of access to a court in order to defend one's right of property. In the case of such a matter, there are some legal provisions that have to be discussed, regarding the admissibility conditions of such a legal action and implicitly the inadmissibility of a lawsuit because the preliminary administrative procedure has not been respected, because of *res judicata* or because of the unanimity rule in the case of an action for recovery of property.

In this context, there are several issues regarding the meaning of court independency and impartiality that have to be mentioned. For the moment, a simple statement which sustains such characters is sufficient for the state authority agencies such as Central Commission for Remedies Establishment and National Authority for Property Restitution. This statement is grounded on the fact that these authorities are responsible for the effective realization of a judgment and in order to respect the plaintiff's right to a fair trial from the perspective of the reasonable time, the period of time after which a remedy can be obtained under the restitution law should not be very long.

According to the article 6 § 1 of the Convention, in the determination of his civil rights and obligations or of any criminal charge against him, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law. Thus, any natural or legal person is entitled to a *tribunal*, according to the Convention, which has to be independent and impartial. The preeminent role that the right to a fair trial has in a democratic society favoured the development of a principle – „the right of access to a tribunal”, as a first component of the guarantees system established by the article 6 § 1.⁵ In order to ensure the effectiveness⁶ of the conventional provision, there are used two specific instruments: the extension of the applicability of the right and of its content. Therefore, the two categories of disputes indicated by the conventional provision are extended due to the progressive interpretation⁷ grounded, as well, on the „autonomous notions” technique, the classic terminology „civil” – „criminal” having become obsolete.

In the Judgment given in the case *Zand v. Austria*⁸, the court has mentioned that the judicial system organization in a democratic society is not to be let at the Executive's discretion. This means that several organization details can be established by the Executive, but the general scheme must be the result of a law of the Parliament. This is the interpretation of the expression „tribunal established by law”, and, the reference to this „legality” results indeed in the tendency to suppress jurisdictions created for special circumstances.

On the other hand, in the Judgment given in the case *Sramek v. Austria*⁹, the Court has reminded the fact that it is not enough to question the independence character, the appointment of the members of a „tribunal” by the executive power. The real analysis of such a case can lead to solutions apparently inconsistent, but, which can be justified by the inconsistency of national rights. Another example is the French judicial system, where administrative judges are not considered magistrates in the sense of the art. 34¹⁰.

Another example is that, although the plaintiff had obtained a definitive judgment which ordered that the administrative authorities were to exchange an amount of money which the plaintiff had in bank notes withdrawn from circulation, by means of an extraordinary recourse, the Supreme Court annulled the judgment. The solution according to which courts are not competent in the field has been found by the Court to be contrary to the right of access to a court¹¹, as well as to the judicial security principle as the admission of the recourse, which can be filed anytime, can lead to the annulment of the entire procedure terminated by a definitive judgment and whose execution has already begun.

As there has already been mentioned the execution of a judgment, another aspect of the right of access to justice, without which the last one would become illusory, it is important to briefly mention several issues. As regard to this matter, it is important to underline a Decision of the Romanian Constitutional Court¹² which established the constitutionality of the legal provision which allowed the forced execution of debts against the state or its bodies, only if the amount was provided by the budget of the current year. Such a solution was contrary to the access to court and the legal logic. In order to support this statement, another decision of the Romanian Constitutional Court¹³ is worth mentioning, which essentially criticised the interference of the legislative in the process of realization of justice by suspending litigations in progress or the forced execution of judgments irrespective of the motif¹⁴.

In the succession of the laws on property restitution, there has been a major change by introducing the Law no. 10/2011 which comprises both special provisions of substantial law but also the regulation of an mandatory and pre-trial administrative procedure. The two recourses in the interest of the law of the Romanian Supreme Court (Decision no. 53/2007 and Decision no. 33/2008 of the Romanian Supreme Court) stipulated that the law no. 10/2001 does not restrict the access to court even if it eliminated the possibility to appeal to the common law in the case of ineffectiveness of take over acts of nationalized buildings. Common law was considered rigid and conservatory regarding its scope, whereas the special law brought improvements to the remedy system, subordinating it to the judicial control through special procedure provisions.

Finally, the payment of legal taxes does not violate the principle of free justice and, implicitly, of free access to court, as the party who lost the litigation can be forced to pay back the money that the other party had to pay under art. 274-277 Romanian Code of Civil Procedure ; more than that, the Law on legal taxes no. 146/1997 provided the exemption from legal taxes for certain categories of civil cases, and the national legislation grants other effective guarantees in order for the persons with limited material possibilities to be able to go through a legal proceeding.

The fact that whether in Romania legal taxes imposed to plaintiffs represent or not a violation of the right of access to court can be decided only by assessing each case, as the European Court has stated¹⁵. Thus, despite the possibility of appreciation the state has in this field, a limitation of the right of access to a „tribunal” violates the article 6 of the Convention unless it implies a legitimate purpose and there is a reasonable proportion between the means used and the intended purpose¹⁶. Therefore, although the legal tax itself would be contrary to conventional provisions, nevertheless, the Court has stated that the amount of expenses, including the plaintiff solvability and the procedure phase when this condition is required, are elements that can lead to the conclusion that the right of access to court has been violated in its substance¹⁷. In conclusion, it is important to assess the proportional character of the restriction of the right due to the amount of the legal tax, appreciated in the light of the circumstances of the case.

The amount of legal taxes is established according to the article 18 par. 1 of the Law no. 146/1997, by the court, or, as the case may be, by the Ministry of Justice, which plays the role of State fiscal agents¹⁸.

The Romanian Code of Fiscal Procedure omitted to regulate legal taxes, therefore the analysis has to be made in reference to the Law no. 146/1997 and to the legislative references it comprises.

The article 18 par. 2 also establishes a right to file a re-examination demand against the modality of calculation of the legal tax which has to be exercised within 3 days as from the date when the legal tax has been established or the date when the amount established was communicated to the interested person. The possibility to choose between the two moments as from which the 3 day-deadline begins violates the rights of those obligated to pay the tax which they intend to challenge. Therefore, a version of the interpretation should be according to the principles provided by the European Court of Human Rights, so that this deadline should be established taking into consideration the most advantageous moment for the payer, the European Convention provisions having precedence.

So, in the absence of derogatory provisions, there is obvious that the deadline is calculated on free days, according to the rules of procedure deadlines calculation provided by the Romanian Code of Civil Procedure. Thus, the days on which it begins and it ends are not calculated.

¹ I. Muraru, E.S. Tănăsescu, *Constituția României. Comentariu pe articole*, Ed. C.H. Beck, București, 2008, p. 179.

² Radu Chiriță, *Dreptul la un proces echitabil. Tomul I*, Editura Universul Juridic, București, 2008, p. 128; See also T. Drăganu, „Accesul liber la justiție”, Editura Lumina Lex, București, 2003, p. 7, where the author uses the term „free” when talking about filing a legal action, which may appear as a contradiction with the mandatory requirement of fulfilling certain conditions in order to file the action.

³ Corneliu Bîrsan, *Convenția europeană a drepturilor omului. Comentariu pe articole. Vol. I. Drepturi și libertăți*, Ed. All Beck, București, 2005., p. 461.

⁴ Sebastian Rădulețu, *Libertăți fundamentale*, Ed. Didactică și Pedagogică R.A., București, 2006, p. 214.

⁵ Corneliu Bîrsan, *op. cit.*, pp. 456-457.

⁶ The notion of „effectiveness” is omnipresent in the case-law of the European Court of Human Rights. See Véronique Champeil-Desplats, Danièle Lochak, sous la direction, „À la recherche de l'effectivité des droits de l'homme”, Presses Universitaires de Paris 10, 2008, pp. 41-45, according to which *the effectiveness of conventional rights ensure a priori a better protection of individuals, thus, it contributes to the effectiveness of the Convention by contributing to the realization of the object and the purpose of this instrument(...)*.

⁷ Judgment from 23 March 1995, given in the case of *Loizidou v. Turciei*, which refers to the interpretative dynamism correlated to the changes in the legal order of High Contracting Parties.

⁸ Commission's Report from 12 October 1978.

⁹ Judgment from 22 October 1984.

¹⁰ Fr. Sudre, „Dreptul european și internațional al drepturilor omului”, Editura Polirom, Iași, 2006, p. 183.

¹¹ Judgment from 2 November 2004, given in the case *Tregubenko v. Ucraina*.

¹² Decision no. 202 from 4 July 2002, published in Official Gazette no. 805 from 6 November 2002.

¹³ Decision no. 6 from 11 November 1992, published in Official Gazette no. 48 from 4 March 1993.

¹⁴ For the same idea, see Radu Chiriță, „Dreptul la un proces echitabil”, *op. cit.*, p. 143.

¹⁵ Judgment from 19 June 2001, given in the case of *Kreuz v. Poland*, Judgment from 13 July 1995, given in the case of *Tostoy Miloslavsky v. United Kingdom*.

¹⁶ Ana-Maria Puiu, Adriana Nicolae, Andi Constantin Puiu, „Cheltuielile de judecată”, Ediția a 2-a, reviewed abridged and , Editura Hamangiu, București, 2011, p. 88.

¹⁷ Judgment from 24 May 2006, given in the case of *Weissman and others v. Romania*.

¹⁸ D.D. Șaguna, „Tratat de drept financiar și fiscal”, Editura All Beck, București, 2001, p. 864.

ORIGINAL PAPER

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Regional Human Rights Systems and the Principle of Universality

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Abstract: *The activity of regional human rights systems reflects sometimes the tension between the universality of human rights and the relativity of the culture where they should be implemented. In this context an important issue is whether regional systems, adapted to specific local conditions, could threaten the universality of human rights or, on the contrary, they contribute to a wider and deeper implementation of universal human rights. This article will assert that regional human rights systems should not be seen as dangers for the universality of human rights but, on the contrary, as contributors to the implementation of global human rights in various cultural environments. It will also go on to challenge the main counter arguments to its statement, in order to cover all the relevant aspects of the topic.*

Key words: *regional human rights systems, global human rights system, rule of law, pluralism*

Since the aftermath of the Second World War, the concept of human rights, as universal and equal rights, based on human dignity, recognized to every individual simply because he or she is a human being, has known a wide acceptance at global level. This success is reflected not only by universal instruments created by United Nations Organisation in order to promote and protect human rights but also by the development of some regional systems with the same goals. In this framework, the relationship between the universality of human rights and these continental systems has generated a vivid debate among scholars, practitioners, human rights activists and politicians.

The main topic of this debate is whether regional systems, adapted to specific local conditions, could threaten the universality of human rights or, on the contrary, they contribute to a wider and deeper implementation of universal human rights. Some authors² have warned about the alleged danger that regional systems could represent for this concept, mainly because they may weaken the universal human rights system by setting lower standards or creating “shields” for authoritarian regimes against global scrutiny, while others³ have argued for the positive effects of these systems which should be seen rather as complements of the United Nations’ system, useful for the application of universal human rights in local contexts.

This article will assert that regional human rights systems should not be seen as dangers for the universality of human rights but, on the contrary, as contributors to the implementation of global human rights in various cultural environments. Moreover, it will also go on to argue in its conclusions that these regional developments could favour the development of the rule of law and pluralism as essential conditions for the effectiveness of fundamental rights.

In the first part, the article will present the universality of human rights and it will also assess the three main regional systems, developed in Europe, Americas and Africa, their role in promoting human rights at continental scale, their relations with UN instruments and bodies but also the rapports between them. The article will present the main arguments in favour of the complementarity of their work in relation with the global system. On this occasion some references will be made at other regional or sub regional instruments or institutions with a certain role in this field. Secondly, this paper will challenge the main counter arguments to its statement, in order to cover all the relevant aspects of the topic. In conclusion, concerning future possible developments, it will stress the relationship between democracy and human rights as it rises from some instruments adopted at continental level by the regional systems mentioned above.

One of the main features of the modern concept of human rights is their universality. Firstly, they are universal because they belong to every human being. Secondly, they are universal because they are universally accepted at global level⁴. At least formally, almost every state, regardless of its political regime, recognizes the universal standards of human rights.

This universality is reflected in the global system set up by United Nations for the protection and promotion of human rights. Several UN treaties and bodies contribute to the implementation of human rights standards all over the world but sometimes they encounter various forms of resistance. Moreover, the same goals of protection and promotion of human rights belong not only to this global system but also to different regional systems.

The mentioned debate about regional human rights systems is an aspect of the tension between the universality of human rights and the relativity of the culture where they should be implemented. From this perspective, the critical problem appears to be how those systems “may effectively accommodate diversity and yet preserve, promote, and develop universal human rights values”⁵. The regional and universal human rights systems should be complementary. Even if this relationship is complex and sometimes complicated, each of them presents some advantages for an effective protection of human rights. From this perspective, regional institutions can foster cooperation between states whereas universal organizations are better situated to settle disputes between them⁶. In addition, some regional organizations can remove the idea that human rights are creations of western culture, imposed to developing countries.

The main regional human rights systems were created for specific continental reasons but with the same aim, namely promoting and protecting international human rights at continental level. The Council of Europe, created in 1949, was a regional response to the atrocities of the Second World War⁷.

Its main action in the field of human rights was the adoption in 1950 of the European Convention for the Protection of Human Rights and Fundamental Freedoms, followed by other continental treaties relevant for human rights⁸. The European Convention established initially two supervisory bodies, the European Commission on Human Rights and the European Court on Human Rights which, from 1998, according to Protocol 11 to the Convention were replaced by a new permanent Court. In Americas, reflecting an existing continental tradition, the Organization of American States was created in 1948.

This regional system adopted two main human rights instruments: the American Declaration of the Rights and Duties of Man (April 1948) and the American Convention on Human Rights (1969). It also established two supervisory bodies: the Inter-American Commission on Human Rights and the Inter-American Court on Human Rights. In Africa, the Organization of African Unity (1963) was created as a result of the process of decolonization. It adopted the African Charter on Human and Peoples' Rights in 1981. In 2002, the Organization of African Unity was replaced by the African Union.

The African system seems to be very important for the continent and it should be assessed having in mind the important obstacles that it has to face, especially the widespread poverty and the extreme diversity of its members. These systems have evolved in different conditions and have dealt with specific issues: for example freedom of expression, right to a fair trial or democracy and political participation in Europe, disappearances, amnesty laws or the rights of indigenous peoples in Americas, cruel penalties or the rights to a fair trial in the Sharia Court in African system.

Despite these different contexts and preoccupations, all regional systems mentioned above were inspired by the global human rights system and embraced its values⁹. Each system refers expressly to these universal norms set in the Universal Declaration of Human Rights¹⁰.

Sometimes these universal values are even more pregnant. For example, the Inter-American Commission could not have referred to national standards as in European system, because of the weakness of national judiciaries among the member states¹¹. In this situation the references to universal norms in the activity of supervisory bodies of American system are more frequent than in the case-law of their European counter parts. Nevertheless, European Court of Human Rights refers also in its case-law to UN instruments or to the jurisprudence of International Court of Justice.¹²

Moreover, United Nations Organization, after an initial skepticism concerning regional human rights systems¹³, encouraged the development of regional systems¹⁴, trying to preserve at the same time the universality of human rights¹⁵. In this context, the complementarity of regional systems is also assured by the provisions concerning the non-consideration of cases already submitted to another procedure of international investigation.¹⁶

For example, Article 35 of the European Convention on Human Rights provides that "The Court shall not deal with any application submitted under Article 34 that ... (b) ... has already been submitted to another procedure of international investigation or settlement and contains no relevant new information." This constitutes an admissibility criterion for individual applications before the Court.

From another perspective, the contribution of regional systems to the strengthening of universality of human rights results not only from their relations with the UN system but also from the rapports between them. The jurisprudence of European Court of Human Rights is often cited by Inter-American and African supervisory bodies. American Convention was inspired by European Convention and African Charter "used the American Convention"¹⁷. Moreover similarities between jurisprudential developments can be observed. For example both American and European bodies have dealt with systemic violation of human rights even if their approaches were different. The Inter-American Commission used the system of country reports on human rights situation while European Court of Human Rights, faced with growing number of repetitive cases, has recently developed the "pilot judgment" procedure.¹⁸

The Court initiates such a procedure where the facts of the case show the existence of a structural or systemic problem which has given rise to similar applications. In its case-law concerning Romania, the Court issued several pilot judgments with regard to the rights to peaceful enjoyment of possessions¹⁹, in the context of implementation of restitution laws in Romania²⁰.

The critics of human rights regional systems have regarded them as dangers to the universality of human rights because they could duplicate the work of universal institutions and could sometimes develop divergent opinions²¹. But, as it was mentioned above, the overlapping could be avoided due to the specific provisions in regional instruments according to which regional bodies cannot deal with cases submitted to another procedure of international investigation.

Moreover, some critics have regarded them as developing contradictory policies among themselves²². This argument is not convincing at a general scale since the regional systems often inspire each other as it was already emphasized. Exceptions could easily be solved by reference to the common universal origin²³.

Secondly, some regional systems have been criticized because they sometimes set lower standards for human rights than the universal system does and, in this way, they could be transformed in “shields”²⁴ by authoritarian regimes to avoid international scrutiny on domestic human rights situation. In this way “regionalism can also be used to turn the human rights project against itself”²⁵. An illustrative situation of this type would be the African Union’s opposition to the indictment of the president al Bashir of Sudan by the International Criminal Court.

This argument could make sense. Nevertheless adherence to a regional system cannot spare the states from respecting their obligations imposed by universal system of human rights. Some normative provisions for this idea were presented above. Apart from this danger, imposing lower standards and probably more acceptable, as does the Arab Charter on Human Rights (1994) for example, is not a wrong thing in itself. On the contrary it could be considered a step towards human rights standards.

In conclusion, this essay has argued that regional human rights systems should not be seen as dangers for the universality of human rights but, on the contrary, as contributors to the implementation of global human rights in various cultural environments. In the future, these regional developments could favour the development of the rule of law and pluralism as essential conditions for the effectiveness of fundamental rights. Some main regional systems seem to have at their origins not only the idea of human rights but also that of democracy.

This is more obvious in European systems but it can be seen also in Article 9 of Organization of American States’ Charter. From this perspective the Inter-American Commission on Human Rights has contributed in the 1980’ to the democratization in Latin America²⁶. Even at African level there are some provisions that could evolve in this sense, especially Article 30 of the constitutive act of African Union that sanctions unconstitutional Governments. If this evolution of regional systems towards democratic ideas continues in the future, this could contribute also to the effectiveness of human rights.

¹ The author is currently postgraduate student in the Master program in International Human Rights Law of the University of Oxford (2012-2014), receiving for this program of study a Clarendon Fund Scholarship.

² Melissa Robbins, Comment: Powerful States, Customary Law and the Erosion of Human Rights through Regional Enforcement, 35 Cal. W. Int’l L.J. 275 (2005), cited by Shelton D., *Regional Protection of Human Rights* (2008) OUP, p.112.

³ Inis Claude, *Swords Into Plowshares*, 1984, at.102, cited by Steiner H.J., Alston P., Goodman R., ‘International Human Rights in Context’, Oxford University Press, 2007, p.927.

⁴ For various meanings of “universality” in the human rights discourse see Jack Donnelly, *Universal Human Rights in Theory and Practice*, Second Edition, Cornell University Press, Ithaca and London, 2003, p.1

⁵ D. L. Donoho, *Autonomy, Self-Governance, and the Margin of Appreciation*, 15 Emory Int’l L.Rev. 391, 429 (2001), cited by Shelton D., *Regional Protection of Human Rights* (2008) OUP, p.112.

⁶ Inis Claude, *ibid.*, p.102.

- ⁷ Steiner H.J., Alston P., Goodman R., 'International Human Rights in Context', Oxford University Press, 2007, p.933.
- ⁸ For example European Social Charter, the Framework Convention for the Protection of National Minorities, the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment or the European Charter for Regional and Minority Languages.
- ⁹ Shelton D., Regional Protection of Human Rights (2008) OUP, p.17
- ¹⁰ „Considering the Universal Declaration of Human Rights...” (the European Convention on Human Rights), „Reaffirming their adherence to the principles of human and peoples' rights and freedoms contained in the declarations, conventions and other instrument adopted by ...the **United Nations**” (The African Charter on Human Rights), „Reiterating that, in accordance with the **Universal Declaration of Human Rights**...” (The American Convention on Human Rights)
- ¹¹ Tom Farer, The Rise of the Inter-American Human Rights Regime: No Longer a Unicorn, Not Yet an Ox, at 32, cited by Steiner H.J., Alston P., Goodman R., 'International Human Rights in Context', Oxford University Press, 2007, p.1036.
- ¹² Tatar v Romania, app 67021/01, ECHR, 27 January, § 69.
- ¹³ Shelton D., Regional Protection of Human Rights (2008) OUP, p.111
- ¹⁴ For example by the Final Declaration and Programme of Action made at UN's 1993 World Conference on Human Rights, held in Vienna.
- ¹⁵ For example **International Covenant on Civil and Political Rights**, article 5, **International Covenant on Economic, Social and Cultural Rights**, article 5 or Universal Declaration on Cultural Diversity, article 4 (“No one may invoke cultural diversity to infringe upon human rights guaranteed by international law, nor limit their scope.”)
- ¹⁶ Heyns C. and Killander M., Towards Minimum Standards for Regional Human Rights Systems, p.18, in Cogan et al (eds) Looking to the future: Essays on international law in honor of W Michael Reisman, 2010, Available at SSRN: <http://ssrn.com/abstract=1572441>
- ¹⁷ Shelton D., *ibid.*, p.109
- ¹⁸ Steiner H.J., Alston P., Goodman R., *ibid.*, p.1006.
- ¹⁹ Sebastian Rădulețu, Crina Kaufman, Procedura hotărârilor-pilot și aplicarea ei în jurisprudența Curții Europene a Drepturilor Omului cu privire la România, Pandectele Române, nr.2/2011, p.241-250.
- ²⁰ Viasu v Romania, app 75951/01, ECHR, 9 December 2008; Katz v Romania, app 29739/03, ECHR, 20 January 2009, Maria Atanasiu and others v Romania, app 30767/05 and 33800/06, 12 October 2010.
- ²¹ Melissa Robbins, *ibid.*, p.112.
- ²² Steiner H.J., Alston P., Goodman R., *ibid.*, p.930.
- ²³ Steiner H.J., Alston P., Goodman R., *ibid.*, p.930.
- ²⁴ Heyns C. and Killander M., *ibid.*, p.3.
- ²⁵ Heyns C. and Killander M., *ibid.*, p.4.
- ²⁶ Tom Farer, *ibid.*, p.32.

ORIGINAL PAPER

Cosmin Lucian GHERGHE

The Impact of the New Civil Code upon the Fundamental Rights Defended by the European Convention on Human Rights

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Abstract: *The article will analyze the human rights protected by European Convention on Human Rights that were included also in the new Romanian Civil Code entered into force in 2011. The articles 58-81 of the new law protect so called personality rights, identification attributes as well as the person's to dispose of himself or herself. This paper will determine the content of these rights and will try to detect if their content is the same as that of correspondent conventional rights. In order to reach this goal, the article will use a comparative approach of the two legal instruments, but also of the relevant case law of European Court and of domestic tribunals.*

Among the general regional international instruments of protection of human rights, in the Member States of the Council of Europe, the Convention for the Protection of Human Rights and Fundamental Freedoms holds an important place, called the European Convention on Human Rights (the Convention), which was signed in Rome on November 4th, 1950 and came into force on September 3rd, 1953¹.

Romania signed the Convention and its Additional Protocols on October 7th, 1993, when it submitted the documents of accession to the Statute of the Council of Europe and became a part to the Convention for the Protection of Human Rights and Fundamental Freedoms, following its ratification by the Law no. 30/1994, published in the Official Gazette no. 135 of May 31st, 1994, thus recognizing the rights and freedoms of every person who belongs to its jurisdiction. Thus, it accepted the obligations and responsibilities involved by an international control system.

The article 20, paragraph 1 of the Constitution of Romania on the rights and freedoms of all citizens states: "The constitutional provisions on the rights and freedoms of citizens shall be construed and enforced according to the Universal Declaration of Human Rights, to the documents and the other treaties to which Romania is a party", and paragraph 2 states: "If there are discrepancies between the covenants and treaties on the fundamental human rights, to which

Romania is a party, and the internal laws, the international regulations shall prevail, unless the Constitution or the internal laws contain more favorable provisions².

The entry into force of the new Civil Code on October 01st, 2011, represented a major moment of legislative reform in the Romanian legal history, comparable only to the enforcement and entry into force of the Civil Code of 1864³.

In the new Civil Code, under the article 4, the provisions on the human rights and freedoms are construed and explained in accordance with the provisions of the article 20 of the Constitution of Romania. The Universal Declaration of Human Rights, the covenants and other treaties to which Romania is a party.

The jurisprudence of the European Court of Human Rights emphasizes that, although the contracting states are not required to incorporate the Convention and the international protocols in the legal internal order, it results from the principle of subsidiarity that the national jurisdictions are required to, as far as possible, construe and enforce their legal law rules in accordance with the provisions of the Convention⁴. If conflicts arise between the international instruments on human rights and the new Civil Code they are solved based on the principle of international regulations priority, under the article 4, paragraph 2 of the new Civil Code and the article 20, paragraph 2 of the Constitution of Romania.

After guaranteeing the rights and freedoms of the article 8 (the right to respect for private and family life) and the article 9 (the freedom of thought, conscience and religion), the Convention consecrates the article 10 *Freedom of expression*. Paragraph 1, of the article 10 guarantees freedom and determines its content and paragraph 2 specifies the limits of its exercise.

The new Code gives great importance to the respect for private life and human dignity. The article 70 entitled *The Right to Freedom of Expression* is reported both to the constitutional provisions (the article 30, paragraph 1) and the jurisprudence of the European Court of Human Rights enforced under the Article 10 of the Convention.

The right to freedom of expression implies the possibility of any individual to make public their thoughts, opinions and beliefs. The freedom of speech is the synthetic and contemporary formula of what was called in history the freedom of speech, freedom of press, freedom of opinion⁵.

The European Court decided that the freedom of expression consecrated in paragraph 1 of the article 10 is one of the essential bases of a democratic society, one of the basic conditions for its progress.

The European Court has always emphasized the crucial importance of freedom of expression as one of the preliminary conditions of a well-functioning democracy⁶.

The right to freedom of expression includes the freedom of opinion and freedom of information. The freedom of expression is the *sine qua non* condition of a truly pluralist democracy. The progress in the scientific, cultural, artistic domains can not be imagined without the existence of the freedom of expression beyond any state border. The freedom of expression is closely related to the freedom of association and the freedom of unions, freedom of religion⁷, freedom of correspondence⁸.

The article 70 of the new Civil Code is in accordance with the article 10 of the Convention and it guarantees the freedom of expression of every person without making any distinction regarding the nature of the purpose for which this freedom is exercised or regarding the role of the person exercising it in the social life.

But the freedom of speech can only really exist by its simple proclamation at legal or constitutional level. It is required that this freedom to be truly considered a principle of the rule of

law, by the judge, its main defender. Without a jurisprudence to enforce this principle and to construe strictly any limitation of that right, the rules provided for by the article 30 of the fundamental law should be simple forms devoid of content⁹.

The freedom of expression, under the article 70 of the new Civil Code, is accompanied by exceptions imposing a restrictive interpretation and the need to operate restrictions of this fundamental value of a democratic society must be established convincingly. Under the article 30, paragraph 7 of the Constitution of Romania, the defamation of the country and the nation, any instigation to a war of aggression, national, racial, class or religious hatred, as well as the incitements to discrimination, territorial separatism or public violence, as well as any obscene indecent contrary to good morals are prohibited by law. The limitations which may be made to the freedom of expression have a double basis: protecting the rights of personality belonging to other persons and the superior interests of the society¹⁰.

Article 71, *The right to Privacy*, of the new Civil Code is part of the category of personality rights and it is regulated by the article 26, paragraph 1 and article 27 of the Constitution of Romania and the European Convention of Human Rights, by the article 8, paragraph 1, which states that every person has the right to respect his private and family life, his home and correspondence¹¹.

According to the article 8, paragraph 1 of the Convention, the notion of privacy includes the right of the person to private, personal life, its right to social private life and the right of the person to a healthy environment.

In the article 71, paragraphs 2 and 3 of the new Civil Code, the concepts of residence, correspondence, manuscripts, personal documents, information of the private life of a person without its consent are included in the content of the concept of privacy. This article is supplemented by the article 74 of the new Civil Code entitled – *Violations of Privacy* and supported by the article 28 of the Constitution of Romania.

The article 72 of the new Civil Code, *The Right to Dignity*, states in paragraph 1 that every person has the right to respect for its dignity and in paragraph 2 it is shown that it is prohibited to bring any violation to the honor and reputation of a person without its consent or without respecting the limits provided for by the article 75 of the new Civil Code, article 8 and 10, paragraph 2 of the Convention.

The article 75, paragraph 1 of the new Civil Code specifies that the violations that are permitted by law or the Convention and the international covenants on human rights to which Romania is a party do not represent an infringement of the rights provided for in this section (Section III).

The right to its own image under the article 73 of the new Civil Code is a component of the right to privacy, regulated by the article 8 of the Convention, which aims to protect the identity of the person, its private life, personal relationships and sexual freedom¹². The paragraph 2 of the article 73 of the new Civil Code indicates the aspects of the private life of the person that the law maker intended to protect "the exercise of its own image may prohibit or prevent the reproduction in any way of its physical appearance or life, or where appropriate, the use of such reproduction". The acts committed with the consent of the holder or those which are falling within the limitations of the article 75 of the new Civil Code do not represent an infringement to the right to its own image.

When elaborating the article 74, *Violations of Privacy*, of the new Civil Code, the law maker has inspired both from the article 8 of the Convention (1) Every person has the right to respect for its private and family life, his home and correspondence. (2) There shall be no

interference by a public authority with the exercise of this right unless this interference is provided for by law and if it is a measure which, in a democratic society, is required for the national security, public safety, economic well-being of the country, prevention of disorder and crime, protection of health or morals, or protecting the rights and freedoms of others¹³, and from the article 12 of the Universal Declaration of Human Rights and the article 17 of the International Covenant on civil and political rights.

The exercise of the constitutional rights and freedoms in good faith and in compliance with the international covenants and conventions to which Romania is a party does not represent a violation of the rights provided for by Section III under the article 75, paragraph 2 of the new Civil Code.

In conclusion, we can say that the fundamental rights, freedoms and duties of citizens have been construed and enforced in the new Civil Code in accordance with the Constitution, the European Convention on Human Rights, with the covenants and the other treaties to which Romania is a party¹⁴.

Notes:

¹ Corneliu Bârsan, *European Convention of Human Rights. Comment on articles*, vol. I. Rights and Freedoms, C.H. Beck Publishing House, Bucharest, 2005, p. 72

² Tudorel Toader, *Constitution of Romania reflected in constitutional jurisprudence*, Publishing House, Bucharest, 2011, p.41

³ Fl. A. Baias, E. Chelaru, R. Constantinovici, I. Macovei (coordinator), *New Civil Code. Comment on articles*, art. 1 – 2664, C. H. Beck Publishing House, Bucharest, 2012, p. XXIII

⁴ Corneliu Bârsan, *op. cit.* p. 59

⁵ Ioan Muraru, *Constitutional protection of freedom of opinion*, Lumina Lex Publishing House, Bucharest, 2000, p. 66

⁶ Corneliu Bârsan, *op.cit.*, p. 729

⁷ For a detailed analysis of constitutional provisions on the freedom of religion see Anca Parmena Olimid, "Struggle for Sacred after EU Integration. Constitutional Developments Concerning Religion and Freedom of Religion in Greece, Cyprus, Romania and Bulgaria (I)", *Revista de Științe Politice. Revue des Sciences Politiques*, No. 33-34/2012, Craiova: Universitaria Printing House, pp. 226-238.

⁸ *Ibidem*, p. 730

⁹ Sebastian Rădulețu, *Fundamental freedoms*, Didactica si Pedagogica R.A. Publishing House, Bucharest, 2008, p. 240.

¹⁰ Fl. A. Baias, E. Chelaru, R. Constantinovici, I. Macovei (coordinator), *op.cit.*, p. 76.

¹¹ *Ibidem*, p. 76

¹² *Ibidem*, p. 79

¹³ Corneliu Bârsan, *op.cit.*, p. 591

¹⁴ For a discussion regarding the issues of implementing EU anti-discrimination legislation see Cătălina Maria Georgescu, "Challenges in implementing EU anti-discrimination legislation in Member States", *Revista de Științe Politice/Revue des sciences politiques*, Craiova: Universitaria Printing House, no. 24/2009, pp. 47-52.

ORIGINAL PAPER

Anca Parmena OLIMID

EU Law Systems and Effectiveness of Religious Organizations: Legislation, Finances, and Administrative Regulations (I)

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Abstract: *Recently, there has been a focus on law, religion and society as a fundamental catalyst for public discussions on EU integration. The influx of 'religiosity debate' within the area of post-communist studies, particularly in the disciplines of political sciences, has been such that it has almost acquired the status of a "must have" development in recent years. The present paper considers an alternative perspective by which the legal status of religious organizations is part of the status of democracy in the past twenty years. This paper also provides a deeper understanding of the articulation of legal developments allowing us to compare the organizational skills and the degree of autonomous decision-making of religious institutions. From this perspective, the first part of the discussion argues the case of three newly EU countries: Bulgaria, Croatia and Czech Republic that appear to have experienced a gradual withering of personal interest in Church before and after the integration.*

Key words: *law, religious organizations, legal status, authority, self-administration.*

Background, context and particular insights

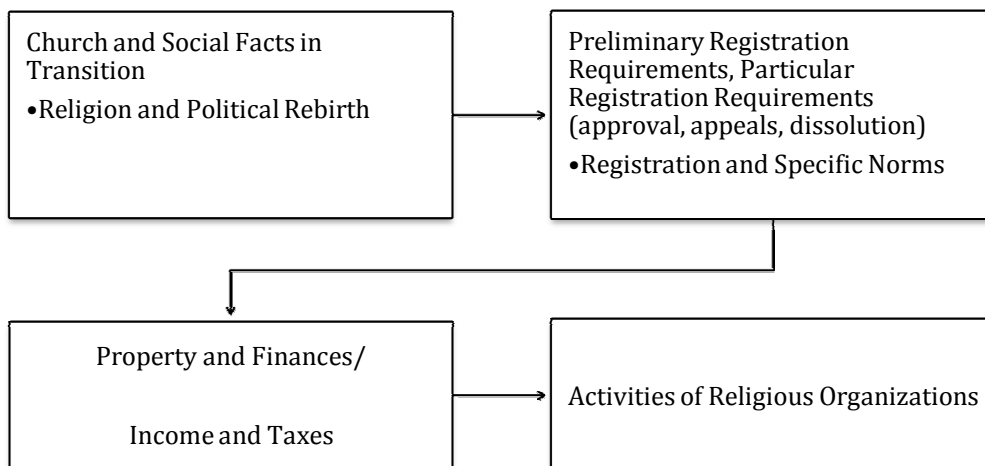
Studies and theories focused on the status of religious organizations and religious markets have both been used to explain: a. the recent trends and the local developments in the past twenty years and b. the traditional theories implying that the role and the self-involvement of religious organizations have gradually decayed in Europe over the last decades, for the same reasons that operate in other Western societies¹.

Talking across, compared with the situation twenty or so years ago, a considerably larger proportion of religious organization now engage in the public sphere for particularized concessions from the government or local authorities, whereas the ability of the authorities to resist these forces has gradually diminished².

Our paper considers an alternative mechanism by which we consider the case of three newly EU integrated countries: Bulgaria, Croatia and Czech Republic identifying three factors as decisive factors: a. mobility may reduce participation of citizens in the political church and social facts

in transition; b. legal registration requirements, property and finances, income and taxes; c. activities of religious organizations³.

Specifically, we analyze the renewed legal dimension of this approach in the accession period identifying and explaining as the central task of the empirical investigation the process of registration of religious organizations, religious communities, churches and societies⁴.



Religion and political rebirth

Put simply, the definitions and the legal classification of selective criteria cover the broader subject of religious organizations from the fact that the text of particular laws in selected countries provide a complex of resources favorable to collective action including regular membership, the organizational management, ceremonies and meeting places and performance of services. Under these circumstances, religion was not a main factor for party system formation in the three selected countries⁵. Through the process of planning a new legislation of religious organizations, state and religious organizations build together important civic skills⁶.

In these conditions, the performance of services and the organizational structure of units and sub-units are essential resources to register a religious organization. In what follows, we present the definitions and criteria of classification of the following terms: “religious denomination”, “religious community”, “religious institution”, “church”, “religious society” in the specific laws of the selected countries (see Table 1. Definitions and Legal Classification of Selective Criteria and Table 2. Criteria of definition).

Table 1. Definitions and Legal Classification of Selective Criteria

Country	Legal classification	Definitions
Bulgaria	Transitional and final provisions § 1-3 of the <i>Religious Denominations Act</i> (2002)	<< (1) “Religious denomination” is a set of religious beliefs upon which religious rites and rituals are performed and upon which religious communities and religious institutions are formed; (2) “Religious community” is a voluntary union of individuals to profess a particular religion, perform religious worship, religious rites, and service; (3) “Religious institution” is a religious community registered under the Religious Denominations Act, which has a legal entity status, its own governing bodies, and bylaws>>.
Croatia	Title I. Basic Provisions of the <i>Law on Churches and Religious Societies</i> (2002)	“A church or a religious community... is a community of physical persons who practice freedom of religion by the equal public performance of religious ceremonies and other manifestations of their faith... and which are registered in the Register of religious communities in the Republic of Croatia...”.
Czech Republic	Section 3. Basic Terms § a-d of the <i>Law on Churches and Religious Societies</i> (2002)	<<(a) a “church” or “religious society” is a voluntary association of individuals with its own structure, administrative organs, internal regulations, religious practices, and expressions of faith, established for the observance of a specific religious faith, whether in public or private, and in particular, for the purpose of gathering together for worship, instruction and spiritual service>>... (d) the “headquarters” of a registered church or religious society, association of churches or religious societies, or a church legal entity shall be deemed to be the address of its legally registered head office located in the Czech Republic.

Table 2. Criteria of classification

Country	Criteria of classification
Bulgaria	<ul style="list-style-type: none"> - performance of religious and rites; - profession of a particular religion; - performance of religious worship, rites and service; - legal requirements concerning the registration as legal entity of religious denominations.
Croatia	<ul style="list-style-type: none"> - performance of religious ceremonies and other manifestations of their faith; - legal requirements concerning registration in the Register of religious communities.

Czech Republic	<ul style="list-style-type: none"> - forms of association of individuals in terms of worship; - instruction and spiritual service; - legal requirements concerning the registration as legal entity of a church or a religious society;
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Focusing upon these concrete situations, the notable concentration on the formal elements in the particular laws concerning the legal status of religious organization marks few common features as follows: beliefs, religious rites and services, practice of freedom of religion, expression of faith, spiritual service etc. These five factors combine into what we may framework as the 'civic-personalist model'⁷. At this point, it seems that Bulgaria, Croatia and the Czech Republic do actually adopt the choice of the regulatory option before EU integration. In these cases, political events in the year 2002 moved towards a similar pattern: to provide efficient instruments and not only formal elements. If we regard to the political arena of the selected arena we can observe similar trends.

In Bulgaria, for example, the Religious Denominations Act (hereinafter RDA) was adopted by National Assembly of the Republic of Bulgaria on December 20, 2002. Based on political observation, parliamentary elections of June 2001 favored the appearance of new political structure, the National Movement Simeon II who enjoyed more than 42% of the parliamentary seats. No less importantly, in the Presidential Elections of November 2001, in the second round of the presidential voting, Georgi Parvanov emerged the president with 54,1% of the total votes. Both political developments have important repercussions for the future of the country: in 2002, Bulgaria received the status of "functioning market economy" from the European Union consolidating the democratic transition.

A further important consideration is that in Croatia the *Law on Legal Position of Religious Communities* (hereinafter LLPRC) passed July 4, 2002 and it was published in volume 83 of Narodne Novine (the Official Gazette) on July 16, 2002. While tracking changes of post-communist transition and assessing its specific institutional effects, Croatia also concluded in 1996 an Agreement with the Holy See on Legal Questions.

In the Czech Republic, the *Law on Churches and Religious Societies* (hereinafter LCRS), No. 3/ 2002 of November 27, 2001 reflects and provides ready-made legal solutions to the complex problems of the incipient democracy. Moreover, the parliamentary elections held on 14-15 June 2002 revealed the victory of the Czech Social Democratic Party which won 70 of 200 seats. Additionally, in December 2002, the Copenhagen European Council confirmed that Czech Republic along with Cyprus, Estonia, Hungary, Latvia, Lithuania, Malta, Poland, Slovak Republic, and Slovenia will become members of the EU beginning with May 1, 2004.

If we consider the three selected countries as a whole, we find that the text of the specific laws is also making reference to a common approach and a common provision: a better regulatory environment with an innovative character regarding the legal formulation and the process of applying the legislation. In all countries considered in the present paper, the importance for mutual understanding and the principle of independence of religious communities with regard to freedom of conscience and religion are officially recognized⁸. More specifically, with regard to the church and social and historical facts, the reader will notice that, given the national specific, the aspects treated strengthen the regulatory reform in the pre-accession period. The following quotes or interpretations refer to this aspect (See Table 3. Overview of the areas covered in national legislation).

Table 3. Overview of the areas covered in national legislation

Overview of the areas covered in national legislation (quote / interpretation)	
Bulgaria (RDA)	Specific provisions in the Preamble of the RDA: “the special and traditional role of the Bulgaria Orthodox Church in the history of Bulgaria”; “develop ... spirituality and culture”; “importance of supporting mutual understanding, tolerance, and respect with regard to freedom of conscience and religion”.
Croatia (LLPRC)	Principle of independence to determine: “the internal organization, governing bodies, hierarchy and competence, bodies and persons that shall represent the religious community and their organizational subunits” (Title 1, Article 2)
Czech Republic (LCRS)	Specific regulation on: the status of churches and religious societies; the Index of Registered Churches and Religious Societies, Associations of Churches and Religious Societies, and Church Legal Entities; the coordination of Ministry of Culture in the field of affairs of church and religious societies.

Preliminary Registration Requirements

The first step of our work is to suppose all types of regulatory measures and procedures with regards to the registration of religious organizations, religious communities, religious societies or churches considering the following: preliminary registration requirements, particular registration requirements (approval, appeals, and dissolution), property and finances, income and taxes.

Therefore, the first to do is to emphasize the minimal principle requirements for registration: in Bulgaria, the internal organization of religious denominations is based on the principle of self-governance (art. 4 § 2)⁹. The legal provisions on registration are included in Chapter Three “Registration” and the legal status is acquired in accordance with legal procedures of RDA (art. 4) and the Chapter Forty-Six of the Civil Procedure Code.

In Croatia, we can observe some differences in applying for registration in the Register between the religious communities (in this case it is needed a submission of an application for registration) and the communities of believers with legal personality for at least five years and not operating as religious communities (in this case it is needed a submission of a request for registration). One crucial element of the procedure is that religious communities and their organizational subsections are considered as “non-profit legal entities” (Title 1, Article 6)¹⁰. Particular issues of common interest for the Croatian state “may also be regulated by an agreement” established between the Croatian Government and the religious community in charge of a Commission for Relations with Religious Communities.

In the Czech Republic, a church or a religious society legally recognized by the Czech state has to conduct its activities respecting “the rights, freedoms, and equality of citizens and their associations” and the “democratic foundation of the state” (see details in Title 2, Section 5. Conditions for the Formation and Operation of Churches and Religious Societies). The application for the registration of the auxiliary organs or other institutions has to follow the internal procedure for the purpose of the organization according to the “legal entity pursuant to this Law” (Title 2, Section 6. Registered Churches and Religious Societies). Summarizing the findings on the legal requirements of the application for registration, there are ten main findings: the application must be submitted to the Ministry of Culture by a person or a delegated administrative organs; it has to be submitted by at least

three persons ("Preparatory Committee" - hereinafter PC) and it has to contains the following legal requirements: the mission and scope of the church or religious society; the founding documentation and the charter; the original signature of at least 300 adherents; the Charter identifies the following legal requirements for the church or religious society: the name, the mission, the headquarters and its basic article of faith; details regarding the executive authority of the territory of the Czech Republic (terms of service of its members; scope of the authority or individuals having the right to act on behalf of the church or religious society; personal data of the members of the executive authority; organizational structure and administrative organs (types and distinctions between church legal entities and those established under the Czech law); financial management (means and scope of obtaining financial support¹¹). Each of the national cases selected is briefly analyzed in Table 4. Preliminary Registration Requirements indicating the "core legal requirements" that each particular law provides regarding the preliminary registration.

Table 4. Preliminary Registration Requirements

Preliminary Registration Requirements	
Bulgaria	<ul style="list-style-type: none"> - No state interference in the internal organization is permitted; - The internal organization of religious denominations is based on the principle of self-governance (art. 4 § 2); - The legal provisions on registration are included in Chapter Three "Registration"; - The legal status is acquired in accordance with legal procedures of RDA (art. 4) and the Chapter Forty-Six of the Civil Procedure Code; - The Sofia City Hall is in charge to register religious communities as legal entities (art. 15); - Art. 17 provide specific requirements regarding the "bylaws of a religious denomination": name and headquarters, details regarding religious beliefs and religious practice, structure and international organization: selection of particular bodies, methods, procedures and manners of decision-making, methods and manners of financing, dissolution and liquidation (art. 17).
Croatia	<ul style="list-style-type: none"> - Differences in applying for registration in the Register between: <ol style="list-style-type: none"> 1. religious communities – submission of an application for registration and 2. communities of believers with legal personality for at least five years and not operating as religious communities – submission of a request for registration. - Religious communities and their organizational subsections are "non-profit legal entities" (Title 1, Article 6). - Particular issues of common interest for the Croatian state "may also be regulated by an agreement" established between the Croatian Government and the religious community in charge of a Commission for Relations with Religious Communities.
Czech Republic	<ul style="list-style-type: none"> - A church or a religious society legally recognized by the Czech state has to conduct its activities respecting "the rights, freedoms, and equality of citizens and their associations" and the "democratic foundation of the state" (see the detailed applicable legal provision in Title 2, Section 5. Conditions for the Formation and Operation of Churches and Religious Societies).

	<ul style="list-style-type: none"> - The application for the registration of the auxiliary organs or other institutions has to follow the internal procedure for the purpose of the organization according to the “legal entity pursuant to this Law” (Title 2, Section 6. Registered Churches and Religious Societies § 2). - The application for registration must be submitted to the Ministry of Culture by a person or a delegated administrative organ; - The application for the registration has to be submitted by at least three persons (PC) and it has to contains the following legal requirements: <ul style="list-style-type: none"> - the mission and scope of the church or religious society; - the founding documentation and the charter; - the original signature of at least 300 adherents; - the Charter identifies the following legal requirements for the church or religious society: the name, the mission, the headquarters and its basic article of faith; - Details regarding the executive authority of the territory of the Czech Republic (terms of service of its members, scope of the authority or individuals having the right to act on behalf of the church or religious society, personal data of the members of the executive authority); - Organizational structure and administrative organs (types and distinctions between church legal entities and those established under the Czech law); - Financial management (means and scope of obtaining financial support).
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Particular Registration Requirements

In Bulgaria, the approval of the religious communities registration belongs to the Sofia City Court and it includes: the judicial procedure for registration, name and headquarters (art. 18), structural and governing bodies, names of individuals composing (art. 18). The structure and composition braches registration is in charge of the county mayor over the locality where the religious community is registered depending on the conditions of a “notification regime” within 7 days and on a statement provided by the central administration of the religious denomination or “a person authorized” according to its own bylaws (art. 19). The two main documents of this particular statement are: the judicial decision of the Sofia City Court and a certificate from the central administration indicating the person who represents it in the respective county. The notification of the Directorate of Religious Denominations belongs to the mayor and it enters into force within three days of registration; Chapter Six. Directorate of Religious Denominations (articles 34 and 35 detail the particular activities of the Directorate) including: the coordination of the relationship between the Executive branch and the specific religious denomination; the organization and management of the activity of the expert consulting committee on religious denominations’ problems; the observation of the compliance of state’s commitments concerning religious rights and freedoms.

In Croatia, the procedure of application for registration in the Register consists of the following data (see article 20): the name, the address and the office of the person authorized for representation of the religious community; stamp and seal used by the religious community. Additionally, a religious community has to submit the following documentation: a declaration showing at least 500 members; a bylaw demonstrating the manner of performance of religious ceremonies and service; manifestation of faith.

In the Czech Republic, the particular provisions concerning the registration and the authorization for special powers include, in particular: the procedure of application for registration of churches or religious societies (Title 3, Section 10) and for authorization to exercise special powers (Title 3, Section 11); the ministerial procedure (Title 3, Section 14) and the registration or Modification (Title 3, Section 15). The details concerning the application for the authorization “to exercise special powers” are presented in Table 5. Particular Registration Requirements (approval, appeals, dissolution). The registration is included in the Register of Associations of Churches and Religious Societies.

The procedure of application for registration is considered in particular laws by all three countries. However, only the Czech Republic was able to clearly explain the application for the authorization “to exercise special powers” of churches and religious societies. In this case, the procedure of application is divided into different phases and stages moving towards a “confessional confidentiality”. Also, in Bulgaria and Croatia there is a notable effort and support to change the judicial procedure and the current attitude of considering religious communities or denominations. Both countries assure a selective procedure of application as regards the self-regulation.

Table 5. Particular Registration Requirements

Particular Registration Requirements	
Bulgaria	<ul style="list-style-type: none"> - The approval of the religious communities registration belongs to the Sofia City Court and it includes: the judicial procedure for registration, name and headquarters (art. 18), structural and governing bodies, names of individuals composing (art. 18). - The structure of the application procedure of registration is in charge of the county mayor over the locality where the religious community is registered depending on the conditions of a “notification regime” within 7 days and on a statement provided by the central administration of the religious denomination or “a person authorized” according to its own bylaws (art. 19). - The two main documents of this particular statement are: the judicial decision of the Sofia City Court and a certificate from the central administration indicating the person who represents it in the respective county; - The notification of the Directorate of Religious Denominations belongs to the mayor and it enters into force within three days of registration; - Chapter Six. Directorate of Religious Denominations (articles 34 and 35 detail the particular activities of the Directorate) including: <ul style="list-style-type: none"> - The coordination of the relationship between the Executive branch and the specific religious denomination; - The organization and management of the activity of the expert consulting committee on religious denominations’ problems; - The observation of the compliance of state’s commitments concerning religious rights and freedoms; - The performance of audits for violations of citizens’ rights and freedoms resulting “from abuse of the right to religious freedom by third person”.

<p>Croatia</p>	<ul style="list-style-type: none"> - The procedure of application for registration in the Register consists of the following data (see article 20): name, address and office of the person authorize for representation of the religious community; stamp and seal used by the religious community; Additionally, a religious community has to submit the following documentation: a declaration showing at least 500 members; a bylaw demonstrating the manner of performance of religious ceremonies and service; manifestation of faith.
<p>Czech Republic</p>	<ul style="list-style-type: none"> - The particular provisions concerning the registration and the authorization for special powers include as follows: application for Registration of Churches or Religious Societies (Title 3, Section 10); application for Authorization to Exercise Special Powers (Title 3, Section 11); application for registration of Association of Churches or Religious Association (Title 3, Section 12); Supplementing or Amending Applications for Registration (Title 3, Section 13); ministerial procedure (Title 3, Section 14); registration or modification (Title 3, Section 15). The application for the authorization “to exercise special powers” includes: the original signatures of the adherents; a declaration guaranteeing that all activities will be conducted in accordance with the legal provisions of the Law from the date of obtaining the authorization for special powers; texts comprising annual reports and annual account summary; a declaration maintaining “confessional confidentiality”. - The particular provisions regarding the association of churches or religious societies are detailed in Section 12; - The Ministerial Procedure for registering a church or a religious society id detailed in Section 14 and it consists of: verifying the conditions required by the Law; verifying the conformity of the activities according to the “terms of its charter” and the legal requirements of the Law; the application is registered in the Index of Registered Churches and Religious Societies, Associations of Churches and Religious Societies, and Church Legal Entities; - The registration is included in the Register of Associations of Churches and Religious Societies.

Property and Finances/ Income and Taxes

Particularly speaking, in Bulgaria, Croatia and the Czech Republic, there are specific legal requirements to take into account property and finances, income and taxes of religious organizations. In each case, the support and interest of the authorities have to be considered. Other aspects regarding “the right to own a property”, the “right to own real estate”, the management from the real estate, the performance of specific activities, the procedure of selling publications and souvenirs and to perform religious service are detailed in Table 6. Property and Finances/ Income and Taxes. In Bulgaria, according to article 23 of the same Chapter, in order to accomplish their mission, religious denominations “may produce or sell goods” in accordance with their mission, activities, ritual and rites. In Croatia, a specific provision guarantees that “the religious community does not pay real-estate sales tax” and in the Czech Republic, all business or profit-making activities must be mentioned in the charter of the churches or religious societies.

Table 6. Property and Finances/ Income and Taxes

Property and Finances/ Income and Taxes	
Bulgaria	<ul style="list-style-type: none"> - According to Chapter Four. Property and Finances, Art. 21 § 2, all recognized religious denominations and their local subunits have “the right to own a property” including the following rights: the “right to own real estate” and applicable income from the management of the real estate (such as “rent, profits, or dividends from participation in commercial entities or associations of commercial entities); right to own movables...; copyright, donations etc.; - Religious denominations and their local subunits may use “state or county real estate” “gratuitously” granted by the state and the counties; - Moreover, according to article 23 of the same Chapter, in order to accomplish their mission, religious denominations “may produce or sell goods” in accordance with their mission, activities, ritual and rites; - The State may support and encourage religious denominations “in their religious, social, educational, and health activities through tax, credit, interest rate preferences, customs, and other financial and economic relief” under the condition of a particular legislation and an “independent financial audit ” (art. 25 § 1 & 2).
Croatia	<p>According to the legal provisions detailed in the article 17, the proceeds of religious communities consist of: performance of specific activities; selling publications and souvenirs; performing religious service; inheritance and gifts; voluntary contributions etc.; receive of “special-purpose allocations” for building and reconstruction of religious communities’ facilities.</p> <ul style="list-style-type: none"> - A specific provision guarantees that “the religious community does not pay real-estate sales tax”.
Czech Republic	<ul style="list-style-type: none"> - Title VII. Common, Temporary, Authorizing and Final Provisions details the consistency of the proceeds of a church or religious society as follows: contributions of individuals and legal entities; proceeds from the sales of lease of their real and intellectual property; interests on deposits, gifts and bequests; collections and contribution in accordance with the legal regulations; loans and lines of credits; grants and subsidies. - All business or profit-making activities must be mentioned in the charter.

Activities of Religious Organizations

One of the most valuable tools for analyzing religious organizations is the activities according to their internal structure and scope of registration¹². For example in Bulgaria, a religious denomination, legally recognized by the Bulgarian state, “may establish and participate in commercial entities” (see all the particular provisions concerning the possibility of religious denominations to establish legal entities with non-profit purpose is detailed in articles 26 and t27)¹³. Nevertheless, in Croatia, the law states the right of religious communities to receive from the state budget “an annual amount” depending on the type and significance of religious structure (cultural, historical, art) and in the Czech Republic, the law invests the Ministry of Culture with the power to grant “authorization to exercise special powers”, as an exception, to the churches and religious societies “with long-standing

tradition” (see S22 Title VII, Section 27. Common Provisions) (in this case the procedure detailed in Section 11 § 1 is not applicable)¹⁴.

With regards to specific activities of religious organizations, in Bulgaria, Chapter Five. Medical, Social, and Educational *Institutions of Religious Denominations* of the RDA details the activities of religious denominations in accordance with legal requirements, in Croatia, Title II. *Specific Provisions* of the LLPRC details the legal aspects of the religious ceremonies: performance, notification of event organization, specific regulations and in the Czech Republic, Title 2, Section 7 *Special Powers of Registered Churches and Religious Societies* of the LCRS details the “special powers” carried out by a registered church or religious society.

Table 7. Activities of Religious Organizations

Activities of Religious Organizations	
Bulgaria	<ul style="list-style-type: none"> - A religious denomination legally recognized by the Bulgarian state “may establish and participate in commercial entities” (see all the particular provisions concerning the possibility of religious denominations to establish legal entities with non-profit purpose is detailed in articles 26 and 27); - Chapter Five. Medical, Social, and Educational Institutions of Religious Denominations details the activities of religious denominations in accordance with legal requirements.
Croatia	<ul style="list-style-type: none"> - Title II. Specific Provisions details the legal aspects of the religious ceremonies: performance, notification of event organization, specific regulations; - Article 11 regulates the right to establish educational institutions at any level; - The law states the right of religious communities to receive from the state budget “an annual amount” depending on the type and significance of religious structure (cultural, historical, art).
Czech Republic	<ul style="list-style-type: none"> - According to Title 2, Section 6. Registered Churches and Religious Societies § 3), a registered church or a religious society may, “in particular” “teach and educate its clergy and laity” in its own institutions and it may also “obtain authorization to exercise special powers” according to the legal provisions of this Law. - Title 2, Section 7 Special Powers of Registered Churches and Religious Societies details the “special powers” carried out by a registered church or religious society; - The “special powers” are exercised from the date of the decision granting the authorization to exercise them and they are granted to a registered church or religious society with minimum of ten years of activity. - The law invests the Ministry of Culture with the power to grant “authorization to exercise special powers”, as an exception, to the churches and religious societies “with long-standing tradition” (see S22 Title VII, Section 27. Common Provisions) (in this case the procedure detailed in Section 11 § 1 is not applicable).

Conclusions

From this perspective, the first part of the articles argues most Eastern European countries would appear to have experienced a gradual withering of public interest on religious factor over the past two decades. The recent structural changes of the parameters in the pre-integration period, shaping the relationship between church and state have, to a growing extent, come to be reflected in the practice of institutional relations depending on: legislation, finances and self-regulation.¹⁵

Bibliography

- Péter Antalóczy Antaloczy, *The latest regulation of religious freedom and the establishment of churches*, Munich, GRIN Publishing GmbH, 2013.
- Friederike Böllman, *How many roads lead to Brussels? The political mobilization of religious organisations within the European public sphere* in Lucian N. Leustean, *Representing Religion in the European Union: Does God Matter?*, London, Routledge, 2012.
- W. Cole Durham, Silvio Ferrari, *Laws on Religion and the State in Post-Communist Europe*, Leuven, Uitgeverij Peeters, Leuven (Belgium), 2004.
- Cătălina Maria Georgescu, *Raporturile mediului organizațional politic cu managementul organizațiilor publice*, Revista de Științe Politice/Revue des sciences politiques, no. 26/2010.
- Cătălina Maria Georgescu, Tudor Nistorescu, *A Consolidated Model of Analysis of the Relations between Politics and Management within Public Organizations*, Management&Marketing, no. 1/2011.
- Pippa Norris, Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide*, Cambridge, Cambridge University Press, 2011.
- Mark Hill, Russell Sandberg, Norman Doe, *Religion and law in the United Kingdom*, AH Alpena an den Rijn, Kluwer Law International, 2011.
- Irina Olivia Popescu, *Asociația – persoană juridică de drept privat* în Revista de Științe Politice. Revue des Sciences Politiques, No. 25/ 2010.
- Lavinia Stan, Lucian Turcescu, *Church, State, and Democracy in Expanding Europe*, New York, Oxford University Press, 2011.
- Joseph P. Viteritt, *Choosing Equality: School Choice, the Constitution and Civil Society*, Washington DC, Brookings Institute, 1999.
- Thomas D. Williams, *Who is My Neighbor?: Personalism and the Foundations of Human Rights*, Washington, D.C., The Catholic University of America Press, 2005.
- Lorenzo Zucca, Camil Ungureanu, *Law, State and Religion in the New Europe: Debates and Dilemmas*, Cambridge, Cambridge University Press, 2012.

¹ For a general overview see Pippa Norris, Ronald Inglehart, *Sacred and Secular: Religion and Politics Worldwide*, Cambridge, Cambridge University Press, 2011, pp. 112-118.

² See the variant interpretations of the religious conviction and “the justification of coercion in democratic societies” in Robert Audi, *Natural reason, religious conviction, and the justification of coercion in democratic societies* in Lorenzo Zucca, Camil Ungureanu, *Law, State and Religion in the New Europe: Debates and Dilemmas*, Cambridge, Cambridge University Press, 2012, pp. 65-92.

³ See also Cătălina Maria Georgescu, Tudor Nistorescu, *A Consolidated Model of Analysis of the Relations between Politics and Management within Public Organizations*, Management&Marketing, no. 1/2011, pp. 5-18.

⁴ Lavinia Stan, Lucian Turcescu, *Church, State, and Democracy in Expanding Europe*, New York, Oxford University Press, 2011, pp. 3-8.

⁵ For the translation of the legislation in the three selected countries see: Bulgaria - *Religious Denominations Act* (2002) translation by Karina Miller, pp. 77-92; Croatia - *Law on Legal Position of Religious Communities* (2002) translation by Kristijan Lepesic, pp. 93-104; Czech Republic - *Law on Churches and Religious Societies*, translation by Jonathon Tichy, pp. 105-133 in W. Cole Durham, Silvio Ferrari, *Laws on Religion and the State in Post-Communist Europe*, Leuven, Uitgeverij Peeters, Leuven (Belgium), 2004.

⁶ See also Joseph P. Viteritt, *Choosing Equality: School Choice, the Constitution and Civil Society*, Washington DC, Brookings Institute, 1999, pp. 191-105.

⁷ The literature on personalism is complex. For an overview on the fundamentals and developments of personalism and "person according to personalism" see Thomas D. Williams, *Who is My Neighbor?: Personalism and the Foundations of Human Rights*, Washington, D.C., The Catholic University of America Press, 2005, pp. 125-145.

⁸ For a discussion of the challenges to "religious institutions, hierarchical church and institutional lobbying" and, in particular, the local, regional or national roots of religious communities, see Friederike Böllman, *How many roads lead to Brussels? The political mobilization of religious organisations within the European public sphere* in Lucian N. Leustean, *Representing Religion in the European Union: Does God Matter?*, London, Routledge, 2012, in pp. 202-212.

⁹ For a comparative view see Mark Hill, Russell Sandberg, Norman Doe, *Religion and law in the United Kingdom*, AH Alpena an den Rijn, Kluwer Law International, 2011, pp. 74-75.

¹⁰ For a comparative discussion in Romanian legislation see Irina Olivia Popescu, *Asociația – persoană juridică de drept privat* în Revista de Științe Politice. Revue des Sciences Politiques, No. 25/ 2010, pp. 108-112.

¹¹ For a comparative overview of the relationships between the political organizational environment and the management of public organizations see Cătălina Maria Georgescu, *Raporturile mediului organizațional politic cu managementul organizațiilor publice*, Revista de Științe Politice. Revue des sciences politiques, no. 26/2010, pp. 26-32.

¹² For a discussion in a comparative perspective see Péter Antalóczy Antaloczy, *The latest regulation of religious freedom and the establishment of churches*, Munich, GRIN Publishing GmbH, 2013, <http://www.grin.com/en/e-book/208213/the-latest-regulation-of-religious-freedom-and-the-establishment-of-churches> (accessed May 5, 2013), pp. 1-5.

¹³ For a discussion, see Irina Olivia Popescu, *op. cit.*, pp. 108-109.

¹⁴ *Ibidem*, pp. 108.

ORIGINAL PAPER

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Legal changes on the institution of limitation. Impact on civil trials

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Abstract: *The institution of limitation has a key impact on civil trials. Because of its high importance and major influence on the stability of the civil circuit, the institution is well known and regulated from the ancient times. Nowadays the limitation benefits of a wide regulation, namely articles 2500-2544 of the New Civil Code. As mentioned in the doctrine the passing of time is a reality regulated by law and has important consequences on the subjective civil rights. As the effects of the limitation can consist either of the extinction of a civil subjective right either of the acquisition of a civil right the present paper will focus only on the limitation as a civil sanction which affects the material right to an action not exerted within the period established by law.*

Key-words: *New Civil Code, limitation, civil subjective right, legal effects.*

General considerations. The present paper aims to highlight the main characteristics of the institution of limitation brought by the new civil codification. The importance of limitation for civil subjective rights is major¹. The inability to use the material right of action means losing the possibility to use the coercive force of the state which ultimately means the loss of real opportunities to exploit subjective civil rights. According to the in-force regulation, this institution of limitation – lapse of time, suffered certain major legal changes.

In terms of **terminology** the notion of prescription can be approached in two different ways, namely it appoints a civil law institution bearing the same name and on the other hand it appoints the material right to action that is lost². Perhaps the most important change compared to the former encoding, namely Decree Law no. 167/1958 is the fact that limitation is currently a legal institution of private order. In this respect it is expressly stated that limitation cannot be invoked by default even in those situations where it would be in interest of the State or of the administrative units³. As a logical consequence of the above, the new Civil Code provides the possibility to waive the right to invoke the limitation⁴.

Taking into consideration the judicial effects of a completed limitation, according to article 2506 of the new Civil Code, paragraph 1, which provides that the limitation does not operate as of right, instead it must be invoked, we consider that the present paper can underline the major effects of the new regulation of the above-mentioned institution on a civil trial.

Present regulation of the institution. The institution of limitation is regulated in articles 2.500-2.544, which represent the general jurisdiction. Before the entry into force of the New Civil Code, the institution was regulated in the Decree Law no. 167/1958 concerning the limitation and also in the former Civil Code. According to article 6 paragraph 4 of the New Civil Code and article 201 of Law no. 71/2011 the limitation which started before the entry into force of the new civil law is regulated entirely by that law. Consequently, the law which regulates the limitation is what concerns the beginning, the terms, suspension, interruption, reinstatement in the term of prescription, effects is the law in force at the moment the limitation begun. According to article 203 and 204 of the Law no. 71/2011 this regulation is not applicable in the following cases:

- Article 2532 para. 6 and 7 of the New Civil Code is also applicable to the limitation which begun before the entry into force of the NCC in case the circumstances of interruption appeared after this date;
- Article 2539 para. 2 is applicable to the action brought after the entry into force of the New Civil Code.

Definition. As argued in the doctrine the limitation represents a civil sanction which affects the material right to an action not exerted within the period established by law⁶. At this moment of the analysis it must mentioned the fact that limitation unlike the extinction, affects only the right to action, namely the right to constrain a person, by using the public force.

Principles of the effect of limitation. Just like in the previous regulation, the effect of limitation is governed by two principles:

1. the loss of the material right of action concerning a principal subjective right affects also the accessories subjective rights if the law does not provide were otherwise⁶;
2. if a debtor benefits of successive obligations the right to action on each of these benefits is extinguished by a different limitation, even if the debtor continues to execute one or other benefits due unless the successive performances make up, by its end, resulting from law or convention, a whole⁷.

The regulation mentioned in the above, namely article 2503 of the New Civil Code states the fact that once the right of action related to a main right is extinguished, the right of action regarding subsidiary rights is also extinguished. There are also cases of exception, but according to the adagio *exceptio est strictissime interpretationis et applicationis*, the cases must be expressly provided by the law.

Another principle common to the Civil Code 1865, that is also regulated in the new Civil Code provides that in case a debtor is obliged to successive services, the right to action on each of these services is extinguished by a special limitation, even if the debtor continues to execute one or the other of the due services;

Legal area of application. The domain of limitation designates the subjective rights whose actions fall under prescription extinguishment.

Are subject to limitation:

1. The right to action with a patrimonial object, if not regulated otherwise by law;
2. Other rights to action, regardless of their object, in cases specially provided by law.

Imprescriptibility of the right to action.

According to article 2502 of the Civil code, the right to action is imprescriptible in the following cases:

1. in cases provided by law;
2. whenever by the nature or object of the protected right exercised by an individual, its exertion cannot be limited in time;

Waiver of Limitation. As we mentioned in the above the New Civil Code regulates the possibility for the parties to waive the limitation. This possibility must fulfill some conditions. The parties cannot waive the limitation as long as it has not yet started running. According to article 2507 of the New Civil Code, one can waive the reached limitation, as well as the benefit of the elapsed period for the started and uncompleted limitation. Regarding the types of limitation waiver, the civil code regulates that the waiver can be express or tacit, but it must be indisputable. In what regards the persons who are allowed to waive the limitation, it must be mentioned that all persons having full legal capacity can be active subjects, except of course the persons lacking the legal ability to alienate or to assume an undertaking.

Course of limitation.

In what concerns the course of limitation we must take into account two different moments, the beginning of limitation and the fulfillment.

As a general rule, the limitation starts running from the date when the holder of the right to action became aware or had to be aware of the coming into existence of the material right of action. As we can notice, article 2523 of the new civil code provides a different regulation of the beginning of limitation, as the previous civil code stipulated the fact that the limitation starts running from the date the material right of action comes into existence.

In conclusion, the in-force regulation establishes two different moments⁸ in what concerns the beginning of limitation, a subjective moment, namely the moment the party was aware of the coming into existence of the material right of action and an objective moment, namely the moment the party must be aware, taking into consideration the circumstances of the case, of the coming into existence of the material right of action.

The Civil Code regulates also some special rules applicable in what concerns the beginning of limitation in particular cases.

According to article 2524 of the Civil Code, the limitation in the case of the right to the action for execution of the obligations to transfer a property or to do something starts running from the date when the obligation becomes due and the debtor had thus to execute it, if the law does not provide otherwise. This stipulation concerns the deferred rights and the rights affected by a precedent condition, in this cases the limitation beginning from the maturity of the deadline or from the date when the condition is fulfilled.

In what concerns the right to the action for performance of successive services, the limitation begins at the date when each service becomes due, and if the services form a whole, from the date when the last service becomes due.

Also the limitation concerns the area of insurance matters. Consequently, the limitation begins at the expiry of the deadlines as provided by law or as established by the parties for the payment of the insurance premium, correspondingly for the payment of indemnity or, as the case may be, of the compensations due by the insurer.

In what concerns the right to the action for remedy of damage caused by a tort, limitation begins at the date when the injured knew or should have known both the damage, and the person who is responsible for it. This provision is also applicable in the case of the action for recovery vested on the unjust enrichment, undue payment or business management.

As we notice this provision imposes a double condition, namely the injured must know the damage and also the injured must know the person who is responsible for it. From the regulation we can observe the fact that this provision is in favor of the injured as it postpones the beginning of the limitation⁹.

In the area of a legal act as we know the vices of consent, namely the error, the fraud, the violence and the lesion, affect the validity of the act and they bring the possibility to invoke the relative nullity of the act. It must be mentioned that the limitation of the right to action for annulment of a legal transaction starts running¹⁰:

- a) in case of violence, from the day when the latter ceased;
- b) in case of fraud, from the day when it was discovered;
- c) in case of error or in the other cases of annulment, from the day when the entitled person, their legal representative or the one designated by law to approve annulment, but not later than the passing of 18 months from the date of the conclusion of the legal act. In what concerns the lesion, as a vice of consent, there are no problems as the limitation starts running from the date of the conclusion of the legal act.

Also, the New Civil Code stipulates that in cases for which relative nullity can be invoked by a third party, the limitation begins, if not provided otherwise, from the date when the third party knew the existence of the cause for nullity¹¹.

Concerning the right to the action for responsibility for noticeable defects, if not provided differently, the limitation of the right to the action deriving from the transfer of certain assets or the performance of certain works, with noticeable defects, in circumstances when the law or the contract bind to a warranty also for such defects, begins from the date of delivery or final acceptance of the asset or of the work or, as the case may be, from the date of the closing date as provided by law or established by the defect ascertainment report, for the removal by the debtor of the ascertained defects.¹²

¹ See also M. Nicolae, *Tratat de prescripție extinctivă*, Ed. Universul Juridic, București, 2010; For a detailed presentation of the acquisitive prescription see I. O. Călinescu in Fl. A. Baias, E. Chelaru, R. Constantinovici, I. Macovei (coordonatori), *Noul Cod Civil. Comentariu pe articole, art. 1-2664*, Ed. C. H. Beck, București, 2012, p. 959-971

² G. Boroș, C. A. Angheliescu, *Curs de drept civil. Partea generală*, Ed. Hamangiu, București, 2011, p. 268

³ Art. 2512 paragraph 3 of the New Civil Code

⁴ Art. 2507-2511 of the New Civil Code

⁵ I. Dogaru, S. Cercel, *Drept civil. Partea generală*, Ed. C.H. Beck, București, 2007, p. 236; Gh. Beleiu, *Drept civil roman. Introducere în dreptul civil. Subiectele dreptului civil*, Ed. Universul Juridic, București, 2005, p. 243-244; V.V. Popa, *Drept civil. Partea generală. Persoanele*, Ed. C.H. Beck, București, 2006, p. 301; G. Boroș, C. Angheliescu, *op. cit.*, p. 268

⁶ Article 2503 para. 1 of the New Civil Code

⁷ Article 2503 para. 3 of the New Civil Code

⁸ G. Boroș, C. A. Angheliescu, *op. cit.*, p. 298

⁹ T. Prescure, R. Matefi, *Drept civil. Partea generală. Persoanele*, Ed. Hamangiu, București, 2012

¹⁰ Article 2529 para. 1 of the New Civil Code

¹¹ Article 2529 para. 2 of the New Civil Code.

ORIGINAL PAPER

Elena OANCEA

The Sanction Regime of Plurality of Crimes in the New Criminal Code of Romania

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Abstract: The emergence of the new Criminal Code of Romania reflects the legislature interest in the exercise of criminal policy means to adopt measures to prevent and combat crime, including significant changes regarding sanctioning of multiple offenses, regardless of its form.

The objective of any state criminal policy is to identify those processes and methods likely to be as effective as possible in the effort against crime. The development of the new Criminal Code of Romania is based on data from the judicial statistics, the findings of criminologists, sociologists and other specialists who follow the evolution and trends of crime, the causes of this phenomenon.

The new regulation falls within the criminal policy objective of promoting the rule of law rigorously by developing criminal provisions that have both repressive and preventive character. Criminal rules must always contain a *legis preceptum* (determination of the unlawful deed) and a *legis sanctio* (penalty, sanction) which, although distinct, they are inextricably linked.

Legal sanction is the measure that a rule of law anchors as a consequence for the case when the directive of the rule is to be disregarded. Legal sanction is the binding factor that provides the compulsoriness of the rule directive, the means by which law is reinstated¹.

Penalties of criminal rules reflect the importance of social values protected by indictment of deeds affecting these values. Sanctioning plurality of offenses should be considered in conjunction with the phenomenon of "localized", "professionalized" crime as referring to those individuals who repeatedly violate the criminal law.

The new Criminal Code of Romania that will enter into force as of 14th of February 2014, plurality of offenses is regulated under Title II regarding the offense. This settlement reflects the legislature's concept of giving priority to situations where there are several

offenses. Plurality of offenses belongs equally to the institution of criminal liability because the application of the penalty and the fulfillment of the penalty involve achieving the aim of identifying adequate systems for sanctioning and enforcement of penalties. The new regulations retain the basic forms of the plurality of crimes are concurrent offences, recidivism and intermediate plurality.

SANCTIONING THE CONCURRENT OFFENCES

Regarding the treatment of criminal offenses of the series of infringements both of the broad law and the new code, there is made no distinction between the penalty of the concurrent offenses either real or formal (ideally).

The legislature has chosen to continue in the choice of sanctioning concurrent offenses mainly for the juridical cumulation considered by the doctrine and jurisprudence as being the "most rational"². The juridical cumulation system is in fact the most widespread in contemporary laws, unlike the system of arithmetic series (or the system of adding the penalties) expressed by the Latin adage "*quot delicta, tot poenae*" or by the absorption system expressed by the adage "*Major poena minorem absorbet*". The choice of juridical cumulation system has the advantage of avoiding rigidity, hardness and sometimes the inability to implement the sanction in the case of the arithmetic cumulation system (one can get to a situation where, by addition, human life is exceeded) which is highly repressive as against the prevention but there are also avoided the situations of impunity for a law breaker regarding crimes that are less serious, risk that arises in the absorption system involving fixed penalties for the most critical offense that will absorb the penalty established for other less critical crimes³.

The juridical cumulation generally allows the application of the most critical penalty which is or may be increased by a fixed or variable addition, which is why this system is considered to be an intermediate. This characterization is given by the argument that the penalty to be applied is less than the total of penalties that would have been due for each of the crimes but is greater than the penalty for the heaviest offense. The absorption system remains current on sanctioning the concurrent offenses where, for the series of offenses, one of the penalties is life imprisonment and the other penalties are imprisonment or a fine; situation where life imprisonment is applied⁴.

A radical change in the new Criminal Code is found in the case of application of the penalty when the penalties provided are only with imprisonment or with fine.

The new Code establishes the mandatory and fixed addition system, situation where the heaviest penalty "plus an increase of one third of all other penalties established" (the final part of Art. 39 paragraph 1 letters b) and c)⁵. It is generally accepted, at least in the doctrine, that one of the criteria for assessing the quality of a rule in matters of criminal sanctions is that of the limits of the penalties. It is assessed that a rule as such is better if the legislature provides broad limits, leaving the judge to apply concrete punishment against the peculiarities of each case.

An overview of the current judicial practice is sufficient to observe that, in fact, law courts, after choosing the heaviest sentences, rarely apply any addition. It is likely that the legislature, by the newly elected solution, intends to avoid too different solutions for similar cases and also to avoid unfair solutions that could damage the prestige of justice. This choice of the legislature has its principle in a concern to ensure a wider and effective application of the principle of equal treatment to exigency recipients of the criminal law. The new regulations

focus is overwhelmingly on judicial individualization of each penalty for each concurrent offense, the growth of penalties depending on the arithmetic total of the arithmetic cumulative penalties.

The new Criminal Code is more severe also in the hypothesis where there was established an imprisonment penalty and a fine penalty, since the new Criminal Code provides that "one should apply the imprisonment penalty plus the fine penalty entirely." However, the previous Criminal Code provided only for such analysis "applies to imprisonment, to which fine may be added"⁶.

The application of life imprisonment as a main penalty is assessed by the judge in a situation where there were settled more penalties of imprisonment, whether by the adding, to the highest punishment, the addition of one-third of the total of the other imprisonment penalties set would exceed by 10 years or more the general maximum of imprisonment sentences, and for at least one of the concurrent offences the penalty prescribed by law is imprisonment for 20 years or more (Art. 39, paragraph 2 of the new Criminal Code).

SANCTION TREATMENT OF RECIDIVISM

Regarding recidivism, the new Criminal Code reduces the modalities covered so far and reshapes the conditions, causing relapse redefinition in that form of plurality of crimes, which consists in committing a crime again intentionally or intentionally exceeded for which the imprisonment penalty for 1 year or greater or life imprisonment by a convicted to prison for more than 1 year, until rehabilitation or expiry of rehabilitation.

The need to punish repeat offenders more severely has existed since antiquity⁷ but the penalty of recidivism was restricted to special cases. Aggravation of the penalty in case of recidivism in the old European law was sometimes excessive⁸. Repeat offenders were punished in the old Romanian law more severely⁹, aggravation of the penalty in the event of a repeat offence being the subject of the most often repeated deed of the same kind.

Legislative settlement of recidivism has become imperative in the 19th century from the need to enhance the primary purpose of the penalty which is the social defense. The new Criminal Code has roots deeper in terms of sanction of recidivism in the idea of the effectiveness of sentencing persons who perseveres in the field of crime. This statement is illustrated by the more severe manner of sanctioning and keeping the institution as such throughout the general causes of aggravation of the penalty. The solution chosen seems to be situated between the extremes stated in the doctrine, which throughout time have made opinions either regarding the development of a system with a strong repressive character (to that end Lombroso¹⁰: „ Who really wants to obtain a decrease in crime should try to hinder recidivism constantly with penalties approaching perpetuity and not to shrink it”) or of a system with a Beccarian touch where the apology of indulgence is made.

The option of the new Criminal Code is to simplify the sanctioning treatment and chose the arithmetic cumulation in the case of post-conviction recidivism, respectively the legal increasing of special punishment limits by half in the case of post-execution recurring offence.

A new treatment is covered in the event that the second term of recidivism is composed of a series of offenses. The difference with the current regulation is that in the situation presented in the new Criminal Code there shall be applied first the provisions regarding the series and then those incident in the case of recidivism, this treatment being applicable even if only one of the concurrent offenses is in a state of relapse and the others

are in a state of intermediate plurality¹¹. Just as in the subject-matter of the concurrent offences, there is provided the possibility of life in prison even though the penalties established consisted of imprisonment, when the number and the severity of the deeds justify such application (Art. 43 paragraph 3 of the new Criminal Code).

The new regulation does not bring any change in the sanctioning treatment of an intermediate plurality because there will continue to be applied the provisions from the series of offences as amended according to previous exposure.

The establishment and application of additional penalties, accessory penalties and measures of safety are covered by a rule common to all forms of plurality of crimes in Art.45 of the new Criminal Code¹².

The legislature has abandoned the rule of reference in Art.39.1 opting for simplicity and accuracy. The regulation of this matter in the Criminal Code of 1968 is milder compared to the new regulation except where there is a question of complementary penalty for more than 5 years, when the more favorable law is the new Criminal Code. The regulation is established on the technical and legal criteria which allow the courts certain individualization, however, so that the sanctioning of plurality of offences is to be fair and effective.

Notes:

I. L. Biro – Criminal law, the general part, the Multiplication Center of the Babes-Bolyai University, Cluj, 1971, page 205

II. I. Tanoviceanu – Treatise on law and criminal procedure, Type. „ Legal Courier”, Vol. II, page 308

III. Constantin Mitrache, Cristian Mitrache – Romanian Criminal Law, the general part, Ed. Universul juridic, Bucharest, 2003, page 269

IV. Art. 34 paragraph 1, letter a) of the Criminal Law in force has the same content as Art. 39 paragraph 1 letter a) of the new Criminal Code respectively: "a) when there were established a life imprisonment sentence and one or more sentences of imprisonment or a fine, life imprisonment is applied"

V. Unlike this new regulation, the current criminal rule for situation exposed has the following content: „ when there were established only imprisonment penalties, there shall apply the heaviest penalty that can be increased up to its special maximum level, and when this maximum level is not adequate, there can be applied an addition of up to 5 years" (Art. 34 paragraph 1 letter b) The same regulation is also for establishing punishments only with fines. For this regulation, the addition can be applied in two steps but it is not mandatory; it is only optional

VI. Mihai Adrian Hotca – The new Criminal Code and the previous Criminal Code – Differentiated aspects and transient situations. Ed. Hamangiu, edition of 2009, page 45

VII. For example, the Romans refused to pardon those who had committed more offences.

VIII. Art. 152 of Order of Charles V from 1532 regulating the death penalty for the third burglary regardless of its severity. As a general rule, there existed in the old Western Law the principle that a third infraction, even a small one, resulted in the death penalty: "Si tamen reiteratur tertia vice, potest pro tribus furtis, quamvis minimis, poena mortis imponi"

IX. Codices of Matei Basarab, section 346

X. Lombroso: Sul'incremento, page 137

XI. „When before the previous sentence has been served or deemed to be enforced, there are committed more crimes, of which at least one is in a state of relapse, the penalties established are amalgamated in accordance with the provisions relating to the concurrent offences, and the resulting penalty is added to the previous sentence not executed or the rest of the sentence which remained unfulfilled" – Art. 43 paragraph 2 of the new Criminal Code

12. Art. 45 of the new Criminal Code: Additional penalties, accessory penalties and security measures in case of plurality of crimes

(1) If for one of the crimes committed there was established also a complementary penalty, it applies together with the main penalty.

(2) When there are settled more complementary penalties of a different nature or even of the same kind but with different content, these shall apply alongside the main penalty.

(3) If there were set several complementary penalties of the same kind and with the same content:

- a) in the case of a concurrent offences or intermediate plurality, the hardest of them is applied;
- b) in case of recidivism, the penalty unfulfilled from the previous complementary penalty is added to the penalty established for the new offence.

(4) In the case of successive sentences for concurrent offences, the part of the complementary penalty executed until merging the main penalties shall be deducted from the duration of the complementary penalty imposed in addition to the resulting penalty.

(5) If in addition to the main penalties there were established one or more accessory penalties, there shall apply the provisions of paragraphs (1) to (3), the resulting accessory penalty being executed until the execution or consideration of the main penalty as being executed.

(6) Safety measures of a different nature or even of the same kind but with different content, taken in the case of crimes committed, are to be cumulated.

(7) If there were taken several safety measures of the same nature and of the same content but different lengths, the safety measure with the greatest length shall be applied. Safety measures taken pursuant to Art.112 shall be cumulated

ORIGINAL ARTICLE

Elena Steluța DINU

The pension system in Romania during transition period

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Abstract: This paper inventories the problems and the adopted solutions within the pension system in Romania. It also presents the main indicators of this system in transition period. Early retirement schemes adopted throughout the first decade of transition the number of pensioners increased considerably. This number reached 80% between 1990 and 2003. Early retirement policy elaborated to solve growing unemployment resulted in reducing the average age of retirement. Consequently, the number of contributors for each pensioner declined from 3.43 in 1990 to only 0.79 in 2003, while the percentage of GDP used for pension expense in the same period fell from 7.2% to 6.5%. To cover a growing deficit of pension funds, the government increased contributions by 49.5% in 2005.

Keywords: transition, reform, pension, 1st pillar (*pay-as-you-go*), 2nd pillar, 3rd pillar.

This paper inventories the problems and the adopted solutions within the pension system in Romania. It also presents the main indicators of this system in transition period. Early retirement schemes adopted throughout the first decade of transition the number of pensioners increased considerably. This number reached 80% between 1990 and 2003. Early retirement policy elaborated to solve growing unemployment resulted in reducing the average age of retirement. Consequently, the number of contributors for each pensioner declined from 3.43 in 1990 to only 0.79 in 2003, while the percentage of GDP used for pension expense in the same period fell from 7.2% to 6.5%. To cover a growing deficit of pension funds, the government increased contributions by 49.5% in 2005.

Due to high taxation of employees-about 50% of gross salary, the government decided to reduce the contribution from 40.3% at the end of 2008. In recent years, the Romanian pension system underwent numerous reforms, especially by introducing of a private component in 2007. The new pension system in effect shows three fully functional pillars: Pillar 1- public, funded entirely, administered by pay-as-you-go ((PAYG),) relating to income, being compulsory, pillar 2 - private, fully funded, administered by private funds, mandatory for people aged between 35 and 45 years- and pillar 3 - private, facultative- workers, which mainly concerns independent workers farmers, but is also open to public and private employees. The level of pension points was increased several times, mainly in 2007, to 37.5% of the average salary, being provided to increase it further to 45% of the

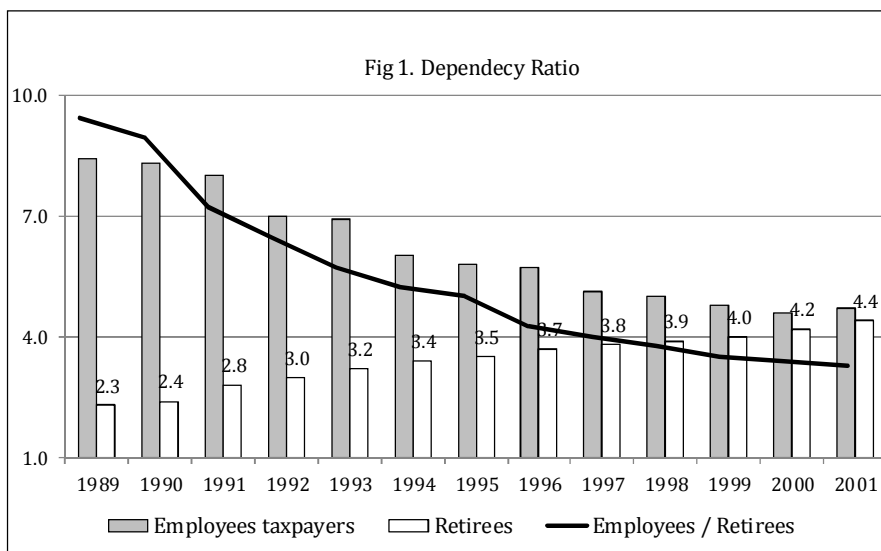
average wage. Discussions about pension reform began in 1992, when it was published the first White Book. In any case, the first major revision of the system was made by Law 19/2000, which entered into force in April 2001. reformed the state pension reform law-the so called first pillar of the pension system projected This component was supposed to be completed by the second pillar -the mandatory pension contributions, managed by private funds, and third-pillar- the private pension option. an increase of The pension law planned retirement age in the next five years and changed the method of calculating pensions based on income in recent years of activity, replacing it with a method that take into account the contributions throughout the entire period of active employment However, employees became interested to ask their employers to report the correct amount of wages obtained, bringing to light some of the informal economy. Emergency Ordinance 49/2001 emphasized this aspect by penalizing employees whose employers fail to pay contributions to the pension fund.

The role of the pension system is to transfer resources from generation to generation active now retired. Essentially there are two ways to achieve this. In systems based on accumulating funds, pension from the contributions resulting from deposited by the respective beneficiary during his period of activity. In the "step by step", -PAYG, also known as "transfer flow", today's pensioners are paid by contributions from current employees, based on the promise that, in their turn, they would receive a pension from the contributions of the next generation. In the first case, the beneficiary from the contributions are invested by the pension fund. Upon retirement, the amount accumulated by these investments is converted into an annuity, an amount that will be paid periodically throughout the life of the beneficiary. In this case appear three important variables: the size of the contribution and the rate of profitability of fund investments, which together determine the accumulated amount, and the expected rate of nominal profitability (dependence on expected inflation rate and the real profitability), on which the amount accumulated is converted to pension (annuity).

There are two types of pension based on fundraising. In the case of defined contribution pension plans, the only element fixed in advance is the size of the contribution; the beneficiary would suffer both the risk related to pension fund investments as well as the one related to future inflation. In the case of defined benefit plans, usually organized on a company level or industrial branches, the pension is a defined part of the salary-usually in the last years of activity of the beneficiary. Thus, the risk of investment is supported by the pension fund, but the beneficiary continues to bear the risk of inflation.

All existing pension systems can be reduced to combinations of the two basic approaches. A popular alternative today is a minimum pension guaranteed by the "step by step" system, supplemented by a private pension based on the contribution of the insured. This is the model of the pillars which was implemented in Romania, on the recommendation of the World Bank. The first pillar is the old system "step by step", the second is a mandatory pension based on contribution by private funds, and the third is a voluntary private pension. The key feature of the "step by step" system is represented by the separation between the beneficiary contribution and the amount of pension. . In this lies both attractiveness as well as its major disadvantage.

The "step by step" system allows indexation of pensions, but unanticipated inflation is the vulnerable point of the system by accumulating pension funds. Pension funds can compensate for that risk by diversifying investments across countries. Beyond the advantages of the possibility of redistribution and robustness in the face of inflation, the "step by step" system has serious shortcomings. Since pensions are paid from employee contributions, the crucial indicator for the health system is the dependency ratio: the number of pensioners (beneficiaries) compared to number of employees (contributors).



A first alleged disadvantage of the system is thus the vulnerability to population aging, a phenomenon that increases the dependency ratio. But aging also affects the pension system based on fundraising.

Fig 2. Ageing population (thousands)

Age group	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000
15-60	14 105	14 148	13 909	13 965	14 026	14 076	14 099	14 102	14 095	14 035	14 081
Over 60	3 633	3 709	3 778	3 843	3 901	3 961	4 009	4 069	4 130	4 148	4 199
Over 60 / 15-60, %	25.8	26.2	27.2	27.5	27.8	28.1	28.4	26.8	27.8	29.1	30.1

Reasoning that if the pension is based on capitalized contributions of the beneficiary is often seen, its value is not influenced by demographic trends. The problem with this argument is that it neglects the fact that the pension transfers resources from the active to the retired generation.

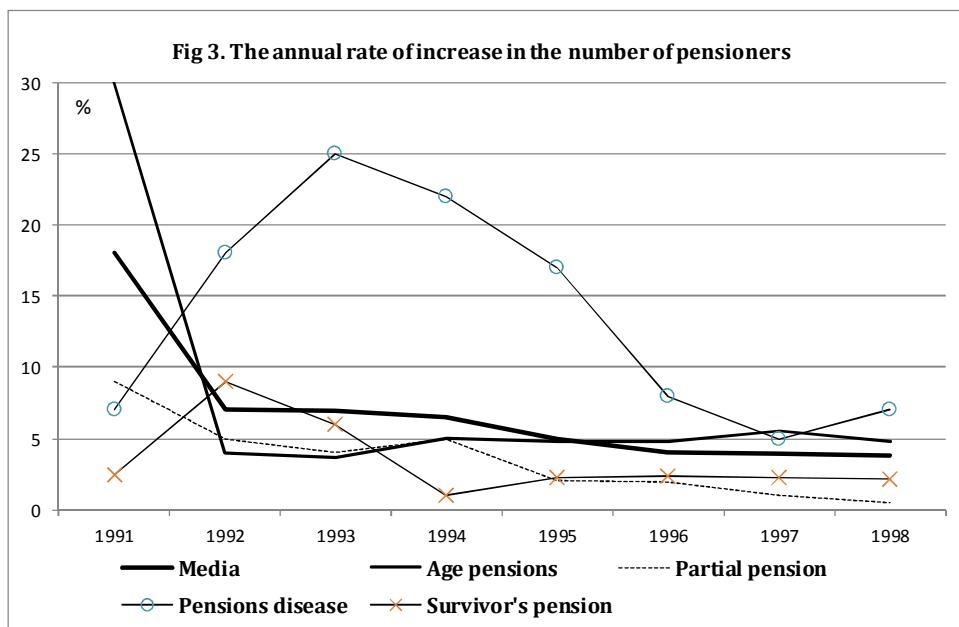


Fig 4. Financial situation of the pension fund

	Revenue (% GDP)	Deficit (% GDP)
1991	7.44	0.41
1992	7.77	1.06
1993	6.59	0.70
1994	5.65	0.10
1995	5.44	-0.23
1996	5.43	-0.17
1997	5.26	-0.02
1998	6.81	-1.01
1999	7.35	-0.25

Whether the pension results by tax ("step by step") or saving (accumulation of funds), its real value is affected by the number of active population. At a constant capital stock, reduction of labor lead to decreased of resources that can be allocated to pensions through two mechanisms.

Fig 5. Decrease of number of contributors to the pension fund

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Contributors (thousands)	8 156	7 574	6 888	6 672	6 438	6 160	5 939	5 597	5 200	4 737	4 459	4 505
Contributors / age population 15 - 60 (%)	57.82	53.53	49.52	47.77	45.90	43.76	42.12	39.69	36.90	33.80	31.70	31.99*

* estimated based on demographic information from 2000

Fig 6. Absolute poverty

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Real average pension: % compared to 1990	100	77.5	63.7	56.5	55.3	61.2	62.8	49.7	48.5	50.4	46.9	47.3

Fig 7. Relative poverty

Year	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001
Replacement rate (average pension / average wage, %)	44.6	45	43.6	45.2	43.2	40.7	38.6	40.3	39.1	35	38.9	42.3

First there is a decrease in GDP. Second, because labor becomes in relative terms "more rare", the weight it deserves its gross domestic product corresponding increases and decreases return on capital (of which pension funds pay also their obligations).

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Bibliography:

- Barr, Nicholas (ed.), *The Economics of the Welfare State*, 2nd edition, Oxford et al.: Oxford UP, 1993.
- Idem, *Labour Markets and Social Policy in Central and Eastern Europe*, Oxford et al.: OUP, 1994.
- Culea, Silviu, *Îmbătrânind frumos: reforma sistemului de pensii în România*, SAR, "Studii asupra politicilor publice", nr. 13/1999.
- Le Grand J. and Bartlett W. (eds.), *Quasi-Markets and Social Policy*, Macmillan Press, 1993.
- Lindeman, David, Rutkovski, Michael, Sluchynsky, Oleg, *The Evolution of Pension Systems in Eastern Europe and Central Asia: Opportunities, Constraints, Dilemmas and Emerging Practices*, World Bank paper, Washington, 2000.
- Zamfir, Elena (ed.), *Politici sociale-România în context european*, București, 1995.

ORIGINAL PAPER

Cătălina Maria GEORGESCU

Qualitative Analysis on the Institutionalisation of the Ethics and Integrity Standard within the Romanian Public Administration

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Abstract: *Ethical values and integrity define standards in the Romanian legal pursuit of strengthening public administration performance. The institutionalization of the ethics and integrity standard within the administration is analysed in the context of recent debates on the politics-administrative relations and the issue of political discretion. The methodology of this study implies a qualitative research of the literature and of the primary legislation, regulations, codes of conduct using as a toolkit the OECD Questionnaire on Managing Ethics in the Public Service. The study aims at assessing the regulation of ethical values and integrity for the public service and testing the strength of the relation between the institutionalization of the ethics and integrity standard and the political action and administrative/bureaucratic action.*

Keywords: *ethics, integrity, legislation, politics-administration relations, public service.*

Outlook on managing control standards in the Romanian public service

The need to improve the performance of public services, strengthen administrative capacity, limit the corruption phenomenon and increase accountability and public trust has led to the development and establishment of a set of control standards regulated by law. The context for developing these control standards is governed by the general requirement of reforming public administrations and creating a body of politically-neutral¹ and highly professional civil servants, accountable before the citizen. Reform imperatives and new governance models² have led to the institutionalisation of the European Commission new model³ of internal control and audit. Institutional changes⁴ and the establishment of internal/managerial control standards within Romanian public entities have been regulated through a series of legal documents. It has been indicated that ethical polices for public administrations have become more notorious, transparent and citizen-oriented⁵. The paper addresses the primary legislation, regulations, codes of conduct stipulating different issues of relevance as regards ethical values and integrity for the public service. The research uses as a toolkit the *OECD Questionnaire on Managing Ethics in the Public Service*. The questionnaire logic is to collect information that helps assessing the general framework of institutionalising ethics and

integrity within public authorities and institutions by referring to the aspects which have triggered the ethics-related struggle, the current efforts to maximise a corruption-free climate and future strategies in this respect, assessing the “publicness” of ethical values within public organizations, making a description of the standards of behaviour for civil servants. The “publicness” of ethical values can be assessed by searching whether employees are being frequently communicated the (professional) standards of conduct, or whether such standards are made mandatory through legislation or officialised through official statements, codes of conduct etc.

The OECD questionnaire is an inquiry tool that could help assess the strong points and loopholes within national anti-corruption legislation, strategies, written and unwritten codes of conduct. The information thus collected can contribute to the assessment of the institutionalization of merit-based procedure within public employment, the prohibition of corruption and abuses especially in sensitive areas, conflicts of interests, the institutionalization of disclosure requirements (such as declaration of personal assets and financial interests), whistleblowing, establishing the obligation of internal control, the activity of monitoring and anti-corruption agencies.

In Romania, internal/managerial control within public authorities and institutions is regulated by the Public Finances Minister's Order no. 1423 of October 30th, 2012 regarding the amendment of Public Finances Minister no. 946/2005 for the approval of internal/managerial control, comprising the standards of internal/managerial control within public entities and for developing the systems of internal/managerial control which established a set of 25 standards assessing performance within public authorities and institutions. These standards are grouped in five fields: Control environment (S1 – Ethics, Integrity, S2 – Attributions, Functions, Duties, S3 – Competence, Performance, S4 – Sensitive Functions, S5 – Delegation, S6 – Organising Structure); Performances and Risk Management (S7 – Objectives, S8 – Planning, S9 – Coordination, S10 – Performance Monitoring, S11 – Risk Management, S15 – Hypotheses, Re-assessments); Information and Communication (S12 – Information, S13 – Communication, S14 – Mailing and Archive, S16 – Whistle-blowing); Control Activities (S17 – Procedures, S18 – Separating attributions, S19 – Surveillance, S20 – Managing deviations, S21 – Continuing the activity, S22 – Control strategies, S23 – Access to resources), and Auditing and evaluation (S24 – Verifying and assessing control and S25 – Internal auditing). Compliance with these regulations is assessed by each public institution and authority annually using a self-administered questionnaire testing the level of implementing the internal/managerial control standards.

The Ethics and Integrity standard for public entities is described by the Minister's Order as “ensuring the necessary to the knowledge by employees of the codes and regulations governing their behaviour, preventing and reporting frauds and irregularities”. This standard appears to be aspiration as the documents prescribe the possession by both manager and employees of “an appropriate level of personal and professional integrity” (...), awareness of “the importance of the activity they develop”. Also, “the manager, through his decisions and personal example, supports and promotes ethical values and professional and personal integrity of employees. Decisions and personal example must reflect: valuing transparency and probity within ones activity; valuing professional activity; initiative through example; conformity with the specific laws, regulations, rules and policies; respect of the information confidentiality; equal treatment and individual respect; loyal relations with collaborators; comprehensive and exact character of operations and documentation; professional manner of approach of financial information”. Moreover, the standard is met provided that “employees show that behaviour and develop those actions perceived as ethical in the public entity” while “the manager and employees have a positive approach towards the financial control whose functioning they support”. The Minister Order also interprets the terms of fraud, integrity and ethical values and explicitly states

the obligation of public organisations to possess a written official code of conduct “establishing the obligations resulting from the law and to which employees must comply over those resulting following employment relations: filling in the declaration of assets, the declaration for preventing conflicts of interests”.

Public Finances Minister’s Order no. 1423/2012 imposes the assessment of the degree of conformity of the internal/managerial control system with the imposed standards by applying a self-assessment questionnaire on the implementation of the internal/managerial control standards. As general criteria for assessing the standard it has been introduced the issue of whether “the personnel was communicated the code of conduct establishing rules of ethical behavior in accomplishing duties, applicable to both management and execution personnel within the office”, as well as the issue of whether “employees receive ethical counseling and are systematically monitored for respecting the norms of conduct”.

Ethical issues and the interdiction of discrimination

All forms of discrimination within public services are forbidden, regardless the stage in their career – employment (recruitment, selection procedures), training, promotion, remuneration etc. Law no. 188/1999 regarding the Statute of civil servants bans in Article 27 paragraph 2 any form of “discrimination among civil servants based on political criteria, union membership, religious beliefs, ethnic, sexual orientation, material status, social origin or any such grounds”¹⁶. The law thus prescribes a discrimination-free climate within public organisations and lays the foundation for the creation of a professional, indifferent-to-politics body of civil servants, while at the same time building upon the career-based system of the Romanian public administration.

Ethical issues and political activity

As regards Romanian civil servants’ involvement in political activity, this particular issue is regulated by law, prescribing civil servants’ access to the basic and middle layers of political organisations and forbidding their access to the top management of these entities. Law no. 188/1999 regarding the Statute of civil servants explicitly forbids civil servants to hold management positions within the elected or appointed ruling structures of political parties or any such political organisation (Article 44, paragraph 1), while for Senior civil servants the same law forbids their membership in any political parties or any such political organisation. At the same time, civil servants are obliged by the same law to refrain from publicly expressing their political beliefs and preferences or to favour any political organisation in the exercise of their duties (Article 44, paragraph 3). Moreover, two codes of conduct forbid civil servants to “participate in funds gathering for political parties activity; to supply logistical support to candidates running for public dignities; to collaborate beyond office relations with natural or legal persons making donations or sponsoring political parties; to show signs or objects bearing the acronym or name of political parties or candidates within public authorities or institutions”¹⁷.

Through Law no. 161 of April 19th, 2003 regarding some measures to ensure transparency in the exercise of public dignities, offices and the business environment, the prevention and sanctioning of corruption, with subsequent amendments, civil servants are allowed to run for office or to be appointed in a public dignity position by suspending the employment relations during the campaign until the end of the mandate for the elected or appointed positions (Article 97). Except for Senior civil servants, membership in political parties is allowed for public employees. However, the law forbids their acceding to superior party ranks and their publicly expressing or defending the

position of a political party (Article 98). Moreover, the Statute of civil servants⁸ prescribes in Article 77 that carrying out political activities during work program is considered infraction of discipline.

Moreover, the Order of the Minister of Public Finances no. 252/2004 for the approval of the Code regarding the ethical conduct of internal auditor establishes the terms of political neutrality for this profession, imposing their independence of any political influence and their abstaining from expressing or manifesting their political beliefs in the exercise of their duties. As regards integrity, the Minister Order imposes ethical values such as “honesty, good-faith and accountability, the respect of law and acting according to the profession requirements, respect for and contribution to the legitimate ethical objectives of the entity” (Article 7).

Ethical issues and the establishment of codes of conduct

Codes of conduct within organizations are part of the legal framework establishing employment relations, the difference between the ethical values subscribed within professional codes of conduct and legislation standing in the degree of formalisation⁹ and the system of sanctions attached to them¹⁰.

Law no. 7/2004 regarding the Code of conduct of civil servants prescribes in Article 3 the general principles governing professional conduct of public employees, in the line prescribed by the European Commission's general principles of good administration¹¹: supremacy of the Constitution and of the law, prioritising public interest, equal treatment, professionalism, impartiality and independence, political neutrality, moral integrity, freedom of thought and expression, honesty and fairness, openness and transparency, accountability. The Code of conduct prescribes a series of aspirational principles, in the sense that in the exercise of public offices, civil servants must act respectfully, in good-faith, fairly and kindly (Article 12). The Code of conduct introduced by Law no. 477/2004 regarding the Code of conduct of contractual personnel within public authorities and institutions introduces the obligation to adopt “an impartial and justified attitude to clearly and efficiently solve citizens' issues” and to respect the equal treatment principle, while it does not apply to politically-elected or appointed personnel (Article 1, paragraph 2).

Ethical issues and the acceptance of “attentions”

Civil servants' professional activity is furthermore regulated thus providing the regime of “attentions”. The Codes of conduct prescribed in Law no. 7/2004 regarding the Code of conduct of civil servants and Law no. 477/2004 regarding the Code of conduct of contractual personnel within public authorities and institutions clearly forbid the acceptance of or requiring gifts, services and advantages by civil servants or contractual personnel within public services.

Political pressure and anti-corruption agencies reports

Law no. 7/2004 states the obligation of the National Agency of Civil Servants to include in its annual report regarding public office and civil servants management the specific cases in which civil servants were required to act under political pressure (Article 22, paragraph 1(d)) along with the numbers referring to the violations of the norms of professional conduct in terms of number and object of complaint, categories and number of civil servants¹² in a position of breach of moral and professional norms of conduct (Article 22, paragraph 1 (a, b)). Moreover, Law no. 477/2004 regarding the Code of conduct of contractual personnel within public authorities and institutions establishes the obligation of presenting the Government the annual report regarding the monitoring and implementing the contractual personnel conduct standard and also of “highlighting the cases in which contractual personnel was asked to act under political pressure” (Article 23, paragraph 1(d)).

Ethical issues and conflicts of interests

According to Law no. 161/2003 regarding some measures for ensuring transparency in the exercise of public dignities, public offices and within the business environment, the prevention and sanctioning of corruption, with the subsequent amendments institutes the obligation for persons exercising public dignities and offices to fill in a declaration of interests regarding their current functions and activities in other organisations (Article 111). The same piece of legislation further establishes conflicts of interests and incompatibilities by listing under Article 99 the categories of persons “exercising public dignities and authority offices within authorities and institutions under exclusive parliamentary control” incompatible with the quality of minister or state secretary.

Ethical issues and assets declarations

Law no. 115/1996 regarding the assets declaration and control for dignitaries, judges, persons in management and control offices, and civil servants, with subsequent amendments, establishes “the obligation of assets declaration for dignitaries, judges, civil servants and some persons in leading offices within autonomous administrations, State Property Fund, National Bank of Romania and in banks with total or majority state capital, as well as the assets control procedure in case there is evidence of some goods or values being illicitly obtained” (Article 1).

Law no. 176/ 2010 regarding integrity in the exercise of public functions and dignities, regarding the amendment of Law no. 144/2007 on the creation, organising and functioning of the National Integrity Agency, as well as regarding the amendment of other normative documents lists under Article 1 the categories of persons obliged to fill in the declarations of assets and interest. The National Integrity Agency created through Law no. 144/2007 is in fact the entity assessing assets declarations, and also data, information, interests and incompatibilities.

Ethical issues and the prevention, discovery and sanction of corruption

The actions of persons in the exercise of public offices, who participate in or may influence the decision-making process within public services, autonomous administrations and within the business environment, holding control attributions or holding leading positions within political parties fall under Law no. 78/2000 for the prevention, discovery and sanction of corruption, with subsequent amendments.

Conclusions

This paper has presented the legal framework for managing ethics and integrity within the Romanian public administration being especially aware of the establishment of ethical values and a series of issues associated to the interdiction of discrimination, regulating political activity for civil servants, the institutionalisation of codes of conduct, the interdiction of the so-called attentions, the reporting activity of anti-corruption agencies, regulating conflicts of interests, incompatibilities and assets declarations, the prevention, discovery and sanction of corruption. The research connected these issues with the main ethics-related subject on the public agenda lately under the form of political discretion and civil servants’ activity at the border of the political sphere.

Notes:

For a comprehensive study on political influences in public employment we suggest the interested reader the study signed Matheson, A. *et al.* (2007), “Study on the Political Involvement in Senior Staffing and on the Delineation of Responsibilities Between Ministers and Senior Civil Servants”, *OECD Working Papers on Public Governance*, 2007/6, OECD Publishing. doi:10.1787/136274825752, Source: <http://www.oecd.org/gov/pem/39125861.pdf>. We would also suggest OECD (2011),

"Political influence in senior staffing", in *Government at a Glance 2011*, OECD Publishing, http://dx.doi.org/10.1787/gov_glance-2011-24-en

² For an analysis on the influence of the New Public Management models on ethical policies, we recommend the interested reader the paper signed João Bilhim, Bárbara Neves, *New Ethical Challenges in a Changing Public Administration*, Social and Political Sciences Institute of Lisbon Technical University, Centre for Public Administration & Policies, June 2005, Source: http://soc.kuleuven.be/io/ethics/paper/Paper%20WS4_pdf/Joao%20Bilhim_Barbara%20Neves.pdf

³ Javier Medina Guijarro, *New Model of Internal Control in the European Union: Its Usefulness for the Supreme Audit Institutions*, V JORNADAS EUROSAI/OLACEFS – Lisbon, 2007, Source: <http://www.tcontas.pt/eurosai/EurosaiOlacefs/Docs/1ST/Espanha/WS1%20ES-eng3.pdf>.

⁴ For a detailed analysis of transition period and institutional change we suggest the interested reader the paper signed Anca Parmena Olimid, *Politică românească după 1989*, Craiova: Aius PrintEd, 2009.

⁵ Christoph Demmke, Timo Moilanen, *The Pursuit of Public Service Ethics – Promises, Developments and Prospects*, in B. Guy Peters, Jon Pierre (Editors), *The Sage Handbook of Public Administration*, Sage, 2012, p. 704.

⁶ For a detailed analysis of Constitutional provisions regarding religious liberty and freedom of thought we suggest Anca Parmena Olimid, "Struggle for Sacred after EU Integration. Constitutional Developments Concerning Religion and Freedom of Religion in Greece, Cyprus, Romania and Bulgaria (I)", *Revista de Științe Politice. Revue des Sciences Politiques*, No. 33-34/2012, Craiova: Universitaria Printing House, pp. 226-238. See also Cosmin Lucian Gherghe, *The Evolution of Constitutionalism in Romania beyond 1989. Case study: the Constitution of 1965 and the Constitution of 1991*, in *Revista de Științe Politice. Revue des Sciences Politiques*, No. 35/2012, Craiova: Universitaria Publishing House, pp. 401-406.

⁷ Law no. 7/2004 regarding the Code of Conduct of civil servants and Law no. 477/2004 regarding the Code of conduct of contractual personnel within public authorities and institutions.

⁸ Law no. 188/1999 regarding the Statute of civil servants.

⁹ Palidauškaite, Jolanta, *Codes of Conduct for Public Servants in Eastern and Central European Countries: Comparative Perspective*, Kaunas University of Technology, Lithuania, Source: <http://www.oecd.org/mena/governance/35521438.pdf>

¹⁰ A view according to which codes of conduct remain at the stage of merely principles, are more aspirational in nature, not necessarily legally binding, see for that matter the European Ombudsman, *Ensuring ethics in public administration: The role of the Ombudsman*, Wellington, New Zealand, 15 November 2012, Source: <http://www.ombudsman.europa.eu/ro/activities/speech.faces/en/49379/html.bookmark#h1>

¹ European Commission, *Code of Good Administrative Behaviour, in the Official Journal of the European Communities*, 2000, Source: http://ec.europa.eu/transparency/civil_society/code/docs/code_en.pdf

² For other types of indicators measuring the performance of anti-corruption agencies we suggest the interested reader to visit the study signed Jesper Johnson, Hannes Hechler, Luís De Sousa, Harald Mathisen, *How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors, and evaluators*, U4 Issue, September 2011 No 8, Source: <http://www.cmi.no/publications/file/4171-how-to-monitor-and-evaluate-anti-corruption.pdf>

Bibliography:

Bilhim, João, Bárbara Neves, *New Ethical Challenges in a Changing Public Administration*, Social and Political Sciences Institute of Lisbon Technical University, Centre for Public Administration & Policies, June 2005, Source: http://soc.kuleuven.be/io/ethics/paper/Paper%20WS4_pdf/Joao%20Bilhim_Barbara%20Neves.pdf

European Commission, *Code of Good Administrative Behaviour, in the Official Journal of the European Communities*, 2000, Source: http://ec.europa.eu/transparency/civil_society/code/docs/code_en.pdf

Cosmin Lucian Gherghe, *The Evolution of Constitutionalism in Romania beyond 1989. Case study: the Constitution of 1965 and the Constitution of 1991*, in *Revista de Științe Politice. Revue des Sciences Politiques*, No. 35/2012, Craiova: Universitaria Publishing House, pp. 401-406.

Government Emergency Ordinance no. 56/2004 regarding the creation of the special statute of civil servant entitled public manager, approved with amendments through Law no. 452/2004, with subsequent amendments;

Johnson, Jesper, Hannes Hechler, Luís De Sousa, Harald Mathisen, *How to monitor and evaluate anti-corruption agencies: Guidelines for agencies, donors, and evaluators*, U4 Issue, September 2011 No 8, Source: <http://www.cmi.no/publications/file/4171-how-to-monitor-and-evaluate-anti-corruption.pdf>.

Law no. 115/1996 regarding the assets statement and control for dignitaries, judges, of persons in management and control offices, and civil servants, with subsequent amendments

Law no. 161/2003 regarding some measures for ensuring transparency in the exercise of public dignities, public offices and within the business environment, the prevention and sanctioning of corruption, with the subsequent amendments and adhesions;

Law no. 176/ 2010 regarding integrity in the exercise of public functions and dignities, regarding the amendment of Law no. 144/2007 regarding the creation, organising and functioning of the National Integrity Agency, as well as regarding the amendment of other normative documents.

Law no. 188/1999 regarding the Statute of civil servants, republished, with subsequent amendments and adhesions;

Law no. 251/2004 regarding some measures referring to the goods awarded on the occasion protocol actions exercising ones mandate or function.

Law no. 477/2004 regarding the Code of conduct of contractual personnel within public authorities and institutions;

Law no. 7/2004 regarding the Code of conduct of civil servants, republished;

Law no. 78/2000 for the prevention, discovery and sanction of corruption, with subsequent amendments;

Matheson, A. *et al.* (2007), "Study on the Political Involvement in Senior Staffing and on the Delineation of Responsibilities Between Ministers and Senior Civil Servants", *OECD Working Papers on Public Governance*, 2007/6, OECD Publishing. doi:10.1787/136274825752, Source: <http://www.oecd.org/gov/pem/39125861.pdf>

OECD (2011), "Political influence in senior staffing", in *Government at a Glance 2011*, OECD Publishing. http://dx.doi.org/10.1787/gov_glance-2011-24-en

Olimid, Anca Parmena, *Politică românească după 1989*, Craiova: Aius PrintEd, 2009.

Olimid, Anca Parmena, "Struggle for Sacred after EU Integration. Constitutional Developments Concerning Religion and Freedom of Religion in Greece, Cyprus, Romania and Bulgaria (I)", *Revista de Științe Politice. Revue des Sciences Politiques*, No. 33-34/2012, Craiova: Universitaria Printing House, pp. 226-238.

Order of the minister of public finances no. 252/2004 for the approval of the Code regarding the ethical conduct of internal auditor.

Palidauškaite, Jolanta, *Codes of Conduct for Public Servants in Eastern and Central European Countries: Comparative Perspective*, Kaunas University of Technology, Lithuania, Source: <http://www.oecd.org/mena/governance/35521438.pdf>

Peters, B. Guy, Jon Pierre (Editors), *The Sage Handbook of Public Administration*, Sage, 2012.

PUMA/ETH(99)1, *Survey on Managing Ethics in the Public Service*, Source: <http://www.oecd.org/governance/ethics/2542553.pdf>

E-GOVERNMENT, COMMUNICATION AND NEW MEDIA

ORIGINAL PAPER

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Post-communist Romania and Cultural Homogenization Process in the Media

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Abstract: This paper is analyzing how evolved Romania from cultural point of view after the fall of communism. Our country has become one of the regions exposed to and influenced by cultural homogenization, cultural imperialism, westernization or Americanization of the world. To at least partially answer to these questions it will do a analysis of the two possibilities concerning this process in the media from Romania. The two possibilities are: 1. The integration of Romanian media into the trends of homogenization/globalization; 2. The integration of Romanian media in the specific policies and procedures of the localism.

Keywords: media, globalization, cultural export, entertainment, Facebook.

I. CULTURAL HOMOGENIZATION

Are the Romanians similar to the other Europeans, or are they similar to their Slavonian neighbors? There is no simple answer to this question, the problem is getting more and more complicated if you bring into question the issue of americanization. In any of the circumstances the most important aspect seems to be the affiliation to a cultural space. Also when it comes to media there are a variety of points of view. The "Cultural Homogenisation" due to the globalization of consumer capitalism entails a loss of cultural diversity.

Criticism of globalization is often realised in particular/universal terms. Those who adopt the point of view that emphasizes the disadvantages of globalization also disapprove of the idea that the cultural development of the West and its specific current lifestyle could be universally valid. The vision that depicts the current state of humanity as a result of the millennial progress can be cataloged as a west-central view.

In a more radical note researchers talk about homogenisation as a result of the mixing of cultural imperialism, implemented primarily by means of transnational companies. Herbert Schiller advocates the cultural imperialism thesis, asserting that the global industry in the field of the media is dominated by corporations controlled by the United States. Jonathan Bignell² also thinks that the world is under a process of americanization by not paying sufficient attention to local and national specifics of media consumption.

The Westernization of the world is not discussed only in negative terms. It is sometimes described as a connection of some less developed countries to what is new and efficient. Westernization begins with the Roman Empire, colonialism, imperialism and globalization³. The same author - Viorel Roman⁴ - deplores the separation between the Eastern Orthodox and Western countries, on one hand, and Roman Catholic and protestant countries on the other hand.

Remaining (including culturally) in a public space flabbergasted in the Balkan traditions is associated with the observation that for many East-europeans find it difficult to agree with the new socio-political reality of the former Eastern bloc, namely the democratic reality.

II. GLOBALIZATION OF COMMUNICATION/ MULTIPOLAR WORLD

The globalization of communication is sometimes defined as a spread of a model based on a language of international traffic (most often it brings attention to the Western/North American model spread with the help of the English language) othertimes it is defined as a loss of local identity without having to specify what is replaced it.

David Lyon⁵ belongs to the category of those authors who are convinced that the issue of westernization of the world is no longer present: with the enlightenment idea of progress, has set up a multi-polar world, even chaotic (complex, fragmented).

Through such theoretical positions researchers open the path to some new panoramas focusing on terms like antiglobalization/ decentralization/decontextualized communication. Thus we find that it places other lights on some of the points of departure of the term postmodernism without simplifying the debate about national identity/local producers of culture/media and audience.

David Lyon⁶ describes the current world as characterized by heterogeneity, plurality and difference. If in this celebration of the fall as a virtue we could come off with a wave of optimism, we don't find the same optimism in the later writings when the author⁷ focused on the problem of surveillance: „The information technology are more sophisticated and powerful. This spells gains for efficiency and productivity but also accentuates questions about civil liberties and human rights”.

Demonstration of the danger of surveillance must be extended to media. Thus, we may wonder whether the interests of transnational companies in the sale of music, movies and television shows to wider audiences has declined lately. This possible renunciation (in terms of economic crisis) of the distribution of media products in some regions must be linked to the interests of the growing implementation of persuasive strategies identified in the advertisement.

As long as all the audiovisual products allow the placement commercials during breaks as well as during film broadcast on television and radio through the process known as product placement it is normal that the transnational media companies focus on the promotion of the preferred brands. Therefore it is not surprising if during a Romanian reality show we get to see Western brands in the form of clothes, mobile phones or clothing accessories worn by local stars.

Also we will no less wonder if we observe on the blogs for fans of Balkan songs such *manele*⁸ the commercials of well known west products. The combination between different cultures at the level of both creative aspects and marketing/advertising leads to an unusual amalgam of local and global aspects.

Lyon⁹ talks about the surveillance society. This society allows the collection of detailed data about the life styles of the owners of websites and their visitors, which ease the task of the advertising peoples who want their messages to reach target audiences in a manner more familiar to it.

Exposing the public to the graphics and sound of commercials is not a novelty. This issue was also analyzed by French researcher Didier Courbet⁰. He explained the process of influence

through the new model of assignment to any familiar: "commercials, even faintly repeated on TV can lead to viewers' familiarity with the brand"¹.

As we mentioned above, the Internet seems to be a conducive framework to the development of communication. If James Curran and Myung-Jin Park² believed a decade ago that we cannot establish a center out of where the globalization is being spread, today it is even less possible to highlight this center considering the vertiginous development of communication through new technologies and enhancing the feeling of decentration of the world.

Social networks are also taken into consideration when it comes to the relationship between the producers and consumers of cultural goods. Facebook and other social networks are the new public space in which citizens participate in shaping the ideas of public interest and corporate representatives to promote both material assets and the cultural heritage, with their much-discussed southern fork: cultural goods belonging to high culture and popular culture. As regards the division of culture in high culture and popular culture Inglis³ absorbs from Raymond Williams' cultural studies a new complex perspective over this issue.

About the assessment of the role of social networks in the homogenization we find both optimistic and pessimistic remarks. The two conflicting points of view are reviewed by Lane Crothers in his book *Globalization & American Popular Culture*⁴: If pessimism characterizes many authors who see on Facebook just a new way of promoting American popular culture, there is another point of view⁵ that Facebook has helped the nongovernmental organizations that focus on human rights and on environmental regulation to improve their activities. In the same direction another author⁶ notes the usefulness of social networks to build relationships within the communities.

III. Cultural Exports

If the media unification is seen mostly as a reduction in the diversity of formats in both print and audiovisual media. This unification can occur in two ways. One of them is media standardization due to the takeover of local media by transnational media trusts. The other facet of the media unification comes from the fact that some TV stations such as CNN, are viewed by people from different corners of the world. In addition to the emission of some global TV stations there is the phenomenon of taking over the American TV show formats. One of the American reality show, "The Jerry Springer Show" has a Romanian version, "Babilonia", broadcasted by Antena 1. The TV producers of this show⁷ declared before the broadcast of the first series that they intend to contribute to the development of freedom of expression.

Not only the TV entertainment shows have tried to adapt to the specifics of international formats. One Romanian TV station, Realitatea TV, has tried to transform itself into an East European CNN. In this case one can speak of an attempt more or less successful of a Romanian CNN.

Romanian televisions, during periods of major events (such as the death of Pope John-Paul II or Prince William's marriage to Kate Middleton) abandon the domestic issues over which we usually focus and take over pictures from the universal television stations.

CONCLUSIONS

The spread of Western/American model is combined with the development of local traditions, building new cultural entities. This way the phenomenon of cultural hybridization rises. The Western model is adopted in a creative manner in different countries who have not managed to go through all the stages of modernity-such as the case of Romania.

One of the ways in which Romania can be different is the promotion of the musical folklore. The tendency of audiovisual media's managers to favour a cultural majority trend can be seen as a

way to respond to the need of some large Romanian groups to benefit of a local/national culture and to countervail the "foreign" elements.

At the same time, there are also many attempts to imitate the Western media. As a result of this state of things we cannot find a predilection for the Romanian media to cope with the process of cultural homogenisation or with the contrary to the cultural empowerment.

There are several trends: participation to the process of universal cultural homogenisation and the process of fighting with this trends. Resistance to media homogenisation takes shape in two ways:

1. The use of the local/national values and traditions
2. The acquisition of Western TV shows and the creative transformation of both shape/format and (especially) the contents of these TV shows, (for instance- the TV show „O data in viata“ / "Once in a Lifetime"⁸, broadcasted by TVR, the Romanian public television).

NOTES

Apud Chris BARKER, 2000, *Cultural Studies. Theory and Practice*. Sage Publications; London, Thousand Oaks, New delhi, p. 115;

²Jonathan BIGNELL, 2008, *An Introduction to Television Studies*, Routledge; London and New York, p. 71.

³The statement belongs to Professor Viorel Roman, academic adviser at the University of Bremen, and it is posted on his personal website: http://www.viorel-roman.ro/index_de.php.

⁴Viorel Roman begins his speech ROMANIA BETWEEN THE WESTERN EUROPEAN AND ORTHODOX VALUES AND NORMS UNITY IN DIVERSITY AND DIVERSITY IN UNITY, this way: „ To start with, let us acknowledge the divide between the Greek-Orthodox East and the Roman-Catholic/ Protestant West. Emerging anew after revolution with tragic results for Romanians, this divide is still ignored by the post-communist elite. Agriculture and the rural subsistence culture are dominant in the East, whereas in the West advanced industrial technologies and urban culture are prevalent. Wages, productivity, political participation, professional mobility, social differentiation are modest in the East, yet in the West they register high levels" (International multidisciplinary conference. North University of Baia Mare, May 27-28, 2005). - http://www.viorel-roman.ro/articol_big.php?id=120&pg=2;

⁵ David Lyon, 1998, *Postmodemitatea, Du Style*; București;

⁶ David Lyon, 1998, *Postmodemitatea, Du Style*; București, p. 122;

⁷ See the book written by David Lyon in 2009: *Identifying Citizens. ID Cards as Surveillance*, Polity Press, Cambridge, Malden, p. 43;

⁸ See the available information about the specific of these songs on the site of the Romanian Peasants Museum, Bucharest: <http://www.muzeulارانuluiroman.ro/conferinte/?p=116>: „Speech presents summary results of an ongoing research devoted to *manea*. Researchers involved in it are AncaGiurchescu (Denmark, Romania), Margaret Beissinger (USA), Victor Stoichiță (France) MoisilCostin Florin Jordan and Hope MirelaRaduRadulescu (Romania). Romania today's musical landscape seems to be dominated quantitatively by the *manea*. Music once a relatively small social group and depreciated at Roma people, *manea* was gradually adopted by a significant portion of citizens. *Manea* is a contemporary creation with roots in musical culture with a still prevalent Ottoman of the boyars from Southeast Romania in 19th century. As such, it presents a series of pan-Balkan features. *Manea* emerged by the late 60s, as a form of symbolic opposition communities in the slums of large cities Danube, and Bucharest, to the exclusion of Romanian society. After a while it became a form of opposition of the marginalized and ordinary people in Romania, regardless of their ethnicity”.

⁹ David Lyon, 2009: *Identifying Citizens. ID Cards as Surveillance*, Polity Press, Cambridge, Malden, p. 43;

⁰ Didier Courbet *Les effets automatiques du parrainage télévisuel sur la marque: étude de la méattribution de la familiarité, du transfert sémantique et de l'influence des émotions déclenchées par le programme*, în *Recherche et Applications en Marketing*, vol. 15, nr. 1, 2000.

¹ *Ibidem*, p. 58;

² James Curran și Myung-Jin Park, 2000, *Beyond globalization theory in „De-Westernizing Media”* (James Curran, Myung-Jin Park, eds.), Routledge; London and New York, p. 5;

³ The *lived culture* is made up of the ways in which a group or groups of people thought and felt at a particular time and place” (Ingis, 2005: 16) Between written and audiovisual sources there are significant differences in the production time were and the intrinsic distinctiveness of each of them. However, it should be noted that between these two types of sources (written and audiovisual) there is also a common element. This common item derives from the fact that they are part of what Raymond Williams (apud Ingis, 2005: 17) considered to be *recorded culture*: “The *recorded culture* of a group living at a particular time

and place also allows some access to the lived culture; it encompasses all the things that record in some way how people thought and felt, not just 'artworks' but everything from newspapers, films and other mass media products like posters and adverts, to bureaucratic records and official papers, to more intimate documents like personal diaries and written reminiscences". Therefore written sources as well as audiovisual sources can be seen different than artistic products which Williams sees to integrate into the culture of selective tradition (high culture).

⁴ Lane Crothers (2013, *Globalization & American Popular Culture*, 3rd. ed, Rowman & Littlefield Publishers, Inc., Lanham, p. 1) states that: „Facebook and sites like it serve as hubs through which American popular culture reaches everwidening parts of the world. It is through these artifacts (and many others) that the rest of the world sees American values and lifestyles”.

⁵ Some analysts of cultural phenomena consider that „Similarly, as our Knowledge of human rights and other abuses around the world have grown, largely as a result of emerging communication systems like Facebook and Twitter, the work of nongovernmental organizations that focus on human rights, environmental regulation, and the like have become more prominent” - Lane Crothers, 2013, *Globalization & American Popular Culture*, 3rd. ed, Rowman & Littlefield Publishers, Inc., Lanham, p. 24.

⁶ Chris Skinner, 2013, *South Durban Basin - A Classic Socio-Economic And Environmental Hotspot* in „Media Discourses About Crisis” (Valentina Marinescu & Silvia Branea, eds.), Editura Universității din București, p. 125: „Social media like Facebook, Twitter, Mixit and other relevant sites can be used to build relationships, and engage in conversations with the community, not only to communicate with them when there is a disaster.

⁷ „Starting Monday, September 16th, 2002, the show will be broadcasted every day, from Monday to Friday, between 18.00-19.00. Augusta will invite ordinary people who will come to tell us the stories of their life, extraordinary things which they have lived. We want to promote the freedom of expression of the individuals, to let them be accepted by society. We want to try to change the mindset of many people, we want a show that pleads for tolerance”, said Elena Mavromati, co-director of the program. The discussions will be free, and it will be live broadcasted. Every day we will choose a new theme and, according to it, new people.” - <http://www.libertatea.ro/detalii/articol/babilonia-25598.html>

⁸ TVR broadcasts the TV show Once in a lifetime, a contest with themes from songs and Romanian popular dance. The show's host is Iuliana Tudor, every Friday night, from 9 pm. The competition will bring together prominent people: actors, athletes, fashion designers, business people or musicians, from different regions of the country, who will become singers for a few minutes. The show will combine songs, dance and humor, and the competitors will have to perform a duet with a star of popular song, among other things. - www2.tvr.ro/odatainviata/;

REFERENCES:

1. BARKER, Chris: 2000, *Cultural Studies. Theory and Practice*, Sage Publications; London, Thousand Oaks, New Delhi;
2. BIGNELL, Jonathan: 2008, *An Introduction to Television Studies*, Routledge; London and New York;
3. COURBET, Didier, *Les effets automatiques du parrainage télévisuel sur la marque: étude de la mésattribution de la familiarité, du transfert sémantique et de l'influence des émotions déclenchées par le programme*, in *Recherche et Applications en Marketing*, vol. 15, nr. 1, 2000.
4. CROTHERS, Lane: 2013, *Globalization & American Popular Culture*, 3rd. ed, Rowman & Littlefield Publishers, Inc., Lanham;
5. CURRAN, James; PARK, Myung-Jin: 2000, *Beyond globalization theory in „De-Westernizing Media”* (James Curran, Myung-Jin Park, eds.), Routledge; London and New York;
6. INGLIS, D., 2005, *Culture and everyday life*, Routledge, New York;
7. LYON, David: 2009, *Identifying Citizens. ID Cards as Surveillance*, Polity Press, Cambridge, Malden;
8. LYON, David: 1998, *Postmodernitatea, Du Style*; București;
9. SKINNER, Chris, 2013, *South Durban Basin - A Classic Socio-Economic And Environmental Hotspot* in „Media Discourses About Crisis” (Valentina Marinescu & Silvia Branea, eds.), Editura Universității din București;

WEB REFERENCES:

- <http://www.libertatea.ro/detalii/articol/babilonia-25598.html>
<http://www.muzeultaranuluiroman.ro/conferinte/?p=116>
www2.tvr.ro/odatainviata/
http://www.viorel-roman.ro/index_de.php
http://www.viorel-roman.ro/articol_big.php?id=120&pg=2

ORIGINAL PAPER

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Aspects of the relationship between communication in cyberspace and intelligence

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Abstract: *Internet age has brought many revolutionary and subtle shifts in business intelligence, both in terms of theory and practice of operations (collection, analysis and dissemination of information) and the mentality and between intelligence relations, on the one hand, and factors enforcement and military decision at the political level, on the other side. Secret services are constantly changing and looking for ways they can get beneficial information can prevent disasters and influence development of different types of actions, military, political, in a way that they have an advantage, is always one step ahead of the enemy.*

Key words: *intelligence, terrorism, cyberspace, global security, secret service.*

The evolution of intelligence services is closely related to scientific and technological developments in the countries from where they belong, they are interdependent, a service of this type cannot advance if the country whose organization is part of does not dispose of a proper technology. If the semaphore telegraph was a huge step forward for SIGINT in the era of Napoleon, the Internet and the new ways of dissemination the information (so called *new media*) represent the vanguard of the challenges in this field in the twenty-first century. Although there is no generally accepted definition of new-media, which are perceived differently by various categories of users, new media are appreciated as communication means based on digital channels (Internet, digital television, digital telephony) or all texts, sounds, images and graphic elements designed on computer and combined in databases. Blogs, podcasts (audio files posted on the web), virtual worlds ("Second life"), encyclopedia like wiki (consisting of user-generated content), social networking platforms ("Facebook", "MySpace"), but also interactive television, websites and e-mail are considered new media.

Internet age has brought many revolutionary shifts, but also subtle in intelligence's activities, both in the theory and practice of data collection operations, analysis and dissemination of information and in mentalities and relationships between intelligence services, on the one hand, and law applying and decision factors at a political and military level on the other hand. Theoretically, intelligence is supposed to revolve around the exchange of information, the absence of such interactions are, in fact, the reason why the attacks of September 11 could not be prevented, as indicated the results of the investigation committee that conducted investigations in this case. Briefly, services failed to interact because each structure has created its own online network to keep their secrets safe. In addition, have been used different applications for chat and discussion group which could not interconnect.

The Internet developed based on the principle that information should circulate freely and web technologies aimed precisely this aspect: to encourage the exchange of data via blogs, websites for the publication of photographs, such as Flickr and readers generated encyclopedias, Wikipedia type.

Although Internet career basically started only 15 years ago, its beginnings are found in the height of the Cold War, in U.S. military projects in the 60s, designed as a result of the shock generated in 1957 by launching the first artificial satellite Sputnik of the Soviet Union. In response, in 1958, the U.S. Department of Defense established the Defense Advanced Research Projects Agency (DARPA), initially called ARPA to take the lead in technology field. Pioneers in the development of databases and exchange packages have created a network of government support: ARPANET. This drew attention to the vulnerability of the national strategic communications infrastructure. In this way, the Government's attention has turned to establishing a computing network capable "to survive", in order to ensure the connection between the Pentagon and other national decision makers from Washington with the nuclear command and control center in Cheyenne Mountain and the Aviation Strategic Commander headquarters.

Websites and access to information

Inherent obstacles in the dialogue between the public and secret services generated by the confidential nature of their work have led in many cases, a distortion of their institutional profile.

Internationally, statistics show an increase in recent years of the national intelligence services number of official website. They demonstrate understanding of the strong impact that Internet has on public and therefore the importance of using this medium to promote virtual image.

Intelligence services websites contain certain standard categories such as: history, roles, legislation, press releases, careers, contact etc. Under the heading "Frequently Asked Questions" are answered general questions formulated in an understandable language.

The best represented intelligence service on the Internet remains the - U.S. intelligence community. Experience in promoting the image, supported by a clear technological advance makes today 16 federal government agencies, services, departments and other executive organizations, which play an important role in intelligence national and economic services of the U.S. to have presentation sites.

A special case in the landscape of online information services is the Israeli intelligence service, Mossad. If the late 90's, were found on the Internet very little information about this service, in recent years it has experienced an impressive opening. Currently, Mossad has a comprehensive website in English and Russian, which offers besides standard sections, a timeline of directors from 1949 to present with their photos.

The explosion of multimedia devices that combine a variety of communication facilities and the emergence of new formats adapted to these gadgets or virtual modalities of interaction (like Second Life) contribute to the formation or transformation of the user profile as beneficiary of the transmitted information. From this perspective, intelligence will face two major challenges. Short and medium term will be:

- To design a way to benefit, to accelerate and integrate inter-organizational exchange of relevant data;
- Identify the most attractive formulas for the general public, through which to promote the culture of security and provide its institutional profile.

American Secret Service has Twitter account

U.S. Secret Service has account on the micro blogging network Twitter, and the account had more than 4,000 followers in one hour. Ironically, the secret services do not follow anyone on Twitter, writes the American press.

Intelligence officials will not post probably on Twitter the ways in pursuing criminals. The account will be used to provide information about missions, to publish press information or to publicize special events and activities but also to promote the service and have recruitment opportunities. So far, the secret service messages were about recruitment opportunities, but also about traffic restrictions in areas where the service held conferences.

Creation of a common EU secret service

The governments of the 27 EU countries discuss the proposal to establish a shared secret service. Six European governments and officials in Brussels have done a project on the sharing of information gathered by the security services in the EU. The project, with a potential to create major disputes, was conducted by the *Future Group*, consisting of France, Germany, Sweden, Portugal, Czech Republic and Slovenia. The proposals aim to strengthen an already existing body in Brussels, called Sitcen.

This structure was established in the 90s to make the analysis of international crises and after the attacks of 11 September 2001 in the U.S. it received the role to focus on security and anti-terrorist fight. The current project proposes Sitcen to have now a coordinating role of the secret services in the EU. The 53 - page report, written within a year and a half, was submitted to European governments last month. The working Group set up last year by Germany, included officials of the European Commission. The project was named "European CIA".

In the UK, the project has created the fear that the U.S. will no longer cooperate with the UK in terms of intelligence, whether they will be shared with other European countries. The reason is the previous leaks in the EU. "Within one hour of the distribution to member states, all EU documents on the Middle East came to Tel Aviv and possibly Washington and Moscow," said Finnish Foreign Minister, Erkki Tuomioja, in 2004. In the 90s, the French were accused to provide information taken from the British secret service MI6 to Serbian army during the war in former Yugoslavia. The current draft, however, claims that the maximization of the information flow between member states will improve anti-terrorist campaigns. "According to European law, there is no question that the UK should be required to participate in projects that it opposes," said a spokesman for the interior ministry in London. The law says the 27 members should develop a common system for video surveillance and drones, and the creation of a body of gendarmes for paramilitary interventions outside the EU.

The document states that the EU will not defeat terrorism without a close partnership with the U.S., which should be completed by 2014. The agreement would involve the transfer of a large amount of information about European citizens to U.S. authorities. Negotiations for such a pact began long ago, but are hampered by discrepancies in legislation on privacy life and the regime of personal data protection. U.S. already requires EU countries to provide information on transatlantic flights passengers. The agreement between U.S.-Germany, signed in March, states that Berlin must submit information to Washington about the DNA and biometric data of Germans traveling to U.S.

Secret services have a major importance in political activities between states and within states. They helped in large part to the writing of history due to their contribution in certain actions in the past. Secret services are represented by public institutions of the state, whose composition belongs, but today those are not the same as in the past, they suffer major changes to reach the final form in which they are present today. These services have always influence relations between states, interacting with each other from ancient times until today. They have supported major changes and this also due to developments of states in subject of policy, mentality, but most importantly, technology. Presently, intelligence can act and can make more various things and in a much easier and subtle way than the way that operated in the past.

The main provider of information remains the spy, being the main actor of intelligence services. But the most famous spies in the world are not often the best. Even if they have brought their states important information, a known spy is often a caught spy. Therefore we will never know the best spies because a good spy will not be caught or will not write memoirs or will make public the information captured, because a good spy will never reveal his secrets.

Secret services are constantly changing and looking for ways they can get beneficial information to prevent disasters and influence different types of military or politically actions, in a way that they have an advantage, in order to be always one step ahead of the enemy. Intelligence service cannot be better nor worse than that political regime who created it and whom it serves. On the other hand, the effectiveness of such a service can be assessed by the analysis of obtained information flow and by their effectiveness. History has also proven that intelligence can be very effective, but at certain times for various reasons the policymakers or the power state have not found those solutions and measures to defense and promote national interests and the consequences were disastrous for the sovereignty, integrity or the independence of the state.

The main conclusion when it comes to intelligence services is that they have influenced and will influence directly the development history, but their actions will always be "behind the curtains", they managed to not stand out too much in front of the people as the main actor, leaving it in the care of the political field and to important people whose main goal is to get out to the public and to cover up the actions of intelligence.

Finally, we must understand the place and purpose of intelligence services into a new era, leaving aside the prejudices of the past and taking us the past objectively. Beyond their physical security is an important factor for the protection and promotion of political and economic interests of the country they belong and its citizens, both inside and outside its borders. "They give state the force to express in action of any kind, from military to diplomatic and international negotiations".

REFERENCES:

- Constantin AIOANEI, Nevia TUNĂREANU, *Acțiuni ale spionajului ungar împotriva României în perioada 1940 - 1950*, Elion Publishing House, Bucharest, 1996
Christopher ANDREW, *CIA și Casa Albă. Serviciul secret și președinția americană de la George Washington la George Bush*, BIC ALL Publishing House, Bucharest, 1998.

- Christopher ANDREW, *HerMajesty 's Secret Service. The Making of the British Intelligence Comunity*, Viking Publishing House, New York, 1986.
- Gheorghe BUZATU, *Războiul mondial al spionilor*, Editura B.A.I., Iași, 1991.
- Alain DEWERPE, *Spionul-antropologia secretului de stat contemporan*, Editura Nemira, București, 1998.
- Roger FALIGOT, Remi KAUFFER, *Istoria mondială a serviciilor secrete*, voi. I, Editura Nemira, București, 2000.
- Roger FALIGOT, Remi KAUFFER, *Istoria mondială a serviciilor secrete*, voi. II, Editura Nemira, București, 2000.
- Harford Montgomery HYDE, *The Atom BombSpies*, Editura SphereBooks Ltd, Londra, 1982.
- Gheorghe Cristian MAIOR, *Incertitudine gândire strategic și relații internaționale în secolul XXI*, Editura Rao internațional publishing company, București, 2009.
- Lionede OCHEA, *Serviciul special de informații al României pe frontul de vest*, Editura Tipărit, Pitești, 2008.
- Bogdan PĂPĂDIE, Gabriel NĂSTASE, *Războiul spionilor în interiorul și dincolo de granițele României*, Editura Phobos, București, 2005.
- Traian Valentin PONCE, Aurel ROGOJAN, *Serviciile secrete din Ungaria în spațiul românesc*, Editura A.N.I., București, 2003.
- Alexandru POPESCU, *Academia secretelor. Scriitori și spionajul. O istorie universală*, Editura Cetatea de Scaun, București., 2006.
- Jeffrey RICHELSON, *Un secol de spionaj. Serviciile de informații în secolul XX*, Editura Humanitas, București, 2000.
- Cristian TRONCOTĂ, Horațiu BLIDARU, *Careul de ași. Serviciile secrete ale Marii Britanii, S.U.A., Rusiei, Israelului*. Editura Elion, București, 2003.
- Cristian TRONCOTĂ, Eugen CRISTESCU, *Asul serviciilor secrete românești - memorii, mărturii, documente*. Editura R.A.I., București, 1994.
- Cristian TRONCOTĂ, *Istoria serviciilor secrete românești. De la Cuza la Ceaușescu*, Editura Ion Cârstoiu, București, 1999.
- Cristian TRONCOTĂ, *Mihail Moruzov și frontul secret*. Editura Elion, București, 2004.
- Radu Sebastian UNGUREANU, *Securitate, suveranitate și instituții internaționale*, Editura Polirom, Iași, 2010.
- Alexe VLADIMIR, *Abwehr contra F.B.I.*, Editura Românul, București, 1992. Alexe VLADIMIR, *Tainele serviciilor secrete*, Editura Humanitas, București, 1990.

ORIGINAL PAPER

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Newspaper, Culture and War

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Abstract: *Political changes in the nineties of the 20th century had an impact on all segments of life in the Republic of Croatia. In particular, the changes were felt in the field of mass media. Newspapers found themselves in a demanding test in the process of creating a new democratic, pluralistic information system, which was considerably more difficult because of the Homeland War. Cultural life in war raises the morale of the people and it had great importance for spiritual life, and therefore the promotion of cultural life had particular importance during the war and post-war period, especially through the media because of their influence. The aim of the paper is to explore the relation of the local newspapers toward culture during the worst days of the Homeland war in Zadar. The paper is based on articles about culture published in the Zadar newspapers in the period from 1991 to 1993 collected with reference to the programme of the Cultural Policy of the Republic of Croatia which, after adaptation to the newspaper corpus, includes: Literature and Publishing, Visual Art, Music, Performing Arts, Film, Media, Cultural Heritage. The results of the research were obtained by the analysis of 128 issues of newspapers and 330 articles. The research consisted of qualitative and quantitative text analysis. The obtained data were processed in the author's application of ZD-newspaper explorer, developed by using the database management program Microsoft Access.*
Keywords: *Newspaper, Culture, War, Editorial policy, Democracy*

Introduction

Political changes in late nineties of the 20th century affected the entire way of life in the Republic of Croatia. The changes were felt in the field of mass media. Newspapers found themselves on a demanding test in the process of creating a new democratic, pluralistic information system, made significantly difficult by the Homeland War. In the August of 1990, in several places within the area of Dalmatia and Lika inhabited by Serbs began the so-called Log Revolution, the revolt of Serbian population against the democratic order. During 1991 the conflict intensified. In late January 1991 on *Narodni trg* in Zadar a pacifist meeting was held with the aim of supporting the defense of democracy and integrity of the Republic of Croatia² Since mid-1991 the people of Zadar went through war hardships. They lived through the following period in fear for their own and the lives of their loved ones, poverty and shortage of water and electricity.³ Military operation *Maslenica* in

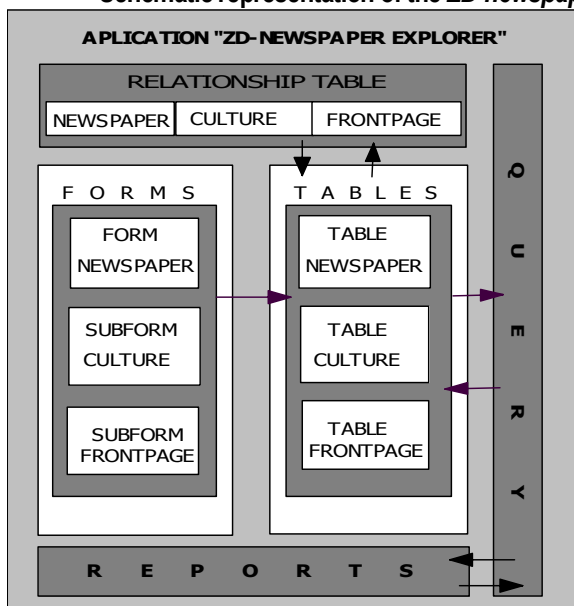
January of 1993, was carried out by Armed Forces of the Republic of Croatia and members of the *Ministry of Internal Affairs* of the Republic of Croatia.⁴ After operation *Maslenica*, war activities gradually declined, although they were still occasionally intense. In the area belonging to the Archdiocese of Zadar in the period from 1991 to 1994, forty churches and chapels have been destroyed, and twenty seven of them damaged. Seventeen parsonages have been destroyed, and fifteen of them have been damaged. Four nunneries and nine cemeteries have also been damaged.⁵ In the August of 1995, military-police operation Storm has been carried out, liberating areas of northern Dalmatia, southern and eastern Lika, as well as Kordun and Banovina.⁶

Cultural life in times of war raises the morale of people, and is therefore extremely important for the spiritual life, and thus for the promotion of cultural life in war and postwar period, especially through the media, which show increasingly strong impact. Zadar is a city rich in cultural and historical traditions, particularly that of the press, which originated in 1806 when first newspaper in Croatian language has been founded in Zadar, *Kraljski Dalmatin*. Media significance of Zadar is likewise illustrated by the fact that even today the newspaper *Narodni list* is still being published there, whose first issue was published in distant 1862 under the name *Il Nazionale*.

Methodology

The paper is based on culture articles published in *Narodni list* in the period from the 17th of August, the period of Serb revolt in Croatia, until the end of the operation *Maslenica* on the 27th of January 1993. Examined have been the issues of *Narodni list* from number 7714, (18/08/1990) to issue 7945 (23/01/1993). Articles from the field of culture have been gathered with respect to the program of cultural policy of the Republic of Croatia⁷ which after adjustment to the newspaper corpus includes: *Visual arts, Cultural heritage, Film, Media, Drama, Performing arts, Literature and publishing*. The goal of the paper is to explore the relationship of local newspaper journalists and editorial policy towards culture and cultural activities in Zadar during the Homeland War. The paper begins with the assumption that the local Zadar newspaper *Narodni list* during the Homeland War had a certain sensibility towards culture and cultural life of the city, in this way positively affecting cultural life in times of war, as well as the popularization of cultural issues. The research has been conducted by quantitative and qualitative content analysis of newspaper articles. The research results have been obtained by analyzing 128 newspaper issues and 330 newspaper articles. Quantitative analysis includes all articles of the research corpus, while qualitative analysis includes articles with respect to the criterion of event or topic relevance. Obtained data has been processed in the author's application *ZD-newspaper researcher*, developed using *Microsoft Access* database management system.

Schematic representation of the ZD-newspaper researcher application



Source: Kalajžić, V. (2011) "Zadar newspapers and cultural life in Zadar from 1990 to 2000", PhD thesis, University, Faculty of Humanities and Social Sciences in Zagreb, p.17.

Research results:

Table 1. Frequency of culture articles from 1990 to 1993*

	1990	%	1991	%	1992	%	1993	%	total	%
Drama	9	22,50	15	37,50	15	37,50	1	2,50	40	12,12
%	12,86		11,03		13,04		11,11		12,12	
Film	0	0,00	0	0,00	0	0,00	0	0,00	0	0,00
%	0,00		0,00		0,00		0,00		0,00	
Music and Performing arts	11	22,45	23	46,94	10	20,41	5	10,20	49	14,85
%	15,71		16,91		8,70		55,56		14,85	
Literature and publishing	29	29,59	29	29,59	40	40,82	0	0,00	98	29,70
%	41,43		21,32		34,78		0,00		29,70	
Cultural heritage	5	10,42	29	60,42	14	29,17	0	0,00	48	14,55
%	7,14		21,32		12,17		0,00		14,55	
Visual arts	13	20,31	31	48,44	19	29,69	1	1,56	64	19,39
%	18,57		22,79		16,52		11,11		19,39	
Media	3	9,68	9	29,03	17	54,84	2	6,45	31	9,39
%	4,29		6,62		14,78		22,22		9,39	
Total	70	21,21	136	41,21	115	34,85	9	2,73	330	100,00

Source: Table has been created according to data collected for the PhD thesis „Zadar newspapers and cultural life in Zadar from 1990 to 2000“ by Vesna Kalajžić. The thesis has been defended on the 18th of July 2011 on the Faculty of Humanities and Social Sciences in Zagreb.

*Data presented in the table refer to the period from the 18th of August 1990 to the 27th of January 1993.

In total, *Narodni list* in the research period published 330 articles in the field of culture as defined in this paper. The largest number of articles has been published in the category *Literature and publishing* 29,70% and category *Visual arts* 19,39%, while for the category *Film* no articles have

been recorded. The reason for underrepresentation of articles on film can partially be explained by non-existence of the newspaper section dealing with information and commentaries on films, but also by the fact that for the most part of the research period Zadar cinema has been closed.

Table 2. Frequency of cover articles from 1990 to 1993

	1990	%	1991	%	1992	%	1993	%	total	%
Drama	2	50,00	2	50,00	0	0,00	0	0,00	4	23,53
%	50,00		18,18		0,00		0,00		23,53	
Film	0	0,00	0	0,00	0	0,00	0	0,00	0	0,00
%	0,00		0,00		0,00		0,00		0,00	
Music and Performing arts	0	0,00	0	0,00	0	0,00	0	0,00	0	0,00
%	0,00		0,00		0,00		0,00		0,00	
Literature and publishing	1	33,33	2	66,67	0	0,00	0	0,00	3	17,65
%	25,00		18,18		0,00		0,00		17,65	
Cultural heritage	1	16,67	5	83,33	0	0,00	0	0,00	6	35,29
%	25,00		45,45		0,00		0,00		35,29	
Visual arts	0	0,00	2	100,00	0	0,00	0	0,00	2	11,76
%	0,00		18,18		0,00		0,00		11,76	
Media	0	0,00	0	0,00	2	100,00	0	0,00	2	11,76
%	0,00		0,00		100,00		0,00		11,76	
Total	4	23,53	11	64,71	2	11,76	0	0,00	17	100,00

Source: Table has been created according to data collected for the PhD thesis „Zadar newspapers and cultural life in Zadar from 1990 to 2000“ by Vesna Kalajžić. The thesis has been defended on the 18th of July 2011 on the Faculty of Humanities and Social Sciences in Zagreb.

*Data presented in the table refer to the period from the 18th of August 1990 to the 27th of January 1993.

In total, during the research period seventeen articles have been published on the covers of *Narodni list* from the area of culture and cultural activities. The largest number of cover articles has been published in the category *Cultural heritage* 35,29% and *Drama* 23,53%, while in the wartime era there have been no cover articles on film, music and the performing arts.

Local newspapers and culture in wartime

In August 1991 an article has been published on the cover page of *Narodni list*, titled “Will the army attack Zadar?” Those were among the first signs of war which could be observed on the pages of this newspaper.⁸ During this time, a headline “Stop the War in Croatia” appeared on the cover page, with the eponymous title of the song by a Zadar musician, which more than two billion people in Europe and the US could hear that week.⁹ In May 1992 war in Zadar has been intense. On the cover page appeared the headline War in Zadar still going on illustrated with six photographs showing completely destroyed cars, shelled Zadar hospital, people looking at growing number of obituaries on city bulletin boards, shelled buildings in the vicinity of Zadar churches, damage to houses from shelling.¹⁰ Cultural workers commented on difficult wartime everyday life, expressing their *horror* of wartime marked by shelling, life in shelters and shortages. They have expressed their resentment of the attacks on the city's cultural and historic heritage, which however, could not compare with the loss of human life.¹¹

The activity of individuals in the field of culture is interesting. As an example, consider the case of a Zadar painter who found her way of coping with the horrors of war and difficult everyday life in her artistic creations. She opened her studio to all with good intentions, creators from all fields of art.¹² As an example can also serve a *cafe and gallery* in which, unlike other catering facilities, one could buy tickets for shows and concerts in the Theatre House. It provided the possibility of exhibitions for young artists and numerous other cultural and artistic activities.¹³

The fact of Zadar cultural workers' guest visits, whose program spread the message about horrors they daily experienced, but also about their spirit which has not been destroyed, suggests that Zadar was a city active in the area of culture and cultural activities even in wartime. Thus Zadar presented itself to its capital with an eight-day-long event consisting of photo exhibition, art for sale exhibition, video promotions, puppet theatre show, etc.¹⁴

In early November 1991 an *Independent squad of cultural artists* has been founded in Zadar. Namely, Croatian Armed Forces, Sector Zadar command, founded the Squad of cultural workers with the aim of reviving cultural events in Zadar and the Zadar area, but also to fulfill cultural needs of the Croatian army in the same area.¹⁵ The squad brought together cultural workers from the field of literature, drama, music and theater, visual and applied arts, video production, but also entertainment program.¹⁶ Squad activities could have been regularly followed on the pages of local newspaper. They organized exhibitions, performances, poetry readings and similar cultural and artistic events.¹⁷

Drama

In 1990 articles have been published on international theater projects, theatrical season programs, interviews with actors and reports of given performances. *International Puppet Theatre Festival* has been held in Zadar in the summer of 1990. Among famous theaters from numerous European countries such as Norway, Romania, Finland, Poland, and local theaters, Zadar Puppet Theatre won the first prize.¹⁸ Drama theater season in Zadar in 1990 brought performances of local renowned theaters, concert programme, but also the most successful performances of youth drama scene.¹⁹

One of the most important events in the first half of 1991 in terms of theatre arts was the *Conference of puppeteers and puppet theatres of Croatia* hosted by the city of Zadar.²⁰ The involvement of Zadar puppeteers during war is likewise suggested by the fact that, unable to travel to an international puppet theatre festival due to general war circumstances, they gave their contribution to the cultural life, but also to the struggle to preserve territorial integrity. They gave a series of charity performances, giving the entire ticket revenue for the refugees who found their temporary residence in the city of Zadar.²¹

Despite the war, cultural events continued to be held in Zadar, especially during 1992. Zadar puppeteers likewise continued their work in that year. They gave performances for the refugees, performed in makeshift theaters, hotel lobbies, summer resorts and bungalows.²² Their role during wartime is evidenced by the fact they gave thirty-five performances in early 1992 during their guest visits to France and Switzerland. Beside their exhibition and propaganda activities, they organized a large number of photo exhibitions about the destruction of Zadar.²³ Through their artistic activity, *Zadar Puppet Theater* represented the city of Zadar, cultural spirit, but also political developments during that difficult period.

Visual arts

In terms of visual arts during the second half of 1990, an important event has been the Blue Salon, on which the works of four prominent artists of new eclecticism have been presented.²⁴ On the occasion of the event, the *Narodni list* published an interview with art critic, professor and the founder of Blue Salon on the organizational matters of the event, but also on the issues of Zadar art scene.²⁵ Art photography played an important role in Zadar visual arts. Value of Zadar art photography has been recognized by Zadar journalists, who published interviews with Zadar photographers about their projects, exhibitions and the development of art photography in general.²⁶ During the nineties, Zadar

art scene has been present in all important national events. Therefore, in early 1991 in the capital city of Zagreb, an event was held titled *Thousand years of Croatian sculpture* on which Zadar Pre-Romanesque and Romanesque sculpture has been presented. Cultural workers and journalists used the media attention to inform the general public about an organized campaign “SOS for the Croatian national heritage” and in this way actualize issues related to difficult state of movable monuments.²⁷

In the second half of 1991, when war intensified, almost all cultural events were characterized by humanitarian efforts. The examples are numerous. Zadar artists organized art sale exhibitions, obtained revenues were intended for the inhabitants war-affected cities.²⁸ In mid-December of 1991, an exhibition was held in the *City Lodge* of works by students from Škabrnja, a severely devastated town in the vicinity of Zadar. Although City Lodge has been lined with wooden planks to protect it from the aggressor, the students nevertheless organized an exhibition. Author of the article points out: “Zadar has never had such a sad exhibition in its long history. However, in all its tragedy, it shows in vivid colours that the blackness of death can still be – defeated...”²⁹

In terms of preserving culture and cultural life, an important role also played *Zadar Independent Cultural Squad*. One of their activities was the organization of a photo exhibition about the destruction of Zadar in the capital city of Croatia, Zagreb. The photographs show *soul-stirring motifs of war-torn and devastated Zadar*.³⁰ Photo exhibitions of a devastated city travelled throughout the world with the girl choir Juraj Baraković, which that year held 21 concert performance in Italy, Belgium and Germany. It is worthy to mention that ten thousand people saw moving photos of suffering with the concert performance, and in this way informed the world about what was happening in Croatia.³¹ In other cities all over Croatia have been set up war exhibitions, for example, in Rijeka an exhibition has been set up of documentary photographs by a Zadar curator about the destruction of Zadar during the war.³²

Numerous exhibitions of Zadar artists evidence artistic expression of war hardships. In Zadar church of St. Peter the Old and Andrew an exhibition was opened *Wounded Croatian cities in the memory of Urbanistic Institute of Croatia*, in the organization of *Zadar Archaeological Museum*, and *Urbanistic Institute of Croatia* from Zagreb. This exhibition presented seventeen devastated Croatian cities in photographs, architectural diagrams and charts.³³

In 1992 an important visual arts event *The Man and the Sea* was held, celebrating that year its 35th anniversary, and in which had previously participated 65 countries and more than 2000 photographers.³⁴ Of likewise importance is an exhibition by the artist Marija Višić Guina, who channeled her personal perception of somber war days into paintings and sculptures, stating: “I gave my vision of everything experienced. I suffered deeply over each of these paintings and sculptures arising from my heart and my hands. In conditions unsuitable to human dignity, let us see with open eyes and open heart, suffering for ourselves, as well as for others, and powerless to join with a gun in my hand the thousands of children I used to teach...”³⁵ In early November, Zadar journalists reported on a multimedia exhibition about Zadar held in Rome, on which Zadar photographers and video authors presented the aggression against Zadar and Croatia to the Italian public.³⁶

Literature and publishing

In the second half of 1990 *Narodni list* regularly published local literary and non-fiction works, famous poets and writers have been interviewed. As an example can be mentioned an interview with the writer Pavao Despot who talked about his career in which he had to endure difficult times when his work has been banned for political reasons.³⁷ In late 1990 an interview was published with the president of the Croatian Writers’ Society about Society’s work and Croatian literary scene.³⁸ *Narodni list* also published interviews from the field of literary history. Croatian writer and scientist

Franjo Švelec has been interviewed.³⁹ A series of articles with academician Nikica Kolumbić also describes Zadar as a city of rich literary tradition. The professor of old Croatian literature in Zadar discusses the development of Zadar literary scene, but also the possibilities and development of Zadar publishing industry. That war times are full of inspiration for writing poetry testify numerous poems published on newspaper pages. Poems are full of emotion, reflecting the bitterness and sorrow of difficult war times.⁴⁰ Poetry of Zadar poets motivated by war themes was regularly published on an entire newspaper page.⁴¹

Cultural heritage

Zadar devoted special attention to the preservation of cultural heritage, above all monumental heritage. Zadar journalists regularly followed the evaluation, but also activities related to restoration and preservation of cultural heritage. As an example can serve the cases of the *Ducal and Providur's Palaces* (XIII and XVII century), and the execution of one of the most challenging restoration works of a monumental complex in the centre of Zadar. Namely, the author of the text drew attention to the neglect of the valuable building and raised a series of questions regarding the reason for this situation, introducing the public to the aforementioned problem.⁴² Similar case was the courtyard of the *Palace of the Great Captain*, which was at that time, according to the journalist: „turned into a shameful mockery of environmental law, overcrowded dump overgrown with grass.” The journalist emphasized the importance of resolving this issue, denouncing those responsible for this negative treatment of the cultural heritage.⁴³ The same author signed an article about the sacral ambience of *St. Demetrius* which became a meeting place for drug addicts and garbage disposal.⁴⁴

Besides the cultural heritage issues, the newspapers quite frequently mentioned positive examples of the attitude towards monumental heritage. One of such examples is a successful restoration of both the interior and exterior of the war-damaged church of *Our Lady of Good Health* carried out by the *Institute for Protection of Cultural Monuments*.⁴⁵ As another positive example can be noted the restoration of City Sentinel, that is, systematic preparations on one of at that time most severely damaged cultural monuments⁴⁶, as well as the repairs of Zadar city walls, which then threatened with dangerous collapse.⁴⁷ From the August of 1991, with a discernible impact of war on cultural and other events on the pages of *Narodni list*, the journalists wrote moving articles about the destruction of monumental heritage. As an example, an article can be singled out titled *Crime against the monuments*, in which the author cites the words of the director of Zadar *Institute for Protection of Monuments*: “Cultural monuments are the heritage of entire mankind, their destruction a crime against the whole of history and civilization...” The reasons for this article opening were plane overflights, whose vibrations affected the cracking of monumental walls.⁴⁸ Another in the series of articles about the destruction of Zadar area monumental heritage is an article titled *Dance of the Vampires* in which the author commented on war methods to which Croatian cultural monuments were subjected.⁴⁹ Alongside articles on the destruction of cultural monuments, articles have been published on the restoration of monumental heritage. The article about conservation and restoration works on the Zadar *Cathedral of St. Anastasia* can serve as an example.⁵⁰

On the pages of Zadar newspapers, one could read about *barbarism over monumental and sacral objects*.⁵¹ In the article *Genocide against Zadar origins* the journalist of *Narodni list* reported on the bombing of the historic town center. She also quoted the data of the Archdiocese of Zadar that in the Zadar area have been shelled, damaged and completely destroyed more than twenty churches.⁵² In late November, the articles about the attacks on Zadar monumental heritage continued. Specifically, the bombing has damaged Zadar *Cathedral of St. Anastasia*, *Zmajević Seminary*, *Priests' Residence*, *Archbishop's Palace* and the *Church of St. Grisogono*.⁵³ In late 1991

Zadar City Library sustained major damage. They were able to preserve the book collection, and the library continued to work under difficult wartime conditions.⁵⁴

Narodni list in 1992 marked the anniversary of the aggression against the city of Zadar by photographs of severely devastated city and a text about long months of war.⁵⁵ Zadar during the war started the restoration of monumental heritage. Damaged monuments have been examined and documented. Protection of monumental heritage in war has likewise been launched for reasons of prevention, so that the destruction would not be even worse.⁵⁶ Humanitarian concerts of classical music have been organized in the same year, for the restoration of Zadar churches damaged by bombing.⁵⁷

Music and performing arts

In the second half of 1990, two events came into the picture. Traditional music event called *Meeting of Croatian choirs* included competition concerts and performances of spiritual music.⁵⁸ *Narodni list* judged the event as high-quality and on a very high level.⁵⁹ Zadar local newspapers paid great attention to the music festival *Musical Evenings in St. Donat* on which medieval, renaissance and baroque music was performed.⁶⁰ The journalist of *Narodni list* pointed out the significance of the music festival *Musical Evenings in St. Donat* not only in local, but in European terms, therefore deserving better treatment in terms of organization and content at that time.⁶¹ *Musical Evenings in St. Donat* were an article topic again in 1992. Although Zadar suffered heavy enemy attacks, the city still managed to organize the 32nd musical event on which the famous London ensemble *Pro Cantione Antiqua* performed. The only time when the festival could not be held was in 1991 when Zadar went through hard times of war.⁶² In late 1992, a new season of concerts and drama was opened, with the aim of *reviving dormant cultural spirit of the city*.⁶³

Media

The beginning of the research period, in terms of the *Media* category, brought articles on the establishment of new media. In the first place, there was the issue of the youth radio⁶⁴, and then the actualization of the idea on the establishment of local television. Zadar is media-specific due to the fact that it started both a local television and a local radio during the war. Thus, taking after many cities of the democratic world, it began to establish local media.⁶⁵ From mid-1991, the connection between topics of media and war became an everyday occurrence. Considering the value of information in war, articles were often written on the topic of radio information. The talk of the streets has been the scant and untimely information by the state radio, studio Zadar. The director of the radio issued a statement on this, countering the negative criticism of the radio, and emphasizing that incomplete and unchecked information cannot be aired in wartime, bearing in mind that such information can have serious consequences.⁶⁶ Zadar correspondents of national newspapers, radio and television likewise gave their opinions on the war. They harshly condemned the aggressors and their actions, by urging, among other things, to have (... *a clear head, sober and wise conduct and actions*).⁶⁷

Due to power cuts, and the inability to facilitate access to information from the city and the country, the radio was an accessible form of mass media. However, there have been problems even with regard to radio information. The journalists of *Narodni list* interviewed the citizens about their views on the news that were broadcast on the state radio, which maintained a studio in Zadar. Article titled *Today I threw the radio out of the window...* was prompted by the stories which circulated around the city about *fabricated* news broadcasts and radio news *being stereotyped and sterile*. The author of the article considers that insufficient thought has been given to the fact that the enemy

likewise follows Croatian news; therefore, one should consider which news can be of harm to the Croatian Army.⁶⁸

Discussion and conclusion

The research has shown that local newspapers represent a valuable source of information on the cultural life of the city of Zadar in war times, as well as being a mirror of socio-political and cultural context of city life. In the analysis of the newspaper article content, the effects of war on the life of citizens are clearly visible, and thus on the media communication as well. In the beginning of the research period, war atmosphere was not clearly felt in the city of Zadar, so in the field of cultural events followed by the newspapers no change could be detected. Changes become clearer with the rise in the intensity of war. In the area of *Drama* the newspapers reported on performances and theatrical events of humanitarian nature. Namely, the motive of work changed. Each happening had an additional goal; presentation of political events, but also the cultural spirit of the city. Involvement of visual artists consisted of art sale exhibitions of paintings, whose revenues were donated for humanitarian purposes. Artists from the fields of art and documentary photography regularly organized exhibitions with war motifs, in order to draw attention of national and foreign public to war they were going through. Visual artists, sculptors, painters and others, gave their view of life during the war using different artistic expressions. In the field of *Literature and publishing*, the preeminent example of the effect war had on literary production, but also media attitude, is the continuous publication of war poetry on newspaper pages. Considering the analysis of newspaper and newspaper articles, the largest involvement of journalists and cultural workers was in the field of *Cultural heritage*, more specifically, monumental heritage. Even at the beginning of the research period, the journalists were concerned with issues of conservation and restoration of Zadar cultural heritage. However, in times of more intense war events, the journalists regularly published articles on the attacks on monumental heritage. They put a strong emphasis on their attitudes, and urged the protection and restoration of heritage. Concerning the *Music and performing arts* during war times, a concert season was organized with the aim of reviving cultural spirit of the city and the citizens. Considering power cuts, and life in shelters, radio was one of the most accessible forms of mass media, so radio information was a quite frequent topic of debates.

The results of quantitative and qualitative content analysis have shown that *Narodni list* continuously reported on the cultural life of the city of Zadar, focusing especially on the fields of culture included in this paper; drama, visual arts, music and performing arts, film, media, cultural heritage and literature and publishing. By following cultural events, emphasizing cultural issues, proposing solutions of controversial issues, *Narodni list* has demonstrated a positive attitude and sensibility towards culture and cultural activities, thus contributing to the cultural life of the city of Zadar during the war.

Notes:

Kaleb, J. (1999) *Zadar u domovinskom ratu*. Zadar: Udruga hrvatskih veterana Domovinskog rata, Zadarske županije, p. 26.

² Kaleb, J. (1999) Op. cit., p. 43

³ Kaleb, J. (1999) Op cit., p. 61.

⁴ Prenda, I. (1995) „Ono što je mržnja rušila, ljubav će ponovo izgraditi“, in: Vanjak, R., Ključanin, A. (ed.) *Godine stradanja 1991.-1994.*, p. 92.

⁵ Vanjak, R.; Ključanin, A.; Op. Cit., p. 65.

⁶ „Domovinski rat (1991-1995)“, <http://www.hr/hrvatska/povijest/domovinski> (Site visited: 11/4/2011)

⁷ Cvjetičanin, B.; Katunarić, V.; (ed.) (1998.) *Kulturna politika Republike Hrvatske-nacionalni izvještaj*, Zagreb: Ministarstvo kulture Republike Hrvatske.

- ⁸ Narodni list (1991) n. 2064 (7764), 03/08/1991
- ⁹ Narodni list (1991) n. 2065 (7766), 17/08/1991
- ⁰ Narodni list (1992) n. 7906, 23/05/1992
- ¹ Stupin, T. (1991) „Velike i duboke zadarske rane“, *Narodni list*, n. 7775, 19/10/1991, p. 3
- ² Matulić, M. (1992) „Sasvim posvećena slikarstvu“, *Narodni list*, n. 7934, 05/12/1992, p. 8
- ³ Seferović, L. (1992) „Dina“ je drugačija, jedinstvena!, *Narodni list*, n. 7934, 05/12/1992, p. 8
- ⁴ Stupin, T. (1992) „Nemušti ranjeni Zadar“, *Narodni list*, n. 7905, 16/05/1992, p. 10
- ⁵ Stupin, T. (1991) „Osnovan vod kulturnih djelatnika“, *Narodni list*, n. 7777, 02/11./1991, p. 7
- ⁶ Stupin, T. (1991) „Osnovan vod kulturnih djelatnika“, *Narodni list*, n. 7777, 02/11./1991, p. 7
- ⁷ Stupin, T. (1991) „Izložbe, predstave, večeri poezije...“, *Narodni list*, n. 7778, 09/11/1991, p. 2
- ⁸ Bilosnić, T. M. (1990) „Zadranima Grand prix“, *Narodni list*, n. 7718, 08/09/1990, p. 11
- ⁹ T.S. (1990) „Od Glorije do Hrvatskog slavuja“, *Narodni list*, n. 7720, 29/09/1990, p. 8.
- ²⁰ K.M. (1991) „Lutkarska fešta“, *Narodni list*, n. 7750, 27/04/1991, p. 11,12
- ² Km (1991) „Tračak svjetla u mraku svakidašnjice“, *Narodni list* n. 2068 (7768), 31/08/1991, p. 2
- ²² Stupin, T. (1992) „Za male zadarske heroje“, *Narodni list*, n. 7786, 04/01/1992, p. 10
- ²³ T.S. (1992) „Lutkari u Francuskoj“, *Narodni list*, n. 7790, 01/02/1992, p. 2
- ²⁴ Stupin, T. (1990) „Enigma likovnog eklektizma“, *Narodni list*, n. 7715, 25/08/1990, p. 11
- ²⁵ Stupin, T. (1990) „Transavangardni alkemijski misterij“, *Narodni list*, n. 7719, 22/09/1990, p. 9
- ²⁶ Stupin, T. (1991) „Fotografija kao sudbina“, *Narodni list*, n. 7739, 09/02/1991, p. 10
- ²⁷ Stupin, T. (1991) „Svevremenske zadarske skulpture“, *Narodni list*, no. 7745, 23/03/1991, p. 9
- ²⁸ T.S. (1991) „Mičin za domovinu“, *Narodni list*, n. 7773, 05/10/1991, p. 13
- ²⁹ T.S.; Z.K. (1991) „Izložba škabrnjskih učenika“, *Narodni list*, n. 7781, 14/12/1991, p. 2
- ³ Anon. (1992) „Zadar zajedno“, *Narodni list*, n. 7788, 18/01/1992, p. 8.
- ³ Stupin, T. (1992) „Profesionalke bez krova nad glavom“, *Narodni list*, n. 7790, 01/02/1992, p. 13
- ³² K.M. (1992) „Zadar na mapi rata“, *Narodni list*, n. 7797, 21/03/1992, p. 4
- ³³ Stupin, T. (1992) „Ranjeni hrvatski gradovi“, *Narodni list*, n. 7918, 15/08/1992, p. 2
- ³⁴ Stupin, T. (1992) „Gatin, Brkan i Fratelli Alinari“, *Narodni list*, n. 7916, 31/07/1992, p. 11
- ³⁵ Matulić, M. (1992) „Istinska projekcija osjećaja“, *Narodni list*, n. 7923, 19/09/1992, p. 8
- ³⁶ Vasilj, Z. (1992) „Barbarstvo na pragu Europe“, *Narodni list*, n. 7930, 07/11/1992, p. 11
- ³⁷ Stupin, T. (1990) „Zgažena suza profesorska“, *Narodni list*, n. 7714, 18/08/1990, p. 8
- ³⁸ Stupin, T. (1990) „Razor literarne magme“, *Narodni list*, n. 03/12/1990, p. 9
- ³⁹ Stupin, T. (1991) „Rekonstruktor književne povijesti“, *Narodni list*, n. 7739, 09/02/1991, p. 11
- ⁴⁰ „Pjesnička riječ“, *Narodni list*, n. 2069(7769), 07/09/1991, p. 8
- ⁴ „Poezija u ratu“, *Narodni list*, n. 7911, 27/06/1992, p. 12
- ⁴² Stupin, T. (1991) „Palače nagnuženih lica“, *Narodni list*, n. 7738, 02/02/1991, p. 8.
- ⁴³ Stupin, T. (1991) „Spomenički pastorak“, *Narodni list*, n. 7741, 23/02/1991, p. 9
- ⁴⁴ Stupin, T. (1991) „Cma ruža Svetog Dimitrija“, *Narodni list*, n. 7748, 13/04/1991, p. 9
- ⁴⁵ Stupin, T. (1991) „Gospa od zdravlja“, *Narodni list*, n. 7738, 02/02/1991, p. 9
- ⁴⁶ T.S. (1991) „Gradska straža pred obnovom“, *Narodni list*, n. 7740, 16/02/1991, p. 11
- ⁴⁷ Stupin, T. (1991) „Istraživanje i oplemenjivanje“, *Narodni list*, n. 7746, 30/03/1991 p. 8
- ⁴⁸ Stupin, T. (1991) „Zločin nad spomenicima“, *Narodni list*, n. 7765, 10/08/1991, p. 9
- ⁴⁹ Stupin, T. (1991) „Bal vampira“, *Narodni list*, n. 7770, 14/09/1991, p. 8.
- ⁵ Stupin, T. (1991) „Spomenički sklop svjetskog značenja“, *Narodni list*, n. 7770, 14/09/1991, p. 9.
- ⁵ Stupin, T. (1991) „Genocid nad iskonom Zadra“, *Narodni list*, n. 7775, 19/10/1991, p. 11
- ⁵² Stupin, T. (1991) Op.cit., p. 11.
- ⁵³ Stupin, T. (1991) „Pogođeno srce zadra – katedrala Sv. Stošije“, *Narodni list*, n. 7780, 23/ 11/1991, p. 9
- ⁵⁴ Stupin, T. (1991) „U vojama spaljivane knjige“, *Narodni list*, n. 7776, 26/10/1991, p. 6
- ⁵⁵ Domijan, M.; Vezić, P. (1992) „Ljubavlju protiv zle kobi“, *Narodni list*, n. 7925, 03/10/1992, p. 8, 9
- ⁵⁶ Stupin, T. (1992) „Brza obnova zadarskih spomenika“, *Narodni list*, no. 7791, 08/02/1992, p. 3
- ⁵⁷ T.S. (1992) „Koncert za drvo svetište“, *Narodni list*, n. 7790, 01/02/1991, p. 2.
- ⁵⁸ T.S. Zadarski zbornski intermezzo, *Narodni list*, n. 7720, 29/09/1990, p. 8
- ⁵⁹ E.Š., Zborska glazbena svečanost, *Narodni list*, n. 7723, 18/10/1990, p. 11
- ⁶⁰ Stupin, T. (1991) „Od Machaura do Mozarta“, *Narodni list*, n. 7751, 04/05/1991, p. 11
- ⁶ Tatjana S. (1990) „Misija kulturnog opstanka“, *Narodni list*, n. 7720, 29/09/1990, p. 15
- ⁶² Stupin, T. (1992) „Suglasje glazbe“, *Narodni list*, n. 7916, 31/07/1992, p. 10, 11
- ⁶³ Stupin, T. (1992) „Teatrom protiv provincijalizacije“, *Narodni list*, n. 7928, 24/10/1992, p. 9

⁶⁴ Stupin, T. (1990) „Šutnja na 92 megaherca“, *Narodni list*, n. 7729, 01.12.1990, p. 5

⁶⁵ Stupin, T. (1992) „Ovdje Tv-magic“, *Narodni list*, n. 7926, 09/10/1992, p. 2

⁶⁶ E.Š. (1991) „Istina je samo ono što je objavljeno“, *Narodni list*, n. 7773, 05/10/1991., p. 10

⁶⁷ Anon. (1991) „Prjavi, osvajački rat protiv Hrvatske“, *Narodni list*, n. 7773, 05/10/1991., p. 4

⁶⁸ Stupin, T. (1992) „Danas sam bacio radio kroz prozor...“, *Narodni list*, n. 7907, 30/05/1992., p. 12

References:

Narodni list, n. 7714, 18/08/1990 – n. 7945, 23/01/1993

Kaleb, J. (1999) *Zadar u domovinskom ratu*. Zadar: Udruga hrvatskih veterana Domovinskog rata, Zadarske županije

Vanjak, R., Ključanin, A. (ed.) (1995) *Godine stradanja 1991-1994*. Zadar: Zadiz

_____, „Domovinski rat (1991-1995)“, <http://www.hr/hrvatska/povijest/domovinski> (Site visited: 11/4/2011)

Cvjetičanin, B.; Katunarić, V.; (ed.) (1998.) *Kultura politika Republike Hrvatske-nacionalni izvještaj*, Zagreb: Ministarstvo kulture Republike Hrvatske.

ORIGINAL PAPER

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The Media Discourse on the “ Health Care System Crisis”: Is there a negative political bias in Romanian newspapers coverage?

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Abstract: *During the last years, public discourse on the “crisis of the health care system” in Romania soared to the extent that the crisis has come to be seen by many Romanians as an enduring feature of their health care sector. The article starts from the premise that media discourse on the “crisis of the health care system” offers a privileged perspective for dealing with matters at the intersection of media dis-course, health policy, organisational ensembles and social problems. What were the Romanian press’ news-gathering techniques used in the coverage of crisis of the health care system” in Romania in the last?” – this was the research question at the basis of the present article. A content analysis of the coverage of a public health themes in Romania from 1st of January 2012 to November 2013 explored six hypotheses about news reporting and topic selection mostly derived from qualitatively based literature. There were analysed 2700 articles published in five daily newspapers (Adevarul, Gandul, Evenimentul zilei, Jurnalul National, Romania Libera) and on two aggregate on-line platforms (Ziare.com and Hotnews). The findings suggest that Romanian daily newspapers emphasized governmental officials as news sources, underemphasized other news sources, and limited in-depth reporting. The study’s findings appear to support prior assertions in the international literature that critique news media performance. However, Romanian newspapers used a range of sources and provided some multidimensional news coverage during the two years considered.*

Keywords: *Mass media, Crisis, Media coverage, Health, Medical System*

Health presentation in the media can have a significant social impact because this type of messages are important in changing peoples’ beliefs, attitudes and behaviours relating to health and in promoting health-related knowledge among the target audience. However, medical and scientific research is rarely presented detailed directly in the media; instead, health-related information that are accessible to the general public are more easily disseminated through the media². As shown by Sharf and Ferimuth³, information about health, illness and medicine are running in the media through their content that can entertain, such as news or commercials.

As pointed out in a number of studies⁴, these health-related messages are effective devices of “social learning”, the people being able to learn what it means to be healthy with the help of media⁵. Moreover, health public policies can be modified sometimes by the transmission of

messages relating to health⁶. Incorrect or unrealistic information from medical reports may mislead the people working in public health policy and may contribute to the admission of unfair laws and regulations⁷, the latter being regarded by many scientists as true threats to public health⁸. Health-related news from the media functioned largely as a factor that can influence the actions of doctors, patients, lawyers, and politicians and they have become the main target in the discussions between researchers in the medical field, the information related to health and in the field of communication. Therefore, in order to solve communication problems related to a complex theme, as is "national health", it is essential to understand how health is reflected by the media. In recent years, the public discourse on the "crisis of the Romanian health system has become a "common ground", so that most Romanians have come to treat the crisis as an intrinsic feature of their health system.

The present article starts from the premise that the discourse about the "crisis of the health system" offers a privileged perspective to address themes that are at the intersection of media discourse, public health policies, institutions and organisations in the field of medical and social issues. In modern societies, the bureaucratic apparatus of the State and its representatives were considered, in the traditional mode, as the leading manufacturers of social problems and of the associated discourses⁹. But in contemporary societies the State is no longer the only agent that can influence public opinion, public policies and speeches. In these societies media have gained an important role in producing speeches and social problems⁰. The main question of the present study is: "Was the Romanian health-care system crisis covered objectively by the media or not?"

Literature Review

Agenda-Setting Theory

In the series of studies that have been carried out with regard to the dissemination by the media of news about health we have found extremely useful in terms of theory the agenda-setting theory, which highlights the effect of presentation of an event through the news reports.

The study of McCombs and Shaw in 1972 shows that mass media have a powerful influence when it comes to fix the public agenda and the same study established two major research topics for the specialists in communication sciences: public agenda and media agenda. On the one hand, the public agenda includes topics and issues that are important to a specific society or a specific group¹. Media Agenda, on the other hand, refers to the themes and topics that are made important by the media. The third type of agenda, the "policy" agenda, refers to the use of media that influence those who take political decisions and the legislative process itself². However, this process is most often retrospectively; public policies are a response to public issues and cannot solve them proactively.

The Agenda Setting theory was often used in health-related studies, most often in analyzing how the topics related to health and medicine were featured in the news and other media content, so that these subjects were considered as important both by the public and by the people who decide. In this way the first question of the research was:

RQ1: How many were the news related to the Romanian health system crisis? In general, how big was the printed media coverage of themes and subjects related to the crisis of the Romanian health system?

According to the Agenda Setting theory, it is important to observe which topics and themes are the most discussed within the field of health and medicine. When a health problem is inaccurately covered by the media, the audience may underestimate the seriousness of the problem. In the case of the present research, I considered that it is necessary to proceed in a similar perspective (agenda-setting) to see which topics and themes are most discussed:

RQ2: Who were the main topics related to the health system crisis that were covered by the Romanian media?

Media framing

According to the Agenda Setting theory, „the news sets the public opinion agenda, bringing some issues to the forefront and minimizing others”³. Therefore, the theory attests that „media content doesn’t so much tell the audience what to think as it tells the audience what to think about”⁴. Directly related to this theory is the notion of *framing*, which involves the choice of media or emphasizes certain aspects of a theme or a topic (Entman, 1993: 2). Entman defines the framing as the election and accentuation of „some aspects of a perceived reality” in a text⁵. According to Entman, the frames only manifest through the presence or absence of „key words, stock phrases, stereotyped images, sources of information, and sentences that provide thematically reinforcing clusters of facts or judgements”⁶. In other words, „frames select and call attention to particular aspects of the reality described, which logically means that frames simultaneously direct attention away from other aspects”⁷. In the same direction, Rosenau suggests that „the details journalists select for their articles subtly construct reality and thereby influence readers”⁸. Regarding the American media coverage of the health systems of other countries, Rosenau shows that „there is evidence that newspapers shape citizens’ perception and opinions by cueing the coverage”⁹. Accordingly, she states that there are infinite evidences that show that the national image of a country is appreciable influenced by the media²⁰. Regarding the relationship between the news framing and journalistic objectivity, according to Entman, the canonical norms of journalistic objectivity does not guarantee a balanced presentation of a particular event. Instead, he asserts that journalists „frequently allow the most skilful media manipulators to impose their dominant frames on the news, which subsequently leads to reporting that prevents most audience members from making a balanced assessment of a situation”²¹.

Contextualization is an aspect of the framing theory and I felt that for the analysis of health-related articles the following problem it is very important:

RQ3: Does media provide an appropriate context in the presentation of the themes and topics related to the Romanian health system crisis? How do these articles discuss the causes and solutions to the current crisis of the health system in Romania?

The contemporary studies emphasize that the education related to public health leads to an increase and easiness in awareness of healthy behaviors²². At present there is a growing interest of the public with respect to health-related information²³. As a result of this increasing demand, the amount of available information in the media relating to health is increasing in the recent years²⁴. Until now there has been a relatively low usage of agenda setting theory and framing theory in the analysis of public policies in the field of health. Despite the fact that the media has covered largely sanitary management, regulation of health services, the provision of services related to health, media analysis focused mainly on communicating scientific findings and associated risks to health²⁵. However, in recent times, this trend began to change and media analyses of public policies related to health are becoming increasingly important. For example, a study that analysed media coverage of public debates concerning two legislative proposals in the field of health care in Canada in 2002 highlighted the role of the media in setting the agenda of public policies. Using indicators in the agenda setting theory, information theory, and framing theory the authors have demonstrated the importance of the manner in which the news and articles are framed²⁶. Framing theory suggests that when media presents an incomplete information, there may be a misperception of diseases and health. The framing theory or the second level of agenda-setting, is a process that can put an

emphasis on some ringtones or maybe use some special colors in order to influence the public²⁷. The study conducted by Wang and Gantz²⁸ regarding the tone used in TV news stories about health shows that most of the news had a neutral tone (61.4%), followed by those that had a positive tone (24.3%) and those who had a negative tone (11.1%). Previous research has explained that it is possible for the media to have a negative content, that alarms the readers, causes disbeliefs towards media and behavioral changes related to health. Chang (2012) shows that the articles with a negative tone can alienate readers from the media. Rees and Bath²⁹ state that women who watch media messages related to breast cancer have found that this content induces them both depression and fear. To assess these different tonalities in the news is an essential element in understanding the general tone of each article in the media and, therefore, we have considered that this perspective can be used in the framing theory. For this research project was thus extremely important to obtain an answer to the following question:

RQ4: What is the overall tone of the Romanian media news when it comes to the health care system crisis?

At the same time, research shows that the news that shows the medical cases or "general human interest themes" have a higher probability of attracting audience than those that are purely scientific or those that cover a strictly medical area³⁰. The frame that emphasizes the human interest news usually personalizes the news for that it gives it a human face and invokes an emotional response. The use of a particular frame in the human interest news can increase the attention of readers towards this type of news and can also influence their response to the news. This led us to the following research problem:

RQ5: To what extent the Romanian media use different frames as specific journalistic techniques in articles about the healthcare system crisis?

Healthcare System Crisis in Romania

Before presenting the hypothesis and the research project we need to clarify a few elements pertaining to the Romanian healthcare system crisis. Romania's post-communist evolution in the field of health involve several attempts of decentralisation of the management of the national health system, for a better administration of hospitals and for a better use of financing of the system. Immediately after the revolution of 1989, the World Bank intervened in Romania to help the reform of the Romanian health care system. The successive strategies that were adopted in this respect included the dismantling of the old communist system, known as Semashko, that provided only a tiny fraction of the country's GDP was allocated to health. Because of the low salaries and the poor equipment of the hospitals, the Romanian doctors were not motivated and appeal for most of the time at bribe. All this led also to the increase of inequalities between social classes and different regions³¹. Between 1992 and 2000 in Romania there were initiated a series of programs, reforms that were meant to change the form of payment of fees for health³². One can easily notice a constant instability in decisions, a difference of opinions between the World Bank and the Romanian Government and a very serious difference between what the reform states and what happens in reality. Numerous laws of financing the Romanian health care system have been proposed, as well as changes of the medical insurance laws, changes that are still developing, due to the lack of efficiency of the system.

In the "Romanian Presidential Commission Report for Analysis and Policy Making in the field of Public Health"³³, there are still a number of possible options for a reform of the Romanian healthcare system. In the framework of an analysis of health in the world, presented by the Presidential Commission, Romania ranked 99 in the performance of healthcare systems³⁴. Among

the weaknesses of the Romanian healthcare system we find: the poor financing of the field³⁵: the material support of the hospitals-the hospitals usually get half of the revenues of CNAS, the high consumption of drugs; the lack of doctors. In 2008 in Romania there were about 100 localities without doctors. Although this medical system shows a profound economic and social crisis the peoples' reaction towards this topic could not be gauged with only one exception, namely in the case of social movements from January 2012. Chronologically, by the end of 2011 a new law in the field of health was unveiled in public debate, a law that gives a larger part to the private sector in healthcare. Public discussion on this topic reaches a climax on January 11, 2011, when, as a result of the televised debate with the Romanian President Basescu, the State Secretary in the Ministry of Health, Raed Arafat, resigned from Office. The next day, on January 12, 2012, the first protest in favor of Raed Arafat took place in Bucharest and in Targu Mures, the action initiated on Facebook gathered between 2000 and 4000 people³⁶.

In less than three days-12- 15th January, 2012 – as a result of the national mobilization through Facebook several demonstrations took place in favor of the SMURD in Bucharest and other twenty Romanian cities. These moves have been generated on-line in the mid range given – on January 13th, 2012-controversial Bill was stripped of Raed Arafat had asked him to return to the previous function of the Ministry of health.

Started as a movement with a strictly social purpose, in favor of an individual and a social service (SMURD) – the action became after 17 January 2012 a political movement against the Government. The manifestations from various Romanian cities, were held daily until February 2012³⁷, then they moved into a pure political plan leading to the change of Government in March 2018. Although the issue of the reform and the new health law is addressed together and currently in Romania approach of health is less public and more visible in the national plan of public policies (politicians, experts, doctors, NGOs in the field) and in the media.

As a result, I considered the Romanian healthcare system crisis a typical case where one can answer the question of whether the journalistic coverage techniques of a subject in Romania are similar to the models already identified by the researches dedicated to journalistic practices.

Hypothesis

In this study, I started from the premise that the modern media society have acquired an important role in producing speeches and social problems and I intend to identify which were the information gathering techniques used by the Romanian media to cover the crisis in healthcare system in recent years. The assumptions of the study are thus as follows:

Hypothesis No. 1: It should be a high frequency (more than 50% of the total sample) for published articles on topics related to health system crisis in the Romanian media.

Hypothesis No. 2: It should be a high frequency (more than 50% of the analyzed sample) for articles that treat the root causes of the Romanian medical system crisis.

Hypothesis No. 3: It should be a high frequency (more than 50% of the total analyzed sample) for articles that treat the priorities and solutions to the current crisis in the Romanian healthcare system.

Hypothesis No. 4: It should be a reduced frequency (less than 25% of the total analyzed sample) for articles that treat certain event from the view of the political actors that activate in the medical system.

Hypothesis No. 5: It should be a common low frequency (less than 25% of the total analyzed sample) of articles which use formal official sources (such as the Government, Ministry of

Health, State institutions involved in the management of the health system-CNAS) in presenting the crisis of the Romanian healthcare system.

Hypothesis No. 6: It should be a low frequency (less than 25% of the total analyzed sample) for articles that present the Romanian healthcare system crisis in a sensational style.

Method

To validate (or not) the assumptions of this research and to provide an answer to the problems raised by this research I conducted a quantitative content analysis, this method allows both an objective, systematic and quantitative content of Romanian media topic of interest³⁸ as well as an assessment of the degree to which certain value judgements, attitudes and subthemes are to be included in a more general topics, such as the case of the media coverage of health-related problems³⁹. The method used in the analysis of the printed media coverage of a variety of health-related topics, such as the risks associated with smoking⁴⁰, the media representation of mental health problems, the abusive use of drugs⁴¹.

The variables included in our analysis were:

1. common presentation of topics related to the health system crisis in relation to other health-related issues presented by the Romanian media;
2. common items that have as main theme the Romanian health system crisis-the article treats primarily the health system crisis in Romania;
3. the frequency of articles that mention the type of deficiencies/problems of the Romanian health system;
4. common items that deal with the problems, priorities and provide solutions to the Romanian healthcare system crisis;
5. common items that shows events in the Romanian health system;
6. type of events presented in the health system;
7. the frequency of articles presenting cases in the health system;
8. type of cases presented in the sanitar system;
9. the relationship between the cases listed in the article and the general situation of the healthcare system in Romania;
10. the type of evidences presented in the article;
11. the identity of the persons cited in the article;
12. the type of information source used in the article;
13. the style of the article - educational, informative or tabloid.

The analysed sample gathered a volume of 2700 aticole published in five national newspapers (*Adevarul, Gandul, Evenimentul zilei, Jurnalul National, Romania Libera*) and two online platforms (*Ziare.com* and *Hotnews*) between January 1st 2011 – December 1st 2012. The criterion for selection of the items included in the sample was the presence of the words "health" and "medicine" in the article's text. There was no special sampling procedure, I included in the final sample all the items that met the previously mentioned requirement.

Results Analysis

The results of the content analysis indicate that from all the analyzed articles (2,700 articles), 33.1% (776 articles) refer directly to the Romanian healthcare crisis. Of these, 58.2% are articles that have health as their main theme while for 24.9% health is a secondary theme and in the case of 17% health is only mentioned by mistake. At the same time, the Romanian health system issues are mentioned explicitly in the case of 40.9% of all analyzed articles that refer to the crisis in

the healthcare system, while 36.5% of the total of this sub-sample the health problems are mentioned in general statements relating to healthcare system (for 22.6% of articles are offered only vague clues related to health system issues). This data shows that the frequency of articles published on topics related to health system crisis in Romania was not very high during the two analyzed years (January 1st, 2011- December 1st, 2012), these articles represent only one third of the total analyzed articles about health. It can thus be seen that the first hypothesis of the present study (it should be a high-frequency greater than 50% of the total analyzed sample for published articles on topics related to the Romanian health system crisis) was not confirmed by the empirical data.

Table No. 1. The Romanian health system issues refer to ... (percentage-%)

Health care system in general	19.6
Health insurance system	24.6
Health services	15.6
Emergency medical system	20
Financing of the health system	28
Medical staff	13.1
Drugs	9
Hospitals, clinics	11
Healthcare system management	11

(Base: 776 articles- All the articles about health that relate to the Romanian healthcare system crisis)

In terms of coverage of the main areas where the health crisis in Romania manifest, the results of the content analysis indicate the following hierarchy: the financing of the healthcare system (28% of the articles that refer directly to the crisis of health system); health insurance (24.6% of the total of these items); emergency medical system (20%) and the medical care system (19.6%). The main reason that caused the crisis in the health system is identified by journalists to be the low income allocated to the health system, presented by 39.8% of the analyzed articles. At a considerable distance other causes are placed, such as: administrative and organizational problems in the system (16.9%), the pressures from outside the health system (15.5%) and insufficient human resource in the system (12.4% of the total articles devoted to the crisis).

Thus, the second hypothesis of this study (It should be a high frequency (more than 50% of the analyzed sample) for articles that treat the root causes of the Romanian medical system crisis) is validated by empirical data.

Table No. 2. The article about the healthcare system crisis presents ... (percentage-%)

In general the health system without making assessments (without mentioning the priorities, without presenting the problems and without offering solutions)	24.9
The priorities of the medical system, without presenting the problems and without offering solutions	14
Healthcare system issues, without presenting the priorities and provide solutions	21.9
Solutions for the medical system without mentioning the problems	17.1
Issues, priorities and solutions for the medical system	18

(Base: 776 articles- All the articles about health that relate to the Romanian healthcare system crisis)

According to the analyzed data, the highest percentage- 24.9% of the total articles about the crisis in the Romanian healthcare system include general presentations of the crisis. These articles did not mention the Romanian medical priorities, they did not show the problems and did not offer solutions to these problems. The amount of articles that have made references to the priorities

of the Romanian medical system-14% – and those who submitted solutions to this crisis – 10.6%- does not constitute a significant percentage (minimum 50%) of the total number of items contained in the sample of interest. We can thus say that the third research hypothesis (it should be a high frequency (more than 50% of the total analyzed sample) for articles that treat the priorities and solutions to the current crisis in the Romanian healthcare system) has not been validated by empirical data. A high percentage – 73.5% of all analyzed articles show events in the medical field. Of these events only 2.7% were related to the life of the patients and only 5.3% were related to the medical life. The main percentage of such events being related either to be political sphere (events related to the Government's actions, the actions of the President of the country), or to the public and economic policies in the sphere of healthcare in general (discussion of the new law of health, the medical industry etc.).

Table No. 3. The article about the crisis in health presents events from ... (percentage-%)

Politics of the Government and Parliament	14.6
The patient's personal life	2.7
State policy in the field of health	17.7
Media/ An acquisition of an event presented by the mass media	6.6
Medical industry	0.9
Medical life in general	5.3
The debate concerning the new health law	11.9
The Government's actions	3.7
The President's actions	2.4

(Base: 776 articles- All the articles about health that relate to the Romanian healthcare system crisis)

The number of cases presented in the sample of articles regarding the crisis in the Romanian medical system was, however, relatively low – only 37.6% of the total sample. Only 10.3 % of these were articles that have presented a medical case in detail, while 20.7% of all these articles have used the case in order to discuss about the Romanian healthcare system in general.

Table No. 4. The coverage in articles of the relationship between the cases and the general situation of the health system in Romania (%)-percentages

The content of the entire article consists of the presentation of a health-related event that affected a small number of people	10.3
The content of the article consists of the presentation of a case and a general discussion about the topic	9.7
The content of the article consist of a general discussion based on an example, a medical case	13

(Base: 776 articles- All the articles about health that relate to the Romanian healthcare system crisis)

The analysis of the angles from which these cases were related to the health system in Romania indicates the balance between *individual- human perspectives* -47% of the articles present the medical cases from the doctor's or the patient's point of view -and *institutional-general perspectives* - 53% of the articles present the medical cases from the perspective of the Ministry, of the Central or Local administration, NGOs and so on.

Table No. 5. The cases are presented from the perspective of ... (percentage-%)

The doctor	29
The patient and his family	13.7

Both the doctor and the patient	4.7
National medical policy- makers – the Ministry of Health, CNAS, so on.	18.1
The Government- the Central Administration	8.7
The Local Administration – Mayor, City Council, County Council	2.2
Political parties	5.9
Professional associations and trade unions in the medical field	2.5
Non-governmental associations/NGOs related to health	1.2
Representatives of the medical industry (medications, equipment, clinics- all private)	1.6
General-human values promoted by the healthcare system	12.5

(Base: 776 articles- All the articles about health that relate to the Romanian healthcare system crisis).

The main actors in the media coverage of these cases in the Romanian health system are, in hierarchical order, the Ministry of Health (44.3% of the total articles reviewed), the Romanian Government (30% of all articles relating to the crisis in the health system) and State institutions involved in the management of the health system (CNAS)-19.2% of the sample. 56,5% of the reviewed articles present events that involve the public health sector and 53% have covered medical cases from the perspective of the Ministry, the Central or Local Administration. Therefore we can assert that the empirical data have invalidated the hypothesis no. 4 of this study. According to the existing data set, the frequency of the articles that have presented the events and cases from the perspective of national policies in the field of medical system was much higher than the 25% threshold assumed originally. These articles are, in fact, a majority of the analyzed sample. The hierarchy of the sources used by those articles relating to the Romanian healthcare system crisis shows the low capacity of the official institutions (Government, Ministry of Health, Justice, etc.) to provide information related to the topic- only 24.5 % of the analyzed sample. "The event" – whether it is a real event (29.8%), or an event taken from other media (14.2%) – was in fact the most used source for coverage of the crisis in the health system, being used for 44% of the analyzed sample.

Table No. 10. The persons cited in the article are ... (percentage-%)

Doctor	13.7
Medical Assistant or technician	8.9
Expert in the field of public health and sanitary management	5.3
Director of hospital or clinic	6.8
Politician	20.7
Minister	22.9
The President of Romania	20.7
Secretary of State	3.5
Representatives of associations/NGO related to health	5.2
Expert in other fields than the medical/health protection (e.g., human resources)	2.1

(Base: 776 articles- All the articles about health that relate to the Romanian healthcare system crisis).

However, the identity of the sources quoted in the analyzed sample indicate the dominance of the formal organizations and institutions (Government, Ministry of Health, State institutions involved in the management of the health system-CNAS). Thus, the Ministers (22.9% of the reviewed articles), politicians (20.7% of the sample) and the President (also 20.7%) were those that were most frequently cited in the reviewed articles, both print or online. Taking into consideration a lower use of informal quoted source (doctors, experts, representatives of an NGO) we can assert that the fifth hypothesis of the present (It should be a common low frequency (less than 25% of the total analyzed

sample) of articles which use formal official sources (such as the Government, Ministry of Health, State institutions involved in the management of the health system-CNAS) in presenting the crisis of the Romanian healthcare system) was not validated.

The sixth hypothesis (It should be a low frequency (less than 25% of the total analyzed sample) for articles that present the Romanian healthcare system crisis in a sensational style) was, however, validated by the empirical data. The media coverage of the Romanian healthcare system crisis developed into a major percentage – 80.5% - articles that use an "informative" style and only 15.1% articles chose to present health problems in a sensational style.

Conclusions

The study of the relation between the mass communication and health has often been seen as putting an emphasis on the sources of information which have the ability to influence the way in which audiences are thinking and talking about health⁴². The communication theory asserts that the media does not reflect the reality but a polypropylene filter and a different reshaped reality⁴³. The media covers only a certain number of subjects and this actually determine the members of the audience to believe that these issues are the most important⁴⁴. For instance, the news coverage of the health problems is caused by reporters and editors, they are the ones who decide which events are newsworthy. They also decide which aspects of an event may gain greater importance. Therefore, the media framing theory suggests how audiences are seeing "a problem" and "a solution" to a certain problem⁴⁵.

Atkin and Atkin state that: "the media tend to reduce health issues to individual- level concerns and to reinforce existing social and economic arrangements"⁴⁶. In this sense, the present study tried to fill in a gap in the literature, focusing on how media presents the Romanian healthcare system problems. More specifically, the study sought to identify if there are any objective coverage of the crisis in healthcare during the past two years (January 1st, 2011-December 1st, 2012).

The study started from six hypotheses. Of the total six hypotheses, only two were confirmed by the empirical data. The causes of the crisis of the Romanian healthcare system were covered in most of the reviewed articles (the second hypothesis) and the journalists' coverage was particularly in an informative way and less in a sensational style (the sixth assumption). However, most articles about health published in the Romanian newspapers between January 1st, 2011-1 December 1st, 2012 have not addressed issues related to the health system, the first hypothesis of the study being thus disproven.

The articles included in the sample have not presented the priorities of the Romanian medical system and have not identified solutions to the Romanian healthcare system crisis. Therefore the third hypothesis of the study was also invalidated. At the same time, the majority of articles have used formal, governmental sources and showed the events and medical cases from the perspective of national policies in the field of medical system. Therefore the fourth and fifth hypotheses of the study were also invalidated. We conclude that in the case of media coverage of the crisis in the healthcare system we can notice a strong tendency to politicize the matter. The Romanian journalists used a number of specific techniques of reconstructing the events and processes related to health.

The present study has inherent limits. First, it analyzes only the articles in newspapers and online Romanian media. We can assume that other content presented in different media (radio and television) can lead to some different results in terms of the techniques used by journalists to cover the crisis in the Romanian healthcare during the past two years. Secondly, the present study did not analyze why the Romanian journalists used particular techniques for the presentation of the medical

system. A research from the perspective of the Sociology of journalism could produce relevant information to the research of the relationship between the media and health in the case of Romania.

References

- Cho, Sooyoung (2006). Network news coverage of breast cancer, 1974-2003. *Journalism and Mass Communication Quarterly*, 83(1): 116-130.
- ² Vladimir, De S. (2010). Media for Science Forum. *Science Communication & Science Journalism*: 51-56.
- ³ Sharf, B. F., Freimuth, V. S. (1993). The construction of illness on entertainment television: Coping with cancer on thirty something. *Health Communication*, 5(3): 141-160.
- ⁴ Freimuth, V.S., Stein, J.A., Kean, T.J. (1989). Searching for health information: the cancer information service model. Philadelphia, PA: University of Pennsylvania Press; Johnson, J. D., Meischke, H. (1993). A comprehensive model of cancer-related information seeking applied to magazines. *Human Communication Research*, 19(3): 343-367; Nelkin, D. (1995). Selling science: How the press covers science and technology. New York City: W.H. Freeman and Company.
- ⁵ Freimuth, Stein, Kean, 1989; Johnson, Meischke, 1993; Nelkin, 1995.
- ⁶ Cho, 2006.
- ⁷ Hotz, R. L. (2002). The difficulty of finding impartial sources in science. *Nieman Reports*, 56: 6-7; Wells J, Marshall P, Crawley B, Dickersin K. 2001. Newspaper reporting of screening mammography. *Annals of Internal Medicine* 135(12): 1029-1037.
- ⁸ Voss, M. (2002). Checking the pulse: midwestern reporters' opinions on their ability to report health care news. *American Journal of Public Health*, 92, 1158-1160.
- ⁹ Bourdieu, P. (1994). Rethinking the State: Genesis and Structure of the Bureaucratic Field, *Sociological Theory*, 12 (1): 1-18.
- ⁰ Hilgartner, S., Bosk, C. L. (1988). The Rise and Fall of Social Problems: A Public Arenas Model, *American Journal of Sociology*, 94 (1): 53-78.
- McCombs, M. E., Shaw, D. L. (1972). The agenda-setting function of mass media. *Public opinion quarterly*, 36: 176-187.
- ² Dearing, J.W. & Rogers, E.M. (1996). *Communication Concepts 6: Agenda Setting*. Sage Publications: Thousand Oaks, CA.
- ³ Krippendorff, K., Bock, M. A. (2009). *The Content Analysis Reader*. Los Angeles, California: Sage Publications.
- ⁴ Krippendorff, Bock, 2009.
- ⁵ Entman, R. M. (1993). Framing Toward Clarification of a Fractured Paradigm. *Journal of Communication*, 43 (4): 51-58.
- ⁶ Entman, 1993.
- ⁷ Entman, 1993.
- ⁸ Rosenau, P.M. Vaillancourt. (2005). U.S. Newspaper Coverage of the Canadian Health System - A Case of Seriously Mistaken Identity?. *The American Review of Canadian Studies* 36(1): 31-62.
- ⁹ Rosenau, 2005.
- ⁰ Rosenau, 2005.
- ² Entman, 1993.
- ²² Hornik, R. (ed.). (2002). *Public health communication: Evidence for behavior change*. New York: Lawrence Erlbaum.
- ²³ Kaiser Family Foundation and Pew Research Center (2009). Health news coverage in the U.S. media. Available online at <http://www.kff.org/entmedia/upload/7950.pdf>.
- ²⁴ Kaiser Family Foundation, 2009.
- Gasher, M., Hayes, M., Hackett, R., Gutstein, D., Ross, I., & Dunn, J. (2007). Spreading the news: Social determinants of health peortage in Canadian daily newspapers. *Canadian Journal of Communication*, 32(3/4): 557-574; Seale, C. (2003). Health and Media. *Sociology of Health & Illness*, 25(6): 513-31.
- ²⁵ Collins, P. A., Abelson, J., Pyman, H. Lavis, J. N. (2006). Are We Expecting Too Much from Print Media? An Analysis of Newspaper Coverage of the 2002 Canadian Healthcare Reform Debate. *Social Science and Medicine*, 63: 89-102.
- ²⁶ Entman, 1993.
- ²⁷ Wang, Z., Gantz, W. (2007). Health content in local television news. *Health Communication*, 21(3): 213-221.
- ²⁸ Rees, C. E., Bath, P. A. (2000). Mass media sources for breast cancer information: their advantages and disadvantages for women with the disease. *Journal of Documentation*, 56(3): 235-249.
- ²⁹ Semetko, H. A., Valkenburg, P. M. (2000). Framing European politics: A content analysis of press and television news. *Journal of Communication*, 50: 93-109.
- ³⁰ Vlădescu, C., Rădulescu, S., Căce, S. (2005), The Romanian Healthcare System: Between Bismark and Semashko, Local Government and Public Service Reform Initiative, Descentralization in Healthcare: 437-485. Available at: http://lqi.osi.hu/publications/2005/274/9Health_Romania.pdf.
- ³ Vladescu, Cristian; Radulescu, Silviu; Căce, Sorin, 2005

- ³² Comisia prezidentiala pentru analiza si elaborarea politicilor din domeniul sanatatii publice din Romania (2008). Un sistem sanitar centrat pe nevoile cetățeanului: 1-223. Available at http://www.presidency.ro/static/ordine/COMISIASANATATE/UN_SISTEM_SANITAR_CENTRAT_PE_NEVOILE_CETATEA_NULUI.pdf.
- ³³ Comisia prezidentiala pentru analiza si elaborarea politicilor din domeniul sanatatii publice din Romania (2008).
- ³⁴ Comisia prezidentiala pentru analiza si elaborarea politicilor din domeniul sanatatii publice din Romania (2008).
- ³⁵ Antoniu, G. (2012). Cronica unei revolte neanuntate. *Jurnalul National*, 16 January 2012. Available at <http://www.jurnalul.ro/special/cronica-unei-revolte-neanuntate-601503.htm>; Ramadan, A. (2012). FOTO, Revolutia SMURD incepe la Targu Mures! Peste 3.000 de oameni au cerut demisia lui Basescu. *Adevarul*, 12 January 2012. Available at http://www.adevarul.ro/locale/targu-mures/Revolutia_SMURD_incepe_la_Targu-Mures- Peste_3-000_de_oameni_au_cerut_demisia_lui_Basescu_0_626337901.html; Giurgea, E. (2012). 1.500 de oameni au iesit in strada la Targu Mures pentru a-l sustine pe Raed Arafat. Ei au scandat "Murim, luptam, SMURD-ul il aparam". *Gandul*, 12 January 2012. Available at <http://www.gandul.info/news/1-500-de-oameni-au-iesit-in-strada-la-targu-mures-pentru-a-l-sustine-pe-raed-arafat-ei-au-scandat-murim-luptam-smurd-ul-il-aparam-9144334>.
- ³⁶ RADOR. (2012). Revista presei internationale. 19 January 2012. Available at <http://www.rador.ro/info4.shtml?cat=627&news=184611>.
- ³⁷ Berelson, B. (1954). Content analysis. In Lindzey, G. (ed.) *Handbook of Social Psychology*. Addison-Wesley, Cambridge, MA; Krippendorff, K. (2004). Content analysis: An introduction to its methodology. Thousand Oaks, CA: Sage Publications, Inc.
- ³⁸ Stone, P. J. (1964). An Introduction to the General Inquirer: a Computer System for the Study of Spoken or Written Material. Harvard University and Simulmatics Corp., Mimeo.
- ³⁹ Warner, K. E., Goldenhar, L. M. (1989). The cigarette advertising broadcast ban and magazine coverage of smoking and health. *Journal of Public Health Policy*, 10: 32-42.
- ⁴⁰ Commissaris, C. J., Jolles, J., Visser, A. P. (1991) 'Dementia' and 'Memory' in Daily and Weekly Publications: An Analysis of Newspaper Clippings in the Period 1987-1990. *Tijdschrift Gerontologie Geriatric*, 22: 21-27.
- ⁴¹ Gabe, J., Gustafsson, U., Bury, M. (1991). Mediating illness: newspaper coverage of tranquilliser dependence. *Sociology of Health and Illness*, 13: 332-353.
- ⁴² Karpf, A. (1988). *Doctoring the Media: The Reporting of Health and Medicine*. Routledge, London; Maibach, E., Parrott, R. (1995). *Designing health messages*. Thousand Oaks, CA: Sage; Signorielle, N. (1990). Television and health: Images and impact. In Atkin, C. Wallack, L. (Eds.), *Mass communication and public health: Complexities and conflicts*. Newbury Park, CA: Sage: 96-113; Wallack, L., Wallack, L. M. (1993). *Media advocacy and public health: Power for prevention*. Newbury Park, CA: Sage Publications, Inc.
- ⁴³ McCombs, Shaw, 1972.
- ⁴⁴ McCombs, M., Bell, T. (1996). The agenda-setting role of mass communication. In M.B. Salwen, D.W. Stacks (Eds.), *An integrated approach to communication theory and research*. Mahwah, NJ: Lawrence Erlbaum Associates: 93-110.
- ⁴⁵ Entman, 1993
- ⁴⁶ Atkin, C. Atkin, E.B. (1990). Issues and initiatives in communicating health information to the public. In Atkin, C., Wallack, L. (Eds.), *Mass communication and public health: Complexities and conflicts*. Newbury Park, CA: Sage: 13-40.

ORIGINAL PAPER

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Trends and development of the E-government services in Dolj County

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Abstract: *The effective, efficient and enduring development is supported by information and communication. The use of ICT in the public sector enables the implementation of e-government policies, which have a direct impact on the sustainable development of a country. In this context, it is imperative today to rethink e-government development in order to understand how the opportunities offered by new technologies promote development for the people and with their integral participation. There is a need to assess how and to what extent the Romanian Government is employing e-government, which furthers greater efficacy and effectiveness for sustainability in this specific and people focused sense. The objective of the present research is to present the trends and evolution of the Romanian E-Government policy, as well as to establish the current situation of the online service development of the Public Institutions in Dolj County, Romania.*

Keywords: *e-government, online service, public institutions, Dolj County;*

Introduction

Nowadays there is an increasing demand on governments all over the world, spurred by the new aspirations of citizens in the developing economical and technological environment. These increasing demands and needs of the population have lead to reforms of the public sector in many countries. The people nowadays have the same attributes as clients, measuring the performance of their government leaders in terms of benefits, efficiency, public trust and accountability. The governments need to keep up with the changing needs and wants of their constituents, namely, the private sector, citizens and communities, who expect improved services and results.

In contrast to traditional government processes, e-Government is characterized by (1) extensive use of communication technology, (2) the impersonal nature of the online environment, (3) the ease of information can be collected (data-mining), processed and used by multiple parties (Warkentin, Gefen, Pavlou, & Rose, 2002). [1]

The impact of ICT on governmental services is essential, and not integrating and efficiently implementing the ICTs in the public administration means poorly servicing the people one the one hand, and inefficiently managing operations on the other hand. The communication process with the citizens needs to be updated to the realities of the Digital Era, where people are accustomed to have full and immediate online access to relevant information, to solve their problems online, efficiently

managing their time. Therefore, ICT play an essential role in creating an enabling environment for social and economic growth, making the public administration more efficient, proactive, transparent and especially, more service oriented. Public administrations need to be revitalized, to innovate their organizational structure, practices, capacities and the way they mobilize, deploy and utilize the human capital and information, technological and financial resources

E-government is defined as the use of technology, particularly the Internet, as a means to deliver services to citizens, businesses, and other entities. [2] Various policy instruments support and shape the e-government concept. In brief, they seek to promote the use of new IT by government entities with a view to improving the efficiency and economy of government operations. In addition, they seek to ensure the proper management of these technologies and the systems they serve, their protection from physical harm, and the security and privacy of their information. [3]

E-government can significantly improve the cost-efficiency of operations and improve the communication flow and respectively the workflow between different governmental authorities, organizations and even at department level. It can lead to a leaner government by streamlining processes, lowering costs, improving research capabilities and improving documentation and record-keeping. However, the real benefit of e-government lies not in the use of technology per se, but in its application to processes of transformation.

The objective of the present research is to understand the current situation of the online services provided by the public institutions in Dolj, Romania to the citizens, in order to assess the development stage in the e-government model. In order to conduct this analysis the Four Stages Model of Online Service Development, proposed by the United Nations, will be used as primary research instrument. However, the model needs to be adapted to the specific characteristics of the local public institutions' online presence. The initial model will be presented in the following sections, as well as the adapted model which will be used as research instrument.

1. Evolution and trends in online public services

1.1 Worldwide trends in e-government services

The Digital Era is characterized by the quick and full access of people to online information, as well as by the worldwide reach of the users to services, products, information and facilities. This new reality needs to be taken into account by governments also, in their communication processes with the people, as well as in the ICT implementation process in the internal operations. E-government can be an engine of development for the people. In delivering e-government for the people, public services should be designed to be responsive, citizen-centric and socially inclusive. Governments in developed countries also engage citizens through participatory service delivery processes, the latest research showing an increasing number of countries which offer the citizens the opportunity of being both users and co-producers of public services.

Figure 1.1. Evolving Approach to Public Service Delivery

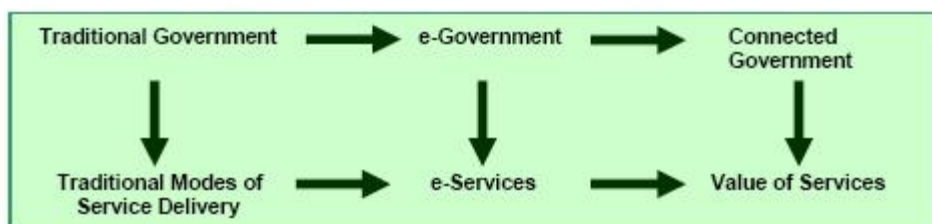


Fig 1. Evolving Approach to Public Service Delivery

High-tech devices such as smart-phones, interactive voice response systems, digital television, and self-service terminals create opportunities for governments to offer new ways of interaction with citizens, as well as forms of their integral participation with the governmental process. The increasing use of high tech interactive devices enables the governments to offer the citizens multiple channels of communication. Such initiatives encourage citizens to envision new forms of interaction with the desire that service providers public and private – be as accessible and responsive as modern technology allows.

Despite the fact that all governments are aware of this trend, only developed countries have taken advantage of the new technologies in order to implement the e-government framework, while only few developing countries are exploiting the full potential of multichannel service delivery to serve their constituents.

Multichannel service delivery is the provision of public services by various means in an integrated and coordinated way. Citizens can make selections according to their needs and circumstances and receive consistent information and services across channels resulting in an increase in their satisfaction and trust in government. [3]

With the growth of the internet and related technologies, governments around the world have been moving toward online service delivery in what is commonly called e-government. High hopes for transforming the administration and organization of public services surround e-government. Indeed, international organizations such as the OECD and UN, as well as politicians, government officials, and researchers, have suggested that a range of advantages will result from e-government development [4]. These include that:

1. E-government will be a tool of greater efficiency and better management.
2. E-government improves government coordination and collaboration.
3. E-government will enhance public participation in the affairs of government and the democratic process and bring people and government closer together.

Figure 1.2. ICT-enabled Connected Governance

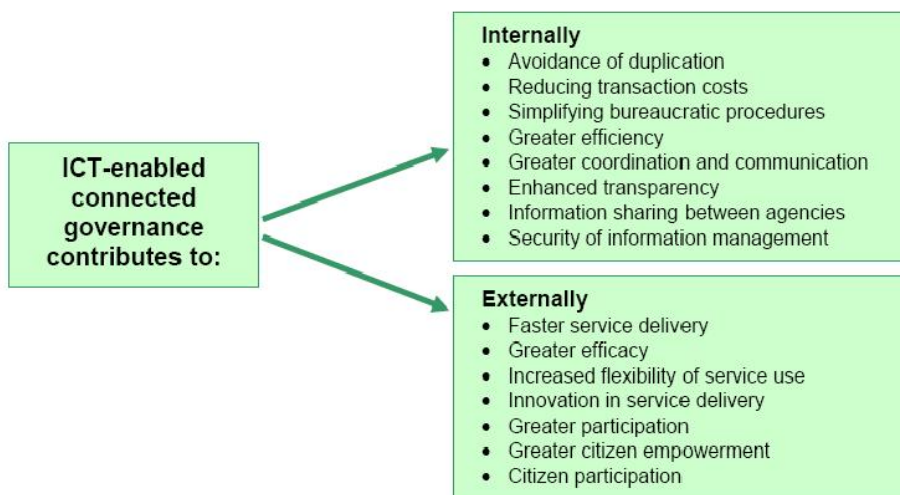


Fig 2. ICT-enabled Connected Governance; Source: [4]

1.2 Romania- background

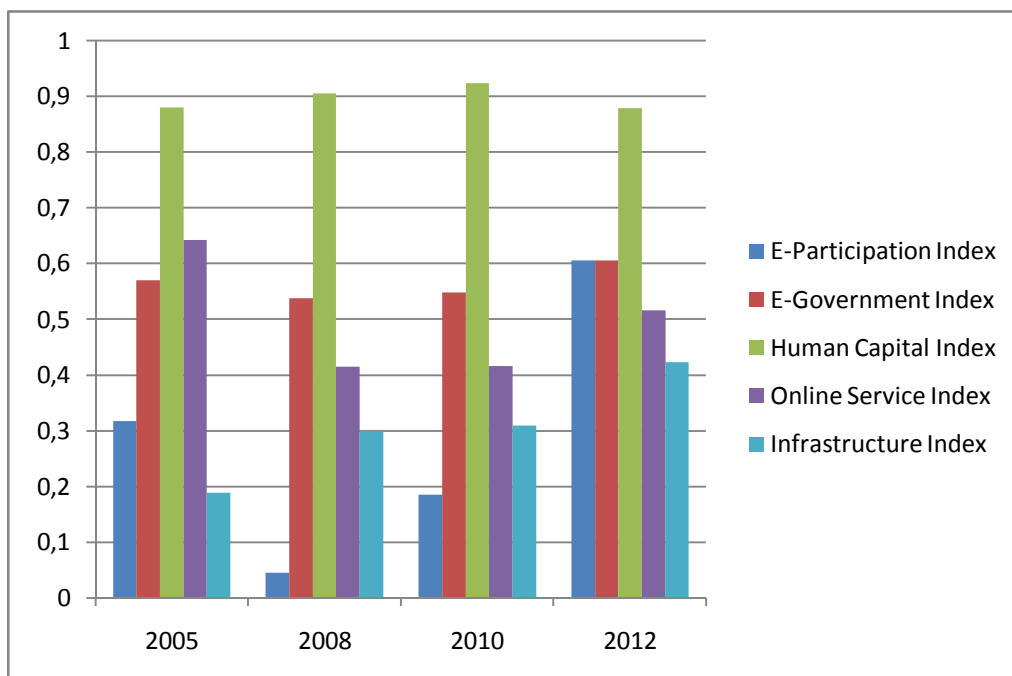


Fig 3. The evolution of the E-government indexes in Romania, 2005-2012, Source: adapted from United Nations E-Government Survey 2012, E-Government for the People; Source [4]

- *Online service index*

To arrive at a set of online service index values, the researchers assessed each country's national website, including the national central portal, e-services portal and e-participation portal, as well as the websites of the related ministries of education, labor, social services, health, finance, and environment as applicable. In addition to being assessed for content and features, the national sites were tested for a minimal level of web content accessibility as described in the Web Content Accessibility Guidelines of the World Wide Web Consortium.

- *Telecommunications and infrastructure index*

The telecommunication infrastructure index is an arithmetic average composite of five indicators: estimated internet users per 100 inhabitants, number of main fixed telephone lines per 100 inhabitants, number of mobile subscribers per 100 inhabitants, number of fixed internet subscriptions per 100 inhabitants, and number of fixed broadband facilities per 100 inhabitants.

- *The human capital index*

The human capital index is a weighted average composite of two indicators: adult literacy rate and the combined primary, secondary, and tertiary gross enrolment ratio, with two thirds weights assigned to adult literacy rate and one third weight assigned to the gross enrolment ratio

- *The E-participation index*

A country's e-participation index value reflects how useful these features are and how well they have been deployed by the government compared to all other countries. The purpose of this measure is not to prescribe any particular practice, but rather to offer insight into how different countries are using

online tools to promote interaction between citizen and government, as well as among citizens, for the benefit of all.

- *The E-government Development Index*

Mathematically, the EGDI is a weighted average of three normalized scores on the most important dimensions of e-government, namely: scope and quality of online services, development status of telecommunication infrastructure, and inherent human capital. Each of these sets of indexes is itself a composite measure that can be extracted and analyzed independently.

- $EGDI = (\frac{1}{3} * \text{online service index}) + (\frac{1}{3} * \text{telecommunication index}) + (\frac{1}{3} * \text{human capital index})$

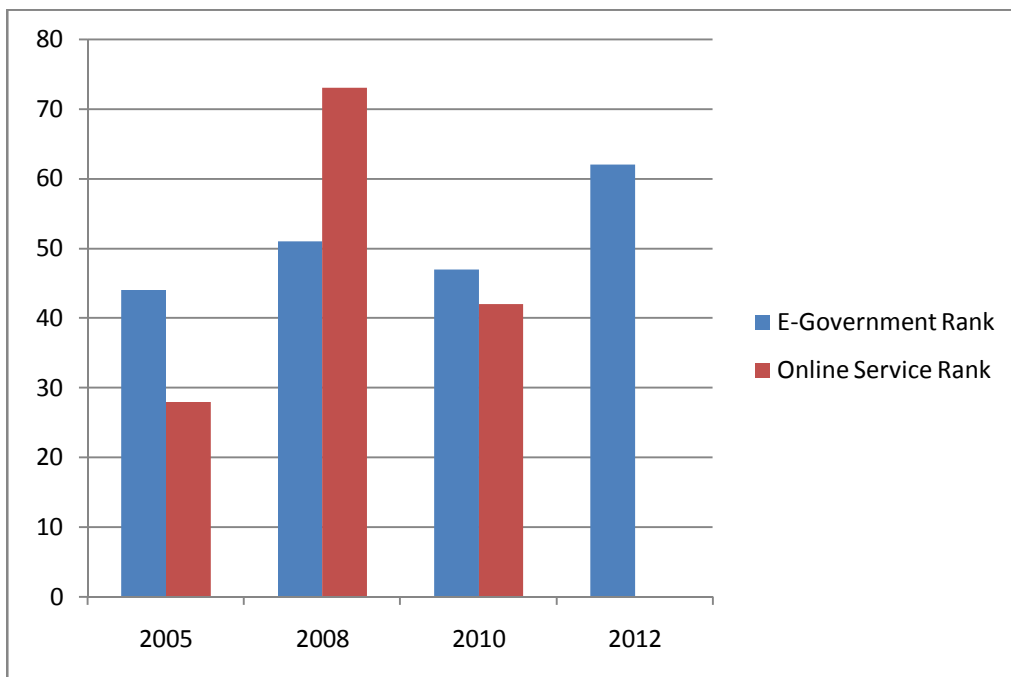


Fig 4. The evolution of the E-government Rank and Online Service Rank of Romania, 2005-2012; Source: adapted from United Nations E-Government Survey 2012, E-Government for the People; Source [4];

2. Research on the stage of online public service development in Dolj County, Romania

The objective of the present research is to present the trends and evolution of the Romanian E-Government policy, as well as to establish the current situation of the online service development of the Public Institutions in Dolj County, Romania.

2.1 Research Instrument

The provision of government services, or e-services, is the ultimate goal of e-government. This can be achieved through an evolutionary process. Layne and Lee [5] have identified four stages in the evolution of e-government:

- Cataloguing: Government creates a static Web site to gain online presence. Information is catalogued for presentation to citizens and usually organized into departments. Functionality primarily consists of a search facility to answer user queries.
- Transaction: Online interfaces for the purpose of conducting transactions. It is typically characterized by direct connections to live databases that require minimal interaction from government staff.
- Vertical integration: Seamless link between local and national databases that share a common information source, thus reducing redundancies and inconsistencies in the information stored about individual citizens. This must be accompanied by organizational and process change.
- Horizontal integration (across functions): This type of system integration means that a transaction in one agency can lead to checks against data in other functional agencies. This stage of integration will support true done stop shopping.

Another model, The “Four Stages of online service development Model” proposed by the United Nations in their 2012 Survey has been used as the primary instrument for conducting the research on the development stage of the online services provided by the public institutions in Dolj.

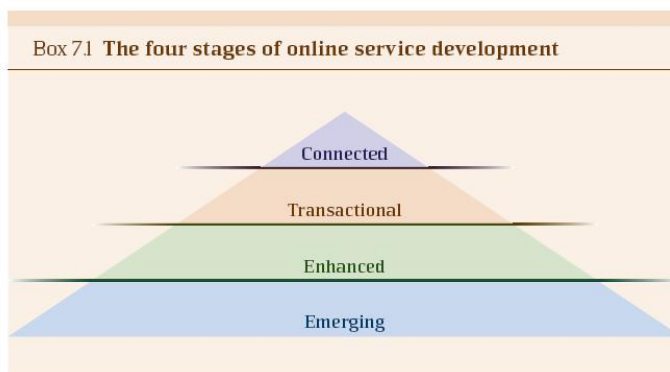


Figure 5. The four stages of online service development, Source: United Nations E-Government Survey 2012, E-Government for the People; Source: [4]

Stage 1:

Emerging information services: is considered to be the first stage in the evolution of e-government. This stage is characterized by the provision of information on public policy, governance, laws, regulations, relevant documentation and types of government services provided. Usually the websites of the public institutions provide useful links to ministries, departments and other branches of government.

Citizens have easy access to information on what is new in the national government and ministries or in the respective public institution and can follow links to archived information.

Stage 2:

Enhanced information services: The public institutions websites deliver enhanced one-way or simple two-way e-communication between government and citizen, such as downloadable forms for government services and applications. A specific characteristic for this stage of development is also the presence of audio and video capabilities as well as the multi-lingual versions of the website, among others.

Stage 3:

Transactional services: The websites of the public institutions engage in two-way communication with their citizens, including requesting and receiving inputs on government policies,

programs, regulations, etc. The exchange can be completed only after a form of authentication of the citizen's identity. The websites provide online services such as processing non-financial transactions, such as e-voting, downloading and uploading forms, filing taxes online or applying for certificates, licenses and permits. They also handle financial transactions where money is transferred on a secure network to government.

Stage 4:

Connected services: The public institutions that have reached this stage have changed the way they communicate with their citizens. They encourage the citizens to express their opinions towards the activity of the respective institutions and to actively participate in the decision-making process. The websites use Web 2.0 and other interactive tools and e-services and e-solutions cut across the departments and ministries in a seamless manner. This stage of development is characterized by the use of integrated applications in order to transfer the information, data and knowledge from government agencies. Governments that have reached this stage have moved from a government-centric to a citizen-centric approach, where e-services are targeted to citizens through life cycle events and segmented groups to provide tailor-made services.

The previously described model has been adapted according to the specific characteristics of the e-government policy in Romania, and more specifically in Dolj. In the model another stage has been introduced, which is referred to as "Stage 0". This stage is characterized by the online presence of the respective Public Institutions only on other official websites, as they do not have their own website yet. Also this stage is characterized by the availability of the contact information of the institutions, such as address, e-mail, telephone. We will name Stage 0: "No online presence".

Also, we will introduce another intermediary stage in the previously described model, "Stage 1+". We will call this stage "Intermediary", and besides the characteristic features of the first stage of online service development previously described it also includes the possibility to download useful documents and forms from the public institutions' websites, but it does not provide other specific features like multilingual versions or audio-video capabilities.

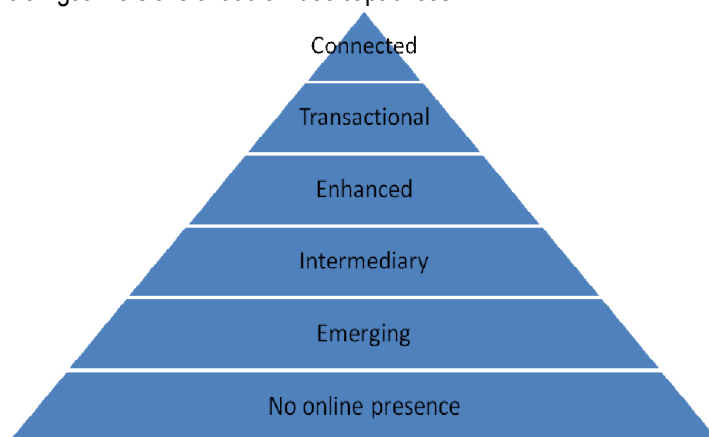


Fig 6. The Six Stages Model of online service development; Source: Researcher's contribution

2.2 Data Collection

The current research started by identifying and analyzing the official governmental website of Romania, www.e-guvernare.ro. On this website we have selected all the registered Romanian governmental institutions listed in Dolj County. The institutions listed on the website include

Educational Institutions (Kindergartens, Schools, High schools, Colleges, Universities), City-halls, Customs Offices, Cultural Centers, Regional Agencies, Hospitals, and other local Public Institutions. The online presence of all 272 listed institutions was analyzed, using as reference the Adapted Four Stage Online service model, presented previously.

2.2 Analysis of the Public Institutions' websites in Dolj County, Romania

The main results are summarized in Table 1, where is presented the distribution of the audited Institutions in the six stages of the model.

	City halls	Other Public Institutions	Education Institutions	Kindergartens	Total
No online presence	41	51	93	24	209
Emerging	7	24	10	1	42
Intermediary	4	7	1		12
Enhanced	1	3	4		8
Transactional	1				1
Connected					
Total	54	85	108	25	272

Table 1 The distribution of the Public Institutions of Dolj County according the Six Stages Model; source: results of the empirical research

The distribution of the Public Institutions of Dolj according the Six Stages model is presented in Figure 7. It can be observed that the stages that we introduced in the model are important in the understanding of the actual situation in Dolj: in fact 83% of the analyzed Public Institutions are these stages. 209 Institutions do not have their own website yet. They have online presence only on other official websites which provide the contact information of the institutions (address, e-mail, telephone), but no relevant and actual information about them. For this reason they are not in the "Emerging" stage.

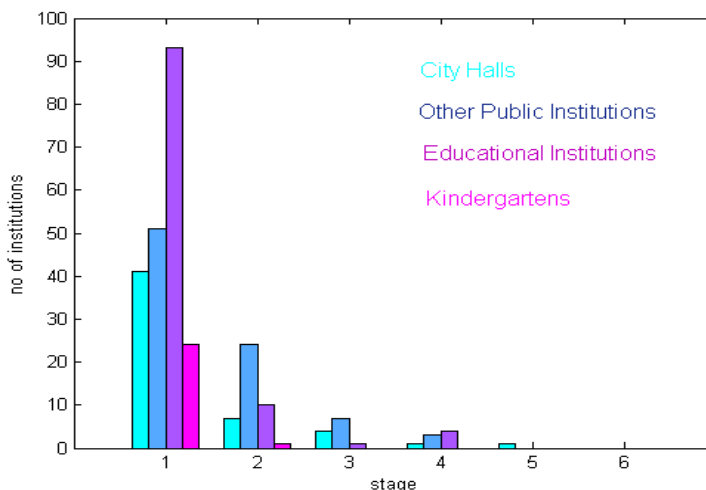


Figure 7 Histogram of the repartition of the Public Institutions of Dolj County according to the Six Level Model; Source: Researcher's contribution

The websites of 12 Institutions provide e-services characteristic to the “Emerging” stage, but also include the possibility to download useful documents and forms from the public institutions’ websites. However, they can not be considered in the “Enhanced” stage because some specific facilities (audio and video capabilities, multi-lingual versions of the website) are missing.

2.2.1 Analysis on the Cityhalls’ websites:

In Dolj County there are 112 localities having City Hall: the municipality of Craiova (310 000 habitants, the county capital), six towns (Bailesti, Calafat, Bechet, Dabuleni, Filiasi, Segarcea having between 8500 and 20 000 habitants) and 105 communes (less than 8000 habitants).

On the site <http://www.prefecturadolj.ro/prefectura/index.aspx> basic contact information is provided (telefon number and address) for all City Halls. The site www.ghidulprimariilor.ro, designed by a private company (Millenium Managent SRL) offers more detailed information (contact address of the City Hall, geographical position, number of habitants, touristic and bussiness oportunities) about 96 localities. On the official site www.e-guvernare.ro only 54 localities are registered and were analyzed in the perspective of Six Stages Model. The results are presented in Table 1, first column.

There are no web-sites in the stage „connected”. In the stage „Transactional” we find only the web-site of the City Hall of Craiova. Four web sites (two towns and two cummunnes) are in the stage „Intermediary” In the stage „Emerging” there are seven web sites: four towns and three communes).

The remaining 41 communes are in the stage „No online presence” because they do not have their own web-site and basic information can be found on some official or bussiness oriented web-sites.

We can conclude that all the important communities in Dolj, with a significant number of inhabitants and with educational infrastructure (at least one highschool in each community) are present in the online environment. The complexity of the website increases proportionally with the education level of the target audience: in the big cities the internet is frequently used as a means to increase the efficiency of current activities, while in the smaller establishments the direct contact with public servants is a more current approach in dealing with regular administrative issues. However, we can notice some exceptions, in localities where the City Halls have advanced websites, even if the response of the local population might not differ greatly comparing to other similarly developed localities. The initiative of the official representatives in the local public institutions is crucial for the development of their online presence, understanding the importance of an efficient online interaction with the citizens, being the key for the succesful implementation of e-government at local level. Given the fact that no formal actions have been taken at national level to encourage the logistic and financial support for the local institutions, their advanced online presence is only accidental. However, we must aknowledge the progress of the local institutions in this respect in the last years.

2.2.4 Analysis of the other Public Institutions’ websites

In this category we included Customs Offices, Cultural Centers, Regional Agencies, Hospitals, etc. On www.e-guvernare.ro are registered 85 websites of Public Institutions situated in Dolj County. From the 85 websites which were analyzed only 3 of them reach the second stage, which we have named “Enhanced online presence”. The three websites deliver enhanced one-way or simple two-way e-communication between government and citizen, such as downloadable forms for government services and applications. The three website also differentiate themselves from the rest of the websites through the presence of audio and video capabilities as well as the multi-lingual versions of the website, among others.

Our current research shows that none of the Public Institutions offer more advanced websites, with connected or transactional services.

The majority of the public institutions in Dolj County, listed on the official e-government website in Romania do not even have a website; therefore they have been included in Stage 0 of the E-Government Model. 24 of the public institutions analyzed have been included in the first stage of the E-Government Model. The websites provide information on public policy, governance, laws, regulations, relevant documentation and types of government services provided. Some of the websites also provide useful links to ministries, departments and other branches of government. Citizens have easy access to information on what is new in the respective public institution and can follow links to archived information

Seven of the websites analyzed have additional characteristics compared to the previously described 24 websites, such as the possibility to download useful documents and forms from the public institutions' websites, but they do not provide other specific features like multilingual versions or audio-video capabilities, which are characteristics of the Second Stage in the E-Government Model. These websites have been included in the "Stage 1+", which is specific to the E-Government Model we propose.

2.2.2 Analysis of the Educational Institutions' websites

Schools: The situation with the online presence of schools is critical, as, for the 108 schools listed on the website www.e-guvernare.ro in Dolj County, 93 of them did not even have a website. Citizens did not have access to any online information regarding the respective schools, not even directions or contact information. The rest of the schools investigated had a website, but none of them had elements specific to the stages of Transactional Services or Connected Services, described in the 6 Stage E-Government Model. Only 4 of the websites have been included in the second integration stage, "Enhanced Services", as they offer downloadable forms for government services and applications. The four website also provide the users with audio and video capabilities as well as multi-lingual versions of the website, among others. Eleven websites have been included in the first stage of E-Government integration, offering only a one-way communication process, where the information is static, and with no possibility of the user to easily interact with the governmental representatives.

- Kindergartens:

From the 25 public kindergartens listed in Dolj County, only one had a website, which only offered one-way communication with the users, being included in the first stage in the E-Government Integration Model.

2. Results and discussions

The results of the empirical research show that the Public Institutions in Romania, and especially in Dolj County are lagging far behind the EU average in integrating ICT in their communication processes and in managing their internal operations. Great efforts need to be undertaken in order to reach the service level that citizens expect, to reach the effectiveness of the public sector processes and to have a two way, interactive communication with the citizens, to integrate them in the governmental processes.

The priority in the better integration process of ICT, is to support all the public institutions in creating and managing a website, at least with basic, one-way information, such as contact information –address, telephone number, email, contact person- , directions and opening hours, etc.

The second strategic direction is to offer all the public institutions in Dolj the necessary support (trainings for specialized personnel, or centralized IT services) to improve their online presence with facilities such as delivering enhanced two-way e-communication between government and citizen, such as downloadable forms for government services and applications. Also the presence of audio and video capabilities as well as the multi-lingual versions of the website is especially relevant among others.

After achieving these important goals, of having 100% online presence for all the public institutions in Dolj County, and reaching the characteristics of the second Stage in the E-Government Model, the public institutions need to focus on characteristics such as: authentication of the citizen's identity, two-way communication with their citizens, -including requesting and receiving inputs on government policies, programs, regulations-, processing non-financial transactions -such as e-voting, downloading and uploading forms, filing taxes online or applying for certificates, licenses and permits- as well as processing financial transactions where money is transferred on a secure network to government. These characteristics would offer additional value to the public services and would ease the public administration processes, while, at the same time increasing the satisfaction of citizens with the governmental services.

The main objective of the public institutions with regard to the E-Government process should be integrating the characteristics specific to the last stage in the E-Government Model, *Connected services*. The public institutions should focus on objectives such as: changing the communication process with citizens by encouraging them to express their opinions towards the activity of the respective institutions and to actively participate in the decision-making process. The websites of the institutions should integrate Web 2.0 and other interactive tools, while e-services and e-solutions should be designed to cut across the departments and ministries in a seamless manner. The Romanian Government should move from a government-centric to a citizen-centric approach, where e-services are targeted to citizens through life cycle events and segmented groups to provide tailor-made services.

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References

1. Warkentin, M., Gefen, D., Pavlou, P. A., & Rose, M. G. (2002). Encouraging citizen adoption of e-government by building trust. 12 (3) 157–162 (retrieved from <http://www.electronicmarkets.org>).
2. Tambouris. (2001). European cities platform for online transaction services. Proceedings of the European Conference on E-Government.
3. Dennis Linders, From e-government to we-government: Defining a typology for citizen coproduction in the age of social media, *Government Information Quarterly* 29 (2012) 446–454, journal homepage: www.elsevier.com/locate/govinf
4. E-Government for the People, 2012 Global E-Government Survey
5. Layne, K., & Lee, J. (2001). Developing fully functional e-government: A four-stage model. *Government Information Quarterly*, 18(2), 122–136.
6. Harold C. Relyea*, E-gov: Introduction and overview, *Government Information Quarterly* 19 (2002) 9–35
7. Robin Gauld, Andrew Gray, Sasha McComb, How responsive is E-Government? Evidence from Australia and New Zealand, *Government Information Quarterly* 26 (2009) 69–74
8. Silvia Pavel, Advertising Communication during Crisis, *Analele Universității din Craiova, Seria Științe Economice*, Vol. 3, 2010, 1223-365 X, <http://ideas.repec.org/s/aio/aucesse.html>
9. Silviu Dorin Georgescu, The Romanian Market of Postal and Courier Services – Monitorization and Control, *Revista de Științe Politice. Revue des Sciences Politiques*, No. 35/2012, Editura Universitaria, Craiova.

ORIGINAL PAPER

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Religious conflicts in today's mass media

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Abstract: *In a world of all sort of crises, a world concerned about intolerance, terrorism, xenophobia, aggressive nationalism, racism, exclusion, marginalization and discrimination, on November the 16th, 1995 the UNESCO General Conference adopted the "Declaration of principles on tolerance", the day being proclaimed the International day of tolerance.*

Article 29 of the Romanian Constitution stipulates that "the freedom of thought, opinion and religious beliefs shall not be restricted in any way"¹. Based on this constitutional principle, in Romania there are 18 recognized religious groups and as many religious associations².

Since the early years of post-communism, ethnic conflicts and religious intolerance have reached the intergovernmental fora, which issued numerous warnings about breaches in the freedom of religion in our country. This paper aims to investigate - through content analysis - how current conflicts and intolerance of followers of different religions in Romania are reflected in the press. We chose to analyze media content because, in modern times, it "distributes information that creates currents of opinion, fashion, social movements and statistics that define entire populations"³.

Key words: *religion, conflict, mass-media, intolerance, myth*

1. Mass media and the mythologizing of content

The way people, social groups, ethnic or religious communities "answer to challenges in the natural and social environment, the nature of the historical relations between them, the specific conditions of language formation and mental structures, of culture and civilization, the mindsets of different people, all these has major importance for the way they perceive the world, the processes and social phenomena, the existence of other peoples, the ways of manifestation in time and space of the «other», different from «them» or «us»", believes Ion Chiciudean and Bogdan Halic in their study *Concepts of historical imagology and interethnic communication*⁴.

Today the media has a major influence on social life, often changing the actions of individuals and groups. Besides the informative role that mass communication plays, the activity of the press results in some way influencing individuals. Michael Real believes that the media "provides common formulas, common thinking and expression means, defines categories for interpreting the world, contributes to social cohesion, validates the symbols and myths of a culture"⁵.

Through information provided by the press, individuals and social groups satisfy their need to control the environment, they assess the importance of events that concern their existence, anticipate market trends and knowingly take certain decisions. P. Lazarsfeld and R.K. Merton concluded that "people depend more and more on information distributed by the media. Controlling *the access to world*, the media offers a particular version of reality and image of the events, of people and socio historical conjunctures. The permanent broadcast of messages almost completely surrounds individuals and societies"⁶.

Mihai Coman considers that from the mythological system perspective, the media were seen: "a) as a *deposit* in which ancient mythical constructs are kept and reactivated b) as myths and mythological units *creators* of the modern world"⁷.

From the first perspective, numerous studies have identified various mythological *topoi* (archetypes) in messages distributed through mass media. If we refer strictly to the information universe, we see that studies have covered the analysis of mythological substrate in areas such are those of diverse facts, reports about crises, events in the political life, narratives about media stars or contemporary heroes. "To explain this «(re) appearance» of the mythological fund, researchers invoke classical theories of mythological «legacy» theories, which combine diffusional, archetypal, psychological and functionalist explications. In most analyzes, it is argued that journalists are using mythological vocabulary and syntax as they are being influenced by: a) the public for which they produce the news (public from a popular culture, fed with consumer products which are strongly marked by epic schemes and figures with mythological roots) b) mass culture, in which the mythological elements are still present, c) specific editorial stereotypes and preconceptions d) the pressure of unknown events, with unclear development and meaning, which must be made accessible and meaningful. Thus, journalists will associate specific events with symbolic archetypes able to provide a surplus of meaning and emotional charge; such texts are made easy to understand and easy to assimilate due to their common denominator offered by mythological elements"⁸.

The second view believes that media discourse and journalistic texts are cultural products that have the same functions and the same operating logic as the myth: they ensure - through a narrative that often tells the contingent - cognitive control over the real world and, thus, arranges the signification of reality. "What matters is not what the story says, but what it conceptualizes: telling a real story actually allows thinking the event that is unexpected and (maybe) unacceptable by operational cognitive categories. In this case, not the story (archetype) is inherited, but the technique of thinking the unforeseen through mythical frameworks. Hence the news produced in critical moments answer to the same needs (cognitive, psychological) and follows (roughly) the same processes of construction and signification as mythological narratives"⁹.

Through content analysis, this article seeks to identify how the media reports are built on inter-confessional conflicts in Romania and which are the implied archetypes and mythological themes. We analyzed a number of 12 local online newspaper articles in which the subject is the disputes among the believers of a community¹⁰.

2. The press mythological construction of religious conflicts

Not only in history but also in the media, the imaginary intervenes permanently in order to legitimize the present by deforming and reinterpreting the past. Political or religious myths, widely used by communist propaganda make their presence felt in today's society with all their symbolic charge.

If we consider the mythical side, inherent to the belief in the supernatural and, thus, of religion, then understand that the religious, mythological discourse, draws its substance from the

collective imagination, in which the images focus on the evil and have a corresponding positive counter-image.

The way the press approaches interfaith conflicts is also mythological, dependent on a discourse model practiced by the religious institution. Thus, the press observes that “discord came back between representatives of Orthodox and Greek Catholic «sister churches», with the patrimony dispute on church buildings”¹¹. Terms designating the state of conflict are: “threaten social peace”, “destroying religious peace”, “anti-Orthodox Greek Catholic aggression”¹² or “instigations that representatives of the Romanian Orthodox Church make to call people to antisocial acts and organization schemes to prevent application of the law”¹³; “the discord of people from Vășad on religious grounds”¹⁴ etc.

It is outlined here the mythological construction of Conspiracy, centered on the image of the organization, designated by the Catholic Church to be the Orthodox Church and vice versa. One of the characteristics reported by Raul Girardet about the mythology of the plot is the desire to seize “full public property [...] of the lands and real estate assets”¹⁵ as a measure to vitally affect the other. Most interfaith conflicts are based on issues regarding the return of the church building to its owners. “Two priests have forgotten, it seems, of all that is sacred. They fight over the church for a decade, and last time even murder was attempted”¹⁶.

The image of the plot is tied to the enemy’s fear. The Uniats tried to “take advantage of the peace and quietness to which they never hoped, and degradingly, went up to knock on villager’s doors to summon them in church, where the scandal was prepared and ready for filming, and who stealthily broke into the church, fraudulently entering a holy place with the bailiff and gendarmes who have exceeded the attributions of their duty and which, led by their chief who became, overnight, a spokesman and advocate for the cause of the united diocese of Oradea”¹⁷. The actions of the Greek Catholic representatives occur “according to a carefully orchestrated plan, already known and already used in other situations (Vălan of Beiuș Vășad, etc.), in the presence of police and bailiff, using the biased judicial verdicts, in defiance of ongoing processes, and by appealing to the so called «Orthodox believers», provocateurs who create conflicts and exacerbate them, and who do not forget to invite media representatives to the scandal”¹⁸. The enemy practices “incredible and inconceivable harassment” acting “stealthily”, “after a pattern well known and already perfidiously applied in other situations” and are executed by the police, courts of law, false believers or journalists”. These actions “hide deceit we thought long gone and show misunderstandings, other than the materialistic, of the sometimes harsh lessons of history”¹⁹.

The Plot Myth generates the image of the “other” along the lines of Evil. Representatives of the Romanian Orthodox Church have for the Greek Catholics an image of uncooperative people: “they refused any form of constructive dialogue and practical solution for alternative service of the two religious communities in the local Greek Catholic Church”, “officials reported a lack of collaboration on the Orthodox part”²⁰. From the same imagological perspective, the Greek Catholics are to the Orthodox “aggressive”, “pursuing scandal at any cost”, and their actions are part of “a series of assaults of Uniat believers against the majority of the country, especially in recent years, particularly in counties north-west of Transylvania, near the Hungarian-Romanian border, actions that have an obvious proselytizing character, trying to disrupt the existing confessional balance and irresponsibly threatening social peace”²¹.

The enemy is opposed by the image of an Orthodox majority of believers, “wronged by crooked juridical decisions, be it final and irrevocable” that are driven from “the churches where they were baptized, wedded and so on, both them and their ancestors”. Orthodox believers demonstrate “steadfastness in the true faith” because “they understand the temptation to reject the spiritual hybrid

- presented in the most brilliant and enticing offers - with wisdom and dignity"²². It naturally follows that the image of the enemy is embodied by those who have departed from the faith in which they were baptized and embraced another religion: "In July 2006, the Orthodox priest in the town of Chet [...] chose to serve the Romanian Church United with Rome (Greek Catholic), along with a significant part of the faithful. Before conversion he leaved the church to Greek Catholics, formerly the property of the Uniats"²³.

The divisions between the Churches and priests extends beyond the community but affecting the rites of passage of the individuals. The media in Vâlcea reports about the people from the village of Predești where there is only one Orthodox cemetery and where the Greek Catholic enter in conflict with the orthodox priest whenever a Greek Catholic dies. "The Orthodox Church claims that, according to tradition and religious beliefs the burial of a Catholic in an Orthodox cemetery is «a true blasphemy»"²⁴; "parishioners are accustomed with the hostilities between the two priests, although they are sometimes confused: to whom to confess, the Catholic or the Orthodox? What about celebrating Easter? How do they organize weddings, funerals? All traditional practices have been disturbed, and the two priests give no sign they want peace"²⁵.

Conflicts affect not only the faithful but also the administrative sphere, "the issue of ownership and EU funding is very delicate. You have to demonstrate that the objective for which you are seeking funding is on land that belongs to you and that this land has no other designation. From this point of view, most disturbing to me is the situation of the Church from Coroana, which is the property of the Orthodox Church, but is claimed by the Greek Catholic Parish"²⁶.

One of the manifestations of evil is the pervert or destruction of religious symbols. If we follow the history of religions, then that of the Church, we see how the enemies of faith were destroying sacred signs and were culminating: the enthronement of "the abomination that causes desolation"²⁷ (Matthew 24:15) in the holy place. "Greek Catholics claim the Orthodox removed both the Vatican and the European Union flags. Then they trampled the flag of the Holy Seat, and the EU flag was moved to another location. Orthodox Archpriest of Marghita believes that the place of worship if used by both sides, and, thus. the Greek Catholics are not entitled to display the flag without the consent of the other cult. «We Orthodox do not live under the sign of the Vatican State!», he declared. The orthodox archpriest said that the flag was not desecrated and that it is currently in police custody"²⁸; "Orthodox curators decided tearing down the walls of the ancient Greek Catholic church in the village, which was confiscated during the communist regime and is currently used by the Orthodox, although the place of worship is claimed by the Romanian Church United with Rome. On the same place, the Orthodox want to raise a new church. The graves of parents of villagers who founded the Greek Catholic Church are on the same spot. So those who began digging the foundation of the new church desecrated these graves"²⁹; "Gendarmes destroyed many Catholic religious objects they taken out of the old church"³⁰.

Not only the media provides structures for interpreting the world but, as Raoul Girardet states, the Conspiracy myth "serves a social function that is not negligible, pertaining to a motivation the more convincing as it pretends to be complete and very clear: all facts, whatever their nature, are reported through a seemingly irrefutable logic, to the same causality which is single, while elementary and comprehensive. In other words, everything appears as if an interpretive grid is established through which current events (the most tangled and terrifying) are inserted"³¹.

The dissolution of spiritual values affects the whole community and emphasizes the conflictual drama: "Neither side has accepted arguments. Now people are divided, and this will increase tensions between Catholics and the Orthodox"³².

When myths take a collective dimension, they tend to combine several representations and images, "to constitute themselves in a focal point for the imaginary in which the most diverse and sometimes contradictory aspirations and demands intersect and merge"³³. Girardet's opinion is that "in the Plot mythology [...] the burden of history turns out to be quite large: indeed, none or almost none of its manifestations and ways of speech can be associated directly or indirectly to relatively precise facts, that easily verifiable and pertinent in their concreteness"³⁴. In the press discourse on the inter-confessional conflicts a myth of history can be identified - history puts order into things or shatters current realities. History is marked by rupture. In his *History and Truth*, Paul Ricoeur speaks of history as "a sector of inter-subjectivity"³⁵. Referring to Christianity and the sense of history, Ricoeur thinks that history is present at "different levels of reading"³⁶. The first level takes into account the advancement regarded as "accumulation of what was acquired"³⁷, in which we must keep in mind that this is a level of tools (material tool, knowledge tool and even tool of conscience and spirituality). "At this level there is no drama because people are put in parentheses, in order to anonymously review some tools"³⁸. At a second level, however, "history appears as a drama, with decisions, crises, growth and decay, we move here from an abstract history in which only the work of people and their accumulations are taken into account, to a concrete history, where events are present"³⁹. If the progress of Christianity was due largely to secularization, in a domain of ambiguity one must take into account that there exists "just one humanity from the perspective of progress, but there are many humanities from the perspective of the history of civilizations"⁴⁰, humanities which must be regarded as a "historical and geographical complex"⁴¹.

In the press coverage, the call of historical facts relates to a reality imposed by the totalitarian regime, on the evil totalitarian action which has to be removed: "Greek-Catholic Church from Vintere, Bihor county, was seized by the Romanian government in 1948 and used by the Romanian Orthodox Church. After the fall of the communist regime, due to the systematic refusal of the Romanian Orthodox Church to allow access to Greek-Catholic believers from Vintere in the church, the Greek Catholic Parish opened proceedings to recover the church, a process that has been won irrevocably in 2008. The decision [...] obliges the Orthodox parish community to allow the Greek Catholic community daily access in the church for specific Greek Catholic religious activities"⁴²; "Today, August 9, was written a new page in the history of this church opened in 1890 and which, over time, has remained closely tied to the reputation of «The Lion from Sisești». Bailiff George Vucea turned up to the church door, requiring evacuation under a court order. Orthodox parishioners, even expecting such a conclusion, did not want to give up the church they prayed in every Sundays, and the Greek Catholics gathered to witness the return they were expecting for years"⁴³; "The Orthodox did, however, appeal and do not want to give up until they get back possession of a church that they used abusively from 1948 to 2006. The place of worship was used illegally by believers of this cult until 1970, when it was, again, illegally taken by the Orthodox Church"⁴⁴.

On the canvas of the myth of History, the motive of violence is legitimized through membership to a particular faith. Ricoeur considers that violence is linked to the politician and wonders whether "the political existence of man is guarded and guided by violence, a state violence, which has all the characteristics of a legitimate violence"⁴⁵. Since the State withdrew the right of people to make their own justice and intrinsically assumed the entirety of dispersed violence - the legacy of primitive struggle - so that "for any violence, the individual may appeal to the state, but the state itself is, ultimately, the court without recourse"⁴⁶. As we have seen, violence is opposed by the legal norm of the state, through which conflict resolution is achieved.

"Psychologically, moving from «for» to «against», from the individual consciousness – the principle of any social reality - the crowd, driven by a common goal of spontaneous is easily

explained" given that "the revolutionary masses have the ephemeral nature of perfect moments; as a battle group, it must organize in order to defeat"⁴⁷ says Raymond Aron. Newspaper articles reporting on a whole "arsenal" of violent manifestations, from physical violence: "Execution of the sentence was, however, delayed due to pressure from about 100 Orthodox believers, together with nearly 20 priests from Beiuș which occupied since morning the church yard. «If today someone would strike at us we are here to strike back» warned villager Vasile Vlaș, whilst priest George Vlaș cried out that «for the churches we are ready for prison »"⁴⁸; "The anger of villagers was directed towards the priest too and some believers have started to throw stones at people"⁴⁹ and violent words: "Many harsh words have been heard today and the« holy union » was never present", "Some have even said to the Greek Catholic priest is an «loathing »"⁵⁰; "People from Vășad fought on religious grounds after the justice decided irrevocably the restitution of the village church to the Greek Catholic parish. The first Sunday the Greek Catholics had returned to service in the church, hundreds of Orthodox gathered to swear and curse them"⁵¹ to the symbolic: "Greek Catholic villagers accuse the Orthodox of desecration of graves"⁵²; "The Orthodox insist on the removal of statues representing the Virgin Mary and Jesus , as the claim that they had been secretly placed in the church at night"⁵³.

The Myth of Unity is also, according to Raoul Girardet, of mythical origin through two antithetical events that marked world history: one related to Babel, where languages were separated and the other, the Pentecost, marked by the effort of bringing together. By reference to the philosophy of Joseph de Maistre, Girardet thinks "the essence of man's greatness is his effort «to impose a single, ordered will», which replaces the «myriad of divergent, guilty wills »"⁵⁴. Girardet follows the line of Jean-Jacques Rousseau in *The Social Contract*, and states that "the members of the same political community are subject to conflicting obligations and are unable to be both «citizens and believers» and since «all institutions which put man at odds with himself» are to be condemned, it is necessary to restore" the link between the sacred cult and the state"⁵⁵. The corpus this far investigated allows us to identify calls for unity from both churches, even if the hiatus between speech and deed is strongly felt: on one hand "the Greek Catholic Church does not want Orthodox believers to remain without a church of prayer and considers the solution to be alternative service. We believe that, following the West, where the Orthodox pray in hundreds of churches received from the Catholic Church, the alternative service is the resolve in order for the two denominations not to be deprived of prayer in a place of worship". On the other hand "we wanted to find an amiable solution for the Greek Catholic to celebrate, after 64 years, in the church where their ancestors prayed"⁵⁶ is stated in press releases issued by representatives of both confessions.

Conclusions

In modern times, the mass media is not only our informational gateway to current events but it is also that which builds our cognitive representation map of the world. By covering numerous inter-confessional conflicts occurring in post-communist Romania, especially in Transylvania, public opinion can extrapolate these media concepts to content and opinions of a nationalist or xenophobic nature. Our analysis discovers believer intolerance when it comes to religion and the spiritual leaders of different churches. Of a particular importance in this context is the journalist's fairness in reporting events. In the corpus herein analyzed, the biased stand towards one religion or another is obvious. Ambivalent views can provide much needed fairness in media's approach to conflictual situations and social disorder.

From the media coverage of religious conflict between Orthodox and Catholics one notes that in any mythologizing of media content the present is tied to the past through threads of social realities originating from the first histories of Christianity to our time. Myths overlap and, between the

perspective of the human “as social animal” and that of the believer, creeps in the history of moral rupture of an entire century. Mythically addressing the current reality answers the questions, uncertainties and fears of modern man, who finds himself faced with postmodern challenges bringing new ways of representing the world. The dissolution of old community solidarity, traditional forms of labor, traditional economic levers and political systems raises the problem of “identifying” the individual with the new values of civilization.

Intertwined in the mythological construction of media portrayals of the inter-religious conflicts are the historical, psychological and imagological factors through which the press is trying to classify and interpret conflict related events in line with the dominant codes of their audience.

Notes:

Official Gazette, No. 767/2003, Chapter II, Part I.

² <http://www.culte.gov.ro/>, accessed on 11.03. 2013.

³ John Ryan, _ William M. Wentworth, *Media and society: the production of culture in the mass media*, Allyn and Beacon, Boston, 1999, p. 16.

⁴ Ion Chiciudean, Bogdan-Alexandru Halic, *Noțiuni de imagologie istorică și comunicare interetnică*, Facultatea de Comunicare și Relații Publice „David Ogilvy”, București, 2001, p. 11.

⁵ Mihai Coman, *Introducere în sistemul mass-media*, Editura Polirom, Iași, 2007, p. 110.

⁶ *Ibidem*, p. 112.

⁷ Mihai Coman, *Mass-media, mit și ritual. O perspectivă antropologică*, Editura Polirom, Iași, 2003, p. 31.

⁸ *Ibidem*, pp. 31-32.

⁹ *Ibidem*, p. 32.

¹⁰ Footnotes have been translated to English in order for the titles to be suggestive for the theme.

¹¹ “New patrimonial conflict between Orthodox and Greek Catholics - «Sisters» up to church”, *crisana.ro*, 28. 11. 2012, accessed 03. 04. 2013.

² *Idem*.

¹³ Dan Simai “War between bishops: Catholics accuse the Greek Orthodox of attitudes of «hostility and violence»” *Bihoreanul*, 06. 04. 2012, accessed 03.04.2013.

¹⁴ Andreea Costea, “Scandal at Vășad: Orthodox and Greek Catholics are fighting over the church” in *bihorstiri.ro*, 7. 05. 2012, accessed 04. 04. 2013.

¹⁵ Raoul Girardet, *Mituri și mitologii politice*, Institutul European, Iași, 1997, p. 27.

¹⁶ “Religious Conflict! Two priests in bitter conflict, after the Orthodox church in the village was returned to the Catholics!” *acasatv.ro*, accessed 04. 04. 2013.

¹⁷ “New patrimonial conflict between Orthodox and Greek Catholics - «Sisters» up to church”, *crisana.ro*, 28. 11. 2012, accessed 03. 04. 2013.

¹⁸ *Idem*.

¹⁹ *Idem*.

²⁰ *Idem*.

² *Idem*.

²² *Idem*.

²³ Dinu Gherman, “Greek Catholics removed from the church by the Orthodox from Chet” in *România Liberă*, 17.02.2007, accessed 02.04.2013.

Olivia Pîrvu-Circiu, “Wrangle over the dead. Religious conflicts in Pesceana is far from over”, *Vocea Vâlcei*, 17. 07. 2011 accessed 04. 04. 2013.

“Religious Conflict! Two priests in bitter conflict, after the Orthodox church in the village was returned to the Catholics!” *acasatv.ro*, accessed 04. 04. 2013.

“Conflict between Orthodox and Greek Catholics blocks mayor’s plans” in *timponline.ro*, 31.01.2013, accessed 10. 04. 2013. *Orthodox Bible*, <http://www.bibliaortodoxa.ro/>, accessed 04. 04. 2013.

Dinu Gherman, “Greek Catholics removed from the church by the Orthodox from Chet” in *România Liberă*, 17.02.2007, accessed 02.04.2013.

- Francis Mădărășan, "Greek Catholics clashed with the Orthodox in Țaga", *amosnews.ro*, 18.04.2006, accessed 04. 04. 2013.
- Francis Mădărășan, "Greek Catholics ask EU to resume monitoring of Romania", *amosnews.ro*, 30.10.2003, accessed 04. 04. 2013.
- Raoul Girardet, *Mituri și mitologii politice*, Institutul European, Iași, 1997, p. 40.
- Anca Popescu, Camelia Tocaci, "Evacuation – the «Holy Union of all Romanians» church was returned to the Sisești Greek Catholic with a scandal" *emaramures.ro*, 09.08.2012, accessed 04. 04. 2013.
- Raoul Girardet, *Mituri și mitologii politice*, Institutul European, Iași, 1997, p. 55.
- Ibidem*, p. 37.
- Paul Ricœur, *Istorie și Adevăr*, Editura Anastasia, București, 1996, p. 49.
- Ibidem*, p. 93.
- Idem*.
- Idem*.
- Ibidem*, p. 94.
- Ibidem*, p. 95.
- Ibidem*, p. 100.
- "New patrimonial conflict between Orthodox and Greek Catholics - «Sisters» up to church", *crisana.ro*, 28. 11. 2012, accessed 03. 04. 2013.
- Anca Popescu, Camelia Tocaci, "Evacuation – the «Holy Union of all Romanians» church was returned to the Sisești Greek Catholic with a scandal" *emaramures.ro*, 09.08.2012, accessed 04. 04. 2013.
- Dinu Gherman, "Greek Catholics removed from the church by the Orthodox from Cheț" in *România Liberă*, 17.02.2007, accessed 02.04.2013.
- Paul Ricœur, *Istorie și Adevăr*, Editura Anastasia, București, 1996, p. 269.
- Idem*.
- Raymond Aron, *Istoria și dialectica violenței*, Editura Babel, București, 1995, p. 163.
- Cris Adrian, Adriana Daraban, "Conflict between Orthodox and Greek Catholic during lent", *Bihoreanul*, 20. 03. 2008, accessed 12. 04. 2013.
- Andreea Costea, "Scandal at Vășad: Orthodox and Greek Catholics are fighting over the church" in *bihorstiri.ro*, 7. 05. 2012, accessed 04. 04. 2013.
- Anca Popescu, Camelia Tocaci, "Evacuation – the «Holy Union of all Romanians» church was returned to the Sisești Greek Catholic with a scandal" *emaramures.ro*, 09.08.2012, accessed 04. 04. 2013.
- Andreea Costea, "Scandal at Vășad: Orthodox and Greek Catholics are fighting over the church" in *bihorstiri.ro*, 7. 05. 2012, accessed 04. 04. 2013.
- Francis Mădărășan, "Greek Catholics clashed with the Orthodox in Țaga", *amosnews.ro*, 18.04.2006, accessed 04. 04. 2013.
- Dan Simai, "Confesional strife in Culciu Mare – The statue of Greek Catholic St. Mary's banished from the Orthodox church", *Gazeta de Nord-Vest*, 14. 03. 2012, accessed 30. 03. 2013.
- Raoul Girardet, *Mituri și mitologii politice*, Institutul European, Iași, 1997, p. 112.
- Ibidem*, pp. 112 – 113.
- "New patrimonial conflict between Orthodox and Greek Catholics - «Sisters» up to church", *crisana.ro*, 28. 11. 2012, accessed 03. 04. 2013.

References

Specialized works:

- Aron Raymond, *Istoria și dialectica violenței*, Editura Babel, București, 1995
- Chiciudean Ion, Halic Bogdan-Alexandru, *Noțiuni de imagologie istorică și comunicare interetnică*, Facultatea de Comunicare și Relații Publice „David Ogilvy”, București, 2001
- Coman Mihai, *Mass-media, mit și ritual. O perspectivă antropologică*, Editura Polirom, Iași, 2003
- Coman Mihai, *Introducere în sistemul mass-media*, Editura Polirom, Iași, 2007
- Girardet Raoul, *Mituri și mitologii politice*, Institutul European, Iași, 1997
- Ricœur Paul, *Istorie și Adevăr*, Editura Anastasia, București, 1996
- Ryan John, Wentworth M. William, *Media and society: the production of culture in the mass media*, Allyn and Beacon, Boston, 1999

Press articles:

Criș Adrian, Dărăban Adriana, „Conflict între ortodocși și greco-catolici în Postul Paștelui” / “Conflict between Orthodox and Greek Catholic during lent”, *Bihoreanul*, 20.03.2008, <http://bihoreanul.gandul.info/bihor/conflict-intre-ortodocsi-si-greco-catolici-in-postul-pastelui-2468941>, accesat în 04. 04. 2013

„Conflict religios! Doi preoți se ceartă la cuțite, după ce biserica ortodoxă din sat a fost retrocedată catolicilor!” / “Religious Conflict! Two priests in bitter conflict, after the Orthodox church in the village was returned to the Catholics!”, *acasatv.ro*, <http://www.acasatv.ro/povestiri-adevarate/conflict-religios-doi-preoti-se-cearta-la-cutite-dupa-ce-biserica-ortodoxa-din-sat-a-fost-retrocedata.html>, accesat în 04. 04. 2013

„Conflictul dintre ortodocși și greco-catolici blochează planurile primarului” / “Conflict between Orthodox and Greek Catholics blocks mayor's plans”, în *timponline.ro*, 31. 01. 2013, <http://www.timponline.ro/conflictul-dintre-ortodocsi-si-greco-catolici-blocheaza-planurile-primarului>, accesat în 10. 04. 2013

Costea Andreea, „Scandal la Vășad: Ortodocșii și greco-catolicii se bat pe biserică!” / “Scandal at Vășad: Orthodox and Greek Catholics are fighting over the church” în *bihorstiri.ro*, 7. 05. 2012, <http://bihorstiri.ro/scandal-la-vasad-ortodocsii-si-greco-catolicii-se-bat-pentru-biserica-foto/>, accesat în 04. 04. 2013

Gherman Dinu, „Greco-catolicii scoși din biserică de ortodocșii din Chet” / “Greek Catholics removed from the church by the Orthodox from Chet” în *România Liberă*, 17. 02. 2007, <http://www.romanialibera.ro/actualitate/locale/greco-catolicii-scosi-din-biserica-de-ortodocsii-din-chet-86909.html>, accesat în 02. 04. 2013

Mădărășan Francisc, „Greco-catolicii au intrat în conflict cu ortodocșii din Țaga” / “Greek Catholics clashed with the Orthodox in Țaga”, *amosnews.ro*, 18. 04. 2006, <http://www.amosnews.ro/arhiva/greco-catolicii-au-intrat-conflict-cu-ortodocsii-din-taga-18-04-2006>, accesat în 04. 04. 2013

Mădărășan Francisc, „Greco-catolicii cer U.E: să reia monitorizarea României” / “Greek Catholics ask EU to resume monitoring of Romania”, *amosnews.ro*, 30. 10. 2003, <http://www.amosnews.ro/arhiva/greco-catolicii-cer-ue-reia-monitorizarea-romaniei-30-10-2003>, accesat în 04. 04. 2013

„Nou conflict patrimonial între ortodocși și greco-catolici - «Surori» până la biserică” / “New patrimonial conflict between Orthodox and Greek Catholics - «Sisters» up to church”, *crisana.ro*, 28. 11. 2012, <http://www.crisana.ro/stiri/religie-19/nou-conflict-patrimonial-intre-ortodocsi-si-greco-catolici-surori-pana-la-biserici-131455.html>, accesat în 03. 04. 2013

Pîrvu-Cîrciu Olivia, „Ceartă pe morți. Conflictul religios din Pesceana nici pe departe de a fi stins” / “Wrangle over the dead. Religious conflicts in Pesceana is far from over”, *Vocea Vâlçii*, 17. 07. 2011, <http://www.voceaualcii.ro/2011/07/17/cearta-pe-morti-conflictul-religios-din-pesceana-nici-pe-departe-de-a-fi-stins/>, accesat în 04. 04. 2013

Popescu Anca, Tocaci Camelia, „Evacuare - Biserica «Sfintei uniri a tuturor românilor» de la Sisești a fost retrocedată greco-catolicilor cu scandal” / “Evacuation – the «Holy Union of all Romanians» church was returned to the Sisești Greek Catholic with a scandal”, *emaramures.ro*, 9. 08. 2012, <http://www.emaramures.ro/stiri/70734/EVACUARE-Biserica-Sfintei-uniri-a-tuturor-romanilor-de-la-Sisesti-a-fost-retrocedata-greco-catolicilor-cu-scandal-VIDEO->, accesat în 04. 04. 2013

Simai Dan, „Conflict interconfesional la Culciu Mare – Sfânta Mărie greco-catolică, alungată în stradă din Biserica Ortodoxă”, *Gazeta de Nord-Vest*, 14.03.2012, <http://www.nordvest-tv.ro/stiri-locale/item/13231-conflict-interconfesional-la-culciu-mare-sfanta-marie-greco-catolica-alungata-in-strada-din-biserica-ortodoxa-video>, accesat în 30. 03. 2013

Simai Dan, „Război între Episcopii: Greco-catolicii acuză ortodocșii de atitudine «ostilă și violentă»” / “War between bishops: Catholics accuse the Greek Orthodox of attitudes of «hostility and violence»”, *Bihoreanul*, 6. 04. 2012, <http://www.ebihoreanul.ro/stiri/ultima-or-31-1/razboi-intre-episcopii-greco-catolicii-acuza-ortodocsii-de-atitudine-ostila-si-violenta-100768.html>, accesat în 03. 04. 2013

Online:

Constituția României, http://legislatie.resurse-pentru-democratie.org/const_2003.php

Secretariatul de Stat pentru Culte, <http://www.culte.gov.ro/>

Biblia ortodoxă, <http://www.bibliaortodoxa.ro/>

ORIGINAL PAPER

Elena Popescu (Drăgan)

Content differentiation strategies in contemporary local media. Case Study "Arges" and "Curierul Zilei" (2012)

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Abstract: *Differentiation strategies in the local press represent a research subject that should be largely exploited by the researchers. The reason for this statement is the decreasing of quality in local written press and an obvious lack of identity. First of all the study brings to the front two local newspapers from Arges district and presents their historical background. Secondly the attention will be channelled on what makes the difference, from marketing and informational point of view, between the two products (the newspapers are seen as products). Furthermore the content of the two items will be analysed as to establish the differences between them. The graphics resulted from this content analysis show that there is quantitative resemblance between them and a barely noticeable qualitative one (in the quality of the photos and text).*

Key words: *differentiation strategies, newspapers, case study*

Methodology and theoretical approach

A subject such as how local newspapers manage to differentiate from one another is nowadays an interesting research subject. From the start is necessary to mention this is a case study that reveals a real problem in local media life, and it will be based on Robert Yin's¹ theories and it can be the subject for a more profound study on the local press.

Therefore the chosen sample is composed of 12 editions of two local publications, the oldest ones, „Argeșul” and „Curierul Zilei”, from 2012. The purpose is to answer this question: “what makes one journal different from the other one?”.

As a method of research it will be employed the qualitative content analysis with qualitative interpretation of the following items: newspaper title, format and colours, thematic pages and type layout, price, slogan, page numbers, advertising, contests and supplements.

The content analysis structure is built around Edgard Schein's Organisational Culture Theory. Schein sees culture as a phenomenon that “somehow implies rituals, climate, values, and behaviours tied together into a coherent whole”... In this regard, culture is a mechanism of social control and can be the basis for explicitly manipulating members into perceiving, thinking, and feeling

in certain ways². Media in general, in this case the journals, are a generator of local culture and also of a level of culture.

According to F. Balle the media industry „has to satisfy needs so called of self-improvement”, „trebuie să satisfacă nevoi numite de auto-depășire”³ and the product resulted from the production process suffers from the constant fluctuations on the market. The local media, the printed one for certain, has another issue to handle - the permanent confrontation with the reductions of production and employers costs. A part of the financial problems are solved with the help of advertising. Starting from this point of view the media market was explained as a dual one and defined by R. Picard⁴ as a situation when a product is active on two separated markets, and when its behaviour on one side affects its existence on the other one.

The hypothesis for the research was following the idea that if we have, in the local media, a standard production of the newspapers therefore there is no uniqueness, no creativity and no differentiation strategy between the two publications. And if there is the one we have to identify it and explain it according with the proposed theory.

Local context and news papers in 2012

In 2012, in Argeș, there were published a number of around 10 newspapers. Even if we have a competitive media market the journals look very much alike. To illustrate the image of the local printed media market several names are presented: „Ancheta”, „Top”, „Obiectiv Argeșean”, „Argeșeanul”, „Jurnalul de Argeș”, „Profit” along with the two analysed ones: „Curierul Zilei” and „Argeșul”. The last ones were chosen for the content analysis sample because they are the oldest ones with daily constant editions. It is obvious that there is a competition on the local media market.

„Argeșul Liber” uses several slogans to present its identity: “The only Quality newspaper in Argeș”, “Information, analysis and business publication in Argeș”, “Read Argeșul – the first and most credible local news paper in Argeș!”. The journal has 16 pages, of which four are polychromic (Broadsheet, 26.50 cm x 38.30 cm), price – 1 leu. An example from the first page title example: “Teachers won their salaries on court”⁵.

This newspaper first appeared in 22 December 1989, continuing the activity of a communist publication called “Secera și Ciocanul” (1951-1989), with an editor in chief from the same editorial team (Mihai Golescu still in charge nowadays).

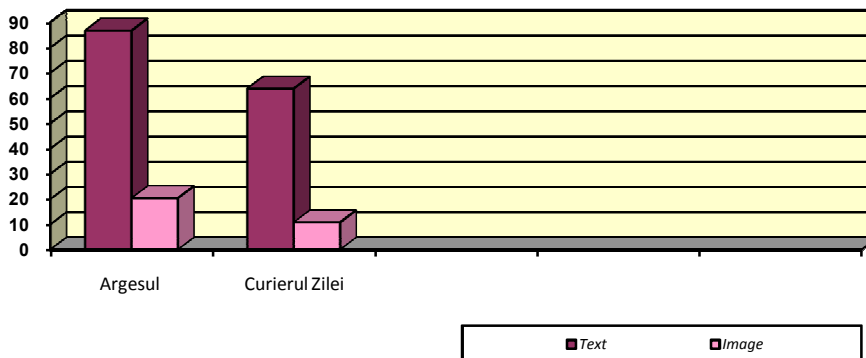


Figure 1. Images from the Newspaper collection from BJ Argeș, 2012

“Curierul Zilei” uses only one slogan: “Most read daily newspaper in Argeș!”. From the 16 pages four pages are polychromic (28.00 cm x 41.00 cm). The price is 1 leu and a first page title example: “After an night of work in the supermarket he died in Carrefour!”/“După o noapte de muncă în supermarket, a murit în Carrefour!”. This publication begins its activities in august 1994 coordinated by two business men from Pitești (Marilena Barață și Constantin Neguț).

Quantitative results of the research

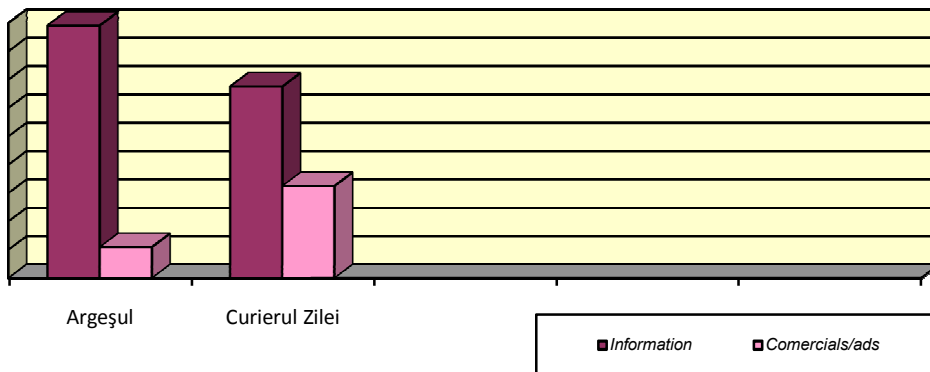
First of all it was taken in consideration the text-image rapport from the two newspapers. The result was that „Curierul Zilei”, in 2012, had filled its pages with only 86,7% text and 20,36% image. Meanwhile, the same year, in „Argesul” the proportions were 63,75% for the text and 10,75% for the pictures and illustrations.



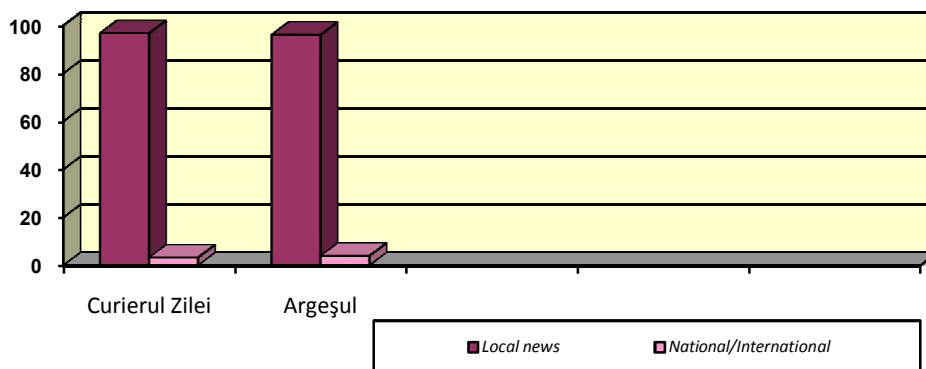
In the practice of journalism, news and opinion texts are the core of publishing strategy of any media outlets. In building this strategy, an important role is the management of news: the information treatment depends on the priorities of the institution and determines their placement on the pages. Therefore, significant changes in the organization of the paper affect loyal readers, accustomed to the previous format. Using a specific graphical structure the newspaper becomes a recognizable branded product⁶.

For the readers it is important that the subtitle, title or leads are attractive so that it can arouse curiosity⁷. First paragraph should continue this process of attracting attention/awakening curiosity started by titration elements.

In what it concerns the advertising-text rapport the situation was as as following: for „Curierul Zilei”, in 2012 the higher percent was for the publicity (69,06%) comparing with „Argeșul” where the situation leans in the favour of text (73,4%). Advertising and media work well together on this so called dual market, the first one sustains the activity of the second one and often dictating its directions towards certain groups of interest. “Curierul Zilei” has made a strategy from publishing publicity and small announcements from the Argeș area and made a history of this marketing positioning in the local written press.



In these two publications the main news subjects are local, but not relevant ones. A lack of relevant useful information has been noticed in all the analysed numbers from 2012. The first page information refers to accidents, deaths and social matters, especially in “Curierul Zilei” but sometimes in “Argeșul” also. Only in the last one there are presented national and international news.



The analysis presented in this article reveals that the two publications have distinctive approaches of the content and vision on the layout through the following features: for „Argeșul” is the cultural and social involvement through the chosen subject, the tradition that is trying to create and maintain in Argeș. The idea to be close to the local business class becomes a part of this strategy also. The image of a journal can be simply noticed by comparing several numbers of the publication. The first page titles are simple and sometimes informative: "Drought jobs for graduates" "Secetă la locuri de muncă pentru absolvenți", „A voter who does not choose"/„Un alegător care nu are pe cine alege", „Authorities in Arges part in a robbery 10 billion"/„Autorități din Argeș pătașe la un jaf de 10 miliarde de euro”⁸.

„Curierul Zilei” came to the local printed press market as a modern, innovative journal. In its first numbers the editor, Gheorghe Smeoreanu, declared that this newspaper will change positively the media life in Argeș, after 1989⁹. The first page titles can be clearly characterised as shocking: "Locuință gratis în schimbul sexului"/ "Free home in exchange for sex", "Avem scurgeri de gaze"/ "We have a leak of gas", "Terenul da, cărbune ba!"/ "Yes for the land, no for the coal!"¹⁰.

Conclusions

Newspapers can differentiate themselves essentially through the content, meaning rich information, strong sources, original layout, the distinction between information and opinion texts, design and precision of printing etc. The information must meet the interests and demands of readers in Argeș geographical area, to be appropriate to their education level and provide a balance between local information (which should be the highest rate for a local newspaper), regional national and ones.

Therefore "Argeșul" created a content differentiating strategy proposing information of quality and sometimes reaching to this self-proposed standard. The editorial team has also declared an interest in publishing local cultural, social, political and business information, but sometimes doesn't reach this purpose. The declared rate of circulation is of 13.000 numbers/edition.

"Curierul Zilei" adopted a shock strategy, by using strong content, large colour photos, not of high quality. The level of information and newsworthiness is low compared with "Argeșul". The journal still succeeds in sales through the advertising and small announcements and also by getting involved in local social campaigns. The official circulation is of 26.000 numbers/edition. A resemblance in the market strategy is that the both publications try to be the "most informed" one on the market; meanwhile a lack of local relevant news remains valid for the two of them.

Notes:

¹ Robert Yin, The case study research, on www.b-on.pt, 31.07.2012

² Van Maanen and Kunda, 1989; 1992 apud Schein, 1968, p. 16, 19

³ Balle, F. Apud Coman, M., 2007, p. 45

⁴ Picard, R. p.7, apud Coman, M., 2007, p. 60

⁵ Collection of „Argeșul”, no., 15.07.2012, p.1, Argeș District Public Bibliotheque

⁶ Radu, R., „Differentiation strategies for the generalist media products"/„Strategii de diferențiere pentru produsele de presă generaliste”, in Romanian Journalism and Communication Review, year I, no. 2-3, Ars Docendi, Bucharest, 2006, p. 76

⁷ Popescu Cristian-Florin, Journalism book/ Manual de journalism, vol. I, Tritonic, Bucharest, 2004, p. 169

⁸ Online Archive of „Argeșul”, <http://ziarulargesul.ro>

⁹ Curierul Zilei, no.5387, year XVIII, p.1, Argeș District Public Bibliotheque

¹⁰ Online Archive of „Curierul Zilei”, <http://www.curier.ro/images/pdf/1/1-1994.pdf>

ORIGINAL PAPER

Antonia MATEI

December 1st through the eyes of post-communist press. Case study: *Adevărul, România liberă, Jurnalul național*, 2009 - 2011

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Abstract: *The present article analyzes, by means of the framing theory, the way that written press reflected over a 3 year span, between 2009 and 2011, the process of commemorating the National Day of Romania. The paper aimed at revealing the media frames most used in connection with the commemorative process as well as at presenting the clear image that Romanian press perpetuates in this respect. The results proved that 25 media frames were used in connection with the commemoration of December 1st. By means of this analysis I managed to draw a typology of media frames and I could come to a conclusion whether written press contributes to the construction of national identity by presenting the commemorative rituals, the historical symbols and identity symbols or, on the contrary, builds up an image of the National Day focused mainly on political confrontations and elements of mass popular celebration.*

Key words: *commemoration, national identity, media rituals, framing theory, media frames*

In an age marked by web 2.0, bits and bytes, by social networking and a virtual universe in continuous expansion, some may think that many elements of the old world surrendered and disappeared from modern reality. What is the place of commemorations in this new world? What is the place of collective memory and national identity in an era of multi-state unions? Contemporary world is still marked by rituals and commemorations became important elements in the calendar of a society or community. In this global world, nations feel the need for a confirmation or strengthening of their own identity.

In this moment, debates concerning these topics are far from being over. Defined as an époque of forgetting (Nora, 1996)¹, a memory crisis (Huyssen, 1995) or, on the contrary, catalogued as passion for memory (Olick, 2003), the last decades are marked by a growing interest toward memory and commemoration. The reasons are numerous: the fall of the Berlin wall and of the communist regime, the birth of the Internet and of the European Union, the expansion of multiculturalism or the development of the victimization policy².

Commemoration is a ritual reconstruction different from the other rituals through its both official and show characteristics (Connerton, 1995). Commemoration includes an act of remembering and celebrating through a solemn ceremony of an important event, a person or a group that marked the destiny of the country or of the community, which contributes to the process of collective memory creation. Commemorations have mainly an integrative function, they contribute to the settlement of national identity because they offer the opportunity to openly reflect over this identity.

Commemoration ritual has an old history, both the commemoration concept and actions being many times subject of contestations. Commemoration went through a transformation process in a moment when the modernization of the states or the apparition of new ones led to a growing interest in discovering and building up a common identity because, be they old or new, nations prove the desire and the need to have a common history and collective memory of the past.

During the 19th century and at the beginning of the 20th century, official ceremonies, strictly controlled and planned, were the most widespread commemoration form. The end of the First World War brought important changes in the concept of national identity within many European states. The new map was dictated, to a great extent, by national ideals. For Romanians, the fulfillment of their unification ideal, on December, 1st 1918, meant an important political and social change, but also an evolution of their identity. It was only after the Second World War that unofficial commemoration expressions appeared in public space, where they were no longer controlled, but on the contrary, spontaneous.

The end of the 60s meant a period of commemorations about which John R. Gillis (1994) said that left behind an excess of celebrations, monuments, graveyards, museums and archives which still exist nowadays. The 70s brought about a „memory boom”³ (Winter, 2000), which means an intensification of the desire to commemorate. For several years, commemoration meant celebrating grand events and national heroes, while negative events such as atrocities, war crimes, terrorism and other violence types were completely „forgotten”.

Romanians too confronted after 1989 with a phenomenon of re-acquired memory, but the attention placed on certain events was selective. After the events organized in 2011 on the occasion of Unification of Romanian Principates, IRES (the Romanian Institute for Evaluation and Strategy) issued a research entitled „Patriotism of the Romanians”. The study showed that patriotism is a concept that young persons do not identify themselves with any longer. The change on the national day several times during the last century led to a loss of root connection. 90 years after the 1918 Unification, Emil Hurezeanu noticed that „the Unification seems to be no longer the object of the National Day” (Hurezeanu, 2010, p. 41) and „August, 23rd, imposed as national day, is more related to our daily life than this Unification Day” (idem).

For example, a research about how was commemorated the 1848 revolution after 150 years showed that in Romania there was a tension between commemorative strategies in two of the historical provinces. In Wallachia commemoration was more general and impartial while in Transylvania commemorative actions were more particular and placed the accent on the national conflict from the area, being very passionate. The conclusion of the researchers was that commemorative efforts of the officials had no echo, which could mean that „past is reluctant to present reconstructions” (Brubaker, Feischmidt, 2002, p. 702).

It is important to underline that memory based ideologies don't function any more as they used to work centuries ago and, at the same time, institutions dealing with promoting and transmitting memory changed their role and function completely different these days. Church, school, family, governments have a role different from what it used to be in the XIXth century and the beginning of

the XXth century. Many of the functions related to keeping and promoting memory and national identity were taken over by media.

In Romania, too, connection between commemorations and the press became very close, journalism being one of the important elements of the commemoration system. The relation between the two is a double way connection, because they can't work one without the other. "Just as journalism needs memory in order to contextualize its reports about public events, memory needs journalism so that the later offer a public sketch of the past" (Zelizer, 2008, p. 79). Changes from the latest 20 years, the influence of the recent past and the heavy burden of almost 50 years of communist dictatorship, social, cultural, political and technological changes, all these put their mark on the Romanian commemorative system, on the press, on national identity and on the way this is perceived.

Harshly criticized in some situations, Romanian media developed and turned into an element with powerful influence within society, thus having an important role in national identity redefinition. Because of this, there came up a question about the way written press reflects different commemoration actions, organized by state institutions or the civil society. So that is way I chose this important date for the Romanians' collective memory – December, 1st, the National Day of Romania.

I selected this moment because „national commemorative days [...] provide a rare opportunity to explore such themes, because they illuminate the role of the media in shaping the ways in which social groups understand their past through the years and under changing circumstances" (Meyers et al., 2009, pp. 455 – 456). Furthermore, as I have previously showed, the commemoration phenomenon became highly important in the last years, being an important part of a community, of a society, of a nation. Commemoration is a way of preserving collective memory and history and a channel of shaping national identities.

Analyzed data included articles from three newspapers with national coverage: *România Liberă*, *Adevărul* și *Jurnalul Național* (the on-line version), for the years 2009, 2010 and 2011. During the selected period (nov. 2009 – dec. 2011), these three newspapers occupy, taking into account sold copies criteria, the 2nd place (*Adevărul*), the 3rd place (*Jurnalul Național*) and the 4th place (*România Liberă*) according to the Romanian Bureau for Print Evaluation⁴. I chose these three newspapers not only due to the great number of sold copies, but also because they are quality printings and not tabloids. For a greater relevance of the commemoration process I decided to analyze the articles published on the very day of December, 1st, but also articles from November, 30th and December, 2nd.

In this research I applied content analysis for a total of 388 articles related to the National Day. Taking into account the deeply abstract nature of the frames, this study implied a quantitative and a qualitative content analysis.

I used the framing theory to analyze the way in which press reflected the commemoration of the National Day. In the media field, framing means choosing certain pieces of information, a special perspective view from all the possible angles that an event includes. A media framed can be considered "a central organizing idea or story line that provides meaning to an unfolding strip of events[...]. The frame suggests what the controversy is about, the essence of the issue" (Gamson and Modigliani, 1987, p. 143).

The way press frames a certain subject in a piece of news shapes the image that the public will get about that event. In other words, the angle chosen by the press to present the commemoration is the one that settles in the reader's mind. Thus, the present research underlined the most used media frames related to the commemoration process and the clear presentation of the image that Romanian press promotes in this context.

To go on, the articles from the three newspapers were analyzed through deductive and inductive methods. Deductive method⁵ assumes using a generic set of existing and pre-established frames, for all themes. One of the criticism brought to this approach⁶ is the fact that it is known from the beginning which media frames will be used and it does not offer the opportunity to discover new frames. On the other hand, inductive method⁷ assumes the generation of a new set of frames for the research topics, these frames being revealed during the analysis. One of the advantages of using the inductive method is that “examining specific frames have value in understanding that particular issue or event; however, it is important that these idiosyncratic frames are connected to the larger implications of the framing theory” (Borah, 2011, p. 249). The method is also criticized because it generates frames specific to a topic or field, which will be later difficult to apply to others (de Vreese, 2005).

I chose the deductive approach in order to see to what extent generic frames used in previous researches can be applied to a very specific topic, such as commemoration. Thus, I used the frames predefined by Semetko and Valkenburg (2000): “conflict”, “attribution of responsibility”, “economy”, “human interest” and “morality”. On the other hand, I also chose the inductive approach because I dealt with a particular topic where pre-established frames wouldn't have been enough to go into the depth of the studied topic and, consequently, it wouldn't have offered results relevant to the research. As regarding to the criticism brought to the inductive method, I think that the frames revealed in the research could be repeated and used later in several researches, national and international, which will imply topics such as commemorations, national celebrations, connection between politics and commemorations, etc.

The way of identifying frames was based on using the set of content analytical markers indicated by Tankard (2001): titles, subtitles, pictures, photo captions, source selection, quotes selections, pools, logos, statistics and charts, concluding statements and paragraphs and final. Among these, I focused upon the markers relevant from the content point of view and less on the photos.

A first look upon the number of articles shows that the smallest number of articles was, in all the three newspapers, in 2009. Each year after, their number kept growing. An explanation can be found in the internal political context of the moment. 2009 was an election year in Romania and the commemorations dedicated to the National Day were placed in election campaign, in between the two tours for the president election. Also, frictions between government and opposition were visible during the whole year, reaching climax at the end of 2009⁸. Thus, being an electoral year definitely put its mark on the news selection process. In these politically important moments, the attention of the press was directed to the political events.

Typology of the media frames concerning commemorative actions:

A. Media frames obtained through inductive analysis:

I. Frames with political topic:

- Booed politicians
- Government-opposition conflict
- Political accusations
- Patriotic-like political declarations
- Stolen commemoration
- Electoral fight
- Lack of interest showed by the politicians

II. Frames that show the commemorative event type:

Commemorative description
Beans parade
Popular celebration
Cultural-artistic manifestation
Nationalist movements/declarations
Military parade
Web celebration

B. Other types of frames:

- I. Frames about the interest vs. lack of interest of the population
- II. Frames about the quality of the events: weak vs. high
- III. Frames about identity symbols vs. lack of national unity
- IV. Frames that present historical data about the commemorated event

C. Frames obtained through deductive analysis:

1. Human interest
2. Conflict
3. Responsibility attribution
4. Economy (Costs)

The analysis of the articles related to the commemorative events dedicated to the National Day showed that 25 media frames were used. In what concerns their frequency, the dominant frames were the ones with political character. Even if, taken separately, frames as “commemorative description” or “historical data” had a high frequency, political frames were more numerous and more often used. Together, under different shapes, they were present in 21% of the articles, which is double the percent of historical data or identity symbols, each category having 9%. For commemorative descriptions the percentage is 13%, “beans parade” was present in 10% of the articles, while popular celebration has 9%. A frame category with a very high frequency was “human interest”, present in 15% of the articles, which means that media paid attention to participants and drew the general atmosphere of the events.

Given the importance of the commemorations, history and the media in shaping and maintaining national identity, as well as the relationship of complementarity between all these, I considered relevant frames for the topic: *commemorative description*, *historical data* and *identity symbols*. Through them, media can help build a national identity and unity and can help keep alive the historical symbols and the national consciousness. That is why I will further on describe these media frames and, because of their high frequency, I will also focus my attention on the political media frames (all of them obtained through the inductive method).

Commemorative description frame

It refers to articles mainly aiming at describing official commemorative events which took place or were about to take place. These were ceremonies organized at national level, such as processions represented especially by military parades, religious services, singing of the national song, hailing the flag or torch defilation. The tone used by journalists in this frame was a solemn one, in accordance to the solemn significance of the ceremonies.

This frame was built through the titles, leads or introductory paragraphs as well as through final paragraphs, all these aiming at a focusing on commemorative ritual elements. Accent was placed on time, symbols and actors by offering information about the starting hour, the names of the official participants and on the originality of the ceremony.

Space is another important element; some introductory paragraphs offer information about the place where events are organized – in front of the Independence Monument, in the Triumph Arch Place – places with a great symbolic or historical value. Thus, “By providing accounts of celebration activities, editorials, and other information such as protests against national celebrations, the media diffuses the symbols of nation created by political and cultural elites. To a large extent it also mirrors the process of deliberation between those actively participating in the production of such symbols and the recipients of these representations” (Kaftan, 2007, p. 306).

Horse riding officers from Bucharest local police marched Thursday, for the first time in Romanian history, during the military parade organized on the National Day (România Liberă, 1.12.2011).

Activities went on with the religious ceremonial dedicated to the national heroes and with the speech of the local authority representative on the meaning of December, 1st, 1918. At 10.30 officials paid their respect and brought flowers. The end of the manifestations was marked by the defilation of the Fight Flag and oh Honor Guard (Adevărul, 1.12.2009)

Historical data, identity symbols and lack of national unity frames

The connection between history and identity is a close one, because, as historian Ioan Bulei said in the introduction of the volume “Life during Carol I”, “history was and still is an essential element of our identity” (Bulei, 2005, Tritonic, p.9). Thus I chose to analyze these two frames together because history and national identity concepts are intrinsic components of the commemoration phenomenon and despite the fact that they have different functions, they are inter-connected within the process of remembering the past. A proof of this fact is that many of the articles placed in the category of *historical data* included many elements about *identity symbols* and consequently, were framed as belonging also to the second category.

Oppositely to the *identity symbols* frame was *lack of national unity*, which in spite of the fact that has a low frequency, 2.6%, has to be mentioned from the perspective of the actual social context and from the perspective of the fact that the National Day, by means of commemorations, brought about discussions not only identity and unity, but also about lack of national unity. The other two frames, *historical data* and *identity symbols*, had a higher frequency of 9% respectively 8.5%. Percentages are small if we take into account that these two frames, altogether with *commemorative description* are the most relevant in what concerns the commemoration of the National Day.

Articles from *historical data* and *identity symbols* categories present different moments from the past related to the Great Unification. In many of the cases, these are brought to light through portraits or several figures that bind their destiny with December 1st, 1918 and which journalists present now as models of life and patriotism, models about how national identity and unity should be felt and lived in present. Their presentation starts even in the very first paragraphs:

Queen Mary of Romania was one of those who held together the idea of Romanian nation and “Great Romania” named dream. In her diaries but also in “The Story of my Life”, Queen Mary left a great lesson of country love, which, from time to time, we should read in order not to forget where we are from and to know where we are heading to.- Jurnalul Național, 1.12.2011

Reserve general Vasile Tescaru is a symbol of patriotism. Nice old man with astrakhan hat and a coat that covers his body caved by disease is the one from which nowadays generations could learn what dedication and country love mean.– Adevărul, 1.12.2011

The most used mean of creating *historical data* and *identity symbols* frames is represented by quotes correlated with source selection: figures from the past (politicians, men of culture or simple participants) or even figures from the present (especially war veterans, historians and history teachers). Journalists chose especially the quotes that underline the importance of the moment, the joy lived during those days, the involvement of everyone from kids to the King and the Queen. The language follows the euphoria atmosphere, many metaphors, hyperboles are used and the accent is placed on spectacular elements and on the emotional side.

Jurnalul Național 1.12.2011, quote from „The story of my Life”, Queen Mary of Romania:

“All over flags were displaced at the windows on the roofs and there were small flags in the hands of all children. There was a symphony of red, yellow and blue [...] The most important event of this week of waiting was the arrival of a delegation from Transylvania and Bucovina, which came to declare that their land is the same with the Old Kingdom, mother country, under whose wings they always hoped to unite together”.

An important detail is the fact that almost all editorials regarding the National Day were framed within *historical data*, *identity symbols* and *lack of national unity* category. The great frequency of these frames within editorials is a proof of the fact that the respective journalists understood the importance of history and of national identity. Bringing these topics into discussion three years in a row shows that the two notions go through a difficult moment.

From the thematic point of view, editorials and comments are structured around three major themes:

1. A new national day – journalists offer arguments for adopting May, 10th as the National Day. The arguments are that May, 10th represents the entrance of Romania into the European family or because the weather is more beautiful than on the 1st of December. To make this idea legitimate, journalists bring as support the declarations of some historians:

If December, 1st symbolizes reaching a national ideal, then May, 10th represents the beginning, also symbolic, of the modernization of the country following the European model. Bringing a German leader, the constitutional monarchic system, then the Independence and the proclamation of the kingdom were essential steps that drew closer “small Romania” to the Europe of its time [...]– Adevărul, 1.12.2011

2. Country love – journalists present the reasons why they love or not their country. Reasons are described with great enthusiasm and they vary from abstract ones (*A state of loving without which I couldn't know what is blood good for and I wouldn't be able how to use thoughts and eyes* – Jurnalul Național, 1.12.2010) to very down to earth ones (*[...] I can't see any trick in being Romanian. And I don't find it higher or trendier or more profitable to be Romanian than to be from Suriname or from Kiribati.– Jurnalul Național, 1.10.2010*)

3. Patriotism with Romanians – journalists claim that Romanians are no longer patriots, that their identity go through a period of crisis.

Patriotism, nation, people. Three words that have no value now. You even risk being mocked at if you speak them loud. Why?– Adevărul, 1.12.2011

Political media frames

The research has proven the fact that this category of media frames was the most frequent, there was a total 82 items from 388, which means 21% of the articles. The percentage is quite high, it's more than double comparing to those of the national identity and unity, of the historical data or commemorative descriptions. This emphasizes an idea which is not new, that the news refer mainly to political topics (Hall et al., 1978, p.54).

The patriotic-like political declarations frame

To say the connection between media and politics is very tight is a truism. The concept of mediated politics refers to a situation in which "media have become the most important source of information and vehicle of communication between the governors and the governed" (Strömbäck, 2008, p.230). The commemorations, as cultural, social, but also political actions represent an opportunity for the politicians to improve their images in the eyes of the public and also to deliver their elective messages disguised in the form of historical or identity discourses.

Hence, *the patriotic-like political declarations* are the political media frame that was the most frequently used. This category refers to the articles containing the messages transmitted by the politicians on the National Day, December 1 being a perfect occasion and pretext for sending other types of messages (not commemorative ones) in a difficult economic and social context for Romania.

This media frame was mostly built combining leads, quotes and the concluding paragraphs. The main source for the declarations were president Traian Basescu, prime-minister Emil Boc⁹, president of the Liberal Democratic Party (LDP)¹⁰, Elena Udrea, president of the Social Democratic Party (SDP)¹¹, Victor Ponta or the-ex SDP leader, Adrian Nastase. Considering the fact that the statements were made at public events or on the politicians' blogs, they are presented under the same form in all three publications.

From the three years that were analyzed *the patriotic-like political declarations* was the media frame discovered only in 2010 and 2011, two years marked by ample social and political movements. 2010 was a very difficult economic moment (this was the year with the payment cuts), 2011 was a pre-election year and thus, national unity and solidarity were the main ideas from the politicians' discourses:

"On its National Day, I wish you Romania to be loved by your citizens, wherever they may be! I wish to the Romanians to become patriots again! I wish we could have the wisdom to get through these difficult moments together!", says Udrea in her online post called "Happy Birthday, Romania!" - România Liberă
1.12.2010

The political declarations on the National Day are quoted as such in the articles without any implications or comments of the journalists. Without going deeper into the political discourse analysis, because this isn't the subject of the paper, one can still notice that historical analogies and other rhetorical devices such as amplification¹² were often used in the articles containing this media frames:

"The message that we want to transmit is that Romania has passed through many difficult times and we will get through this one, too. [...] Romanians should have the power to overcome this moment; just like we recovered from the 1989-moment, we will recover again now. Those responsible for this situation will leave and we have to rebuild Romania". President of the Social Democratic Party, Victor Ponta, Jurnalul Național,
2.12.2010

The booed politicians and stolen commemoration frames

The negative attitude towards the politicians and their actions can be found in two of the media frames that I've discovered during the research: *the booed politicians* and *stolen commemoration*.

I've chosen to analyze the two frames together precisely because all of them imply a negative attitude towards the politicians. The first one reflects the sentiments of the public, as for the second frame it reflects the attitude that journalists have. Also, the two frames were found not only individually, but they blended in many articles. So, those reports that focused mainly on the way the politicians were hooted away during the commemorative ceremonies were introduced to the frame of *booed politicians*, while those reports in which journalists have openly commented that politicians have used the official commemorative events for their own purposes have been placed under the *stolen commemoration* frame.

The booed politicians is a frame characterized mainly by conflict and to emphasize this idea the construction of this frame begins with the quote-titles:

Boc, booed in Alba Iulia. LDP fans: „Stop this, you jerks!” Jurnalul Național, 1.12.2011
„Our Father in heaven... Boohoo! How are the Romanian celebrating their National Day” – România Liberă, 30.11.2011

The process of framing continues through the leads that describe in detail what happened during the commemorative events. The journalists report, step by step, everything, all the moments when politicians were booed and what they were told from the audience. Thus, journalists manage to create the image of a second political ritual, held alongside the memorial one, a ritual that is both spontaneous and conflictual. This reflects the dual nature of the rituals, both of integration and conflict (Dirks et al., 1994), which can lead to unpredictable conflicts, directed right against the power was meant to be strengthened.¹³

The stolen commemoration is a very important category since this was a warning signal from the journalists over the fact that politicians have seized the commemorative events, and that the National Day should be about the history and national identity, not a means of PR, cheap shows and fake patriotic speeches. The articles in these categories are no longer objective and impartial news, but they pass in the field of the comments, in which journalists get involved and tell their own opinions. The language used is ironical, vehemently and contemptuous.

The last policemen joke: Igas demanded the police troops to commemorate the National Day on 30th of November instead of the 1st of December. The minister of Internal Affairs truly wants to change the history of the country!

Electoral fight frame

The goal of politicians is to influence the way citizens vote, but their resources to send the messages are limited. So, the National Day and the commemorative festivities organized acquired in many respects an electoral stake. Building this frame, journalists described the electoral struggle mainly through titles and introductory paragraphs:

The National Day, between the election campaign and beans with sausages – România Liberă 2.12.2009

In 2011 Romania's National Day will be a good opportunity for politicians to promote their ideas and political interests in Alba Iulia. Leaders of the government and opposition will meet each other on Thursday at the events occasioned by the celebration of 93 years since the Great Union. -Adevărul 30.11.2011

Government-opposition conflict, political accusations and responsibility attribution frames

The three media frames are deeply inter-related and their apparition was due, once more, to the political context in which the commemorations took place. This time the disagreement reason was the military honor during the parade organized in Bucharest on December, 1st, 2010. While president Basescu was in Kazakhstan to attend the OSCE summit, military honor was presented to prime-minister Emil Boc, and not to the Senate president, Mircea Geoana. This fact led to an open conflict between government and opposition and was the pretext for new political accusation. Opposition said that laws were disregarded while the government argued that it was a problem of representation and not interim leadership.

Government-opposition conflict frame appeared in 12 articles while *political accusations* and *responsibility attribution* frames were present in 8 articles each. Tough dialogue between political leaders not only was mirrored in the press but was described in details, even from article titles. The three frames are constructed especially by quotes selection: dialogues and accusations between the two groups. Quotes underline a language that places a dramatic emphasis on the whole situation and journalists try to build up an apocalyptic image of what happened. The National Day and commemoration events are shadowed and the lights fall on the political fight.

"Today, December, 1st, on the occasion of the events organized to celebrate the National Day of Romania, an unique event took place [...] Prime minister Emil Boc, not being aware of the rules and laws that govern the Romanian state, said that he had been appointed by the Presidency to receive military honor" – declaration of the president of the Senate, Mircea Geoană, România Liberă, 1.12.2010

"Speaker of the Presidency, Valeriu Turcan, said that Mircea Geoana tries to create confusion by distributing false information. President Traian Băsescu appointed prime-minister Emil Boc to receive military honor at the parade dedicated to December, 1st". - Jurnalul Național 2.12.2010

So, in the light of all these, one of the main conclusions of the research was the fact that the attention of the press was not at all focused on the presentation of the commemorative rituals, historical data or identity symbols. Instead the reports have centered on the politicians, their disputes and their fake commemorative actions. Thus, the political contexts and conflicts have influenced and even swallowed up the way the commemorations were presented in the written press

The press has not contributed to the building of the national identity. The way it has presented the commemorations actually represented a desacralisation of the identity and the journalists have not fulfilled their mission as commemorative agents.

Overall, the way that the Romanian written press has presented the commemoration of the National Day was more an act of forgetting the history and identity symbols rather than remembering them. December the 1st is not presented as a solemn day, an opportunity of reflecting over the national identity and history, on the contrary, it seems defined by the arguments of the politicians, by the popular musical shows or the beans parade. The commemoration appears to be a political, tabloid and deritualized process.

Notes:

¹ Pierre Nora (1996) considers that a tyranny of memory was reached and the paradox is that we talk so much about memory just because we still hold very little of it.

² The phenomenon is connected to the moment when Holocaust was acknowledged as the central trauma of the 20th century.

³ The memory boom should not be taken for the „history fever” that aims at making legitimate nation-states (Huyssen, 1995)

⁴ In Romanian, Biroul Român de Audit al Tirajelor, brat.ro

⁵ Semetko and Valkenburg, 2000; de Vreese et al., 2001, Ladrado, 2007

⁶ Matthes and Kohring, 2008

⁷ Gamson, 1992; Neuman et al., 1992

⁸ For example, on October, 1st, 2009, the president of the Social Democrat Party, Mircea Geoana, announced that all SDP ministers would resign from the Govern after Internal affairs minister Dan Nica was revoked. Still in October, Emil Boc government was dismissed after the motion of the National Liberal Party and the Hungarian Democratic Union from Romania.

⁹ Emil Boc was prime-minister from December 2008 till February 2012

¹⁰ In Romanian, Partidul Democrat Liberal

¹¹ In Romanian, Partidul Social Democrat

¹² Amplification involves the use of repetitions, anaphors, epiphoras and accumulations. It represents "a certain kind of prepared statement that moves the spirits, gaining credibility in what you have to say" (Pinton, Giorgio A., Shippee, Arthur W., 1996, p. 95).

¹³ In this respect, referring to the protests of 1989, Steven Pfaff and Guobin Yang (2001, p 539) note that „a fascinating and generally overlooked feature of the 1989 protests is the role of political commemorations in the mobilization of protest. In both Eastern Europe and China, students and dissident groups took to the streets in connection with historical anniversaries, funerals, or memorial services and staged public expressions of discontent to which a broader, relatively unorganized, and previously uninvolved populace responded. Judged by the standards of much social movement theory, this kind of protest activity seems irregular and unconventional”.

Bibliography

1. Borah, P., 2011, *Conceptual issues in framing: A systematic examination of a decade's literature*. *Journal of Communication*, vol. 61, nr. 2, pp. 246-263
2. Brubaker, Rogers, Feischmidt, Margit, 2002, *1848 in 1998: The Politics of Commemoration in Hungary, Romania, and Slovakia*, Society for Comparative Study of Society and History, vol. 44, nr. 4, pp. 700 – 744
3. Bulei, Ion, 2005, *Viața în vremea lui Carol I*, București, Tritonic
4. Connerton, Paul, 1995, *How Societies Remember*, Cambridge, Cambridge University Press
5. De Vreese, C. H., Peter, J., & Semetko, H. A., 2001, *Framing politics at the launch of the euro: A cross-national comparative study of frames in the news*, *Political Communication*, 18, pp. 107 – 122
6. De Vreese, Claes H., 2005, *News framing: Theory and typology*, *Information Design + Document Design*, vol. 13, nr. 1, pp. 51 – 62
7. Dirks, Nicholas B., 1994, *Ritual and Resistance: Subversion as a Social Fact*, in Nicholas B. Dirks, Geoff, Eley, Sherry B. Ortner (eds), 1993, *Culture/Power/History: A Reader in Contemporary Social Theory*, Princeton, Princeton University Press
8. Gamson, W. A., Modigliani, A., 1987, *The changing culture of affirmative action*, in R. G. Braungart and M. M. Braungart (eds.), *Research in political sociology*, vol. 3, Greenwich, JAI Press
9. Gamson, W. A., 1992, *Talking politics*, New York, Cambridge University Press
10. Gillis, John R. (ed.), 1994, *Commemoration: The Politics of National Identity*, Princeton, Princeton University Press
11. Hall, Stuart, Critcher, Jefferson, Tony, Clarke, John, Roberts, Brian, 1978, *Policing the Crisis: Mugging, the State and Law and Order*, Londra, Macmillan.
12. Kaftan, Joanna, 2007, *Changing the national past: re-creating the democratic Polish nation after 1989*, *Nations and Nationalism*, vol. 13, nr. 2, pp. 301–320
13. Hurezeanu, Emil, 2010, *Cine este și cât este de român?* in Vasile, Boari, Sergiu, Gherghina, Radu, Murea (eds.), 2010, *Regăsirea identității naționale*, Iași, Polirom
14. Huyssen, Andreas, 1995, *Twilight Memories: Marking Time in a Culture of Amnesia*, New York, Routledge
15. Ladrado, Estelle Marie, 2007, *“Hello, Garci:” Framing Gloriagate*, *Loyola Schools Review*, vol.6
16. Matthes, Jörg, Kohring, Matthias, 2008, *The Content Analysis of Media Frames: Toward Improving Reliability and Validity*, *Journal of Communication*, vol. 58, pp. 258 – 279
17. Meyers, Oren, Eyal, Neiger, Motti, 2009, *Prime Time Commemoration: An Analysis of Television Broadcasts on Israel's Memorial Day for the Holocaust and the Heroism*, *Journal of Communication*, vol. 59, nr. 3, pp. 456 – 480

18. Neuman, W. Russell, Just, Marion R., Crigler, Ann N., 1992, *Common Knowledge: News and the Construction of Political*, Chicago, The University of Chicago Press
19. Nora, Pierre, 1996, *Realms of memory: rethinking the French past*, New York, Columbia University Press
20. Olick, Jeffrey K., 2003, *The Value of Regret? Lessons from and for Germany*, in Gabriel R. Ricci (ed.), *Justice and the Politics of Memory: Religion and Public Life*, New Brunswick, Transaction Books
21. Pfaff, Steven, Yang, Guobin 2001, *Double-edged rituals and the symbolic resources of collective action: Political commemorations and the mobilization of protest in 1989*, *Theory and Science* vol. 30, pp. 539 – 589, Kluwer Academic Publishers
22. Pinton, Giorgio A., Shippee, Arthur W. (trad. & ed.), 1996, *Vico, Giambattista, The Art of Rhetoric*, Amsterdam-Atlanta, Rodopi
23. Semetko, H., Valkenburg, P., 2000, *Framing European Politics: A Content Analysis of Press and Television News*, *Journal of Communication*, vol. 50, nr. 2, p. 93 – 109
24. Tankard, James W., 2001, *The empirical approach to the study of media framing* in Stephen D. Reese, Oscar H. Gandy and August E. Grant, *Framing public life. Perspectives on media and our understanding of the social world*, Mahwah, NJ, Lawrence Erlbaum Associates
25. Winter, Jay, 2000, *The Generation of Memory. Reflections on the Memory Boom*, *Contemporary Historical Studies*, *German Historical Institute Bulletin*, vol. 27
26. Zelizer Barbie, 2008, *Why memory's work on journalism does not reflect journalism's work on memory*, *Memory Studies*, vol. 1, nr. 1, pp. 79 – 87

ORIGINAL PAPER

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Beer television advertising – a world of men. Gender stereotypes

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Abstract: *In the contemporary society, the products are considered marks of the life style of a person. The way the advertising messages are created reflects this idea. In order to portray a certain life style or a socio-style, a character is used; that character will embody the features of the target public the product is designed for. The constraints of the limited time and space within a media channel do not allow the construction of real human beings, with a history, with feelings and attitudes. Characters are only stereotypical constructions, sums of the common features on the consumers, identified by advertisers. And if the consumers live in a society with a patriarchal vision of the role of the women, it is only natural that we encounter gender stereotypes in the construction of the characters. The process is obvious in television commercials and especially on the spots promoting products for men.*

Key words: *gender, stereotype, advertising, characters, women vs. men*

The premises of the current research are that in a patriarchal society, advertising, as a mirror of the reality and as its symbolic construction, will reflect the conception on the women's role in the society. The Gallup Organization Institute survey (2000) has shown the way women are looked upon, mainly as wives who have to follow their husbands considered the leaders of the families, as mothers who have to exclusively raise the children, as housewives who have to take care of the household business, as lovers who have to satisfy the male's sexual desires¹.

Are the Romanian television advertisements fragments in a puzzle representing a world of men? Do have the advertisers the courage to ignore the prejudices and the stereotypes in the society? The few previous researches conducted on this theme give a negative answer to the second question.

According to Bernard Cathelat, "The advertiser has no interest in confuting the stereotypical representations guaranteed by culture"². This is because the whole discourse is not only addressed to some potential consumers of the product, but also the social subjects who need to identify themselves with the promoted product. There is not a single type of launder. If it were so, the advertisement message would resume to the identification of a need – hygiene and comfort – and to

the indication of the means to satisfy it. Men drink beer. From the multitude of existing brands, the producers do not resume only to the presentation of the composition and of the qualities of their product. Why would someone buy Bergenbier and not Golden Brau? If all the commercials would say that the beer contains malt, hop and water and that the yellow drink is obtain by fermentation, what would be the difference between brands? How could the consumer make the decision? It is hard to believe that one would try all the existing brands on the market until one sets one's mind. Then what is the solution? Lifestyle advertising. The product is not only a product, it is a mark of a lifestyle. It is used by a certain category of people, represented by the characters and the life scenario of the advertisements. "Lifestyle is thus the ideal form of communication for the relationship between advertising and its public. This representation is the reflex of the group culture; it makes a synthesis and overcomes the individual traits, in order to obtain a standard image of the social subject who consumes the product" (our translation)³. It is a perception cliché empowered on the social level by the presence of a hedonistic view that stimulates the desire to submit to the models promoted by the advertisements' message. In the buying act, the consumer is defeated by the pressure of the social conformism. At the same time, he/she has a deformed vision on his/her own exceptionality. If we want to submit the happiness proposed by advertising, there is only one decision to make: to buy the product as parts of a system of values, believes, attitudes, behavior norms, perceptions of the social status of genders – an entire lifestyle. The common denominator is the keyword here: "Advertising has the function to determine individuals to believe that their entire socio-cultural life could be satisfied by consume" (our translation)⁴.

Based on social studies or just as results of the copywriters' own representations, gender stereotypes are more or less part of any national advertising. The common feature is the erotic connotation⁵. Sex and reproduction is one of "the big instincts" exploited by advertisers⁶. It appears most often in the form of "unidirectional stimuli"⁷. There is a difference though: there are more feminine stimuli for men than masculine stimuli for women. From this point to the portraying of women as means of sexually satisfying men, the road is not too long.

And if we speak of men's desires, what better scenario can we find then that of beer advertising? If gender stereotypes really exist in advertising, there is not better place to find them than in messages promoting a product considered typically masculine: beer. But how are these messages built? How are the lifestyles portrayed in beer commercials? There is a place for women in these spots or women are considered a category that has nothing to do with the product? What is the situational context in which women do appear? What are they doing? I have tried to give an answer to all these questions by analyzing the commercial spots promoting beer.

The monitoring period of television advertising beer spots: 2004- April 2006.

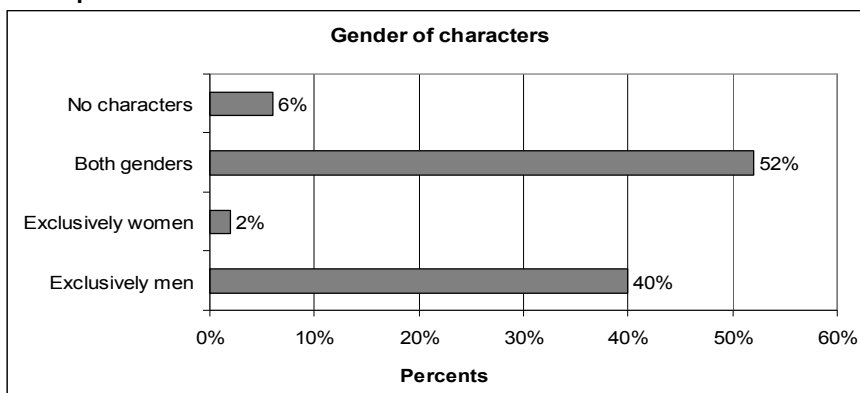
The analysis corpus consists on 50 television spots. I have excluded the commercials of international brands like Gosser, Heineken, Carlsberg și Beck's, brands with spots created abroad and only translated into Romanian. I have considered that these commercials are not relevant to the specific of the Romanian public, because the study that accompanied the creation of the spot was conducted either in the native country of the brand, either in Romania, but without including the important subtleties of the life style. The only exception I have made regarding international brands is a single spot promoting Beck's beer. I have made this exception because the original spot was cut in such a way that the message is out of the context and the image of the feminine character becomes a simple support of the bottle of beer.

Methodology. The study is based on a content analysis of 50 beer commercials presented from 2004 to April 2006 by the Romanian television stations. In these television spots, the women appear as main or secondary characters. The same methodology was used by Simona Szakacs⁸

and The Society of Feminist Analyses AnA⁹ in studies of gender stereotypes in advertising. From the sum of 50 spots, I have analyzed the occurrence of male and female characters. Beer advertisements present characters in certain classic locations: the bar (the restaurant, the terrace, the club), the open air party, the home, the backyard, the football field. I have calculated the number of the spots in which these locations appear as scenery for the characters by genders. The results helped me determine if, in the advertisers' vision, men and women are equal regarding the ways they are having fun. I have done the same with the use of the product – drinking beer. I have analyzed the recurrence of the activities and occupations in the commercials. Some difficulties I have encountered given by the fact that in the same spot there are several characters, main or secondary, with different occupations or the same character appears in more than one hypostasis.

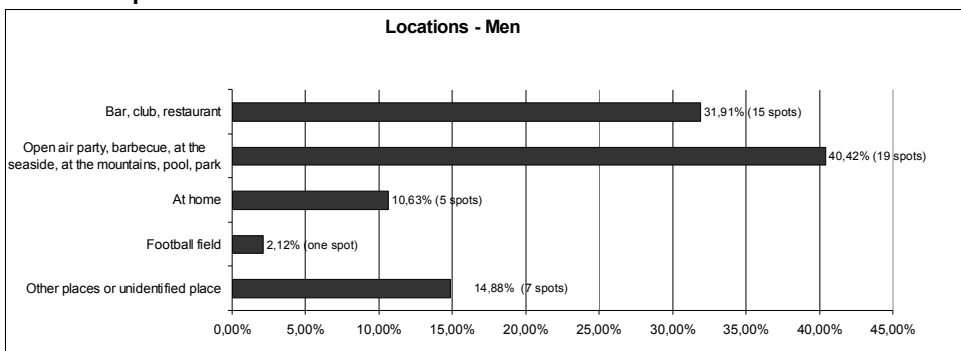
The results. The creators of the spots consider that the presence of male characters is necessary to the scenario (Graphic 1). Thus, from 50 commercials analyzed, 47 (94%) of them have male characters. The women are considered either secondary character, either as an object to men's attention, in erotic meaning spots. They only appear in 27 spots (54%). A single spot, promoting Beck's beer, a woman is the only character, but as we can notice, the woman with a model silhouette is merely a support for the bottle of beer. 3 commercials do not have characters – the producer resumes either to the presentation of the bottle with water drops on the outside, as a result of condensation, which indicates the fact that the beer is cold, either to placing the bottle in a place with mountains in the back – in the case of Ciuc – “Beer from the mountains” (our translation).

Graphic 1

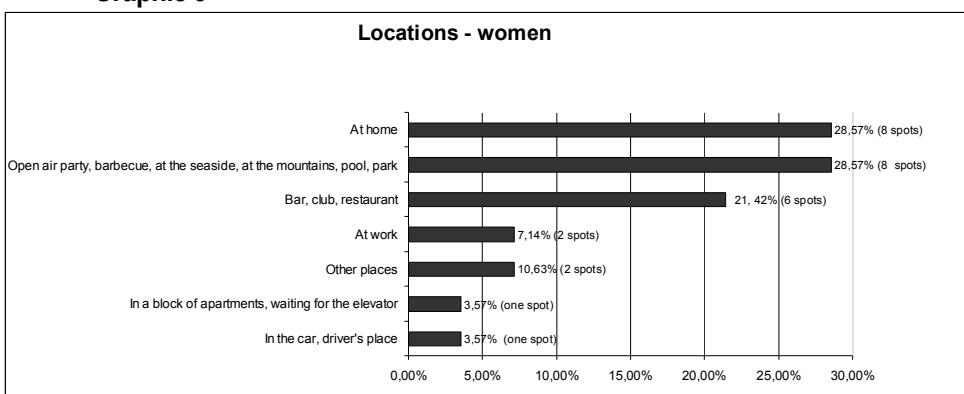


Another aspect of this research is the location for the two genders (Graphic 2 and Graphic 3). Beer advertisements are usually connected to places of spending free time, of fun time, interacting with other people: bars, clubs, terraces, restaurants, parks, nature or at home. In this regard, it is more likely to encounter men than women who have fun outside the house. An original location can be observed on a spot – the car, but the scenery comes altogether with the prejudice that women are awful drivers.

Graphic 2



Graphic 3



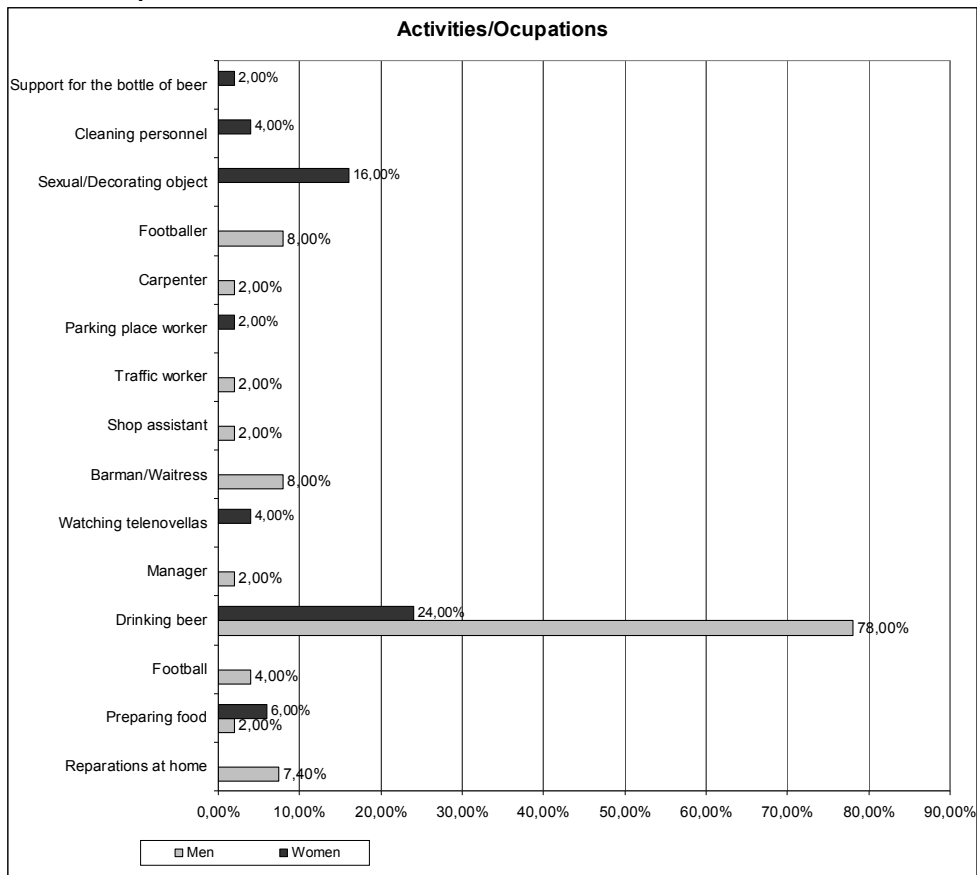
I have analyzed the activities and the occupations in the same graphic, because in many cases it is impossible to tell if a certain activity is occasional or it represents a permanent occupation. I am referring to women and the fact that we cannot tell if they are housewives as an only occupation or the activities they are involved in represent aspects of the "after work job". I have included drinking beer also in this graphic, on genders and I have discovered interesting things. For an objective perspective the percents are calculated reported only to the spots that have both masculine and feminine characters.

In this regard, I have observed that women are not necessarily seen as beer drinkers, even if they are present in the spots. From 27 commercials with men and women, in 23 we can actually see men drink (85.18%). Women drink beer only in 12 commercials (44.44%). A question is raising then: that do the women do in the rest of the spots they appear in? They dance erotically, they strip, they wait for their men to come back home from fun meetings with other men, they prepare food or they watch telenovellas.

What is interesting and anti-stereotypical is that men are not necessarily handy even when they are on the area of men "typical" activities. I am referring to reparations and electric devices installations at home or barbecuing. Trying to make a sink function, a man produces a flooding in the bathroom. Another one is about to fall from the roof where he is doing some repairing; a man accidentally hits his finger with a hammer while he is fixing a picture in the wall, another one sets a steak on fire.

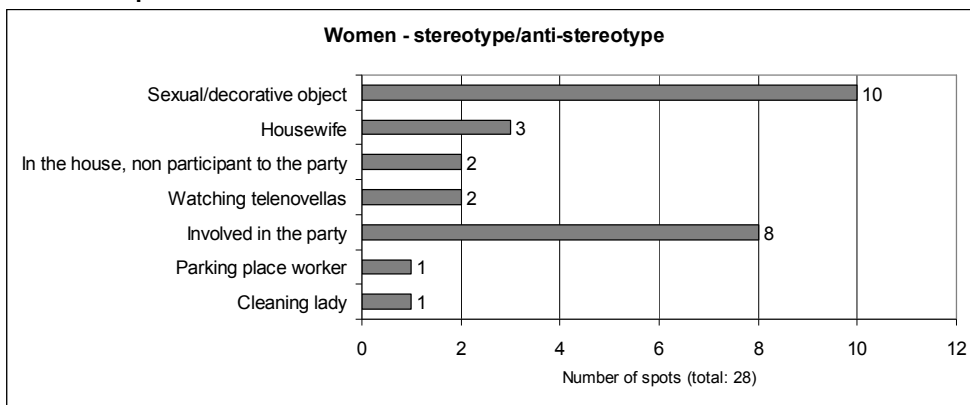
If the jobs of the characters appear, these are: barman (4 spots), shop assistant (1), taxi driver (1), city traffic worker (1), professional football player (4), carpenter (1) – for men; and cleaning lady (2), parking place worker (1), stripper (1) – for women.

Graphic 4



The last aspect analyzed is about the quality of the representation: stereotypical/anti-stereotypical (Graphic 5). From 28 spots with both female and male characters, in 10 of them the woman is a sexual/decorative character, in 3 she is a housewife, in 2 she is just sitting or waiting at home not being involved in the men's party, in 2 she watches telenovellas. In 2 spots a woman is a cleaning lady, one of those 2 spots having a min character another woman at home, whose husband or boyfriend is out in a bar with his friends. In only 8 spots we can see women having fun together with men, dinking beer and without being seen as a sexual desire object.

Graphic 5



Conclusions. The work hypothesis (gender stereotypes in society can be also found in advertisements) is confirmed. More than that, the research elaborates on the qualitative aspect of the construction of the stereotypes, what aspects are involved in the creation of a stereotypical imagine of women and what aspects are a sign of progress. Some of the features are exaggerated, in order to gain ironic and humoristic effects. Even the social tendencies may show some signs of women's emancipation, the advertising react slowly to social changes and advertisers do not have the courage to break the unwritten rules and confute the consumer.

Notes:

Barometrul de gen, Aprilie, 11, 2003, p. 5, source: www.gallup.ro, last accesed: April, 15, 2006

² Bernard Cathelat, *Publicitate și societate*, Editura Trei, București, 2005, p. 179

³*Ibidem*, pp. 183-184

⁴ François Brune, *Fericirea ca obligație*, translation and footnotes by Costin Popescu, Editura Trei, București, 2003, p. 23

⁵*Ibidem*, p. 34-37

⁶ Costin Popescu, *Publicitatea: o estetică a persuasiunii*, Editura Universității din București, 2005, p. 256

⁷*Ibidem*, p. 256

⁸ Simona Szakacs, *Stereotipurile de gen în reclamele tv*, in Septimiu Chelcea, *Comunicarea nonverbală în spațiul public - studii, cercetări, aplicații*, Tritonic, București, 2005, pp. 129-145

⁹ Societatea de Analize Feministe AnA, *Aspecte privind stereotipurile de gen în mass media din România*, Raport final (extras), București, January 2005, vol. I și vol. II Advertising, Research conducted in Project PNUD-00040878 entitled „An Integrated Approach to Gender Balanced Political Empowerment and Participation”, by The Society of Feminist Analyses AnA and Centrul de Studii Media și Noi Tehnologii de Comunicare, souce: <http://www.anasaf.ro>, last accessed on March, 30, 2006

Bibliography

BOUTAUD, Jean-Jacques, *Comunicare semiotică și semne publicitare*, Translation by Dana Bratu and Mihaela Bănescu, Edited by Valentina Pricopie, Tritonic, București, 2005;

BRĂDEANU, Adina, DRAGOMIR, Otilia (coord.), ROVENȚA-FRUMUȘANI, Daniela, SURUGIU, Romina, *Femei, cuvinte și imagini*, Polirom, Iași, 2002;

BRUNE, François, *Fericirea ca obligație*, Translation and preface by Costin Popescu, Editura Trei, București, 2003;

CATHELAT, Bernard, *Publicitate și societate*, Editura Trei, București, 2005;

CHELCEA, Septimiu, *Comunicarea nonverbală în spațiul public - studii, cercetări, aplicații*, Tritonic, București, 2005;

DRAGOMIR, Otilia, MIROIU, Mihaela (editor), *Lexicon feminist*, Editura Polirom, Iași, 2002;

École Doctorale Régionale en Sciences Sociales, *Direcții și teme de cercetare în studiile de gen din România - Atelier*, Colegiul Noua Europă, București, July, 5, 2002, volume coordinated by Ionela Băluță and Ioana Cîrstocea;

FERREOL (coord.), Gilles, *Dicționar de sociologie*, Polirom, Iași, 1998;

GODDARD, Angela, *Limbajul publicității*, Polirom, Iași, 2004;

- MIROIU, Mihaela, *Drumul către autonomie – Teorii politice feministe*, Polirom, Iași, 2004;
- PETRE, Dan, NICOLA, Mihaela, *Introducere în publicitate*, comunicare.ro, București, 2004;
- POPESCU, Costin, *Publicitatea: o estetică a persuasiunii*, Editura Universității din București, 2005;
- Societatea de Analize Feministe AnA, *Aspecte privind stereotipurile de gen în mass media din România*, Raport final (extras), București, ianuarie 2005, vol. I și vol. II Publicitatea, Studiu realizat în cadrul Proiectului PNUD-00040878 intitulat „An Integrated Approach to Gender Balanced Political Empowerment and Participation”, by Societatea de Analize Feministe AnA and Centrul de Studii Media și Noi Tehnologii de Comunicare, sursa: <http://www.anasaf.ro>, last accessed: March, 30, 2006;
- TODORAN, Dimitrie, *Psihologia reclamei*, Tritonic, București, 2004;
- *** *Barometrul de gen*, published on April, 11, 2003, p. 5, source: www.gallup.ro, last accessed: April, 15, 2006
- *** Gallup Organization Research, June 2003, published in July, 21, 2003, regarding the disposition of the Romanians to vote for a female president, source: <http://www.gallup.ro>, last acces: March, 20, 2006.

ORIGINAL PAPER

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Aspects of the relationship journalist-sources. Internet influence on journalistic practices of local media

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Abstract: *The Internet is a benchmark in almost all areas. It seized almost without noticing the simplicity of use and its global coverage, currently becoming an important milestone that we could hardly miss. Journalism means, among other terms, communication and bringing people together, and through this converges with the Internet. Today's Internet can combine primarily through communication. Networks between local networks, local networks between metropolitan networks, and so on until a global reach of the Internet. Communication can be done instantly from Washington to Tokyo, and from Bucharest to Paris. From the point of view of communicators, this is the main advantage. Speed with which information can be sent as plain text, but also as audio, video, or audio-video.*

Key words: *Internet, journalist, sources, privacy, ethics*

Basically, the Internet is a point of reference in almost all areas. It monopolized us almost without noticing by the simplicity of use and its global coverage, currently becoming an important benchmark that we could hardly renounce to. Journalism means, among other terms, communication and bringing people together and through this it converges with the Internet. Today's Internet can conjugate primarily through communication. Local networks with local networks, local networks with metropolitan networks and so on until a global reach of the Internet. Communication can be done instantly from Washington to Tokyo but also from Bucharest to Paris. From the point of view of communicators, this is the main advantage. The speed with which information can be sent as plain text, but also as audio, video or audio-video. Once the Internet has been adopted by communicators, both documentary and sharing of information practices will change.

Purpose of the Study

The working hypotheses of the study are:

1. If a journalist uses the Internet for working purposes then what will be his focus?
2. If *journalists* have Internet access, then they will want to discuss with *sources* via Internet instead of a face-to-face discussion?
3. If a *public figure* is posting some information on a social network site, then the journalist trusts the truthfulness of that information?
4. If a journalist *takes* the information from the Internet, then he checks it with other sources?
5. If the *research* for writing a newspaper article would be achieved only through the Internet, then the article's credibility would suffer?

The study was designed to verify if the Internet has or not an influence on journalistic practices. The objectives of this paper are:

- To identify the way in which the journalists' activity is influenced by the online media.
- To identify the degree of confidence that journalists have in the information received from online environment.
- To verify the hypothesis which states that social networks can arise new press articles through posted information.

The methods used in the research conducted for this report were book research and research based on survey forms.

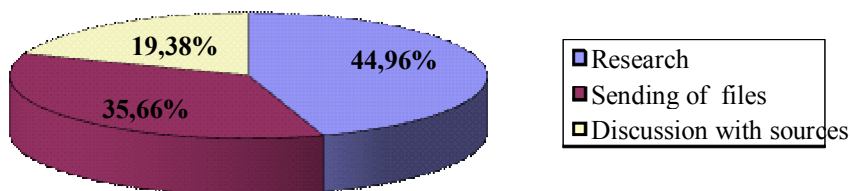
Research Methods

The survey form had 25 questions, 18 of them with two possible answers; a question with three possible answers, three questions with four-choice answers and two questions with five possible answers; one of them with open answer. The graphic method was used to point out in visual form the important and relevant aspects in terms of investigation.

The survey was applied on a sample group of 60 persons who work in mass-media in Arges county, for newspapers as Top, Curierul Zilei, Argeșul, Argeș Express and weekly newspapers as *Săptămâna Argeșeană*, *Esențial în Argeș* and *Ancheta*, reporters from Arges TV and Absolut TV or to news correspondents of TVR or Romanian Radio.

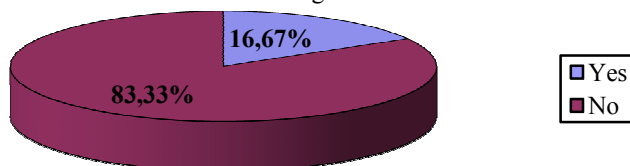
From the total amount of 60 journalists, 6 are working in the press less than 1 year, 24 of them for over 2 years, 17 are working in this field for more than 4 years, 8 of them for 10 years and five journalists for more than 15 years. Most of those who completed the survey work in written press, followed closely by journalists from television, online and radio. Respondents have ages between 18 and 55 years. 55.00% of respondents are male while 45% are female. The purpose of one of the questions was to see the focus of journalists on a specific activity when using the Internet for the job. More precisely, for what are journalists using the Internet. This question was dedicated to prove the first hypothesis. Analyzing the responses showed that most of the journalists, 44.96% use the Internet for research, while 35.66% of them use the Internet for sending files. Only 19.38% of journalists have a conversation with a source in order to write an article.

Fig. 5.1 Cercle of structure in space (after the survey: Internet influence on journalistic practices in local media; question: Which do you focus when using the Internet?)



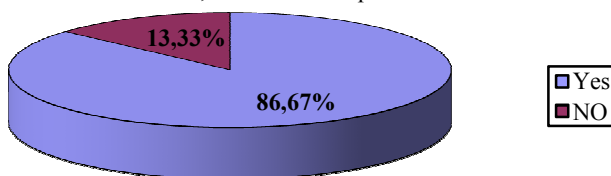
One interesting thing is, despite the fact that most journalists are using the Internet for research, and only 10 out of 60 journalists use Google Docs service. Launched more than two years ago, it seems that this feature has not yet attracted the journalists' attention, even if it offers countless possibilities for research.

Fig. 5.2 When you write press articles, do you use online text editors as Google Docs?



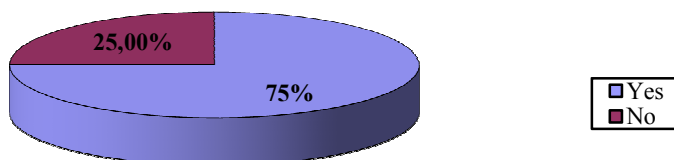
When it comes to conversation with sources, 86.67% of journalists use to talk to their sources through chat, e-mail or videophone.

Fig. 5.3 Do you use to discuss with your sources through chat, e-mail or videophone?



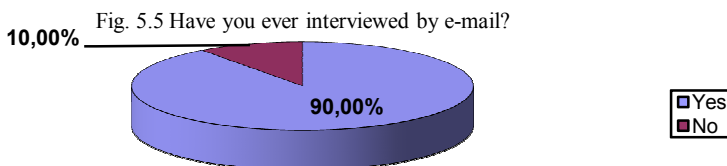
The next question asked journalists if they believe that talks with sources through the Internet are actually more practical than some face-to-face discussions. 45 of the 60 journalists have answered yes to this question, while the rest had a contrary opinion.

Fig. 5.4 Do you believe that this method is actually more practical than a face to face discussion with the source?



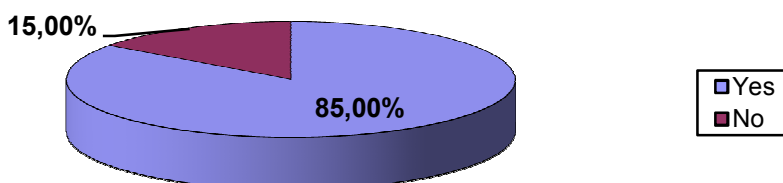
Asked to justify the answers, most journalists that agreed with the previous question blamed on the promptness and the fact that this method is more time efficient. The journalists from the opposite side believe that they cannot use the Internet for conversation with sources when they have to write large articles or they believe that the e-mail, as well as the phone or other indirect method of conversation with sources must be used only as a backup method for direct meeting. The answers to these two questions prove hypothesis number two.

Another question which confirmed the second hypothesis was the number 10 question. 54 of the journalists surveyed admitted that they conducted interviews via e-mail while only 6 say they have never used this method.



Question 11 showed us that in order to gain further information, the journalist prefers to request information via e-mail rather than a meeting with the source - 85% of respondents answered yes to this question while only 15% had other opinion.

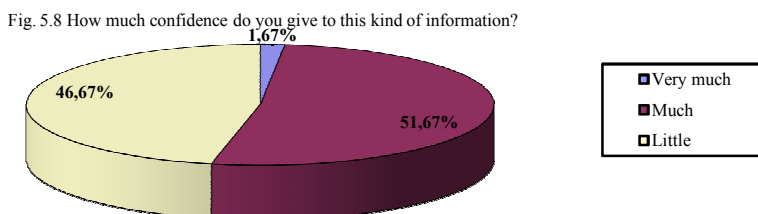
Fig. 5.6 Do you prefer to send an e-mail to request extra information from a source rather than meeting with it?



A surprising point of the study is shown by question number 13 of the survey regarding the ways in which journalists usually receive the press releases. 59 of the 60 journalists state that they receive press releases by e-mail or by using other methods that have as support the Internet. The fax, the written correspondence are outdated and obsolete methods. As pointed out above, before journalists, communicators are the ones using the Internet to transmit different information, from announcements, forecasts or other summaries of different meetings.

The question number 19 from the survey confirms hypothesis number three. 39 of the journalists who responded to the survey give confidence in the information posted by a public figure on a social network site.

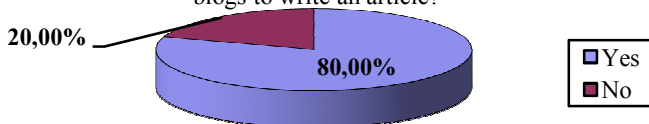
The next question deals with the degree of confidence. Asked how much confidence they give to an information coming from this environment, 51.67% of journalists give lot of confidence, 46.67% less confidence, while only 1.67% give a high degree of confidence, in a similar situation as the one above.



The fourth hypothesis matches with question number 15. All 60 survey respondents confirmed that they use other sources to verify the information collected from the Internet, confirming the hypothesis.

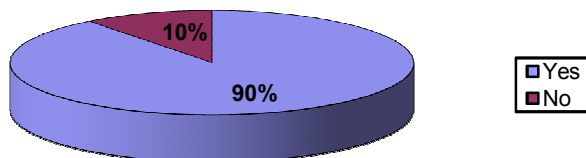
Research on blogs has a special status. Thus, questions 16, 17 and 18 concern this point of view. 80% of surveyed journalists used information posted on blogs to write an article.

Fig. 5.9 Have you ever used information posted on blogs to write an article?



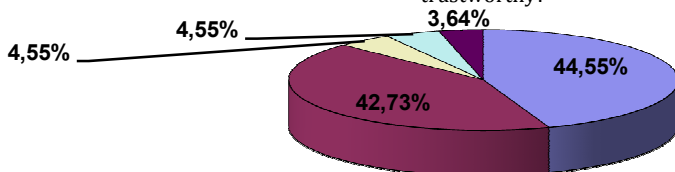
90% of the 48 persons who answered with yes to the previous question have checked the information taken from blogs, while 10% haven't done the same.

Fig 5.10 Have you checked the information taken from blogs?



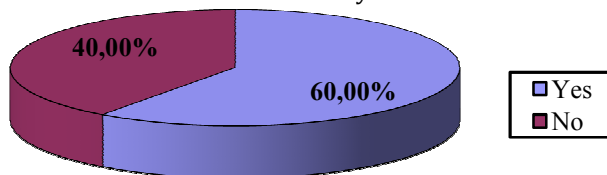
The reputation of the blogger makes journalists to provide increased confidence to information hosted by an online journal. This criterion has received the highest number of votes, 44.55%. Moreover, journalists have also pointed out the number of visitors of the blog to be important criterion to trust information posted on blogs. The responses that led to these conclusions are shown in Figure 5.11.

Fig. 5.11 In your opinion, what makes the information posted on blogs to be trustworthy?



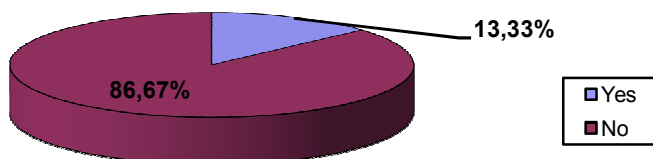
Question number 14 verifies hypothesis number 5. From the point of view of journalists the credibility of an article would suffer if the research for its elaboration would use as source only the Internet. 60% of journalists have answered yes to this question while 40% had the opposite view.

Fig. 5.12 Do you believe that an article could suffer from the credibility point of view if the research for its elaboration would use as source only the Internet?



The last question of the questionnaire is also concerning the trust in online space. 86,67% of journalists would not publish an information from the Internet without being verified from other sources, even though it could be the subject of an extraordinary news. Despite the expectations, only 8 journalists from the total amount of the 60 surveyed would publish such information.

Fig. 5.12 Would you publish an information shared on Internet that can not be verified from other sources, but it could be the subject of an extraordinary news?



Conclusions

The journalists are influenced by the Internet, through the research they do in this environment as well as the communication they have with their sources or exchanging files. Information distributed on social networking websites creates and will create news topics since there are journalists who would publish information shared through such an environment. Thus it seems that journalists are not avoiding the news with potential of mundane news. Rumors and gossips about celebrities, or posts from some public figures on the social networks sites can be subjects that journalists can develop as press articles.

The Internet has influenced not only journalists but also communicators. It can be noticed in the way of providing news releases. According to respondents, press materials are sent only through Internet. It is not surprising that the Internet has surpassed all the other types of media in sharing information. Simply pushing a button a document is sent to multiple receptors and this is almost immediately. If in the past aspects like time or money were very important points to take into account, nowadays those aspects are no more a problem.

REFERENCES:

- Balaban, Delia, *Comunicarea mediatică*, Editura Tritonic, București, 2009
 Băjenescu, Titu, *Internetul, societatea informațională și societatea cunoașterii*, Editura Matrixrom, București, 2006
 Chelcea, Septimiu, *Tehnici de cercetare sociologică*, București, 2001
 Clifford, G. Christians, *et al.*, *Etica mass-media: studii de caz*, trad. Ruxandra Boicu, Editura Polirom, Iași, 2001
 Coman, Mihai, *Manual de Jurnalism, Ed. a 2-a, rev.* Editura Polirom, Iași, 2001
 Coman, Mihai, *Introducere în sistemul mass-media, Ed. a 3-a rev.* Editura Polirom, Iași, 2007
 David, Randall, *Jurnalismul universal*, Editura Polirom, Iași, 2007
 Dobrescu, Paul; Bârgăoanu, Alina, *Mass media: puterea fără contraputere*, Editura: BIC ALL, București, 2002
 Guțu, Dorina, *New Media*, București, Tritotonic 2007
 Hangiu, Ion, *Panorama presei românești contemporane*, Editura Historia, București, 2007

- Hartley, John, *Understanding News*, trad. Monica Miltarcă, Editura Polirom, Iași, 1999
Hugo de Burgh, *Jurnalismul de investigație, context și practică*, Editura Limes, Cluj, 2006
Mouillanud, Maurice, *Presa cotidiană*, Tritonic, București, 2003
Pavlik, John, *New Media Technology*, Ed. a II-a, Editura Allyn and Bacon, Boston, 1998
Popescu, Cristian Florin, *Manual de Jurnalism*, trad. Valentina Pricopie, Editura Tritonic, București, 2003-2004
Popescu, George, *Scritura și lectura pe internet în jurnalism și comunicare*, Editura Tritonic, București, 2003
Rad, Ilie, *Documentarea în jurnalism*, Editura Tritonic, București, 2011
Rich, Carole, *Creating on-line media*, Editura McGraw-Hill College, Boston, 1999.
Ulmanu, Alexandru Brăduț, *Publicațiile on-line între neîncredere și credibilitate*, Editura Tritonic, București, 2003
Vișinescu, Victor, *Jurnalism Contemporan*, Editura Victor, București, 2002

ORIGINAL PAPER

Patricia GONZÁLEZ ALDEA

Labour mobility and the construction of immigrant identity: Rumanians and Bulgarians in Spain

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Abstract: *In order to measure to what extent mobility is affecting immigrants' identity, the premises of the article include the identity of immigrants within the enlarged Europe.*

The aim of the present submission is to present the human condition of Rumanian and Bulgarian immigrants in Spain, specifically by examining how they interact with the communities in which they live. This will be done by analyzing how immigrants see their own experiences at work and how they regard the Spanish and their own fellow citizens, as well as how they compare themselves with other nationalities. Study will also be made of the identity features of the immigrants and the host country's perception of these immigrants by looking at the images of their group reflected in the media.

Key words: *labour mobility, immigrants, identity, Eastern Europeans, Spain*

1. Rumanian and Bulgarian immigration in Spain

In 2010, Rumanians comprised the largest single group of foreign nationals in Spain, with a population of 798,892. According to data from the National Institute for Statistics, they also headed the list of foreign nationals from ex-Eastern bloc countries (62%) followed by the Bulgarians (13%). As the most numerous group, we can also talk in terms of a "Rumanianization" (Viruela, 2002) of immigration from Eastern Europe, one that has no doubt affected the way that this nationality is perceived and represented in Spain. In 2010, Eastern Europeans (from both E.U and non-EU countries) comprised 22% of the total number of foreigners in Spain. In 2002, they made up just 3% of this total.

While the perception of immigration from Eastern Europe has undergone many changes, the fragile border situation after 2002 together with the arrival of significant groups of organized crime from Eastern Europe have destroyed the positive image built up over the years by communities from these regions.

A study from 2008 on "Attitudes towards Immigration" (CIS n.2773) found that participants emphasized negative aspects of immigration such as "more competition in the job market" (10.5%), "problems with integration, and cultural conflict" (10.9%). Rumanians were the group that engendered

the least amount of sympathy (16.7 % of respondents), followed by Moroccans and other North African groups (11.4%).

Extensive scientific research has been conducted on immigration from so-called Eastern Europe (and from the end of the Cold War, on immigration from countries of Central and Western Europe). This reflects the already mentioned importance that this group has acquired within the population of Spain (see, among others, Pajares, 2007; Viruela, 2007 and 2008; Marcu, 2007 and 2012 Tamames et. al, 2008; González Aldea, 2006 and 2012; Ferrero, 2009; Arango, 2010).

On many occasions, research is predominantly concerned with how immigrants are perceived in their host country. How immigrants see themselves, however, helps us to comprehend the type of lives they have led within the new European borders and the role that these borders still have in their lives. With this in mind, the present article aims to present the human condition of Eastern European immigrants in Spain, specifically by examining how they interact with the communities in which they live. This will be done by analyzing how immigrants see their own experiences at work and how they regard the Spanish and their own fellow citizens, as well as how they compare themselves with other nationalities. Study will also be made of the host country's perception of these immigrants by looking at the images of their group reflected in the media.

The results shown are taken from qualitative empirical research. As such, the principal source of information draws upon in-depth interviews conducted with Bulgarians and Rumanians in Spain in the first quarter of 2011. Interviews were mainly held in Valencia and Madrid, communities that have the most active job market for both these groups.

Rafael Vázquez provides a perfect description of how immigrant integration is perceived. Public opinion starts to become negative, according to Vázquez (2004:202), when "the immigrant becomes visible, goes out into the street and tries to be one more of us. Everything seems to go well while it is about immigration of workers, but not of men and women, of members of the *polis*."

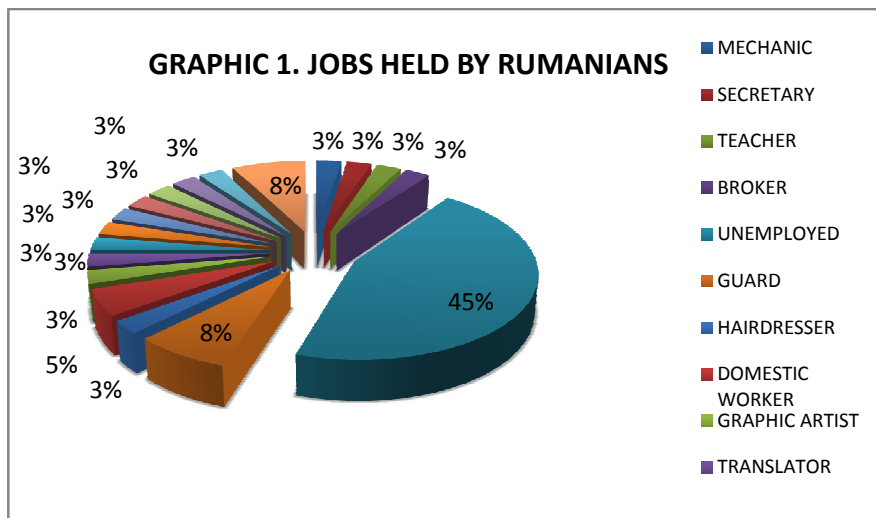
Do Eastern European immigrants themselves see the situation in the same way? The following tackles these immigrants' opinions on different issues in the context of mobility in the job market.

2. Experiences in the job market: the immigrant's own perceptions

The current economic crisis has had a great impact upon immigrants (Mahía and Arce, 2010). In the specific case of the Rumanians, unemployment affects 45% of all those interviewed (graph 1), particularly the men.

More than half of males interviewed (53%) are unemployed, a figure that decreases for females (in proportion to the number who were interviewed) to 29%. A contributing factor to this discrepancy is perhaps the higher level of education declared by the female respondents, of whom 64% have a university education (compared to 15.3% among males).

In spite of this, and as will be seen in the following, the lower level of female unemployment among Rumanian immigrants does not seem to correspond when their types of jobs are compared with their level of education. While two thirds of those interviewed achieved university-level education, most worked as domestic help, cleaners, and hairdressers.



Source: prepared by the authors with research results

In terms of experience with the job market in Spain, the Rumanian immigrants' own perceptions reveal a positive perspective of the host country. Emphasizing greater opportunities, there were few who consider returning in spite of the current crisis and the unemployment situation. For the respondents, there is less chaos in Spain, more money can be saved, there is more respect and they can provide a better life for their children (who will be able to go to university or have holidays).

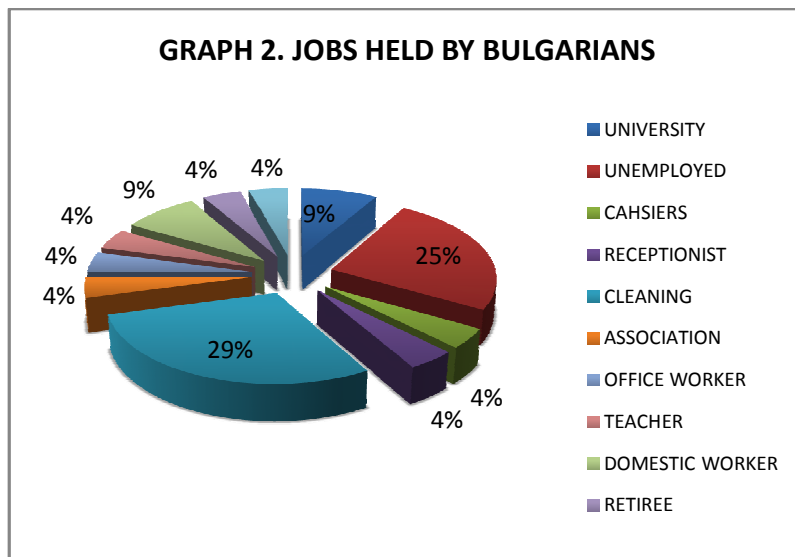
“Right now I wouldn’t accept life in Rumania. Really, I wouldn’t, because the years have gone by... here people are more serious about work. You realize that when you look for a bit of work. In Rumania, you have to pay- to bring a pig or a cow...Here you also need contacts, but it’s different” (man, 51 years old)

“You’re better off here because although you might work for only one day in my type of job, for example, you can live for a month. In Rumania, you work for a month and live for a day” (man, 44 years old)

Among those who declare they would return to Rumania if the situation in the country changed, it is curious to note that all of them work and are between 29-43 years old. For them, they will always be foreigners in Spain; an opinion that has to do with the frustration of unmet expectations in this country.

With regard to interaction with the host community, more than half of the Rumanians speak of their experiences with Spanish workmates, with most of them having generally positive perceptions. Whether speaking of bosses, workmates, acquaintances or friends, the Rumanians never have a problem -“nice”, “good people” and “patient” were some terms used.

In the specific case of the Bulgarians, unemployment affects 25% of all those interviewed (graph 2), particularly the men. Almost half the male participants (40%) are unemployed. When applied proportionally to the number of unemployed women this number decreases to 21%. In this case there are not so many differences between the level of higher education declared by the respondents. A total of 31% of Bulgarian women and 20% of Bulgarian men are university educated.



Source: prepared by the authors using research results

With respect to the Bulgarian's main occupations, the most common are cleaning both houses and offices (usually by the hour) and as domestic help to look after old people or children.

With regard to experiences of work in Spain, the Bulgarian immigrants' own perspective is more negative than that of the Rumanians. Most of their responses emphasize economic motives, such as the sole reason for being in Spain, and in many cases their hopes and expectations do not seem to have been met (as shown by 82% of responses obtained).

"I do it for money...only economic. On the other hand, I think I've lost... I'm a bit done in"(woman, 38 years)

"I'm not saying it's bad, but me personally, I haven't found myself, this isn't my place" (woman, 38 years old)

Among the few positive auto-evaluations, the importance of family stood out as the key to better survive this migratory process.

With regard to interaction with the host community, with Spanish workmates, the answers were highly polarized in two clear ways: a little more than half of answers showed highly negative evaluations while the remaining 45% affirmed they interacted well at work.

3. Identity features of the immigrant

Following the paradigms established by Nuria del Olmo, the motives for identity construction among immigrants may be understood as "psychological refuge, as an answer to a situation of exile, a consequence of the migratory process" (2011:29). In terms of maintaining the customs of the home country, it is this paradigm which best fits with answers given by respondents, rather than common interests or recognition that allows participation in the host country.

Among the most salient identity features of the Rumanian respondents' answers are language, religion and religious celebrations, food and to a lesser degree, popular music.

Only 13.2% of respondents affirm that they do not maintain the customs of their home country. This is because they have not been brought up with these customs, have adapted to Spanish customs, or have been prevented from doing so by the pressures of daily life.

With respect to language, reading is one way of keeping the mother tongue active. Even though most speak Spanish, Rumanian is spoken at home.

Orthodox Catholicism, the main religion among Rumanians, occupies first place among all Rumanian identity features. Church meetings, the celebration of Orthodox Easter, and the orthodox calendar are mentioned in 50% of answers, as in the following examples:

“Most of all, the celebrations- Christmas, Easter, I try ...I go with my mother to church”(man, 23 years old)

“Me, I’m 100%, I do them all...Easter, Christmas, we paint Easter eggs, we sing Christmas carols”(woman, 43 years old)

As for food, although most answers mentioned maintaining Rumanian traditions, they are more open to combining it with Spanish food. Different reasons are given for this, such as Spanish food being healthier, faster to cook or simply that the respondents liked it. Among the answers given by Bulgarian immigrants, religion barely figured as an identity feature (5.2%). In contrast to the Rumanians, 36.8 % of respondents did not strictly observe their country’s customs.

“I think my house is a mix, we haven’t abandoned Bulgaria, but nothing is strict, we live how we want to”(woman, 54 years old)

“In general, I’ve adapted to the customs here. Also, I don’t see that there are lots of differences either. I think that what’s important is to let yourself be guided by what life brings you, it’s not about clinging to the past either. Above all, if your past was more than a bit dark, as is the case with most Bulgarians”(woman, 35 years old).

Some responded that they generally maintained Bulgarian customs, principally by watching Bulgarian television and eating Bulgarian food. What is remarkable, however, is how the second generations adapt. In various answers, Bulgarian women admit that their children ask for and want to eat Spanish food such as chickpeas or Spanish omelet.

4. Immigrant perceptions of the Spanish and other nationalities

Apart from relationships with workmates in a work environment, another question in the survey asked immigrants how they saw Spain, the Spanish, and the things they did and didn’t like. From the answers provided, it can be seen that the Rumanians feel that “Spain is a country of opportunities”, “my second country”, “my second mother”, “my adopted country”, “a life experience”...93.4 % of answers only highlighted positive values and even included some self-criticism. What they most value is the free health system and the sensation of being able to move about freely. With regard to how they see the Spanish, the values most often repeated in the answers are tolerance and openness towards the immigrant. Only 12.5% declare that they do not like the Spanish- because they have felt rejected, exploited at work or because they consider the Spanish very selective in choosing their friendships or a bit superficial. There are even three testimonies which state that they find the Spanish to be “racists”. Among these negative opinions: “if

we are Rumanians, we don't all rob, if we are Rumanians we are not inferior. So, when they change their mentality, I'll also change mine". (woman, 30 years old).

Often citing the example of Moroccans, 48% of the Rumanians' responses considered that their situation, and their own self-image, is better than that of other nations. Apart from their membership of the European Community, they feel that their standing has improved in their country of destination, Spain: "Yes, the fact that we are Europeans, you can't compare the situation...And more than anything else, we Rumanians have a reputation for being hardworking, we don't compare ourselves with the Moroccans" (woman, 43 years old).

27.5% of answers, however, declare that their situation is worse when compared with other Western nationalities, such as French or German, and not nearly as good as that of the Spanish themselves. The Rumanians feel that they are seen as "second-class citizens", "without forgetting the moratorium on employing Rumanians in some of these western countries".

Lastly, 24.1% of the Rumanians who responded to this question felt that the situation was the same for all foreigners. In spite of being members of the European Community, these Rumanians have the sensation that they are still immigrants. For 84.3% of Bulgarians, Spain is also a good place to prosper and lead a better a life. Among other responses, was "Spain is the country that has saved my life", "a country that has taken me in so I can eat", "Spain is my country...right now, yes" or "a marvelous country with very open people".

The majority of Bulgarian respondents hold very positive views of the Spanish, and only 4.3% of answers reveal a poor opinion. What they most appreciate about the Spanish is their "cheerfulness, friendliness and solidarity", even if they consider that it is difficult to make real friends because relationships are often somewhat superficial. On the other hand, there are some who regard Spain as a place to work and nothing else, a country with problems, or a country of "labels". Bulgarians are not as optimistic as Rumanians when comparing their own self-image with that of other nationalities. According to 54% of answers, all immigrants are "equal", "foreigners" who are in Spain to try and get ahead and survive as best as they can. They are left with the least qualified work; as a 57 year-old Bulgarian woman put it, "all of us women more or less work cleaning houses and looking after old people".

A total of 23% of Bulgarian respondents feel that they are in a better situation than other nationalities and explain this in terms of being members of the European Community. In the remaining 23% of responses, Bulgarians feel that are in a worse situation than others, especially that of Latin Americans, principally because they do not have the same control over language.

5. Media perspectives in the host country

During the past few years, most studies of the media's treatment of migration have been based on the work of Teun A. Van Dijk, specifically his critical analysis of media discourse (*News as discourse*, 1988), racist discourse (*Racism and critical analysis of the media*, 1997) and of immigration and interculturality (see Aierbe, 2005; Ronda, 2006; Igartua et al., 2006; Holgado, 2008; Avilés, 2008; Martín, 2008; Lario, 2008; Sabés, 2010).

The discourse in the media transmits a perception of immigrants in a way that often promotes stereotypes, criminalizes the whole group, and violates principles of justice and citizen's rights. Such discourse thus becomes a pattern through which public opinion constructs the social reality of immigration. Accordingly, 76.6% of Rumanians interviewed indicate that they disagree with the images projected via the Spanish media. For them, the media "generalize, exaggerate, lie, manipulate" and only emphasize the negative.

"I just feel bad when I put on the telly. You hear: 'a bunch of Rumanians rob, kill, exploit' ...there always has to be a bad Rumanian. It's a real smear on us" (man, 51 years old)

"They upset me, they do me damage- it hurts me the way we are treated. I know that there are negative things, but it can't be that they never show anything positive"
(woman, 34 years old)

Of those who criticize the role and images of Rumanians that the media spread, 17.3% blame the situation on the Rumanian gypsies. "Rumania's image is ruined because of them. Some of them- I don't mean all"

However, 13.4 % believe that they have the image that they deserve, and for 10% of respondents the Rumanians' image in the media has improved over the past few years. Key dates mentioned are the terrorist attacks in Madrid on March 11, 2004 as well as Rumania's entry into the European Union on 2007. They also think that there are local media, such as the *Diario de Alcalá*, which manage to live up to expectations.

As for media perceptions of the Bulgarians, 23.1% of the respondents state they do not have the time to follow the Spanish media, or are not directly interested. 76.9% of the remaining respondents feel that they are "labeled" by the media and that the media only emphasize the negative and make generalizations.

"They only show bad news: robberies, muggings, prostitution and all that...above all, recently, there's bad news and there's no positive message" (woman, 38 years old)

"We're second-class workers and, what's more, we're labeled as bad, as racketeers, prostitutes and forgers" (woman, 54 years old).

As is the case with the Rumanians, a small percentage (10%) also consider that these labels are deserved.

6. Conclusions

While there are some similarities between how Eastern European immigrants see themselves, there are also some differences between the various nationalities. With respect to the work environment, Rumanian immigrants generally had a fairly positive interaction with the Spanish, despite the more negative perspective held by the Bulgarians (some 55%) on this subject. While most Rumanians do not intend to return to their country, despite the current situation, most Bulgarians would do so. In the case of the Rumanians, the maintenance of customs from the home country has resulted in a very strong identity construction- especially via the practice of Orthodox Catholicism and its celebrations, as well as the maintenance of a diet based on Rumanian food. In comparison, the Bulgarians do not place so much importance on such factors; perhaps this is because, unlike the Rumanians, they do think more often of returning to their country. Spain is highly valued as a country that has provided them with the opportunity to prosper, while special emphasis is placed on the Spaniards' cheerfulness, friendliness and openness. Taking into account certain activities of some of their compatriots, the Rumanians and Bulgarians were even capable of accepting some of the negative perceptions directed towards them. Despite this, there is no shortage of accounts from respondents that tell of exploitation, rejection and prejudice by the Spanish. With regard to the media discourse in Spain on Eastern European immigration, the immigrants' own views agree that this discourse only emphasizes the negative, generalizes, exaggerates, and "labels" the

immigrant. When they compare themselves with other nationalities, Rumanians believe they are more highly regarded than the Moroccans are. Bulgarians, however, believe that due to questions of language, their situation is worse than that of Latin Americans. In all cases, there are still many who feel that all nationalities of immigrants are equals and that, in the end, all are treated as foreigners.

Acknowledgement

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Bibliography

- Arango, J. (2010). Después del gran boom: la inmigración en la bisagra del cambio. (In) Aja, E., Arango, J. & Oliver Alonso, J. (eds.) (2010). *La inmigración en tiempos de crisis, Anuario de la Inmigración en España*, edición 2009 (52-73). Barcelona: CIDOB.
- Avilés, J. (2008). El impacto de la inmigración sobre la seguridad ciudadana. *Real Instituto El Cano*. (http://www.realinstitutoelcano.org/wps/wcm/connect/941b56004f01982abb59ff3170baead1/ARI1552008_Aviles_delincuenci_a_inmigracion.pdf?MOD=AJPERES&CACHEID=941b56004f01982abb59ff3170baead1)
- Centro de Investigaciones Sociológicas (2008). *Actitudes hacia la inmigración*. (http://www.cis.es/cis/opencms/Archivos/Marginales/2760_2779/2773/Es2773).
- Ferrero, R. (2009). La otra Europa que viene: europeos del Este en España. *CIDOB*, 84, 49-64.
- González Aldea, P. (2006). The Romanians in the Spanish Media: the worst face of the immigration. *Revista de Științe Politice*, 9-10, 30-37.
- González Aldea, P. (2012). Romanian ethnic media in Spain: the self-representation of the immigrants in the public sphere. CEE Communication and Media Conference 2012: Media, Power, Empowerment, Prague, 27-28 April.
- Lario, M. (2008). Medios para minorías y minorías en los medios. En Martínez, M. (ed.), *Inmigración, discurso y medios de comunicación* (65-86). Alicante: Instituto Alicantino de Cultura Juan Gil Albert.
- Mahía, R. & Arce, R. d. (2010). Impacto de la crisis laboral sobre la población inmigrante. *Real Instituto El Cano*. (http://www.realinstitutoelcano.org/wps/wcm/connect/f91c0c8041353aec9656f66d616c2160/ARI212010_crisis_laboral_poblacion_inmigrante.pdf?MOD=AJPERES&CACHEID=f91c0c8041353aec9656f66d616c2160)
- Marcu, S. (2007). Dinámica y estructura migratoria laboral de rumanos: 1990-2006. Flujos de emigración hacia España, destino Madrid. *Migraciones*, 21, 115-157.
- Marcu, S. (2012). Emotions on the move: belonging, sense of place and feelings identities among young Romanian immigrants in Spain. *Journal of Youth Studies*, 15, 207-223.
- Olmo, N. (2011). Construcción de identidades colectivas entre inmigrantes: ¿interés, reconocimiento, y/o refugio? *Reis* 104, 29-56.
- Pajares, M. (2007). *Inmigrantes del Este. Procesos migratorios de los rumanos*. Barcelona: Icaria.
- Tamames, R., Pajares, M., Pérez R., & Debasa, F. (2008). *Estudios sobre la inmigración en España*. (<http://fedrom.org/statics/uploads/EstudioSaatchi.pdf>)
- Vázquez, R. (2004). Inmigración y seguridad nacional. Los inmigrantes en la opinión pública española: una interpretación. En Cueto C. (Coord), *Seguridad y diversidad en las sociedades contemporáneas*. Madrid: Biblioteca Nueva.
- Viruela, R. (2002). La nueva corriente inmigratoria de Europa del Este. *Cuadernos de Geografía*, 72, 231-258.
- Viruela, R. (2008). Población rumana y búlgara en España: Evolución, distribución geográfica y flujos migratorios. *Cuadernos de Geografía*, 84, 169-194.

Editors' Note

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Report
on the Third International Conference
After Communism. East and West under Scrutiny, Craiova, 5-6
April 2013

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On the morning of April 5, 2013 participants in the Third International Conference After Communism. East and West under Scrutiny gathered in Craiova, where the Vice-Rector of the University, Professor Gabriel Olteanu, Ph.D., the Director of the Department of Sociology, Political Sciences, Philosophy and Journalism of the same university, Professor Aurel Pițurcă, Ph.D. and the two co-coordinators of the conference Associate Professor Anca Parmena Olimid, Ph.D. and Lecturer Cătălina Maria Georgescu, Ph.D. (Political Sciences Specialization, University of Craiova, both Editors at the Revista de Științe Politice. Revue des Sciences Politiques) welcomed all participants and media guests at the House of the University for the presentation of the keynote addresses of the conference and welcoming message of the Rector of the University, Professor Dan Claudiu Dănișor, Ph.D.

The official language of the conference was English (a few papers were presented in Romanian due to the specific of their research).

In the plenary and common sessions of the first day the audience warmly welcomed professor Hasan Jashari, Ph.D., professor Jonuz Abdullai, Ph.D. and professor Ali Pajaziti, Ph.D., three distinguished professors from the *Faculty of Public Administration and Political Sciences within the South East European University, Tetovo, Former Yugoslav Republic of Macedonia*, who presented a series of peculiar aspects of political crisis in Macedonia, the demographic transition and the consequences of applying public policies and the multicultural environment via culture creating a complex synthesis on transition and reform policies. All their studies on the developments trends in Macedonia raised the issue of the political influences and interferences.

The same day, professor Steven D. Roper, Ph.D. and professor Lilian A. Barria, Ph.D. from the *Department of Political Science, Eastern Illinois University, U.S.A.* presented a paper entitled "Violations of the European Convention on Human Rights: does post-communism matter?" that assesses violations of the European Convention of Human Rights (ECHR). The paper argues the debate in the literature on the subject framed in terms of the enforcement, managerial and constructivist perspective.

The same day, professor Lorena Stuparu, Ph.D. from the *Institute of Political Sciences and International Relations of Romanian Academy, Romania* presented a paper focused on the Romanian European identity characterized "by an attempt to build an identity whose structure is based on the European values in the economic-political social realm". Professor Ileana Nicula, Ph.D. from the *Faculty of Finances, Banks and Accounting, Christian University "Dimitrie Cantemir", Bucharest* presented a paper aimed at analyzing and monitoring the loans and deposits of the Dolj County in the period 2011-2012.

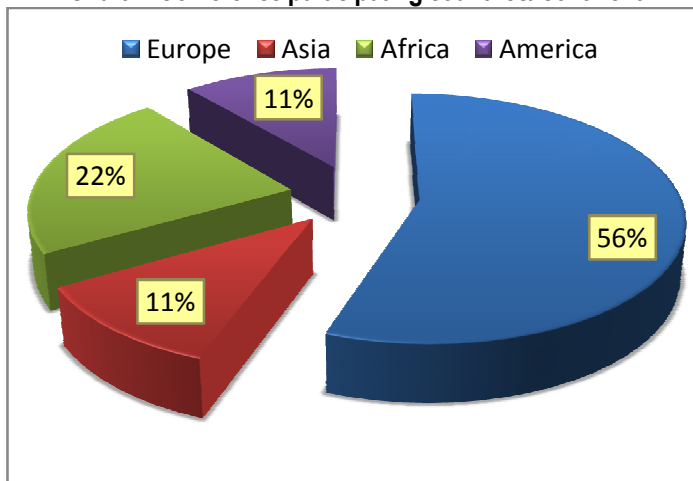
The conference gathered the studies and research materials of more than 50 young researchers as follows *20 Ph.D. Candidates conference papers; 17 MA Candidates conference papers; 20 BA Candidates conference papers in SECOND INTERNATIONAL STUDENTS' SCIENTIFIC SYMPOSIUM AFTER COMMUNISM. EAST AND WEST UNDER SCRUTINY*; reflecting the current situation of the post-communist research focused on the following approaches: social, legal and political controversies in communism and post-communism, politics and politicians, integration, identity and mobility in Europe, history and political transition, political theory and action, etc. At the end of the second day of the conference, a special international panel entitled "Second Political Sciences Students' Scientific Symposium After Communism. East and West under Scrutiny" gathered selected students' papers from the University of Craiova, Political Sciences, Sociology and Social Assistance Specializations. All students' papers pointed the changes occurred in the Eastern transition as a direct effect of the fall of the Berlin Wall.

All panels of the conference directly contacted those involved on both sides of the barricade (history and present) inventorying intentions, ideas, models, and instruments of searching for the public opinion of the moment by combining common and scientific knowledge.

The 12 panels involved a complex thematic of the post-communist transition considering social policies and regional development, political representations in the media, political elites, politics and public administration, political theory and society, economies after communism, political culture and education after communism, politics and reform in justice, political ideologies and culture after communism, political parties electoral systems, electoral campaigns, human rights and migration.

In brief, the conference gathered 9 participating countries from 4 continents: Europe (represented by 5 countries), Asia (represented by 1 country), Africa (represented by 2 countries) and America (represented by 1 country) (see Chart 1. Conference participating countries/ continent).

Chart 1. Conference participating countries/ continent

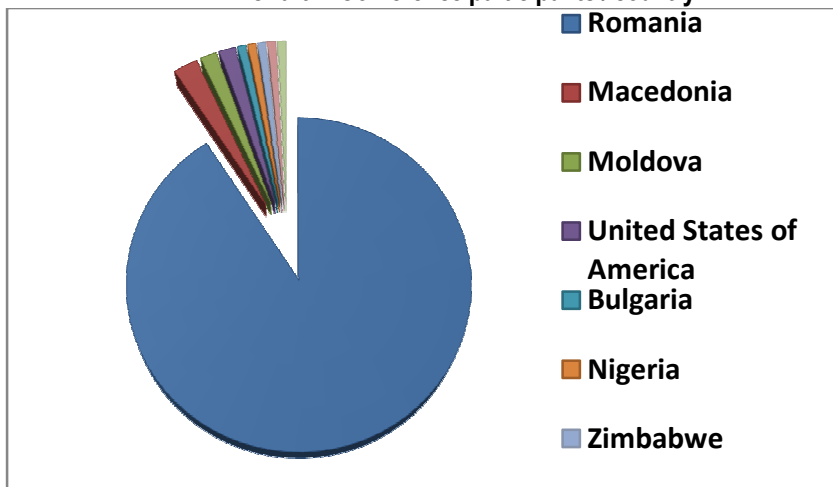


The organizers managed to put together not only a high-class academic program, but also to achieve the proper educational and enjoyable conference atmosphere gathering 124 participants from East as well as from West:

- Romania (118 participants),
- United States of America (2 participants),
- Former Yugoslav Republic of Macedonia (3 participants),
- Spain (1 participant),
- Nigeria (1 participant),
- Zimbabwe (1 participant),
- Moldova (2 participants),
- Bulgaria (1 participant),
- France (1 participant),
- Kazakhstan (1 participant),

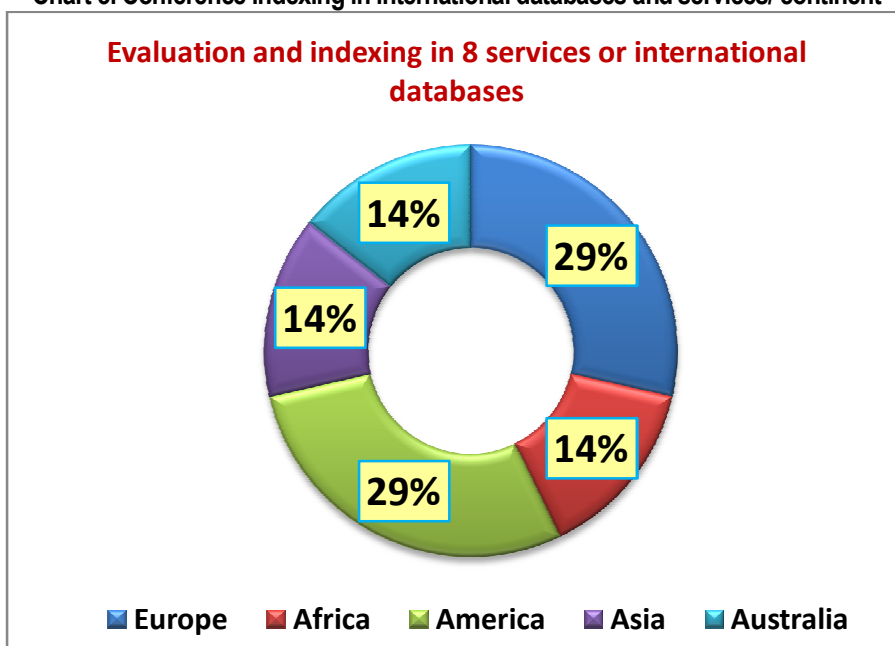
(see Chart 2. Conference participants/country).

Chart 2. Conference participants / country



By all accounts and reviews, the Third International Conference *After Communism. East and West under Scrutiny*, Craiova, 5-6 April 2013 was very well received by the national media and successfully indexed in more than 8 international databases and services **CONFERENCE ALERTS.COM** Garsfontein, South Africa, **UNION OF INTERNATIONAL ASSOCIATIONS**, Bruxelles, Belgium, **ASSOCIATION OF STUDENTS OF ASIA-PACIFIC STUDIES**, NCCU, China, **World University Directory**, Oxford Corporation, Beverly, MA, SUA, **GO 2 CONFERENCE** Dublin, Ireland, **AUSTRALIA'S UNIVERSITY NEWS WEBSITE** Australia **AWIG.ORG (ASSOCIATION FOR WOMEN'S RIGHTS IN DEVELOPMENT (AWID))**, Offices Toronto, Canada, Mexico City, Mexico, Cape Town South Africa, **WORLD CONFERENCE CALENDAR** (see Chart 3. Conference indexing in international databases and services/ continent).

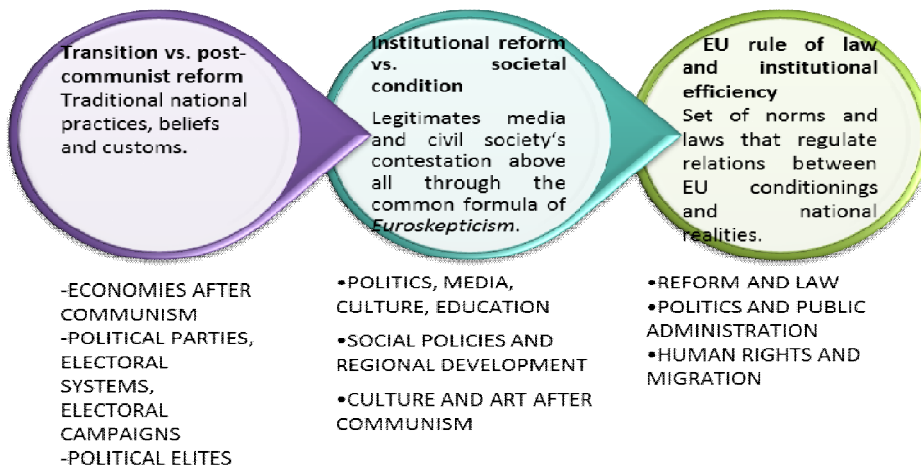
Chart 3. Conference indexing in international databases and services/ continent



It was furthermore announced that the Fourth International Conference *After Communism. East and West under Scrutiny* would take place on 4-5 April 2014 at the University of Craiova.

In short, the Third International Conference *After Communism. East and West under Scrutiny* created a descriptive and analytical sketch of what is usually referred to as transition period (see Chart 4. Thematic areas of the conference).

Chart 4. Thematic areas of the conference



Furthermore, the Organizing Committee presents its most sincere and warm thanks to all the members of the Scientific Committee: Professor Patricia Gonzalez-Aldea, Ph. D. (Universidad Carlos III de Madrid, Madrid, Spain); Professor Hasan Jashari, Ph.D. (South East European University, Tetovo, Former Yugoslav Republic of Macedonia); Professor Jonuz Abdullai, Ph.D. (South East European University, Tetovo, Former Yugoslav Republic of Macedonia); Professor Sonja Bunčić, Ph.D. (University Union, Faculty of Law, Belgrade, Serbia); Professor Harun Arikan, Ph.D. (Cukurova University, Adana, Turkey); Professor Ali Pajaziti, Ph.D. (South East European University, Tetovo, Former Yugoslav Republic of Macedonia); Professor Iordan Bărbulescu, Ph. D. (National School of Political and Administrative Studies, Bucharest, Romania); Professor Ioan Horga, Ph. D. (University of Oradea, Oradea, Romania); Professor Nicu Gavriluț, Ph. D. (Univesity A. I. Cuza, Iași, Romania); Associate Professor Adrian Basarabă, Ph. D. (West University of Timișoara, Timișoara, Romania) but also to all participants.

We would like to give our sincere thanks to our outstanding international conference participants. Once again thank you all for your involvement and participation.