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CONTENTS • SOMMAIRE

I. EDUCATION, CULTURE AND SOCIETY

Dana PANTEA ⇔ *The Influence of the English Culture upon the Work Culture in the Three Romanian Provinces in the 19th Century*

Mariana BUDA ⇔ *L'effet de domino des études européennes: le développement de l'Ouest vers l'Est de l'Europe*

Nicolae TODERAȘ ⇔ *Institutional Memory as a Main Factor of Incremental Institutional Change: the Case of the Republic of Moldova Higher Education System*

Adrian Cosmin POP ⇔ *Is there a Civil Society in China? The Dialectics of Democracy in a Communist State*

THE INFLUENCE OF THE ENGLISH CULTURE UPON THE WORK CULTURE IN THE THREE ROMANIAN PROVINCES IN THE 19TH CENTURY

Dana PANTEA [*]

Abstract: *The 19th century was determined by great historical changes in the south-east Europe. The French Revolution had its impact upon Romanian politics and stimulated the new intellectuals to draw reform projects, to make their demands known and debated on international level. The Romanians travelled abroad more and more and these contacts brought about economic, social and cultural changes and also gave birth to new intellectual elite that would fight in the European spirit for the formation of the Romanian nation. Thus the Romanians fought in the 1848 Revolution, they united the two principalities, Moldavia and Wallachia under the name of Romania, gained their Independence and started organizing their institutions according to European models.*

The strong connections between France and the Romanians are only too well known, less is known about the influence England had upon them during the 19th century. This influence manifested itself at political, economic, social, cultural, educational level. Romanian politicians, writers, diplomats, students started traveling to England in order to study their way of living, working, organizing the institutions and brought back new knowledge to enlighten those at home. They wrote their impressions in letters and articles and published them in newspapers, wrote short stories, travel journals in which they described what they saw with the aim to change life at home. This study presents the image of the English worker and way of working as seen by Ioan Codru-Dragusanu, Victor Ardeleanul, Gheorghe Barit, Vasile Alecsandri, Tereza Stratilescu and its influence upon the Romanians.

Keywords: *work, culture, influence, model, 19th century*

The end of the 18th century and the beginning of the 19th was strongly marked by powerful changes in the historical background of South Eastern Europe. One of these historical events, the French Revolution had its impact upon the Romanian policy by stimulating the new intellectual elite's thinking and leading it towards reforms. France joins Russia against the Ottoman Empire while England sustains the Ottomans thus being interested in the fate of the principalities. The political atmosphere of the 19th century began with a rising in the claims of the two principalities, thus their fate reached the international debate after which they were granted certain privileges. As far as Transylvania is concerned, the echo of Horea's rebellion made the province known by the European public opinion. Following these historical events, the Romanians came to a conclusion that would determine their manner of acting in the 19th century: the necessity

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to combine the actions inside the province with those at international level (Bărbulescu, Deletant, Hitchins, Papacostea, Teodor*:* 2004: 270-271).

The 19th century brought about radical changes in the lives of people in Transylvania Wallachia and Moldavia. The more and more frequent contacts with the Occident lead to economic, social and cultural changes, to the birth of the intellectual elite that was to fight in the European spirit for the Romanian nation. All these profound transformations as well as the militant spirit drawn towards the forming of the nation fell into the specific atmosphere of South East Europe where there was a continuous fight for the assertion of the nation. In this historical context the Romanians had something more that drew them towards West: their Latin origin: "We are, in addition, the Latin people of the East bringing along a little bit of Rome's relaxed rigour in this space of perpetual political transactions, of prolonged but fruitful lingering, of the totalitarian and domineering gesture, of the twilight glows, of futile but great sacrifices, of the mystery and ecstasy of Orthodoxy" (Theodorescu, 2003: 113).

The modernization of all political, economic, social, judicial structures, the gaining of the independence brought along changes in terms of culture: new, modern, national institutions were established, old cultural values and historical traditions were revived with the aim to sustain the national being. This is the background against which Western cultural models left their marks: the French model left its print both in Romania and Transylvania, the German cultural model influenced Transylvania, moreover the English model, in spite of the great geographical distance left certain important marks in terms of culture. Furthermore these models together with Romanticism formed the basis of the modern culture which was able to sustain the crucial historical moments of the 19th century such as political confrontations and the Revolution in 1848 (Theodorescu, 2003: 167). the union of Moldavia and Wallachia, the Independence War.

The cultural relations between England and the three Romanian provinces had been quite scarce up to the end of the 18th century and the beginning of the 19th when we can notice the first literary contacts. The first Romanian to reach England was Stefan Bogdan who went to Queen Elisabeth I's Court to seek for political support. The first English writings entered the Romanian culture first through translations from Greek and Serbian intermediaries and later through French and German ones. The very moment they entered the Romanian culture they highlighted the level and needs of the Romanian collective mentality at that time. In Transylvania, for example, the anglophilia was much stronger than in the Principalities both because of the predominant German influence and the social political situation of the Romanians here who were fighting for their freedom in the enlighten spirit of the epoch in which constitutional monarchy represented a model to follow (Duțu, 1969: 89).

At the beginning this contact was made by means of travelling, people travelled because by doing so, they could broaden their horizon, it made them think, learn and change themselves and so, they could change others. The result of these travels can be found in the image of the Other, expressed in letters, notes, articles, short stories, diplomatic documents. This image is usually provided by means of a comparative approach which helps project the self image upon the Other who is the foreigner, thus different from us. When the historian himself studies a past reality he cannot in fact look upon it as it really was, but what he analyses is a representation of the reality. Furthermore, when the same image can be found in different writings and in the collective mentality we have the stereotype which is nothing but a simple, deformed copy of reality which has a great impact upon another people's culture. When analyzing the perception of

the Other both diachronically and synchronically, we can better understand the needs of the one who created the image, his cultural values, his hopes, his shortcomings.

By studying an image we try to live again a historical event, to interpret it, to understand it, to explain the way in which a collective identity has generated certain ideas and attitudes such as the concepts of fatherland, nation. As the image is the subjective reflection of reality, the researcher's task is quite difficult because he has to take into consideration the framework in which the image was generated and not the one he is living in. This is the perspective through which national images formed as a result of the contact between two cultures should be looked upon (Mitu, 2000: 271).

When defining national images we must take into account the human presence with all the characteristics involved: moral and physical features, cultural references, way of living, nutrition, and clothing. Of all these, the aesthetic image of the foreigner that comes with all its particularities is the one that determines the observer's attitude who will decide whether he likes the foreigner or not and who will label a whole nation according to the image created in his mind. This image of alterity, of the Other, and the self image coexist in a fundamental relationship and help the researcher define the identity.

It was only at the beginning of the 19th century that the Romanians from the three provinces started travelling throughout Europe. Some of them had to go in exile while others were driven either by the wish to discover new places, to study or had to take care of their health. Few things are known about them, but, as we progress in the 19th century, people began to record, to send letters, to write in order to make another world known to the oppressed ones at home, they started to write their memories and travel journals, or mere and simple to write literature through which to convey their thoughts, impressions and suggestions. Travel literature, a genre often criticized, even forgotten on the shelves or in the drawers is a rich source which helps us understand the collective mentality of a certain people, the stereotypes that dominated its psychology, its evolution. The testimonies here are transparent, the strict canons of other literary genres do not apply here, thus travel literature maintains its originality and authenticity (Feifer, 1993: 5) and, the image of "the Other" it provides, is clearer and easier to perceive.

One of the images that can be found in different articles, notes travel journals and letters is that of the work and the way English people work in different fields of activity. One of our first travellers, Ion Codru-Dragusanu, a bright, original, intelligent young man, bearing the best features of our nation (Drăguşanu, 1924: 119), writes letters after having visited Austria, Italy, France, Germany, England in order to communicate his thoughts and impressions. One of the first observations refers to the way the English Customs is organized and how people work there. He was afraid he might not find his luggage, but to his great surprise he got all his luggage because of the order and discipline of people working there, one could trust him a needle and be sure it couldn't\t be lost or given to somebody else (Drăguşanu, 1924: 119).

The image presented by Petrache Poenaru is the one seen through the eyes of an engineer and mathematician. He decided to go to England in order to take advantage of the precious information regarding the development of industry. His stay in England was financed by the government of Walachia and his assignment was to study metallurgy and mining. In 1831 he sent a letter to Zamfirache Pop in which he pointed out technical detailes in organizing metallurgy, spinning mills and building railways. He was the first Romanian to travel by train and he also expressed his hope that soon the Romanians would be able to travel from Sibiu to London in three days.

Petrache Poenaru went to Birmingham to visit the well known steam machine factory which was a supplier for the whole Europe and after having visited it he expressed his wish to bring those machines back home together with the workers as no one else could operate them. A good observer, clever and sensitive at the same time, he was impressed by the scientific discoveries which were so efficiently applied in England, by the "wonderfully organized economy", by the people who were skillful businessmen, very good leaders and supervisors and he gave as an example Mr. J. Taylor whom he considered the best mining engineer. When visiting London he could but admire the magnificent, imposing bridges, the architecture of the houses the beautiful gardens and streets (Filitti, 1934: 79).

A well known Romanian writer, Alexandru Odobescu made a trip to England together with his brother and two friends in August 1852 and he wrote his impressions in a travel journal. Owing to his literary craftsmanship the Romanian reader will enjoy both a pleasant, relaxed atmosphere and pertinent observations while reading this journal. A scholar educated in the classical spirit, Odobescu visited White Hall, Westminster Abbey, museums, art galleries and concluded that for an art and beauty lover, one can see a lot in England. But he was also impressed by the activity in the docks, the well organized commerce: "It is over there that one can see activity. A wood of masts, mountains of sacks and parcels, crowd of people shouting at each other in different ways – this is what the docks show, a really wonderful image of commerce. One can wonder how serious business can be run in this crowd, how thousands of pounds are not lost, how mere interest can rule. But anyhow, it is there that one can get the real idea about commerce and the great consumer society" (Odobescu, 1934: 621). The typology of the Englishman is very well presented in the travel journal, the writer himself noted that he studied the Englishman as an industrialist, the English businessman, the Englishman as the keeper of old traditions, proud of his past, living his present in dignity.

Another writer, a naval officer too, who wrote about England and the English was Jean Bart. He told real stories from his journeys on the sea, thus it is only but natural to find in them observations about the English. One of his sketches is a funny story about a "living dog" found by the customs officers on a Romanian ship when it entered London port and all the misfortunes the crew had to suffer because of it. But it is important what we find out from this happening: respect for discipline, law even for animals' health. Customs officers, controllers, veterinarians, a representative of the Society of Animals' Protection all came on board to check Machi, the dog, his health, food, breed, care. The English were proud because they succeeded in eradicating the rabies because of strict customs control. Besides the funny moments, the story highlights the professionalism of the English society that even for dogs, has documents, knows the genealogy and evolution of a certain breed and does everything in a very responsible way (Bart, 1968: 204). The same order can be found in any place the English go even in a foreign country, and Jean Bart gives as an example the English side of Gibraltar and the hotels occupied by the English which are clean and organized just like at home.

A gifted narrator, a writer and a politician at the same time, Ion Ghica wrote letters to his friend Vasile Alecsandri revealing his capacity of rendering portraits, events, the local colour. Thus he created a vivid picture of England, the country in which he spent a lot of time, even as a plenipotentiary minister. In 1884 he became a member of Wellington Club, he was invited by lords and dukes at their castles, he spent his holidays in Brighton, thus his letters would present different aspects of the English character: besides the stereotype portrait of the fair haired, blue-eyed English, we could find the English trader, the Englishman ready to help the oppressed ones, the pragmatic one who

could organize the economy very well, but also the Englishman who was criticized for the work-houses, for the life of poverty and misery a great part of the people was living in.

A topic that covers a large part of the letters is economy. Ion Ghica dedicated many pages to the cooperative stores, he gave a detailed description of their history how they were settled and organized, he wrote about people employed, prices, quality of the merchandise, benefits (Ghica, 2001: 243). He even mentioned the number of cooperative stores in 1885, namely 782. Furthermore he pointed out the great benefit brought by these stores to the English society because 21% of the benefits were invested in educating the workers' children in the field of art, science, industry. The specific pragmatism determined the English to settle building societies so that the workers might have good, comfortable and healthy houses (Ghica, 2001: 243). The writer considered that the way the construction sites were organized, how everything was carefully thought from the very beginning could be a model for any people including the Romanians and that's why he explained everything in detail.

In Ion Ghica's letters the English society was depicted as being built by enterprising, diligent, full of initiative people who work straightforward in order to live in comfort. At the same time the English were all the time preoccupied to have a high quality education for their children. This way of thinking and working was taken to the colonies where they formed and civilized nations. In spite of this admiration for the English flourishing economy, Ion Ghica doesn't fail to present the poverty of the working class, condemning and criticizing at the same time those who were becoming richer and richer and who were doing nothing to improve the life of the poorer who had to live in the miserable work-houses: "The number of the misfortune ones who don't find work or of those whose remuneration is not enough is rising day by day and this situation needs the attention and concern of the statesmen. It is only in London that the number of those in need exceeds 150.000, besides those supported by the parishes according to the poor law and by many charity societies. In spite of all these, each morning there are people found dead and doctors declare them as dead because of starvation as if they died of plague or stroke" (Ghica, 2001: 252-253).

Ion Ghica offered us a perspective from the inside of the English society, a society he came to know so well, that's why it is more valuable than those mentioned before. The picture of the society is not only a happy one, expressing admiration, but it is also a sad one, depicting the sufferings of the English people. Thus we can observe that the image of the Other, in our case the English, has changed in accordance with the creator of the image who, this time is more prepared to make a deeper analysis of the alterity.

Towards the end of the 19th century the information about England and the English became more diversified and coulnd be read not only in letters but also in textbooks and different articles in newspapers. A good example is *The Economic Geography of Europe,* a textbook written by Professor F. Stamatescu for high school pupils. Besides the geographical details about England, the author characterizes the industry "which reached an activity and a development unequaled by any other country" (Stamatescu, 1901: 44), he writes about the agriculture which is done in accordance with the composition of the soil and about the cleverness of the English people who used their natural paradise in order to grow cattle and sheep. The same textbook underlines the importance of the human factor in the achievements of the English industry: "Regarding the second element, the workers, no other country can be compared to England: the workers' fingers have the highest degree of professional instruction and education and in addition there is the discipline and order" (Stamatescu, 1901: 350).

Because of their high level of civilization the English were models for the younger nations, one of them being the Romanian one. Having been under foreign oppression for long periods of time, the Romanians were lacking in a good organization in all fields of economy. This was the reason that determined Virgil Madgearu to write a study about the situation of the Romanian economy and about the labour exchange in England as an example of reducing unemployment. He makes a deep analysis of the principles, organization and activity of the Labour Exchange, of the law and the method used to apply it and recommends it as a valuable example for many other countries (Madgearu, 1911).

An important factor in all the achievements of the English people is their educational system. Along the 19th century many Romanian travelers, writers, diplomats, intellectuals, observed and later on tried to implement at home the good things they saw. Ion Codru-Dragusanu, Petrache Poenaru, Ion Ionescu de la Brad are only a few of them. For example Ion Ionescu de la Brad after having visited England in 1846 and the Great Exhibition in 1862, translated the Scottish agriculturalist David Low's book about breeds, taught the newest ideas in agriculture at the university and later on established model farms.

An extensive presentation of the English educational system and its benefits and way of organization is done by Tereza Stratilescu. She made a trip to England with the aim to study the educational system in order to bring her contribution to the development of the Romanian one. She published her articles in *Convorbiri literare* in 1894, 1895 and 1896. From the very beginning she observed that in England they learn a lot, but a great importance is given to drawing and physical drills. The consequence is a strong and healthy English young man who is eager to take part in different sports competitions once he entered a university: "Most of conference classes are between 9 and 1 o'clock in the morning; after one o'clock the students are free to do sports and drills. And they do enjoy playing football, tennis, cricket for hors, rowing becomes quite a passion, especially in spring when the students from Oxford compete with those from Cambridge on the Thames, near London" (Convorbiri literare, 1894: 445). Tereza Stratilescu motivates her deep interest in presenting the sports activities: to awaken the interest of those at home in organizing the school activities.

In order to understand the functioning of the educational system the author goes to schools, high schools, universities, attends both classes and meetings of the boards of directors, admires the initiative of University Extension which gives the opportunity of getting educated both for rich and poor. She analyses the curricula of all the universities she visits, she is also interested in technical institutions and in the way teachers, mostly women, are formed and evaluated to obtain the best results.

The emancipation of women was considered an important subject to be discussed and many examples from the English society were given in newspapers and magazines. The article entitled *Women Doctors in England*, published in *Familia* in 1889, is an example for the Romanian women: "for somebody to get an idea of the cultural progress made by the English women, we will mention that presently there are 73 women doctors in England. Out of them 22 live in London, 16 in other cities, 17 in India, the others travel from one place to the other." (Familia, 1889: 518).

All articles, letters, short stories, studies prove a permanent interest in the economy, in the development of the English society, in the inventions, scientific discoveries but all these were strongly connected with the idea of work, with a certain behavior of the English worker, his professionalism, his qualities which were set as examples for any nation.

The Anglo-Romanian relations have evolved for a long period of time and known a wide range of fields: political and commercial at the very beginning, while the cultural contacts have developed later during the long process of knowing each other. As England has been a powerful country along centuries and because the industrial revolution started there it has also become a model, an effective example especially for a country such as Romania, where modernization was imperative. That's why Romanians from all three provinces go to England, but each having his own interest. If at the very beginning of the contacts with England the aim was mainly political, to ask for support in order to obtain the throne, the interests changed according to the personality who visited England. For example Petrache Poenaru was interested in industry, manufactures, technical problems, comminication; Vasile Alecsandri and Jean Bart, both writers, left in their books the image of the most civilized country. Vasile Alecsandri, who was also a diplomat, together with Ion Ghica drew their attention upon the problems of the Union and Independence. There are many notes, articles private and diplomatic letters which give us a great picture of England wherefrom we find out the details of British everyday life, the social life of different classes, the traditions, religion, the educational system, the parliament system.

The Romanians went to England not only to ask for politcal support, but also to observe, to learn and to bring back all this knowledge and disseminate it at home so that the Romanians could live a better life. The travellers and the diplomats admired the bicameral English Parliament, and the constitutional monarchy, models which finally they succeeded to implement in their country. They also admired the English woman who was so independent and emancipated as compared to the Romanian one. The educational system in England was also a model for establishing new schools in the three provinces.

Many times it has been said that the Romaninans have a special philia for the French people who influenced the formation and development of our culture and society. But the modern spirituality of the Romanian people was formed not only under the French influence, but also the English spirit penetrates the Romanian collective mentality, thus the English culture becomes a model for the Romanian culture this including the idea of work and worker.

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L'EFFET DE DOMINO DES ÉTUDES EUROPÉENNES: LE DÉVELOPPEMENT DE L'OUEST VERS L'EST DE L'EUROPE

Mariana BUDA[*]

Abstract: *The aim of this article is to stress the systematic actions of development of European Studies from the west to the east of Europe in accordance with the European integration process. The process was a natural one, the majority of universities adopting European Studies programs in the previous years of their adhesion to the European Union. Jean Monnet Action was the European program which most stimulated the dissemination of European Studies and the development of specializations.*

Les études européennes enseignées aujourd'hui dans la majorité des universités européennes, au niveau de Licence, Master ou même Doctorat sont devenues un component naturel des curricula d'études dans l'enseignement universitaire. Elles introduisent la dimension européenne dans l'enseignement universitaire et, au fil du temps, elles ont contribués au processus d'intégration européenne continue des pays de l'espace européen à la grande famille de l'Union Européenne. Les études européennes sont centrées sur l'analyse des modifications nationales et transnationales sur le continent européen, mais l'accent tombe sur l'intégration européenne comme sujet central du curriculum (González et Wagenaar, 2005: 19).

En analysant différentes études de spécialité du domaine large et complexe des études européennes, nous pouvons affirmer que ce type d'études est apparu dans le milieu universitaire européen au fil du temps, étant un appui théorétique dans le cadre du processus ample de formation et de définition de l'Union Européenne, à tous les niveaux. Par conséquent, tour à tour, les pays d'Europe ont inclus les études européennes dans les curricula d'enseignement aux environs du période quand ils ont adhéré à l'Union. En ce qui suit, ils ont adapté le contenu des études européennes aux nouveaux changements qu'Europe a traversés.

Dans cette étude, nous nous proposons d'exemplifier la manière dans laquelle les études européennes se sont développées en commençant avec l'Ouest de l'Europe vers l'Est, comment se sont influencées réciproquement et comment elles ont parcouru un vrai processus de domino.

I.Les études européennes dans l'Europe des 12

En 1989, l'Association "European Community Studies" (ECSA) a réalisé un ample rapport intitulé "*Place de l'intégration européenne dans les programmes*

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universitaires. Rapports nationaux", présenté à Bruxelles le 29-30 juin 1989 dans le cadre de la Conférence ECSA-Europa sur le status des disciplines à vocation européenne. Ce rapport comprend l'état des études européennes au niveau de chaque pays membre de la Communauté européenne jusqu'en 1990, ou, mieux dire, d'après le nom même du rapport, on trouve la place de l'intégration européenne dans les curricula universitaires. Le rapport fait référence aux pays membres de la Communauté Européenne à cette date-là et il est composé des rapports nationaux de chaque pays, écrits par des professeurs universitaires de prestige. On nous présente la vision des professeurs qui les ont réalisés. Les pays auxquels le rapport fait référence sont : la Belgique, le Danemark, l'Allemagne, la Grèce, la France, la Grande Bretagne, l'Irlande, l'Italie et les Pays Bas.

En ce qui concerne les universités belges, déjà avant 1990, elles ont proposé des programmes d'études européennes au niveau de licence. Il s'agit des licences dans l'intégration européenne (Van Houtte et De Ridder, 1989: 6). L'Université Libre de Bruxelles fournit les programmes les plus complets dans le domaine des études européennes, compte tenu de la gamme très large des cours prévus. Ils couvrent les domaines du droit européen, de l'économie européenne et certains aspects politiques de la Communauté Européenne. Le programme d'études européen offert en collaboration par l'Université Catholique de Louvain et l'Université de Liège est orienté vers le droit européen. En plus de ce programme, l'Université Catholique de Louvain offre également un programme d'études européennes d'orientation générale déjà depuis 1988.

Dans les cinq universités danoises, les cours sur l'intégration européenne sont enseignés comme partie intégrante des sciences politiques, du droit ou des sciences économiques (Pedresen, 1989: 37). Concernant l'enseignement de l'intégration européenne et des thèmes connexes à ce sujet, comme partie des sciences politiques, il se déroule dans des contextes éducatifs différents, car ces cours sont enseignés par des hommes politiques du moment, chacun avec son caractère, avec ses connaissances, ou ses doctrines politiques. Quand même, l'observation générale que nous pouvons faire c'est que le sujet de l'intégration européenne a été mis en évidence plus prégnant avant l'adhésion du Danemark à la Communauté Economique Européenne, c'est-à-dire avant 1973, que dans les 10-15 ans prochains. Cependant, il est à noter encore l'intérêt accru après le référendum de 1987, quand l'avènement du marché unique éveille l'intérêt du public danois, et cela se reflète dans les curricula d'étude de l'enseignement supérieur (Pedresen, 1989: 37).

Dans son rapport de pays, la Grèce propose seulement une liste des disciplines sur l'intégration européenne enseignée dans les universités hellènes. Il est à remarquer que l'intégration européenne est enseignée comme partie des sciences juridiques, des sciences politiques et des études économiques et de business.

Le rapport français concernant l'évaluation des échanges survenus et les tendances dominantes au moment d'enseigner les disciplines consacrées à la Communauté Européenne est très bien structuré et a une langueur de 40 pages. Une première distinction de ces études est faite en fonction du domaine fondamental auquel elles appartiennent. Ainsi, les disciplines appartenant au droit communautaire ont l'origine dans la reforme de la licence en droit de 1954, par la création d'un cours d'organisations européennes. Cette conception initiale se trouve sous la marque d'une nette subordination du Droit International Public et des Relations Internationales, nécessaires dans le moment respectif. Cette approche a été abandonnée au moment de la création de la Communauté Economique Européenne, par sa transformation en Droit institutionnel communautaire. Cette discipline a joué un rôle fondamental dans le développement des études sur l'Europe. En ce qui suit, d'autres disciplines de ce type prennent

naissance aux trois niveaux d'enseignement. Même si le Décret du 27 février 1973 concernant les diplômes nationaux de l'enseignement supérieur et les diplômes d'études universitaires générales[1] n'impose aucune exigence regardant l'introduction d'une certaine discipline sur la Communauté Européenne dans les départements de droit, beaucoup d'universités telles qu'Angers, Bordeaux, Caen, Montpellier ou Rouen ont introduit des cours sur les institutions européennes. Il est à remarquer que la majorité des disciplines de droit communautaire sont enseignées au niveau de Licence ou de Master. L'autonomie universitaire a laissé la liberté totale au sein des institutions d'enseignement, sans imposer aucune constante.

En France, des spécialisations exclusivement ou principalement communautaires ont été créées à partir de 1974[2], par la création des programmes de DEA et DESS, programmes d'études appartenant au deuxième cycle, c'est-à-dire les équivalents du Master. Alors, on peut compter sur les suivantes spécialisations : DEA en droit international et européen, en droit économique et communautaire, en droit du marché commun, en droit communautaire, et DESS en économie européenne, en gestion européenne et internationale. A la fin de ces études, les étudiants ont l'obligation de défendre une thèse de dissertation en droit ou en économie européenne. Une autre initiative à cet égard est la création des certificats qui ne suivent pas les contraintes d'un diplôme national, mais qui assure une formation basée sur les problématiques de la Communauté Européenne. C'est le cas du Certificat d'études européennes de l'Université de Bordeaux I, qui regroupe l'ensemble des cours (institutions, droit, économie) de l'Institut d'Etudes Européennes de Strasbourg et du Centre d'Etudes Européennes de l'Université de Paris I[3].

En Grande Bretagne, les études européennes ont émergées comme des études régionales, telles que les études latino-américaines, les études slavonnes ou les études est-européennes. Concernant le domaine d'application, les études européennes font référence à l'Europe contemporaine de l'Ouest (son histoire et son développement inclus), ses politiques, son économie, les aspects légaux et une ou deux langues étrangères (Bettinson, 1989: 165-168).

Déjà depuis son apparition en Grande Bretagne comme programme d'étude, celui-ci s'est bénéficié d'une croissance substantielle. Entre 1968/70 et 1989, 27 institutions d'enseignement supérieur ont déroulé des programmes d'études européennes au niveau Licence. Beaucoup de ces institutions sont devenues d'importants centres de recherche. Au niveau de Master, les programmes d'étude n'ont pas toujours une cohérence, tels que les programmes de licence. A ce niveau, l'accent tombe sur l'intégration européenne, en ajoutant une composante obligatoire de compétence linguistique (Bettinson, 1989: 165-168).

La conclusion du rapport de pays de la Grande Bretagne précise que le processus de développement des curricula d'études européennes a commencé dans la première moitié des années 60, il a connu une croissance fulminante dans les années 70, grâce à une forte motivation au niveau national et il a passé par un période de stagnation dans les années 80, même si à ce moment-là les programmes d'étude ont commencé à avoir une identité propre et des objectifs communs. En plus, à partir de 1987, prend naissance l'organisation UACES, *The Standing Conference of Heads of European Studies,* sous la tutelle des professeurs Christopher Bettinson et Kenneth Dyson, la plus grande organisation de ce type même aujourd'hui. Son principal objectif est la représentation des

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[1] *Décret n°73-226 du 27 février 1973 relatif aux diplômes nationaux de l'enseignement supérieur et arrêté du 27 février 1973 relatif au diplôme d'études universitaires générales.* Voir le Journal Officiel de la France: http://archives.assemblee-nationale.fr/5/qst/5-qst-1973-07-07.pdf

[2] *Ibidem*

[3] *Ibidem*, p. 132

études européennes dans les gouvernements et la recherche dans ce domaine. Dans ce sens, il est observable une tendance d'européanisation de certaines disciplines, surtout dans les années 87-89 (Bettinson, 1989: 223-225).

Le rapport de l'Irlande mentionne que les problèmes financiers représentent le plus important problème regardant la création et la propagation des études européennes en Irlande. Les difficultés administratives ne représentent pas un problème, car les institutions irlandaises ont une attitude flexible. En même temps, les irlandais se heurtent des problèmes académiques et politiques au moment d'initier un programme d'études européennes, car les universités mais surtout les professeurs sont traditionalistes et ils souhaitent garder la pureté des disciplines enseignées (Background Paper on Ireland for Liaison Comittee Sub-Committee, 1989: 229-234).

Le rapport de l'Italie, tel que celui de la Grèce, présente une liste de disciplines enseignées dans les universites italiennes, disciplines qui font référence aux problématiques de la Communauté Européenne. Ce rapport offre des données concrètes, tel que : disciplines à caractère européen, en comptant 76, desquelles 41 sont de nature juridique, 12 de nature économique, 8 de nature historique et 3 de nature politique. 35 des disciplines ont un contenu 100% européen, 20 ont un contenu européen en proportion de 90%. Le nombre total d'universités où on enseigne des disciplines de nature européenne est de 28, d'un total de 58 universités italiennes (Enseignements européens: rapport sur l'Italie, 1989: 236-242).

Peu après la création de la Communauté Européenne, différentes chaires de droit des Universités hollandaises ont introduit des disciplines telles que le Droit économique européen, le Droit des organisations internationales, le Droit européen dans leurs programmes d'études. Ce phénomène a lieu dans les Pays Bas des années 60, années quand on compte sur une importante croissance de l'éducation scientifique dans les universités. Ce qui est commun pour tous les programmes de Droit européen dans les universités hollandaises est le fait qu'une introduction générale en droit international est enseignée en deuxième et troisième année d'étude, lorsqu'on introduit des notions de base sur le droit européen (Slot, 1989: 246). Un autre aspect important à mentionner est le fait que l'Université d'Amsterdam est le pionnier concernant l'introduction des cours sur l'intégration européenne et qui propose un grand nombre de disciplines concernant le droit européen. Conçues au début comme des cours d'été auxquels participent majoritairement des étudiants étrangers, peu à peu elles se sont concrétisées dans des programmes d'études des universités. Au fil du temps, la majorité des Universités ont introduit des cours d'introduction dans le Droit européen et les ont fait permanents dans leurs programmes d'études (Slot, 1989: 247). Le professeur Paul Slot, celui qui a réalisé le rapport hollandais, mentionne que l'intérêt pour le Droit européen est énorme de tous les points de vues, et de la part des compagnies de droit et des gouvernements, car on observe le besoin d'avoir des personnes préparées dans ce domaine pour entrer sur le nouveau marché de travail. Il considère également que c'est le moment pour la majorité des étudiants de se former dans cette spécialité, car il y a une large offre de travail auprès des institutions qui ont besoin du personnel préparé dans ce sens (Slot, 1989: 248).

La conclusion finale de ces rapports est que les études européennes représentent une constante dans l'enseignement universitaire européen et qu'on les trouve dans toutes les universités. Certaines universités ont compris plus tôt l'adoption de ces programmes et les ont introduits dans leurs curricula. D'autres, plus tard et plus réticent. Mais, c'est une certitude le fait que dans chaque pays se sont développés centres de recherche européenne ou des instituts européens, des spécialisations d'études européennes dans le cadre des départements ou même des facultés de profil. Une constante qu'on peut remarquer est le fait

que dans chaque pays, avant son adhésion à la Communauté européenne, a lieu une intensification des études à vocation européenne, une croissance du nombre d'heures, de spécialisations, d'intérêt pour ce domaine, probablement provenant du désir d'être plus informés regardant ce qui se passe au niveau institutionnel, politique, économique européen. Il est à noter après un déclin progressif de cet intérêt quelques années après l'adhésion, le sujet n'étant plus de première actualité. C'est une autre preuve que les études européennes sont et seront toujours un processus en changement, en mouvement, en fonction des modifications, de toute nature que se soient, qui apparaissent au niveau supérieur dans la Communauté européenne, respectivement dans l'Union Européenne plus tard.

Dissémination vers l'Est des études européennes

Même si ces études ont eu une dynamique relative jusqu'en 1989, on observe un vrai développement notamment après 1995-1996, quand les études européennes s'éteindront également dans les pays de l'Europe Centrale et de l'Est. Nous remarquons une véritable explosion surtout après 2000, quand les pays en processus d'adhésion à l'UE entrent massivement dans le jeu et quand nous assistons à la diversification des réflexions sur l'agenda européen. C'est le moment quand les interrogations sur le nouveau parcours universitaire apparaissent. Dans ce contexte, nous observons l'utilisation toujours plus fréquente du syntagme « études sur l'Union Européenne ». Ce sont des études qui font référence strictement aux événements de l'Union Européenne et ce sont des études plus amples, certes, que les études sur l'intégration européenne qui prennent en considération seulement certains aspects de la sphère de l'Union Européenne.

Dans ce contexte du permanent développement et de la nécessité d'introduire l'idée d'Europe dans les programmes d'études de l'enseignement universitaire, prend naissance l'Action Jean Monnet dans l'enseignement supérieur européen, en 1990.

Le programme Jean Monnet est une action de l'Union Européenne et vise la stimulation de l'excellence dans l'enseignement supérieur, la recherche et la réflexion concernant les études sur l'intégration européenne dans les institutions d'enseignement supérieur du monde entier (Jean Monnet: Projets exemplaires. L'Union Européenne et le monde, 2008: 3). Au début, l'action Jean Monnet se limitait aux états membres de l'Union Européenne. Peu à peu, elle s'est éteinte en Pologne et en Hongrie en 1993, en République Tchèque en 1997 et après en tous les pays candidats de l'Union Européenne. A partir de 2001, l'Action Jean Monnet fonctionne dans le monde entier (Jean Monnet: Projets exemplaires. L'Union Européenne et le monde, 2008: 3). Son objectif principal a été encourager les universités dans la démarche d'expliquer le modèle de l'intégration européenne et la coexistence pacifique dans l'Union Européenne, mais aussi d'expliquer ses politiques. Actuellement, l'Action Jean Monnet est présente en 61 pays sur les 6 continents (Jean Monnet: Projets exemplaires. L'Union Européenne et le monde, 2008: 3).

Bref, les programmes d'études européennes ont été introduits dans l'enseignement universitaire des pays situés dans la partie d'ouest de l'Europe approximativement à la fois avec leur adhésion à l'Union Européenne. Progressivement, ils se sont répandus dans l'est et sud-est de l'Europe, étant à nos jours une composante naturelle des curricula d'enseignement.

En vue de promouvoir la dissémination des études européennes et dans la partie de sud-est de l'Europe, le Centre d'Etudes pour l'intégration européenne de l'Université Rheinische Friedrich-Wilhelms de Bonn, d'Allemagne, ensemble avec un nombre de partenaires de l'Europe de Sud-Est, a créé un réseau qui réunisse les principales universités de cette région de l'Europe qui proposent dans leur curriculum des cours sur

les études européennes. Alors, le Réseau d'études européennes du Sud-Est de l'Europe a été inauguré dans le cadre d'une conférence à Sofia, le 28-29 janvier 2000. Dès lors, on a organisé un nombre constant de conférences et d'ateliers, parmi lesquels la traditionnelle conférence annuelle qui a lieu dans différentes villes de la région. Jusqu'au moment de la publication de l'étude de référence qu'on utilise comme source de documentation, on a organisé des conférences à Sofia, Cluj-Napoca, Thessaloniki et Belgrade. Ces conférences réunissent un nombre approximatif de 40 universités et instituts du Sud-Est mais aussi de l'Ouest de l'Europe qui suivent la réalisation d'un progrès au niveau des programmes d'études européennes, mais également l'établissement de l'état actuel de la perspective européenne (Biermann et Mintchev, 2002: 5).

Un des objectifs principaux du Réseau d'Etudes européennes du Sud-Est de l'Europe a été la création d'un curriculum qui soit parfaitement adapté aux besoins des programmes d'études européennes du sud-est de l'Europe. Naturellement, le curriculum d'études européennes pour cette partie de l'Europe doit être construit à la base de l'expérience déjà existante dans la majorité des universités de l'ouest de l'Europe. Ceci est déjà un départ prometteur. Quand même, le curriculum mis en œuvre dans la partie de l'ouest de l'Europe ne doit pas être copié mot-à-mot, car il y a des particularités spécifiques à chaque région qui doivent se refléter dans les programmes d'enseignement. Par exemple, des cours sur le passé et l'histoire de cette région, l'absence des traditions démocratiques et de la société civile, des cours sur la stabilisation et le processus d'adhésion des pays de l'est de l'Europe à l'Union Européenne, la coopération avec l'OTAN et l'UE sont seulement quelques uns des sujets qui doivent être attaqués dans le cadre des études européennes du sud-est de l'Europe (Biermann et Mintchev, 2002: 5-6).

Donc, l'objectif principal de ce curriculum est l'éducation continue des générations d'étudiants du sud-est de l'Europe, ayant le but d'obtenir non seulement des connaissances sur le processus européen, mais également une assimilation, une intériorisation des valeurs européennes durant leurs études. On peut donc affirmer que les programmes d'études européennes du sud-est de l'Europe ont besoin des étudiants ouverts qui seront les leaders européens de demain de la région de sud-est et qui contribueront effectivement au futur européen de la région : dans la diplomatie, l'administration, le media, le business, la science, la recherche (Biermann et Mintchev, 2002: 5-6). Le curriculum d'études européennes a à la base l'affirmation conformément à laquelle les programmes d'études européens sont des programmes interdisciplinaires, ayant à la charge la politique européenne, le droit, l'économie, l'histoire et la culture. C'est important d'atteindre tous ces sujets, relevants pour le Sud-Est de l'Europe.

Ayant à la base une expérience antérieure, le Réseau d'Etudes européennes du Sud-Est de l'Europe propose des programmes d'études européennes basés généralement sur des politiques, mais ayant également un important aspect pratique. Les programmes d'études européennes devraient obliger les étudiants passer une année ou au moins un semestre à l'étranger, dans le cadre d'une bourse, dans des universités qui offrent des programmes d'études européennes. Egalement, il serait bien d'offrir aux étudiants la possibilité d'effectuer un stage pratique dans le cadre d'une institution européenne ou dans le cadre d'une corporation internationale, nationale, d'un Parlement. Une autre recommandation faite par le Réseau est la maîtrise de la langue anglaise, compétence certifiée par un certificat de compétence linguistique reconnu au niveau international. Tout étudiant en études européennes devrait avoir des connaissances approfondies d'anglais, non seulement parce que c'est la langue la plus utilisée dans les institutions, mais également parce que c'est la lange dans

laquelle on trouve la plus grande quantité de littérature de spécialité publiée pour les étudiants en études européennes.

Cependant, il est clairement spécifier le fait que la langue d'enseignement doit être la langue du pays ou le programme se déroule, mais il serait bien que le programme contienne au moins un cours enseigné en anglais pour que les étudiants deviennent familiers avec le vocabulaire et le langage spécifique des institutions. Une autre requise est le développement des capacités des étudiants d'apprendre d'autres langues étrangères, notamment l'allemand et le français, car les recommandations de la Commission Européenne sont que chaque étudiant maîtrise, à part la langue maternelle, au moins deux langues étrangères (Biermann et Mintchev, 2002: 7-8).

Le Réseau d'Etudes européennes du Sud-Est de l'Europe propose la division du curriculum en deux catégories fondamentales : d'une part, les disciplines de spécialités, existantes dans la majorité des universités d'Europe, et d'autre part, celles spécifiques à la région de sud-est de l'Europe, c'est-à-dire aux problématiques spéciaux existant dans cette partie de l'Europe. Il est recommandé à utiliser du personnel spécialisé provenant des pays où on enseigne déjà des études européennes, mais également d'un personnel d'autres universités. De cette manière, on promeut les échanges entre les universités et au niveau des enseignants (Biermann et Mintchev, 2002: 9).

Depuis la création de ce Réseau, plusieurs conférences et ateliers de travail ont été réalisés dans les pays du Sud-Est de l'Europe, justement pour créer un échange d'expériences et d'idées, mais également pour promouvoir ces études.

Dans le cadre de la Conférence *European Studies Today,* déroulée en Roumanie, à Cluj-Napoca, en 1997, Kapka Andreytcheva fait une brève description des études européennes en Bulgarie qui y existent et au niveau de Licence et au niveau de Master depuis 1997. Elle mentionne qu'il y a encore besoin de temps pour ces études soient pleinement mises en œuvre en Bulgarie, car les professeurs bulgares ont besoin de préparation dans ce domaine et des collaborations avec des collègues d'autres pays européens, même si les études européennes représentent une priorité pour l'enseignement bulgare (Andreytcheva, 1998: 55).

Le premier Centre d'Etudes européennes de Sofia a été fondé en 1990, par une décision du Conseil des Ministres de la République Bulgare. Le Centre comprend également un programme de Master qui est interdisciplinaire et qui couvre des disciplines telles que l'Intégration économique et monétaire, le Droit communautaire et le processus décisionnel, les Politiques communautaires, l'Histoire de l'intégration européennes, la Sécurité et la Politique de l'UE, le Processus de la création de l'UE (Andreytcheva, 1998: 55). A partir de 1994, les études européennes ont été introduites et au niveau postuniversitaire, même si elles n'occupent pas la place qu'elles méritaient au niveau de doctorat et de post-doctorat (Andreytcheva, 1998: 61).

Dans le cadre de la même conférence déroulée en Roumanie, Anna Wiśniewska présente un travail sur les études européennes en Pologne. Elle précise qu'en 1997 il y avait déjà huit Centres d'Etudes européennes qui fonctionnaient sous la tutelle de certains Instituts d'Enseignement Supérieur de Pologne, deux dans le cadre des Académies des Sciences Economiques, et six dans le cadre des Universités. Par contre, il y a aussi des spécialisations d'études européennes et dans le cadre des facultés comme celle de Droit, de Sciences Politiques et de Langues Etrangères. Il est important à mentionner également la plus grande institution d'enseignement des études européennes de Pologne, qui est le Collège de l'Europe, le campus de Natolin, Varsovie (Wiśniewska, 1998: 28).

En Pologne, une contribution majeure au développement de la dimension européenne dans l'enseignement supérieur et à l'introduction des questions liées à l'intégration européenne, ont été promues par le programme TEMPUS. L'impact de ce projet s'est concrétisé par la création de certaines unités indépendantes où on étudie ou on recherche sur les études européennes. Le développement des études européennes en Pologne a contribué activement au processus d'intégration du pays dans l'Union Européenne. Ceci a été rapidement compris par les institutions d'enseignement supérieur, en incluant dans leur offre éducationnelle les études européennes (Wiśniewska, 1998: 32).

Le professeur Zbigniew B. Rudnicki de l'Université Cardinal Ştefan Wyszynski de Varsovie, Pologne, Institut de Droit International, Union Européenne et Relations Internationales, et qui a réalisé une ample étude concernant les études européennes en Pologne, affirme que ces études ont apparu dans les programmes d'études des universités polonaises depuis le début des années 1990. Faute de réglementations officielles à ce moment là, les premières études européennes étaient concentrées sur la problématique de l'intégration européenne (Rudnicki, 2009: 1). Le manque des structures élaborés et de programmes d'études européennes a été causé de la situation politique de Pologne, dominée par l'Union Soviétique. Mais, les transformations socio-économiques et politiques ultérieures se sont transformées dans des sujets de cours universitaires, autant dans le pays, qu'à l'étranger. Les programmes d'études européennes polonais comprenaient des disciplines tel que : les relations internationales, les sciences politiques, l'économie, les finances, le management, le marketing, le droit, l'administration, la sociologie, les études culturelles, l'histoire, les langues étrangères (Rudnicki, 2009: 4).

Cependant, le vrai intérêt des universités polonaises pour les études européennes a commencé à être visible en même temps avec le dépôt de la candidature pour entrer dans l'Union Européenne. Autour de 2004, on observe en Pologne la création d'un système d'enseignement et de formation pour l'intégration européenne, tant au niveau de Licence qu'au niveau de Master ou d'études postuniversitaires. Un rôle important dans le développement des études européennes en Pologne a été joué par les réseaux scientifiques-éducatives qui ont mis à dispositions des matériaux et documentation européenne (Rudnicki, 2009: 6).

Les premières études européennes en Pologne se sont organisées dans le cadre des universités à profil économique et elles été centrées sur les questions économiques, légales, et politiques des communautés économiques. Dans cette formule, les études européennes prenaient la forme d'études sur l'intégration européenne. Avec le temps, elles se sont transformées dans des études de spécialité, et ensuite dans des études interdisciplinaires, ayant une approche holistique des problématiques européennes. Certes, les programmes européens TEMPUS et Jean Monnet ont été les promoteurs du développement et de la dissémination des études européennes en Pologne. En plus, l'établissement d'un campus de la très connue école d'études européennes, le Collège de Bruges, en Pologne, à Natolin, a donné de la notoriété aux études européennes dans le milieu universitaire polonais (Rudnicki, 2009: 7). Une spécificité des études européennes polonaises serait "europeistyka", une discipline polonaise qui englobe la vision polonaise sur ces études. Cette discipline est enseignée dans la majorité des universités qui organisent des cours des études européennes, à tous les niveaux d'enseignement, Licence, Master, Doctorat (Rudnicki, 2009: 10).

En conclusion, nous pouvons affirmer qu'on peut observer approximativement la même tendance et en Europe de Sud-Est qu'en Europe d'Ouest, concernant l'introduction des études européennes dans l'enseignement universitaire. C'est-à-dire, aux environs du

période de l'adhésion à l'Union Européenne, il est à remarquer une intensification de ces études dans les programmes d'enseignement. C'est une tendance naturelle si on pense à la nécessité de formation des futurs spécialistes dans les domaines qui apparaissent en même temps avec l'intégration, non seulement au niveau national, mais au niveau européen également. Nous considérons qu'il y a eu aussi des démarches dans la partie des sud-est de l'Europe concernant la mise en œuvre d'un enseignement performant dans le domaine des études européennes, et aujourd'hui toute université ou programme d'étude européenne de l'est de l'Europe est comparable et également de satisfaisant qu'un de l'ouest de l'Europe.

A une première vue, nous avons l'impression que les études européennes sont récemment apparues en Roumanie, car leur présence massive a été observée dans l'espace universitaire roumain seulement après les années 2000. Cependant, les études européennes en Roumanie ont suivi le même trajet que dans les autres pays de l'Est de la Roumanie. Déjà depuis 1997, on organise à Cluj-Napoca, en Roumanie, une conférence internationale ayant comme thématique les études européennes, ce qui est une preuve du fait que celles-ci existent dans le paysage universitaire roumain depuis un certain temps. Quelques années plus tard, à Bucarest, dans le cadre d'un projet on essaie de faire déjà un premier inventaire des études européennes et de la recherche dans ce domaine existantes en Roumanie jusqu'à ce moment là. Ceux-ci ont été les premières preuves et manifestations qui démontrent que les études européennes en Roumaine ont une certaine tradition.

Un autre événement marquant pour les études européennes en Roumanie a été la publication par Claudiu Crăciun, en 2003, de l'étude *Nesting Europe. The State of European Studies and Reasearch in Romania.* Le but de cette étude a été la formation d'une image réelle sur les études européennes et d'offrir des informations et des perspectives qui peuvent être utiles tant aux Institutions roumaines qu'aux communautés scolaires pour orienter leurs politiques et leurs efforts vers une institutionnalisation plus rapide de cette discipline (Crăciun, 2003).

Dans les Etats de l'Europe Centrale et d'Est, les réflexions sur le développement des études européennes commencent à être visibles à partir de 1997. C'est le moment quand on organise en Roumanie la conférence internationale *European Studies Today*, où on a réitéré le caractère multidisciplinaire du domaine, en permettant de cette manière la description, la conceptualisation, l'explication et la compréhension des réalités européennes, fait impossible dans les conditions d'une seule discipline (Marga, 1998: 13).

II. Considérations finales

Toutes les études existantes sont une preuve du fait que les études européennes ne représentent pas un domaine d'intérêt seulement dans les universités de l'Ouest de l'Europe. Elles sont des études de culture générale, répandues dans toute l'Union Européenne, mais à son extérieur également. Cependant, il est à noter à présent un intérêt plus fort pour les études européennes dans les pays qui ne font pas partie de l'UE ou qui ont adhéré les dernières années. En plus, il est à remarquer que l'intérêt des pays de l'Ouest de l'Europe concernant les études européennes est toujours en baisse. Ceci est un phénomène naturel étant donné que ces pays veulent dépasser la phase idéaliste et arriver à la phase d'explication de ce que ça veut dire les études européennes. Dans les pays hors de l'Europe et peut-être même en Roumanie, il serait nécessaire que les cours à vocation européenne soient plus adaptés au niveau des étudiants, que la partie applicative soit plus accentuée et que l'étudiant comprenne mieux à quoi lui sert l'étude de ce type de cours.

A nos jours, les cours d'études européennes des universités de l'Ouest de l'Europe ont la tendance d'être de plus en plus appliqués et plus adaptés aux réalités, justement

pour démontrer leur caractère utile et relevant. Ici, on a déjà passé à la mise en œuvre des connaissances, des réalités, des expériences. Nous considérons que c'est l'évolution naturelle des études européennes et au fil du temps tous les pays s'y adapteront.

L'analyse méthodique des documents et des études de spécialité concernant les études européennes, dès leur création comme discipline d'étude et jusqu'à présent, nous conduit au constat que nous pouvons parler de trois grandes étapes évolutives, du point de vue de l'approche de ceux-ci dans les curricula d'étude : les études européennes jusqu'en 1990, les études européennes dans le période 1990-2000 et les études européennes après 2000.

Le période de temps jusqu'en 1990 se caractérise par des essais de la part des universités, soit d'introduire les études européennes dans les curricula, soit de les populariser parmi les étudiants. Elles représentent un domaine totalement nouveau, mais qui jouit de la reconnaissance de la part des étudiants. Il y a des pays où on donne déjà une grande importance au domaine des études européennes, tels qu'il y a des pays où on ne s'y intéresse pas autant. Par contre, ce qui est à remarquer est le fait que, dans chaque pays, dans les environs de l'adhésion à l'Union Européenne, on peut noter une intensification de l'enseignement des disciplines à finalité européenne.

Si jusqu'en 1990 les universités européennes pouvaient motiver le manque des programmes d'études européennes par des raisons financiers, ce n'est plus le cas à partir de 1990. C'est le moment quand on initie le programme d'envergure européenne Jean Monnet, par l'intermède duquel toutes les universités peuvent solliciter la création des chaires, des modules ou même des centres d'excellence, financés par l'Union Européenne. Ces chaires, modules ou centres Jean Monnet prévoient la dissémination des cours à thématique européenne. Jusqu'en 2000 lorsque le projet a été accessible à toutes les universités de l'Europe, membre ou pas de l'Union Européenne, la dissémination de « l'enseignement sur l'Europe » a compris un nombre très grand de spécialisations et de facultés, ayant des multiples avantages. Donc, le période 1990-2000 représente, par l'Action Jean Monnet, l'essor des études européennes.

Un autre projet de taille européenne marque le commencement de la troisième étape dans le processus évolutif des études européennes. Il s'agit du projet Tuning, financé également par l'Union Européenne, et qui débute en 2000. La singularité du projet consiste dans le fait que, pour la première fois, les études européennes représentent, ensemble avec d'autres domaines d'étude plus classiques comme la mathématique ou la chimie, une structure éducative à part, ayant un curricula propre, des méthodes d'évaluation, d'enseignement et d'apprentissage propres ou une liste des connaissances obligatoires à acquérir à la fin du programme. Ainsi, les études européennes après 2000 se caractérisent par indépendance et reconnaissance académique.

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INSTITUTIONAL MEMORY AS A MAIN FACTOR OF INCREMENTAL INSTITUTIONAL CHANGE: THE CASE OF THE REPUBLIC OF MOLDOVA HIGHER EDUCATION SYSTEM

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Abstract: *In this article I explain why during the transition the governance of higher education system in Moldova remained to be achieved through institutional arrangements which were institutionalized and strengthened during the Soviet period. In order to describe this phenomenon I'm using the path dependency approach, which offers several leads on the interpretation of how incremental institutional change occurs. I argue that the persistence of the phenomenon of maintaining old institutional arrangements is due to institutional memory, which unlike other countries of the former USSR, is virtually non-existent for processes specific to the modern or interwar period when the foundations were laid for institutional arrangements based on the principle of academic freedom and institutional autonomy. The analysis uses some comparative situations which occurred in the Baltic States as examples which offer a number of demonstrative references like what would have happened if the institutional memory of institutional forms and arrangements in the interwar period were more consistently retained over time.*

The evolution of higher education in the Republic of Moldova is a little explored subject in literature, which is characterized by a reduced number of deep analyses and by the fact that relatively few specific aspects are known. Also, very little is known about the evolution of higher education in this Eastern European state in the (European and international) external space, the Republic of Moldova thus missing from the international research agenda on the dynamics of the internal system of higher education.

Being a relatively young system, it failed to form its own tradition based on one of the models of governance in higher education. Thus, for two decades after the dissolution of the Soviet Union, the higher education system in Moldova is drifting in its process of identifying and adopting a style of governance, according to current models of Western systems. Thus, the field of higher education in this country still remains dominated by institutional arrangements established in the post-war period and marginally modified during subsequent decades. Even though the Republic of Moldova is currently a different country, the Soviet model of higher education system governance stills continues to

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This article represents a synthesized version of some relevant parts of my doctoral thesis "*The governance of the higher education in Moldova: the case of a failed institutional change*" publicly presented on the 14th of March at NSPSPA;

operate and generate social, economic and even ideological effects. What is more, in the last two decades very little was researched and written about the consequences of the institutions which emerged and developed during the existence of the USSR on the current education system in the Republic of Moldova. Consequently, both decision makers and practitioners in the field of educational policies, particularly higher education policies, have developed a legitimizing rhetoric regarding the steps which are necessary in order to achieze in structural and even systemic change in education.

From a comparative perspective, the recent historical evolution shows that some state entities which resulted from the dissolution of the Soviet Union managed to establish or restore new systems of education, based on democratic values, principles and institutional arrangements. On the other hand, other states have failed in this endeavour, and this failure is due to a chain of causes that originate in very old times, beginning with the moment of the institutionalization of higher education in those territories (Toderaş, 2012). The higher education system in the Republic of Moldova does not have such a long history[1] and the lack of tradition in this respect has influenced both the initial training as well as the governance of the system in general and of higher education institutions in particular. Because of this, a local culture of system governance based on the logic of academic freedom and institutional autonomy could not be generated. The consolidation of a culture of higher education based on academic freedom and institutional autonomy in the modern period or in the interwar period at the latest could have provided the necessary landmarks for an institutionalized resistance during the Soviet period, and a landmark for the consolidation of a collegial governance for the transition period, which would have required a more dynamic institutional change oriented towards effectiveness, efficiency, appropriateness and institutional diversification (Toderaş, 2008). However, as I describe in the following pages, in the early years of the transition period, after exhausting the national revival impulses, the arrangements which were institutionalized and strengthened in Soviet times proved to be more solid and lasting, leading until now to their persistence, as well as to the failure of the expected institutional changes. Consequently, the reforms initiated after 1991 actually promoted an incremental state specific to the Soviet model of education, a model which by December 1991 no longer corresponds to its particular system, but lies in undismantled principles, norms and behaviours. During the transition period, the Soviet institutional arrangements in higher education in the Republic of Moldova were in fact strengthened due to the appeal to the stability and effectiveness they have demonstrated in over six decades of application.

The failure in changing institutional arrangements can be explained by the fact that institutional memory regarding the institutional arrangements specific to the interwar period was not quite as substantial as it was in the Baltic States. But, theoretically, the failure in changing institutional arrangements can be analysed through the path dependence approach. In the last two decades the neo-institutional studies and analyses focused, besides many other topics of interest, on explaining the phenomena and processes of institutional change. It is commendable that many of them refer to the paradigm of incremental changes, and that the promoters of the new institutionalism aspire to provide more precise analyses (Meyer and Rowan, 2006: 9). Mainly, the neo-institutional authors

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[1] From the point of view of the existence of a *sui-generis* organizational system created and developed on the constitutional territory of the current Republic of Moldova it totals eight decades. The first higher education institution, the Moldavian Institute of Public Education was created only in 1930 in Tiraspol, region which, at that time was under the jurisdiction of SSR of Ukraine;

focus on explaining the phenomenon of path dependence. This recent approach provides a basis for substantial empirical studies related to policy implementation, organizational continuity and their incremental change, as well as the redefinition of the symbolic and relational systems in modelling the regulatory, normative and cultural-cognitive relationships between actors (Greener, 2005: 69). According to Paul Pierson, the history of institutions stores and perpetuates in time the explanations of the causal chain of the analysed policies and provides the understanding of contemporary social events and of policies' stability and change (Pierson, 2000: 263-264). Institutional memory in this context is understood as a physiological institutional capacity to transfer and undertake temporal parallels. And, in this context, path dependence provides the records needed to assess the success or failure of policies along the temporal and procedural trajectories, highlighting the chaining between the causes and effects related to these processes, as well as other complementary phenomena or processes. In this context, the role of institutional memory is to select and store the most effective and relevant arrangements, both positive and negative, so that over time, in the context of critical junctures, it can recourse to some of them. Therefore, institutional memory is often a major and determinant factor in shaping and promoting institutional change, especially of those of incremental type.

After the '90s the historical neo-institutional approaches invoke historical circumstances to explain the contingency of the policy related processes studied. Thus, in the opinion of neo-institutional researchers, *path dependence* has become the conceptual linchpin in analysing and explaining political processes and policy processes (Peters, 2008). In essence, the path dependence approach suggests the fact that states of incremental and balanced change occur in some moments on the trajectory of institutions, organizations and policies, context in which they self-strengthen (Mahoney and Thelen, 2010: 3-6), even if inefficient institutional arrangements may persist, which can be considered legitimate (Păunescu, 2006: 26) by decision-making actors, either administrators or beneficiaries.

The theoretical and methodological substantiation of the path dependence approach was achieved by inspiration and analogy from other fields of study, such as technological development, economic history and theory of organizations rather than from the traditional approaches of political sciences. Following this transfer process which was undertaken, the concepts and methods had to be adapted to the contexts and nuances specific to political sciences. As a result, the current explanations that use the path dependence approach encompass a certain interdisciplinary maturity in providing a deeper understanding of the processes of institutionalization, change and organizational and institutional transformation in a longitudinal evolution. Over time, institutional arrangements as well as the organizational ones undergo a self-strengthening process in order to take full advantage of the set of opportunities provided. The process is called by researchers in the field a framework to ensure increasing profits (*increasing returns*), indicating that this framework ensures the stability of the respective arrangements in time.

After a brief presentation of the analysis approach it should be emphasized that changes in institutional arrangements specific to higher education governance provide a barometer of the state of the entire spectrum of society, not only of the administrative system. What is more, accepting certain changes, even the ones which remove the old path dependence and create a new path dependence indicates the economic, social, political and cultural availability in assessing, raising the awareness and establishing new arrangements, which are much more efficient than previous ones. In the context of the dissolution of the USSR in some areas and public sectors significant changes occurred to

the institutional and system arrangements, including by dismantling the old arrangements and institutionalizing a new path dependencies (e.g. setting up their own monetary systems, institutionalization of the institution of national citizenship, etc.). Here it must be noted that in the last two decades there was a tendency to replace the Soviet administrative culture in the administrative system of the Republic of Moldova with different administrative cultures more or less in line with internal political and social specificity. However, the persistence of an administrative culture of helplessness was highlighted, culture at the same time patriarchal, centralized and fully hybridized, arrangements that are not significantly different from the former Soviet arrangements which were institutionalized and strengthened in Soviet times. A similar process occurred in the case of the higher education system, whose governance has experienced significant variations over recent decades, but the Soviet-style founding arrangements are still commonly used, meaning that path dependence has not yet been removed. In some ways, higher education institutions have even surpassed authorities and administrative structures in their efforts of self-change. But, in most cases, they let themselves be directed by the administrative system in the process of institutional and viewpoint change of the system governance (Toderaş, 2008). By appealing to practices specific to the mimetic isomorphism, the system and its components were able to withstand pretty harsh political and economic

Fig. 1 The role of institutional memory in setting up a new path dependency
(Source: author)
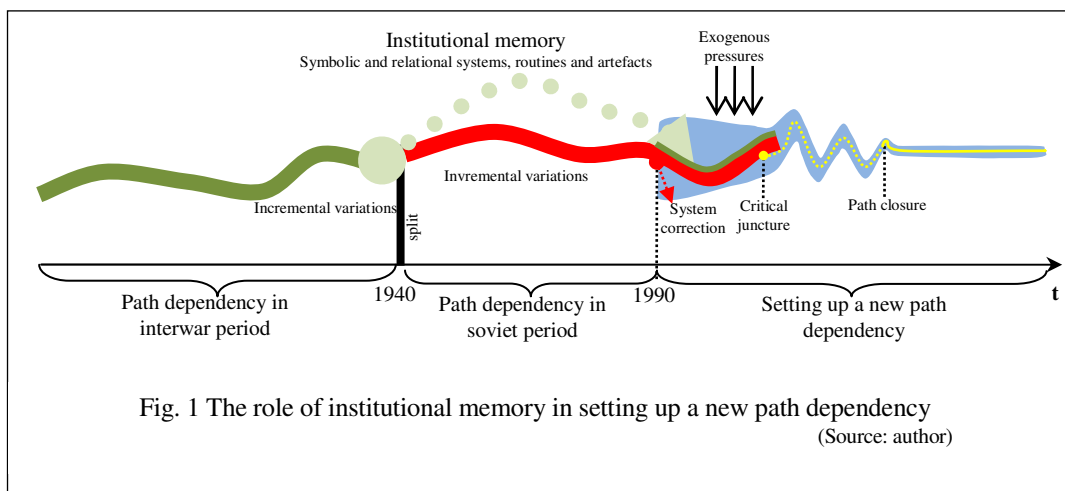
pressures. However, in most cases, the interventions which were undertaken did not lead to a better governance, but to the spread of unilateral and arbitrary relations of obedience. In the following paragraphs I argue why this change was doomed to failure and which are the determinants of this result.

After the dissolution of the USSR, the former Soviet republics had to manage their administrative, political, economic, social aspects, etc. on their own. In other words, we are talking about the creation of new states in which the regulatory relations specific to the former regime continued to be used as key fundamentals in the context of new states. Thus, until the old institutions are dismantled and replaced with new institutions, we can consider these states to be intermediate, transition-type states. The functioning of new states should represent the result of the initiation and implementation of systemic changes of regulatory, normative and cultural-cognitive relations in a shorter or longer period of time. In the case of some ex-Soviet states, the transition was completed relatively quickly, such as in the Baltic States, while in others it was not completed even after two decades

since the dissolution of the USSR. The major difference between the status of intermediate state and new state is that, in a new state, path dependencies in different public sectors are fully dismantled and replaced with new functional ones, which present more or less different arrangements. Therefore, in a new state, the new arrangements produce increasing profits by the fact that they continue, more or less, to meet social, economic, political and cultural requirements, while generating economic performance. Figure 1 shows the process of removing an old path dependence and creation of a new path dependence for some of the former Soviet states, including the Republic of Moldova.

A key element of the transition period is that during the change of path dependence, old and new relations coexist. Institutional memory plays a key role in the process of dismantling and setting up a new path dependence. Its role is to guide the trajectory of change, stabilization and preservation of new arrangements. If during the transition considerations like restoring the arrangements of the previous state prevail, the institutional memory holds the position of "*bridge over time*" offering the opportunity to recourse to the old institutional arrangements, including the meanings of institutional myths (Meyer and Rowan, 1991: 48). Thus, based on artificial repositories of memory, institutional memory transfers relationships from past to the present. According to Herbert Simon, organizations need artificial memories far more than individuals, that would lead in time to further perpetuate habits, routines, common understandings, etc. (Simon, 1976: 166). Old relations, maintained through institutional agents are refitted in a process of re-updating and adaptation to the new economic and social context (Zucker, 1991: 85). The refitted relations, together with other new relationships, form the range of options available for setting up a new path dependence. The degree and extent of recursion depends on a chain of factors:

- *extent* – shows how deeply rooted in time and how available they would be in the new context, taking into account factors that may influence the degree of alteration;
- *contingency* – shows who keeps the information regarding the old institutional arrangements and which are the artefacts of preservation, as well as the appreciation of the degree of alteration of all archived reports;
- *relevance* – show their usefulness in the new economic, social, political context. Some of the relations preserved in the institutional memory cannot be reactivated due to completely different contexts, so they cannot generate and ensure increasing profits;
- *scale* – shows how large and complex the redressing actions should be. Some of the preserved reports require total reactivation, others only a partial reactivation;
- *availability* – indicates how willing the institutional agents are to take redressing action before other options of either institutionalizing other relations, or of strengthening the relations which are still functional.

Institutional memory is more prominent in higher education institutions, due to the fact that universities are "*historic*" agents with relative continuity (Dobbins and Knill, 2009: 402). Such institutional memory forms the foundations of system governance in which interested agents contribute either to accelerating the change process and then to reducing its scale, or just to reducing the scale of change. Even some foreign models characterized by high performance and quality are repelled by resistance and institutional inertia, if they intend to change the dominant institutional arrangements within the limits of the path dependence. Moreover, institutions' resistance to change can mean a

successful institutionalization of specific structures and relationships (Peters, Pierre and King, 2005: 128). In this sense, the incremental change undertaken in order to adapt to a new context depends to a great extent on the dynamics of exogenous pressures and on the endogenous structural-institutional inertia. A characteristic of the higher education institutions in the Central and Eastern Europe area is the dichotomy between institutional patience and the isomorphic repetition of the same institutional changes (Dobbins and Knill, 2009: 399). These circumstances of change and transnational convergence provide not only an impetus for the revival of previous models and particular domestic strategies, but also a context of dispersion for the policy patterns propagated through transnational processes of communication and information exchange.

The Baltic States provide an example of institutional memory usage in the transition period. The spirit of academic freedom and autonomy has not been removed from the institutional memory of the respective region's universities and some university personalities campaigned for reinstating fundamental values specific to higher education and have confidently waited for the right circumstances (Aaviksoo, 2006: 176-177). The spirit of denial and repudiation of the Soviet educational control elements which were imposed arbitrarily, stimulated the initiation and completion of the process of restoring institutions, instruments and academic values specific to secular universities (Tomusk, 2001: 203-204), such as: University of Vilnius (founded in 1579), University of Tartu (f. 1632), Riga Polytechnic (f. 1862), transformed into Universitas Latviensis in 1919.

In the preliminary stages of the dissolution of the USSR, during the years 1988-1989, the arrangements specific to the internal governance of higher education institutions were gradually restored to value. Appealing to traditional values through institutional memory facilitated the process of initiating and continuing changes in higher education in those countries. Thus, shortly after the proclamation of sovereignty, the old path dependence in higher education has been replaced by another path dependence in which the relationships specific to the Soviet system of higher education were dismantled and replaced by a series of relationships specific to the interwar period, and also with a set of new arrangements resulting from the new economic and social context. Expanding international communication and cooperation, legislative changes, institutional democratization were much easier to attain because of the appeal to university values inherited from the modern past (Kroos, 2007: 121-122). Turning to the landmarks of academic heritage also contributed to the democratization and strengthening of the new political regime. For example, in the case of Estonia, the change of educational paradigm was an inevitable option to democratize and liberalize the state. Thus, in Estonia, in 1992, a reform of the whole education system was undertaken that changed the philosophy of education, the relationship with the state (funding, authorization and evaluation), the relationship with the profit and non-profit sectors, etc. In this way, the entire educational system was cleared of the Soviet organization, operation and management elements. In 1995 a distinct law regarding the activity of universities came into effect, which essentially changed the system governance (Aaviksoo, 2006: 176-177), thus setting a new path dependence. Also, by appealing to institutional memory and setting new path dependencies it was much easier to apply the methods and tools specific to the approach of the new public management, although the institutionalization path was quite sinuous (Leisyte and Kizniene, 2006: 382-392). It is noteworthy that removing the old path dependence and setting the new one required a period of about five years. In comparison to some countries of the former USSR it can be said that the change was done in a relatively short time. On the other hand, for some countries the process was much longer,

such as 15 years for Georgia, while for others the old path dependence has not been removed yet, such as in the case of the Republic of Moldova.

As noted above, changing the governance of higher education system in the Republic of Moldova was circumscribed to changes required in all public sectors. Even from the beginnings of its stand-alone existence, in a country undergoing a process of decomposition and in a future independent country, the higher education system had to seek its own path through the breaches of socialism. The proclamation of sovereignty had to represent the distinct moment at the beginning of the removal of old path dependence and the setting of a new one. There were real prerequisites to initiate major changes of a split. However, the lack of a national-ideological project, similar to the interwar period, as well as the lack of external assistance contributed to limiting the process only to the aspect of system correction, carried out mainly through exogenous pressures. The remaining relationships that produced an effect, some of them having a decentralized nature due to the implementation of the provisions of the reform generated during 1985-1988, were considered satisficient for the new political and social context. The specifics of the first stage of the system's decentralized existence (1989 - August 1991) consist in the search for appropriate guidelines for system management by control: the governance paradigm in public management was still not rooted in the views of administrative management of the republic, which was in its last days of Soviet administration. In the same context the lack of a political doctrine on education was noted in the new political context. The ideological unclogging was undertaken without a valid doctrinaire support and most political parties stated only vague elements about changing the educational system's architecture and the learning process in their political programs. The provisions were centred rather on issues such as increasing wages, the number of scholarships and enrolment. Still, no party has elaborated a strategy for the structural change of the entire educational field. A first attempt of this kind took place only in 2007, when a new political party assumed a wider program of interventions, sketching systemic change tactics, but without perfecting its own doctrine in education. Therefore, the absence of a competitive framework of political doctrines on education led to a lack of implementation strategies for long-term changes. This feature is currently maintained in present days.

For example, raw data collected from the application of a questionnaire in order to highlight the considerations of decision makers and management factors in higher education in the Republic of Moldova on changing the system governance[2] indicates that three quarters of the respondents believe that the lack of a medium and long term implementation strategy contributes to a very large extent/to a large extent to blocking the implementation of the promoted changes in higher education. Also, for approximately one quarter of the respondents, this factor has the strongest negative impact on the change of the domestic higher education. By extrapolating the respondents' opinions, it can be concluded that the lack of a long-term strategy for change is, to a large extent, a

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[2] During October – November 2011, with the support of the Institute for Public Policies in Moldova, I have applied a questionnaire of 23 questions in order to test the hypotheses set for my doctoral research. The questionnaire aimed to identify the opinions of decision-makers in the system and of management factors in the higher education system about the changes that have to be made for the system to become competitive both internally and internationally. A total of 250 questionnaires were applied, corresponding to 6 institutions of higher education, as the most representative, and to some authorities and decisional structures in the field of higher education system governance. The results of the research have not been published yet, as they belong to a more extensive research to be published in 2013 in a monographic study about the evolution of higher education in Moldova;

consequence of a vague institutional memory. The possible existence of an institutional memory would have allowed the establishment of a series of competing political doctrines concerning the new educational paradigm and the new model of higher education governance in the first moments of the new state.

By not having a foundation of tradition and personal experience in the development of higher education, the system came adrift: it did not have a clear stake. The relations specific to democratic centralism produced and continue to produce effects that are contrary to the goal of improving quality, performance and competitiveness in this sector. Although clichés such as liberalization, democratization, decentralization, autonomy of the higher education system have been used, authorities in the field and higher education institutions lacked the potential necessary for change in a relatively short time. Therefore, the lack of an institutional memory characteristic of the interwar period contributed to the slowdown of change processes in higher education, even though the actors were motivated to make changes similar to those in the Baltic States. In order to compensate for the lack of landmarks, in the first years there was an enhanced cooperation with higher education institutions in Romania. Thus, the call for institutional memory has been replaced by the transfer of symbolic and relational systems, routines and artefacts specific to Romanian higher education, which was in turn partially restored with the help of institutional memory. From this point of view, the concept of institutional memory usage, indicated by the arrow in Figure 1, does not apply in full for the Republic of Moldova. The institutional memory usage has been done in an improper and indirect manner. In fact, using the relationship transfer and the institutional memory specific to the higher education system in Romania is justified because some early forms of higher education were established on the present territory of the Republic of Moldova by the University of Iaşi, during the 1920-1930 period. From that moment on, Romanian universities have developed a key role in the changing the governance of the higher education system in the Republic of Moldova.

The first tactics which were used for changing the systems' governance consisted in undermining the statist addiction, which identified with the initiation of the systems' de-monopolization process and the progressive decrease in administrative interference. Due to a lack of essential landmarks for the democratic foundation of higher education, there was a state of helplessness in terms of changing the system. This unfavourable conjuncture was rounded by the succession of economic crises and turbulent political changes. Therefore, the context was not favourable to the change of system management immediately after the disappearance of the USSR, even though there was an obvious social pressure related to increasing access to higher education programs. Thus, policymakers opted for a two-step approach: first they wanted the implementation of a system repair - mechanisms of de-ideologization of the system and of the practices related to institutional and system management - and only afterwards bringing about a gradual structural change. The idea of systemic change was abandoned right in the first year after gaining independence. Therefore, the process of dismantling the old institutional relations was limited to system de-ideologization and to the creation and consolidation of new axiological landmarks. Replacing the old arrangements of the systems' governance with new ones specific for the market economy and the pluralist and reflective framework of public policy, was postponed for an indefinite period. Thus, during the transition, old relations coexisted and continue to coexist with new relationships, without a critical juncture to establish new path dependence. In essence, the old path dependence works along with the relations transferred from the Romanian higher education system. This

coexistence occurs under an obvious exogenous pressure (such as the Bologna Process and pressure from foreign donors, including the EU) which forces authorities to take action to incrementally change the system (e.g. changing the structure of higher education, the introduction of ECTS, the application of internal quality assurance procedures, the recognition and validation of alternative forms of training, etc.).

Underlining its intention of establishing and enhancing relationships with various Western countries and regional organizational structures, both European and international, the Republic of Moldova had to adapt on the fly to the new administrative and economic circumstances. A first problematic element refers to the incompatibility of administrative practices. On the one hand, the internal administrative system derives from the administrative system of the USSR - taking as such the relations introduced and developed over more than 45 years from the full incorporation of the territory between Prut and Dniester in the USSR. In this situation, most of the administrative and political contingent wanted to maintain the practices that proved convenient to the internal context, through political, economic, social, cultural and military cooperation in the Commonwealth of Independent States (CIS).[3] For example, the education sector was initially seen as a continuation of the union education system and the CIS represented an intergovernmental framework suitable to the continuation of path dependence.[4] This approach was maintained until the end of 2009, when there was a change of government and the desire of dismantling old path dependencies was formally declared together with the implementation of a new path dependence through a substantial transfer of practices and artefacts from the Western systems of higher education and through active participation in the European Higher Education Area (EHEA). However, until the completion of this article, the changes are minor and do not lead to a critical juncture related to the closure of the old path dependencies and implementation of a new path dependence, similar to the process in Georgia in 2006-2010. On the other hand, in the pre and post *de jure* dissolution of the USSR the intention to establish and enhance relations with Western countries and international organizations crystallized as the Republic of Moldova sought to assert itself as a sovereign and independent state on the international arena. Thus, some of the factors of persuasion have argued for a complete detachment from CIS, as was the case of the Baltic States and for the establishment of major structural changes by rallying external assistance. For this reason, the pressure of external actors began to grow exponentially.

Even though in the first decade of the new state specific steps were taken to remove the Soviet residues of governance arrangements for higher education, it should be noted that they were not completely eliminated like in some ex-Soviet republics, but at certain times in

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[3] It is important to note that some of the policy makers of that time recognize and accurately describe the situation. For example, these details can be found in the published memoirs of former presidents of the Republic of Moldova, Mircea Snegur and Petru Lucinschi as well as Mircea Druc, Prime Minister of Moldova from May 1990 - June 1991;

[4] For example, as a counterweight to the Bologna Process, in the years following the creation of the CIS, there has been developed the idea of a common educational space of member states. Gradually, the idea became the strategic objective of CIS and acquired juridical and normative legitimacy on January 17th 1997 by signing the Cooperation Agreement between Member States about the creation of a single (common) educational space. In higher education the goal emerges in 2008 by the creation of the CIS Universities Network, created around the "Friendship of Peoples" University in the Russian Federation. Details of the concept can be seen at: http://imp.rudn.ru/su_sng/, last time accessed on the 15th of August 2012;

the second decade, they were even strengthened. In this context, during the last decade, there was a lack of structural desire based on chaining vision, goals, actions, results and effects over time. In other words, the conceptual vision of the mission and purpose of national higher education in the context of the participation in the EHEA did not exist. The existence of a conceptual vision would have generated the development and adoption of an educational pact, causing policy makers and decision-makers to comply with an integrated route of policies, strategies and actions to change higher education governance arrangements in the context of an active participation within the EHEA.

Maintaining path dependence for so long inevitably led to maintaining inefficient options/reports at the expense of possible alternative options or of a new path dependence. Thus, we can conclude that the institutional change designed in the mid of the last decade has failed. An efficient institutional change would mean ensuring the functioning of institutional arrangements in higher education in an efficient and effective manner, accessible to all stakeholders and generating institutional transparency. Moreover, successful institutional change would have meant that the system had the ability to respond directly and promptly to the social and economic needs of direct and indirect beneficiaries by providing diversified, personalized and high quality education and research programs. Or, in the last chapter I have showed that today, higher education in the Republic of Moldova does not meet either social or economic needs. Following the logic that policies transform or expand state capacity and that changes in the state can cause substantial changes at societal level, it can be concluded that the Republic of Moldova did not make structural and system changes in the sectors and public areas that would have had a major impact on the change of institutional arrangements in higher education system governance.

To conclude, in the case of the higher education system in the Republic of Moldova, their lack of institutional memory proved to be a decisive negative factor for the failure in institutional change, a change that would have meant dismantling the old path dependence and establishing a new one. The path dependence of the Soviet model of higher education continues to be used due to the fact that it still provides a series of increasing profits for some agents, such as political parties, leading factors, some authorities in the system etc. Instead, the compensatory call for an institutional memory specific to the Romanian higher education system has contributed to some isomorphic incremental changes so that systems become comparable and convergent to some extent.

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IS THERE A CIVIL SOCIETY IN CHINA? THE DIALECTICS OF DEMOCRACY IN A COMMUNIST STATE

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Abstract: *Despite the revitalization of the Chinese civil society, the Chinese reality imposes different interpretations when defining the concept, the civil society phenomenon in China growing under the auspices of a culture and perception area far different than the occidental ones; starting from the premise that any process or principal applicable within the Chinese territory is being undoubtedly affected by the on-going political regime, this paper tries to give an overview upon the post-Mao China's NGOs by capitalizing on the cultural Chinese referential rather than the occidental one. By developing a national project claimed from the dynastic tradition, strongly affected in its internal logic by the universalistic manifestations from the Maoist period, China has handled the associational revolution (generated, according to sinologists, by the so-called open door policy promoted by Xiaoping) in a way in which the control of masses to be continued as a key-element of state politics; by implementing institutional networks of audit and sponsorship, the state intended precisely to limit the association movement of individuals likely to nurture subversive tendencies. The implementation of a legal framework in order to regulate the activities of NGOs doesn't necessarily prove (or at least not sufficiently) the authorities' interest in promoting and facilitating their endeavours; the society itself became instrumental in bringing about new legislation although the measures applied by the Chinese government often help in de-mobilizing more than unifying the masses.*

Keywords: *Chinese society, NGOs, legislation, political reforms, social capital*

1. Conceptualization. The definitional dynamics of civil society

In order to define civil society in a Chinese context, one has first to proceed to the disambiguation of the definitional area, a defective implying of the concept often constituting an impasse in correctly analyzing the situation in China.

According to *Vocabularul pentru societăți plurale*, "in its contemporary usage, the term concerns the social, symbolic and narrative (Comte) institutions' phenomenon, [being] a complex ensemble of state-free (independent) organizations which express the plurality of preferences in terms of value and cultural identities from [within] a society. Civil society is that part of the society where «the organisation is voluntary, spontaneous, financially independent and autonomous in relation with the state, built upon a law or a set of unanimously accepted rules» (L. Diamond)" (Colțescu, 2005: 228).

The multiple interpretations of the concept of civil society (for an overview upon the definitions of civil society see Zhang, 1994: 12-13), mainly generated by the term's holistic nature, underlines the conflicts and multiple pressures produced by its emergence within a paternalist construction such as the Chinese society where the tendency for the

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development of non-governmental sector proves the re-activation of the Chinese affirmative civic forces and accurately informs with regard to the level of convergence of individual representations concerning the necessity of a socio-political transformation.

As Yin-Hong Shi put it, *a typical developed civil society* presents six major characteristics: *independence and autonomy, immunity from excessive state interference or control, an identity (self-consciousness) and a set of values clearly defined (and insubordinate), the presence of a strong and economically powerful middle class, alienation from the state's belief system or ideology, rationality and civility* (Ying-Hong, 2004: 226).

We should point out the fact that, in the modern political context, the concept of civil society involves a certain dualism not only in regard to the implementation procedures but mostly when attaching a particular goal to its creation; in an already established democratic context, the civil society is prone to become a simple analytical instrument whereas in a transitional society the existence of an active civil society gives the right incentives for the people engaged in a democratization process. In so doing, the existence of civil society becomes a goal *per se*.

Stemmed from the individual consent and citizenship, the median position of civil society (between the *state's coercive relations* and *economic production sphere*) (Colțescu, 2005: 228) brings about a proper environment for plural action and in so doing it facilitates self-expression as instrumental in the self-development process. In Locke's terms, civil society may be placed within a larger area of collective moral choices and ideological voluntarism whereas Hegel sees it as a *necessary counterweight to a defective natural social order* (Chamberlain, 1993: 205).

Precisely a defective social order is what Chinese society is facing right now and the coercive measures imposed by the Chinese government only aggravated the situation; it is estimated that the total number of the non-registered NGOs is approximately 10 times higher than that of the registered ones (Xu, Zhao, 2010: i). This constitutes, by itself, the rationale for which the civil society analysis in China often exceeds the rules of objectivity and claims a certain positioning in relation to the political regime and the idealization of the democratic associative initiative.

2. The Legal Framework

The non-governmental organizations in China have been subjected to new legislation several times; they have been legally framed first in 1950 (when the transition to a new regime was taking place), then in 1989 (as a consequence of the democratic movement from Beijing) and then again in 1998 when the documents are revisited and completed. The first two legislative acts regulated the functioning and administration for a general category (*social organizations*) but maintained an ambiguous definition regarding the entities they addressed to (this definitely helped a lot in refusing the right to operate to numerous suchlike organizations). Through the act of 1998, the Chinese government has introduced new regulations concerning the registration and the management of NGOs, its exhaustive nature being in fact an answer to the need of control of all the categories previously omitted.[1]

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[1] It is worth mentioning that the decision making process in China in not a consultative one, taking place in a unilateral (non-participative) style. In so doing, the relation between the state and the NGOs is irremediably compromised, state's actions contributing to the creation of a hostile environment that totally excludes the idea of partnership.

Being the first normative act on NGOs in the history of Popular Republic of China, "Interim Procedures on the Registration of Social Organizations" (entered into force in 1950) initiated the nationalization of all private schools, hospitals, charitable organizations together with the majority of all non-governmental services providers and non-profit associations; it directly contributed to the suppression of all activities undertaken by the third sector groups (the society was facing, practically, a territorial reproduction of the soviet organizing model) (Edele, 2005: 8).

"Regulations on the Registration and Management of Social Organizations", adopted in 1989, agreed to a re-evaluation of the associational system (underpinned by the economic reform from the late '70s) conveying (solely) the types of associations and institutions recognized by the state as being social organizations. Based on professional field and organizational functions, the document establishes 5 general types of social organizations: *scholarly or scientific organizations (including research institutions)*, *professional associations*, *trade or industrial associations (including chambers of commerce)*, *united organizations (alumni, friends' associations)* and *grant making institutions* (Edele, 2005: 8) The new regulations, carefully promoted and applied by the authorities, proved themselves to be insufficient in producing a clear framework for the development of civil society mostly due to a flawed typology of the subjects they address to (therefore, multiple forms of organizations are to be excluded); this lack of transparency justified a policy of privilege in granting an organization's right to function.

The first revising initiative of the 1989 regulations goes back to 1996 when Jiang Zemin (than chairman of the CCP – Chinese Communist Party) initiated the discussions regarding the necessity of reinforcing the NGOs *management policies* (control). Therefore, the first meeting of CCP exclusively devoted to NGOs ended with the re-adoption of the 1989 regulatory documents in their revised form, completed by the "Provisional Regulations on the Registration and Management of Popular Non-Enterprise Work Units". They were later supplemented by "Regulations on the Registration and Administration of Foundations", "Notice from Ministry of Civil Affairs on related problems of certain associations exempted from the registration of social associations" (e.g. China Federation of Trade Unions, All-China Youth Federation, the Chinese Communist Youth League etc.) and "Notice from Ministry of Civil Affairs on certain social organizations exempted from the registration of social associations", the later strictly concerning the 11 sub-associations and local associations of the China Federation of Literature and Art which don't need a certificate of registration in order to operate. The religious NGOs are supervised by the State Administration for Religious Affairs, under the provisions of "Regulations on the Religious Affairs", an additional act to the 1998 Regulations (Xu, Zhao, 2010: 6-7).

In respect to NGOs, the new regulations make a clear distinction between social organizations (she hui tuan ti / she tuan) and popular non-enterprise work units (min ban fei qi e dan wei)[2]; additionally, two other categories are directly affected by the new

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[2] According to article 2 of "Regulations on the registration and management of social organisations" *social organisation* means "voluntary groups formed by Chinese citizens in order to realize a shared objective, according to their rules and to develop non profit making activities"; according to article 2 of "Provisional regulations on the registration and management of popular non-enterprise work units" *popular non-enterprise work units* are "social organisations carrying out social service activities of a non-profit nature, run by enterprise and institutional work units, social groups and other social forces, and also individual citizens using non-state assets".

regulations: the foundations (ji jin hui) and the branches of overseas foundations (jin way ji jin hui dai biao ji gou) (Xu, Zhao, 2010: 4).

A genuine aspect of the new regulations is the obligation for each NGO to register with the Ministry of Civil Affairs or any of its regional or local departments, the so-called "registration and management agencies". The registration process relies on strict eligibility criteria which are being established in a manner that hampers more than facilitates the whole process. According to the provisions of the new legislation, the following 5 conditions are to be abide: all NGOs have to be sponsored by a Government or party department relevant for its field of activity; at each administrative level, only one NGO of one type can register; NGOs cannot operate outside the registration area's borders; all NGOs have to boast their own funds, more than 12,000 US dollars in case of national organizations and approximately 3,600 US dollars for the regional / local ones; all NGOs have to count at least 50 individual members or 30 institutional ones, or at least 50 members in case of mixed membership (Edele, 2005: 11).

The operational dialogue implies annual investigations undertaken by the registration and management agency upon the activities of the sponsored organization; by authorizing such undertakings which can easily end-up with the revocation of an NGO's registration certificate, the state can massively influence not only the organizational structure or the nature of NGOs activities, but also their external relations and the acceptance of funding. Basically, the *legal* right of interfering totally cancels the autonomous character of the organization, which may lead to the hypothesis that being outlawed may in fact be preferable to the official recognition.[3] Simultaneously, by the end of each year, the registered NGOs have to submit a report regarding their activities, their compliance with the legislation and national policy, but also with their own charter goals, and also they have to notify any change operated within the organization's structure – administration, membership and financial situation.

Concerning the existent types of NGOs in China, the autonomy criterion gives the best classification (being, in fact, strongly related to the legal status of the organization): GONGOs (Government Organized NGOs), registered NGOs, non-registered NGOs and international NGOs branches.

Similar to NGOs, GONGOs are directly subordinated to the Government, operating as consultative research centres, foundations or philanthropic institutions on different governmental projects. The strong partnership between the communist authorities and GONGOs guarantees a massive allocation of funds and highly qualified human resources, these organizations often benefiting from an exceptional leadership emanated from the retired political class. The lack of autonomy of this particular sort of organization is strikingly obvious, sometimes the privileges they enjoy not being enough to compensate the moral discomfort stemmed from the coercive forces of state apparatus.[4]

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[3] In the spirit of the *No contact, no recognition, no ban* principle many organizations are likely to deliberately keep themselves outlawed only for benefiting of a higher degree of autonomy: "Unregistered NGOs are not necessarily banned by the government. As the Chinese government is moving away from being the sole provider of social welfare, it is willing to give a larger role to the voluntary sector, registered or otherwise. […] Under this circumstance, some unregistered NGOs are very active." (Xu, Zhao, 2010: 11)

[4] GONGOs represent a governmental initiative which only simulates the support for civil society; the Chinese government sought, in fact, to easier access the private funding and technical assistance from international actors which are willing to invest in the NGOs sector but reticent when it comes to finance a state department.

Nevertheless, the administrative reforms from the 1990s have lead to the decrease in government funding and, therefore, to a diminished governmental agency upon the GONGOs activities and their external relations; this contributed to a re-positioning - in terms of self-identification - of GONGOs in relation to the state (also due to the growing access of international actors, of a more invasive and frequent manner than before, mainly as sponsors / donators).

An interesting outcome of their quasi-independency is the self-assumed role of GONGOs as mediator between the government agencies and NGOs, on the one hand, and between NGOs and potential international sponsors / donors, on the other; this strongly contributed to legitimizing the work of NGOs and increased the trust among Chinese but also international public agents. This situation is likely to persist as long as the competition for funds won't affect GONGOs attitude towards NGOs.

There's no factual difference between the registered NGOs and the GONGOs (both benefiting from governmental support), the ambiguity this situation engenders perfectly explaining the reason why some people argue that there is no real NGO in China. The registered NGOs are usually established by influential individuals often enjoying a strong connection with the government or the party. The influential and charismatic character of the registered NGOs leaders may persuade one administration and management agency to take responsibility for it and offer the registration certificate, but it is not always the case. The influential leaders may also hamper the dialogue between different units precisely because of NGOs reliance on their image and influence; in case of their departure, the NGO may as well cease its activity. In a report published by Chatham House, is stated the necessity for some NGOs management system to be perfected and the relational system and inter-organizational dialogue to be improved; based in a great extent upon the popularity of the leader, his charisma and his decisive force, the cooperation may be impeded from becoming operational if the leaders are to disagree or simply get stuck at roundtables without producing viable arrangements (Civil Society and Environmental Governance in China, 2007: 3).

The non-registered NGOs are facing a difficult situation stemmed from their uncertain legal status; although they are allowed to operate (through the *courtesy* of Chinese government), the non-registered NGOs are usually subject to multiple restrictions such as not being able to open a bank account or to enter into contractual relations. Also their activities are often based on voluntary work because of the impossibility to pay or later to provide social services to their employees. Some NGOs are choosing to register as business enterprises or subsidiary organizations within different institutions just to be able to carry-on their activities; others are simply refusing to register and are deliberately accepting the informal character of their organization.

The international NGOs branches' work, although subject to a restrictive regime[5], is not regulated by any legislation other than the one already in force.[6] Without a clearly

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[5] International NGOs branches' activity is strictly monitored, especially of those working in the field of human rights and freedoms (including religious freedom) – a controversial matter, always demanding an excessive control from the government part.

[6] Although partly affected by the "Regulations on the registration and management of social organisations", having to, for example, be sponsored by the government or party department in the relevant field, the International NGOs are often operating without a legal identity if they are to undertake separate actions in the region; if not, they are simply collaborating with their Chinese counterparts by offering financial aid and assistance, sometimes preferable in order to avoid any association with a communist regime.

defined legal status, any action (the establishing of an office or organizing a fund raise) claims for a *memorandum of understanding* (Edele, 2005: 17) meaning a negotiation session with the local authorities. An easier way of operating within the Chinese territory is by registering as a foreign enterprise, which claims a more transparent procedure and allows hiring Chinese employees (for an in-depth analysis of the legal framework and NGOs typology in China see Edele, 2005: 6-17).

3. Civil Society and China: From May Fourth Movement Until Tiananmen … and Afterwards

Basically, what does civil society mean in China? To what extent the occidental paradigm succeeded in accommodating the Chinese collective thinking and generating new patterns of civic behaviour, more or less evocative for a new intellectual tradition in post-Mao China? By what means one can cancel the historical memory and the national ideology in order to produce new contexts of belonging quasi-antithetical to the current political and social habitat? I will try to answer these questions by taking into account what the history of modern China could offer us in terms of political and especially social activism.

It has been stated that the Chinese associational system has its origins in the economic policies introduced in 1979 and the *open-door*[7] actions from later on. I think that a little more than a paradigm transfer is needed in order to fully understand the phenomenon of civil society. According to Amy E. Gadsen, the May 2008 earthquake was in fact the key-moment in the long process of acceptance of NGOs presence and prominent role in China; it was then when the international community along with many of the Chinese officials were notified in respect to the Chinese civil society's level of emergence: 263 NGOs and 63 foundations offered their support to help the victims (Gadsden, 2010: 1). This seems at least paradoxical given the fact that the Chinese government defines itself as an institution capable of controlling all the information networks and, in general, all the activities undertaken by all units; nevertheless, there is no clear evidence regarding the total number NGOs, despite the territorial agencies' efforts in collecting all the data needed in order to get a clear image upon the phenomenon.

Civil society, not only as an idea, but also as practice, has emerged (in the Chinese context) alongside the division lines between the new post-Mao intelligentsia and the government, being a whole cycle of experiences, individually and collectively shared, capable of giving the right sense for a re-born China. According to Wang Yizhou, the emergence of civil society as element of discourse took place in the early 1990s, at the junction of major global socio-transformative phenomena such as the dissolution of Soviet Union (and the ending of the Cold War) with the political and economic reform in China (deeply rooted in the massacre of Tiananmen); the Western public debates also fuelled, to a great extent, the *civil society* discussions (Yizhou, 2005: 1) and created the context for the development of a new set of social expectations, built around the civic identity, but also around the idea of personal achievement.

From a historical point of view, the first modern civic association in China is considered to be Qiangxue Society[8] - a reformist group founded by Kang Youwei in

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[7] Concerning mostly the economic field, the initiative had multiple ramifications, the strategic development policies from the beginning of the 1980s creating a societal space capable of overcoming its former dysfunctionalities.

[8] The pre-existence of a sort of associational units in imperial China, but also in the period 1912 (the end of feudal dynasty in China) – 1949 (the proclamation of the Popular Republic of China

Beijing in September 1895 (declared illegal and therefore dissolved in January 1896). Although not a significant, politically or socially, initiative, its prohibition gave rise to a profound interest for such manifestations; according to statistics, in the first decade of the 20th century 733 membership associations were established including 83 reformist groups, 65 revolutionary, 265 commercial, 103 educational, 65 academic, 50 diplomatic, 17 cultural and 83 other categories (Shaoguang, Jianyu, 2004: 13). Facing a short gap between 1916 and 1919, stemmed from the ideological vacuum following Yuan Shikai's death, after the May Fourth Movement from 1919 the associational trend has gained an extraordinary force, the so-called organizations benefiting from the support of the two parties - the Nationalist Party (KMT) and the Communist Party, both engaged in fighting against the regional and local terrorist factions (the warlords) (Shaoguang, Jianyu, 2004: 14).

Giving the context, we should say a couple of words regarding May Forth Movement; it is considered to be the first significant uprising in the history of modern China caused by the Chinese people disagreement, especially students, about the provisions of the Treaty of Versailles concerning the transfer to Japan and not China (the legal beneficiary) of Germany's rights and privileges in the province of Shandong. Begun in Beijing (May, 4th), the students' protest against Japan and the pro-Japanese ministers rapidly spread all around Chinese cities, benefiting also from the workers and merchants support; although more than 1000 demonstrators from Beijing were arrested, their protest put some pressure on the Chinese government which decided to release them in June 12, and dismiss all the pro-Japanese ministers. The outcome of their protest stood for the influence the Chinese masses may have upon the politics producing an important historical benchmark for the associational activism in modern China (for more information see Zhang, 1994: 39-48).

Part of the global "associational revolution", the Chinese state has dynamized its volunteering sector especially during the conflagrations between 1937 and 1949 (the war against the Japanese invaders and the Civil War) when Mao Zedong supported the cooperation between the Chinese Communist Party and different mass organizations from the conflict areas, which have been asked to join the political structure in order to create a common front capable of dealing with the situation. The entry into force of the Organic Outline for the Registration of Mass Organizations in 1942 constituted the first major step in edifying the civil society in China; the switch occurred in 1949 when the attitude of the party changed radically, the repudiation of the important role of civil society for the society as whole leading to the absorption of the pro-communist entities (e.g. China Democratic Alliance or 9.3 Institute) into the Political Consultative Conference or the mainstream political structure of the Communist Party; all the other associative forms, deemed as being counter-revolutionary, were dissolved (Zhang, 2003: 5-8). During the period of 1950-1960 all the measures taken in regards to the NGOs (not NGOs per se, but similar associations) were to enhance the state control upon the society; hence, they were all institutionalized and became nothing but instruments of power and control. Since the middle 1960s (the Cultural Revolution included) until the first decade of the 1980s there was practically no activity for (or from) the civil society agents.

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and the beginning of Maoist dictatorship) – such as the clans, the Dong-Lin Academy from Ming period (1386-1644), the guilds, the secret societies, the late Qing dynasty academies until the student associations and May Fourth Movement from 1919 – serves as a benchmark in establishing certain evolutional patterns for the Chinese civil society (Zhang, 1994: 26-48)

Only after 1978 the re-emergence of civil society occurred, following the reforms introduced by the new Chinese leadership. The ideological vacuum stemmed from the disparagement of Maoism lead to the "liberalization of economy" which was meant to change China's role within the international community; nevertheless, the situation proved itself to be hard to handle by the sole Government. Concomitantly, the Chinese society suffered a profound transformative process, easily noticeable in the emergence of cultural salons and of a progressive press whose principles illustrated the propensity for the later democratic movements. Simultaneously, the decentralization created a new institutional framework and generated a moral quest for individual rights and liberties whose infringement became more visible as the Chinese society starts to unfold its irregularities.

We are facing the crucial moment of 1989, when the Chinese state is about to commit the most atrocious act against its own nation: the massacre from Tiananmen Square. The democratic movement of 1989 stood as "the expression of a fundamental conflict between the state with totalitarian intentions and an emergent civil society", being caused by the death of Hu Yaobang (a communist and opinion leader and former General Secretary of CCP) whose endeavours aimed to create a more tolerant environment and a larger activity space for the Chinese intellectuals, to decrease the political agency over society and to disparage the Maoist doctrine in favour of democratic and participative action; all these goals were to be met by introducing a new policy destined to promote the Chinese intellectuals - the Policy of the Three Kuans (Kuan Rong = tolerance, Kuan Song = relaxing control and Kuan Hou = benevolent). Publicly opposed to the conservative leadership (this including Deng Xiaoping) Hu Yaobang has been charged for promoting the "bourgeois liberalization" and forced to retire in 1987. His death, in 1989, following a heart attack which occurred during a session of the Chinese Politburo (from which he took part even after the exclusion from the decision making process) triggered a wave of manifestations among intellectuals and Chinese students who have constituted themselves (in the period between April 17th and June 4th 1989 when the martial law was implemented) into an extraordinary force, mobilizing thousands of participants and millions of supporters, following the emergent need to change the actual regime into a democratic system and to send away the reactionaries from the Communist Party leadership (for an in-depth analysis upon the events of 1989 see Zhang, 1994: 75-95).

Although for some the events of 1989 are nothing but a reproduction of the previous ones (1919, 1978-1979, 1986-1987), they have, nevertheless, contributed to the illustration of a repressed reality from post-Mao China; the constant re-dimensioning of the phenomenon, not only by multiplication of the participants, but also by transcending the initial sphere – from simple students to intellectuals and later on to the whole society, proved the real significance of this movement. Beside the well articulated objectives and aims, by publicly denouncing the Government errors or misconducts and its anti-democratic measures, their action served to raise political awareness and responsibility in each individual. A positive outcome of the 1989 events was the development of an associational core (such as ASUBU, BIAF or BWAF) able to support the building process of an authentic civil society by properly orienting the particular initiatives. Nevertheless, these primary organizations, as direct products of a social movement, have rapidly dissolved, mainly because their lack of strategy and inner force.

Although violently repressed, the 1989 events made room for the emergence of a *quasi-genuine* civil society whose role was about to be clarified once the dialogue with the Communist Party was open. Perfectly aware of its state of decline, the Communist Party transferred some of its competencies in the social services field to civil society, mainly

because of financial constraints; furthermore, finding a solution to particular problems in the area of environmental protection or the fight against poverty (especially from the 1980s on) became the almost exclusive mission of the third sector. The NGOs actions were underpinned and also promoted by the authorities, and in so doing they actually invoked a chatty slogan: "small government and big society" (Leung, 1994: 213).

Dealing with an uncertain status characterized by interchangeability and interfering roles (situation given by the state's necessity to control every aspect of the administrative structures, regardless the level) the NGOs became as vulnerable as it gets; they opened themselves to the international NGOs expertise which were keen to enter the Chinese territorial and organizational structures not only to help in finding a solution to the existent problems, but also to contribute to the creation of a democratic system.[9] Rockefeller Foundation, Ford Foundation, China Medical Board, Lingnan Foundation, Luce Foundation, Asia Foundation or World Wide Fund for Nature are just a few of the international NGOs with a major contribution not only in the socio-cultural and scientific, but also economical development of contemporary China (for more information concerning INGOs activities in China, see Edele, 2005: 18-20, and Zhang, 2003: 16-18).

Despite the restrictive measures imposed by the Chinese Communist Party, the NGOs have always found ways to evade the legal procedures framing the process of registration; registering as a sub-division of a governmental agency or as a private enterprise was always easier because of the simpler and more transparent procedures (for more information concerning the way some national NGOs operate and actively contribute to the development of Chinese society see Edele, 2005: 26-34, Zhang, 2003: 12-15; for an in-depth analysis upon each type of NGO's *modus operandi* see Shaoguang, Jianyu, 2004: 18-55).

An interesting aspect of the incipient Chinese civil society is given by its dynamism and openness to innovation. Certainly, the Chinese civil society has engaged itself on the right path, regardless the political climate or the oppressive character of governance, even the Government being likely to approve and more than once endorse their activities precisely because of the possibility of reaping some benefits from it; nevertheless, this attitude could have negative repercussions concerning the status and the public perception over the freedom and decision making process of Chinese NGOs.[10]

Regarding the influence of NGOs on political decisions and the decision making process, this can be directly exercised only via two institutional channels - NCP (National People's Congress) and CPPCC (The Chinese People's Political Consultative Conference) – the only legal and official instances that organize annual meetings with public participation. But they are accessible only to registered NGOs which, on their part, have to benefit from a large social visibility and to be lead, more often than not, by members of the former communist elite[11]; the rest of the NGOs (more than 75 % of the total number)

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[9] The influence was exercised on the public discourse also, by introducing a new terminology (such as *sustainable development* or *capitalization on acquired abilities*).

[10] A major issue of Chinese NGOs is precisely the lack of operational transparency and, more often than not, the corruption that touches many of them; some NGOs have improperly used the foreign capital in order to develop personal businesses, their behaviour nurturing the INGOs scepticism regarding the activities of Chinese NGOs. Simultaneously, the beneficiaries of capital aid often refused to share with the other NGOs the information about their sponsors precisely because of the competition for capital aid; this definitely prevented the Chinese civil society from a harmonious and wealthy evolution. (Qiusha, 2006: 12)

[11] Otherwise the chances for their proposals to be accepted for later analysis are minimums.

has to find other means in order to play a part in the decision making process. An equally efficient way is to influence those who are already part of (or in charge with) the decision making process; by involving these persons in thematic debates or academic forums, the NGOs are given an extraordinary platform to raise public awareness on a particular phenomenon and offer solutions, usually unthought of by the authorities (Xiumei, 2004: 2).

4. Conclusions

In the last decade of the 2000s, a paradigm shift has occurred; the newly established NGOs started to focus on the groups' interest more than the general one, seeking the approval of the members more than of the sponsoring agencies. This attitude was also underpinned by a general tendency among NGOs leaders to just fight for a cause rather than fight for accessing the governmental structures and becoming part in the decision making process. Unlike the former NGOs, the new ones were always interested in cooperating with the sponsoring agencies and they always promoted the partnership between the civil society's actors and the state in addressing the problems and diffusing the social tensions. Despite all that, the Chinese authorities didn't prove themselves too cooperative when dissolving or declaring illegal all the NGOs that have somehow stained China's image (e.g. Wan Yanhai, founder of one of the most active NGOs for combating HIV in China, was restrained and afterwards convicted of divulging state secrets related to the governmental initiative of blood selling ended with the HIV infestation of thousands of farmers from central China).

The mutual transfer of *savoir-faire* and the generalized dialogue between NGOs undoubtedly certifies the level of maturity reached by the Chinese civil society, despite the restrictive measures applied by the government with the sole purpose of enforcing its control upon NGOs activities (like the additional provisions to the legislation in force, introduced in 2010, which require extra information upon the social actors the Chinese NGOs are given donations from, and these donations must always be made by contract where to stipulate the reason and the purpose they are made for).

Aside from the systemic insufficiencies characterizing the Chinese NGOs, stemmed mainly from the absence of a genuine civic tradition and which are likely to be overcome in time, what is important to attain is the transition of individual social forces from simple carriers of a political cause to veritable political actors, by collectively accepting the fact that the Chinese state was irrevocably damaged in its capacity of control and therefore is necessary and useful to give all its support to the partnership with the emergent civil society. There is an irreversibility threshold regarding the dialogue between the two entities that has already been overcome; their cooperation must now move into the mainstream.

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II. ROMANIAN PUBLIC AND PRIVATE MANAGEMENT - EUROPEAN INFLUENCES

THE IMPACT OF EUROPEAN REGULATIONS ON BUSINESS MANAGEMENT IN ROMANIAN MASS MEDIA INDUSTRY

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Abstract: *This paper is an analysis which starts from observing the present state of affairs, out of the perspective of someone who is passionate and involved in mass media industry. The object of research is the legal framework of business within mass media industry. Together with the „small reform of justice", materialized by the adoption of the four Codes, the legal framework has changed substantially. This is the reason why we are going to present the legal aspects which an efficient management needs to take into account. Most of current Romanian legislation is taken over and adapted according to European Union legislation. In order that mass media becomes a power in the service of good, it must improve its performance and this process always starts from a solid structure based on a substantial knowledge of laws and on implementing them in this field.*

Keywords: *Law, European law, trade agreement, quality, performance.*

Introduction

We live in a law-abiding state and this reality gains more and more ground both in the business field and in the private one. As much as we like to believe that, when it comes to business and profit, we can function only on our intuition or natural instinct, organizational performance is less likely to reach its desired quality standards if it is not grounded on the law and its abidance. Many people dream to start a business in mass-media, but the way from aspiration to accomplishment undergoes a variety of factors which influence things. One of the essential fields that cannot be avoided is the legal framework necessary to develop a business. In order to develop a business on easy terms, the entrepreneur should have solid knowledge of the laws, regulations and norms which must be observed so that his business will function well, whether it will take place on a national level or will encompass other countries, too. The development of contracts, especially in the context of globalization and the influence of European treaties "seems to submit to two laws which govern the contemporary legislation on the whole: specialization and progressive complexity" (Malaurie, 1996: 34).The reality that we face is that all business elements display an obvious juridical feature. If we speak about a company's registration, its contract, getting licenses, hiring staff, increasing capital, import, export, the reorganization of the company, crediting or selling the company, each of these procedures should be done in keeping with the present laws and regulations.

Regardless of its form of organization, human society needs a general framework of rules to enable action development among its members. As far back as in ancient Greece, laws governed the entire life of the citizen. The growth and consolidation of the Roman Empire took place because of the consistency and quality of the adopted laws,

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namely the Roman law, which succeeded in creating a unitary system of concepts that brought together all the basic interests of the society. "By its logic and pragmatism, Roman legislation is the one which had a huge impact on subsequent legislations, especially on the great codifications that took place in continental Europe during the nineteenth century." (Avram, 2007: 60) The source of inspiration for the Romanian legislation is the Roman law, mainly in the sphere of goods and bonds. On the other hand, current Romanian legislation is taken over and adapted on the basis of the "national program of legislative harmonization" by which Romania has made the commitment to harmonize its legislation with the European Union norms and treaties.

In a broader sense, the Law, as a normative act, represents the headquarters where we find the regulations for trade agreements. Romanian legislation regarding the economic field has taken shape and improved constantly, enabling and encouraging the development of personal enterprise and of private system, the growth of competitiveness and quality of products and services. We will try to present, as a result of Romanian legislation adapting to the European one, the main laws which regulate mass media industry, an essential field of Romanian society and life.

1. The Process of Harmonization of Romanian Legislation with the European Union Legislation

"On international level, there is a tendency to make trade legislation uniform, tendency which was initiated by Geneva Convention on uniform laws regarding the bill of exchange, the bill payable to order (1930) and the cheque (1931), continued by Hamburg Convention on sea transport (1978), the Convention about international goods sale (Vienna, 1980) and culminated with Maastricht Treaty (1993) regarding European Union." (Vasiloaia, 2011: 5) In 1993, our country entered into an association agreement with the European Community and its member states. As part of the commitments undertaken by Romania within the cooperation and control mechanism (The Committee Decision 2006/928CE from 13 December 2006) and in the intermediary report of the Committee to the European Parliament and Council regarding the progress made by Romania, it is greatly emphasized the idea that the legal system should adopt the four codes –the Code of Criminal Procedure, the Penal Code, the Code of Civil Procedure and the Civil Code. (Cipolea, 2012) On the basis of the agreement, Romania must harmonize its legislation with the European Community legislation. This process is in progress and a considerable portion of the legislation has already been harmonized, as we have shown that the four codes have already been adopted.

For Romanian economy, adapting the legislation to the European Union is also determined by the need to implement reforms in order to develop a genuine and an efficient market economy. Within the Romanian agreement of joining the European Union, ratified by Law no. 20/1993, the Title V, Chapter III is exclusively dedicated to the harmonization of the legislation. In the Article 70 of the agreement, it is stipulated that the legislation harmonization should mainly concern the following aspects: customs law, companies act, bank law, copyright law, labour and jobs protection, social security, financial services, competition rules, people's health and life protection, consumers' protection, technical standards and norms, laws and regulations in nuclear field, transport and environment. Together with Romania's handing in the petition to join the European Union in June 1995, Romania made the commitment to meet the criteria established by the European Union. Until Romania has entered the European Union, an ample and a

strenuous adapting process has taken place so that Romanian legislation should take over the stipulations of the community Acquis.

The harmonization of the legislation is an on-going process, being related to the integration process. The harmonization of Romanian legislation to that of the European Union involves a solid knowledge of these provisions as well as their adapting to Romanian reality and ensuring the coherence of the new legislation, precisely its harmonization not only with the European laws, but also with the existing Romanian ones. This process is neither simple nor does it happen quickly and it is literally impossible to have it without any deficiencies, therefore new improvements and adjustments will be done on a constant basis.

Next, we will try to point out the main normative acts whereby business activity in mass media industry is regulated, just as they have been adjusted so far in the harmonization process both with the European legislation and the current Romanian reality. On the whole, these regulations are crucial landmarks for the entrepreneurial and managerial activity in Romanian mass media industry.

2. Explanations from the Basic Law of Romania Regarding Mass Media Industry

After the political changes which took place in Romania in December 1989, the change of Constitution was also necessary. The political class and various experts in constitutional law assumed this responsibility and, as a result, in 1991 the basic Law of Romania was adopted. Together with Romania's perspective to join the European Union, Romanian Constitution was revised by Law 429 issued in 18 September 2003. Presently, debates concerning a new Constitution revision are in progress, the president of Romania being willing to give up on two years of his mandate if political powers reach an agreement on this issue. We would like to mention that, within this revision process, there are no topics that aim at mass media. Moreover, when Hungary introduced various Constitutional regulations meant to limit freedom of mass media, the European Union reacted immediately requiring that those articles should be changed.

Current Constitution provides a significant space to mass media field; therefore we will try to point out the main regulations concerning mass media businesses. The basic Law of Romania mentions in Article 45: "People are guaranteed free access to economic activities, free enterprise and to use these according to the law." (Romanian Constitution, TITLE II, Art. 45) In Article 135, the legislator stipulated that "Romanian economy is a market economy, based on free enterprise and competition." (Romanian Constitution, TITLE IV, Art. 135, paragraph 1) At the same time, the Constitution shows that "The state must ensure the following: freedom of commerce, protection of fair competition, creating favourable circumstances in order to make all the production factorsprofitable, as well as safeguarding the national interests within economic, financial and currency activity." (Romanian Constitution, TITLE IV, Art. 135, paragraph 2, letter a and b).

We notice that the principles and values supported in Romanian Constitution indicate the objective to promote innovation and enterprising spirit, so that they become daily, permanent and natural components of the activities initiated by people and also a habit of organizations. Free access of people to economic activities and the encouragement of economic enterprise by guaranteeing these rights will stimulate an entrepreneurial company. Referring to entrepreneurial companies, Peter F. Drucker says: "We need an entrepreneurial company in which innovation and enterprising spirit are

something natural, constant and permanent. As management has become the specific instrument of all institutions in contemporary times as well as the integrating instrument of nowadays' organizations, in the same way innovation and enterprising spirit must become a vital integrating component of the organizations, economy and society." (Drucker, 2010: 273). It seems that, under present economic circumstances, the challenges are of entrepreneurial and managerial nature and they concern directly the individuals. States may help the individuals or stand in their way. And the law which lays down rights and limits is the Constitution.

In the Article 30 and Article 31, the basic law of Romania refers to the activity of press institutions and to the people involved in mass media communication process. In Article 30, paragraph 3 and 4, it is shown that "Freedom of press also involves the freedom to set up publications. No publication can be suppressed." (Romanian Constitution, TITLE II, Art. 31, paragraph 3 and 4) The text of the Constitution lays down man's right to express his thoughts, views and beliefs, but to make use of this right and set up publications involves certain objectives and financial costs. This is the reason why the legislator mentions in paragraph 4 of the Article 30 that, by means of another law, press institutions may be required to make their financing source publicly. Thus, starting even from the freedom of speech principle we can see the importance and the role the financing source is playing. The law suggests that it is possible to have an honest financing of press business or one that will be harmful to the message content. It seems that in this stage we have reached the very heart of the problem. The question that will be raised is the following: how much of the present communication that is done by mass media institutions is the result of the freedom of speech and how much of it represents various interests that are embodied through specific press actions? No matter how things are, the reality is that the freedom of speech within mass media has got economic implications. Thus, it is necessary to set up a legal framework for business development in mass media industry. Therefore, Article 30 from the Constitution raises the problem of the freedom of speech from the entrepreneur's perspective, as initiator of mass media business. At the same time, this article also refers to the individual who conveys information by means of writing, images and sounds, making use of the mass media channel that has been founded and is managed by someone else. In order to use a mass media channel, the individual who wants to express his views should probably cover the costs involved. The cost may also include some extra expenses that will be charged by the entrepreneur of mass media industry.

In Article 31, things are analyzed from the consumer's perspective. Paragraph 1 says: "People's right to have access to any information of public concern cannot be restricted." (Romanian Constitution, TITLE II, Art. 30, paragraph 1) This statement underlines the well-known idea that there is a demand on the part of the public to be informed. Daily life proves the interest of people from all countries in mass media services. In this respect, it seems that television remains one of the most enjoyed sources of information for the postmodern man. Nowadays man's life without a TV set is unconceivable, even if many things have been said or written about the dark side of the television impact. This filtering tool and means of broadcasting information on a global level enables social exchanges and also promotes and outlines behavioral patterns and lifestyles. The impact of movies on viewers is not limited to the time spent in front of the TV set, butextends to the values which are presented, taken over and eventually adopted. Mediafax quotes from a research made by Eurodata TV Worlwide, which shows that the inhabitants of the earth spent in 2009 an average of three hours and 12 minutes daily in frontof their TV set, which indicates an increase of 3 minutes compared to 2008.

Time spent in front of the TV set
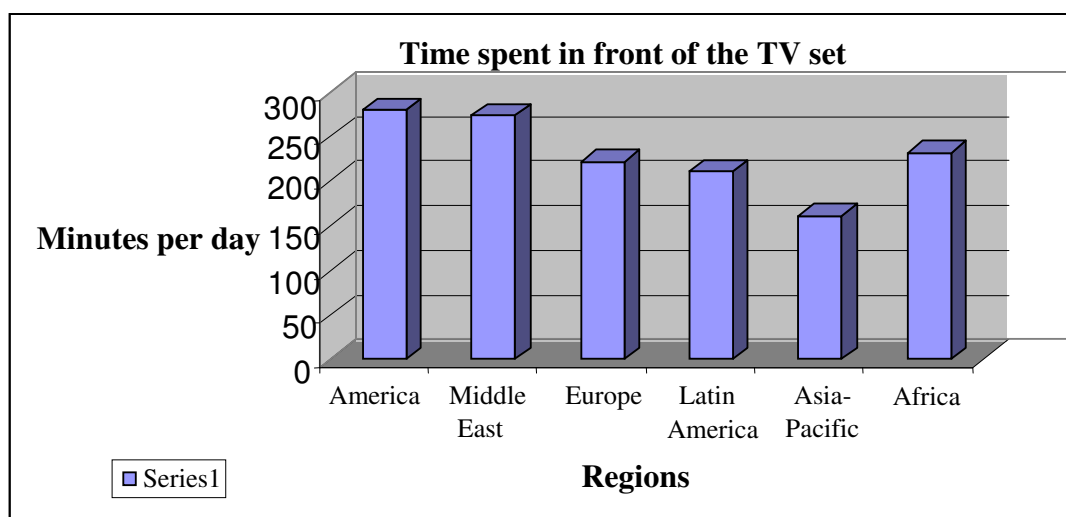
"This research shows that, as a result of recession, people haven't changed their behavior towards their use of mass-media. As far as a region analysis is concerned, the North America consumers spend the longest time in front of their TV sets, with an average of four hours and 40 minutes daily, followed by those from Middle East, who, on the average, watch TV four hours and 34 minutes daily and by those from Europe, who watch TV programs three hours and 42 minutes. In Latin America, a normal consumer watches TV around three hours and 30 minutes daily, while those from Asia-Pacific region spend around two hours and 41 minutes in front of their TV sets. Africa is the only region where the average time spent by consumers in front of their TV sets hasn't increased, but remained constant to three hours and 52 minutes." (Mediafax 2012) In this respect, Article 31 from Romanian Constitution contains a restriction in paragraph 6: "It is compulsory that all mass information means, private or public, should ensure a fair informing of the public opinion." (Romanian Constitution, TITLE II, Art. 30, paragraph 6).

At first sight, this statement compels both the entrepreneur and the broadcaster of media products to be fair. At the same time, this paragraph suggests a guarantee, which is granted by the Constitution, regarding the quality of the media products which the consumer receives as a result of a financial exchange. When we speak of financial exchange, we refer to the compulsory radio-TV subscription or the optional subscription to other TV channels and, naturally, to the newspaper we are all buying. On one hand, this constitutional requirement emphasizes the necessity to generate quality mass media products in terms of their fairness. On the other hand, the text suggests that the information received by the consumer is accurate because it is assured by the Constitution, when, in most cases, the accuracy aspect is quite difficult to measure. No matter how things are, one essential element is still valid: by means of a constitutional guarantee, the consumer of mass media products has got the assurance that these products meet the quality standard at least under the fairness aspect, a vital element for this kind of products. We cannot enjoy such a guarantee when it comes to food or cars that we buy.

As we have just tried to show, Romanian Constitution provides a significant space to mass media field, in this way pointing out the basic elements necessary to business development in mass media industry.

Harmonization of the Law nr. 31/1991 regarding trading companies whit European legislation and Romanian realities was very important. "The Law 31/1990, with its subsequent amendments, largely draws on the regulations concerning trading companies from the Commercial Code issued in 1938, which has never come into effect. This is the framework-law which includes all the general regulations regarding the setting up, modification, functioning and ceasing of trading companies." (Florescu, 2010: 21) This law describes and regulates the main legal aspects involved in a trading company. Issued right away after the "Revolution", this Law, though imperfect, has created the appropriate framework for the transition to market economy. Here are the main guidelines of the Law concerning the trading companies:

The legislator stipulated in Title I the general regulations for a company's setting up, its object of activity and its different legal forms, guarantee of obligations, the associates' responsibilities and the minimum number of associate members.

Title II includes the main legal norms for the incorporation of a trading company. The following are presented: rules regarding the setting up documents, specific formalities related to the establishment of a joint-stock company by public subscription, company's registration, the effects of breaking the legal requirements of company's setting up and some procedural arrangements.

Title III mentions the legal norms for the functioning of trading companies. In this section, the law includes the legal framework for the functioning of companies as follows: universal provisions, general partnerships, sleeping partners companies, joint-stock companies, and limited companies.

Title IV presents the legal framework for the amendment of the setting up documents and also includes some general regulations and information on the reduction and increase of the registered capital.

Title V describes the legal procedures for associate members' exclusion and withdrawal.

Title VI contains legal aspects concerning the merging and division of trade companies.

Title VII presents the legal provisions for the liquidation of a company.

Title VII.1. presents the regulations that apply to European companies.

Title VIII mentions contraventions and infringements of the law.

Title IX includes transitory and final provisions.

Because press institutions are trade companies, the Law 31/1990, with its subsequent amendments, is and will remain one of the fundamental laws for directing the economical activity in mass media industry.

We will describe here the main amendments that have been made, in the course of time, to the Law regarding trading companies, amendments meant to harmonize the provisions of the law both with the European norms and Romanian reality.

The Law 31/1990 regarding trading companies, republished in the Official Gazette, Part I, no. 1066 issued in 17 September 2004, has been subsequently modified by the following normative acts:

- Law no. 302/1995 for the amendment and completion of the Law 31/1990 regarding trading companies (Official Gazette no. 953 from 27 October 2005);

- Law no. 85/2006 regarding the insolvency procedure (Official Gazette no. 359 from 21 April 2006). Law no. 85/2006 came into effect 90 days from its publishing in the Official Gazette.

- Law 164/2006 for the amendment and completion of the Art. 17 paragraph (2) from Law 31/1990 regarding trading companies (Official Gazette no. 430 from 18 May 2006);

- Law 441/2006 for the amendment and completion of the Law 31/1990 regarding trading companies, republished, and of the Law 26/1990 regarding the Register of Commerce, republished (Official Gazette no. 955 from 28 November 2006). Law 441/2006 came into effect on 01 December 2006;

- Law 516/2006 for the completion of Law 302/2005 for the amendment and completion of the Law 31/1990 regarding trading companies (Official Gazette no. 14 from 9 January 2007);

- Government Emergency Decree no. 82/2007 for the amendment and completion of the Law 31/1990 regarding trading companies and of other subsidiary normative acts (Official Gazette no. 446 from 29 June 2007);

- G.E.D. no. 52/2008 for the amendment and completion of the Law 31/1990 regarding trading companies and for the completion of Law 26/1990 regarding the Register of Commerce (Official Gazette no. 333 from 30 April 2008);

- Law 284/2008 regarding the approval of the G.E.D. no. 52/2008 for the amendment and completion of the Law 31/1990 regarding trading companies and for the completion of Law 26/1990 regarding the Register of Commerce (Official Gazette no. 778 from 20 November 2008);

- Law 88/2009 regarding the approval of the G.E.D. no. 82/2007 for the amendment and completion of the Law 31/1990 regarding trading companies and of other subsidiary normative acts (Official Gazette no. 246 from 14 April 2008);

- G.E.D. 2/2012 for the amendment and completion of the Law 31/1990 regarding trading companies (Official Gazette no. 143 from 2 March 2012).

3. A Law Abrogated Almost Completely: The Press Law

As far as the Press Law is concerned, we speak about an old law in which most of its articles are abrogated. Law 3/1974, published in the Official Gazette no. 3 from 19 January 1978, was latest updated by the Government Emergency Decree 53/2000, published in the Official Gazette no. 227/2000. Actually, by the Emergency Decree 53/2000, the government abrogates most of its articles. Only the articles that regulate the right to retort are still in effect. It is also established that the actions at law in which a person asks for moral damages are obliged to cover a bail representing 5% of the requested amount of money.

The aspects that are abrogated in the Press Law are supplied at principle level in the deontological codes of the journalists. At present, there is a draft of the Press Law, mostly taken over from the USA legislation. Certainly, during this parliamentary mandate it will not be adopted, but this process will be resumed after the legislative elections which will be held at the end of 2012.

4. The Audio-Visual Law and the Code which Establishes Regulations for Audio-Visual Content

The Audio-visual Law no. 504, with its subsequent amendments, puts into practice the Directive 2010/13/EU of the European Parliament and Council from 10 March 2010.

The decision of NCA (National Council of the Audio-visual) regarding the regulation code of the audio-visual content.

There are also other normative acts which have an impact on the audio-visual field, such as: the Law regarding elections, the Law regarding the fight against pornography, the Advertising Law, the Law regarding the fight against unfair practices of traders in relation to their consumers. Most of the audio-visual normative acts are feedbacks to the European directives. In the following lines, we are providing an excerpt from the Government Decree regarding the approval strategy of switching from analogical television to digital one:

"Taking into account the need for a feedback to the new technological developments and also the need to generate the proper conditions for the establishment of a legal framework for all audio-visual mass media services, regardless of the used technical support, ensuring unitary fundamental rules for classical television services, analogical and digital, as well as for audio-visual mass media services at public request or for mobile television ones, a need approached by the Government Emergency Decree no. 181/2008 for the amendment of the Audio-visual Law 504/2002, according to the obligations imposed by the Directive 2007/65/CE of the European Parliament and of the Council from 11 December 2007 to amend Directive 89/552/CEE of the Council regarding the coordination of certain legal and administrative actions of member states concerning the broadcasting of TV programs, the Romanian Government decides the implementation of terrestrial digital television services on a national scale, finalizing the removal of analogical television services for the frequency band UHF by 1 January 2012." (G.D. 213/2009) The obvious aspect which can be seen from the text of the Government Decree is that this decision was not triggered by the technological development perspective or by a real concern for the progress of mass media industry, but by "the obligations imposed by the Directive 2007/65/CE of the European Parliament and of the Council from 11 December 2007 to amend Directive 89/552/CEE of the Council regarding the coordination of certain legal and administrative actions of member states concerning the broadcasting of TV programs".

Along the same line, we are mentioning the amendments which have been made to the Audio-visual Law, that is to Law 504 from 11 July 2002, which was modified and completed by the following:

- Law 591/2002
- Law 402/2003
- Law 510/2004
- Government Emergency Decree no. 123/2005
- Government Emergency Decree no. 3/2006
- Law 197/2006
- Law 364/2007
- Law 116/2008
- Government Emergency Decree no. 181/2008
- Law 330/2009, abrogated by Law 284/2010
- Law 333/2009
- Government Emergency Decree no. 19/2011

All these multiple amendments constitute a natural part of the harmonization process to Romania's requirements and implications as a member state of the European Union and also to the dynamics and the regulations needs which emerged within Romanian society.

5. The Commercial Code, Abrogated, But Still Influential

The Commercial Code has been until recently the most important source of the commercial law, because it defines the commercial law institutions and regulates commercial activities. "The Commercial Code is the main source of business law." (Păun, 2011: 28) The Commercial Code contains juridical norms which establish the fundamental institutions of the commercial law, among which we remember: commercial transactions, the merchants and the commercial obligations. Because mass media industry has got an important commercial component, the norms which regulated the basic institutions of the commercial law, the commercial transactions and obligations have also directed mass media business activity. "From a legal perspective, commerce refers not only to goods circulation transactions, but also to goods production transactions, works executions, constructions, carrying out services, other entrepreneurs' activities and their accessories." (Florescu, 2010: 9) As prof. Florescu and his associates show in the quoted work, the legal aspect comprises and defines business. Actually, the legal aspect is mentioned both in the Commercial Code, which was promulgated by means of a decree on 10th May 1887 and then came into effect on 1st September 1887, and in the new Civil Code, which came into effect on 1st October 2011. Although the Commercial Code underwent substantial changes, it was abrogated only on 1st October 2011, when the new Civil Code came into effect. In the Article 3, the Commercial Code lists around 20 instances of commercial transactions. Also, in the Article 7, the Commercial Code assigns the term of "merchants" to those people who are involved in commercial transactions as their occupation and on an personal basis. Conferring this broad meaning to the notion of "merchant", it covers the whole economical activity.

"If it is true that the old Civil Code was abrogated on the 1st of October 2011, it is also true that it will last long from now on, because, for instance, from a contract perspective, it is going to be ultra-active. Article 102, paragraph 1 from the Implementation Law prescribes that the signing of a contract, its interpretation, effects, fulfillment and ceasing are all subjected to current legislation starting with the date the contract has been signed. That is, a contract which was signed before the 1st of October 2011, will be subjected to the old Civil Code, even if its effects will continue to be felt after the new Civil Code has become operative. But, also, various parts from the Commercial Code will endure, at least for a while." (Pipera, 2012: 2)

6. The Small Reform of Justice: The New Civil Code

"The Civil Code represents one of the basic normative acts of any juridical system, a law which orders the everlasting values of society – interpersonal relationships, family, patrimony, goods circulation – and precisely because of that it is characterized by stability" (Cipolea, 2012: 3) Obviously, the new Civil Code brings about a change and a challenge, which will result in a variety of ideas and opinions regarding the approach and understanding of this vast normative act.

The significant change, in our perspective, has to do with the abrogation of the Commercial Code and the introduction in the Civil Code of regulations regarding business and commerce. In this way, the civil law will no longer be what one usually understands by this concept (a law for individuals and immovable properties), but a unitary private law, which also regulates the professionals' activities of producing goods and values as well as their circulation. Prof. dr. Gheorghe Pipera shows that: "A civil law which includes everything related to private law should therefore be divided into two categories: (i) *civil law for ordinary individuals*, which involves all the juridical relationships

concerning family law and civil status and also the contracts that are signed only between ordinary individuals, and (ii) *commercial civil law* (professional activities law, business law), that is most of the civil law, which is the law practiced by professionals, among whom the most important ones, both in volume of production and value, are the merchants." (Pipera, 2012: 2).

According to Law 71/2011, article 8, "The concept of "professional", stipulated in the Article 3 of the Civil Code, includes the following categories: merchant, entrepreneur, company as well as other people authorized to carry on economical or professional activities, as these notions are stipulated by the law, on the date the Civil Code has come into effect." We notice that the new Civil Code introduces a new concept, that of "professional", which is defined in Article 3: "All those who undertake an enterprise are considered professionals" (Law 278/2009, Article 3, paragraph 2) This concept encompasses, besides other categories, the category of merchant. According to the new Civil Code, the notion of "professional" is a genus category, while that of merchant is a species. Thus, the concept of merchant is placed on the same level with the other categories within the economical activity.

As far as mass media business is concerned, the new Civil Code brings some important regulations, because it constitutes the framework-law for the commercial and production activity.

Book I, Title IV points out the normative provisions regarding the legal person. Here we have the legal framework for a company's setting up, nullity, registration, capacity, functioning, reorganization and ceasing.

Book V is essential for the business field, because it outlines the legal framework for obligations and contracts. In this section, 1345 articles display the legal working framework in different emerging contexts when developing a business, including the business within mass media industry.

Conclusions

Among all components of postmodern society, mass media has known the greatest development. We can say that, on one hand, mass media industry is one of the support services for worldwide economy, but, on the other hand, goods production and capital flow constitute an essential support for mass media system.

In the present paper we have tried to emphasize the impact of the European regulations on the juridical norms which regulate mass media. It seems that most of the regulations derive less from a vision which aims to clarify and improve business framework in general and mass media business in particular, but rather the modification of the normative acts happens because of the obligations imposed by European directives.

At the same time, we have tried to present the place and the role of legislation in the business management of mass media industry. Thus, in the first chapter we described the impact of European Union regulations on Romanian legislation. In the second chapter, we've made a brief analysis of the constitutional elements which direct the principles of mass media functioning. In the third section, we have talked about the Press Law, a law which was abrogated almost completely, while the new law is in a draft stage. The fourth section was dedicated to audio-visual regulations. In the fifth section, we have tried to prove that, in spite of the fact that the Commercial Code has been abrogated, it still survives and will influence business for a long time. The last section of the paper has approached the new Civil Code, one of the four codes which led to "the small reform of justice" in Romania.

The aspect we have tried to highlight is the role of the contract as the main legal tool used in business, contracts being met very often both in the daily activity of the organizational context and of the private one. There is a huge variety of contracts which can be concluded within business development.

Together with the adoption and coming into effect of the new Civil Code, trade agreements are regulated more on a unitary basis. "In the new regulation, as a consequence of giving up the dualism Civil Code – Commercial Code, more and more contracts have been added logically, including those which have been regarded so far the exclusive prerogative of the merchants." (Cipolea, 2012: 18) In this way, the legislator not only places the norms regarding contracts in the same legislative body, but also allocates them a larger area.

It seems that the new Civil Code follows the pattern of the law books and treaties, putting the sale and purchase contract on the first place, among all types of contracts it defines and standardizes. Actually, this contract is a prototype of the trade act, as sale is the means by which consumer goods are distributed. The sale and purchase contract takes various shapes: from simple, classical ones to complex ones, dictated by the parties' interests, obligations and responsibilities. "Most of the rules in the Civil Code are optional and the parties can derogate from them in order to establish their own agreements. But nowadays the tendency is different; thus, the regulation of some contracts is necessary due to social and economical factors and also to protect the parties, therefore we are witnessing a real decline of the contractual freedom." (Moțiu, 2011: 17) People's creativity and the multitude of requirements are shaped according to the Law.

All these contracts are regulated in the Constitution, in the new Civil Code and in the specific legislation. In this respect, the managerial process is based on a solid knowledge of the laws and on applying them accordingly, aiming to obtain the best benefits in relation to the market competitors. This is both a challenge and an opportunity for nowadays managers. At the same time, the national law includes the community regulations concerning contracts; in this way, we are provided a unitary and well-defined framework which applies to all member states of the European Union.

The premise we are maintaining in the end is that nobody can defend oneself making his/her ignorance of the law as an excuse; this is the reason why quality and performance oriented managers will invest all their time and efforts to become familiar with the law and apply it accordingly, so that they can get the best advantages and benefits in their business management.

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ROMANIAN MANAGEMENT STRATEGIES TO MOTIVATE EMPLOYEES IN THE PUBLIC SECTOR AND IN THE PRIVATE SECTOR. A COMPARATIVE APPROACH

Maria-Magdalena RICHEA[*]

Abstract: *In what follows, I want to make a comparative study on employees motivation strategies used by Romanian managers from both public sector and private sector. Data will be presented in this material are those resulting from pre-test phase of the study.*

The main purpose of this study is to achieve a comparative analysis between employees motivation strategies adopted by Romanian public sector managers and employees motivation strategies adopted by Romanian private sector managers, to identify the specificity of the managerial Romanian culture of employee motivation.

Expected results of the study are to highlight certain features of: (1) the employees motivation process, characteristic of specific managerial styles and (2) the elements of an effective process on how to motivate employees.

Keywords: *motivational work factors, employee performance, hygiene factors, strategies to motivate employees, organizational performance.*

Introduction

Considering that "the image of the European culture is provided by the association of the concepts people-culture-history-territory *that* confer a certain local specificity due to their characteristics and *that* we can identify besides a European culture, a culture area of local, regional and national specifics" (Horga and Brie, 2010: 157), in this paper, I want to present a comparative study on employee motivation strategies used by managers from both Romanian public sector managers and Romanian private sector managers, in order to identify the specificity of the managerial Romanian culture of employee motivation.

Data will be presented in this material, are those resulting from pre-test phase of the study. In the following, will be presented the study stages.

I. The Methodological Component of the Study
I. A) *Research theme* is the motivation process of employees in the Romanian public sector and in the Romanian private sector.

I. B) *Research subject -* analysis of managers perceptions (from both Romanian public sector and Romanian private sector) on the motivation of their employees.

I.C) *Research objectives*:
1. is to identify management strategies to motivate employees in the Romanian public sector;

2. is to identify management strategies to motivate employees in the Romanian private sector;
3. is to achieve a comparative analysis between employees motivation strategies adopted by Romanian public sector managers and employees motivation strategies adopted by Romanian private sector managers.

II. The Theoretical Component of the Study

Over time, more precisely since 1950, when the specialists proposed a series of concepts concerning the processes and strategies to motivate employees to work, have developed a number of specific formulas to define the concept of motivating employees, so depending on specific lines of research interests and theoretical model based on the claim that each definition in part.

What is the motivation of employees?

In this study, I chose to use the definition that Stephen Robbins has given to this concept. Thus, Stephen Robbins, defines the concept of motivation as: "the willingness to exert high levels of effort toward organizational goals, conditioned by the effort's ability to satisfy some individual need…The three key elements in our definition are effort, organizational goals, and needs" (Robbins, 1996: 212).

Since I defined the main concept of this study, I will describe the main theoretical models in motivation, on their evolutionary axis.

1. Classical theoretical models describing

As I said before, classical theoretical models of employee motivation have started to develop since the 1950s. During this period, three main theories have been developed, which still are the basis of most processes of employees motivation. Thus, have been developed the following approaches:

1. A) Hierarchy of Needs Theory

Abraham Maslow provided a very useful theory for examining individual motivation (Rees and Porter, 2005: 128). According to the author, there is a hierarchy of individual needs. Needs must be met at lower levels before people are concerned with higher needs (Rees and Porter, 2005: 128). Types of needs described by Maslow are classified as follows:

- lower-order needs: "needs that are satisfied externally; physiological and safety needs" (Robbins, 1996: 214);
- higher-order needs: "needs that are satisfied internally; social, esteem, and self-actalizations needs" (Robbins, 1996: 214).

1. B) Theory X and Theory Y

Douglas McGregor, after inventory of the different models of manager-employee interaction, conclude that a manager's vision is based on a certain set of assumptions. Thus, these assumptions have been described on work motivation and leadership:

- the assumptions of **Theory X**:
- ordinary people are, by nature indolent, lacking in ambition, selfish, tending to work as little as possible (McGregor *Apud* Vlăsceanu, 2002: 106);
- land due to their aversion to work, people must be coerced, controled, directed, threatened and penalized to work, in order to achieve organizational goals (McGregor *Apud* Vlăsceanu, 2002: 106);

- the average person prefers to be directed, avoid responsibility and is dominated by the need for security more than anything else (McGregor *Apud* Vlăsceanu, 2002: 106).

• the assumptions of **Theory Y**:
  - people can invest in physical and mental energy as easily work with that spent in amusement or recreation (McGregor *Apud* Vlasceanu, 2002: 107);
  - people not only react to threats and permanent control, but are capable of controlling themselves. Employment can be done by intrinsic motivation (McGregor *Apud* Vlasceanu, 2002: 107);
  - under favorable conditions, people not only accept ,but will want to take responsibility (McGregor *Apud* Vlasceanu, 2002: 107).

1. C) Motivation Hygiene Theory

In this study, I will use the theoretical model proposed by Frederick Herzberg, more precisely Motivation Hygiene Theory. Herzberg started from the assumption that *"an individual's relation to his or her work is a basic one and that his or her attitude toward this work can very well determine the individual's success or failure"* (Herzberg *Apud* Robbins, 1996: 216).

Following his study on employees expectations from their job, Herzberg identified the following two types of features:

• Job satisfaction, characterized by *"intrinsic factors, such as achievement, recognition, the work itself, responsibility, advancement, and growth"* (Herzberg *apud* Robbins, 1996: 217).

• Job dissatisfaction, characterized by *"extrinsic factors, such as company policy and administration, supervision, interpersonal relations, and working conditions"* (Herzberg *apud* Robbins, 1996: 217).

According to Herzberg, "*the opposite of satisfaction is not dissatisfaction, as we traditionally believed…removing dissatisfying characteristics from a job does not necessarily make the job satisfying*" (Herzberg *apud* Robbins, 1996: 217).

Therefore, Herzberg's motivational theoretical implication is that factors that generate satisfaction at work are different from those that generate discontent at work. Thus, according to Herzberg *"managers who seek to eliminate factors that creates job dissatisafaction can bring about peace, but not necessarily motivation"* (Herzberg *apud* Robbins, 1996: 217).

The main achievement resulted from Herzberg's study is **the concept of hygiene factors,** concept that has as main characteristics: *"company policy and administration, supervision, interpersonal relations, working conditions, and salary. When they are adequate, people will not be dissatisfied"* (Herzberg *apud* Robbins, 1996: 217).

2. *Contemporary theoretical models describing*

Contemporary theories are called so, not because they have recently been developed (some of them representing the reorganization of the old theoretical models), but that is the new trend in explaining employees motivation process. Thus, I will briefly present the main following approaches:

2. A) ERG Theory

Developed by Clayton Alderfer, following the reorganization of the theoretical model of Abraham Maslow.

Clayton Alderfer argues that "there are three groups of core needs – existence, relatedness, and growth" (Alderfer *Apud* Robbins, 1996: 218). The only difference between the Maslow's theoretical model and ERG theory, is that "multiple needs can be

operating as motivators at the same time, and frustration in attempting to satisfy a higher level need can result in regression with ato a lower level need" (Alderfer *Apud* Robbins, 1996: 219).

2. B) Theory of Needs

David McClelland identify three types of important needs that help to understand the motivational process, as follows:

- need for achievement: the drive to excel, to acieve in relation to a set of standards, to strive to succed. (McClelland *Apud* Robbins, 1996:220);
- power need: the desire to make others behave in a way that would not otherwise have behaved in (McClelland *Apud* Robbins, 1996:220);
- affiliation need: the desire for friendly and close interpersonal relationships (McClelland *Apud* Robbins, 1996:220).

2. C) Cognitive Evaluation Theory - "allocating extrinsic rewards for behaviour that have been previously intrinsically rewarded tends to decrease the overall level of motivation" (Robbins, 1996: 222).

2. D) Goal-Setting Theory – "the theory that specific and difficult goals lead to higher performance" (Robbins, 1996: 224).

2. E) Expectancy Theory

Theoretical model of Nadler and Lawler [1977: 27] has three major components:

- performance-result relationship: referrs to the result that the employees are waiting from a past work behaviour (Rees and Porter, 2005: 132);
- valence: this is the value that employees attach to the result they are expecting from a certain behavior - it will determine the motivational power of rewards (Rees and Porter, 2005: 132);
- expectancy effort-performance: expectations of how difficult it will be to act successfully, affecting employees reaction to a particular stimulus. Employees will choose the level of achievement that seems to have the best chance to get a result that they it values (Rees and Porter, 2005: 132).

III. The Theoretical Model Chosen for the Proposed Study

In this study, I chose to use the theoretical model proposed by Frederick Herzberg, because I want to analyze the motivation of employees (from both public sector and private sector) by reference to the **motivation hygiene theory.**

IV. Establishing Research Hypothesis

Hypothesis 1: If managers will use financial incentives as motivational factors, then their employees will perform better.

Hypothesis 2: If managers will serve as a motivator for their employees a positive work environment, then their employees will perform better.

Hypothesis 3: If managers (regardless of the sector in which they operates) will serve as a motivator for their employees an professional merits recognition system, then their employees will perform better.

Hypothesis 4: If managers are working in different sectors (depending on situation, public or private sector), they will adopt different strategies to motivate their employees.

Hypothesis 5: The more sectors in which managers operate have different characteristics (organizational/institutional), the motivational factors associated with employee performance will be different.

V. Data Analysis

1. *The first level of analysis* **- Motivational factors associated with employees performance**

<table>
<tr>
<td>

Public sector

Box: IV. 1. A)

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<td>

Private sector

Box: IV. 1. B)

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THE FIRST CASE:
For any employee, wages and incentives are important. For those of design department, these are the most important things (I tell you from the discussions I had with my employees).

THE SECOND CASE:
Wages, good relationships with colleagues and superiors, biology merits recognition in the educational system, exchange experience with specialists from abroad.

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THE FIRST CASE:
I think that obtaining certain advantages, such as: several days of leave, more time off, opportunity to have flexible working hours.

THE SECOND CASE:
The most important motivational factors: wages, working environment, not necessarily material recognizing and rewarding performance…

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Motivational factors highlighted by **Romanian public sector managers**, varies depending on the scope of the public institution they belong to. In this respect, the empirical cases investigated in the public sector, motivational factors associated with employee performances are:

A. **In the first case**: salary and financial incentives that for the employees from the "*design department… are the most important things*".

B. **In the second case**: "*good relationships with colleagues, exchange experience with specialists from abroad*".

As we have seen, the empirical cases investigated in the public sector, motivational factors associated with employee organizational performance are specific to the activity of each manager. Also, another explanatory factor associated with the motivation of employees in the public sector, is the experience and seniority of managers in this sector.

Regarding the private sector, the main motivational factors associated with employee performance are specific to the field of activity of each manager.

In this respect, the empirical cases investigated in the private sector, motivational factors associated with employee performances are:

A. **In the first case**: "*obtaining certain advantages, such as: several days of leave, more time off, opportunity to have flexible working hours*".

B. **In the second case**: "*wages, working environment, not necessarily material recognizing and rewarding performance*".

After analyzing the perception of Romanian managers, both public sector and private sector, on the motivational factors associated with employee performance, **we** can **conclude** the following:

1. motivational factors associated with employees performance, both in private and public sector, are specific to the field of activity of each manager.

2. both public and private sectors, employee performance is associated with financial reward, in the form of higher wages, incentives.

3. any process of employee motivation is rooted in a specific management strategy.

4. motivational factors associated with employee performance in both sectors are: a good relationship with colleagues, recognition of merit, experience in foreign exchange, vacation days or more days off, the possibility of obtaining a flexible schedule.

As we have seen, at the macro level, the motivation of employees is a process influenced by factors such as: institutional/organizational characteristics, the field of activity of each manager, management strategy, etc.

2. *The second level of analysis* - **Strategies to motivate employees vs. Employees retention strategies**

<div align="center">

Public sector
Box: IV. 2. A)

</div>

THE FIRST CASE:
There is an incentive system. In our institute the average age is quite high, about 50 years. The seniority of employees is somewhere between 25-30 years.
Young people come and go easily. They want higher wages, because they live in rent. We have tried to help them in this regard. Our institute has an apartment and if it was free, they could live there for a while. We cannot give young employees higher wages for two reasons: first, funds, and secondly, older employees are specialists. We cannot give to young employees higher wages at the expense of older workers... we want to avoid discussions that might arise on this issue. In our institute, we respect older employees.
THE SECOND CASE:
As a strategy to motivate employees…depending on the performance of the employees, we use the merit wage system.

Regarding *strategies to motivate employees vs. employees retention strategies*, Romanian public sector management strategies can be: *"an incentive system"* (in the first case), *"the merit wage system"* (in the second case).

<div align="center">

Private sector
Box: IV. 2. A)

</div>

THE FIRST CASE:
There are strategies to motivate employees, but they occur only after a certain time from the time of employment, after the employee has demonstrated he is able to perform his tasks (able...from my point of view).
Yes, I used employee retention strategies. The increase of material rewards, career advancement, to reducing working hours...In general, these strategies have worked pretty good.
THE SECOND CASE:
These would be the annual awards, on working days that coincide with public holidays, employees receive additional payments, financial aid when employees have difficult moments in the family, etc.

The difference between the strategies adopted by Romanian public sector managers is the type of financial compensation paid to the employees, as follows:

1. **In the first case**, financial rewards are granted using the criterion of seniority and a possible justification of this internal policy reasons may be that *"in our institute the average age is quite high, about 50 years. The seniority of employees is somewhere between 25-30 years...We cannot give young employees higher wages for two reasons: first, funds, and secondly, older employees are specialists"*.

2. **In the second case**, financial rewards are granted according to *"the performance of the employees…the merit wage system"*.

Regarding motivational strategies used by Romanian managers from the private sector, they use the following types of strategies: higher financial rewards, career advancement, reducing working hours, annual rewards, additional payments, financial aid, etc.

The difference between the strategies adopted by Romanian private sector managers is the type of financial reward paid to the employees, following management strategy adopted.

After analyzing different types of strategies adopted by both public sector managers and private sector managers, **the main conclusion is that**: *strategies to motivate employees have in common the element of financial reward system, which takes the form of reward systems adapted to specific management strategies.*

3. Organizational performance is the result of ...
Public sector
Box: IV. 3. A)

THE FIRST CASE:
The first two are the most important. As I said earlier, wages and incentives are important.
THE SECOND CASE:.
Performance is the result of several factors: positive work environment and challenging nature of the tasks, the recognition of professional merit. Finally ... is a summation of features, never just the result of a single factor, but those listed are the illustrative ones.

Romanian public sector managers have associated organizational performance with: wages, incentives, positive work environment, the challenging nature of tasks, the recognition of professional merit.

Private sector
Box: IV. 3. B)

THE FIRST CASE:
I think there is a combination of all these factors, there are times when each of these factors is predominant. In addition to a fair remuneration, there should be a more relaxed working environment, which facilitates the work activity. It is obvious that the employee must be motivated by his own development, he must always do more, to engage more actively in the organization.
THE SECOND CASE:
Performance is the result of a positive psychosocial climate, of a normal remuneration and challenging nature of the new tasks.

In the Romanian private sector, organizational performance is *"a combination of factors"*, as follows: a fair remuneration, a relaxed working environment, a positive psychosocial climate, a normal remuneration, the challenging nature of the new tasks.

As we have seen in the above data, **organizational performance** is the result of an accumulation of features, features that defines strategies to motivate employees, in line with organizational/institutional needs.

VI. Partial Findings of the Study:

- in both Romanian public and private sector, motivational factors associated with employee performance depend on the field of activity of each manager.
- in both sectors, employee performance is associated with financial reward, in the form of higher wages, financial incentives.
- any process of employee motivation is rooted in a specific management strategy, but the specific strategies within the two sectors (public and private) have many similar elements.
- at the macro level, indirect explanatory variables, resulting from pre-test phase are: institutional/organizational characteristics, the field of activity of each manager, management strategy, etc.
- leadership styles adopted by Romanian public sector managers, but also by Romanian private sector managers, are models of human resource management policies rooted in specific fields, but with many similarities between the types of policies adopted.

VII. Testing Research Hypothesis

As we have seen, after the stage of data analysis, research hypotheses were:

The first research hypothesis: "If managers will use financial incentives as motivational factors, then their employees will perform better" **was confirmed** in pre-test phase of the study. Thus, employee performance was associated with financial rewards (such as: higher wages, financial incetives), both by public sector managers, as well as the private sector managers.

The second research hypothesis: "If managers will serve as a motivator for their employees a positive work environment, then their employees will perform better" **was confirmed** in pre-test phase of the study. Thus, employee performance was associated with a positive work environment, both by public sector managers, as well as the private sector managers.

The third research hypothesis: "If managers (regardless of the sector in which they operates) will serve as a motivator for their employees an professional merits recognition system, then their employees will perform better" **was confirmed** in pre-test phase of the study. Thus, employee performance was associated with a positive and professional merits recognition system (such as: exchange experience with specialists from abroad, several days of leave, etc.).

The fourth research hypothesis: "If managers are working in different sectors (depending on situation, public or private sector), they will adopt different strategies to motivate their employees", it **has been disproven** in pre-test phase of the study. Even if there are different motivational strategies in the two sectors, the similarities are much more.

The fifth research hypothesis: "The more sectors in which managers operate have different characteristics (organizational/institutional), the motivational factors associated with employee performance will be different", it **has been disproven** in pre-test phase of the study. Even if motivational factors are formulated differently, in a different order of their importance, common elements are much more.

By refrence to the theoretical model proposed for this study – ***Motivation Hygiene Theory*** (Frederick Herzberg), we can observe that, the two Romanian management strategies used to motivate employees (from both public sector and private sector) include motivational factors that are in consonance with factors listed by Frederick Herzberg (*company policy, supervision, interpersonal relations, working conditions, salary*), concerning workplace satisfaction.

VIII. Theoretical Models of Employees Motivation, Resulting From Pre/Test Phase Data

After pre-test phase data, we outline the following strategies to motivate employees as follows:

Figure VIII. A)
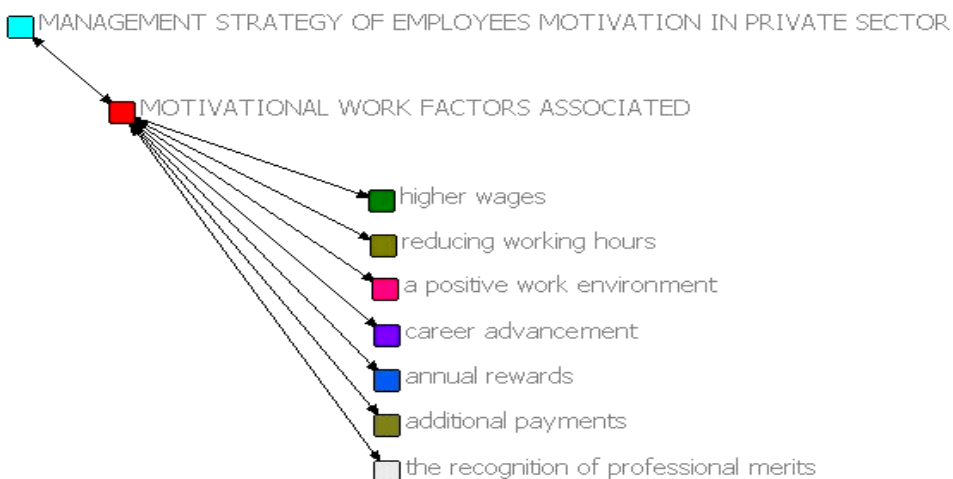
Figure VIII. B)

IX. Final Conclusions of The Study, Resulting from Pre-Test Phase Data

Investigated empirical data analysis, pre-testing stage of this study led to following results:

1. Regarding motivational strategies used by Romanian managers from the private sector, they use the following types of strategies: higher financial rewards, career advancement, reducing working hours, annual rewards, additional payments, financial aids, etc.

2. Employee performance, in both sectors is associated with factors such as: financial motivational factors (higher pay, different types of financial incentives) good relationships with colleagues, recognition of professional merits, experience in foreign exchange, time off or more days off, the possibility of obtaining a flexible schedule.

3. The difference between the strategies adopted by private sector managers is the type of financial reward paid to the employees or the type of recognition merit system, following management strategy adopted.

4. After analyzing different types of strategies adopted by both Romanian public sector managers and Romanian private sector managers, the main conclusion is that: *strategies to motivate employees have in common the element of financial reward system, which takes the form of reward systems adapted to specific management strategies.*

5. Romanian public sector managers have associated organizational performance with: wages, incentives, positive work environment, the challenging nature of tasks, the recognition of professional merits.

6. In the Romanian private sector, organizational performance is *"a combination of factors"*, as follows: a fair remuneration, a relaxed working environment, a positive psychosocial climate, a normal remuneration, the challenging nature of the new tasks.

7. Organizational performance is the result of an accumulation of features, features that defines strategies to motivate employees, in line with organizational/institutional needs.

8. Any process of employee motivation is rooted in a specific management strategy, but the Romanian management culture has specific strategies within the two sectors (public and private), but with many similar elements.

9. At the macro level, indirect explanatory variables, resulting from pre-test phase are: institutional/organizational characteristics, the field of activity of each manager, management strategy, etc.

10. Leadership styles adopted by Romanian public sector managers, but also by Romanian private sector managers, are models of human resource management policies rooted in specific fields, but with many similarities between the types of policies adopted.

11. Motivational strategies of the employees adopted by each Romanian manager (within the public sector and also within the private sector) are not uniform, sector-specific features.

12. Empirical cases investigated in pre-test phase of the study, both public and private sectors, attitudes and perceptions of managers on strategies to motivate employees, is a mix between both public and private sectors.

X. Directions for Future Research:

1. to review the research tools, in order to introduce some additional sections and also the evaluation of existing sections;

2. to reorganize the data gathering process, in order to achieve in-depth interviews also with managers from nonprofit sector;

3. to make a comparative analysis between the management of employees motivation strategies adopted by: Romanian public sector managers, Romanian private sector managers, Romanian nonprofit sector managers.

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THE IMPORTANCE OF LEADERSHIP IN THE ROMANIAN AND BRITISH PUBLIC ADMINISTRATION

Aşer NICA[*]

Abstract: *The issue of leadership is one of the most significant items on the agendas of private and public sector organisations in both the developed and developing worlds. This is driven in large measure by the challenges being faced by organisations in all sectors in environments that are constantly changing. In this article our intention is to research the promotion and development of leadership within the Romanian and British public administration both at present and in the future. In general, Romania and United Kingdom have noticed that there is great discrepancy between how the public sector is perceived nowadays and how the national interest should be seen now or in the future. The Romanian society, however, becomes more diverse and the public institutions are thus more flexible. The new situations require new types of organizers. The leaders involved in the public institutions can help to spread, promotion and maintenance of the new values which are necessary for a successful reform of the public sector. Even if there have been some attempts in these field, Romania has not yet developed a systematic strategy of building-up the leadership as part of the reform process.*

Keywords: *leaders, public sector, civil service, reform.*

1. The importance of this subject in the context of public administration

Leadership is considered one of the most important contributors to the success or failure of organizations and therefore to organizational development. When organizations (public or private) experiences a disaster from economic, political or administrative, the most commonly cited explanation is the lack of leadership. In public, this is embodied in the civil service for poor people. Many of the activities of organizations and institutions operating in the civil service refers to the achievement of program or to some objectives fulfillment. These strategic activities are under the responsibility of leadership of these organizations. Thus, one can say that often, leadership is the most important factor when considering a program (achieving or not an objective) (Starling, 2010: 47). After all, who else can assume the responsibility in case of failure if not the organization leadership itself? Leadership is also important when it comes to relations between members of the organization and to motivation of the personnel within these public organizations. Given that employees (civil servants) of public organizations are generally weakly encouraged from the material point of view, the management has to compensate this material lack and

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encourage the employees through non-material ways to achieve their organizational objectives. Currently we are seeking an approach to leadership and management that can lead to performance and efficiency in the civil service. However, for civil servants is more relevant to be told why leadership is so important in practice, how it is being integrated in the reform, how to develop future leaders in public and how to be able to solve problems through strategic way, and not to be shown traditional ideas such as "what leadership qualities are needed to solve a specific situation".

2. Leadership concept: characteristics

In addition to a plurality of definitions (Bennis and Nanus, 1985: 9-10) speak about 400 definitions of good leadership), there is also a plurality of leadership perceptions. For many, public leader is still a paternalistic figure, full of wisdom, which makes all the decisions and lead the organization all by himself.

Some authors speak of moral leadership, ethical leadership, leadership based on values, leadership based on principles or "stewardship" - (such a leader works for others sake, is responsible for an institution results, without interfering to tell others what to do, without leading or dealing directly with them) (Block, 1993: 23).

However, there are studies that redefine leadership as management in the service of others - servant leadership. Larry Spears, in his book *Reflections on Leadership* presents 10 fundamental characteristics of the servant leader/ who serves: capacity of listening, empathy, persuasion, strength/ in terms of conciliation ability, power requirement, forecast ability, conceptualization ability, sensitivity, attachment to development of others, management skills and awareness to the need of forming a learning community for progress. In such a relationship less important word is "me" while the focus falls on "the others" (Spears, 1995: 51).

Servant leadership has been adopted in a number of U.S. businesses and public organizations as institutional model. Traditional hierarchical structure of the organization was replaced by a strategy of teamwork, based on confrontation, cooperation, persuasion, empathy and consensus. In this organizational model is considered that the institution's primary objective is serving employees, customers and the community over the realization of benefits (which still occur if there is a framework for performances).

To this theory is devoted also Robert Greenleaf, who, in his book *The Servant as Leader*, is trying to define the concept of servant-leader: "Servant-leader - says Greenleaf - is first of all servant. He has by nature the desire to serve, to respond promptly to the priority needs of others, feeling which is preeminent. Recognizing this, may cause a person to aspire to leadership afterwards" Greenleaf, 1997: 18).

In his book, *Leadership Jazz*, Max De Pree makes an excellent comparison of leadership in service to others and a jazz orchestra. He says: "the way to lead a jazz band is a manifestation of leadership in service to others. Who follows this leading way has thus the great possibility to extract profit from the performance and the talent of other musicians. We need - says De Pree - jazz orchestra heads within the public institutions, because jazz as a leading example, combines the unpredictability of future with the talents of individuals" (De Pree, 1992: 8).

The efficiency of a public leader does not depend on his hierarchical authority but his ability to persuade individuals, to direct their efforts towards a common goal. Leadership therefore should not be understood as the property of an isolated elite but for all those who are interested and involved in the philosophy and the practice of the changing. To be able to determine the change is not enough to define what we do but also

how we do it. It is a question of leadership says Mel Capp, a highly representative of the Canadian public service in the Association's professional staff from the public in Canada (Lazăr, 2004: 64).

By leadership most people understand "a person's ability to mobilize and direct the abilities of an organization to achieve defined goals" (Rainey, 1997: 159). This general definition implies almost automatically directing attention to terms like power, influence or authority (seen as a legitimate exercise of power); there can be raised questions about the relationship leadership – management; do we deal with subordinate, corresponding or redundant categories?

Finally, it should be added that there are definitions related to the situational perspective or context in which the leadership process is taking place. In this this respect, leadership means "*the process whereby a person (leader) affects a group to forward its efforts to achieving certain goals in a given situation*" (Starling, 2010: 53).

These preliminary findings require from the start a special attention to the human resource characteristics and the context of public organizations; public organizations are deeply influenced by their environment, the most visible and powerful form of influence is the political one. Administrative leaders cannot ignore the reality that means significant changes of values and objectives, priorities and strategies based on election cycles. Influence of administrative leaders does not refer just to the internal aspects of organizations but also to their external developments. Perception of public administration as a simple mechanical device which applies rules and political policies and answers automatically to the social demand is too simplistic. The administration acts as a distinct actor (along with the social and political ones) in the composition of the administrative agenda and exercises a socialized effect not at all negligible.

Evolution of political and social space can influence in a major way the administrative systems; the values and the interest of political groups can quickly change; the fight between these groups can provide opportunities to administrative leader that he cannot neglect. Hence the importance of understanding the realities and adapting the leadership style to the given situation, in order to protect the interests of their organizations.

Even if for many bureaucrats the complete separation of political and social realities and developments seems to be a source of pride and promotion of an image of promoters traditions and values objectives, inflexibility in this area is far from representing a desired property of an effective leader. We can identify at least three areas where the concern of the administrative leader for the exercise of influence abroad is justified (Hinţea, Ţiclău and Jenei, 2010: 32):

- resources that are available for public organizations are often limited and make the subject for the competition with other public or private, domestic or international organizations;
- along with the change of political power, the perceptions change may contain an important antibirocratic current to which the administration must respond and which may be materialize very clearly by strong measures of reducing the administrative mechanism and financial resources;
- mobilization of external support to carry out various administrative initiatives can be vital, we can revert here to many examples of government initiatives, that even being rational, has been hit by lack of public support or fierce resistance from the public; initiates models to the start of activities based on public money is not anymore an internal administrative monopoly and treating this reality lightly may lead to unpleasant surprises for administrative decision makers.

3. Public Sector Reform in Romania

The success of public administration reform is conditioned by organizational issues, from strategic planning capacity to the ability of changing and to leadership's capacity to promote and coordinate the organizational development. Public institutions, as well as the private ones, are dependent on the quality of the leadership of acting effectively and efficiently. A good management is able to focus the existing resources to a decisive manner in order to support the organizational development.

Unfortunately, very often, both in Romania and other Eastern European countries, the administrative reform has been understood only in terms adopting new laws and regulations; the only tool of administrative change was located on the legislation level. This led to the emergence of new structures, incapable though to implement the change and achieve an acceptable level of effectiveness and efficiency.

Long time, the public sector was considered as one of non-market, which excluded the competition, with negative repercussions on the quality of public goods and services and on resources management used in this sector. The growing level of public needs and the insurmountable difficulties of their coverage have imposed essential transformations both in the ensuring way of public goods and services and in the funding of the organizations and the institutions that make them (Matei, 2006: 27-34).

A first step in implementing the change - in terms of tracking efficiency in the public sector – consisted in state's giving up its monopoly on the activities of this sector. Admission of private businesses as suppliers of goods and public services opened the door to competition, to performance in the public sector. The analysis of an organization performance involves establishing a relationship between the results, means and objectives, namely is needed the approach in terms of effectiveness, efficiency and budgeting (Profiroiu, 2001: 8).

As for the meaning of resistance to change, Erwin notes that it is described by most researchers as a reason for difficulties in implementation and a failure of change initiatives. In other words, resistance can be described as a barrier interposed when you want something to change. This creates a number of difficulties which may even result in rejection of change. Erwin notes that over time this term has been used to talk about almost any bad reaction, opposition or force which prevents or stops the change within organizations looking to implement a model of effective leadership (Erwin and Garman, 2010: 39). Therefore, under this definition, any reaction (even the most insignificant one) which is not in favor of change, is considered a form of resistance.

4. Adaptive approaches of leadership to the public administration

Lindsay (2000: 40-43) describes leadership as a critical component of good public governance. Leadership is the leading crucial variable, as well as organizational performance, to increase management capacity. Public sector leaders have as major role solving the problems and challenges that arise in the organizational environment of each institution. What it is wanted in the public sector are those people able to promote institutional adaptations by public interest.

Leadership plays an integral role in the resources management of institutions, together with recruitment and selection, training and development, performance management, ethics in public work, etc. In his development, the leadership goes through certain procedures (Lindsay, 2000: 40-43):

- development of comprehensive strategies - some countries have addressed systematic strategies for leadership development. For example, the United Kingdom Government built a model of leadership development.
- organization of new institutions for leadership development - for example, in Sweden and U.S. governments have selected new institutions to identify and develop future leaders in public sector
- achieving consistency between the existing training for management and the leadership development - although the development of a leadership elite has many advantages, there are certain limits. Thus, if a group begins to pursue their own interests ahead of national interest that it should serve, then the entire society may be affected.

Situational approach of leadership provides this common language, designed to solve the problems of organization: a valuable common language that can diagnose the leadership issues, through which the organization can adapt its behavior in order to solve these problems and communicate the solutions. From the experience of countries that develop leaders in their administrative systems were raised and identified some general trends (Lindsay, 2000: 40-43):

- defining a competence profile for future leaders
- identify and selecting the potential leaders
- encouraging the training and the counselors
- maintaining sustainable development of leadership

Who are the leaders? Here's a question raised by most of organizations and institutions. These organizations have sought the answer by developing leadership and come to some common conclusions:

- public sector should take more effort in the development process of leadership;
- leaders not only exist at a higher level but at all levels;
- leadership lasts only if it is built on authentic and persistent values;
- leadership has not a "secret formula", it is something personal.

Daniel Goleman (2000: 1-15) considered leadership as a challenge of the external environment, of the requirements and social changes that the public sector is compelled to adapt to by improving the offer of services and through an effective cooperation. Leadership has a series of common features in all sectors, therefore it must be adapted to the context of public service, which has always had a variety of *customers* and, hence, must meet their various requirements. The borders of the public sector change from one period to another, parallel with the growing expansion of the concept of public service reaching behind the public sector.

Promoting the leadership in the public sector involves two major challenges:

- since the structure and culture of the public sector constrain the leaders and prevent the development through leadership, the execution environment must promote the leadership. In order to lead, the public sector leaders need enough freedom and challenge, both from inside the organization and especially from its ouside;
- leaders should be supported, support that must be sustained and directed towards a specific purpose.

The public sector has several features that put their stamp on the approach of leadership: the political context, the funding, the accountability, the lack of market

competition, the pressure to collaborate vertically and the distinct ethos of the civil services.

The promotion and development of the leadership help improve the capacities of the civil services primarily, which is why organizations need to ensure the development of the leadership by: setting clear targets associated with those leadership qualities that are necessary; forecasting potential costs and benefits of the changes; support offered to the leaders; assessment of the impact of the activity of leadership development.

Lazăr believes that a leader with of public leadership potential permanently develops the following type of attitude, marked by the following features (Lazăr, 2004: 66):

- shows an intuitive understanding, based on the values of development in the dissemination of the government's policy. He is convinced of the need for reform as a matter of public interest.
- leads the public organization's staff with the objectives of meeting the needs of the citizens and respecting the governmental mandate.
- encourages learning among his/her staff, his/ her teams and other levels of the government.
- develops the skills of his/ her staff to ensure a sustainable public service leadership. Provides a rotation of the key jobs in favour of the promising elements.
- recognizes the need to make continuous changes in the nature and structure of the government services; can transmit a vision of the changes and apply appropriate strategies for the change.
- valorizes, cultivates and develops emotional intelligence (emotional intelligence essentially covers three dimensions: knowing your emotions/ self management, their management/ self-regulation, comprehension of the emotions of others/ social skills/ empathy.) The result: high creativity, increase of the profit of the organization, better relationships with others, high adaptability to change, increased efficiency in the motivating and self-motivating activity etc.
- disseminates to all staff the pride of working for the public office.

Also, Lazar identifies several recognition elements of a public organization's interest regarding leadership development. Public organizations must be aware and responsible for leadership development. The leadership is a key factor in the transformation of the organizational culture. It involves the free flow of information, individual responsibility and accountability. Certain studies (Lazăr, 2004: 66-67), identify the following evaluation elements/tools for the leadership potential of a public organization:

- the number of employees who attend simulation exercises for staff's interchange, improvement and localization
- finding a way for superior leaders to designate and prepare successors in the event of retirement or resignation (this would encourage an open discussion regarding the leadership potential of the organization).
- the estimation of time consecrated by the superior leaders of the organization, for the training of future leaders and the actual impact of this endeavor upon young employee's acquaintance with the new responsibilities.
- outcome evaluation of the responses to all of these matters in order to reveal the leadership skills that are lacking.

In our opinion, leadership promotion and development, implies the maintenance of a pool of potential leaders, which involves, on the one hand a constant collaboration with universities and other sectors in order to recruit the best elements, and on the other hand the initiative to allow young, promising leaders to take on responsibilities that exceed their powers. In order to recruit, form and foster future leaders, the public sector must offer to promising elements, the possibility to experience and develop leadership skills by tackling difficult, complex problems from the public sector.

In our opinion, the development of leadership skills is a mandatory step in order to transform public service organizations into administrations capable of adapting to the constant changes that occur in society. Leadership development is an ongoing process of "trial and error", in which individuals gradually conquer their leadership reflexes. Governments will be able to ensure the continuity and progress of reforms, by giving tools, opportunities for action and innovation to different parts of the administration. In this manner they can expect consistent results, which will allow them to identify in time the challenges that the future holds.

5. Promoting the leadership in the Romanian public administration

The concept of leadership is neither new nor foreign to the public sector in Romania. It has been frequently discussed in the literature concerning the business management. However, in Romania, the issue of leadership promotion has not been highlighted in detail. While defining the leaders' role as agents of change, it has been noted that the importance of leadership depends on the state of the society, on the structure of the public institutions and on the type of reform that is being adopted:

- Developing leaders is more important in a diversified society than in a homogeneous one, because leaders are required to submit new values, to mediate conflicts and to create coalitions in order to support the reform.
- Leaders are more important in a decentralized and branched administrative structure than in a centralized and hierarchical one.

Romania, as a country that has adopted the path of a reform made in stages, in steps, it can only mobilize few leaders at the beginning. However, as the reform brings positive results and spreads in all the public administration structures, leadership is increasingly needed and sought (Abăluţă, 2003: 97).

Leadership means different things to different people. In the past, for many, the image of a leader was that of a wise, paternalistic person, who takes all the decisions and conducts the public organization all by himself. The image of leadership is based on the historical requirements and on the characteristics of the society and of the governments that serve them. The society of Romania, however, becomes more diverse and the public institutions are thus more flexible. The new situations that have emerged require new types of leaders.

Leadership plays an important role in the implementation of the reform because it involves two of the most important aspects of the reform: the change and the people. Leadership occurs only in relationships between people. Effective leaders inspire people. Changing public institutions really means changing the mentality and behavior of the employees, which means that the institutions undergoing reform need leadership.

Leaders within the public institutions can help spread, promote and maintain the new values that are necessary for a successful reform of the public sector. While the public leadership clearly includes the central administration leaders, as well as the political leaders, the vision over leadership in the future tends to become wider. This

includes leaders as agents of change spread amongst public organizations to continue the reform process. Leaders prove to be effective by their ability to persuade, to motivate public servants and to direct their efforts for a common cause.

Romania has not set up a systematic strategy for the development of the leadership, as part of the reform process. Some developed countries have begun to develop such a strategy, and other countries already have such a strategy (Abăluţă, 2003: 98).

In our country, the concept of leadership is still on the periphery of the debate, both in the private companies and in the public sector. The KRW International consulting company and the Romanian-American Center of Excellence in Business have conducted a study about the perception of this concept in Romania (Lazăr, 2004: 67-68).

The study shows that the Romanian companies and the Romanian administrative environment hardly internalize this concept because of the state of dominant conservatism in the mentality. The authors of the study show that to us as a leader is synonymous with having privileges and then taking responsibility. They say that Romanian people from companies and from the public sector scarcely discuss about this concept.

The absence of a functioning internal communication and the fact that Romanian managers, private or public, are afraid to delegate powers (understood by them as a delegation, assignment of privileges), engaging more in solving the tasks of their subordinates and less in their coordination, are background explanations of the low development of the leadership in Romania.

The pressures of the society, economy and external environment on the public sector in our country require more and more its awareness of its need for change at all levels of the public organizations. They should put a strong emphasis on developing leadership capacities, just as they have until now emphasized on the systems, hierarchy, processes. How can this be done? The authors of the study highlight the following aspects related to the promotion of leadership (Lazăr, 2004: 67-68):

- the selection of leaders for public functions whom to dispose, besides the professional experience, of real human, spiritual qualities, whose action is based mainly on values. They must go beyond the rigid cadre of the traditional boss, basing his/ her leadership, work on the developing and capitalization of the emotional intelligence.
- the attainment of permanent partnerships with nongovernmental and private organizations; identifying and valuing the benefits of these partnerships' experience.
- clarifying the responsibilities of the political and administrative factor in the process of the management of the public sector; a political – administrative partnership focused on results.
- reviewing the introduction of performance contracts in the public sector but allowing leaders to impose their vision of the development of the respective activity, targeting long-term results.
- those who are selected to exercise leadership in the public sector should be credited with trust for a period of time that should be sufficient for implementing their vision. In this respect the function of leadership should be differentiated from the function of management in the public sector management. The manager must deal with current and everyday issues, while the leader has the strategic role of conducting the process of change, including the reform of the organizational culture.
- rethinking the remuneration system of the General Directors (leaders) from the

public functions. The membership in the public sector can not compensate the negative difference of remuneration, that apperas when compared to the private sector, which creates "opportunities" of corruption, sources of illegal behavior.

• developing the leadership potential is a basic principle of the overall reform of the public service. The constant evaluation of the leadership potential should be a permanent tool in the public sector organizations.

• planning the succesion of the leadership careers through "mentoring programs" conducted with the contribution of those with leading experience, holders of special skills, for the young leaders; a real partnership between the public sector organizations and universities and specialized institutes; creating real opportunities – of internships in important positions - for young leaders with potential, in order to assess their skills and ability to relate and for the purpose of a better knowledge and understanding by them of the valences, dimensions of the public sector.

• encouraging the competition for quality of administration inside the public sector and, at the same time, between the public sector and the private and the nongovernmental sectors.

• placing the idea of responsibility before that of hierarchy; recreating a public organization based on the principles of an organization that teaches, requires systems, procedures, resources that are compatible with the new organizational dynamic, an organizational environment that is open to innovation, to the development of the leadership potential at all levels.

Regarding the status of the leaders within the public organizations we are dealing with a consistent set of myths: the decision making is rational, leaders control all aspects of the organizational life, they develop coherent strategies, they deal with all problems that occur, they benefit from complex and efficient computerized information systems and from competent advisors, etc. In reality, the issue of the leadership of the public organizations does not lie within such an orderly and predictable context; the characteristics of the leadership in the public administration are much more prosaic: decisions are often reactive, based on intuition and experience, the agenda is overcrowded with loads of minor (detail) tasks, thus sending the making of strategic decisions come second, while the work of the manager tends to be much less about the elements of rationality, predictability and full control.

On the other hand, it is difficult to limit the expansion of leadership only to certain levels - this position is widespread in any society. Holding a leading position involves filling a distinct place in the organizational architecture and provides access to a type of behavior and approaches that are different from those of the majority of the members (obviously, as long as they are justified by the desire of the leader to meet the common interests), this position involves responsibility and provides opportunities and benefits; and from here comes the increased sensitivity of this area and the permanent pressure exercised inside it. In any institution of the administrative system we will meet a variety of formal leaders who have authority due to the bureaucratic tradition defined by Weber; theoretically, they occupy those positions because of their proven competences, because they promote a process of rational decision and because they comply with the legal provisions.

In another case study, conducted in 2008 by Cristina Mora (2008: 29-46) the desired goal was to identify the leadership style practiced in different institutions / organizations (from Transylvania, a region in Romania) that operate in the civil services domain. The study was based on a questionnaire that was applied to management and

executive officials over three years: 2005, 2006, 2007. The surveyed persons activated in management positions in the following institutions and public organizations: the City Hall, the County Council, the Prefecture, the Regional Training Center for Local Public Administration, decentralized public institutions of the public administration.

The results showed that the leadership style practiced in the institutions and organizations working in the public domain in Transylvania, is an authoritarian one. Thus, these results show that the surveyed persons practiced a management close to that of compromise. There are also situational aspects that influence the managerial behavior of the persons occupying management positions. One of them is given the specific characteristics of the organization / institution. In our case, this regards the organizations and institutions working in the public domain. The author believes that in the case of the public organizations / institutions, the hierarchical organization governed by strict legal provisions may influence the style of leadership practiced. On the other hand, she considers that other aspects that could influence the managerial behavior are related to: the degree of maturity of the subordinated persons, the degree of responsibility of the leader and the leader's philosophy about people (Mora, 2008: 29-46).

Another conclusion concerns the leaders' performance. So far, the attempts to identify a leadership style appropriate for all situations encountered at work have failed. Although behavioral theories have attempted to demonstrate that the democratic style is more efficacious than authoritarian one, criticizing the latter, empirical studies have shown that the authoritarian style may be, in some cases (those of crisis situations), more efficient than the democratic one.

On the bases of the study presented, we can identify a set of general conclusions on organizational development as part of the management reform in the public administration in Romania (Mora, 2008: 29-46):

- Though the public administration leaders are showing interest in the level of the goals (ie in achieving them), the public institutions in Romania are still deeply suffering in terms of the ability to define a coherent system of strategic planning - essential in terms of organizational development. From the results obtained in the organizational diagnosis made in 2007 there were observed positive changes in the structure of a strategic planning process.
- The ability to define at an operational level the individual objectives or at the level of the administrative unit, although recognized at the management level, is still suffering. The degree of internalisation of the goals among officials is often low and the ability to adapt of the organizational structures to strategic goals and objectives leaves room for better.
- Identification of the potential leaders. For this purpose, the public institutions should define and measure the leadership skills. On the existing staff. Another way is to recruit these future leaders from among the graduates of the corresponding universities in the country.
- Encouraging, motivating and training is a measure as important for the leadership development, once they appropriate personas or candidates have been found. A monitoring and preparation system for leaders should ensure increased responsibilities for those in charge with the development of the new generations of leaders. The importance of the continuous training of the future leaders should not be underestimated.
- The allocation by the leaders of the public institutions of more time for the to development of the subordinate leaders is crucial to the leadership development

program.
- The creation of a correspondence between the performance and the rewards for a better leadership encourages public officials to fulfill their duties and responsibilities better and achieve their full potential, contributing to the sustainable efforts of the institution to develop future leaders.

6. Development the leadership in the British public administration

Many public services have now moved to establish their own centres of excellence for public service leadership development. These centres serve as a focal point for the design and delivery of a range of learning experiences for senior managers. There is the recognition that while each individual has personal responsibility for career planning and development, corporate management must facilitate shared learning and the building of supportive partnerships, networks and strategic alliances.

On the other hand in the United Kingdom the Centre for Management and Policy Studies (CMPS) was established in June 1999 as an integral part of the Modernising Government agenda and is situated at the heart of government, within the Cabinet Office. CMPS works with partners from the Civil Service, the wider public sector, private sector and academia to ensure that the Civil Service is cultivating the right skills, culture and approaches to perform its task; to ensure that policy makers across government have access to the best research, evidence and international experience; and to help government to learn better from existing policies (Draper, 2002: 13-14).

The Public Sector Leadership Development Forum (PSLDF) chaired and supported by CMPS and the Cabinet Office could take forward development and training work arising from this report, in particular by: facilitating networking and joint learning between sectors and ensuring the sharing of best practice on development programmes; developing a business case for a national on-line leadership knowledge pool, linking sectoral colleges and disseminating best practice and current knowledge; and identifying "common elements" of public sector leadership to be included in leadership programmes across the public sector. (Strengthening Leadership in the Public Sector, 2001: 65)

CMPS provides support to Government through (Draper, 2002: 14):
- The Policy Studies Directorate, which leads on the policy-making strand of the Modernising Government agenda. It supports evidence-based policy making through co-ordination of knowledge management initiatives, the development of Knowledge Pools and through a Resource Centre. It promotes and encourages excellence in policy evaluation and identifies and promotes best practice in policy making through research and electronic dissemination of best practice information. It also advises overseas governments and individuals on UK public sector reform and arranges visits;
- The Civil Service College Directorate, which delivers a range of courses on modernisation, managing change and formal skills training. The College Directorate is a training and development resource for the CMPS, for departments and for civil servants, particularly those at, or aspiring to, relatively senior positions. It provides management training, specialist training in key professional and policy-making areas and related consultancy and research in the wider public sector, the private sector and international governments. It also works internationally in partnership with emerging democracies and democracies in transition as they seek sustainable capacity to reconstruct and modernise their public administration and focus governance on poverty;

- The Corporate Development and Training Directorate, which offers a range of programmes and seminars to support Ministerial and Senior Civil Service (SCS) corporate and professional development. The Directorate is also responsible for a programme of peer reviews to support departments in the implementation of the modernisation agenda; and
- The Business Resources Directorate, which supplies support services to the other Directorates, including the development of CMPS's planning, finance, personnel, IT and property functions, and its marketing strategy.

The Corporate Development and Training Directorate (CDT) was created through the bringing together of the existing executive development activities of the Cabinet Office and the Civil Service College and the establishment of new activities flowing from the Modernising Government and Civil Service Reform agendas. It is through CDT that CMPS delivers its senior level leadership development. CDT provides a collection of programmes for leaders and future leaders of the Civil Service and wider public sector. It is anticipated that members of the SCS will participate in at least one programme every 5 to 6 years (Draper, 2002: 14).

In the UK leadership development training includes the following (Draper, 2002: 22-23):

- *Milestone Programmes,* which offer members of the Senior Civil Service grounding in the issues they face as senior managers in their Civil Service career;
- *Interchange Programmes,* which offer the opportunity to share and develop approaches to leadership, and are aimed at senior managers across the Civil Service, wider public sector and the private sector;
- *Specialised Programmes,* get below the surface of complex issues such as, Insight Europe (Deputy Directors & peers from across Europe) and Leaders@e-Government (Directors-General);
- *Ministerial and Joint Ministerial and Senior Civil Servant Programmes.* These programmes are designed to support new and more experienced Ministers in their leadership role. The UK is perhaps the first country to provide a systematic programme of development for Ministers, and also one of the few to train Ministers and senior civil servants together**.**

The programmes are offered in either one-off lunchtime seminars, or in a series of seminars, which last between one and three hours each. The Joint Policy Seminars, which bring Ministers and officials together to learn along side each other in policy development, focus on practical solutions in an environment in which Ministers, civil servants and others from Whitehall share experiences and discuss key issues in the development of policy (Draper, 2002: 22). This sharp focus on specific issues of immediate practical concern, such as risk management, communicating policy and joined up delivery fully supports the modernising agenda.

Assessment centres are undoubtedly resource intensive, compared with other forms of selection tools. But many private sector organisations take the view that selecting the right people and taking a more rigorous approach to promotion is a foundation for growth and competitive advantage. There is a case for wider use of assessment centres for the selection of leaders in the public sector (Strengthening Leadership in the Public Sector, 2001: 56).

Public Service executive development is taking place against the background of rapidly changing environments. It is clear that the skill and competency needs of the present and future executives differ markedly from the past (Draper, 2002: 33). Public

services will continue to play a critical role in the transformation of countries. Sustainable development will depend then, on the ability of countries to ensure that leaders are possessed of the right skills and mindsets. They must have a sense of history and an appreciation of the implications of the unfolding future. They must be good communicators and able to develop and maintain effective partnerships inside and outside the public service. They must be learners. They must be comfortable as transformational leaders, because they will be required to lead an on-going process of organizational transformation.

In a study of leadership of senior managers (managing directors/general managers) in the UK and Romania, Kelemen expresses the opinion that Romania is not a "Western" culture, and further, Romania and Britain are "two apparently dichotomous cultures" (Kelemen, 1997: 24). She reported one-on-one interviews with four managing directors of Romanian companies. She reports that Romanian directors are facing similar challenges to the British and that their understandings and accounts of leadership could also be seen to be a result of their education, experience, and emotions.

Conclusions

As society continues to change rapidly, past solutions are no longer enough. Not only is there no solution valid for all countries, but Romania should use the reform to create public institutions that are able to constantly adapt to the changes in our society and in the international environment. Although the importance of an effective leadership is widely recognized, we must understand the concept of leadership is difficult to define and has different meanings in different countries. Despite the fact that in Romania the idea of highlighting leadership in the reform process was approached, nearly nothing was done to cultivate leadership in this regard.

In front of the challenges and opportunities brought by globalization, in front of the rapid evolution of technology, demographic changes, rising expectations of citizens and competition from the private sector, the Romanian Government should learn to continue the exploration and exploitation of new ways to improve the situation of the public administration. Romania must call upon internal and international organizations that are prepared to use their ideas in a unique perspective in order to determine the civil servants to identify the new opportunities of the public administration.

In promoting leadership within the civil services of the public administration in Romania various action plans could be created. Possible suggestions for promoting leadership are: drafting a work at a government level about effective and efficient leadership, mainly covering the leadership role, its features and its development strategies; the Government, through partnerships with national and international organizations, could organize a series of seminars for the middle and top officials of the government; the publication of materials regarding viable models and practices for the development strategy of leadership in the public sector; the identification of the role and functions of leadership in the future; consideration of the skills of the future leaders in the context given by space and time; attracting potential leaders towards the public administration and the development of their careers; identifying the barriers that prevent women to become top leaders in the Romanian public administration and encouraging women to occupy top positions in the public sector hierarchy.

In conclusion, leadership depends crucially on the interaction between those who follow the head of the organization in achieving its objectives, on the management's

intervention, on the recognition of this intervention and on the effective changes. All these are essential elements of the leadership.

From the conclusions derived from the presentation of the case studies analyzed we can notice that public administration leaders have as their main role solving problems and challenges that arise in the organizational environment of each institution. What is desirable for the public administration is to include people who are able to promote institutional adaptations for the public interest. Leadership plays an integral role among the resources of an institution's management, together with the recruitment and selection, the training and development, the managerial performance, the work ethics in the public service and others.

Another conclusion that we can draw is that due to the different values and basic beliefs of different societies, the leadership and the public sector are inevitably culturally anchored. This shows the need for the existence of a good interaction and link, in order to achieve homogeneity and their correlation in modernizing the public sector.

The public administration in Romania is under pressure to improve the provision of civil services and for a more effective cooperation. Therefore, there is an increasing demand for leaders who are able to meet the challenges arisen in the public sector's leadership and whom to carry out these tasks for the reform of the leading system through a profound change.

The public sector in Romania does not have a good diagnosis of the strengths and weaknesses of its leadership. The fact that this analysis does not exist, suggests that the leadership in the public sector needs time to develop. When the leadership is to be improved in the public sector, we consider, as a result of our study, that two major challenges must be met:

The operating environment should promote a leadership based on a structure and culture of the public sector which should not limit and restrain the leaders who will develop a good quality leadership. Some of the characteristics of the environmental from the public sector cannot and should not be changed. But others can be modified. If they are effective, the public sector leaders must have sufficient freedom to lead and to be supported and not to be disputed by others from inside and outside of the organization that they lead.

The provision of efficient leaders must be improved, both from the inside of the public sector and also with leaders from outside the public sector, who will be attracted by the new perspective that will be opened for them.

We therefore notice that overcoming the resistance to change, manifested by the public sector in Romania, is a process that takes place in several stages, with consequences on the entire system. Although these strategies are called differently by different theorists, it should be noted that none of these guarantees one hundred per cent the avoidance of the resistance created by the changes imposed, so we believe that they are more successful when combined and methodically adapted to the tailored to the particularities of the group.

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LOVE, SUPPORT AND KINDNESS FOR ALL: MEDICAL SUBJECTIVITIES IN A HEALTH CARE DIRECT SELLING COMPANY

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Abstract: *In the context of an underfinanced and corrupt health system and also of the increasing implementation and promotion of neoliberal policies and their inevitably disastrous consequences on some social groups in the health care sector in post-socialist Romania, I conducted my ethnographic research for many months in a free-of-charge community health center in Bucharest. This center is the Bucharest headquarter, but only one of the many such community health centers which are burgeoning in Romania and which offer free health services as part of the marketing and sales strategy of an alternative health care direct selling multinational company, which enjoys the participation and acceptance of many people, especially old people from the working class. Closely associated to neoliberal policies but also to the revitalization movements, this direct selling company can be important in understanding how new medical subjectivities are produced in contemporary capitalism in the context of post-socialist Romania. Biomedicine was especially a prime subject of analysis in the domain of critical medical anthropology in relation to the way in which economic and political issues come to influence institutions, knowledge and medical practices. What I find more relevant to understand nowadays is the subject of commoditization of health, but also the strong links formed between capitalism and CAM, indigenous or traditional medicine. My research hypothesis is that this direct selling company exercises a form of hegemony, inevitably linked to the financial goals of the company, but also to the birth of a revitalization movement, a promised salvation in the face of economic, social and technological marginalization which is felt by many in the health care domain in Romania. This means that, although for the researcher the presence of this direct sales company can be seen at a structural level as maintaining the inequalities of access to quality health care services and efficient medical technologies, for the members of these health care centers the hopes and benefits produced by the hegemony are experientially and consciously significant.*

I started my fieldwork in 2008 as my master research in a multinational company from the healthcare industry. Because my fieldwork is related in great part to the operations in Bucharest and Romania of this single multinational company, I am in the less common position in anthropology to be studying at home. My fieldwork, which by location and subject presents itself as sociological but in its approach is rather an anthropological one, was done over a few periods which varied in the number of months

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and the frequency of participation in the massage centre and is continuing as this article is being written as part of my PhD thesis[1]. The research method used was the ethnographical one, assuming the accomplishment of interviews with members and employees of the massage centre and using participant observation, as a member but also as a student, being able to take notes, conduct interviews, having access to some internal documents, but not being able to observe directly the interaction between the employees and their work behind the scenes.

This presentation doesn't point to the situation of health in Romania in general, not even of Bucharest or a demographic group. I will not describe some local or national medical ethos, nor will I make a point about a probable trend of following development in post socialism in terms of health. What I'm going to do is talk about one particular aspect of the multifaceted subject of health, namely the way in which health may came to be understood by many of the clients of this company. I will talk about one kind of medical subjectivity in post socialism. My point is that the particular medical subjectivities which I will describe in the following presentation are at the intersection of a corporate ideology and interests and a post socialist experience of health felt by some marginalized groups. First of all, what may be relevant in my case is that the kind of reasons and actions found by the clients in the company I study could be telling something about the difficult experiences in health felt by some social categories, but not only, in the context of the consequences of neoliberal policies, industrial societies and political economy of biotechnology. Second of all, this case may be relevant in the way in which a form of hegemony, in a gramscian sense, as power relations embodied in day life activities (Gramsci, 2008; Crehan, 2002), is constructed by the company so that deprived and dissatisfied persons come to give their consent to an economic solution for their problems. Although it may seem paradoxical for those who think that the social fabric strained by neoliberalism leads automatically to protest, these subjectivities are in the same time prone to respond to most stringent present problems posed by inequalities, inconveniences and uncertainties felt both in private and public healthcare and to be in the same time the expression of one neoliberal culture in the millennial capitalism, to paraphrase the known book of Comaroffs (Comaroff and Comaroff, 2001).

In the following sections I will make a very shot presentation of the healthcare system in Romania and also of the popular protest at the beginning of the year. I will continue with a summary of the economic activities of the healthcare company I study, especially in Romania. Many details will be omitted but I hope that no significant one. After that the main discussion will follow the particular medical subjectivities that are fabricated at the intersection of commercial interests, neoliberal policies in local circumstances, clients' strategies to make for themselves a better life, past socialist memories and experiences but also hopes in the face of public promises of medical science and biotechnology. In the end I will try to draw some conclusions.

Regarding the Romanian health system, what I want to emphasize is that even if under the recent decades the commoditization and commercialization of healthcare both in public and private domain has led to increasing inequalities and uncertainties, the Romanian state, at least from the interwar period, with certain differences and shades in every period, has reported the last places in health national indicators regardless of the

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geopolitical system in which it finds itself (Battistella, 1983; European Observatory on Health Care Systems, 2000). According to recent sources, the Romanian health system is standing on one of the last places in Europe regarding financing and many of the healthcare national indicators (Radu and Avram 2011: 231) and presents the highest number of people who consider that the access to healthcare services is restricted by their cost (245), which can be an indicator of the class healthcare inequalities about which social analysts have talked from an anthropological perspective (Friedman 2009: 379).

The public protests from the beginning of this year have started around the introduction of a bill of health which seemed to threaten SMURD, one of the emergency health services, apparently one of the most efficient, the most useful in the face of imminent dangers and very popular, through the figure of his founder, because of the intent to privatize the emergency medical system. In fact the bill of health had proposed the privatization of the entire healthcare system but this wasn't really a topic. During the street protests, which have gained in a short time various objectives and a great political scale, the bill of health was withdrawn, but the privatization of the entire healthcare system remained on the national political agenda. In comparison with the formal political mechanisms, on the borderline the street protests being part of these, I will talk about other kind of responses in front of the difficult present healthcare situations. But more than the problems of the health system or of general structural adjustments felt tragically by many on their own bodies, the persons about whom I'm going to talk are responding also to marginalization of aging or alienating practices of biomedicine.

And now I would like to propose to you a couple of snapshots about the usual economical and medical activities of the multinational healthcare company in which I conduct my fieldwork. Imagine a couple of hundreds of retired persons, because they are by far the most, which are going every day at a free-of-charge spine massage center in one of the working class neighborhoods. This spine massage is not a common massage made by some handy hands but by the power of an electrical device. It consists in placing for a period of about 40 minutes, a heated rectangular device with 9 protrusions in 15 positions along the spine. This free massage goes with no hidden financial conditions and for an unlimited period of time, so you could find persons which benefit from it free-of-charge for more than 5 years.

This free of charge health care services are recognized openly (but this doesn't mean that the underlying mechanism are objectively understood) as part of a marketing and selling strategy. The underlying assumption by which the company operates is that in this way, unlike other health care suppliers, the beneficiaries can test on the "first hand" or with their own bodies the devices and to see, in this supposedly transparent way, the health-related results. By the aspect I just mentioned, it becomes obvious that these medical services are not part of biomedical healthcare public and private offer but rather an anti-corporate corporation kind of alternative and complementary health care services. As I don't have much time to discuss the alternative and complementary medical aspects which are linked to this business, it is important to mention that the functioning principles of the alternative medical device appeal to the combination of "the ancient principles of Eastern medicine with modern principles of Western medicine" or in other cases Western technology. From the economic viewpoint it's also important to stress the embedded and personalized relations between the client and the company, which are supported for months and years. Through the functioning and order of the activities in the massage center, besides the massage, the beneficiaries must listen and take part in some days for at least 2 or 3 hours in the sustained and well-defined daily presentations given by the

company staff, which are held continuously for 9 hours a day, roughly six days a week. The ultimate objective of this economic strategy which fully uses the cultural and social resources is to convince the clients of the importance of health and therefore of the advantages of buying the devices or at least spreading the news through their social networks out of kindness for their fellows but also as gratefulness towards the company. In general with the help of well-off children, lifelong savings or reciprocity and mutual aid organizations these retired-persons come to buy medical devices which cost from 6 to 13 times the national average pension.

The company operates in more than 70 countries. In Romania about 30 such medical centers are functioning apparently under an American franchise but are presenting themselves to be linked to the place of origin of this business, namely South Korea. I consider that this type of business has produced more or less homogenous and consolidated groups, being led, at the members' level, not by the quest of prosperity but by the quest of health. In this respect, like the pyramid scheme of Caritas in the 90', the center is in part a social and religious movement. And like Caritas, with a "millennial overtone" (Verdery, 1995: 651). Although I already mentioned that this business doesn't have the amplitude and significance of Caritas, I think that in part the great number of free-of-charge medical centers in comparison with other countries, could reflect the difficult situation of the Romanian health system. UK seems to have only 2 centers. In 2002, at 3 years after the entry on the North American market, the company reported 50 of these healthcare centers for both USA and Canada. Apparently, according to the statements made by the company staff in the daily presentations, the national festivals organized in the last 2 years in Romania are the results of recording the highest revenues at the European level.

Directed towards some normative behaviors that should be followed and by some promises to an after life or a better life on earth, the religious movements are organizations which sometimes are interested in accumulation of wealth and power and could be now fully armed with marketing strategies in search for the profit. But I will refer to quasi-religious economic organizations, whose objectives are primarily economic and not spiritual, religious or social. Maybe the boundaries are sometimes vague, but the goal is to identify functionally the particular way in which the human activities are embedded. The direct selling in general and MLM organizations in particular, which are related to the economic activities whereof I talk and which enjoyed more attention by anthropologists and sociologists (Bromley, 2003; Cahn, 2011; Cahn, 2008; Cahn, 2006), are closely associated with religious phenomena, being evidenced charismatic, ritualistic and belief-related aspects, all being present also in this case. More than this, rather than associating them with a religious movement, these activities directed to healing are more closely related with magic, at least from an observer's point of view, because for the beneficiaries of the massage their actions are based on their bodily experiences and common sense, therefore this popular notion of naturalism is totally compatible with science and modern technology.

Why I consider that the company is a millennial organization? For that, it is important to place it in the context as Wosley (Wosley, 1970) does it while making analytic distinctions between activist large scale millennial movements and cargo cults from Melanesia and the pacifist and marginal religious movements from 70' in West. In comparison with the alternative or the political pre-organization, often with bellicose accents, in which the Melanesian movements respond to economic and social deprivation of colonialism, my context is closer to the more passive religious movements in the political secular West, in which the announcement of the new egalitarian millennium is

placed in a more fuzzy and removed future. Thus, in multiple instances, the company's employees express the idea that it is a matter of time until everyone or every family in the world will have such a medical device, which not only will make them personally feeling better but also leading to more desirable social relations.

But reaching such future in health is the result of aggregate personal actions and struggles. This accent put on the individual is also common to passive religious movements because the common source is the pervasive individualism of the West. The religious movements in the West tend to identify the inequalities in which their members live as part of personal sins or blames and not in the actions of other, the white men, the white leaders, the missions (Wosley, 1970: 240) or the market. In the same way, the company invites the members to find the culprit for their health condition in themselves (they are depicted as careless and bad choosers) and in general not in an environmental or structural cause.

They stress the importance of health and the need to reach it trough personal and direct actions. For a personal salvation, they are expected to consume a free service or to buy a medical device. Without forcing a sale, the employees try with great performance skills and persuasive narratives to convince the clients about the importance of health and to increase the awareness about the need to take action on their own. A particular knowledge deployed by the company, about the health risks and the nature of the body, make that a definitive health is never a goal to attain. Consuming to prevent and treat the underlying risks and permanent condition of an aging and decaying body is a permanent quest for an almost reached salvation in the face of disease and pain. The concept of amelioration and not the concept of healing is the keyword in the daily employees' presentations. In this respect, the company is not very different from other public and private actors from the wellness current which make from avoidance of disease, illness and pain a "virtue" and a "secular path to salvation" (Lock and Nyugen, 2010: 385). In fact, the main difference of this economic activity consists in the embedded form it takes because the discourse of salvation and of hope for a better world, has trickled down from millennial movements and political organizations to become an inherent part of capitalism.

At another level, the scientific and technological aspects of the device are taken into consideration in relation to the biotechnology and more generally to medical technology. Although in Romania it is registered as a personal thermo-massage equipment, the center's employees do not forget to mention that in some states, "more developed" than Romania, as USA, Russia, South Korea, Canada or even Hungary, it is registered and recognized as a medical device. The lack of this regulation in Romania is attributed to the inaccuracies of the Romanian laws and on a higher level to a profound lack of understanding from the medical community and officials. The discourses, which became common in Romanian society, about the difference between Romania and other European civilizations or Western civilization, are accompanied in the center by the prospect of a global society in which everyone will have such a device in the house. This medical future proposed by the company through the innovation of its devices is based on the reference to these "developed" or "civilized" countries that seem to be at the vanguard of those who determine or predict the future signs.

The persons who hear for the first time about the center and yet decide to come are lured by the more or less accurate stories about a place where they can be cured miraculously for free. Some believe, and the company staff permanently tries to correct that, that the center operates for free as a philanthropic foundation, or through funds given by the state or by European Union.

To have the expected results, they must make the spine massage every day. They could make the massage in the center or at home, if they buy the device. By the company common sense prescription, buying it means more massage and because of that, more and faster health results. Many are saying that if the center weren't free of charge they wouldn't have come. To go to a doctor or buy a medicine means having to pay for it, formally or informally. In comparison with this reality of which they often complain, they remember the easy access to health services in the state's resorts as socialist workers and also praise the company and thank the moment when they heard of it. To have a free health service doesn't mean that this is automatically easy to access, a thing known by the members when they informally pay doctors and nurses in the public sector. A commitment to treat every member, regardless of ethnicity, income, appearance as a possible buyer and the consistence of the ideal of equality with the underlying ideologies and practices, has made from this idea a declared and practiced goal, with more or less results. The employees should theoretically treat each member in the same way and shouldn't ask for and receive any favors. Because of that, the members can live with the idea of the opportunity of accessing free health services or of being empowered to pursue on their own a better health, in a society that makes this access more and more difficult.

As retired persons from the working class in industrialized societies (Todorov, 2009: 109), they are confronted, together with the end of their social roles, with the loss of recognition of others. For many of them it is visible during conversations that, before coming to the center, their existences were marked by loneliness, hopelessness and depression. Given that the spine massage is free of charge, it may seem even more extraordinary that they also enjoy recognition and care from the employees. As I have already suggested, the gratuity may function in presenting the health services as gifts, constructing long term loyalties and pressing the people to reciprocate. Thus, even if ultimately, the emotional work undertaken by employees, the company's ideology and even the persons are part of an economic rationalization and instrumentalization, the embodied form in which these present themselves make them invisible. More than that, these relations of power are experienced as a form of revitalization. The retired-persons at the health center are integrated in new and significant social relations. Despite the attempts of the employees of giving a new meaning to this activity, for many of its members the daily presence at the massage centre became a "job" and also many recognize the ability of the device to "rejuvenate".

Besides the discontent the members felt in their encounter with the medical system, I think they are also finding in the health center an answer to the relative deprivation from the perceived potent powers of biotechnology. Of great help in understanding the biotechnology in this way are the convergent concepts of "tehnological embrace", "medical imaginary" or "political economy of hope", developed by DelVecchio Good. By referring to patients and physicians who must face the oncological realities, these concepts capture the role of modern medical technology in contemporary world in shaping an imaginary which promises so much hope for everyone (DelVecchio Good, 2010: 275). If the "magic is, everywhere, the science of the concrete", especially for the "disempowered, emasculated, disadvantage" people in this millennial capitalism (Comaroff and Comaroff 2001: 26), it is also true that today the science, especially trough technology, resembles the magic. According to Gell (1988), given that the magic is the representation of "technical domain in enchanted form", the accomplishments and promises of modern technology tend to diminish the distance between these two domains. Unfortunately, as biotechnology is often an object of hope, it is also out of reach, for many marginalized people, groups, regions, states, in the

contemporary political economy of biomedicine. In this context, the retired-persons use the devices and crave to having one at home.

Devices marketed by the company are probably named as R-380 and M-2400 in order to objectify their technological nature. At a basic level, employees suggest the quality and the efficiency of these devices by reference to known technological products, identifiable through brands of cars and electronics, of the producer's country of origin, namely South Korea. At a more specific level, the device is considered in direct relation to the biotechnology. This medical future proposed by the company through the innovation of its devices is based on the reference to these "developed" or "civilized" countries that seem to be at the vanguard of those who determine or predict the future signs. The case of USA regulation, in which FDA recognised the marketed devices as medical devices of class I and II, is relevant in many respects. In terms of testing clinical efficacy by scientific standards, according to FDA the company can only claim for the marketing of the device that it serves to the "temporary alleviation of minor joint and muscle pain, muscle relaxation, temporary alleviation of minor joint pain associated with arthritis, temporary increase of local blood flow when applied". Placing it in the class I or II, which employees mentioned in some situations, but without entering into further explanations, means that the company had to pass for its products the general and special controls for safety and efficiency, without having to pass a scientific review, as is the case of class III of medical devices. Thus, based on these regulations, the massage device could find its place next to the elastic bandages or examination gloves in class I and powered wheelchairs or infusion pumps in class II[2]. All these details are overlooked in the interaction between employees and members, the legitimation of their healing practices being implicitly done in reference to the medical devices which are found in class III in the FDA and who give the measure of the medical technology's development, such as pacemaker, titanium hip, diagnostic device, cochlea ear.

The mention of powerful states but especially of the U.S., the first market for the device, except South Korea, aims to stimulate the medical imaginary of which Good speaks, fed by the common sense knowledge which is found in popular medical dramas and medical news and by the knowledge of the role played by these countries in developing and using such medical technologies. The idea of the recognition of the device with the status of a medical device is often accompanied by mentioning the company's research laboratories and the fact that the device is the result of the conducted studies. In another case, the employees mentioned one clinical trial, in progress at the moment that this article is being written, which studies the effects of the devices on diabetes patients. This study could follow the normal procedures for an evidence-based medicine, at least until proven otherwise, because it appears to be under the auspices of a Romanian medical state institution. The frequent mention of this study in the center before the subsequent results is significant in itself in presenting the claims for the scientificity of the device.

In conclusion, what I want to say is that the people who come to the center are responding to difficulties posed to them through the precarious quality of health services, commoditization of healthcare, marginalization they feel as retired persons in post-socialist Romania but they are responding with the passive means of the market. The discontent produced by the market is treated by market agents specialized to profit from the great masses of dispossessed. It is true that, referring to a hegemony, the persons I talk

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[2]http://www.fda.gov/MedicalDevices/DeviceRegulationandGuidance/Overview/GeneralandSpecial Controls/default.htm

about have found reasons and significance in the solutions offered by the healthcare company, some of them quite important even from my perspective as an observer. But from the same perspective, I can't overlook the inequalities reproduced in this way. From an engaged point a view, I think that it is important to understand that even though those kind of subjectivities are compatible with more active responses, the idea that the tensions produced by the fundamentalist markets lead automatically to active protest is at least incomplete, because as shown by this case the markets have other means to fight.

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III. ETHNO-DIVERSITY AND MIGRATION IN THE EUROPEAN SPACE

Anca OLTEAN ⇔ *The Alya from Romania*

Mircea BRIE, Cosmin Adrian POP, Istvan POLGAR ⇔ *Interculturality and Ethnodiversity in Post-Communist Romania*

Adrian Liviu IVAN, Claudia Anamaria IOV ⇔ *Minorities Issue in Central European Countries before and after their Accession to the European Union*

Vasile-Adrian CĂMĂRĂŞAN ⇔ *Migration and Security - Economic and Societal Dimensions*

THE *ALYA* FROM ROMANIA

Anca OLTEAN[*]

Abstract: *This paper deals with the problem of Romanian Jews' emigration in Israel as revealed by a few historical writings and in published documents. The Romanian Jews' emigration in Israel was a continuous process in spite of the communist regime established in Romania after the war and it was one of the main priorities of Romanian – Israeli diplomatic relations. The research focused on the years 1945 – 1953.*

Keywords: *emigration, Romania, Israel, Jews, postwar, diplomacy, communism*

I. General considerations

Harry Kuller defines the movement of Jewish emigration from Romania as follows: "The postwar *Alia* in Romania that begun modestly with the first emigrant ships that transported in 1944-1945 mostly refugees and returnees, continuing with illegal emigration in 1945-1947, and then with the legal emigration - after the proclamation of the Jewish state and to "the day" - is a chapter both unique and ample in the history of the Jews on these lands. When about 95% of the country's Jewish population was transplanted - even to their "New Old" country, but not only - that migration process goes beyond its "classic" form, proving to be almost unprecedented" (Kuller, 2002: 69). Some Communist leaders like Ana Pauker or Emil Bodnăraş got involved in the emigration process of Romanian Jews, helping to accelerate migration.

Although some authors have considered the Jewish Democratic Committee (CDE) as a pro-communist organization, Harry Kuller says that, at least initially, it was not opposed to emigration: "In late 1947 and still in 1948 the Zionists' activity continued unhindered and towards the end of 1948 a wave of migration of about 4 000 people took place right under the auspices of CDE - a well-known Party body tackling Jewish problems" (Kuller, 2002: 69)

Romania was a country where emigration to Israel was possible in almost all stages in a period when the USSR were raising more and more obstacles to emigration: "Zionist parties, Zionist youth organizations, Zionist re-stratification centres, Zionist literature and newspapers pertaining to this current of thought and action, are all realities of the time with addressability to large Jewish circles, especially the Jewish youth. What today appears to be surprising is the fact that, although Zionism and Zionists were in disgrace or even suppressed in the Soviet Union, a "post-liberation" Romania rendered by the Soviets - and all the way towards 1949 - allowed a revival and an active diversification of the Zionist activity" (Kuller, 2002: 70). This on-going migration process in Romania could be explained by the fact that the Romanian Communists wanted to maintain a connection with the West and with the state of Israel.

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Due to factors such as anti-Semitism, identification of communism with Judaism, and failure of integrating the Jews within the socialist state and economy, shows Harry Kuller (Kuller, 2002: 71), the emigration to Israel was revived after 1950.

After 1949 the Jewish Democratic Committee began a campaign against Zionism and against emigration. The Romanian State through its repressive law enforcement authorities tried to convince the Jews about the futility of emigration: "Jews are visited at their homes and urged to withdraw their <<papers>>, but they invoke the most diverse reasons to maintain their decision to <<leave>>: family restoration, finding employment, finding a Jewish spouse (husband, wife), failure to adapt to trends of de-confessionalization and de-ethnicization" (by restricting religious education, the number cult servants etc.). Of caution, no one invokes the essential reason - refusal to keep on living under a totalitarian regime. (Kuller, 2002).

Romanian *Alya*[1]   **Table 1**

Year of *Alya*	Absolute numbers	Year of *Alya*	Absolute numbers	Year of *Alya*	Absolute numbers
0	1	2	3	4	5
General total 1919-1995	313.396	1943	186	1968	215
Total 1919-4.5.1948	41.105	1944	3.856	1969	1.394
Total 15.5.1948-1995	272.291	1945	1.348	1970	5.265
1919	-	Clandestine *alya* 1939-1945	1.334	1971	1.651
1920	331	1946	4.353	1972	2.627
1921	424	1947	4.727	1973	3.617
1922	285	1.1.1948-14.5.1948	7.102	1974	3.231
1923	364	15.5.1948-31.12.1948	17.678	1975	2007
1924	431	1949	13.602	1976	1.996
1925	1.764	1950	46.171	1977	1.380
1926	728	1951	39.046	1978	1.172
1927	168	1952	3.759	1979	996
1928	98	1953	92	1980	1.093
1929	326	1954	70	1981	1001
1930	313	1955	253	1982	1 551
1931	235	1956	729	1983	1310
1932	487	1957	665	1984	1996
1933	1425	1958	8785	1985	1358
1934	2056	1959	9670	1986	1327
1935	4111	1960	9262	1987	1.671
1936	1.542	1961	20.800	1988	1.436
1937	348	1962	9149	1989	1517
1938	615	1963	11 437	1990	1201
1939	632	1964	24.244	1991	520
1940	701	1965	9817	1992	472
1941	748	1966	3044	1993	393
1942	94	1967	731	1994-1995	344

In her book, *Romanian-Israeli Relations 1948-1978*, Cristina Păiuşan Nuică makes a description of the Romanian-Israeli relations during the years 1948-1953. She considers that the Romanian-Israeli relations were held under the tutelage of Moscow:

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[1] The table was detailed in Harry Kuller, op.cit., p. 72-73.

"Romania's foreign policy and thus the policy conducted in the Middle East was decided in the Politburo of the CC of PMR (Policy Office of the Central Committee of the Russian Workers' Party) focused on Moscow's directions, being applied in a strict manner by the Romanian representatives in Tel Aviv" (Nuică, 2008: 25). In Cristina Păiuşan Nuică's opinion, the main prerogatives of the Romanian-Israeli relations were to develop positive contacts and to sustain communist propaganda abroad. In the years 1948-1953, the Romanian-Israeli relations were influenced by the Cold War and by the conflicts in the Middle and Near East. The Romanian-Israeli relations were based on the trade agreements between the two countries (Nuică, 2008: 25). The Romanian State was considered a satellite of the powerful Soviet Union, and the state of Israel a satellite of the American power. Cristina Păiuşan Nuică states that an important role in the Romanian-Israeli relations was with the dissemination of the Romanian culture and achievements: "The streamlines of the Romanian foreign propaganda had evolved from the beginning towards the popularization and dissemination of Romania's culture and achievements. Since 1950, the Romanian Legation had followed the Soviet model and published a *Quarterly Newsletter* that was sent to all ministries, newspapers and legations in Tel Aviv, and to notable figures of cultural and scientific life". In this line of events, the author emphasizes the important role played by the Israel – Romania Friendship League.

Cristina Păiuşan Nuică accurately captures the background to these diplomatic relations: "The Romanian Legation was among the first ten legations in the new Jewish State, and the contacts with the State ministries in training were sporadic in 1949; these contacts gradually become regular. In this first year, the Romanian diplomats had more contacts with the Soviet diplomats sent to Tel Aviv than with the Israeli diplomats, as the Jewish diplomatic structures were incipient and the Soviets had been among the first to arrive in Israel and thus had managed to establish tutelage on all the diplomats coming from the Soviet sphere of influence. But even after finalization of the Romanian Legation structure, the Romanians received the <<advice>> from the Soviets in any planned action". (Nuică, 2008: 26) The diplomatic relations between the two countries emerged through the exchange of diplomatic notes and direct meetings between their respective representatives. The diplomatic documents of the time that reflected the situation of the Romanian-Israeli relations were primarily concerned with the acceleration of migration and with the increasing number of people who wanted to restore their families, or were protests from the Israeli diplomats when the Romanian diplomacy made attempts to put an end to emigration.

The author captures in overall the Jewish vision on emigration in the early years of the Romanian communism: "In the first years after the creation of Israel and its recognition by the international community, 1948-1950, emigration broke the barriers of ethnic and political options, becoming an ideal of all Jews who after a long suffering went to fight and to work in their own state. This is why the Romanian-Israeli diplomatic relations were closely related to the emigration process, which was an essential factor for the State of Israel, factor linked to the national security. The Israeli diplomats understood that only the increase in number of own citizens would ensure the very state existence, Israel's existence as an independent state being related to the Zionist ideology of recovering the Jewish cradle" (Nuică, 2008: 29).

The communist leaders of Jewish descent were often criticised by the State of Israel and by the Israeli public opinion. The Israeli media was leading a strong anti-communist campaign. Despite the conflicts that occurred within the Romania-Israel relations, these relations were continuous and uninterrupted. The author states that Israel

was critical of the difficulties encountered by the Romanian Jewry with reference to emigration because its aim was to raise the awareness of the American public and to get American funding (Nuică, 2008: 30), interpretation with which we disagree. Israel needed at its beginnings American help to develop, but the motivation of Jewish migration to Israel gained more depths after the Holocaust, the Jews shared a great solidarity and a desire to have their own state where they could feel protected. Israel accused the Romanian authorities in Bucharest of human rights violations. We are aware of the fact that in order to be allowed to emigrate from Romania, the Jews had to face a series of vicissitudes, ranging from the immediate loss of employment, the endless waiting in front of the Romanian authorities for their passports to be issued, to their travelling to Israel sometimes in improper ships, to the arrest of Zionist leaders, to the loss of housing and loss of most goods except for a minimum luggage, etc.

The author recalls a fact confirmed by the epoch documents listed in the volume coordinated by Victor Boştinaru, namely that the Romanian Communist Party was in close collaboration with the Israeli Communist Party that was in minority in Israel. (Nuică, 2008: 31) The Israeli Communist Party was the only party in Israel which did not criticise the Romanian Communist policy. The Romanian Legation in Israel, recalls Cristina Păiuşan Nuică, maintained a privileged relationship with the Soviet diplomats to Israel, fact confirmed by documents from the Boştinaru collection to which the author brought her contribution. Thus, the Soviet diplomats were considered by the Romanian as "best friends". (Nuică, 2008: 31) The Soviet policy towards the Jews had repercussions in Romania, too. The mock trials conducted in the USSR against Jewish intellectuals, or the "white gowns affair" against Jewish doctors in the USSR, had repercussions in the Romanian public sphere too, maintaining an anti-Semitic atmosphere. According to Cristina Păiuşan Nuică, "between 1951 and 1954 the Romanian diplomacy continued to operate under the auspices of the Soviet Union diplomacy. The period between 1952 and 1953, until Stalin's death, is extremely tense because of two major anti-Semitic trials: that of Hebrew intellectuals considered spies and traitors, in December 1952, and that of the white gowns, in February 1953. This anti-Semitic line left an echo in Romania too, but not even close to the vehemence claimed by the Israeli propaganda that was continuing its campaign of accusations taken from anti-communist publications of the Romanian diaspora". (Nuică, 2008: 33)

Cristina Păiuşan Nuică brings forward the Foreign Minister of Romania in 1948-1952, Ana Pauker, and her deputy, Ana Toma, who is delegated by Pauker as a representative to all discussions involving the Romanian policy towards Israel, fact also confirmed by documents relating to Romanian-Israeli relations from the collection coordinated by Victor Boştinaru; the documents are mostly about these two figures of the Romanian diplomacy.

The People's Republic of Romania cultivated close ties of friendship with the Israeli Communist Party. These two Communist parties were led by the Kremlin: "The Israeli Communist Party was formed at the initiative of Soviet leaders, who approved the emigration of certain Jewish Communists sent to build a strong Communist party in Israel. But this party has shown since its beginnings a lack of viability, the Soviet strategy imposing the blaming of Zionism, thus coming in contradiction with all Israeli parties and with the tradition of building the national state with major contribution from Zionist organizations" (Nuică, 2008: 50). Important leaders of the Israeli Communist Party were invited to specialization in Romania since 1949.

The support given to the Israeli Communist Party was a matter of dispute in the Romanian-Israeli relations: "Helping the Party led since 1949 to tense relations between the Romanian Legation and the Israeli government, the Israeli authorities stating that Israeli laws provided that political parties in Israel could be funded with money only from within, not coming from a foreign country, an act seen as a direct and brutal interference in its internal policy". (Nuică, 2008: 51) Cristina Păiuşan-Nuică shows that the leaders of the Israeli Communist Party had hoped to increase their influence in Israel through the emigration of certain progressive elements of Jewish descent from Romania (Nuică, 2008).

Another fact confirmed by documents in the collection of Victor Boştinaru is that between the Romanian Legation in Tel Aviv and the Israeli Communist Party there were continuous and fruitful contacts. The Romanian Legation spread cultural and documentary materials from Romania, together with Romanian political information: "Between 1949 and 1956, the ICP leaders wanted to control the activity of the Romanian Legation work, sending on the political line information on the life and work of Romanian members of the Legation, criticizing them, or approving their actions and behaviour. The same type of information about the Romanian Legation activity they would send to the Soviet Legation as well, to demonstrate their utility and to receive large amounts of money to support their activities and living. If in the years 1949-1953, the Romanian diplomats would consult with ICP leaders, with a clear manipulation on the realities in Israel, since 1954 the role of these consultations decreased gradually, and by the early '60s, ICP and its leaders were regarded as profiteers of friendship in the name of Communism". (Nuică, 2008: 52) But in our opinion the Israeli Communist Party was a representative political organization in Israel, but the sincere adherence to the ideals of communism can be attributed to a minority in Israel, at the most.

Cristina Păiuşan-Nuică brings into question the work of the Jewish Democratic Committee, a pro-communist organization constituted in Romania. Unlike the Zionist organizations leading to JDC, like Haşomer Haţair World Union, "Mişmar" Party, "Ichud" Socialist Zionist Workers Party, "Leachdut Haavoda" Zionist Socialist Party, "Poalei Zion" who militated for the emigration of the Romanian Jews to Palestine, the JDC started off powerfully with the anti-Zionist campaign, fact that is confirmed by other authors too: "The Jewish Democrat Committee began in force in the anti-Zionist campaign in November 1948, making a detailed plan of their actions. The annihilation steps of any Zionist activity provided as a first stage the refusal to collaborate with Zionists by starting an anti-Zionist press campaign in every central and local publication, but also in the Jewish publications controlled by communist Jews" (Nuică, 2008: 59). The JDC would meet in towns and villages in order to criticize Zionism. Gradually, the Zionists were excluded from the component structures of the JDC. In a final stage, after exclusion of Zionists from the JDC, the liquidation of Zionist groups in the country followed as a consequence.

Cristina Păiuşan - Nuică described Ana Pauker's attitude to be hostile to the JDC; she was a supporter of Zionism and contributed to the emigration of Romanian Jews. Documents from 1945-1953 show her as playing a central role in the emigration process of Romanian Jews, and regarded by the Israelis as playing an exceptional role in the Romanian foreign policy: "Ana Pauker did not agree how JDC conducted their activities, the anti-Zionist and anti-emigrations zeal showed by some Jews placed in leading positions of a numerous and impoverished community, insisting in 1949 for the emigration to continue, as "consolidating communism in Israel". Paradoxically, her relationship with the JDC leaders was never too good; she considered them demagogues and renegades, a way she never felt about herself. A small group of Jews, manipulated by

those communists who do not approve emigration, had seized the destinies of a minority and used that power for the personal benefit while being obedient to those who had placed them at the head of the committee and never considering the needs of the people they were abusively leading". (Nuică, 2008: 60) We would add that the Jews were nevertheless a minority in Romania greatly diminished after the war (see the percentage of Jews employed by the State Security Service offered by Liviu Rotman, percentage that was quite small) and that the fanatical supporters of communism separated themselves from the Jewish community and the Jewish religion, advocating for their communist ideals. Even today, the Jewish community still rejects any possible affiliation to these Jews.

Carol Bines makes an overall analysis of the Romanian *alya*'s activity as a whole and since its beginnings in the nineteenth century. Thus, "If we tried to define the *alya* in Romania from its beginnings until today we could state that its main feature is its continuous flow, in its continuity, in its permanence. The flow of the Romanian *alya* has never stopped. Sometimes its waves were tumultuous, sometimes more gentle. Only the outer obstacles, artificial, were able to stop it for a short time - as has happened in 1953 - 1957, when the communist regime almost closed tightly the doors of the *alya* - but then it reignited with new forces (Bines, 1998:86). The Jews had tried both legally and illegally, according to the permissibility of political regimes of time to reach Romania. The beginning of the *alya* from, shows Carol Bines (Bines, 1998: 87), dates back even before the Congress in Basel during which Herzl founded Zionism. Moldova of the nineteenth century welcomes organizations that aim at colonizing Israel. Thus, even since 1882, 30 Jewish from Moineşti and 20 families from Galati and Barlad set sail on the ship Tetis to Israel.

Carol Bines stated that even during the period when Romania was allied with the Nazi Germany, there were Jews who were able to emigrate to Israel: "During the British Mandate, between 1919 and May 14, 1948, 41 000 *olimi* from Romania entered EretIsrael, the Romanian *alya* representing then 10% of total *alya,* third after the Polish *alya* with 172 000 *olimi* (40% of the total *alya*) and the German *alya,* after Hitler came to power, with 52 000 olimi (14% of *alya*)". (Bines, 1998: 90)

Carol Bines shows that the period 1948-1951 is considered to be the period of mass *alya*, period during which Romania increased the population of the Jewish population in Israel by 18%, while in 1952 the emigrations are almost completely stopped; in the years 1953-1957, shows the author, emigration was prohibited and the Zionist leaders were investigated (Bines, 1998: 92)

The table below shows the Romanian emigration to Israel during 1948-1995. During 1948-1951 most Romanian Jews immigrated to Israel. It was a time after the creation of the State of Israel when the emigration policy was more permissive.

Periods of *alya* from Romania, 15.5.1948-1995[2]   **Table 2**

Periods	*Alya* from Romania		Annual average of the *alya*	Percentage of *alya* from Romania of the total *alya* of each period
	Absolute numbers	Percentages		
Total 15.5.1948-1995	272.300	100,0		
15.5.1948-1951	116.500	42,8	29,100	17,2
1952	3.800	1,3	3,800	14,9
1953-1957	1.800	0,7	360	1,1
1958-1966	106.200	39,1	11 800	29,2

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[2] The table was taken from Carol Bines, *op.cit.*, p. 94.

Periods	Alya from Romania		Annual average of the alya	Percentage of alya from Romania of the total alya of each period
	Absolute numbers	Percentages		
1967-1968	1000	0,4	500	3,2
1969-1974	17.800	6,5	3000	7,5
1975-1989	21.800	8,0	1450	8,1
1990-1995	3.400	1,2	550	0,5

Carol Bines shows that for the first years after the war a great share of the Jewish population came from Romania: "Within three and a half years - since the creation of the state and by the end of 1951 Israel welcomed 688 000 *olimi*, which doubled the Jewish population of Israel. Among them came 117 000 *olimi* from Romania, which is the largest number of *olimi* from a European country. They totalled 17% of the total *alya* of those years". (Bines, 1998: 95)

People who acquired a profession in Romania were able to make a smooth transition and integrated well in Israel. Before leaving the country, the Jews maintained good employment that the non-Jews who remained in the country were now happy to take over. The table below shows the occupational structure of the Jewish migrants from Romania who left during the mass *alya* and during the freeze on the emigration process:

Professional structure of *olimi* from Romania during the years of mass *alya* - 1948-1952 - and of the Jewish population of Israel 1955[3]   **Table 3**

Professions	*Olimi* from Romania 1948-1952 (%)	Jewish population of Israel-1955 (%)
Total	100,0	100,0
Free lancers and technicians	7,1%	10,9%
Clerks	18,6%	16,8%
Merchants and vendors	16,7%	11,7%
Farmers	4,2%	14,4%
Industry workers	32,9%	29,1%
Other occupations	20,5%	17,1%

The research undertaken by Carol Bines is a sociological one, focusing for the period that interests us, i.e. 1948-1953, the gender composition of the Jews emigrated from Romania, the professional structure of this population, its geographical spread, age structure, level of education of the emigrated Jews, integration through work, the Hebrew language acquisition, their social contacts (with Jews from in Romania, with Jews from Israel and from outside Israel), etc. The study is complex in terms of analysis of the social structure of the migrated Jews, having no connection with the historical field and international relations area, but interesting to analyse the integration of the Jewish population who emigrated from Romania to Israel.

II. Aspects of diplomatic relations between Romania and Israel in 1945-1953

We will present the evolution of diplomatic relations between Romania and Israel, as evidenced by documents published in the collection *Romania - Israel. Diplomatic Documents 1948-1989*. (Bleoancă et al., 2000).

A consequence of the telegram of June 9, 1948 was the fact that the Israeli Foreign Minister asked the Romanian State to recognize Israel. From the beginning, the State of Israel shows its openness to the idea of emigration of Romanian Jews. So, this telegram is the means

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[3] The table was taken from Carol Bines, *op.cit.,* p. 94-95.

through which the decisions of the Jewish National Council are announced: "Conseil a declare que Etat israélien sera ouvert [á l] immigration tous les juifs, se consacrera [au] développement du pays au profit de tous ses habitants, sera base sur les principles [de] liberté, justice et paix, maintendra égalité sociale et politique, tous citoyens sans distinction de race, religion ou sexe, garantiera entire liberté de conscience, education, langue sauvegardera saintété et inviolabilité de sanctuaries et lieux saints toutes religions, se dovouera [aux] principles Charte Nations Unies". (Bleoancă et al., 2000: 4). After a telegram sent by Ana Pauker, the Foreign Minister of the Provisional Government of Israel, the Romanian government agrees to establish legations of the Romanian State in Israel (Bleoancă et al., 2000: 4-5). Reuven Rubin was appointed Extraordinary Minister of Israel to Bucharest.

The emigration problem of the Romanian Jews appears as a constant theme of negotiations between Romanian and Israeli diplomats. In a telegram dated 11 March 1949 the Israeli government expresses its concern regarding the emigration of Jews from Eastern Europe. The Israelis show their gratitude to the Romanian government for having authorized the departure of several thousands of Romanian Jews. (Bleoancă et al., 2000: 6-10).

The State of Israel motivates its need for immigrants by its military situation (surrounded by hostile neighbours), and also by the fact that employees are needed to ensure economic development. This task requires not only a growth in Israel's population, but also an increase in the quality of its people. The same telegram also shows that in the past, the first elements in Israel came largely from Eastern Europe. On several occasions, representatives of Israel requested guarantees from the Romanian government that the emigration process would continue. The aggressive attitude of the Romanian State towards the Zionist movement and the anti-Zionist campaigns in the Romanian press caused concern of the Jewish State for which the Zionists worked. It was a request for the emigration to Palestine of 5 000 members of the Halutz movement for which emigration was the most important goal in life.

Meanwhile, the Romanian Legation in Tel Aviv issues periodic reports to the Minister of Foreign Affairs in the country, Ana Pauker. The reports list daily facts, like the fact that they did not have enough money with them, or they did not receive money from the Israelis, or they were unhappy with the hotel that the Israelis had chosen for them. In dialogues with Israeli representatives, the Romanian diplomats referred to Romanian Jews more in terms of cohabiting nationalities rather than ethnic minorities (Bleoancă et al., 2000: 13). Thus, the Romanian diplomats represent one of the first legations established in Israel after the ones of the Soviet Union, the US, Britain and France.

The Zionists were not persecuted only by the Romanian Communists, but also in other Eastern European countries. In a discussion between Romanian and Russian diplomats, both had the opinion that the Zionists were nationalist bourgeois (Bleoancă et al., 2000: 14). At the same time, the documents tell fragments from the life of the Romanian embassy to Tel Aviv. Thus, members of the Legation in Tel Aviv had difficulties because they did not know English and Hebrew, and they hired a teacher of English and a young man who translated from Hebrew .(Bleoancă et al., 2000: 17-19) They did not have a typist, nor a typing machine, they suffered from the absence of their families. Another problem that the Romanian diplomacy had in Israel in the beginning was the lack of experience in the field of diplomatic work.

At the same time, documents of the collection *Romania - Israel. Diplomatic Documents* describe different situations of the Romanian-Israeli relations. Pauker enjoyed great prestige in Israel. The Israeli Foreign Minister, Moshe Sharett called her "an exceptional woman". She was always informed of developments in the Romanian-Israeli

relations during her Office as the Minister of Foreign Affairs. The ad-interim President Sprintzak acknowledged to the Romanian diplomats the role played by the Romanian Jews to building the State of Israel. The documents describe aspects of the Romanian Legation in Tel Aviv activity. The Legation had relations with the authorities, the political life, representatives of the economic area; they were trying to participate in the cultural life. (Bleoancă et al., 2000: 24). The Legation representatives shared the daily responsibilities. They were involved in consular issues, daily payments, economic and cultural attributions, press relations. Ideological materials were sent by the Ministry of Foreign Affairs which they should have read. Controversial aspects of Romanian - Israeli relations arose with respect to the problem of emigration of Romanian Jews. In a discussion with Romanian representatives in 1949, Minister Ben Gurion said: "I am concerned about the fate of the Jews who wishing to come to Israel were not allowed to do so by the Romanian government. Israel cannot strengthen and develop only with the Jews here and is in need of the Jews abroad. The development of relations between the two countries depends on the economic relations and the emigration of Jews who would like to leave Romania. Please convey this message to the Romanian government". (Bleoancă et al., 2000: 26) The Romanian Ambassador promised in consequence that the Romanian State would therefore grant visas to Israeli citizens. In another discussion dated 19 October 1949, the Israeli Foreign Minister stresses the problem of emigration, because the People's Republic of Romania stopped the emigration that had started in 1948, continuing to issue visas to 100-200 people. (Bleoancă et al., 2000: 27). The Jewish citizens of Romania could not take the boat *Eylath* which was in port and for which they had purchased tickets. The Romanian authorities forced them to take the *Transylvania* ship, although it was damaged. Discussions continued around this problem. Meanwhile, the Romanian Jews were forbidden to emigrate in groups. As a consequence of Israeli officials' repeated requests to accelerate emigration of Romanian Jews, the representative of the Ministry of Foreign Affairs drew the following official conclusion: "I stressed, in order to be very, that the problem of the Jews who are Romanian citizens and who would like to emigrate to Israel is a matter concerning exclusively the authorities in RPR and it cannot be interfered with by anybody". (Bleoancă et al., 2000: 31) Moreover, protests were organized by the Israeli representatives against the arrest of Zionist leaders initiated by the Romanian State. Minister Sharett said that there could be no diplomatic relations between Romania and Israel if a consensus on emigration of Romanian Jews was not reached. (Bleoancă et al., 2000: 33) In this respect, as a protest, Israel withdraws its diplomatic representatives to Romania, namely Rubin and Agami, wrote the Minister to Tel Aviv, Nicolae Cioroiu, in 21 November 1949. The relations between Israel and Romania depended on the attitude of the Soviet Union, "Sharett will need to use the UN presence in order to clarify with the Soviet Minister of Foreign Affairs on the issue of relations with the Eastern bloc". (Bleoancă et al., 2000: 33).

The correspondence between the Romanian diplomats and the Ministry of Foreign Affairs rises is the issue of setting a Romanian consulate to Jerusalem as there was the possibility of establishing the Israeli capital here. (Bleoancă et al., 2000: 48)

After recalling the diplomat minister - Rubin to Tel Aviv by the Israeli State, the papers wrote that if the Soviet Government did not change its hostile attitude towards Zionism and Israel, Rubin's seat would remain unoccupied. (Bleoancă et al., 2000: 49)

Moreover, the Romanian diplomats noted the hostile attitude of the Israeli media towards Romania. The Israeli Communist Party press was the only one that was not hostile to Romania. It was represented by the newspapers "Kol – Haam", "Al Itiahad",

"Glasul Poporului", "Kol Hapoel", "Kol-Hanovar" and never stood against the emigration of Jews from Romania, never questioned Zionism, and always received materials for publication from the Romanian Legation in Tel Aviv. (Bleoancă et al., 2000: 50) One of the activities of the Romanian Legation stands out: an exhibition with Romanian paintings, and Romanian books, magazines and newspapers. Romanian films were presented, such as the *Congress of Intellectuals*, *Youth Cup*, *The City That Never Sleeps* and *23 August*. (Bleoancă et al., 2000: 51)

The Israeli media protested against the banning of Jewish emigration from Eastern Europe to Israel. Thus, *Hațofe* newspaper published two articles on immigration policy condemning the Soviet Union, the People's Republic of Romania, and Hungary: "What has escaped the ovens is destroyed by assimilation. Emigration from Eastern Europe is a matter of life for us and it must be always on the daily agenda. If Israel fails to obtain emigration, we face a national catastrophe". (Bleoancă et al., 2000: 53).

A telegram of Romanian Legation in Tel Aviv addressed to the Romanian Ministry of Foreign Affairs, dated 18 January 1950, shows that Israel had decided to appoint a new Minister to Bucharest, but they had not decided on a name. (Bleoancă et al., 2000: 53) In another document there is a description of the U.S. Legation representatives, showing the "infiltration" of the United States to Israel. (Bleoancă et al., 2000: 55) The Minister Plenipotentiary to Bucharest appointed by the State of Israel was Ehud Avriel, Minister Plenipotentiary to Prague and Budapest.

Incidents appeared and thus, the relations between Romania and Israel were put in jeopardy. On 23 February 1950, it was an announcement that the Romanian Embassy to Israel was broken and entered, and Legation property was lost. (Bleoancă et al., 2000: 60) A new location for the Legation personnel was requested. Other aspects are frequently tense. Thus, the *Palestine Post* newspaper published a tendentious article – *tendentious* in the opinion of the Romanian Legation in Tel Aviv - on the situation of the People's Republic of Romania, and of the situation of Israeli diplomats to Romania. (Bleoancă et al., 2000: 62). Ben Gurion, in an interview, talked about the persecutions of the cohabiting nationalities in Romania.

On 28 April 1950, a telegram of the Romanian Legation in Tel Aviv addressed to the Minister of Foreign Relations of the People's Republic of Romania stated that there had been a press release of the People's Republic of Romania according to which, effective May 3, 1950, the emigration formalities in the case of Israel had been relaxed. (Bleoancă et al., 2000: 63) The documents show that the entire Israeli press wrote about Avriel's appointment as Minister to the Romanian People's Republic. Avriel's place in Budapest and Prague was proposed to be taken by Dr. Eliasiv, the then director of the "Eastern Europe" department from the Ministry of Foreign Affairs. An Israeli counsellor to Moscow will be appointed to take Eliasiv's place. (Bleoancă et al., 2000: 68).

The documents show reflections of the economic crisis in Israel and the country is considered increasingly dependent on American politics. (Bleoancă et al., 2000: 70) Descriptions are made of the situation in Israel. Thus, the Zionists were against the Israeli Communist Party, the workers demanded wage increases and the Israelis were suffering from hunger. Ben Gurion requested a loan of 35 million dollars from the Americans and asked at the same time, for the support of the American Jews. He held a conference in Jerusalem where he invited 45 wealthy Americans. (Bleoancă et al., 2000: 71) The picture described is complex and probably deliberately exaggerated: "In this difficult economic situation, each new immigrant who comes in adds to the burden. Over 100 000 people in the camps have no accommodation, no place to work, they live without any perspective.

And their number is constantly growing. (Bleoancă et al., 2000: 72). The Jews from Israel often displayed criticism of the Romanian government: "The main attacks against us were fought on two issues: the domestic propaganda against leaving the country, and the arrest of Zionist leaders. I have wired you the information referring to these attacks". (Bleoancă et al., 2000: 72) There follows an explanation of the fact that the hostile attitude of the People's Republic of Romania is because of the deep ties that Israel has with America. Conferences and courses in Hebrew are organized in the migrant camps where the Romanian Jews were housed at first. (Bleoancă et al., 2000: 73).

Moments of tension in the Romanian-Israeli relations continued to exist. Thus, the Israeli newspapers *Iedioth Ahronoth* (Latest News) and *Heruth* wrote that the Israeli delegation to the United Nations would vote in favour of a proposal from the Western powers to accuse Romania for failure to comply with the ceasefire terms and for annihilation of individual rights in this state. The newspaper said it would accuse Romania of anti-Zionist repression, of prohibition of emigration to Israel and of arresting leaders of the Zionist movement, all these being stated in a telegram wired by the Romanian Legation in Tel Aviv to the Ministry of Foreign Affairs of the People's Republic of Romania on September 21, 1950. (Bleoancă et al., 2000: 75)

The Romanian Zionists arrests are a matter of conflict with Israel. Several published diplomatic documents in the Boştinaru collection record protests of Israeli representatives against these arrests which violated human rights. Israeli attacks against the Romanian State were regarded by the Romanian diplomats as manifestations of American imperialism. It is said that according to the repatriation law elaborated by the Ben-Gurion government, any Jew can immigrate to Israel.

Reflections of economic issues appear between Romania and Israel. Mrs Weizmann, wife of the President of Israel, requested the Romanian diplomats that the People's Republic of Romania diplomats would sell oil to Israel. (Bleoancă et al., 2000: 90) The Romanian-Israeli relations documents show that on 11 February 1953, the Soviet government wanted to break diplomatic relations with Israel as a consequence of the fact that on 9 February a bomb exploded at the Soviet embassy district in Tel Aviv, despite the fact that the President condemned this act of terrorism and apologized to the authorities in Kremlin. The Russian-Israeli relations were restored on June 20, 1953. (Bleoancă et al., 2000: 91).

To conclude the analysis of the collection of documents Romania - Israel, the diplomatic relations between the two countries appear full of difficulties, particularly on emigration of Romanian Jews, but also very tense because of the persecution applied by the Romanian State to the Zionist leaders after 1949.

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INTERCULTURALITY AND ETHNODIVERSITY
IN POST-COMUNIST ROMANIA

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Abstract: *The forms of inclusion required by the goal of accommodating ethno-diversity, although varied, often reproduce situations of democratic deficit generated by the assimilating character of implemented policies. Despite the dissolution of the communist regime and the building of a new Romania under the rule of law, the political and legal initiatives that followed failed the nationalist ideology of decision-makers. In the context of interethnic relations, the Hungarians in Romania have constituted themselves in the most vocal and active actor, while equally fuelling attitudinal and behavioural expressions from the dominant culture, most fierce expressions, both negative and positive (the latter encountered most often among Romanian intellectuals). The political and societal reconstruction project undertaken by the Romanian state has finally succeeded to introduce legislative instruments and to implement an institutional mechanism capable of regulating the situation of minorities in Romania; but their effectiveness has proven to be far from what it was envisaged).*

1. Introduction

While absorbing immigration values (and not only), the contemporary societies have inevitably become areas of ethnic interference; they have often resulted in unjust and hostile attitudes from the majority community towards those communities that do not share the same value system in all its aspects of organizing the collective mind. The "deep trauma" (Hermet, 2005: 23) that these minorities have suffered as a direct effect of *differential policies* (read: *discriminatory practice*) resulted since the '70s in a major paradigm shift in assessing intercultural relations. By repositioning minorities against authority decision-makers, with the legitimization of their cultural particularism and the limited autonomization, it was sought to perpetuate a model of "civic identity based on some values of universal scale, especially that of freedom of personal fulfilment of each individual" (Hermet, 2005: 23). This path of managing the cultural heterogeneity leads in

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a procedural sense towards a framework of national fragmentation that however does not necessarily translate in state disintegration.

The multiculturalist model[1], for example, is a viable option to accommodate ethno-diversity, its theoretical evaluation employing a set of principles emanating from the modern theory of nation, citizenship, democracy, diversity, tolerance and, last but not least, culture, generating a permutation in the rhetoric of identity, both individual and collective. In deciding on policies for minority integration, the state must use the principle of ethno-cultural equity; nevertheless, its institutionalization is far from happening as long as a decision emanates from a practice committed to the majority. This principle of implementation, typical to representative democracies, often induces the "feeling of servitude" (Salat, 2001: 81) among the ethno-cultural minorities.

Beyond the legal identification framework, by implementing a multicultural policy or a policy of openness towards cultural pluralism, there is the rethinking of judgement standards whose inconsistency can sometimes lead to taking real acknowledgement for a regime of tolerance. The ethical character of identity representation corresponds to the impossibility to evade reconstruction, in the subsidiary of our activities, of our pre-existing particularities within our nature: "nobody is above race, ethnicity and language, no one is simply human". (Cornell & Murphy, 2002: 436)

Within the political context generated by the transition from a dictatorship towards a democratic regime, the ethno-diversity factor actively contributes to the development of this process, the democratization of post-totalitarian societies being closely related to the methods of adjustment and response to claims of existing ethno-cultural groups within these societies.[2] If we refer to Romania, the perpetuation of a positive historical tradition of peaceful coexistence has generated a certain degree of tolerance and recognition of communities that together have built a foothold by promoting acceptable institutional arrangements.

In the light of the above, we will proceed to a brief account of the evolution of inter-ethnic dialogue during communism and during the period that followed the events of December 1989.

Termination of political pluralism along with the establishment of the communist regime brought significant disturbances in the ethnic and confessional structures. The communist state tried to replicate the same system in these structures, too. The state tried to homogenize the population. Decisions were taken to ban churches such as the Greek Catholic, Pentecostal, Baptist, Adventist, etc., much of this population returning to the Orthodox Church. At the same time, with approval from the state, a large part of the

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[1] In the spirit of fairness it should be noted that many theorists have perceived multiculturalism as a divisive measure in the context of domination of nation-states, the national project often consisting of a single cultural dimension, later transformed into a political instrument. Common identity, institutionalized though universal citizenship, provides viability to a state structure, being the source of social cohesion and informing on the level of convergence of individual.

[2] In this respect, Levente Salat states: "In these countries, liberated or for the first time in history constituted as independent and democratic state formations, the diverse ethno-cultural groups use the prerogatives of democracy, get mobilized from the ethno-political point of view, and how they try to promote their own interest often comes in conflict with the priorities of the democratic consolidation in a post-totalitarian or a post-dictatorial situation." [Lucian Nastasă / Levente Salat (eds.), *Relații interetnice în România postcomunistă*, Fundația CRDE, Cluj-Napoca, 2000 Symposium: "Modelul românesc de relații interetnice. Ultimii zece ani, următorii zece ani", Bucharest, 7-8 July 2000), p. 9].

Hebrew, German and Hungarian ethnics emigrated, thus significantly reducing their number in the region.

Far from being lacunar, the internal law of minorities during the communist period reflects the need to provide a legitimate character to an already established regime, a legislative support capable to sustain the entire socio-political structure envisaged by the court decision-makers (in theory at least). Without insisting on procedural forms or on contents specifics of legislative norms (set out in the spirit of recognition of all national identities residing on Romanian territory), it should be noted that their application was never the ultimate goal of their preparation; the adoption initiative of a new Constitution in 1948 and in 1965 was not at all supported by the establishment of effective implementation structures or of bodies for control and administration of interethnic relations, the regime being a *de facto* dictatorial one, whose purposes naturally disregarded any concern for ensuring the rights guaranteed by the legislation in force.

The Constitution of 1948 guaranteed simultaneously the freedom of conscience and the religious freedom despite the inherent contradiction generated by the state's refusal to recognize all existing religions in Romania (it is the case of the Greek-Catholic Church and some of the Protestant/Neo-Protestant denominations) (Chiriac, 2005: 14). The disagreement between the normative text and the reality of the Romanian communist period, especially in matters of religion, is illustrated by successive measures imposed by the state, ranging from nationalization to the termination of the Concordat with the Vatican (a direct blow to the Greek-Catholic community), and dismissal and subsequent arrest of the misaligned; the dialogical State-Church relationship is based on the reiteration of the same forms of assumed and exercised subordination, common among individuals, the control over religious denominations offering a clear explanation for the lack of visibility and limited nature of these actions. Despite a legal framework for the exercise of religious rights, religion was, in practice, submitted to an excessive control generated also by the tendency to atheism, easily identifiable in the subsidiary of all bias initiatives, probably fuelled by the incompatibility between the religion welcoming an individual and the cult of the leader, which was the basis for an entire social life.

The post-communist period brought with it a restoration of democratic principles and values. The fall of communism meant the end of the deprivation of religious rights in Romania. This led to profound changes in the religious structure. Recognising the right of free religious practice for 23 religious denominations and associations prepared a new period of religious transformation within the Romanian state. The reestablishment of the Greek-Catholic Church and the emergence of many other denominations are important events. These events, together with opening the borders, corroborated with political acts in this field have led Romania to enter a much larger process of integration in a world more open to intercultural values. We note without hesitation that political events, both national and international, are highly important in determining the ethnic and confessional composition. It is not only the political factor that influences this structure. We can distinguish other factors, among which we name the social, economic, cultural, geographical etc. factors.

The new Constitution of Romania, adopted on 21 November 1991 and revised in 2003, proceeds to the reinstatement of all religions that had been outlawed by the communist regime, and initiates the procedure for the return of goods wrongfully confiscated from organizations and individuals, in process to regulate the patrimonial situation, process whose completion is still to be seen (perhaps in consequence of the fact

that the legislation in force is not compensatory, only reparatory, and this is an aspect capable in itself to generate multiple conflicts).[3]

Amid dismantling the communist regime, domestically and in the context of excesses of nationalism recorded in the ex-Soviet space, Romania will introduce a series of instruments to make the programme for inclusion of ethnic minorities operational; these instruments are capable in theory to meet all the needs and demands of the minority communities. Under international pressure particularly exercised by the US and the EU, interested in maintaining stability in this part of Europe (see the riots in Targu Mures in March 1990), Romania will effectively adopt an electoral law (92/1990) whose provisions will promote measures of positive discrimination with reference to ethnic minorities (Chiriac, 2005: 101). With a very important activity for both the Hungarian community, and for other ethnic communities, the Democratic Union of Hungarians in Romania (UDMR), founded in 1989, will unquestionably contribute to the change the status of minorities in Romania, especially after 1996 (the year when UDMR joined in governing).

This socio-political pace, powered and maintained by the Romanian authorities in the spirit of obedience to the main state and supra-state actors in the region (and not only) was the determining factor for the favourable criticism addressed to Romania by President Clinton, in 1999, in San Francisco; President Clinton proposed Romania as a benchmark for other states in the region in terms of building democracy and respecting the ethnic minority rights. (Rosapepe, 2000: 20). The problem occurs when membership in most international instruments of protection of human rights and minority rights applies the traditional Romanian principle of forms without substance, in the exacerbation of some data of political compromise that sometimes do not go beyond the notional and discursive frameworks.

2. Ethnoconfessional realities after 1990

The absence of spectacular changes in the ethnic and confessional structures in 1992-2002 (representing the period between the latest two published censuses[4]) shows the relative stability trend of the Romanian population. As we will see, only in the case of some minority communities, there were modifications that may be considered significant changes in the long-term (in the case of religious communities there was 0.5% growth in only ten years, which could be important if the trend maintained in the next period). Simultaneously, the evolution of the number of inhabitants of the country is downward, and maintains in direct correlation with the process of demographic aging. Notwithstanding Romania's ethno-confessional structure, this reality can lead to a series of consequences in the future, such as an excessive emigration of Romanians (and Hungarians) in relation with the often false statements about their ethnicity (a phenomenon that is particularly encountered among the Roma community) evoking at the ideational level, the possibility of major changes in the proportion of nationalities in the

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[3] Marian Chiriac, in the aforementioned work, identifies various sets of problems within the process of property return of religious cults in Romania, as follows: incomplete legislative framework, delays due to the lack of an unitary legal framework, slow pace in the process of property return, late adoption of norms for Law 501/2002 for approving the Government Emergency Decision 94/2000 on the restitution of real estate that belonged to religious cults in Romania, opposition of local authorities to respecting the law, irregularities of legal system.

[4] The data of the census carried out in the autumn of 2011 have not yet been centralised and made public.

period ahead.[5] In the light of this reality, Levente Salat said: "it is expected that the role currently played by the "Hungarian problem" on the agenda of public debate would be taken gradually, in a not too distant future, by the disputes about the relations maintained by the Romanian state institutions with the Roma communities." (Salat, 2005: 156).

In presenting the ethno-confessional structure of Romania, we will operate with data provided by the National Institute of Statistics in the final report on population and housing census in 2002.[6] Thus, the ethnic composition of the population in Romania did not significantly change against the results recorded by the 1992 census, the ratio being in favour of Romanian majority, accounting for 89.5% of the total population. Among other ethnic groups, ethnic Hungarian population has the highest share in total population (6.6%), followed by Roma (2.5%) and Germans and Ukrainians (0.3% each). Other ethnic groups have low weights in the total population (less than 0.2%).[7]

Relating to the structure by religion, the Orthodox religion remains predominant, accounting for 86.8%, followed by the Roman Catholic religion representing 4.7% of the total (down by 0.4 percentage points since 1992), the Reformed religion (3.2%, down by 0.3 percentage points) and the Pentecostal (1.5% - up by 0.5 percentage points since 1992).

The weights of other religions vary from 0.9% Greek Catholic, to 0.3% for Unitarian and Muslim, namely less than 0.1% for Mosaic or Augustan Evangelical.[8]

3. Romanian model for integration of minority communities: diagnosis and perspective

It is known that both European legislation and practice promote the idea of coexistence, in the sense of social value, consisting of accepting diversity and alterity, comity of different ethnic groups within the same territorial community, and staying open to communication or cooperation. There is a point of view recognized by both the majority of political leaders and civic leaders, and by the specialised literature in the country and abroad, that postulates a national existence of the "Romanian model of interethnic relations", intercultural model based on the values of comity and cooperation, seen as the European standard for granting minority rights[9].

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[5] In this respect, Gabriel Andreescu, *Schimbări în harta etnică a României*, Edit. CRDE, Cluj-Napoca, 2005, p. 35: "Romania's ethnic map of today differs considerably from the ethnic map of the interwar Romania and even from the ethnic composition after World War II. The latest census from 2002 shows a population where minorities tend to have a peripheral place. The only increase is the number of Roma. [which] is much larger than the census data shows, the number of those recorded as such is probably a third of the real number."

[6] The electronic version can be accessed at:
http://www.insse.ro/cms/files/RPL2002INS/index_rpl2002.htm (last accessed on: 16.01.2011)

[7] For information purposes, 20 different ethnic groups were recorded to live in Romania, namely: Romanians, Magyars, Roma, Ukrainians, Germans, Russians, Lipovan, Turks, Tatars, Serbs, Slovaks, Bulgarians, Croats, Greeks, Hebrew, Czech, Polish, Italian, Chinese, Armenian, respectively Csango.

[8] According to the 2002 census, Romania has the following denominations: Orthodox, Roman-Catholic, Reformed, Pentecostal, Greek-Catholic, Baptist, Seventh-Day Adventist, Muslim, Unitarian, Brethren Assemblies (same as Plymouth Brethren or Open Brethren), Old Rite Christian, Lutheran Synod-Presbyterian, Evangelical, Augustan Evangelical, Mosaic.

[9] http://www.amosnews.ro/index.php?name=News&file=article&sid=238134&theme=Printer, last accessed on 28.03.2008

3.1. Legislative and institutional framework for protection of national and confessional minorities

In the context of the issuance of more than 200 laws regulating "in various fields, the rights of national minorities and the framework for ensuring and preservation of linguistic and cultural identity of their members,"[10] one can identify a real concern of the Romanian authorities for improving the situation of minorities, whether ethnic or confessional[11]; the problematic aspect of these measures is, on the one hand, the manner of implementation (in particular the inefficiency of existing legal instruments and, simultaneously, their insufficient number) and, on the other hand, the need to review the contents of some of these acts in consequence of elusion, at the level of the recipient, other than the Hungarian and Roma minorities.

We will proceed to list the main rights that the members of national minorities particularly have (Chiriță & Săndescu, 2008: 119), rights that come to add the rights guaranteed by the Romanian Constitution and the Framework Conventions on human rights and fundamental freedoms, of all Romanian citizens: the right to non-discrimination in exercising a legitimate right, the right to use the mother tongue in relations with the administration, within the judicial system, within public and private relations, as well as the right to study in their native language, the right of free political association and representation in the Parliament.[12]

The main institutions active in the segment of national minority rights that promote good interethnic relations and fight anti-discrimination are: the Department for Interethnic Relations (DRI) which cooperates with the Council of National Minorities (the latter brings together three representatives of national minorities represented in Romanian Parliament), the National Agency for Roma (ANR), Institute for Research on National Minorities (SPMN), National Council for Combating Discrimination (CNCD), the People's Advocate, together with the ministries that have departments for minority issues. (Janosi, 2008)

The minorities institutions, totalling 1804 units[13], with predominant activity within culture, protection / promotion of human rights, education / science and religion[14] actively contribute to the formation of an overview of civil and social engagement of minority communities; we will not try to fight the case examples given by the jurisprudence for the violation of minorities rights, especially on instances of property return in cases of

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[10] In accordance with the information provided by the programme CRDE *Baze de date – Acte normative privind drepturile şi protecţia minorităţilor naţionale în România*, coordinated by Gabor Adam, http://www.edrc.ro/projects.jsp?project_id=53 (last accessed on 16.01.2012)

[11] The Constitution of Romania, art. 29 (3): All religions shall be free and organized in accordance with their own statutes, under the terms laid down by law; and (5): Religious cults shall be autonomous from the State and shall enjoy support from it, including the facilitation of religious assistance in the army, in hospitals, prisons, homes and orphanages.

[12] According to the Constitution of Romania, art. 62, para. 2: "Organizations of citizens belonging to national minorities, which fail to obtain the number of votes for representation in Parliament, have the right to one Deputy seat each, under the terms of the electoral law. Citizens of a national minority are entitled to be represented by one organization only." In addition, there is a requirement for obtaining a number of votes equal to at least 5% of the average number of votes validly expressed for election of a Deputy (Law for electing the Chamber of Deputies and the Senate no. 68/992).

[13] In accordance with the data supplied by the Institute for Research on National Minorities

[14] Kiss Denes, *Sistemul instituţional aş minorităţilor din România*, Workshop Studies, Research of national minorities in Romania, http://ispmn.gov.ro/uploads/ISPMN_34_X_t.

religious cults in Romania, but to the extent that such activities are not only promoted, but also financed (limited, it is true, and often insufficiently). We can say that the Romanian state has committed, indeed, to provide a framework for the development of intercultural dialogue, stating that the enforcement of norms continues to be poor, either because the authorities do not fully respect them, or because of existing uncertainties in both the body of law and the powers established for the various institutional structures.

3.2. Critical approach of the Romanian model of interethnic relations

Amendments to the Constitution, electoral law, restitution of property belonging to organizations or individuals, reforms in education and in local government, and other initiatives of the Romanian State are clear landmarks for its receptivity in relation to the claims of various ethnic groups (in this case, the Hungarian fraction), but typical manifestations of a dominant culture, constructed and reproduced in the nation-state logic (justified by the imperatives of stability required from the international community) have never ceased to manifest themselves, the time that has passed in the rigors of the post-December new societal model only contributes to refining them and to give them more clear meaning. The regime of national minorities rights in Romania and, simultaneously, of confessional rights, is regulated by a series of laws aimed at (in the subsidiary of its stated objectives) a harmonization (mandatory, in fact) with the laws of supranational structures, namely the European Union, which Romania joined. Without disregarding the moral value of such initiatives it should be noted that the inefficiency of the implemented framework arises from the haste introduction of laws setting out general non-discrimination clauses and provisions on minority rights aimed more at the agreement and appreciation of those structures to which the Romanian state joined than the actual welfare of the categories concerned.

In a study carried out by Radu Chiriță and Anca Săndescu on the existing normative acts, as well as on the implementation mechanisms, the authors say: "even though, unlike other areas of study, the internal legal framework does not know contradictions between several legislative provisions, and the international legal provisions have been transposed into national law with much fidelity, the established legal system fails to create the necessary legal instruments to ensure full compliance with the rights enjoyed by members of national minority communities. (Chiriță & Săndescu, 2008: 121) As it was reiterated in the conclusions of many studies on minority issues (e.g. Marian Chiriac, *op. cit.*), the absence of a law specifically defining the status of national minorities in Romania is a major impediment in developing a legal framework to reproduce ethno-political legitimacy for non-dominant cultures without direct prejudice or compromise of the state's efforts to increase the degree of internal cohesion. In this respect, Kelemen Hunor, leader of the Democratic Union of Hungarians in Romania, launched the call for the reintroduction on the party's political agenda for 2012 the draft Law on national minorities, which would provide new perspectives for the development of interethnic relations in Romania.

The method of positive discrimination, noted in the access to the Parliament granted to minorities, also has a number of shortcomings caused mainly by falsely assuming a minority identity in order to get a political seat, or by accepting one political organization as an exponent of the entire minorities community (result of a hostile attitude against minority political pluralism).[15]

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[15] In this light, Lucian Nastasă, Levente Salat, *op. cit.*, p. 13: "On the other hand, we should not overlook the fact that [...] the cardinal elements of the Romanian model - representation of

The institutional framework implemented in order to protect national minorities in Romania shows the same deficiencies identifiable also in the measures of the legislative nature applied by Romanian authorities. Beyond the technical issues that these structures have been facing, often cumulated to the lack of infrastructure or human resources, there is also a communication problem that occurs at both inter- and intra-institutional levels, and especially regarding the visibility of these organizations, not so much among relevant civil society, but especially among unaffiliated minorities.

Furthermore, relating to the degree of organization, both social and political, there is an obvious disproportion generated, most likely, by the tradition that has shaped these minorities and by the number of each minority members. Perception of own needs, together with an unequal apparatus to fight discrimination, have generated the assumption of a completely separate development for different ethnic groups in Romania. If Hungarians display a claiming attitude based on real structures to combat discrimination, the Roma minority, for example, the second large minority in Romania, despite the many political organizations established to defend its interests, fails to build a model for addressing their issues in a unified, coherent and reasoned manner. On the other hand, the general pushing to the periphery of minorities against the majority population, namely Romanians, sometimes triggers claim-release from any minority group of any political connotation, the affirmation of national identity being based wholly on reproduction within the community of specific forms of cultural tradition; this is the case of small minorities in Romania. At this level, the institutional mechanism should promote, in a more active, more participatory manner, the idea of intercultural communion, the multicultural education being a decisive factor for achieving the desired degree of complementarity for the modern cultural and societal political project of post-totalitarian Romania.

3.3. Hungarians in Romania: outline of intercultural analysis

The Hungarians in Romania represent a particular case within the majority-minority relation, the weight among the total population giving them status as the largest minority in the State. But the specificity of intercommunity dialogue is not based at all on the numerical value of the entities involved, but rather on a certain attitude and mobilization capacity of the Hungarians in the spirit of very well-defined principles that permanently evoke (and access) the assertive forces of democracy for the progressive liberalization of the host society. It is the transition from the idea of a host society to a space governed by the rule of law for development and cultural reproduction that has been the objective pursued constantly, by steps which the Hungarians have been taking after the fall of the communist regime; the fact that the discourse, often purely symbolic and false, of the Romanian authorities collided with the Hungarians' fervent discourse, often built inappropriately and in a false manner, in the light of ethno-historical aggressiveness of the Hungarian representatives, has not at all facilitated the dialogue between the two parties. Moreover, this placed it in the undesirable corner of the ethnic conflict (of course, much less serious than the harsh expressions recorded in the neighbouring Balkan region), the first years after the Revolution representing for the relations between Romanians and

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minorities in Parliament, the existence of a Council of National Minorities or the very presence of representatives of one of the major minorities in the government – do not automatically solve all problems. [...] The dialogic framework should be maintained with care and beyond, so that the presence of representatives of minorities in these structures would not remain a formal presence, invoked in times of balance, but a real participation, effective and efficient in those decisions relating to destinies of the communities which they represent."

Hungarians a period of combative actions and excesses likely to completely prejudice the chances of a final peaceful development and to the benefit of both communities.

The core of the physical confrontations (with the necessary terminology reserve) were the events of 19 March 1990 in Targu Mures[16] triggered against the background of claims mainly relating to an education plan launched by the Hungarians wishing to study in their mother tongue and, therefore, affiliated to the idea of reopening Hungarian schools. In his study on the role of civic organizations in the Romanian-Hungarian reconciliation, Gabriel Andreescu accused Romanian initiatives of the *Vatra Românească* type or of the Romanian Nation Unity Party (PUNR) type as sources of turning discriminatory practices against the Hungarian community into permanent state treatment policy; the instrumentalization of Hungarian claims in the light of an irredentist phenomenon raised the whole of negative meanings attached to their movement, already being accused of intention of ethnic segregation and corruption of the democratic system (of convenience, we say) intended to be implemented. In such conditions, the discrepancy between the reality promoted by the political discourse and the reality in the territory is increasing more and more; in this sense, Gabriel Andreescu said: "The Romanian-Hungarian reconciliation, consistently mentioned in international meetings by the Romanian Government and the President of Romania, in an attempt to show the democratic progress made by Romania, viewed from inside the country, look quite awkward." (Andreescu, 2000: 90)

In a study of public policy for national minorities in Romania, Dan Oprescu identifies three important features relating to state policy on minorities before 1996, namely: "the annexation of national minority organizations, other than those of Hungarians', to the government policy; granting privileges to these organizations, especially by the electoral law (but not exclusively), to provide a certain image abroad of the governing politicians; focusing criticism only on the UDMR's critics, accused of anti-Romanian trends, attitudes and even actions". (Oprescu, 2000: 73)

The activism of the Democratic Union of Hungarians in Romania proved effective, by judging the success recorded in the case of their effective co-opting to governing[17], and especially in the implementation of protective linguistic measures undeniably designed to preserve the Hungarian cultural identity. [18] These remedies employed by the Romanian state to alleviate the democratic deficits, as Levente Salat put it, generated by the existence of minorities, do not necessarily converge towards an improvement of the situation, but rather becomes a game of false compromise: the

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[16] Gabriel Andreescu,"Momente din reconcilierea româno-maghiară. Rolul organizațiilor civice (1989-1999) in Lucian Nastasă, Levente Salat, *op. cit.*, p. 95: "Groups of Hungarians and Romanians (the latter being brought by buses of neighbouring local authorities, armed with bats manufactured only days before) fought in the town's main market. Five people died and hundreds of Romanians and Hungarians were wounded."

[17] Although this measure has certain shortcomings, as stated by Levente Salat in Lucian Nastasă, Levente Salat, *op. cit.*, p. 13: "With reference to the participation of representatives of the Hungarian minority in government, for instance, despite the undeniable positive consequences, one cannot overlook, as Bela Marko noted, that some problems have not been solved in accordance with what is included in the coalition programme. From this point of view, the exercise of the Hungarian minority participation in government will probably end with the conclusion that there are still discrepancies between the level Hungarian minority level of expectation and the availability of the majority."

[18] See the Emergency Order no. 22/97 on modifying Law 69/1991 about the local public administration, and Emergency Order no. 36/1997 on modifying Law 84/1995 of education.

substantive claims systematically pushed by Hungarians are answered with a formal commitment to the pledged cause and a textual rectification (as appropriate) without great practical implications, with consistent display of effects of still existing prejudice.

This radicalization of political discourse, tempered only by the inherent hope of any emerging state to access supra-state regulatory structures for the society and stage of international relations, often manifested in an unequivocal manner, finding in the Hungarian community the irrefutable example of ethnic mobilization against the *dominance system* of the majority (of course, perceived as a distinct light by its members who saw the system as the living expression of unity and social cohesion); this way of interpreting the situation has brought a significant change in the discourse, the Hungarians turning into the main recipient of state chauvinism.

As anyone would expect, this situation did not last enough as to gain a pathological form, the legislative and institutional arrangements provided a development framework that both sides perceived favourably; however, the principles that were used for explaining the *Romanian model* of minorities protection, especially among politicians, come from nationalist rhetoric whose revolutionary character informs about the degree of emancipation and democratization of the Romanian society. Dan Oprescu stated that "from a "culture" of unilateral claims and of conflict, we will have to move to the one of negotiations and compromise; but it is first necessary to clarify our options, to delimit general interests from specific interests." (Oprescu, 2000: 82) Moreover, the establishment of a mutual distrust, fuelled not only by the incompatibility between ethno-political objectives of each party, but rather by the generalized *structures of prejudice* (Levente Salat), bear a major role in stopping the intercommunity dialogue, the resources of collective imaginary being multiple and often difficult, if not impossible to remove.[19]

4. Conclusions

The Romanian society in post-communist period has been deeply influenced by the changes brought by removing the totalitarian communist regime. National minorities are reported to the majority from a different angle. The post-communist modernization and democratization were linked also to this process of assuming a model of management of inter-ethnic and inter-confessional relations, model that was to bring a proper relationship between the majority community (Romanian / Orthodox) and the minority communities. In this context, the legal framework of minority rights has undergone a process of renewal which allows the alignment to the required standards imposed by the European integration process, but also by achieving the goal relating to human rights in Romania. Despite this legal framework, considered to be an ideal one, the Romanian space still has multiple problems awaiting resolution in the future. Challenges and prospects of building a multicultural society require priority solutions on some of the most striking and current issues of managing inter-ethnic relations: the problem of discrimination against Roma and the dispute relating to granting of some form of autonomy to the Hungarian community within the centre of the country. Reducing

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[19] Levente Salat, in his study "Perspectivele minorității maghiare...", p. 169 states the following: "how members of these two communities see themselves and appreciate the ones in the other community has highly important functions in the case of both communities: on the Romanian side, it justifies and reproduces the mobilization towards the imagined threat in which the presence, behaviour and objectives of Hungarians translate, and on the Hungarian side, it justifies and reproduces the distrust in Romanians that inevitably leads to autonomy claims, in the context of which a great part of the interactions could be spared"

discrimination against Roma is proving to be a challenge not only for Romania but also for Europe. These, as well as identifying solutions of compromise regarding the issue of local autonomy, are debate topics requiring attention of both the Romanian authorities and the civil society.

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MINORITIES ISSUE IN CENTRAL EUROPEAN COUNTRIES BEFORE AND AFTER THEIR ACCESSION TO THE EUROPEAN UNION

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Abstract: *The EU integration is an ongoing process, with multiple political, economic, cultural and identity dimensions, which does not stop with the accession of a state. The study analyzes the situation of the minorities from four Central European states, namely the Czech Republic, Slovakia, Poland and Hungary before and after their accession to the EU, on May the 1st 2004. As we may see, these countries passed laws regarding minorities, promoted supporting policies for the minority groups, trying to be compatible with the European norms, especially those promoted by the Council of Europe, OSCE and EU. The countries were chosen because of their specific character, their national policies concerning national minorities, the percent of the minorities and the administrative capacity of the state's institutions. The question we start from is: What is the impact of the enlargement process upon the minority policies in the four Central European states?*

Keywords: *ethnic minority, national minority, minorities' identity, national legislation, integration process, subsidiarity.*

The finalization of the negotiations, accomplishing the three criteria established in 1993 by the Copenhagen summit, was followed, in the case of Central Europe states, by an accommodation period, longer or shorter, depending on the country and its social-political and economic development. The EU integration process of these countries was accompanied by a legislative approach regarding human rights and protection of national and ethnic minorities.

The compatibility of the central European legislations with the EU exigencies was noticed by Günther Verheugen, European Commissioner for Enlargement, in April 2002, months before the Copenhagen European Council (December 2002), which celebrated the EU enlargement strategy towards ten candidate states (Verheugen, 2002).

The aim of this study is to illustrate and analyze the consequences of the dialogue and negotiation between the EU and the four Central Europe states (The Czech Republic, Slovakia, Poland and Hungary) regarding the protection of national and ethnic minorities

and their quantification in national policies. The countries were chosen because of their specific character, their national policies concerning national minorities, the percent of the minorities and the administrative capacity of the state's institutions. As we will see, these countries passed laws regarding minorities, promoted supporting policies for the minority groups, trying to be compatible with the European norms, especially those promoted by the Council of Europe, OSCE and the EU.

The research is structured in two parts: the first one is theoretical: defining the concept of "minority", to have a starting point for understanding the relations between states and minorities in the European context. The second part is focusing on the relations between the EU and the Central Europe states before and after the fall of the communist regimes (study cases: The Czech Republic, Slovakia, Poland and Hungary before and after their accession to the EU, on May the 1st 2004).

I. "Ethnic and National Minorities" – concept, definitions

The study of reference literature shows that it is difficult to give a universally recognized definition of the terms "ethnic minority" or "national minority". Francesco Capotorti, the UN rapporteur, tried to give such a definition in the 70's. According to him, a "national minority" meant:

*"a group numerically inferior to the rest of the population of a country, in a non-dominant position, whose members, submitted to the state, possess, from an ethnic, religious or linguistic point of view, the characteristics that differentiate them from the rest of the population and implicitly manifest a feeling of solidarity which permits the preservation of culture, tradition, religion or language" (*Capotorti, 1991: paragraphe 564).

After the 50's, the Council of Europe defined "national minority" as a group of people that:

*"live on the territory of that state and are its citizens; maintain long-term, solid and permanent connections with that state; manifest distinct ethnic, cultural, religious or linguistic characteristics; are representative enough, although they are numerically inferior to the rest of the population of a state or a region of a state; are motivated in preserving the common identity, including culture, tradition, religion or language" (*Năstase, 1998: 347-353).

If the nation is the expression of the desire of living together, the minority is the expression of the desire of living separately, without melting in the surrounding majority. This implies the analysis of the relations between majority and minority, questioning the assimilation right (Ivan, 2010: 88). The debate goes around the terms of defense and preservation of the identity of minorities and the moral will of the state and the majority to achieve a national integration based on homogeneity.

Professor Camil Mureşanu tried to explain the concept of *minority*, bringing together the terms of *nation* and *nationality*. Defining this term must be the expression of an interdisciplinary approach: politology, sociology, psychology, history, linguistics, ethno-history etc. Usually, the research is influenced by the impact of politics on various actors (Mureşanu, 1995: 124-130).

Psychology emphasized the feeling of opposition between several communities, the social syndrome "us", opposed to "others", the instinct of self-preservation and the elements that form the collective conscience (Mureşanu, 1995: 127-130), together with the study of myths such as "Where from?" and "Which way?" (Ivan, 2010: 88).

Generally, there is confusion between nationality, nation and minority. The nationality, from a political point of view, is an "ethnic homogenous community, living in a state dominated by another ethnic group". It is numerically inferior and has a social and political status legally recognized or "de facto", along with a conscience of its identity. The author believes that without the last two features we cannot speak about nationality, but "ethnic group".

The tensions between the dominant nation and nationality (minority), due to some official measures which endanger the interests of the second one, may lead to a conflict. At this point- says Professor Camel Mureşanu- the nationality gets the meaning of minority, considering that the term has a qualitative signification and not a quantitative one. The minority- according to Professor Mureşanu- "can be any social group whose members feel various inconveniences coming from the dominant group, such as: prejudices, discrimination, segregation, persecution" (Ivan, 2010: 89).

The tensioned relations between majority and minority emphasize several types of behavior of the last one. The behavior of these groups is influenced by culture and a conscience of minority, by their historical tradition, by internal and external political elements, by the interests of their members. One type of behavior is that of an active, military resistance, aiming at a political self-determination, the minority being secessionist. The second type is that of reversing the political equilibrium of the state, when the minority can be defined as militant or hegemonic.

The Hungarian politologist, Csaba G. Kiss, considers that in Central and Eastern Europe, "in the area situated between Germany and the Russian territories", there is a special type of minorities.

He believes that these minorities are called "national minorities" (nemzeti kissebbségek, národná menšina, national minorities, minorités nationales) and a distinction must be drawn between them and the ethnic minorities from Western Europe (Kiss, 1993: 178-179). The historical evolution in this region- says the Hungarian author- prevented the "creation of national states based on the superposition of state and nation".

Referring to the history of ideas, Csaba G. Kiss considers that in the above-mentioned area acted "a combination of two interpretive structures of the European notion of nation, the nation as state (the French tradition), on one hand, and the nation seen as a cultural and linguistic unity (the German tradition), on the other hand". Every nationality of the region tried to impose the "unitary national state" (Ivan, 2010: 89), having a discriminatory policy against minorities.

The ethnic minorities from Central and Eastern Europe, unlike the Western ones, have a solid national conscience (based on the identical national mythology, having the same historical and cultural heritage as the homeland) and being close to the homeland. These communities have a common language, and became, in some areas, absolute or relative majorities, claiming their right to participate in political life.

Taking into consideration all this definitions for the terms "national and ethnic minorities" and a lot of others that are in the reference literature, we can sum up that all of them are good, but to draw the whole picture we need not only the definitions but also the instruments and politics that are influencing the relation between state-majority and minorities. One must emphases on the integration process of minorities, with examples for positive forms of manifestation, affirmative policies, cultural and religious autonomy.

Minorities issue in the rapports between the European Union and the Central European Countries

After the fall of communism in Central Europe states, the matter of minorities and inter-ethnic conflicts constituted one of the challenges of the political regimes from the area.

Having been kept under control by the communist regimes, the inter-ethnic conflicts rapidly extended in the early 90's in Central Europe, in the Balkan states and in the Caucasus Area, their management involving European organizations such as the Council of Europe, the OSCE, NATO, and the European Union. The interest in the ethnic and national minorities from the median European area was older in the case of the EU. The relations between the EU and the countries from Central Europe were preceded by those of the European Community with the member countries of the Council for Mutual Economic Assistance (CMEA[1]).

In 1972, the Community refused to sign a trading agreement with the Council for Mutual Economic Assistance (CMEA), which was found under the hegemony of the Soviet Union, preferring bilateral agreements with the member states of the group. The discussions lasted for several years due to the fact that fundamental human rights were frequently violated by the communist regimes from the area.

The discussions between the European Community and the CMEA were resumed after the election of Mikhail Gorbachev, so that, after 1988, we can determine the establishment of some official relationships between the two organizations. The joint declaration, signed in 1988, did not exclude the bilateral relations between the European Community and the Central and Eastern European countries, being a first step towards the 'first generation' agreements. At first, they were signed together with Poland and Hungary (OJ, 1989: L.1 and OJ, 1988: L 327). They referred, right from the preamble, to the fundamental human rights and the protection of minorities, which was another proof of the importance given by the Community to the enforcement of the Helsinki Final Act (1975). Moreover, the negotiations with the other communist countries were conditioned by the respecting of fundamental rights, including those of minorities. For example, the negotiations started in April 1989 with Bulgaria were suspended a month later due to the violation of the linguistic and religious rights of the Turkish minorities found in this country (Pentassuglia, 2001: 9-10 and Vermeersch, 2003: 1-31).

Nevertheless, at this stage the defense of minority rights did not constitute a purpose in itself for the European Community (EC) and they did not lead to the annulment of the trading agreements with the communist states.

However, after the dissolution of the communist regimes, the EC linked the consolidation mechanisms of democracies and the economic transformations from these countries with the principles of stability. The fundamental human rights and the protection of minorities will be, starting with this period, reflected by the community documents, so that art.49 (e.g. Art. O) of the TEU expressly stipulated fundamental human rights as being among the conditions necessary for accession. These are found as well, among the accession criteria established by the European Council in Copenhagen[2].

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[1] Council for Mutual Economic Assistance (CMEA) was an organization created by the Soviets as a response to the Common Market.

[2] The **European Council in Copenhagen (1993)** established a set of accession criterias (known as **the Copenhagen Criterias**), such as: stability of institutions guaranteeing democracy, the rule of law, human rights and respect for and protection of minorities; the existence of a functioning market economy as well as the capacity to cope with competitive pressure and market forces

An addition to this, is the *Commission's Opinion* regarding each candidate country, a document which appealed to more sources of information like the responses given by the competent authorities on the basis of questionnaires, bilateral meetings, reports from the embassies of the member states and of the Commission delegates, analyses provided by international organizations (the Council of Europe, OSCE, NATO and so on), NGO's. In the Commission's 'Opinions' there was a particular chapter suggestively entitled *"The Rights and Protection of Minorities"*, in which the linguistic, educational, political and social discrimination of Hungarian minorities in Slovakia and Romania, of Russians in the Baltic countries and of the Roma minorities in Central Europe were presented and analyzed.

Reference to the status of minorities appeared as well in *treaties of association to the European Union* (European agreements), in cooperation agreements with former Soviet republics, in state reports, in documents elaborated by the Commission starting from 1998 for each candidate country (Sasse, 2004: 6-16).

These countries referred to the respecting of fundamental human rights as they were mentioned in the Helsinki Final Act (1975) and in the Paris Charter for a New Europe (1990). The latter document, considered that the rights of persons belonging to national minorities had to be fully respected as part of the universal human rights. According to it, "*persons belonging to national minorities*" must benefit from the preservation and growth of their ethnic, cultural, linguistic and religious identities. Moreover, the states have the obligation to offer all necessary conditions for the promotion of minority identities. Between 1992 and 1997, a lot of small-scale projects carried out by different NGO's, included serious analysis of the problem of minorities. Encouraged by the success of these small-scale projects, the Community promoted large-scale projects in collaboration with the Council of Europe having as a purpose the creation of an institutional system of protection of the minorities from Central and Eastern Europe (COM, 1996: 672 final.26).

A special role in the matter of minorities was played by the "*Stability Pact*", whose purpose was to promote peace and stability in Eastern Europe. This was an instrument of the European Union oriented towards candidate countries. It was decided in the December 1993 European Council in Brussels and launched through the Paris Conference for the Stability Pact, held in 1994. On this occasion both the connection between the measures to prevent conflict and the resolving of the minority issues and the need for agreements between states which were directly interested were underlined.

Thus, two regional round-tables were set up, one for the Baltic countries and one for the six countries from Central Europe (Bulgaria, the Czech Republic, Hungary, Poland, Romania, Slovakia). The pact was signed in Paris in 1995, by the delegates of the member states of the OSCE. This is a political document and not a juridical one. It contains the Paris declaration *per se* and a list of agreements and declarations from the Central and Eastern European states regarding the protection of minorities (the Treaty between Slovakia and Hungary from March 19th 1995 was included)[3] (Pentassuglia, 2001: 18).

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within the Union; and the ability to take on the obligations of membership including adherence to the aims of political, economic & monetary union.

[3] **The 'Stability Pact'** will be extended in 1999 to the Western Balkan area as well, after the escaladation of the Kosovo war, no wander that stability in Kosovo was one of it's primary goals. In 2008 it was replaced by Regional Cooperation Council-a more regionally owned structure than the Stability Pact wich was driven more by its outside partners, like EU.

As the issue of human rights was incorporated by the European Court of Justice, there was an increased interest in the question of the minority rights within the Community law. The legal basis was to be found even in the Maastricht Treaty, according to which (art. 151 TEU, which replaced art.128 of TEC) the role of the Community in the flourishing of the culture of the Member States was specified, by respecting their national and regional diversity.

The Amsterdam Treaty (signed in 1997, entered into force in 1999) amended this article stating that the respect for national and regional diversity takes into account the common cultural heritage, so that the Union should respect and promote the cultural diversity of the Member States. Within the text of the Amsterdam Treaty Article 13 (ex article 6a from TEC) was introduced, through which the Community was called upon to fight, under certain circumstances, discrimination on ethnic, racial and religious bases (Pentassuglia, 2001: 6-8).

The Directive of the Council of Ministers, June 29, 2000 also referred to "the principle of equal treatment between persons of different racial and ethnic origin" (Council Directive 2000/43/EC).

References to the right of minorities are encountered both in the *Charter of Fundamental Rights in the European Union* and in the *Constitutional Treaty*, although the Hungarian proposals within the European Convention regarding the introduction of a special chapter for minorities and the founding of the *European Institute for National Minorities* did not receive the support of the other delegates. Their argument started from the concept of *European citizenship,* which establishes precise obligations and rights for all EU inhabitants. Moreover, the rejection of this proposal revealed once more the lack of consensus between member and candidate countries regarding the matter of minorities.

The solving of the problem of national and ethnic minorities in Central Europe has gained ground along with the advance of *regional integration policy*. The principle of subsidiarity, together with the growing role of the *Committee of the Regions* and of the local and regional communities in the United Europe have offered new possibilities for treating the minority issue in the European dimension of security.

The initiative of the Congress of Local and Regional Authorities of Europe, under the patronage of the Council of Europe, have been increasingly appreciated by the countries of central and South Eastern areas of the continent (The Project of Federalism Statement, Regionalism, Local Autonomy and Minorities, Cividale del Friuli, 24 to 26th October 1996).

The most recent document that refers, to the "rights of persons belonging to minorities" and not to the rights of minorities, in general, is the Treaty of Lisbon, Article 1 a, referring to the values of the Union, stipulates that:

"The Union is established on the values of respecting human dignity, freedom, democracy, equality, the rule of the law, and on the respect of human rights, including the rights of persons belonging to minorities" (Lisbon Treaty, Article 1 a).

Conditionings imposed by the EU have definitely influenced the dialogue between states and minorities in various aspects related to the protection of their identity. Nowadays one could even talk about a central european model, a potential starting point for common European policies.

II. Case Studies: Minority Policies in Poland, Hungary, the Czech Republic and Slovakia

From the very beginning, one can notice that the legislation regarding minorities in this four states has been changed due to the conditions of the EU accession, established in Copenhagen (1993). These policies are part of the EU's enlargement strategies towards these countries (Hughes, Sasse, 2003: 1-2), even if some states like Hungary or Poland adopted minority protection measures even before 1989.

Even if minority issues are similar in these countries, there are certain differences, marked even by their percentage in one country or in the other or by the role their "mother-countries" play in the dialogue with the states of residence.

The case of Poland

According to the 2002 census, 1.23% of Poland's population declared itself as belonging to national or ethnic minorities out of which 147,094 were Germans, 47, 640 Belarus, 27,172 Ukrainians, 12,731 Roma (according to Ministry of Interior and Administration, 2005) and so on. According to the same census, 97.8% of them declared that they speak Polish at home. The rights regarding the equality of all citizens in front of the law, equal access to public services, the right to complain against discrimination at a Constitutional Court were provided by the Polish Constitution of 1997. The minorities also benefit from the right to learn, to have publications and to use their mother tongue in administration.

Although the polish administration tried to make the law compatible with the international norms on the protection of national minorities, it was not until 2005 that Poland has adopted a law on national minorities.

The legislative projects proposed, starting with 1998, by The Ethnic and National Minorities Committee, were gradually rejected by the Polish parliaments and governments in the above-mentioned period. The proposals of the minorities contained provisions directed against discrimination and assimilation. They were pointing to establishing a *Council of National Minorities Affairs*, responsible for implementing the field- related policies, such as an increased usage of the language of the minority in the public sphere in areas inhabited by a consistent minority group. The Government rejected the project belonging to the *Committee of the Minorities* in May 2002, arguing that it does not respond to fundamental issues such as specifying the criteria of belonging to a national or ethnic minority or the conditions required in order to activate the minorities' protection provisions regarding the use of the language, specific to the minority group.

A law on minorities in Poland, *The Regional Language, National and Ethnic Minorities Act*, was adopted in 2005, after this country's accession to the European Union. According to the above-mentioned document, national minority is defined as a large group fighting to preserve their language, culture and traditions. In order to be a national minority, that group is part of a specific mother nation that is organized in a state of its own. A law about minorities in Poland passed after its accession to the European Union in 2004. There were nine national minorities acknowlegded as such, namely: Belorussians, Czechs, Lithuanians, Germans, Armenians, Russians, Slovaks, Ukrainians, Jews and four ethnic minorities: Karaites, Lemke, Roma and Tatars. The law also introduced a separate category, that of regional language, kashubian; the kashub group is qualified by a parliamentary committee as a distinct language group.

According to the new law, the individual minority members have the right to write their first name and surname precisely in accordance with the spelling of their own

language and use it as such in public and private life. At the level of local administrative units, minorities have the right to use their language in public offices and in the names of the localities, if they form at least 20 % of the population; the denominations used by Nazi Germany and the Soviet Union between 1933-1945 are considered exceptions. Likewise, the minorities enjoy the support of the authorities in cultural and educational domains.

An important part of the law refers to setting up a *Common Commission of the Government and National and Ethnic Minorities* (subordinated to the Prime Minister), designed to act as the main consultative governamental body in terms of minority issues; it also includes representatives of minorities in question.

The complicated and delayed development of minority policies in Poland in the latest decade is due to some factors that include (Rechel, 2009: 168): the legacy of the World War II and of communism, the complexity of minorities' activist actions or the strict evaluation of the European Union concerning Poland's progress in the realm of minority protection before its accession, as well as the role of other international actors.

Poland has opted for not applying the electoral threshold (of 5%) in the case of the minorities, thus stimulating the representation on a central level. In other countries from the region, such as Romania and Slovenia, there are seats reserved for minorities in the Parliaments, if their parties do not reach the threshold of 5%. Other countries in the area have registred an important progress in this respect, by developing minority self-governments, thus allowing not only the participation of the minorities in the process of decision-making, but also the possibility of controlling their own life (e.g. Hungary).

The case of Hungary

Hungary has a population of 1.000.873 inhabitants (according to a 2010 report of the World Bank) out of which 314.059 (3,04%) inhabitants belong to national minorities. Among them there are 190.046 Roma, 62.233 Germans, 17.692 Slovakians, 15.620 Croatians, 7995 Romanians(World Bank Report 2010) .

The first legislative measures were taken in December of 1988 and January of 1989, when the legislation regarding the right to association and reunion was adopted. This undergoing continued, in October of 1989, through the adoption of an amendment to the Hungarian Constitution (Amendment No. XXXI, 1989). According to this amendment, minorities benefitted from the right to culture, religion and the possibility of using their mother-tongue. Article 68 from the 1990 Constitution underlined as well the fact that the ethnic and national minorities found on the territory of Hungary were a constitutive part of the Hungarian state (paragraph 1). It was stipulated as well that ethnic and national minorities benefitted from the right to be politically represented, to form national and local assemblies for self-governance (paragraph 4) (The Hungarian Constitution www.hungarian-constitution.hu).

The New Constitution provided as well for both the introduction of a parliamentary commissionar for the rights of ethnic and national minorities (Art. 32 B, paragraph 2) and the institution of the People's Advocate. All these legislative changes led, in 1993, to the promulgation of a Minority Law. This brought additions regarding minority rights and especially regarding those related to the election of representatives in Parliament and the education in one's mother-tongue. Beside the 4 nationalities recognised before 1993, like Germans, Slovakians, Romanians and Southerns Slavs (in order to be recognised as nationalities, ethnic groups had to have 10.000 members), the law recognised 9 more ethnicities. The recognition criterion was based on the long history of the ethnicity spent on the Hungarian territory, a minimum of 100 years. The law made

the minority self-governing system possible based on cultural criteria, minorities being able to use their symbolic identity alongside the official one.

The novelty element brought by Hungary is represented by the self-governing system of minorities. This system provides the possibility of founding them on two levels of the local administration: either within the local administration or within independent organisations found alongside local authorities. The role of self-government is that of representing minorities and of promoting the interests of their own community in relatuion to public authorities.

The self-governing systems can take certain decisions on a local level, as would be the founding of educational or mass-media institutions, the display of signs and names specific to the community. They can intervene, as well, in the elaboration of educational materials meant for minorities. They have a word to say in the elaboration of the legislation regarding the protection of historical monuments; therefore they have veto power in local educational problems, mass-media, the collective use of the language (Eiler, Kovács, 2003) and so on. One of the problems regarding the implementation of this politics is the fact that, due to the voting system, the forming of self-governing systems can become a niche for a perverted form of the representative process: that of *ethno-business*.

Unlike the Hungarian system, in Croatia the legislation stipulates the forming of minority councils, both nationally and locally, municipally. On a local level, these councils can form autonomous types of governing, with a constitutive role, there were the population surpasses 15 % (Căluşer, 2008: 43).

However, we believe that the example of Hungary is not the most convincing one regarding the problem of minorities. The breaking out of some inter-ethnic conflicts on the territory of this state is almost impossible, considering the small number of ethnic or national minorities.

The attempts made by Hungary in establishing a status for the Hungarians who are abroad, beside the fact that they contradict the European and international legislation (see the European Commission for Democracy and Right-Venice), could be a source of conflict with the neighbouring countries (Zoltán, 2003: 3). The Recommendations of the Venice Commission regarding the respect towards the territorial sovereignty of the states and the signed treaties is a warning for Hungary. 'The mother-country' can only offer cultural and educational support to its co-nationals from other countries, without violating the sovereign rights of their state of residence.

As a conclusion, we can mention that up to date, in the literature on minority rights, Hungary is given as a positive example.

The case of the Czech Republic

In 1993 Czechoslovakia split and, as a result, two republics emerged, namely the Czech Republic and the Slovak Republic. The Czech Republic covers an area of 78866 sq.km. and has 10525090 inhabitants (according to the World Bank, 2010). Out of these people, 180000 are Slovak, 150000-200000 are Roma; there are also under 100000 Poles, approximately 40000 Germans, 10000 Hungarians (out of which only 4000 recognize this ethnic affiliation), 5000 Ukrainians, under 5000 Russians (their number has fluctuated depending on historical context- the Nazi occupation, the set-up of the communist regime, the dissolution of the socialis regime in Czechoslovakia). There is also a smaller number of Bulgarians, Greeks and so on (Czech Republik, www.angelfire.com/journal/ republica/czen.html). In terms of percentage of minority populations, one can notice that the Czech Republic is in the category of the states with minorities representing less than

10% of the population. The same category includes Poland and Slovenia, while in Slovakia and Hungary minorities represent between 10 and 20% of the population.

According to the law on national and ethnic minorities (Minority Law) - came into force on 2 August 2001(Rechel, 2009: 92-99) - a national minority is:

a community of citizens of the Czech Republic that lives on the actual territory of the Czech Republic, having common ethnic origin and sharing language, culture and common traditions.

As one can notice from the statistics presented above, the Slovaks form the most consistent minority from a numerical point of wiev and probably also the minority that raises the greatest questions in the relations among state, majority and minority. The Slovaks came to Bohemia in the 18th century to study and remained there. Their number grew consistently after 1918, due to the influx of labour force from Slovakia's poorer areas to the industrial regions Moravia and Bohemia. The Slovaks settled down primarily in the urban areas. The peaceful dissolution of Czechoslovakia in 1993 found them in these regions, acquiring the status of national minority. They speak a language similar to the one of the majority, which enables them to easily get assimilated by the Czechs, despite the fact that they have their own schools and publications funded by the Czech Republic.

The relations of the Czech state with its national minorities were included in the *Law on National Minorities* (2001).

The Cezch Republic is signatory of the Framework Convention for the Protection of National Minorities (December 18, 1997) and of the Charter of Minority Languages (November 15, 2006). Article 25 of the Charter guarantees education in the minority's mother tongue at kindergarten and secondary school if the minority under discussion is sufficiently large and has enough pupils to create a class (at least 8 for preschool, 10 for primary school and minimum 12 for secondary school) (U.S. English Foundation Research, 2010) This right is fully used only in case of the Poles.

The Czech census in 2001 showed that approximately 10% of the Czech citizens considered themselves non-Czechs, out of which, the Moravians constituted the widest group, approximately 380000, but since they were not a separate language group, they could not be considered a national minority, according to the Law in 2001 (Veermesch, 2003: 11).

The case of Slovakia

Slovakia is a smaller republic as compared to the Czech Republic or to other Central European states, both in terms of area (48845 sq.km.) and in terms of inhabitants. It has 5.3 million inhabitants, out of which 14.3% declare themselves as belonging to other ethnic groups. The census in 1991 registered 11 national minorities. The greatest minority, both from a numerical point of view and taking into consideration the most consistent impact in their relations with the state and the Slovak majority, is the Hungarian one, with 8.5%; next, at a considerabile distance, follows the Roma minority (1.6 %), Ukrainians and Ruthenians (0.3%) (Slovakia-Quick Facts).

Some Hungarian and occidental statistics mention round 700000 Hungarians (13.2%) and from 350000 up to 520000 Roma (a percentage of approximately 6.5-9.7%) (Daftary, Gal, 2000: 12).

The relations between the Slovak state and its minorities have definitely influenced its efforts of accession to NATO and of European integration. An argument in this respect is the treaty signed in 1995 with Hungary, which further allowed the two countries not only to join NATO, but also to clarify, to a great extent, the Hungarian

minority issue. Since 1990, Slovakia's relations with the Hungarian minority have experienced periods of both tension and cohabitation.

In 1998, Slovakia ratified the Framework Convention for the Protection of National Minorities. So, after a period rather dominated by the specific nationalism of a new country, emphasized by the lack of laws on national minorities, political maturity was achieved in 1998 and then in 1999.

As a result of the Government Decision No. 292/1999, *the National Council for Minorities and Ethnic Groups* was set up, with an advisory role. The Council also has initiative and cooperation functions within the government for national minorities. Also within the same government activates a department for minority development in terms of human rights, nationality and regional development.

In 1998 the governmental coalition led by Mikulas Dzurinda included among its members one of the three Hungarian parties in Slovakia, the Party of the Hungarian Coalition. The position of the deputy prime minister responsible for human rights and minority protection was held by a Hungarian. The result of this cohabitation was the law for using the minority languages, enacted on 10 July 1999. This piece of legislation also included the observation of the OSCE's High Commissioner on National Minorities (Kopanic, 1999: 1).

It is interesting to compare the Hungarian minority in Slovakia with the one in Romania, these two countries having the highest percentage of citizens of Hungarian ethnicity. Whereas in Romania the political expression of the Hungarian minority, the Democratic Union of Hungarians in Romania, has almost always ruled together with the winning party or alliance since the fall of the communist regime, in Slovakia the party representing the Hungarian community, the Party of the Hungarian Coalition only governed twice, between 1998-2002 and then between 2002-2006 (www.mkp.sk:1). An opening of the civil society and of the political environment towards minorities' political groupings can be noticed.

New on the Slovak political stage is the Most-Híd party (*bridge* in Hungarian and Slovak), a hybrid party composed of both Hungarians and Slovaks. This succeeded in attracting the Hungarian electorate and also a part of the Slovak voters, receiving more than 11% in 2010. Hence, it could join the government, with a political programme based on social justice, minority rights and a better management of public fund (The Political Programme of Most-Híd). This political set-up seems to have found the necessary bond to bring together Hungarian and the Slovak communities, toward a prosperous future for both groups under discussion.

This form of political participation has been supported and encouraged by the EU forums, which justifies the system's wide spread (Hughes and Sasse, 2003: 8). The positive effects of this policy are rather presumed than researched, since only in few cases does an evaluation of the minority parties' participation in government exist (Robotin and Salat, 2003, Kántor and Bárdi, 2003).

A moment of tension between the Slovak majority (especially in the Slovak political environment) and the Hungarian minority appeared with the law that allowed the ethnic Hungarians outside Hungary to acquire Hungarian citizenship. Should one draw a parallel to the situation in Romania, where this law was enacted on January, 1, 2011 and no turbulences appeared (also due to the fact that the Hungarian Party, was a constituent of the government), it can be observed that in Slovakia the Parliament passed a law according to which accepting another citizenship automatically implied the loss of the

Slovak one. In Slovakia this law was perceived as a security issue, since it could generate some passions that surpass the rational comprehension spectrum.

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The Copenhagen criterias, all along with the conditionings brought about by them - having to do with the accesion of Hungary, Poland, Slovakia and the Czeck Republic to the EU and with them being monitored by the European institutions, mainly by the European Comission - have played an important role in setting up the policies for protecting minority rights.

The adoption of some national laws within the above-mentioned domain was mainly based on the principle of *cultural autonomy,* so indispensable to conserving the identity of the minorities, aspect which determined the four states to take part in the rationals of multilevel governance in EU even before their accession. The basic element of this governance is the principle of subsidiarity.

In this respect, we may conclude that the law regarding minorities has made its effects visible in the debates about the decissional process in EU. Moreover, the fact that some regional and local institutions have stated their position in the decision-taking process in these states is the consequence of an efficient dialogue among the local and the governamental institutions, including the civil society, as well.

The EU's documents connected to this issue are influenced by the normative framework of the European Council and of other international organisations. They contain principles stating protection against discrimination and against differences on ethnic, religious and lingustic criteria. It is only the candidate states that have been monitorised in this respect, aspect which led some analysts into criticising the *double European standard* concerning the minority question.

Despite all these, the conditionings imposed by the EU have contributed to the respect of the European states for the law in use, to a permanent dialogue, to cooperation and mutual support regarding their integration into the Euroatlantic structures.

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MIGRATION AND SECURITY - ECONOMIC AND SOCIETAL DIMENSIONS

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Abstract: *Migration has always accompanied the evolution of humanity. Nowadays, considering the global dynamics, it has acquired new meanings, new dimensions and, obviously, its importance should be reassessed. In these circumstances, understanding migration requires deepening the research of its implications to the destination societies and an integrated, multidisciplinary approach.*

A long period migration was investigated from a historical, sociological or humanitarian perspective. However, the global economic integration, the dynamics of international interests and the flexibility of the new economic mechanisms have brought into attention the relation between migration and economy. Therefore, combining economic, social and strategic approaches, the theoretical and scientific view on migration establishes new areas of study, new socio-economic theories.

This paper aims to investigate the relation between migration and security from economic and societal perspectives by making a brief analysis of migration impacts on the host countries. In the same time, all of these impacts are considered subordinated to the necessity of an optimal and stable security environment while achieving an effective management of diversity.

Keywords: *Migration, security, economy, society, diversity management*

The development of the humanity, the evolution towards the integration in the society has represented dynamics that constitute high interest point both for analysts and for the globalization theorists. The complexity of the phenomenon made every component, every vector that influences the integration process at supra national level to be investigated and analyzed from multiple perspectives.

One of these components is migration, especially the international migration, both as a vector of globalization and, especially, as a facilitating element of some important interactions at the level of the national societies or, more visible, at the level of the local communities.

The evolution of the "migration" subject is an interesting one at the level of the theoretical approach and at the level of the national and supra national policies designed to control and to regulate the migration flows.

Migration between theory and practice

As underlined above, the research, but especially, the understanding of the concept of migration and of its implication on the society, has to consider that a big part of

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the specialized literature sees that such an initiative is practically impossible to accomplish, without considering that the phenomenon is one of the globalization vectors.

In this regard, the theorists' opinions in the migration area and its impacts – Castles, Borjas, Zolberg, etc.- are unanimous associating the migration with the global evolutions both from economic point of view and, especially, from social point of view, considering that the cultural impact is a very important feature in this respect. In this respect, not only the migration represents one of the main causes of multiculturalism but, more than that, the economic implications - both as losses and as benefits - are analyzed and presented in the context of creating and consolidating the global society. Thus, the human migration encourages other sorts of migration due to the fact that, in essence, we talk about the migration of the labor force, determining the migration of capital, the globalization of the economic interests and the cultural globalization. In this perspective, the concept of "digital village" circulated and dedicated by the specialized literature is becoming one of the new dimensions of the relation migration-globalization (Lessem and Schieffer, 2009: 113)[1]

All these approaches have led to some well founded theories designed to identify and foresee different types of migrations, to explain the economic impacts on the states of origin and destination as well as to substantiate and analyze the impacts of the immigrants on the societies of insertion.

Thus, a series of analyses and studies regarding the migration presents its impact on the states-of origin and destination-from an economic perspective, adapting the economic neoclassical theory in terms of motivation of the migration, explaining that the unfavorable economic factors force the individuals to migrate to more attractive areas from this perspective (Cervone, 2012: 8).

Another approach, the transnationalist theory- as consolidated and developed by Castles and Miller- is based on the elements of the migrant flows, and it brings on the attention the genesis of the ethno-cultural groups and the dynamics of the intra communitarian interactions set on the relation minority-majority and considering the background of multicultural communities (Castles and Miller, 2009: 36). This does not exclude the economic theory of migration but it comes to compensate the study framework of the impacts of the migration with the social-cultural component.

In this approach, the impact of migration on the intra communitarian relations, on the society, in its whole, is a more and more actual and complex subject. Concretely, from the perspective of the dynamics of the security environment in the contemporary society, it is impossible to oversee that the migration influences both the status of the relationships within the society of insertion and its capacity of interaction and adaptation from the economic, social and cultural point of view. This is even more obvious when, as a vector of globalization, migration causes real clashes of civilization, the task of their management being mainly the communities' responsibility and, subsidiary, that of governments, the results of these efforts and of the waste of resources being able to indicate the degree of tolerance of the community and that of the integration of the ethno-cultural groups, as direct results of the migration flows. In these circumstances, it can be said that a new theory is being outlined here, a theory focused on the management of diversity, on promoting a new inclusive and intercultural society, beneficiary of a stable security environment.

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[1] Even though the concept was developed in relation with the post industrialist theory, it is more used to explain the cultrurasl interactions and their impacts on the transformation of communities

Such a theory, which can be seen as a constructivist approach, is based on the societal security considering the background of community dynamics and the permanent changes and intercultural adaptations. It practically comes to complete and to combine the aspects set and developed by the previous theories but, in the same time it also contains certain and obvious applicative, practical component facilitating the elaboration and implementation processes of the public policies destined for the community management.

Migration and security-conceptual aspects

From a traditionalist perspective, the relation security-migration could seem less justified, considering that, for most of the times the debates over security have been associated to the military area and the so called symmetrical conflicts, characterized by respecting certain rules of engagement that have governed these types of confrontations.

With all these, the relation has permanently accompanied the evolution of the human society all along history, as one of the catalysts of the transition processes from a type of society to another. This argument is supported by two fundamental approaches.

First, the migration as a phenomenon has accompanied the humanity in its evolution, by influencing in a very deeply and decisive manner the birth of the modern world as we know it today. Also, the migration has led to the attenuation of the cultural differences and of perception in different areas situated not until long ago on almost irreconcilable positions, both from the cultural and the identity point of view, leading this way to the birth and development of a supra national conscience, mostly regional and sometimes global. Moreover, migration implies a multitude of forms and meanings, depending of the perspective of the theoretical approach, of the relation of the migratory flows with the societies of destination or of the causes on which these flows are based on.

A second approach takes into consideration the complexity of security as concept and as condition. Security is a dynamic concept that implies different aspects, from the cultural ones, to economical, social and military ones. The evolution of the society, the new risks at the address of humanity exceed the military domain. The interconnection of the domains and their components lead to a multidimensional and simultaneous approach of the issue linked with the evolution of the humanity at a global level. In the context of globalization, the national and regional issues become global; they have an impact on the entire international community. In this perspective, it can be said that security is a complex and controversial term filled with feelings and very deep values. It is susceptible of many approaches, at many levels, involving different actors, from individuals, to states and corporations, from society elements, policies and issues that target unconventional interactions or the protection and promotion of certain values and interests.

Whether we talk about theoretical or applied approaches, according with the new global socio-economic environment, security had an interesting evolution.

The neorealists, such as Kenneth Waltz, introduce the theme of security in the centre of the state behavior in an anarchical political system, stating that "in anarchy, the security is the supreme target (...) the system's target which encourages the state's searches is security (Waltz and Art, 1983: 45)". This approach only realizes a transposition in socio-state plan of the concept of individual security identified with a behavior model, and also a possible universal condition for the human's internal and external harmony. The individual's defense of what can harm his physical and mental health, his evolution from a being with necessities and neuro - physiological functions to an educated, trained, scholar being, is inevitably conditioned by the manifestation of the other elements of his species (Vlădoiu, 2005: 55).

The security is, in the end, the state of normality that facilitates the society's development, progress and evolution. Starting from the individual as a standard, as a beneficiary of the security, as a landmark of the needs of an optimum environment of security, the other superior levels always resort to the foundation, the individual, the community. More and more, in the last decade, are being established increasingly more approaches of the concept of security, to multiple dimensions. Perhaps, more actual than ever, the concept of economic security gets in the present, new approaches, new connotations and new perspectives.

As a conclusion towards those shown until this point, it can be said that at the base of the security theories lies the protection of the own interests and the capacity to react at threats (Kolodziej, 2007: 161). In such a manner that the actors of these processes perceive the threats under more dimensions, which leads to the calibration and the urge of the mechanisms of security. In these conditions, from the perspective of this analysis, at theoretical level, the migration produces effects towards security on different layers: economic security, social security, human security and national security.

Migration and security – economic aspects

According to our argument, the economic security can be seen as a state of relative equilibrium at the community, national or regional level, meant to sustain the existence and the humanity's progress. The humanist implications are obvious in this definition considering that, human security refers to facilitating the society's and the individual's development. From this perspective, the economic security can be considered as a dimension of human security. Nevertheless, the concept is more complex. Besides the subjective elements, it contains a series of economic indicators whose equilibrium or dynamics influences not only the individual security but the national and regional one.

In these conditions, as a factor that determines dynamics at the economic level of a state, the analyze of the relation migration-security can only underline the component of economic security, established, practically, on all the economic impacts of the migration taking into account the fact that, at this level, the role of the state is an essential one.

When we talk about the implications of the migration towards the economic security, it must be considered the fact that most of the times the migrants are perceived as labor force but also as beneficiaries and sustainers of the social security systems, in terms of social support but also as tax payers.

So, in relation with the societies of destination, the first and the most important aspect takes into consideration the reporting of the migrant flows with the dynamics of the labor force. From this perspective there must be considered the equilibriums on the labor market, the impacts on the unemployment rate and the coverage over the eventual deficits on different components of the labor market – such as the necessity of covering the deficit of unqualified labor force or, on the contrary, high qualified labor force.

In these conditions, we can identify more dimensions regarding the impact of migration over the economy and, by extrapolating, from the point of view of the economic security. These dimensions consider the impacts on the wages, the effects on the public finances, the costs associated to the frontier control and the impacts on the labor force dynamics from a demographic perspective.

One reason of concern during the debates regarding the policies on immigration is represented by the impact of this phenomenon on the communities within the destination states. One argument, more and more common in favor of a restrictive legislation in the domain of immigration is that the foreign workers take the jobs of the local population or,

in another approach, that a higher competition on the labor market in the conditions in which the labor force is increased through immigration will put more pressure over the incomes and will increase the unemployment rate (Cahuc and Zylberberg, 2004: 607-611), becoming in the same time a burden for the social system.

In these conditions, it is essential to underline the fact that the force and intensity of the immigrants' impact over the labor market are influenced by three factors. A first one refers at the degree of interaction of immigrants with the local workers. The analyze of this aspect is more and more mandatory because immigrants usually take jobs normally refused by local workers, or in order to establish the implications over the labor market in general, we must admit the fact that the two social categories must interact effectively, with other words, the immigrants must represent competition for the local workers, owing and offering a competitive level of professional qualification. A part of the specialized literature considers that these circumstances are hard to be met as long as, at the same wage level, the immigrants target the jobs refused by the local workers or, in any case, for which the offer is smaller. Otherwise, many countries within OCDE accept at a certain extent the illegal immigration just in order to exploit the labor force in areas with a lower occupation rate and in which the demand of labor force is important (Hillman and Weiss, 1999: 585-604).

A second factor refers at the level of qualification of immigrants in comparison with that of the locals and also their specialization. It must be said that, in this situation, we are facing some different situations from country to country, both in which the degree of immigrants' qualification is concerned and also the demand for certain qualifications. When the competition between the two categories of workers is located at the level of those with inferior qualification, such as the USA case (Borjas, 1999: 299), the effects are negative over the local labor force which is in the competition. On the other hand, there is a possibility that the immigrants with inferior qualification don't have a negative impact over the domains of activity they target. According to our perspective, the negative effects of immigration, especially regarding the wage level, lead most of the times at the situation in which the local workers leave this sector of activity for another and, also, other workers of this kind would refuse to enter into competition in those domains. The dynamic of evolution of these domains, can also contribute to a decision of the employers, of the demand carriers to supplement the number of jobs in these domains with low level of wages while in the other sectors with an unchanged level of wages they can decide to reduce the number of those jobs.

The third factor takes into consideration the possibility that immigration contributes to a decrease of the wages level of the workers with inferior qualification but at, considered at a macro level, the level of wages is not affected or is actually positively affected. The increases of the demand for the main consume goods due to the immigrants with small wages leads to a decrease of their prices and, implicitly, to an increase of the real wage. This is one of the reasons why most of the studies on the impact of immigration conclude that the effects are small or don't affect the general level. Thus, at the US level, the studies the studies did not reveal the negative effects over the level of employment of the local labor force (Friedberg and Hunt, 1995: 23-44). Moreover, a report based on the data obtained in the states with a developed economy at the OCDE level concludes that, while the effects over the states of origin are relevant, the impact over the unemployment rate in the states of destination is insignificant (Coppel, Dumont and Visco, 2001: 20). So, even though the geographic area is varied, the methodologies of studies are different and also the data used in this regard, the conclusions tend to coincide when referring at the

reduced effects of the immigration over the level of wages and over the employment rate. In order to give another example in this sense, a study effectuated in 1995 reveals that an increase with 10 % of the number of immigrant can lead to a wage decrease of maximum 1 % (Friedberg and Hunt, 1995: 23-44). On the same matter, the analysis done by Cahuc and Zylberberg concludes that at an increase of one per cent of immigration on the labor market reduces the level of wage with 0, 3 % (Cahuc and Zilberberg, 2004: 607-611).

From the public finances perspective, the analyze of the migration's effect is an interesting   approach, considering that, in general, it is stated that the immigrants constitute, most of the times, a burden for the public system, by beneficiating of the public services while the contributions to the tax system are being small.

In reality, the situation is different. Things are being shaded as long as at every social level, the immigrants pay taxes, obtain benefits and consume goods and services all along the period spent in the country of destination. Their participation to this circuit has direct impact over the expenses and public and collections at the state budget.

If the immigrants pay higher taxes than they consume from the benefits and public services they are being considered to be taxpayers. If, on the contrary, the immigrants consume more than they contribute they become a cost for the public budget. In general terms, the fiscal profile of a certain individual can be divided intro there different periods. From birth, until the completion of the mandatory studies- subsidized by the state-, the individual represents a cost for the state. Once entered on the labor market, that individual becomes a taxpayer, the amount of its contribution depending by obtaining a job and the wage level. At the retirement, the same individual becomes a cost for the state because he beneficiates by the public system of pensions and also by the public system of health insurances. In the conditions in which the society would treat each segment of age equally, the net contribution obtained from these different phases would tend towards zero at the level of a cycle of life. (UK Committee on Economic Affairs, 2007: 8). Starting from this approach, it is obvious that to get a proper view of the immigrants impact over the public finances, their contribution must be analyzed on short and on long term. If, on short term, the impact over the public finances would depend by the report between the quantum of the taxes paid by immigrants- in accordance with the level of occupation and the level of the obtained incomes- and by the benefits that the immigrants and their families have from the state budget, on long term it is obvious that, in accordance with the model presented above, the immigrants contribution is bigger both individually – the immigrants had not beneficiated by the subsidized educational system, and collectively, a part of the immigrants return to the states of origin before becoming inactive on the labor market. Otherwise, the studies confirm these trends, the records showing that, for example at the level of 2002 the taxes paid by the immigrants to the budget of Great Britain have exceeded with 2.5 billion pounds the expenses and benefits of this social segment from the same budget (Gott and Johnston, 2002: 11).

The effects analyzed until now, offer somehow an indirect dimension to measure the impact of migration on the states of destination. This quality is that, most of the times the intensity of these effects depends in a great extent on the demographic and social conditions of the community, on the intensity of the migrant flows, their localization, etc.

Taking into consideration the constraints of ensuring the internal security, the states allocate important amounts of resources on to the control of migration, especially in what the frontier control and monitoring is concerned, both at the external and internal frontiers, obviously these aspects having different degrees of social impact and public perception.

The control of the external frontiers can be the most visible and includes the necessity of organizing and developing the military and police presence at the national border and tracing of the networks of people trafficking (Alexandru and Pristavu, 2008: 289-297). Moreover, the state must apply restrictive measures at internal level for the immigration control. These refers at the workers' monitoring in order to check their labor passes, the combat of the black market, the sanctions application, the expulsion of the illegal immigrants, etc. The main features of this type of control is that it requires a wide bureaucratic network for interviewing, monitoring of the immigrants in order to accomplish a national unitary and comprehensive system of evidence.

The activities related to the control of the migrant flows imply important costs, usually divided between the public institutions, according with the competences or between the different states of certain organizations, so that the obtaining of exact amount of money is hard to be achieved, as previously showed. Worse, even in the conditions in which the money are spent, most of the times the measures taken prove to be inefficient, thousands of illegal immigrants penetrating the frontiers each year.

Practically, the measures adopted by the states in this sense refer at the creation of trans national systems for the border control, the implementing of new computerized programs of monitoring the movement of persons from one side of the world to another, creating and developing institutions and structures of police cooperation. In this domain the implemented measures at European level for the immigration control are more than obvious (Simina, 2008: 79-99). Moreover, after the events in the United States from the 11th of September 2001 and after the terrorist attack in Madrid and London, the measures have been increased both regarding the frontiers' control and the internal measures (Schain, 2008: 111-130).

Finally, from demographic perspective it must be underlined from the start that the population of the rich states is passing through an accentuated ageing process. The today's demographic trends show us that Europe's population will decrease with approximately 15% until 2050 (Coppel, Dumont and Visco, 2001: 20). These demographic trends represent a real threat on the life standards from the rich countries and the decision structures from these states but also at global level have begun to establish the fundamentals of certain policies to sustain the systems viability and the social security systems.

The general economic impact of the ageing of the work force is a serious one. The OCDE studies estimate that the cumulated effects of this phenomenon can lead to a decrease of the life standards until 10% in the US, 18% in the European Union and 23 % in Japan. (Turner, Giorno, De Serres, Vourc'h and Richardson, 1998: 26). It is obvious the fact that these estimations represent a great challenging issue at the level of the policies and economies of the rich countries. The handiest solution to counterwork these demographic trends is to resort to new migration flows, especially young immigrants able to replace the local population on the labor market. The example of the United States which used this policy of demographic sustenance is relevant, the life conditions being foreseen to have an increased level in comparison with the European Union or Japan, as previously shown. Otherwise, taking into consideration the global demographic trends, according with the surveys of Population Reference Bureau it is easy to realize the fact that there is a higher number of potential immigrants that would like to work in developed economies, contributing this way both at the demographical balance ans also at saving the social security systems from the states of destination. These evolutions, cumulled with the analyze above regarding the impact of immigration over the public financing lead without any doubt to tremendous budgetary economies, on the long term.

At the OCDE level, the problem of immigration is being treated at the most serious level possible, the policies destined to encourage migration in order to overcome the population agieng by bringing on the first page of the dayly agenda of this organization. While the proposals of policies in the area are always hard to be brought to a common base, the potential costs of ignoring the phenomenon are tremendous. Maintaining the restrictions for the immigration will lead to decrease the life standard in the developed countries with at least a third until the half of this century, the associated costs of these evolutions being, as underlined before, enormous (Turner, Giorno, De Serres, Vourc'h and Richardson, 1998: 26-31).

Migration and security- societal aspects

During the '90s, a new concept has started to develop. The concept of societal security established by the researchers of the Copenhagen School of International Relations, is defined as representing "the ability of a society to persist in its essential character in conditions of change or of threat" (Waever, 1993: 41).
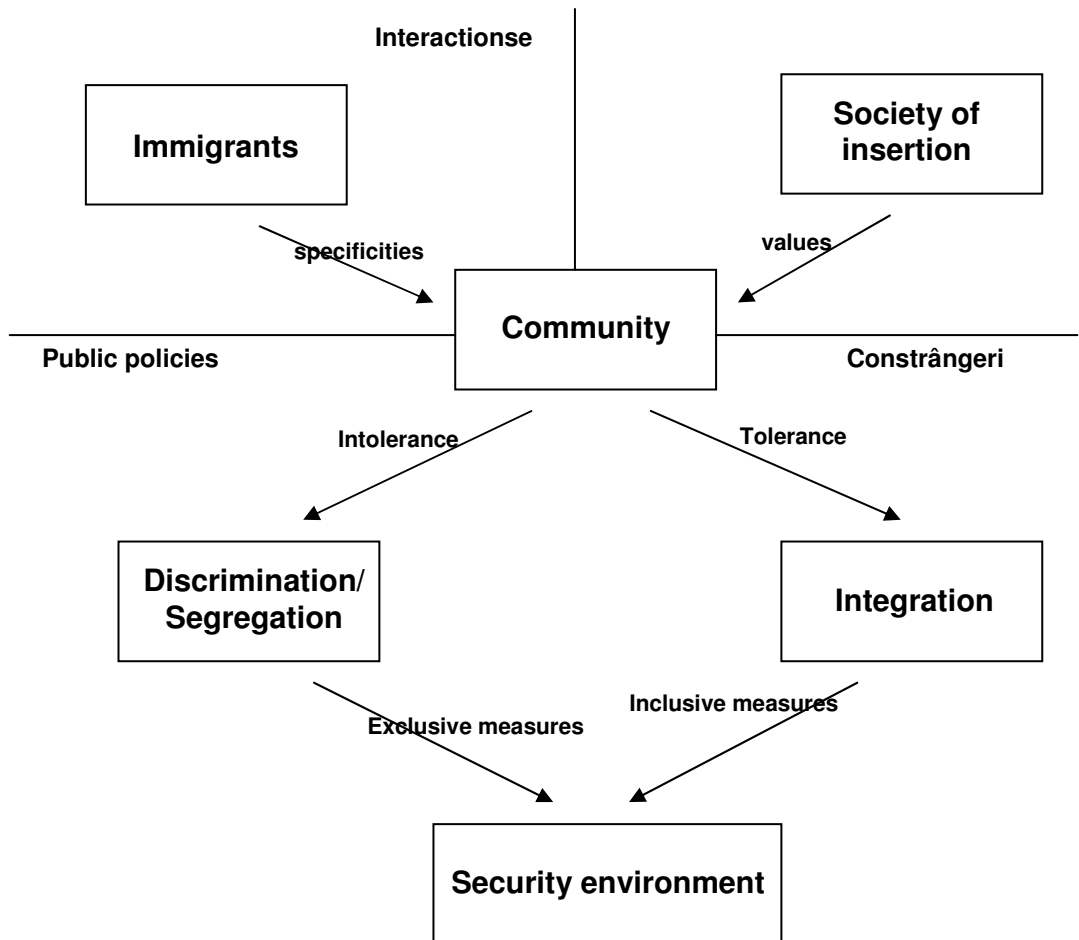
According to this definition, the societal security can be seen as a dimension of the management of change. However, when we relate the concept with the migration, the issue is different. The change of a community implies interactions at the level of the

groups within it, groups that are characterized by common affinities, by identifying certain sets of traditions, values and cultures. Moreover, those possible threats are being represented basically both by the specific of the community, which can be an intolerant, exclusive one causing clashes of culture and a rejection of the new elements, allogeneic or, on the contrary, an inclusive one, open to the assimilation and processing of the new cultural elements, and also by the resurgence of discriminatory manifestations.

In these conditions, the societal security is the result of management of diversity perceived as a large process that includes all the aspects that start and promote diversity at the level of the community: the ethnic background, race, color, language, beliefs, values, sexual orientation, age, gender and even more other criteria that represent in fact, a group's identity elements. In essence, migration promotes diversity, practically, the fundamental element of this phenomenon from societal perspective.

In these circumstances, according to those showed above, the societal security, as it has been substantiated by School from Copenhagen, can be materialized, at the community level from the perspective of migration under the form of a diagram of diversity structured on three levels including the community of destination and the groups of migrants, the state and public policies.

According with the representation above, the primary contribution of the immigrants in the community is created by the specificities of this group. Whether we talk about the ethnic ones, or about those of religion, believes or others, as mentioned above, they represent the identity specificities brought by those groups. At the community level, these specificities are interacting with its values which generally speaking, are those of the society of insertion in their assembly. It is the moment when the necessity of implementing efficient public policies is needed. It is obvious that, taking into consideration the specificities of the migrant flows, the implementation of the public policies must be set in accordance with certain constraints imposed by the economic situation, the intensity of the migrant flows, etc. On the other hand, the implementation of the public policies must take into consideration the reaction of the community towards the allogeneic element, alien to this. The intermediary results of the migration management in accordance with those presented above in the graphic representation can be two: a rejection reaction of immigrants caused by a high degree of intolerance of the local element-leading to the appearance of segregation and discrimination- and a reaction of acceptance due to the high degree of intra-communitarian tolerance which leads to integration and the existence of an integrated multicultural community. The final result of the processes of interaction is the security environment, more precisely the degree of security at the level of society in general and at the level of community in particular. It is obvious that the state will choose a higher degree of security and the measures promoted in this respect will be subordinated to this purpose. This is why the convergence from discrimination/segregation and integration towards the security environment is ensured by the adopted measures as a part of the public policies: inclusive measures equivalent to an efficient and effective management of diversity or exclusive equivalent measures with the migration "securitization".

Conclusions

As a phenomenon, migration is a reality and it has to be analised as such. Even it is necessary, according to the view of the states, even the flows must be strictly controlled, it will continue as a normal dynamic of the humanity without any economic, social or political constraints. More intense or less, migration flows will continue within well

defined and established types of movements. The most essential issue is however the necesity of an integrated, comprehensive approach to migration as the success of migration management policies doesn't consist only in integration of workers on the labor market and facilitating family reunion. The success of the whole process must be based on an effective and efficient diversity management process by which the community must understand and accept internal changes as natural phenomenons while promoting acceptance, tolerance and interculturality.

Moreover the cultural component is reconsidered by the majority of analists and practitioners in the field of security, economy or sociology and is placed among the essential components of the global processes. Transcultural exchanges, social cohesion and coexistence as factors for societal stability ensure, within the global village of tomorrow the bridge to a new type of society, more inclusive and integrated than ever.

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IV. INTERNATIONAL RELATIONS AND EUROPEAN SECURITY

HUMAN RESOURCE AND TECHNOLOGICAL CAPABILITIES - SECRET SERVICES

Alina SCROBOTĂ[*]

God has given you one face,
and you make yourself another one.`
Hamlet, William Shakespeare

Abstract: *Mistery attracts interest, interest demands financial means and money need clever minds to offer solutions to problems in due time. Heeding current challenges in world order, the qualitative analysis used to develop our topic offers insights to decisional processes, to key moments till recently covered by a blurry curtain. We strive to understand how intelligence influences global activities in a complex system formed out of smart power, physical/financial capabilities. By exploring these universes we get a clear sense of what human resource means combined with a proper dosage of courage and skillfulness in a world governed by the zero-sum game.*

Keywords: *intelligence, technology, human resource, decision*

I. Introduction

Do not do an immoral act for moral reasons`, a quote belonging to a former US president, Warren G. Harding, offers you a first visual contact with the well known Mossad Academy. This kind of message hangs on the door of the Academy`s director, an advice quite interpretable for the Israelian Intelligence Agency.

Even if we refer to the raw kind of information or a processed one it has been perceived throughout history as a mechanism of manipulating the reality by positive or negative means. Preserving the secret character of various types of information requires on the one side, financial resources, human intervention in terms of consistency and professionalism, and on the other side it ensures the fiscal safety of an entity or sets the course of events in favor or detriment of the user/possessor.

This current paper endeavors to tackle rather sensitive issues regarding *intelligence* aspects, by analyzing the interwoven of human resource with technological capabilities. It is of utmost importance to prove that not only the content of a secret file delivers success but also the adroitness of a person in manipulating its content and releasing it at a proper time. Nowadays time and information are considered weapons of mass control, since data in the right hands become either blackmail opportunities or the ace up one`s sleeve. Revealing declassified details sheds light upon many historical situations differently understood across time. Being able to encode a message allows the sender to detain vantages in delivering the desired and not the specified content.

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According to the latest security studies information has become a valuable branch for its content grew up to be the base of every structure. Still in this on going evolution of mankind we must not forget about personalities that influenced our becoming under a hidden or genuine status. They have imprinted a period or a page in history with their efforts giving us an eternal surviving example. Heeding the basic principle that states a truism- what is secret attracts the most- we need to accept that errors are made by machines and mistakes are made by people in inappropriate times.

II. Methodology

The method used to depict this current subject is qualitative analysis, a tool useful in interpreting decisions, studying the behaviours of various leaders based on the assays made upon book consultations. The ones that comprise the very essence of our study are: Volkman, Ernest, (1998), *Espionage*; Frattini, Eric, (2009), *Mossad. The Ghost Factory*; Payne, Ronald, (1996), *Mossad. The Secret History.*

The above mentioned references give forth to guidelines for our two types of case studies: the first one envisages the technological capabilities represented by a couple of famous cipher machines used throughout the 20th century- Enigma and Purple, the second one renders human intervention in a successful organization with a well known statute of *intelligence* leader-Mossad. The fusion between evolution, money, objectives, invention and cleverness, alongside diplomacy and a sense of realistic awareness create the ideal assortment for securing ones goal.

III. Conceptualization

Before delving into the subject we must cast our eyes upon a series of concepts used in this paper. They present specificities for the above mentioned domain demanding awareness in usage.

The first phrase claiming attention is *intelligence,* a concept representing processed information at the disposal of political and military leaders, meant to create the basis for a documented analysis with a final result in a decision, not taken according to instincts or fake presumptions (Robinson, 2011: 112). A difference has to be pinpointed between what information and *intelligence* imply: the first one signifies data not analyzed or handled, whereas the latter denotes complex and combined information, verified and operable notions useful in order to increase the sense of security of either an individual or state/organization (Gill and Phythian, 2006: 31).

Our focus is derived now towards the concept of *cryptology*, encompassing both cryptography and cryptanalysis. According to a specific definition the word is comprised out of the Greek meanings for `hidden` (*kryptós*) and `word` (*logos*). This science concerns data communication and storage information in a secure and unique combination of symbols. The resulting cipher is operable by virtue of a key or keys, decrypting the code when activated (Encyclopædia Britannica Online*).* The challenge in this issue is not securing the key, but preventing the loss of secrecy in the used code across time. For us to pick up the gauntlet of analyzing such mechanisms takes the shape of two case studies where we delve into the procedures of using such machines throughout history.

These kind of attemtps go hand in hand with the notion of *espionage,* the process of gathering military, economical, political or other types of data by means of spies, secret agents or illegal activities. Due to its aggressive nature and illegal features espionage is often distinguished from the concept of intelligence used in security studies. The process in discussion is subject to national secret services activities carried out on foreign

territories. These latter agencies supported by governments have the duty of collecting data and using it according to national interests. Nevertheless, the supreme guarantee of success among the financial support remains the human resource. Whether it is a word said in history that influenced a path, whether it is a decision that changed the course of events human value has to be regarded with paramount importance when it comes to securitizing interest.

IV. Each Person has a Price

Without having any intention of creating the apology of political figures we will advance a quick review of some key moments in history, some underlining the importance of a right word at the proper time. These examples create patterns for understanding the human value across time, the ones writing models worth following.

In the context of an unofficial discussion between the German Kaiser, Wilhelm the 2nd, and the ambassador of Great Britain at Berlin the latter one dares to address the emperor a burning question which received a famous feedback: `But what is your price, Sire?`. `The British Empire`.

The abuse of power and personal ambitions often change the sense of the security concept. Human intellect is darkened and a favorable juncture becomes the last term of the profitability equation. Indeed, if we think in *sui generis* terms each decisional case states at one time or another positive and negative variables, the ones indicating if the intercession is legitimate or not. Yet, what is still not lost in the years gone by are the attitudes, behaviours, efforts and the charisma of certain leaders, emanating from political backgrounds or simply emerging from a group of ordinary people. Wrong decisions and technical errors can be interpreted endlessly as the infinite symbol is frequently used in the mass of vocabularies belonging to numerous languages.

Questions and answers can be pinpointed in each tome of information, but mentions about the genius of bellwethers or opinion leaders are less numerous throughout the first rows of a page. We do not make atempts of judging what history has the duty to do, we recall personalities which using their very presence or way of addressing grip attention. We do know a Nicolae Titulescu, diplomat and initiator of the interwar *Gentlemen`s Agreement,* a Mata Hari, which invoking both physical beauty and cleverness managed to manipulate accurately the information and human vice in her own vantage. We cast our eyes upon Evanghelie Zappa, a Romanian pioneer of modern Olympics, using only Ilici`s lamp, or we mention general Ion Antonescu, a representative political figure for the international relations of the 20th century without remembering one of his lasts thoughts: `You, ungrateful nation, will not have any fraction of my ash!`.

We often read about a Franklin Delano Roosevelt, an appreciated president from the United States of America, one encouraging fair-play and competition by offering the next impulse:` America`s faith, Joe, lays in your fists!`. Their price or gratitude? Sometimes enormous amounts of data structured in books, archives or documents, sometimes chaplets of bays or street names, sometimes the dust of forgotten years.

We can identify more examples that deserve our recognition, despite using a language abundant in indefinite articles. In this part of the paper we have chosen the first examples that crossed our mind, without intending to insist on any. Avoiding to minimize the reality or to exacerbate the events we decided to leave the reader to judge, to draw the line between what is fair and what is unjust, encouraging him to enrich the list of universal values presented above. What we can observe so far and admit in our own conscience is

that a swivel may turn into a can, but it will never rust. Therefore, this is the reason why we underline the importance of human power in a mechanized environment.

V. Enigma or Purple?

The game of playing with ciphers and codes becomes as more appealing as the machine that arranges these kinds of data is an advanced and a professional one, with a cautious developed memory for preventing the translation of the messages. The sublets and features that hinder the understanding and correct perception of the ciphered texts start from a simple scrambled process of the letters, turning into a usage of symbol groups and marks hiding complex meanings.

The Swiss hold the patent for developing the world`s most sophisticated cipher machine and the Germans the knowledge of availing from the benefits of this original wonder. The *Enigma,* the technical innovation of cryptology shaped in 1920, carved its way from a simple coding machine for international messages in economical fields to the main ally of German militaries starting 1933.

V.1. A Particular *Enigma*

The name stated in the subtitle envisages, in fact, a brand of a series of cipher machines some compatible with each other, some not[1]. Well known for the important role played during the Second World War, the cipher machine is today a real attraction for scientists in search of challenges (many Enigma simulators are still developed and studied nowadays).

The authenticity and complexity of this device is given by the two cylinders/rotors that used electrical impulses to communicate signals coming from the twenty six illuminated letters. During the movement of the two cylinders (not simultaneously) the light emerging from the letter rows in the back of the machine was a distinct one than the light emanated in front of the corresponding letters. The *Enigma* message was transmitted to another preset machine in intercepting with strict accuracy that specific code, altering it when received in the proper text using the key.

To have a clear image upon the above explanations we further present an example of coding an expression with a typical key. Therefore, a basic cipher system[2] (Volkman, 1998: 94) encompasses the following letters and numbers:

	1	2	3	4	5	6	7
1	A	B	C	D	E	F	G
2	H	I	J	K	L	M	N
3	O	P	Q	R	S	T	U
4	V	W	X	Y	Z		

In order to code a message the letter is associated with the correspondent numbers on the horizontal rows and vertical columns. Our example of text, `*Military attack*` is going to be ciphered using the 1-7 key as follows: 26 22 25 22 36 11 34 44 11 36 36 11 13 24. Usually, the ciphered message has been written in groups of five letters, with the one receiving the text knowing the exact composition of 1-7 key. Without this code the text

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[1] *Enigma Cipher Machine*, Crypto Museum- useful to get a notion of the various types of machines, see also http://www.cryptomuseum.com/crypto/enigma/, accessed on 21.02.2012

[2] The table is presented in this format in the book, alongside with the example `Come at once` in a coding mechanism using the key 1-7

could not be transformed with 100% veracity. Ergo, our facile `Military attack` transmission would appear accordingly:

26222 52236 11344 41136 36111 324

Briefly, each message emanating from *Enigma* was different since the rotors never circled the same. A total number of four hundred trillion combinations of letters could be transmitted at a push on *Enigma*`s finger board. All these mathematical combinations could have been set and sent by one person and his keys of arranging the rotor positions. The fact that it had been able to handle with the intervention of only two individuals (the broadcaster and the receiver) rehashed *Enigma* in an efficient instrument of ciphering on a field mined by threats and risks. Hitler allocated from the first successes of the machine large amounts of money to undergo a process of multiplying the mechanisms. Concurrently, the German leader had forbidden merchandising cipher apparatus out of the will to preserve the well developed secret. At the first glance it had been thought that the machine is undefeatable. Nevertheless, on a second approach we notice that history interferes to prove that a secret is vulnerable.

The ones having a direct interest in decoding and puzzling out the *Enigma* were the Polish, whose territory was in the area of interest concerning the Soviet Union and the ascending Germany. The Polish Intelligence Agency, *Biuro Szyfrow 4,* with his leader, Gwido Langer, identify the weak spot of the Swiss machine: mathematical accounts. The primordial issue for the Polish specialists were not the code dictionaries and the `alphabet`, but the specifically reproduction of the rotor movements. This task has been assumed by the best mathematicians, the ones using deductions to find out the rotation speed of the cylinders. They eventually figured out the electrical circuits and assembled their own variant of *Enigma*. The German side, aware of the possibility that the enemy side could develop a replica, permanently enhanced the encryption system. Only the input of the fifth rotor led into difficulty the Polish experts (Volkman, 1998: 97).

The international context given by the break out of the Second World War, more specifically the invasion of Poland by German troops, led to the decision of transferring the technical headquarters of decrypting the secret messages.

V.2. *The Goddess of Bronze*
Analyzing the international relations equation at the starting point of the above mentioned conflagration, the Polish specialists alongside with the English and French agents coming from *intelligence* sectors appointed Great Britain`s territory as a host for the endangered decrypting operations.

This is recognized as, on the one hand, the sight of a technological revolution in the field of science and, on the other side, the moment of a progress concerning decryption processes. The main character from the English *Enigma* episode was Alan Turing, a pioneer in abstract mathematics, raised at Cambridge. What we use today with a great facility, the pocket calculator, has the fundament in a mathematical ingenuity belonging to Turing, the usage of binary codes. The exact system has been applied by the scientist to decode the messages sent by the *Enigma:* the Polish system invented before lacked a memory, useful to stock previous data, in order to combine them in future attempts of elucidating informational secrets. The result? Turing`s *Goddess of Bronze* measured two meters in length and height, functioning on the basis of a logarithm that memorized all the combinations developed by the German cipher machine. The assignment of identifying the rotor positions has now become much easier since its users from Germany working at the

cipher department have used combinations of letters not hard to point, constructions like ABC or XYZ. Although it is hard to believe, this fatal error or carelessness of not paying attention to the rotors led to the decryption of *Enigma`s* messages.

This latter infusion of information offered a net advantage to the French throughout the war. They discovered that the Germans owned superiority in terms of troops massed on the future battlefield with a specific purpose: to isolate the two neighbouring countries, Great Britain and France. Recognized in history pages as the ULTRA operation, the entirety of interceptions managed by the Goddess of Bronze, technologically enhanced, aimed towards the *intelligence* and secret services communications, the actions carried on by its agents, aside with monitoring operations initiated by German actors. If you wonder why the latter country lacked in reaction, being unable to discover the English and later on American infiltrations, we remind you on the one side, of the loyalty proven by the persons involved in operation ULTRA and, on the other side about the credulity of the German clerks, who trusted without doubts a system, as they said faultless and constantly enriched[3].

Therefore, the vulnerabilities of one of the main characters from the backstage of the Second World War, the *Enigma* and subsequently the *Goddess of Bronze*, have been speculated by opponents in own vantages, creating many downthrows, some inexplicable to the German side.

Alan Turing, a revolutionary figure concerning modern calculators, has been renowned also for his eccentric reactions.

The scattered clothes, the long hair and the tie as a needle characterized his physical presence, his emotional side being dominated by a fear of a financial collapse of the English currency. To preserve his resources Turing purchased in the owned quantum of pounds silver coins, further melted into bars and buried on the area belonging to Bletchley Park mansion, the headquarters of the ULTRA operations. What is intriguing is that the professor has then forgotten the burial place of this pseudo-treasure.

In an England that denied homosexuality Turing sneaked out of the mansion every night to satisfy his carnal desires. The shading cone in which he entered after 1945 led him to a radical decision. Social exclusion and the sexual orientation caused him numerous issues finalized in 1954 with the ingestion of a considerable dose of cyanide. The consignments about his merits racing in full world war are feeble in literature, as for monuments there is no doubt of existence.

Yet, what has become an irrefutable fact is that homosexuality has never been considered a delinquency in Great Britain four years after his passing (Hodges, 1992).

V.3. *Tokyo in the limelight*

The ones predicting with neatness the weaknesses of the German cipher machine were the Japanese, engineers careful at details and information. After the message published in the book of Herbert Yardley[4] about the Black Chamber, an American decrypting agency

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[3] The operation was revealed only in 1947 by English functionaries.

[4] A clerk in the United States National Department, specialist in cryptology, recruited by the American military, the first territorial organization handling information in the communication field, subsequently named MI8.

led by the latter personality, had been pointed by Japan the Nippon authorities decided to built an upgraded mechanism of encryption, to avoid a new recision of secrecy concerning the diplomatic correspondence of Tokyo, scenario encountered in 1920.

This indiscretion of the author would impel Japan to develop a similar cipher machine like *Enigma*, but one that used many more coding systems. Hereby, *Purple*, the name given by the American analysts, made usage of a battery on six levels, a sophisticated wiring, complex coding circuits and recoding mechanisms formed out of letter combinations created following some imprinted slates and movements of rotors. The electrical system could have been operated by only two persons, one transmitting the ciphered secret and the other one receiving the encoded message understood by applying the initial reversed process. The vantage of this present mechanism is conferred by a special Latin alphabet, envisaged by the Japanese with linguistic subtleties, alongside a national language comprising over five thousand characters. The entire strength working in the Army Signal Intelligence Service (*SIS*) has been dejected by the multitude and ampleness of coded Japanese messages.

V.4. *Operation MAGIC*

The breach in the Japanese encryption system has been discovered after several years of intense efforts by looking into those eulogistic formulas for Nipponese leaders used in official documents. The SIS mathematicians ciphered out the addressing typologies by delving into linguistic patterns, regularly repeated at the beginning and end of the messages. The overlapping of these models gave birth to similarities in the cipher letters, that once discovered led to a complete elucidation of the texts arriving from the country where the Sun rises.

The success of the mathematicians has been introduced in the file of the MAGIC operation with analysts as `magicians` (Volkman, 1998: 110-113). The cumulation of technical data concerning *Purple* encouraged the building of a Japanese replica that succeeded in decoding 90 % of the correspondence. Thus the Americans came into possession of data regarding diplomatic telegrams, offensive plans, arming processes for a future engagement in the war, of information comprising facts both about the collaboration with Hitler`s Germany and the distant relations with the United States. A significant contribution to enrich these files with external data about Japan and possible enemies has been made by the Japanese military attaché at Berlin. Periodically he sent reports comprehending facts about the German military capabilities, hoping that his country would consider the West European state as an ally.

If it is worth admiring this endeavour of intercepting correspondence, the lingering and controversial question remains the one striving to find out whether possible messages have been decoded about Pearl Harbor. The Japanese Foreign Affairs Minister has not been informed by this attack intention and other interceptions did not indicate a possible offense. Only by the year of 1941 the `magicians` managed to decode a text emanating from the Japanese diplomatic corps in United States, it demanding the eradication of all the codes used by Purple. After the surprise attack from the Hawaii Island the Nippon cipher machine became an abundant source of information, stating that the latter actor would never back down in the light of an American attack over their territory. The reaction coming from across the ocean did not arrive late, therefore the bombings from Hiroshima and Nagasaki altered the perception of Japan`s role in the Second World War. The replica of *Purple* delivered data concerning the German military

capabilities mobilized in Normandy, contributing in a decisive manner at the rescheduling process of debarking on French shores by the latter ones and English army on D Day.

Similarly to the case of the German *Enigma,* we ask ourselves why haven`t the Japanese analysts been aware of the vulnerabilities characterizing *Purple*. The overestimation in this case of the abilities owned by persons working in this system, the arrogance of Japanese messages, the assumed complexity of cipher codes are just a few of the causes that decayed the Nipponese structure.

V.5. *Human and technical vulnerability*

Overcoming the boundaries of technological successes, behind the concepts of *Enigma* and *Purple* lays impressive human resources with remarkable physical and psychological qualities. The intuition of decryption besides the placement of scrambled letters and numbers in a logical order prove the human genius at the start of the 20th century, along with the efficiency of simple systems or complex misconstruction mechanism.

We can notice that the revolution occurred in cryptology decisively influenced the course of the two world conflicts. Despite the fact that we do not know any names, cryptanalysts that brought contributions to the cipher machine usages bear witness to human intelligence reaching high points, it being able to demolish a new innovation. Moreover, in this algorithm science brings evidence that ciphers and codes are vulnerable through their own nature, labeled by system weaknesses.

VI. *Mossad- the Institute for Intelligence and Special Operations*

Born from a millenary belief, the state of Israel has its basis in an esoteric fusion between the return on the Promised Land and Zionist ideas[5] claiming by an appeal to mass psychology a reunion under the same temporal and spatial religious dome the Jews all over the world.

VI.1. *Fact sheet about the Institute*

The well known Israeli organization involved in assassinations, paramilitary interventions, parapsychology usage, manipulations or misinformation with its headquarters in Tel Aviv, the Institute – Mossad- has been till recently covered in a foggy layer. It has secretly prospered as an organization through secret operations, espionage activities and cleverness, alongside courage that characterized the agents.

In 1951 the Israeli prime minister from that period, David Ben Gurion, issued the decree demanding the constitution of *ha-Mossad le-Moddin ule-Tafkidim Meyuhandin* in Hebrew (Frattini, 2006: 13). Formed as an independent agency, Mossad is placed under the direct authority of the executive chief in charge, administratively belonging to the Foreign Affairs Minister. In regard to other secret services across the world, namely the American CIA, the British MI6, the Russian FSB or the Spanish CNI, Mossad is not subject to any kind of regulatory body or political/judiciary authority, but only to the prime minister and divinity. Another aspect worth signaling is the composition of the Institute of about thirty-thirty five special operations officers, named *katsa*. As a comparison figure CIA has almost 25 000 employees, FSB around 15 000 persons. The

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[5] The political Zionism lays its account on the relevance of political actions on the international stage in order to rebuilt Israel`s unity, a matter o political interest. See also *Israel* at http://www.jen.ro/istoria_statului_israel_files_0.html, accessed on 24.04.2012

advantage detained by Mossad is that it is taking leverage of the large number of Jews spread in the world, cooperating with them on certain moments, entitling them *sayanim.*

Analogies can be drawn between Mossad and the Entity, Vatican`s secret service. The latter one counts on the support given by priests, monks, missionaries and employees detached throughout the continents. The assorted mottos used by the Institute offer an insight to the modalities of action in operations: `By way of deception thou shall do war`, as a main guidance piece of advice leading to `Where no counsel is, the people fall, but in the multitude of counselors there is safety (Proverbs)`, `An eye for an eye, a tooth for a tooth`, `The first and the last, always Israel` (quotation of Meir Amit, *memuneh*[6] of Mossad between 1963-1968), `They shall know that I am the Lord when I spend my fury upon them` (Volkman, 1998).

VI.2. *Operation Wrath of God*

The eternal conflict between Israel and Palestine has escaladed in tensions in 1973 at Munich, the host of the Summer Olympic Games that year. When a commando group formed out of Palestinians entered the Olympic Village killing eleven Jewish athletes Golda Meir, Israeli prime minister, demanded Mossad to eliminate all the persons responsible for the tragedy.

This black page in history has been revenged by a group of *Kidons* (the tip of the spear) and special operational units, *Metsada*, under the operation name `Wrath of God`. Even the denomination requests superior divine intervention as a justification to apply severe punishments. The former groups were trained in handling intelligence in various security branches, in communications, in organizing operations, in covering up scenarios, receiving Mossad`s `blessing` to literally hunt down the Palestinian terrorists guilty of the Munich tragedy. One at a time the `objectives` have been eradicated using refined techniques, except one target whose track had been lost on Libyan grounds. The identity of the real orchestrator has been made public after an information leak allowed by Mossad, not to be considered an error or coincidence, in 1979 to the German magazine Quick. This detail is relevant to our paper because it sets the frames to one of the greatest mistakes the Institute has made under the operation recalled as the Spring of the Youth. Instead of eliminating Ali Hassan Salameh, the brain of the Munich terrorist attack, the Israeli agents assasinated a Marocon waiter, wrongly identified using some rumors (Payne, 1996: 152-155). We will not delve into the above mentioned operations, due to the fact that they request another ample study to understand exactly how the mechanisms functioned.

At the end of the long and polemic retaliation operations the premier, Golda Meir, declared in front of the Knesset, the Israeli unicameral Parliament: `We have murdered the killers intending to kill again` (Payne, 1996). This tactic has been emulated by CIA, in the attempts of physically eliminating the ones responsible for the World Trade Center attacks in 2001. Israeli`s desire to protect its citizens and revenge its victims can be associated with nowadays case of the Jewish soldier Gilad Shalit, repatriated on the Promised Land after two thousand days spent in Palestinian captivity. The exchange involved the disengagement of one thousand Palestinian prisoners as a request of Hamas, a Palestinian Islamic political party. We must not leave aside the contemporary reality that many individuals originating from the latter country became militants of the Arab clause or even terrorists blaiming Israeli`s positions and actions.

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[6] The definition of the managing director of the Institute, meaning `first in charge` or `the first one from the other likewise`.

Andre Marloix confessed that if a 21st century would come, it would definitely be a religious one. In a decimated world by `divine` and political interests there can be still retrievable a Mossad department fabricating toxins aimed at killing prospective Israeli enemies, a Kidon department tasked with executing, seizing and eliminating hostile persons and an `X Committee` deciding the life or death penalty for an assumed adversary of the Jewish state. Confronted with serious allegations concerning the involvement in world scandals and conflicts, in such a multitude of controversies and data we are facing a constant challenge of disseminating information and choosing the authenticity in each text about Mossad. The reader is free to deny or accept facts, to search on his own new ghosts.

VII. Conclusions

History can play tricks on us and can lead into error even the most proficient specialist. Throughout this paper we have underlined the importance of human resource as a never ending flow of information. Machines and inventions are again hand drawn and calculated with mastership to serve specific purposes.

Many of the diplomatic successes have a secret plan or operation orchestred by minds devoted to the information management. Espionage, intelligence, secret services are terms attracting both interest and awareness in usage since they imply many notions still unknown to mortals. Even when drawing conclusions we cannot totally qualify our statements as true and irrefutable, since this paper demands an inexhaustive feature. Many files are not made public yet, many will never be, but even the information released so far are enough to raise question marks.

In our endeavour to reiterate the cooperation between man and machine we have worked with codes, encryption mechanism and hidden rules to give the reader a clue of how tangled the world of information is. As on-going processes the subjects debated in this research still reserve many surprises and turning points.

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UN SECURITY COUNCIL REFORM. A POSSIBLE SOLUTION TO UNCERTAINTY

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Abstract: *The issue of reform has plagued the activities of the UN for the better part of 20 years. There have been a lot of sugestions and not much action, with member states disagreeing on all matters, except the fact that the process of reform is mandatory. The paper explores options for change that states, groups of states and members of the academic community find as being the solution to this problem; a solution is also proposed based on the research.*

Keywords: *United Nations, Security Council, reform, theories, member states.*

1. Introduction on the subject of reform

United Nations expression describes nowadays a sum of 193 states that share the same ideals: keep peace throughout the world, build friendly relations among states, help less developed countries to solve social problems and assure an international environment for achieving all these goals.

In the past decades, UN had an important role on the stage of international relations. Beginning with its foundation in 1945, where a team of 50 states decided to adopt the UN Charter inSan Francisco and create an organization with broad privileges, this world assembly had an important voice in matter of conflicts and strategies for rebuilding a world that was in ruins in the aftermath of The Second World War.

Regarding the facts mentioned above, it is compulsory to bring arguments for our decision to approach this sensitive subject of reforming one of the most important institution of United Nations, the Security Council. Of course, we wouldn`t be dealing with this subject if the history had brought us proves that the goals set half a decade ago were fulfilled. But, as Hans J. Morgenthau appreciates in this book: There is no proof that United Nations has forestalled any war. Instead, there are proves that show their contribution to curtailing 5 wars. It is about Indonesia and Palestine in 1949, Egypt in 1956 and 1973 and eventually Kashmir in 1965 (Morgenthau, 2007: 497).

Therefore, we acknowledge the imperfections of this organization, but as the Romanian diplomat, Nicolae Titulescu, said in his speech named "Peace dynamics" in the conference held in Reichstag on 6h of May 1929, referring to Nations League, as the forerunner of United Nations: Nations Society is incapable of solving and much more preventing conflicts; this organization is being paralyzed by the poor quality of the rule of

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law that it is entitled to apply. Even if this society is guilty of all sins put in its back, we have no organization that could substitute it. 83 years later, we find ourselves in the same position. We are aware that United Nations organization is incapable of operating efficiently, but we cannot deny the major impact it has in the world. It is not the best one, but is the only one we have at this level.

These being said, we will concentrate in this paperwork on the following actions: present United Nations at a glance, from historical point of view, make a brief of reforming proposals made until now and bring our own contribution throughout a new series of suggestions. Before moving on historical part, it is mandatory to see what defines United Nations' structure.

United Nations organization is the successor of Nations Society/Nations League, which was active in the inter-war phase. Nations Society was the first international organization that had as main objective peace defence and protection of international security (Niciu, 1994: 29). Moreover, we can define it by pointing out some characteristics: universality calling, international legal personality, friendly inter-states relations developer, maintaining peace, protection of human rights, supremacy of democracy against fascist dictatorships, social and economical development, political promotion of subordinate countries and multilateral diplomacy (Horga, 2006: 131).

Ion Diaconu states that UN creation was one of the most important achievements of the Second World War. Even during the war, people were talking about creating a new organization. In the Declaration about conjoint fight against Axis countries, from 1st January 1942, representatives of 26 states from anti-Hitler coalition used the appellation "United Nations" for giving a name to the newly formed collaboration (Diaconu, 1994: 231).

Furthermore, Maurice Vaisse brings into the light the conference from Yalta, where the three main powers introduced in the project, disposals which would guarantee the maintaining of their supremacy. Nations Society was paralyzed by the unanimity principle. The new organization had to be managed by a directorate consisting in the main powers; permanent members of Security Council and with veto right (United States, Union Soviet of Socialist Republics, Great Britain, China and France) (Vaisse, 2010: 7).

In the past few paragraphs the most common words are "international" and "organization". This is why the term of international organization is often equated with the United Nations. As the subject of current paperwork relays on Security Council, we consider proper to bring in the discussion the opinion of Frederic S. Pearson and J. Martin Rochester. Under the UN Charter, the Security Council was given primary responsibility in the area of peace and security. Chapter VII of the Charter provided that, should peaceful settlement procedures (such as mediation and adjudication) under Chapter VI fail, the Council would be empowered to adopt military and economic sanctions on behalf of the UN membership against any nations engaging in actions that constituted a "threat to peace". The powers granted to Security Council in this area were far greater than the powers given any other UN institution, since the Council could theoretically take decisions under Chapter VII that would be binding on all UN members (Pearson, 1988: 331).

Since the Security Council appears to be an efficient organism, we should take into consideration the following points for which we consider as sure as fate the need of reform.

First of all, in the Article 2, 1st paragraph of the Charter (Morgenthau, 2007: 499), it is written that "the Organization is based on the principle of the sovereign equality of all its Members". Or, the reality has shown us that some members are more equal than others and we are referring here to the permanent ones. It is objectionable to admit that as organization you promote the equality principle between your members, but in case of taking a decision

you only allow few of them to act. It is like saying all people are equal in this world, but some of them have the right to take decisions, while others have to respect them.

Secondly, the Article 19 from the same Charter states that "A Member of the United Nations which is in arrears in the payment of its financial contributions to the Organization shall have no vote in the General Assembly if the amount of its arrears equals or exceeds the amount of the contributions due from it for the preceding two full years. The General Assembly may, nevertheless, permit such a Member to vote if it is satisfied that the failure to pay is due to conditions beyond the control of the Member." Hans Morgenthau that there were cases which contravene the article invoked. It is the case of Russia from 1st December 1964 and France and other small countries on 1st of January 1965 (Morgenthau, 2007: 507). Giving the fact that Russia and France went beyond the law, and this true because the Charter works as a Constitution of United Nations, they shouldn`t have been allowed to vote. This is just another example, that theory isn`t the twin brother of reality.

Thirdly, we are facing a representative problem. Two of three discussions from UN agenda refer to Africa. Still, there is no African country between permanent members. Actually, we can only find there two European states (France and Great Britain), an Asian (China), a transcontinental one (Russia) and a North-American one (United States of America). Giving the situation, we raise the following questions:

- Where are the countries supposed to represent the ones that are belonging to other areas?
- Should be there a country from South America?
- Is Germany entitled to take a place between permanent members?
- Or we should support Japan to move closer to China`s membership?
- How about Islamic countries?
- What about the ones from south hemisphere?

As we can see, there are so many questions waiting for a response. The solution doesn`t reside from increasing the number. As Morgenthau affirmed in this book, Security Council can transform the General Assembly into a society which organises debates, without having at least the right to express its common opinion (Morgenthau, 2007:497).

In conclusion, we state that is our aim to scan all the previous proposals made until now and bring out the most attainable solutions for reforming this Council. It is cumpolsory to see the change as the first step of development and for fastness.

2. Reforming the Security Council from the inside

Article 109 of the UN Charter clearly stated that changes should occur within the organization and discutions should be encouraged on a regular basis:

"(1) A General Conference of the Members of the United Nations for the purpose of reviewing the present Charter may be held at a date and place to be fixed...

(3) If such a conference has not been held before the tenth annual session of the General Assembly following the coming into force of the present Charter, the proposal to call such a conference shall be placed on the agenda of that session of the General Assembly"

With that in mind, the first attempt for reform was initiated in the 1950s by Argentina and Cuba, an initiative that discussed the right of veto. (Ronzitti, 2010: 7) No changes were made.

The first and only real change in the way the Security Council operates was done in 1963. The number of non-permanent members was increased from 6 to 10. A very

important aspect of the 1963 resolution (GA Resolution 1991/1963) deals in part with the geographical distribution of the non-permanent members; as such the document states:

"The ten non-permanent members of the Security Council will be elected according to the following pattern:

a) Five from the African and Asian States;
b) One form Eastern European States;
c) Two from Latin American States;
d) Two from Western European and other States."

Increasing the number coicided with a reform of ECOSOC in 1963 and 1971, respectively (Ronzitti, 2010: 7). Ten years passed before any new progress was made, 1975 marked the birth of the Special Committee for the United Nations Charter and for strenghtening the role of the Organization which came about as a need of the organization to keep track of reform necessities and sugestions. (GA Resolution 3349 XXIX, 17 december 1974) The aformentioned Committee had an inportant role in defining concepts and ideas that relate to the evolution of the Security Council, so this subject will be tackled later on[1].

The year 1993 brought on the the discussion on equitable representation and increase in membership of the Security Council through resolution 47/62 (GA Resolution 47/62). By this time the number of members that belonged to the UN had reached 179 and the need for a consult on reform was adament. The resolution stated that members of the UN need to submit their position on reform and the way it's going to be carried out. A new resolution soon followed (making direct refference to Res. 47/62) that recognized the need to review the membership of the Security Council (GA Resolution 48/26). Thus The Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters related to the Security Council was created. A report on this working group will be developed later on in the article; its activity is heavily related to the way member states view the reform.

The Working Group started meeting in 1994 and although some aspects of reform were agreed upon, discord among the participants made progress very difficult. Heavy discussions have taken place at the time of Malaysia's chairmanship in 1997 States (GA Press release 9228, 20 march 1997) when an increase of membership in the Security Council from 15 to 24 by adding 5 permanent and 4 non-permanent members was proposed as follows:

- Five permanent members: one each from the developing States of Africa, Asia, and Latin America and the Caribbean, and two from the industrialized States; and
- Four non-permanent members: one each from African States, Asian States, Eastern Europe States and Latin American and Caribbean.

The question of seating new members in overshadowed only by discussions about veto power. This raises many questions related to the basic structure of UN operations. As W. Michael Reisman, professor at Yale Law School, sumarized: "Too much centralized power will mean abuse; too much control will mean paralysis. Too much decentralization and too little control could spell anarchy (Reisman, 1994: 111)"

The result of the 1993 talks on reform is highlighted by the position member states took on the reform of the Security Council. The change of perception occured when the Un members and UN institutions started talking about the reform as a collective.

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[1] As seen on: http://www.un.org/law/chartercomm/

During his term as Secretary General, Kofi Annan had ambitions for a more general UN reform. The High Level Panel on Threats, Challenges and Change (HLP) was appointed to study current threats to international peace and security. The report was issued in 2005 and dealt with the reform of the Security Council involving all important UN Chapters.

The fact that there was no definite anwer on reform, the HLP proposed two ways to expand Security Council membership. The common aspects of both proposals was that the total number of Security Council members should be 24, with subsequent distinctions:

A. model A envisioned 6 new permanent seats with no power of veto and three more two-year non-renewable seats;

B. model B stood for no new permanent seats, but rather a new category of 8 four-year renewable seats and one new two-year non-permanent and non-renewable seat.

It was also proposed that the situation be reviewed in 2020.

Model A proposes six new permanent seats, with no veto being created, and three new two-year non-permanent seats, divided among the major regional areas as follows:

Regional Area	No. of States	Permanent seats (continuing)	Proposed new Permanent seats	Proposed two year Seats (non-renewable)	Total
Africa	53	0	2	4	6
Asia, Pacific	56	1	2	3	6
Europe	47	3	1	2	6
Americas	35	1	1	4	6
Totals	**191**	**5**	**6**	**13**	**24**

Model B does not envisage any new permanent seats but creats a new category of eight four-year renewable-term seats and one new two-year non-permanent (and non-renwable) seat, divided among the major regional areas as follows:

Regional Area	No. of States	Permanent seats (continuing)	Proposed new Permanent seats	Proposed two year Seats (non-renewable)	Total
Africa	53	0	2	4	6
Asia, Pacific	56	1	2	3	6
Europe	47	3	2	1	6
Americas	35	1	2	3	6
Totals	**191**	**5**	**8**	**11**	**24**

Fig 1. *The two models (Model A and B) of reform proposed by the HLP in 2004.*
Source: HLP report, *A more secure world: Our shared responsability*, 2004: 81.

3. Member states' views on reform

Theo-Ben Gurirab (President of the General Assembly) during a meeting in december 1999 on Security Council membership and related matters, trying to put the issue of reform into context, had this to say: *"By launching the process of reforming, restructuring and democratizing the United Nations in its totality, including specifically the reform and increase in the membership of the Security Council, the Member States have accepted change"* (GA Press release GA/SM/143, 16 december 1999). At the time of

the 1993 discussions it was clear that the number of permanent members was the more important question (GA Resolution A/Res/47/62).

Germany pressed to obtain a resolution proposing an increase in the number of permanent members (the proposal was named quick fix, hinting at a solution easy to implement). These ambitions were temporarily defeated by those countries which would have remained outside the Security Council. They were able to put a procedural resolution to the vote, according to which the two-thirds majority for adopting a General Asembly resolution on the reform of the Security Council would have required two-thirds of the UN's members to vote in favour (Ronzitti, 2010: 8).

The G4 (Germany, Japan, Brazil, India) proposal: increase to twenty-five members by adding 6 permanent (4 seats from Asia and Africa, 1 each for South America and western Europe) and 4 nonpermanent members (Africa, Asia, eastern Europe, and Latin America). The veto right was asked for new permanent members, but the option to refrain from using it for 15 years was also accepted. (McDonald and Patrick, 2010: 38)

The African proposal (A/60/L41, December 2005), also called the Ezulwini consensus, sugests an increase in size to 26 members with 6 permanent and 5nonpermanent members added. New permanent members seats would be distributed consistent with the G4 scheme, with 2 new elected seats going to Africa (rather than one). The proposal envisions full veto rights for all new permanent members (Kelly, 2011: 336).

The United States has a complex view on what should be changed: the permanent members of the Security Council should be expanded from 5 to 10; Germany and Japan should have a permanent seat. The plan also has elements that reflect geographycal distribution by giving the other 3 seats to nations from Latin America, Africa, and Asia; the proposal is closely related to the german one by having a Security Council of 6 developed countries, and 4 developing countries as permanent members. The difference is that Germany's proposal takes into acount nations that are not candidates for membership through a process of periodic review for all new permanent and non-permanent members.[2]Another reform accepted by the United States takes into account an expansion of the Security Council beyond 20 members is acceptable under the circumstances of a reduction of UN dues payments (Kelly, 2011: 333).

Italy is in favour of a seat for the European Union, with no expansion of fixed permanent membership at all, only rotating regional permanent seats and supports the idea of semipermanent seats rotating frequently among a group of 30 to 40 states (McDonald, Patrick, 2010: 38). This method is in place of a regional allocation algorithm. As part of the Uniting for Consensus group (UFC) that brings together countries such as Mexico, Paraguay, Pakistan, etc. a draft report of a security council reform was writen and submitted in 2005 (GA draft Resolution A/59/L.68, 2005). The paper had some interesting ideas: a model based on 25 member states, permanent seats occupied by France, China, the Russian Federation, the United Kingdom and the US while the other 20 member shall be elected by the General Asembly. The election of the nonpermanent members will take into account "in the first instance the contribution of Members of the United Nations to the maintenance of international peace and security and the other purposes of the Organization, and also to equitable geographical distribution".

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[2] "New permanent members will become accountable to the general membership. The performance and the action of any new permanent member will be taken into account at the moment of review. Any new permanent member could be replaced." As found in: *Periodic Review Clause: Working Paper by Germany*, July 3, 1996, U.N. Doc. A/AC.247/1996

Chile, supported by *Egypt* and *Ukraine*, proposes a regional system for new permanent members, with long-term seats from a single country representing the interests of the region as a whole. No veto applies to these countries. Another country from South America, *Belize*, discussed about permanent regional seats with a 5 year mandate and the possibility for indefinite renewability. These permanent regional seats should be the result of elections supervized by the United Nations (Kelly, 2011: 334).

The question of permanent seats based on cultural or ethnical considerations was the focus of Syria in the matter of reform. Mikhail Wehbe, the syrian representative, argued that talks on reform have only achieved the "marginalization of its standards and encroachment into its fundamental role in maintaining international peace and security" (GA Press release 9692, 20 december 1999). In this case, as part of the Group of Arab States, Syria considers an expansion to no less than 26 members; if the number of permananent seats will be increased is in their belief that he Group of Arab States should be given a permanent rotating seat based on their criteria. One might argue if such a proposal points at a reform based on civilizational[3] aspects, but there are no concludent factors to this theory.

As a benchmark moment in debates about Security Council reforms, the 2005 General Asembly summit hosted very little concludent talks about the subject: support for an early reform of the Security Council was promossed in order to make it more broadly representative, efficient and transparent and to further enhance its effectiveness and the legitimacy and implementation of its decisions (Office of the Presidency of the GA Press Release, 19 december 2005). The most important aspect of the 2005 talks was the fact that a number of states made their point clear on reform and, by doing so, put the talks in a whole new perspective:

- the G4 proposal
- the Uniting for Consensus proposal
- the African Union proposal
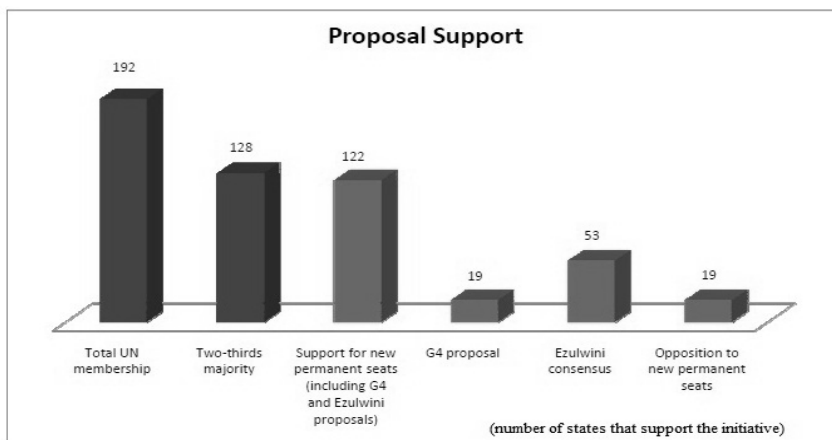
Fig. 2 Support for reform proposals among member states
Source: Center for UN Reform Education, chart last updated on 8 december 2008

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[3] Defined by Samuel Huntingtons's *Clash of Civilizations* as seen in Foreign Affairs; Summer 1993; p. 22

The plenary meeting of the General Asembly from september 2008 ended with a concrete deicision on the future of reform debates. Decision 62/557 gave the Open-ended Working Group a mandate to continue negotiations and to gather all opinions of the member states on the subject. The five key points that needed addressing were: categories of membership, the question of the veto, regional representation, size of an enlarged Security Council and working methods of the Council, the relationship between the Council and the General Asembly.
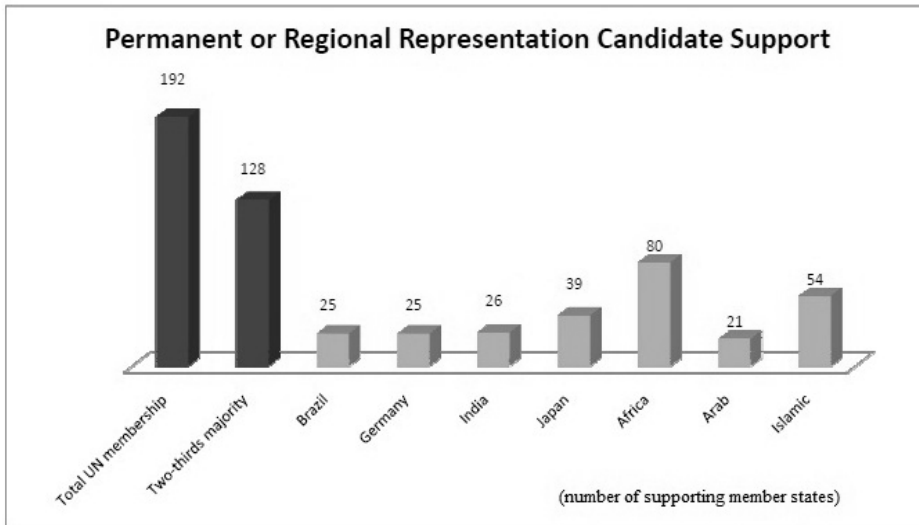
Fig. 3. *Support for individual candidates for a seat on the Security Council.*
Source: Center for UN Reform Education, chart last updated on 8 december 2008

4. Academic theories

By examining the suggestions of the academic community, innovative and creative solutions are making the way towards a solid proposal. Strong concerns are exhibited (mostly after the 2003 events in Iraq) that the Security Council will be limited to mandating UN humanitarian, peacekeeping, and transitional government mop-up operations after U.S. led military interventions. Below there are a few ideas that are best suited to interract with our own ideas for what the Security Council needs to be in the 21 century.

Mary Ellen O'Connell, in *Renewing the Council through Law Reform* (2005), asks the question whether changes made will be real reforms towards the achievment of peace and security in the world. From this she puts forth 3 categories of reform:

1. Enlarging the Council and reforming the use of the veto power.
2. Reforming the law under which the Council authorizes the use of force.
3. Bypassing the Council in cases where states that want to use force don't get the authorization they seek.

The author proposes an increase the seats in the Security Council from 15 to 21 members with 7 permanent seats. Those permanent members will be: the United States, Russia, China and a representative from Europe, Asia, Africa and South America to be decided as those regions wish.

Michael J. Kelly, in his book *U.N. Security Counsel Membership: A New Proposal for a Twenty-First Century Council* (2011), bring into discussion different ways to retain but restructure the veto by:

- limiting the subject matter that can be vetoed;
- doubling the veto requirement (requiring a second veto by another permanent member);
- overruling a veto if cast by a single permanent member.

In his view, such proposals are unrealistic. Current permanent members are reluctant to change on the present form of veto. A suggestion in this direction came from Germany: the veto vote must be accompanied by its motivation. As for new permanent Security Council members, there is support for not granting them a veto power at all due to fears of abuse. This, in turn, causes and imbalance between the permanent members, the new permanent members need to receive a veto of some sort just to level the situation. Some states, such as Kenya, argue that if the veto is not to be eliminated, it has to be awarded without discrimination to all permanent member states.

The subject of Michael J. Kelly's proposal deals mostly on this case of reforming the vote procedure:

The procedural veto is one by which the permanent members for Latin America, Africa and Asia can veto a subject being no different from a substantive veto. When the procedural veto is cast the matter is not resolved, but sent to a special session of the General Assembly for consideration. A majority vote in the Assembly either for or against the matter without possibility of amendment, will determine the future of the matter in hand. The procedural veto then may become a substantive veto in some cases, on matters that directly affect developing countries, represented by the permanent regional rotating Security Council members who would be casting such a veto.

In the case of Europe, the retention and collapse of substantive veto power into a European seat means substantive veto preservation for France and Britain and the necesity of an equal footing for Germany.

To better balance the issues that worry current and future permanent members (Japan and India proposed), the creation of a procedural veto power in new permanent regional rotating members is adamently required. Germany's proposal that an explanation accompany a veto should be adopted and applied to both versions of the veto power.

The structure of a new UN Security Council is highlighted below:

Term and Veto Power	Member
Permanent Seats with, Substantive Veto Power	1. China 2. Russia 3. United States
Permanent Regional, Rotating Two Year Seats with Substantive Veto Power	Europe: a.France, b.Germany, c.United Kingdom
Permanent Regional Rotating Two Year Seats with Procedural Veto Power	1. Latin America: Brazil, Mexico, Argentina or Chile 2. Africa: South Africa, Egypt, Nigeria or Kenya 3. Asia: India, Japan, Indonesia or Pakistan

Fig. 4. *The view on the distribution of member seats according to Michael J. Kelly*
*Source***:** Kelly, 2011: 344

A very interesting approach to the question of Security Council reform viability and overall effectiveness as an impartial source for the worldwide security agenda can be examined in a study by **Ilyana Kuziemko** and **Eric Werker** (Department of Economics, Harvard University, Cambridge) entitled *How Much is a Seat on the Security Council Worth? Foreign Aid and Bribery at the United Nations*. The research published hints at extra foreign aid from the United States, the United Nations, and Germany to countries

that serve as nonpermanent members of the UN Security Council, during important years of world events (Kuziemko and Werker, 2004: 22).

This could prove to be an explanation for why Security Council resolutions are passed unanimously and failed resolutions are rare. By providing extra aid to nonpermanent members agenda setters have implicitly revealed their faith in the Security Council's relevance in world affairs. Manipulation, in this case, hurts the image of the council and its effectiveness (Kuziemko and Werker, 2004: 22).

5. The Reform Proposal

The extent of a reform is only as viable as the principles it strives to protect. As the most influential institution of the UN, it must face agression[4] (Năstase, 1997: 325) and maintain international security[5] (Năstase, 1997: 323) through the means of its disposal. This is where the real debate begins. For the implementation of a solid and functional reform of the Security Council, that all countries feel is long overdue, there are three main factors involved.

Firstly there is the question of equal representation of all member states of the UN. The question of "fairness" has been raised time and time again, starting to the first and only reform in 1963. Equal representation must be ensured by use of a regional system that groups countries in spheres of interrests and influence; political realism has proven that the greater good is only an objective as long as it fuels other interrests. In such a case, the creation of 7 regional groups on a global level would give the incentive to resolv conflicts at a regional level. Each region would get 1 permanent seat and 2 rotating nonpermanent seats on a 3 year cycle, with a total of 21 members. Thus, cultural and ethnic specificity is enforced.

The question of Japan or Germany as permanent members should be decided on a regional level, taking into account the influence and ability of said countries to enforce security in their respective areas. As for the dabate on wheather or not the EU should have a seat, it's not particulary relevant to the big picture with such a model, but it is an option.

Secondly, the way the veto power works must be analyzed and tweaked. Probably the most pressing issue of the whole debate, the veto has always been an obstacle in granting new permanent member seats. Restrictions on the use of veto will not pe applied because the mecanics will change the discussion about procedural and substantive vote plays a major part. Very similar to that distinction, security and peacekeeping issues that are of a regional scale will be dealt with on a regional level, involving 2 other adjacent regional groups. If consensus cannot be obtained, the issue becomes a subject for the whole Security Council.

The third aspect that needs a solution is that of the resources aggregated in enforcing security. Today's UN model is based on the concept of an exterior administrative entity. On the front of growing security issues, this has to change to a participative system. The concern here is that without such a model, the regional security plan will not work to its full

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[4] **Aggression** is the use of armed force by a State against the sovereignty, territorial intergrity or political independece of another State, or in any other matter inconsistent with the Charter of the United Nations, as defined by A/RES/3314 (XXIX).

[5] The UN needs emphasizes the need to exert continuous efforts for the strenghtening **international peace and security** and welcomes the decision of the Security Council to hold periodic meetings with an impoertant contribution to fufilling these goals, as stated by A/RES/2734 (XXV).

capacity. The armed forces used today to maintain security come directly from the member states, they are not a part of a UN controlled unit. Such reform proposals will need a rethink of the Charter and are more likely issues for the future.

Finally, we envisioned a draft reform document based on the Session 59 of the General Assembly document, A/59/L.68, a proposal of reform handed in by Argentina, Canada, Colombia, Costa Rica, Italy, Malta, Mexico, Pakistan, Republic of Korea, San Marino, Spain and Turkey.
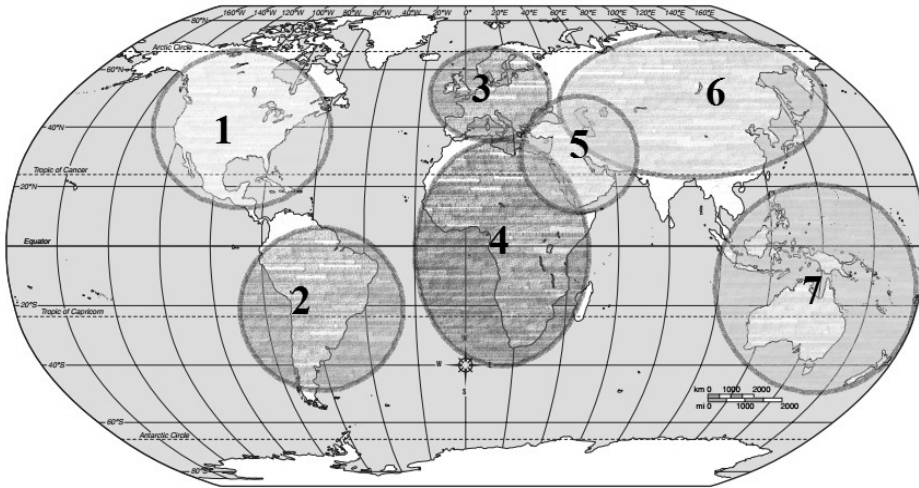
Fig.5. *Geographical representation through state groups.*
Source: Template from http://www.eduplace.com/ss/maps/world.html

6. Draft resolution

The General Assembly,

Recalling its resolution 1991 A (XVIII) of 17 December 1963, by which it decided to amend the Charter of the United Nations to increase the number of nonpermanent members of the Security Council from six to ten, on the basis of the increase in the membership of the United Nations since 1945,

Recalling the various reports of the Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council, established by its resolution 48/26 of 3 December 1993,

Stressing the urgent need to improve the working methods of the Security Council in accordance with the various issues discussed within the Open-ended Working Group, in particular the question of transparency in decision-making; accountability; fairer opportunities of participation of Member States; better access to information by all Member States and restrictions on the veto power with a view to its eventual elimination,

Recalling the United Nations Millennium Declaration of 2000 and taking note of the report of the Secretary-General entitled "In larger freedom: towards development, security and human rights for all", in particular its assessment of the interlocking nature of security, development and human rights, and reaffirming that the internationally agreed development goals, including those contained in the Millennium Declaration, can only be achieved through the full implementation of the mandates contained in the Monterrey Consensus of the International Conference on Financing for Development and the Plan of

Implementation of the World Summit on Sustainable Development ("Johannesburg Plan of Implementation"), among other development commitments,

Mindful of primary responsibility conferred by the Charter of the United Nations on the Security Council for the maintenance of international peace and security and that in carrying out its duties the Security Council acts on behalf of the Members of the United Nations,

Mindful also of the importance of strengthening the institutional balance and interrelationship among the General Assembly, the Security Council and the Economic and Social Council within the scope of the comprehensive reform of the United Nations,

Considering that joint efforts by the General Assembly, the Security Council and the Economic and Social Council are needed in order to attain solutions to global problems and threats in an integrated and constructive manner,

Considering that the present composition of the Security Council is inequitable and unbalanced,

Recognizing that contemporary world realities, in particular the substantial increase in membership of developing countries since 1963, requires an expansion of the Security Council, in the non-permanent category, in order to ensure fairer opportunities of participation for all Member States,

Reaffirming that any expansion of the Security Council should make it more democratic, more equitably representative, more transparent, more effective and more accountable,

Convinced that periodic elections and re-elections are the strongest means to promote real accountability, allow for frequent rotation and fair and equitable representation of the Member States in the Security Council,

Recalling its resolution 53/30 of 23 November 1998,

Recognizing the importance of reaching the broadest possible agreement on all major issues, including Security Council reform, as decided in resolution 59/291 of 15 April 2005,

Recalling Article 108 of the Charter of the United Nations,

Amendments to Article 23:

1. *Decides* that the Security Council shall consist, in addition to the five permanent members as determined by Article 23, paragraph 1, of the Charter of the United Nations, of twenty elected Members of the United Nations serving on the Security Council for a two-year term, according to the provisions of paragraphs 3 and 5 below;

2. *Decides*, in view of the above, to adopt the following amendments to the Charter and to submit them for ratification by the States Members of the United Nations;

3. *Decides* that Article 23, paragraphs 1 and 2, of the Charter of the United Nations will read as follows:

"1. The Security Council shall consist of twenty-one Members of the United Nations, split among 7 geographical regional groups. The current permanent members may remain in their seats but only following a decision of their respectiv geographical constituency. The General Assembly shall validate all members of the Security Council, due regard being specially paid, in the first instance to the contribution of Members of the United Nations to the maintenance of international peace and security and to the other purposes of the Organization, and also to equitable geographical distribution."

"2. The non-permanent members of the Security Council shall be elected for a term of three years. Current nonpermanent and permanent members may be eligible for immediate re-election, subject to the decision of their respective geographical groups."

Distribution of seats

4. *Decides* that, in order to implement paragraph 3 above, the seven regional groups need to be defined as: Central and North America, South America, Europe, Africa, Nations of the Middle-East, Asia, South-East Asia and Australia. The twenty-one members of the Security Council shall be elected according to the following pattern: every geographycal group will have one permanent seat and two non-permanent seats in the Security Council.

Limits to re-election and role of geographical groups

5. *Recommends* that each of the seven existing geographical groups, as identified in paragraph 4 above, shall decide on arrangements among its members for re-election or rotation of its members on the seats allotted to the Group; those arrangements shall also address, as appropriate, a fair subregional representation;

Voting procedure for Security Council decisions

6. *Decides* to amend also Article 27, paragraphs 2 and 3, and Article 109, paragraph 1, of the Charter to require the affirmative vote of twelve of the twenty-one members of the Security Council. For a motion to pass it will require a majority vote of twelve with the votes of three permanent members: the member from the region in question and two members from the adjacent regions, respectivly;

Working methods

7. *Calls* for improving the working methods of the Security Council in a transparent, inclusive and accountable manner, including in particular:
   a) Restraint on the use of the veto;
   b) Procedures to guarantee transparency in decision-making, accountability in performance and access to information, including open briefings and interaction with all interested parties;
   c) Consultation, cooperation and adequate exchange of information with the General Assembly and the Economic and Social Council;
   d) Access and better participation of non-member States of the Security Council in the work of the Security Council;
   e) Adoption and circulation of formal rules of procedure;

8. *Underlines*, in addition to the provisions of paragraph 7 above, the need to elaborate further provisions through consultations among Member States;

9. *Urges* its Open-ended Working Group on the Question of Equitable Representation on and Increase in the Membership of the Security Council and Other Matters Related to the Security Council to promptly finalize its recommendations on the working methods of the Security Council;

Ratification of amendments to the Charter

10. *Calls upon* Member States to ratify the amendments set out above, in accordance with their respective constitutional processes;

11. *Requests* the Secretary-General to submit to the General Assembly a report on the status of the process of entry into force of these amendments to the Charter.

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"QUO VADIS" UNITED EUROPE: AN <u>E</u>-FORTRESS IN BECOMING OR THE PROMISE LAND "ELDORADO"?

Edina Lilla MÉSZÁROS[*]

Abstract: *The Arab Spring had some serious consequences in terms of human mobility, Europe finding itself facing an extremely dynamic and uncertain emergency situation, crying out for a prompt response, putting under pressure the foundations and the components of the EU's migration policy asking for a clear reconsideration of its strategy on cross-border migration, mobility and security. Alerted by this unprecedented phenomenon and in addition by the terrorist and organised crime experiences of the previous years, the European elites came out with the EUROSUR and the Smart Borders Initiative. This research targets many problems, wondering if the European Union is erecting fences and building walls at its external frontiers, this being a clear return to the realist perceptions, or it's constructing bridges which connects cultures, heading towards inclusive practices. By analysing the viability of the EUROSUR proposal and of Smart Borders Initiative we wish to give a prognosis of the direction where the EU is heading in border security and immigration policy matters, envisaging the creation of an e-fortress Europe with invisible fences rather than a promise land, Eldorado.*

Keywords: *securitization of migration, real-perceived threat, US-VISIT, EUROSUR, Smart Borders package*

1. Introduction

In the immediate period after the Cold War we witnessed the creation of a complex security environment profoundly changed, in which had produced a shift from risk to threats, namely from the sole risk of nuclear exchanges to multiple threats of global insecurity. In the new millennium the transnational threats increased, United Europe being under constant pressure, being the target of terrorist groups, drugs-, weapons- and human traffickers and of illegal "alien"[1] networks. As a result to these challenges and threats the frontiers of the European Union were transformed into security zones, with high-tech instruments and strict normative measures.

Border security has taken on greater importance after the terrorist attacks in the United States, occupying the first place on the agendas of political elites both in the U.S. and the European Union. After these events the EU has found itself face-to-face with a major challenge, namely the creation of a secure environment with strengthened borders, a challenge which in this era of the free commerce must deal with the intensive flux of people and goods.

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[1] Here we refer to illegal immigrants

The border security policies must enable the security personnel to identify, filter and halt all the risky elements, like dangerous persons or substances from millions of travellers and tons of merchandises which cross the frontiers of the European Union daily. So we can conclude that the measures of management of the external frontiers of the European Union must meet a double objective of enhancing security on one side and of facilitating travel and the movement of persons on the other side.

The EU is combining both hard and soft measures at its external frontiers, trying to reconcile the realist state-centric and exclusive border practices with the necessity of developing an inclusive approach based on collaboration with those situated outside the "golden gates" of the EU. Thus the European colossus acquires a dual feature, on one hand trying to distance itself from the surrounding world, while on the other it wants to engage in a policy of good neighbourhood for the assurance of stability.

The main question to which we want to answer in this article has taken as a source of inspiration the title of the famous novel of Henryk Sienkiewicz, Nobel Prize winner: "Quo Vadis" (Sienkiewicz, 1905: 1), which implemented in the frame of our research sounds as the following: *Quo Vadis United Europe: an e-fortress in becoming or the promise land "Eldorado?"* By solving this dilemma we wish to give a prognosis of the direction where the EU is heading in border security and immigration policy matters, underlining that although the global migration policy of the EU is on a good track, the scenario of an **e-fortress Europe (with virtual borders and electronic fences)** is very possible, a scenario that would be very dangerous both for the European humanitarian tradition and for the human rights values and norms on which the entire Union is built on (Neisser, 2007: 140).

This study departs from a major hypothesis through which we want to confute the statements of various scholars like Jan Zielonka or Chris Rumford, who foresee a United Europe with soft frontiers. Jan Zielonka in one of his studies (Zielonka, 2001: 508-526) pointed out that the installation of hard borders in the European Union would be difficult, the EU being a construction without definite borders. The academician even questioned the utility of these rigid borders, finding the problems connected to cross-border crime, smuggling, and illegal migration, (considered as the main arguments for erecting walls around the EU, and for the construction of hard borders) exaggerated. In his perspective establishing hard borders would put in jeopardy the process of the European enlargement, which would lead to exclusion rather than inclusion (Zielonka, 2001: 508-526).

In his book "*Europe as Empire*" he comes to the same conclusion, advocating for a United Europe with soft, inclusive borders, drawing the attention of the audience upon the risks of hard borders, which would hamper the trade, and would alienate the EU's current and future neighbours, jeopardizing the existing Western system of freedom (Zielonka, 2007: 1-4). He lobbied for an enlarged Europe with soft borders instead of hard and fixed ones.

In Chris Rumford's perception the European colossus recognized that the imposition of hard barriers is likely to create problems for both those EU countries on the periphery (faced with increased insecurity beyond the border) as well for the neighbours who find themselves on the other side of the *golden curtain of wealth* (economic disadvantage, curtailment of historical patterns of local trade, movement of people etc.), seeking to ameliorate these problems by softening the edges of its external borders for example, by increasing networking opportunities with the non-member states and allowing for localized and routine cross-border traffic (Rumford, 2006: 7).

In the light of these findings we desire to move the research to another level, according to which we consider the concept of "fortress Europe", as an expired and outdated term, its place being taken by the concept of "e-fortress", which instead of traditional measures of border control will use invisible fences, non-lethal microwaves, video-equipped (and potentially armed) unmanned dirigibles (Gruszczak, *The securitization of the Eastern borders of the European Union: Walls or Bridges,* 2010: 10), off-shore sensors, satellite tracking systems (Hayes and Vermeulen, 2012: 8) and new biometric technologies for the assurance of the security of the external frontiers of EU.

2. The dichotomy of real and perceived threats in Fortress Europe and the securitization of migration

The frontiers continue to play a major role when it comes to the assurance of security, thus delimiting the legal jurisdiction, the sovereignty of a nation state. The control of frontiers represents a basic activity of the states, these reserving the right to maintain the monopoly on deciding that which type of persons and goods have the permission to enter on their territory.

These observations can be successfully implemented in the border policy of the EU, backed up by the Treaty of Lisbon (Treaty of Lisbon, 2007) which clearly stipulates that the United Europe is a *space of freedom, security and justice*, introducing an integrated system for the management of the external borders of the European Union putting an emphasize upon the principle of burden-sharing, every member states having the duty to provide effective control at its external borders.

The theoretical framework of this study oscillates between the **realist** and **constructivist** approach, trying to decipher the future trends in Europe regarding the problem of the securitization of frontiers. If we analyze the borders of the EU from the perspective of the **realist** approach we can affirm that with the enlargements from 2004 and 2007, Europe has found itself in the vicinity o some criminal bands and "hubs" (Europol, 2007: 25) originating from the "*Wild East*" (Gruszczak, *The securitization of the Eastern borders of the European Union: Walls or Bridges*, 2010: 1)*,* which by undertaking criminal activities have became a serious threat and risk to the European welfare state system, leading to a heavy securitization of EU external borders. The necessity to introduce strict protection measures, surveillance and also the development and modernization of technical instruments of control like biometrics (Ceyhan, 2008: 104) were legitimized by preventive and protective role of the European Union.

According to the newly developed *securitarian paradigm* (Angelescu, 2011: 78-79) not only terrorist groups or organized crime networks are considered as a threat, but also the phenomenon of migration (especially the illegal migration). Leaving aside the legislative proposals and official discourses of the political elites behind the podium from Brussels, in our day's migration is seen as a threat rather than an opportunity, showing some similarity with the securitization theory developed by the representatives of the Copenhagen School of Thought[2], the European Union constructing various borders for the defence of its sole frontier. Constructing the basis of a system with restrictive visas as well

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[2]*Securitization* can be defined as a process in which a securitizing actor declares a particular issue to be an existential threat to a particular referent object. If accepted as such by the targeted audience, this enables the suspension of normal politics and gives green light to use of emergency measures in responding to that perceived crisis. This way *security* can be understood as a negotiation (bargain) between the speaker and the audience, while *securitization* becomes a discursive construction of threat.

the signing of bilateral agreements with third countries for the acceptance of the returned immigrants seem strengthen this perception. From the perspective of the realist scholars as a result the EU has fully earned its famous nickname of "*European fortress*".

If we analyze the origins of the concept of "fortress Europe" we find out that in the time of the 2nd World War it had a completely different meaning than nowadays, being identified as a military propaganda term, referring to the areas of Continental Europe occupied by Nazi Germany, as opposed to the free United Kingdom. According to Monica Heintz the identity of the European Union is based on the metaphor of the *citadel* or *fortress* having a defensive function that is sometimes pushed further, to a negation of the exterior world by the idea of self-sufficiency (Heintz*, 2000/2001: 37-49*). This means that in EU the boundaries are drawn by the EU versus- non-EU and inside versus outside dichotomies. The vast majority of the scholars agree upon the fact that the Schengen agreement and the Maastricht Treaty have contributed to the birth of the phenomenon of the "citadel Europe". In 1985 was signed the Schengen Agreement, which implemented a decade later abolished internal border controls within the Schengen zone, transferring the surveillance to its external frontiers, as Bort Eberhard noticed "*just as the Iron curtain was lifted, bringing in its wake a softening and opening of frontiers, this became, under the auspices of 'Europe 92' and Schengen, the external frontier of the EU, which had to be hardened*" (Bort, 1998: 94). However in Ali Bilgic's opinion the roots of this concept go back further than Schengen or Maastricht to the 1970s when the economic rights of citizens of the European community were set down, in the regulation 1612/68, establishing the free movement of workers from the member states (Bilgic, 2006: 32).

According to the assumptions stated by the adepts of constructivism the international relations can be constructed in a social way based on normative terms, without being the result of the clashing of interests. Unlike the followers of the realism and neo-realism, for the militants of constructivism the conceit of *security* is much more flexible, stating that security the same as the threats there are not some fix phenomena, but they are constructed socially, and for something to become the subject of a security problem, a problem must be presented by an international actor who makes an appeal for the commencing of a securitization process.

As it was mentioned in the previous lines after the enlargements from 2004 and 2007 the EU has reached in the vicinity of the Wild East, finding itself face-to-face with some major challenges, it had to reconsider how to protect its external frontiers from threats[3] (Frontex Annual Risk Analysis, 2012: XI) like transnational crime, illegal aliens, arms-, weapons-, drugs trafficking etc., without totally condemning the people which were living on the other side of the border to a complete isolation. Here enter in the landscape the followers of the constructivist approach who advocate for soft and open borders, without strict visa regimes and without turning back the refugees seeking asylum at its frontiers.

If we look at some statistics provided by the Frontex Annual Risk Analysis and the Frontex Quarterly Issues we may come to the conclusion that on hand the border securitization measures of the Union are justified in front of the real threats which lurk at its frontiers.

From the Frontex report we find out that the detections of illegal border-crossing along the external borders of EU Member States rose from approximately 104.000 in 2009

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[3] In the Frontex Annual Risk Analysis 2012 threat is perceived *"as a force or pressure acting upon the external borders that is characterized by both its magnitude and likelihood; 'vulnerability' is defined as the capacity of a system to mitigate the threat and 'impact' is determined as the potential consequences of the threat."*

and 2010 to nearly 141.000 in 2011, signifying an increase of 35% in comparison with the previous years. The illegal aliens crossing the borders of the EU were mainly originating from Tunisia (20%), Afghanistan (16%) and Pakistan (11%).

This increase is mostly a consequence of more reported detections (exactly 64.000) in the Central Mediterranean migration area, compared to only 5000 in 2010, this event being triggered by the change in the political regime in Tunisia and later sustained by the departure of many sub-Saharan migrants from Libya. In the Eastern Mediterranean route were also detected with 12% more illegal border crossings than in the 2011 (with 55.000 detections). At this border section, the number of detections increased solidly throughout the year and the migrants who illegally crossed the external border in Greece had the tendency to transit through the Western Balkans, or travel directly from Greece to Italy. Irregular migration also increased at the Western Mediterranean route as well, where the total amount of detections raised to 8500 in 2011 less than 8.500 detections in 2011, most of the migrants coming from Algeria and Morocco. In terms of refusals to entry issued in the Community the Albanians ranked the first, refusals to entry issued for the Ukrainians.

As another threat presented in the Frontex report appear the forged documents, their falsification being increasingly linked to organized crime networks. In 2011 there have been documented 9500 detections of false papers, the highest level since systematic data collection began in Frontex in 2009. Unfortunately apart from this growth, there are also increased abuses of authentic documents by unauthorized users, known as imposters. Analyzing the statistics revealing the detections of illegal stay we found out that their number has remained stable between 2010 and 2011 at approximately 350 000, the Afghans and Tunisians ranking among the top nationalities in the case of the reported number of detections of illegal border crossing, illegally staying. The prognosis shows that the border between Greece and Turkey is very likely to remain one of the areas with the highest number of detections of illegal border-crossing along the external border (Frontex Annual Risk Analysis, 2012: VI).

FRAN indicator	2008	2009	2010	2011	% change on previous year
Illegal entries between BCPs	159 881	104 599	104 051	140 980	35
Clandestine entries at BCPs	:	296	242	282	17
Facilitators	9 884	9 171	8 629	6 957	-19
Illegal stay	441 237	412 125	353 077	350 944	-0.6
Refusals of entry*	121 294	113 029	108 651	118 087	8.7
Asylum applications**	223 173	219 814	203 880	254 054	25
False travel-document users	:	8 094	9 567	9 682	1.2
Return decisions issued***	:	:	:	231 276	n.a.
Effective returns	:	:	:	148 853	n.a.

Figure 1. Fran indicators, Source: FRAN data as of 10 February 2012,
Frontex Annual Risk Analysis, p. XII

After presenting the real threats we should a closer look to the feedback of the European Union to the phenomenon of migration and security which combines three axes, namely: **common asylum and migration policy**, **cooperation with third states**, **and strict controls at frontiers**. Heavier border controls are meant to enhance cooperation on the external border controls concerning the efficiency of surveillance at the frontiers of the

member states measured by the decrease of the number of immigrants. As it was highlighted in the previous lines *the immigrant* or the "*other*" represents a source of threat, a factor of risk and distrust, becoming a sort of *resident* evil or *folk evil* (**perceived threat***)*, a risk to our jobs, homes, frontiers, cultural identity and to our national sovereignty. The statistics (Reif and Melich, 2002) supplied especially by the Eurobarometer reveal to us how the perception of the citizens of the EC/EU has changed towards the immigrants over the years, in 70s and 80s they were received with open hands, so in our days to reach the status of the "*persona non grata*"[4]. We don't exclude the possibility that the fear of migration and the need of enhancing the feeling of security towards real or perceived threats coming from outside can be considered as one of the basic arguments against future enlargements of the EU (Angelescu, 2011: 78), it's enough if we look at the situation of Turkey.

Once with the attacks from 11/09/2001 this perception of threat has increased even more, strengthening the link between security and migration, resulting in the **securitization of migration** (Gebrewold, 2007: 10). Jef Huysmans argues that the securitization of migration in the EU and its member states has developed based on three relatives themes, namely: internal security, cultural security and the crisis of the welfare state (Huysmans, 2000: 758). He wants to raise the attention of the readers that the Europeanization of the migration policy fosters the securitization of migration a radical and xenophobic alike political strategy with the purpose of excluding certain categories of people, emblematizing them as a danger to cultural values, health, welfare, social assistance, public safety. Supporting the idea of the migrants being rendered as elements of risk and danger just makes the inclusion of migrants, refugees and asylum seekers in the EU more difficult, in the same time putting under question mark the values such as solidarity, social integration, and cultural identity promoted in the Union (Huysmans, 2000: 770-771).

We must acknowledge that there are both **real** and **perceived t**hreats concerning the relation between security and migration, but unfortunately these real threats can lead to the creation of certain perceived threats, conducting to the birth of some ethically questionable policies, this generating the phenomenon of citadel or fortress Europe. This can be perceived as an ethical threat which undermines the rights of people, equality, justice and the rule of law, some values on which the United Europe was built. We also have to take into consideration another aspect, that although the public opinion from the EU in general has a very negative attitude towards the immigrants, Europe needs foreign, especially unskilled workforce to fill the gaps left by the low birth rates and the ageing of the population on the European labour market in order to assure continuous development and economic prosperity.[5] These policies destined to enhance the internal security of the EU have major impact upon the lives of the immigrants (TCNs, third country nationals), who in hope of a better life wish to reach to what is considered by them as the promise land or the "European Eldorado"(King, Lazaridis and Tsardanidis, 2000: frontpage).

But Europe must realize that such attitudes create resentment and aversion among populations that fall outside the external borders of the EU, on the other side of the curtain lace (we consider that with the appearance of Schengen the Iron Curtain has transformed

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[4] Unwanted persons

[5] Recent projections suggest a natural decrease in the population of the EU between 2010-2050. Assuming zero net immigration, the EU's population would decrease by 26 million by 2030, and by 50 million by 2050. Barring immigration, by 2050 the working age population (15-64 years old) in the EU is forecast to decrease by 59 million, signifying a major economic challenge

into a lace curtain). As we see the EU is sending an ambiguous message across its borders, on one hand facing the ageing of its population, it opens its borders to the immigrant fresh workforce, while on the other hand it raises walls and sends back immigrants who are seeking asylum as its border. The decipher of this controversial message will enable us to identify the direction where the EU is going in border security and immigration policy matters, also giving an answer to the main hypothesis of this research.
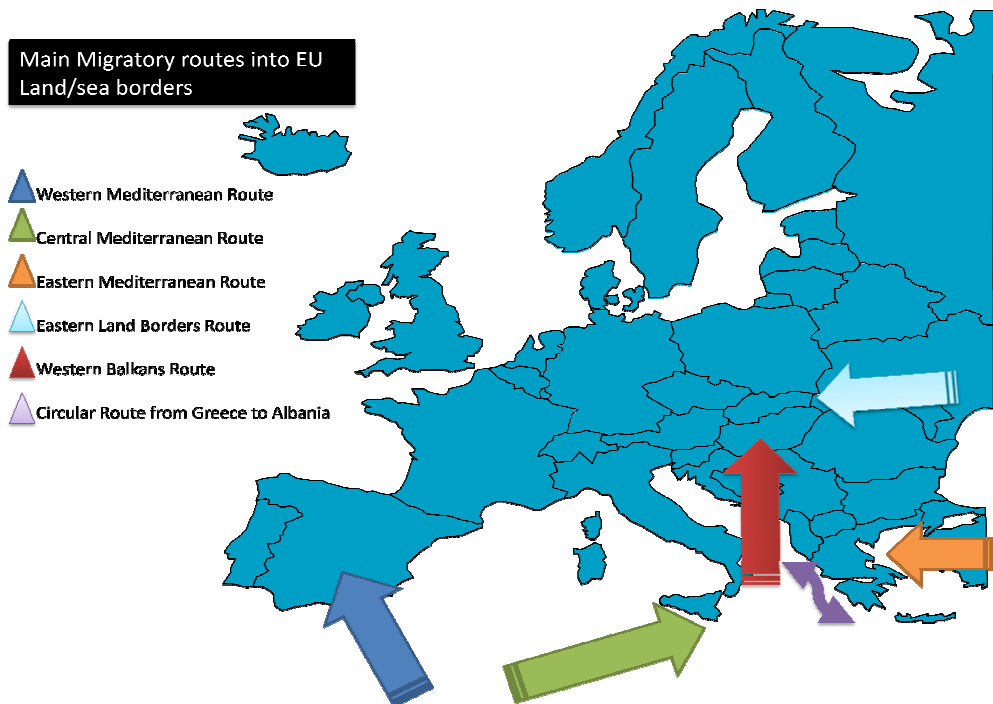
Figure 2. Main migration routes into the EU Land & Sea borders, Source: Edited after the Frontex official site, http://www.frontex.europa.eu/intelligence/migratory-routes

3. The US-visit program and the american way of being smart

Because the EU's future Smart Border Package (especially the Entry/Exist System) greatly inspired from the automated entry and exit system of the U.S. Visitor and Immigrant Status *Indication* Technology program or the US-VISIT we consider it appropriate to make a brief initiation of the reader in the backstage of this program, but without making an in-depth analysis, this program not constituting the main theme of our research study.

The "way of being smart" was implemented in the international public conscience by the Americans, it's enough if we enumerate the multitude of the smart initiatives, departing from the **smart power**[6] (Palaver, 2011: 4: 105), **smart foreign policy, the NATO's Smart Defence Initiative**[7] and of course the **smart or virtual borders**.

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[6] Smart power is something "*beyond hard and soft, a sort of new approach that fits particularly well into the realm of international relations and foreign politics; According to Prof. Nye smart power is neither hard nor soft, rather the skilful combination of both. It means developing an integrated strategy, resource base, and tool kit to achieve American objectives, drawing on both hard and soft power*".

[7] Smart defence is a new way of thinking about generating the modern defence capabilities the Alliance needs for the coming decade and beyond. It is a renewed culture of cooperation that encourages Allies

The official site of the United States Homeland Security states that the main aim of the US-VISIT project is to support the Department of Homeland Security's responsibility to protect the American nation by providing biometric identification services that help federal, state, and local government decision makers accurately identify the people they encounter and determine to pose a risk to the United States. US-VISIT supplies the technology for collecting and storing biometric data, provides analysis, updates its watch list, and ensures the integrity of the data.[8]

Its origins date back to the after period after 11th September 2001, its elaboration being a clear feedback of the US Government to the terrorist attack on the World Trade Centre and the Pentagon, the American leadership considering necessary the rapid stiffening of its border controls (Koslowksi, 2005: 1). After the attacks the US perceived its border with Canada as a sieve through which risky elements like terrorist could easily pass, redeploying its Border Patrol officers to the U.S.-Canadian border, leading to traffic queues of fifteen hours at the border, delays that were not economically sustainable. This lead to the elaboration of an *Action Plan for Creating a Secure and Smart Border*, which was announced on the 12th of December, 2001. This initiative to create a "Smart Border" of the future later become a central feature of the subsequent National Homeland Security Strategy (Koslowksi, 2005: 2). The statement of the White House revealed that:

The border of the future must integrate actions abroad to screen goods and people prior to their arrival in sovereign US territory, and inspections at the border and measures within the United States to ensure compliance with entry and import permits . . . Agreements with our neighbors, major trading partners, and private industry will allow extensive pre-screening of low-risk traffic, thereby allowing limited assets to focus attention on high-risk traffic. The use of advanced technology to track the movement of cargo and the entry and exit of individuals is essential to the task of managing the movement of hundreds of millions of individuals, conveyances, and vehicles[9].

In 2003, the Department of Home Security set the basis of the US-VISIT program aiming to collect, maintain, and share information on TCN (Third country nationals), including biometric identifiers, through a dynamic, interoperable system that determines whether the individual:

- ✓ should be prohibited from entering the U.S.;
- ✓ can receive, extend, change, or adjust immigration status;
- ✓ has overstayed or otherwise violated the terms of their admission;
- ✓ should be apprehended or detained for law enforcement action;
- ✓ needs special protection/attention (refugees)

Enrollment in the US-VISIT is only mandatory for those traveling on a regular visa or entering under the Visa Waiver. We may conclude that the US-VISIT plan heavily relies on bilateral cooperation that enables the United States to deploy information technology in order to practice risk management targeting of vehicles, shipments, and
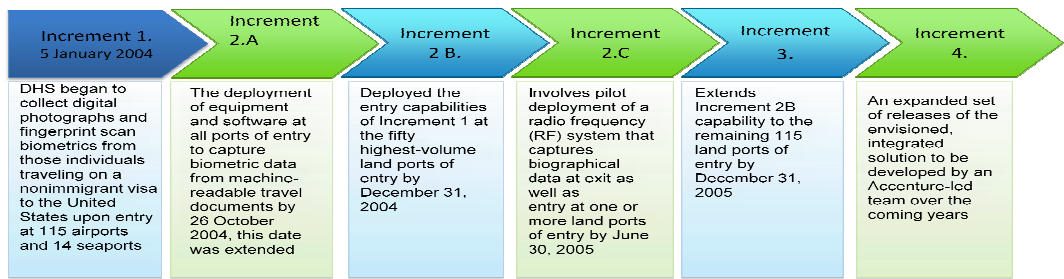
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to cooperate in developing, acquiring and maintaining military capabilities to undertake the Alliance's essential core tasks agreed in the new NATO strategic concept. That means pooling and sharing capabilities, setting priorities and coordinating efforts better. **Source**: Official site of NATO, http://www.nato.int/cps/en/natolive/78125.htm, accessed on 29th of September 2012

[8]Official Website of the Department of Homeland Security, Office of US-VISIT, http://www.dhs. gov/us-visit-office, accessed on 28th of September 2012

[9] White House Statement, *Securing America's Borders Fact Sheet: Border Security Action Plan for Creating a Secure and Smart Border*, 25 January 2002, http://georgewbuswhitehouse. archives.gov/news/releases/2002/01/20020125.html, accessed on the 29th of September 2012

travelers, and to push the United States' borders out, while at the same time it attempts to reduce and minimize the impact of border controls on trade and travel.

Increment 1. 5 January 2004	Increment 2.A	Increment 2 B.	Increment 2.C	Increment 3.	Increment 4.
DHS began to collect digital photographs and fingerprint scan biometrics from those individuals traveling on a nonimmigrant visa to the United States upon entry at 115 airports and 14 seaports	The deployment of equipment and software at all ports of entry to capture biometric data from machine-readable travel documents by 26 October 2004, this date was extended	Deployed the entry capabilities of Increment 1 at the fifty highest-volume land ports of entry by December 31, 2004	Involves pilot deployment of a radio frequency (RF) system that captures biographical data at exit as well as entry at one or more land ports of entry by June 30, 2005	Extends Increment 2B capability to the remaining 115 land ports of entry by December 31, 2005	An expanded set of releases of the envisioned, integrated solution to be developed by an Accenture-led team over the coming years

Figure 3. Elaboration phase of the US-VISIT program (being implemented incrementally), Own edition based on the data from: Rey Koslowksi, *Smart Borders, Virtual Borders or No Borders: Homeland Security Choices for the United States and Canada*, SMU Law Review, 2005, pp. 16-17

However even the Department of the US. Home Security acknowledges that the system is not perfect, having its weak points stating that its entry capability has been operable since 2006 but an exit capability is not yet implemented, the program being unable to register the exit of travelers from the US. Ben Hayes and Mathias Vermeulen in their **Borderline** study pointed out that on average 15 seconds were added to entry procedures in the United States when biometrics were collected for the United States under the US VISIT programme. This implemented in the EU, targeting 57 million TCNs, it would add the equivalent of 27 years of queuing time per year at the EU borders (Hayes and Vermeulen, 2012: 54-55).

4. The analysis of the EU's new cutting edge technology in terms of border control, the eurosur program and the smart borders initiative

As one of the major objectives of our research we have proposed the examination of the viability of the EUROSUR (European External Border Surveillance System) and of the EU's Smart Borders Initiative in order to have a clear vision regarding the direction of the Union in border security and migration policy matters (European Commission, Smart borders - options and the way ahead, Brussels, 2011: 1). Both of these projects are oriented towards the reduction of the illegal migration and terrorist threats through transforming the Mediterranean Sea in a heavy security zone, by putting the basis of the largest database of digital fingerprints from the world, hand in hand with the enhancement of surveillance of all the passengers crossing the external frontiers of the "European Eldorado".

As it is revealed in the Communication from the European Commission to the European Parliament and the Council of Ministers the migration waves at the external gates of the Union are on the rise, and it estimated that there number will grow considerably in the upcoming years. According to the forecasts, only at the air frontier of the EU is expected an increase of the crossings from 400 million (data from 2009) to 720 million in the 2030 (European Commission, Smart borders - options and the way ahead, Brussels, 2011: 3). Unfortunately the solution to this problem doesn't lie in the hiring of extra border personnel, this matter requiring a more complex set of instruments. The Commission strongly believes that the solution would be the introduction of the EUROSUR and the **Smart borders package**, which would open the way to a new generation of border control backed up by more efficient cutting edge technologies. The

EUROSUR promises enhanced security of the land and maritime border of the Union using innovative technologies like unmanned air drones, off-shore sensors and satellite tracking systems (Communication from the Commission, Examining the creation of a European border surveillance, 2008: 1).

The main objectives of the EUROSUR are:
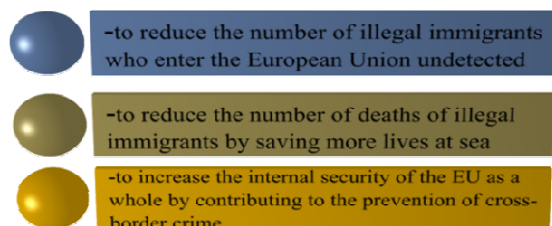
Figure 4. Main objectives of Eurosur project.
Source: Summaries of EU legislation, http://europa.eu/legislation_summaries/
justice_freedom_security/free_movement_of_persons_asylum_immigration/l14579_en.htm

The Eurosur project was born in February 2008 when the "Guardian of the Treaties" the European Commission issued a Communication in which it announced the commencement of the development the European External Border Surveillance System, its implementation being envisaged in 8 steps within 3 consecutive phases.

With this project the Commission wants to enhance the "situational awareness" and reaction capability of the member states and FRONTEX, the European Border Agency to prevent the phenomenon of irregular migration and cross-border crime at the EU's external land and maritime borders. It aims to increase the obligations of the Schengen states to conduct comprehensive 24/7 monitoring of land and sea borders, which in terms of illegal migration are perceived as high-risk zones, also mandating FRONTEX to undertake the surveillance of the open seas beyond EU territory and the coasts and ports of northern Africa. As presented in the **Migraciones Series of the CIDOB** document the increasing pressure of irregular migration flows from the North African countries on the Canary Islands (Spain), Ceuta and Melilla, Lampedusa (Italy), Malta and the Eastern Greek islands have underlined the EU countries' concerns for the protection and securitization of their external borders on the Southern flank of the Union (Pinyol, 2008: 7).

Many TCNs (third country nationals) especially those from North Africa risk their lives on the open sea in order to reach beyond the "lace curtain", the golden gates of the "European Eldorado". Many of the TCNs lose their lives crossing the Mediterranean that is why the Commission justifies the creation of the EUROSUR as an attempt to rescue these immigrants, stating that increased situational awareness of the high seas should force EU member states to take proper steps to locate and rescue persons in distress at sea in accordance with the international law of the sea.

The other European initiative put under scrutiny, the smart borders package was also launched in February 2008 like the EUROSUR project, an as the former Commissioner for Justice, Freedom and Security, Franco Frattini stated "*this package designs a completely new way of controlling our borders*", justifying its implementation by stressing that "*we don't have an alternative, it's because of terrorist threats, criminality, paedophile networks. We cannot have them using better technology than police*.[10]

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[10]Euobserver, *EU unveils plans for biometric border controls*, 13 February 2008, http://euobserver.com/ justice/25650, accessed on the 26th of September 2012

Phase 1

Upgrade and extend national border surveillance systems and interlinking national infrastructures in a communication network

➤Step 1: Establish National Coordination Centres in the member states with "the capacity to provide situational awareness of conditions and activities along the external borders as well as all the necessary tools to react accordingly
➤ Step 2: Set up a secure computerised communication network to "exchange data 24 hours a day in real-time between centres in Member States as well as with FRONTEX."
➤Step 3: Increase EU financial and logistical support for neighbouring third countries for the setting up of border surveillance infrastructure.

Phase 2

Develop and implement common tools and applications for border surveillance at EU level

➤Step 4: Conduct research and development to improve the performance of surveillance tools, in particular earth observation satellites and UAVs.
➤Step 5: Development of shared surveillance tools, with FRONTEX acting as a facilitator
➤Step 6: Develop surveillance systems covering the open seas to provide a "Common pre-frontier intelligence picture."

Phase 3

Create a common monitoring and information sharing environment for the EU maritime domain

➤Step 7: Establish an integrated network of reporting and surveillance systems for border control and internal security purposes covering the Mediterranean Sea, the southern Atlantic Ocean (Canary Islands), and the Black Sea; common pre-frontier intelligence pictures could be developed to combine intelligence information with that obtained from surveillance tools
➤ Step 8: Create an integrated network of all European maritime reporting and surveillance systems covering all maritime activities, including safety, protection of the marine environment, fisheries control, and law enforcement.

Figure 5. Eurosur roadmap, Own elaboration based on the information provided by the Communication of 13 February 2008 from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: Examining the creation of a European border surveillance system (EUROSUR) COM(2008) 68

The Smart Borders Package has two components foreseeing the creation of an **Entry and Exist System (EES)** and of a **Registered Traveller Programme**. The first one would have the task to register the movement of all the persons which enter and exit the Schengen area, expending the biometric control of identification to all the non-EU citizens, even to those who currently do not make the object of visa requirements, in order to help the border police to identify the "overstayers", those persons who entered the EU legally with a valid travel document and/or visa, but who turned into "illegal migrants" when their legal entitlement to stay expired.[11]

Inspired by the US-VISIT program, the Commission had suggested that the EES would automatically register the time and place of entry and exit of third-country nationals who are allowed for a short stay (up to three months) in order to verify their exit and also identify if they have overstayed or not. In case of an overstay, an alert would be automatically issued and sent to the relevant national authorities.

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[11] In view of European Union the phenomenon of illegal migration is mostly caused by people (residents of third countries) who come legally to the EU, but then overstay their permission to stay and simply forget to go back to their countries of origin. As the Clandestino Database on Irregular Migration revealed the number of the illegal aliens in Europe is estimated between 1.9 and 3.8 million people, of which great majority constitute these overstayers. *Source*: (Clandestino Research Project, 2009: 4) accessed on 27th of September 2012
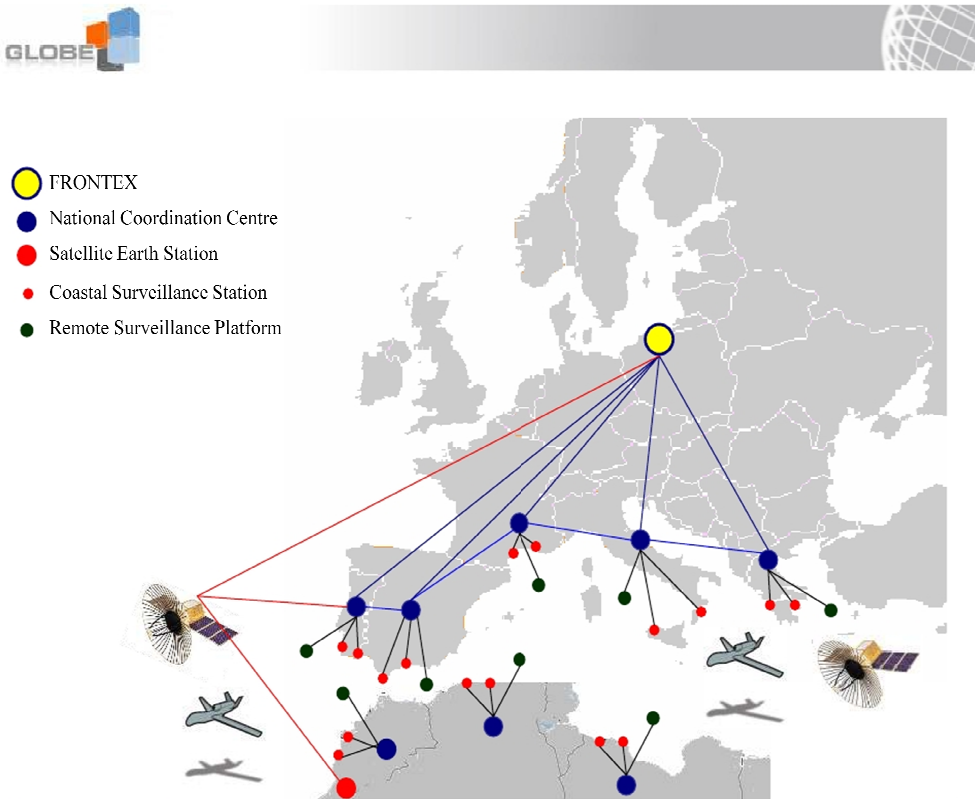
Figure 6. Eurosur system.
Source: GLOBE project presentation,
http://ec.europa.eu/enterprise/newsroom/cf/_getdocument.cfm?doc_id=5119

Though at this point in time, it is not clear yet which data would be collected by a potential EES. As the researchers from the Heinrich Boll Foundation pointed out that in order to reach its aims of identifying overstayers, the system would at least need to record and store the following information

(a) border-crossing point of entry and exit;

(b) date and time of event;

(c) type of travel document(s), including number of document and issuing country;

(d) the traveller's personal details extracted directly from the travel credential, including name, sex, and date of birth (Hayes and Vermeulen, 2012: 29).

In its Communication from October 2011 the Commission urged that the best solution would be to set up the EES in stages and begin by recording only alphanumeric data (like name, nationality, and passport number) and introducing biometric identifiers (fingerprints and a digital image of the face) at a later stage, here entering in contradiction with the majority of member states which favour the introduction of the biometric data (European Commission, Smart borders - options and the way ahead, 2011: 9).

However it is still a mystery of the future how long these data will be retained and who will have access to it, the initial forecasts proposing a period between six months and the VIS standard of five years. There are other questions that arise as well leaving space to criticism and different interpretations because the Commission in its communication

from 2011 clearly affirmed that the "*data generated by the entry/exit system would be used by the competent immigration authorities*" (European Commission, Smart borders - options and the way ahead, 2011:12), while later in the accompanying impact assessment it already envisaged the possibility of other authorities having access to the overstayers database: "*various authorities may, according to an agreed legal framework and when necessary*, access and use the information on the different target groups that is available in the database." However the Commission mentioned that this should only apply in exceptional circumstances (Commission staff working document, Preparing the next steps in border management in the European Union, 2008).

But since such biometric controls on the borders would lead longer waiting lines, the creation of the **Entry/Exist System** is closely linked to the establishment of a **Registered Travel Programme**, which would allow that pre-checked persons who don't present a security risk to cross the borders faster than their unregistered counterparts. The implementation of the system relies on the use of automated border gates, which are already installed in some European airports. So the overall target of the RTP would be to reduce the time spent at the border-crossing points for the "bona fide" or trustworthy travelers, they benefitting of a "simplified and automated" border check after having gone through an extensive pre-screening process. According to the estimations of the Commission this would "*speed up the border crossings of 4-5 million travelers per year and lay the basis for enhanced investments in automated border control technologies at major border crossing points*" (European Commission, Smart borders - options and the way ahead, 2011: 12).

Practically the procedure would involve the following steps: at the automated gates, a document reader would read the biometrics from the travel documents, or stored in a system or database, and compare them with the biometrics (fingerprints and facial image) of the travelers. The "Guardian of the treaties" affirms with certitude that the introduction of the RTP would lead to a more efficient use of border guards, enabling them to pay more attention of the risky passengers who do not make the object of the RTP, in the same time decreasing the average time for border-crossings from 1-2 minutes to below 30 seconds of the travelers registered in the system (European Commission, Smart borders - options and the way ahead, 2011: 12).

In order to confer to our study a more practical character it is considered useful to simulate the implementation of these initiatives using a scenario developed by the Accenture company analyzing how automation might impact a European Airport, where four different travelers have unique requirements and experiences:

3. Nicolai is from a country outside the European Union and is not subject to visa

Nicolai queues for 20 minutes to show his passport to an immigration officer

Nicolai has enrolled in a registered traveler program and uses his card or passport with face or fingerprint recognition, to clear the border himself at an automated gate.

4. Fatima is from a country outside the European Union and is subject to visa

With the airport particularly busy because several flights have landed at once, Fatima has to queue for an hour to gain clearance by presenting her passport to an immigration officer and verifying her fingerprints against those associated with her visa

Despite the airport being particularly busy because several flights have landed at once, Fatima self-scans her passport's photo and visa pages at one of the many available automated gates, verifies her fingerprints following the on-screen instructions, and clears the border with little or no queuing.
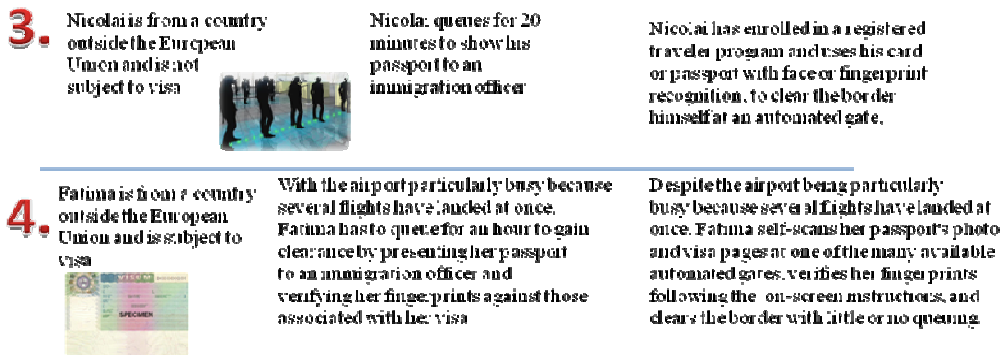
Figure 7. Automated Border Gates in European Airports, Own elaboration based on the information from Accenture Border Clearance Showcase: Automating border control to achieve high performance, p. 3, http://www.accenture.com/us-en/Pages/service-border-management-automated-border-clearance-summary.aspx

4.1. *The smart borders are anything but smart? Reluctance and criticism towards the EU's border package*

The European Union with its two cutting edge technology initiatives has managed to enhance the spirits becoming the living target of critics, who practically began a modern crusade in order to bury the project before its implementation. After the announcement made by the Commission concerning the adoption of the smart borders package, Ska Keller a Green MEP and migration and border spokesperson (Member of the European Parliament) heavily criticized the proposal as excessive both in terms of oversight and cost, stating that: "*These proposals are anything but smart. Europe does not need a US-style big brother system of electronic border controls but the Commission is proposing wasting large sums to copy this US model. These proposals will lead to greater bureaucracy and extra, unnecessary monitoring, at an estimated cost of over €1 billion. One of the core stated aims of these electronic border controls is to ensure that visitors to the EU do not illegally overstay their permit but it would create the same problems as the US system: those who fail to have their exit registered are deemed illegal. Those who illegally overstay their permits and stay in the EU will not be caught under this system. In any case, we already have a system that checks all visitors to the EU on entry and exit, with those requiring visas also having to provide fingerprints and face-scans: this is already excessive. The proposed system would open the door to a far more extensive and excessive collection of personal data of those travelling to and from the EU. This would compromise the principles of fundamental rights and data protection rules guaranteed by the EU. Innocent travellers who fail to register under this system would be automatically viewed as a risk and that is unacceptable.*"[12]

The representatives of the Green party together with the authors of the *Borderline* study have identified many weaknesses in the Commissions' initiative, clearly stating that the smart borders proposal follows US-style border controls thus, it will create the same problem as the US-VISIT. As the **Report by the US Government Accountability Office** affirms the US-VISIT system still does **not function properly**, the exit part was so far being tested only in pilot projects. According to the US Department of Homeland Security, a

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[12] The Greens European Free Alliance EP Parliamentary Party official site, *Smart borders, Big brother border proposals with high costs are anything but smart*, 25 October 2011, http://www.greens-efa.eu/smart-borders-4673.html, accessed on 28th of September 2012

major problem is that the exit records "*did not reflect up-to date traveller status due to recent changes or extension of status*" (United States Government Accountability Office, 2010: 66). This might have negative consequences can because practically the passengers who fail to have their exit registered properly are perceived illegal.

Another solid argument against these initiative constitute the excessive costs, the European Commission estimating the costs of the EUROSUR on 338 million euros, but its methods do not stand up to scrutiny. The setting up of the smart borders (EES and RTP) would roughly add to this number 400 million Euros more of initial investments plus about 190 million Euros of operational costs per year for the first 5 years (Hayes and Vermeulen, 2012: 11).

The US meanwhile have spent about 1.3 billion US$ just for developing the *entry* component of US-VISIT[13]. The Commission forecasts the development of the systems by 2015 in its communication assuring that the total costs of Smart borders package would be about 30% lower if the two systems were to be built together (European Comission, Smart borders - options and the way ahead, Annex, 2011: 14). Leaving aside the material concerns the effectiveness of the proposal is also highly questionable, the Commission's major justification for the entry/exit system being the reduction of the number of overstayers. It is still a great dilemma how to catch those who illegally overstay their permits and remain in the EU, because still nobody has information about where they reside. Thus the EU would spend hundreds of millions of Euros just for statistical purposes: for monitoring the length of stay of travellers and for calculating the number of overstayers. The critics stress that with the introduction of this proposal there will an overlapping of duties due to fact that the EU already has instruments for controlling migration and preventing TCNs from overstaying, so the costs are even more unjustified. Persons requiring visas already have to give excessive personal data such as fingerprints and face-scans. Moreover, under the Schengen Implementation Convention, visa holders as well as visa exempted travellers can already be halted from re-entering the EU if they overstayed.[14]

Ska Keller considers this programme as a massive and unnecessary data collection instrument which would compromise the principles of fundamental rights and data protection rules guaranteed by the EU, but even more than that it will also lead to the creation a new class of travellers. In case of the implementation of the system it would conduct to the stigmatization of the innocent travellers, who do not register (for example because they do not travel frequently to the EU) being perceived as risky elements. More than 95% of all third-country nationals visiting the EU would therefore be declared un-trusted travellers.[15]

Ben Hayes and Mathias Vermeulen, the authors of the Borderline Study underlined that both the EES and EUROSUR can have a negative impact on refugees and potential applicants for asylum, stating that they "*may deter people to seek the protection*

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[13] Development costs of US-VIST: $1.5 billion between 2004 and 2007 ; 2008: $475 million; 2009: $300 million; 2010: $358 million; 2011: $373 million
Source: M. Vermeluen, *Why smart borders won't work*?, presented at An Emerging e-Fortress Europe? Border Surveillance, Frontex and Migration Control Workshop, Brussels, 26 June 2012, p. 6, http://www.greens-efa.eu/fr/an-emerging-e-fortress-europe-7509.html, accessed on 24th of September 2012

[14] Ska Keller blog, LIBE Flash October 2011 - Briefing on Smart Borders, http://www.ska-keller.de/en/news-from-libe-committee/item/412-libe-blitzlich-november-2011-briefing-zum-europaischen-grenzuberwachungssystem-eurosur, accessed on 25th of September 21012

[15] *Ibidem*

they are entitled to in Europe under international rules of protection of refugees" (Hayes and Vermeulen, 2012: 46).

To the nationals of the third countries, to refugees or asylum seekers it may seem that the EUROSUR and smart borders build on a longer-term trend in EU policy, making for them increasingly more difficult to reach EU territory, treating every TCNas a potential suspect. These people might interpret this trend as an attempt by the member states to avoid responsibility for asylum claims and the dealing with refugees.

The writers make some recommendations stressing that the mass surveillance and the treatment of all travellers as potential suspects is not a legitimate, necessary, effective or desirable cornerstone for EU migration policy, urging the European colossus to reconsider its initiatives in favour of policy instruments that limit surveillance to that which is absolutely necessary, preserve fundamental rights and address migration control through more appropriate and accessible policy instruments. According to them the role and the involvement the security and defence industries in developing and implementing EU border control policies should be reassessed being prone to serious conflicts of interests.

The co-authors urge the amendment of the draft EUROSUR Regulation by the Parliament to spell out the obligations of users of EUROSUR with regard to search-and-rescue and refugee and human rights law, also underlining the need to explicitly and exhaustively enumerate the conditions under which personal data may be processed in EUROSUR and the conditions under which data can be provided to third actors, including defence agencies in order to avoid violations of personal data protection.

According to them any future EES legislation must depart from the assumption that an 'overstay' alert constitutes a *presumption* of illegal residence only. Once an alert has been issued, a proper procedure must be completed in order to determine whether the person has the right to stay legally in EU territory (Hayes and Vermeulen, 2012: 46). Mathias Vermeluen draws the attention that a future Entry/Exit System must take into consideration all of the current exceptions in the Schengen Border Code (especially those in Annex VI and VII) (Schengen Borders Code**,** Annex VII, 2006: 30-31) that exempt certain persons from entry or exit stamps upon entering or leaving the Schengen area, like pilots of aircraft or other crew members, cross-border workers, cruise ships, pleasure boats, ect. (Vermeluen, 2012: 3).

We have to admit as well that this initiative is seen by us with a high level of scepticism. This scepticism originates from the existence of criticism like the ones cited above at its address, being perceived as way too expensive and inefficient project of which introduction (even recognised by the European Commission) is not backed up by an urging social need, being entitled as cheap, loose copy of the American US-VISIT and SBINET Programs, and last but not the least a result of the insistences of the interest groups from the security industry. The introduction of personal information just as the exchange of personal data with third countries might a result in the future the violation of personal data protection. For this reason it is considered necessary to address these European proposals related to border surveillance both from a migration perspective and from an angle of data protection. This will focus on the impact of initiatives related to the right refugees and how the EU is preparing to respond to illegal migration, while highlighting the impact of proposed monitoring measures on the right to privacy.

However we are fully aware that we cannot judge objectively the viability of proposals if they are still in the phase of elaboration and haven't been implemented yet, and practically they didn't even have the opportunity to fail. We consider that before their implementation the co-decision partners, the European Parliament and the Council of

Ministers must carry out a thorough review making amendments, taking into consideration every pro and contra arguments articulated at its address together with the experiences from overseas, also elaborating a cost-efficiency analysis, and perhaps a public debate on the subject would be adequate as well. Before giving green light to the project the EU should be perfectly aware of what kind of image wants to sell to the outside world, because being subject to heavy scrutiny and treated as potential suspects, the people situated on the other side of the borders won't believe any more in the fairytale about an inclusive and hospitable Europe. This way might take place a clear transformation of the EU's reputation, turning from an exclusive *citadel* to an *e-fortress* with invisible fences, but all of us know that although invisible, **the fences are still fences** and they are meant to halt people from the "other side".

Conclusion

At the beginning of our study we have committed ourselves to give a prognosis of where the European Union is heading in migration policy and especially border security matters. In order to give a response to the major questions articulated at the beginning of this research we have considered as essential the analysis of the two new initiatives of the EU, namely the EUROSUR and Smart borders package. We have presented these initiatives together with their strengths and weaknesses, trying to give the reader an objective insight as possible.

The EU regulation concerning the **Smart borders** reveals that the measures to manage the external frontiers must meet a double objective of enhancing security and facilitation of travel. However without usurping the role of a demagogue, this initiative is seen by us with a high level of scepticism, based on our deductive logic, inspiring from the criticism articulated at its address, and by the fact that it's being considered as a very expensive and inefficient project, and a result of the insistences of some lobby groups from the security industry.

We strongly agree with the opinion of Ska Keller and Barbara Unmüßig who affirm that the EUROSUR and "smart borders" represent the EU's cynical response to the Arab Spring. Both are new forms of European border control, being perceived as new external border protection policies to shut down the influx of refugees and migrants, cutting the EU from the rest of the world.

When answering to the question whether the EU is raising fences or building bridges, we would say it's doing both of them, the external borders of the European colossus in the same time being a heavily securitised police border meant to filter and to halt every potentially harmful element and also an economic bridge with a task of reducing the enormous economic asymmetries between the EU and its neighbouring regions.

Based on the empirical research we may conclude that regardless of the inclusionary policies the external borders of Europe has no tendency of "softening" but rather "hardening" giving birth to the so called phenomenon of "e-fortress Europe", transforming the idea of the "Europe sans frontiers" into a utopian myth, at the same time launching the idea of the transformation of the EU in a *gated community*, a true *security enclave* protected by high-tech instruments. Through gated community we understand a residential development established on a territorial area surrounded by walls, fences or natural barriers, restricted access through a secure entrance, guarded by a professional private security personnel taking advantage of sophisticated technologies and monitoring devices and control (Gruszczak, The European Union a gated community: the challenge of good security governance, 2010: 1-2).

Although Zielonka in his work "Europe as Empire" has reached to another conclusion, stating that the EU finally will end up with soft border zones rather than fixed and hard external borderlines envisaged by Schengen, imagining a "maze"[16] Europe" rather than a "fortress Europe", which according to our opinion in the light of the current demanding security threats is less likely to happen.

As a conclusion we can state that the European Union is a promise land, Eldorado for those who reside and were born inside its body, but it turns into a fortress with electronic fences if an outsider tries to pass through its "golden gates".

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[16]In such a 'maze Europe' different legal, economic, security, and cultural spaces are likely to be bound separately, cross-border multiple cooperation will flourish, and the inside/outside divide will be blurred. In due time, the EU's borders will probably be less territorial, less physical, and less visible. They will not look like fortified lines on the ground, but like zones where people and their identities mingle.

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"CYPRUS PIGEON" IN THE MIDDLE OF "WHITE SHARKS" AND "ISLAMIC HAWKS" OIL: SOURCE OF ENERGY, PROSPERITY AND STABILITY OR OF POWER AND CONFLICT?

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Abstract: *East Mediteranean Region, having reach resssources of gas an oil is the center of strategic interest and power games. This paper considers that a coalition between Cyprus and Israel considering the exploatation of these ressources is desirable. However the author remarks the advance of strategic interest in the area of American, European and Russian politics.*

Keywords: *Cyprus, natural ressources, politics, economy, Israel, powers*

1. Introduction

Oil and gas constitute sources of energy and, by extension, power. However, the question is whether oil and gas constitute raw materials, utilized only for prosperity, development and stability or they may turn into a source of friction and thereby become fuel for conflict.

There is already reliable and concrete evidence, stemming from relevant research, showing that the Southeastern Mediterranean Sea lies on huge reserves of gas and probably oil. Israel and Cyprus undertook their own surveys within their respective Exclusive Economic Zones (Reuters 2011, Daljecom 2009)[1]. The first phase of these explorations was successfully accomplished. Both countries announced their intention to exploit their natural resources, especially in the neighboring "block 12", "Leviathan" and "Tamar"[2] (Noble Energy, 2011, LNG World News, 2011, Barkat, 2010, Shemer, 2011,

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[1] On December 17, 2010 the Republic of Cyprus and Israel signed an agreement and delineated their Exclusive Economic Zones (Cyprus Foreign Ministry, 2010)

[2] In accordance to the ERPIC website: *"The discovery in the East Mediteranean of a giant natural gas field – the largest discovered in the last 10 years – promises to bring an entirely new dynamic to the Levant. Houston-based Noble Energy announced on December 29 that it had discovered a reservoir of natural gas amounting to an estimated 16 trillion cubic feet (450 billion cubic meters) in the Leviathan structure in Israel's offshore Exclusive Economic Zone (EEZ). Following the discovery by Noble in 2009 of the Tamar gas field, where reserves are estimated at 8.4 tcf (238 bcm) and the Dalit gas field, with reserves of 0.5 tcf, Israel's offshore natural gas reserves are now estimated at around 25 tcf (705 bcm).*
The discoveries have shaken things up in the East Mediterranean. They have created a new wave of anticipation in Cyprus, where Noble holds a 100% interest in the offshore Block 12, which lies adjacent to the Israeli EEZ and less than 60 kilometers from Leviathan. In Lebanon, where politicians wasted little time in declaring that the discoveries that Noble was making were actually reserves that belonged to Lebanon, the parliament hurriedly rushed through the passage

Cooper 2010, Oil in Israel 2009)[3]. In this respect, a new geopolitical environment seems to have come into being. The relevant question is whether there is fertile ground for the shaping of a new geopolitical map through the establishment of a coalition between Israel and Cyprus, including, probably, other states.

South Eastern Mediterranean Sea and the Middle East constitute sensitive geostrategic and geo-economic areas where conflicting and convergent national interests are met. Israel is not the only regional power. Turkey has always intended to play a leading regional role. Therefore, a new geopolitical evolution should be seen through the lens of the Turkish foreign policy and national interests. Such a foreign policy is in line with the Turkish strategic goal, which predicts the consolidation of Ankara's dominant presence in a regional level.

This article will examine:
The regional geopolitical and geostrategic environment.
Whether concrete coalitions are likely to be established as a result of the hydrocarbon deposits, which lie in the Exclusive Economic Zone of Cyprus and Israel.
What is the Turkish reaction after Cyprus and Israel's decision to explore and exploit their gas recourses? A relevant question is whether Cyprus and Israel will establish a geo-economic and strategic coalition.
Whether it would be possible to establish a coalition between Cyprus and Israel, including other countries.
What is the preventive role that the EU as such, its leading states, the US and Russia, can play if tension and crises arise.
In what extent the Turkish accession to the EU might be affected if a military crisis erupts?

2. The geostrategic environment

Cyprus is located in a pivotal geopolitical and geostrategic region where the rules of balance of power and strategic methods and practices of the Cold War never ended. Cyprus lies between two powerful states, namely Turkey and Israel. Both, Turkey and Israel were allies under the supervision of the US and they still hold a key - dominant role in the regional system. However, when the moderate Islamic Party of the AKP came into office, Turkey attempted to formulate a twofold policy: The first direction focused on the EU (Council of the EU 2004, Council of Europe 2005) and the second on the Islamic and Arab World (Rehn, 2007). The central Turkish aim is to become an indisputable regional power. A relevant question is whether such a Turkish policy can coexist or not with the Israelis national and strategic goal.

There is no doubt that Israel constitutes a regional power which has been consolidated through victorious wars against Arab countries and military strength. In the current period, Israel maintains its strategic supremacy within the regional system, while realizing that the Turkish political and strategic ambitions put at risk its national interests

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of a hydrocarbon law so that it could proceed with inviting foreign firms to engage in offshore exploration too" (ERPIC 2011).

[3] For this reason the Cypriot Minister of Foreign Affairs Dr Erato Kozakou Marcoullis on September 23, 2011 visited Israel where she had meetings and negotiations with Israelis Officials. Dr Marcoullis had talks with the Prime Minister of Israel, Mr. Benjamin Netanyahu, the President of the country, Mr. Shimon Peres and her Israeli counterpart, Mr. Avigdor Liberman (Cyprus Foreign Ministry, 2011).

and that the Turkish "zero problems policy" (Davutoğlu, 2010, Svet, 2011) cannot lead to comprehensive solutions. Since Turkey acts as a regional power, the solutions it seeks, in order to solve the various problems it faces with its neighboring countries, would serve Turkish national interests and strategic goals. Israel detects that Turkish policy encompasses two main threats:

Firstly, Turkey has put forward a strategy with the aim of raising itself as a regional power with the prospect to replace the dominant role that Israel plays in the regional system (Friedmam 2007, Ottens 2010, Joff, 2010). Ankara questions the Israeli legal national interests and especially the deposits of gas and oil which lie in the sea bed of the Israelis Exclusive Economic Zone.

Secondly, Turkey plans to establish a chain of coalitions with Muslim and Arab countries. To this end, it promotes idealistic and religious criteria (Voice of America, 2011)[4]. In other words, it wants to formulate a wider coalition comprising of a common Muslim system of values and principles. From a realistic point of view, such a coalition cannot be relied only on the Muslim system of values and principles, but also on interests and political, economic and institutional power that Turkey may acquire in case of joining the EU. If Turkey accedes to the EU, we may observe history to repeat itself in view of establishing a second EU capital as happened with the separation of Roman Empire. The one will be in Brussels and the other in Istanbul, representing the Muslim populations within and outside of the European external legal boarders (Charalambides, 2010: 190-191). Pursuant to Yasser Yiakis, Istanbul is the epicenter of an important geostrategic circle, including many European, African and Asia countries.

As Yiakis maintains:

"*Such a circle will cover the major part of areas where the history of the world is shaped. It will cover almost all of the European countries, North Africa, the Caucasus and the entire Middle East. 70% of the gas oil reserves lie in this geography. 40% of the world oil and gas is consumed in the geography. Most of the conflicts that that fill the agenda of world oil and gas is consumed in this geography. Most of the conflicts that fill the agenda of the international relations take place in the areas that are covered by this circle. It is not easy to draw a circle with similar effects, if you take its centre another major metropolis in the world*" (2011).

This strategic and geopolitical position reminds us of a new version of the "heart land" theory as Halford John Mackinder (Dikshit, 2006: 90-91) and Nikola Spyckman (Spykman, 1939) set forth at the dawn of the 20th century. Moreover, Yiakis' theory is in line with the geopolitical concept of the "silk road" and falls under the Turkish energy strategy, which aims for Turkish domination in the Eurasian region. Under these circumstances, Turkey will become a locus of interests and oil crossroad (Yakis, 2011: Turkish Foreign Policy 2009). Ankara's Administration plans to enhance its pivotal geopolitical location and thus presenting itself as an indispensable international actor through which the US and the EU, can safely and reliably advance their national interests.

The Muslim and Arab world has been engaged in a perpetual conflict with Israel for many years. The core issue of this conflict lies in the unresolved Palestinian question. Furthermore, this historical military and political dispute is an excellent opportunity for

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[4] According to the Voice of America "*The Turkish Prime Minister Recep Tayyip Erdogan departs Monday on a four-day diplomatic visit to North Africa, in a trip aimed at expanding Turkey's growing influence in a region full of political upheaval*" (2011).

the Turkish foreign policy to advance a "paternalistic model" of action. The US always places at the top of its international agenda the solution of the Palestinian issue, whilst Turkey pursues to get actively involved in such diplomatic efforts, with the purpose of serving its national interests (Obama, 2009). Not only the US, but the entire international community, realizes that with the Palestinian issue unsolved, no common ground can be found between Israel and Arabs and especially with the hardliner forces of Islam. If the extreme wing Islamic organizations of "Hamas" and "Hezbollah" have no intention to put guns away, then no peace can be achieved. Nor we can safely predict that Muslim uprisings will induce domestic and regional stability. The existing situation shows that the Arab Spring has turned into a cold and chaotic winter.

Muslim societies differ from the western ones as they still depend on their religious system of values. This system of values defines and yet restricts political options and thus eroding the soundness of government decision making. At the same time, no one knows or can safely foresee what might be the role and political attitude of the extremist Islamic organizations within the new revolutionist political systems. In relevance, we cannot predict whether the resultant political situation would be better or worse in comparison with the past. The Iraqi model is a good example illustrating the reasons that caused the existing bad situation, despite the fact that the efforts of the international community are focused on the establishment of a democratic political system. Pertinent problems are evident in Libya where the first stage of the rebels' victory was stigmatized by anarchy and chaos. On the other hand, an anarchic and chaotic situation could never be an excuse for accepting any dictatorial regime to stay in power. Although the Arab and Muslim peoples revolted during the spring of 2011, democracy has not flourished yet. The rebels have no democratic institutional experience and since they really wish to build new democratic political systems, they should start from scratch. Thus, the international community should find the best possible policies and mechanisms to support Muslim and Arab countries for a smooth and rational normalization and democratization. Since this aspiration remains impossible to achieve, the regional system will continue to be volatile.

The current strategic vacuum in the Arab and Muslim World needs to be filled by traditional or raising leading countries. Turkey is one of the main actors of the regional system and it has already put in effect a "paternalistic model" of action and thus triggered the reaction of Israel. Turkish Foreign Policy does not rely only on the idealistic and religious criteria, but on the service of national interests as well. Therefore, we must see and analyze the Turkish policy under the spectrum of Realism. Why? Turkey is a significant actor with a strategic role in the international and regional system. Turkey, as most states, implements policies which provide idealistic and moral arguments and principles in order to advance its national interests, whether legitimate or not (Sammis, 2000: 30; Ifestos, 1994: 323 -324). In other words, states' political apparatus are devoted to advance national interest through the establishment of coalitions or in the context of good neighbourhood policies. This is a rational political behaviour which is adopted and performed by Turkey as a state aspiring to play a leading role in the regional and global system. In this regard, Turkey flirts with Muslim peoples, even with Iran (Elik, 2011, Karmon, 2001; Biresselioglu, 2010), deemed by the US as a trouble maker of the international system and a permanent threat. This policy seems to be a strategic procedure, which can obviously threaten Israeli national interests and security.

Given the twofold Turkish policy (the one foot in Europe and the other in Muslim and Arab world), which aims at becoming regional power, a relevant question should be set: is Turkey the new raising regional power and Israel the declining one? In this respect,

Thucydides is up to date, as he underlines that: "the growth of the power of Athens and the alarm which this inspired in Lacedaemon, made war inevitable" (Thucydides, 1951: 15; Blanco, Roberts, 1998). Otherwise, a crisis cannot be excluded as a possibility. We are in fact eyewitnesses of a rational game under the US guardianship. However, the Israeli-Turkish relations will continue to balance riskily as there is no sign that either one or the other side has a political intention to modify its national goal. If we accept that the existing Turkish policy results from the ideological and religious identity of the AKP, as well as from the advance of the Turkish national interests, and if the AKP - which won the elections on 12 June 2011 - rules the country for the next four years (Konda, 2011), we come to the following conclusion: the Turkish Prime Minister Tayyip Erdogan will persist to pursue a leading role in the Muslim world and he will never abandon his country's ambition to join the EU (Bağış, 2001)[5]. In any case, the problem between Turkey and Israel is evident and therefore a new question is raised: will the US let its allies get into a conflicting situation?

3. Explosive situation and axis

Looking carefully at the Middle East map, one may realize that Israel is surrounded by a number of enemies or potential ones and that it has no way out other than shaping a geopolitical axis along with Cyprus and Greece toward Europe. The political landscape is always explosive and this estimate has been portrayed by the bloody incidents which occurred between the 18th and 20th of August 2011 (CNN, 2011). The Israeli army retaliated to the terrorist actions against innocent tourists that took place close to the Sinai borders. Seven tourists were killed and Tel Aviv accused Egypt of not taking control over its borders. As a result of the Israeli military raids, mainly launched against "Hamas'" targets, five Egyptians lost their lives. Under these circumstances, Egypt recalled its ambassador in Tel Aviv and further escalation of the crisis was averted by intensive American diplomatic efforts as the US want to keep stability in the region.

Whilst Israel encounters severe troubles with its Arab neighboring countries, Cyprus is experiencing Turkish occupation and continuous military threat. The deposits of gas and oils as well as conflicting and converging national interests, shape a new geopolitical environment and fertile ground for the establishment of a Cypriot–Israeli coalition, based on the advance of common interests. Upon analyzing the existing geopolitical situation and the options that Israel has on exploring and exploiting its natural gas resources, we underscore the following: First option, to install a pipeline from Israel to Egypt where natural gas is to be liquefied and then be transferred to Europe and elsewhere via vessels. Second option, to install a pipeline from Israel to Ceyhan where natural gas is to be liquefied and then be transferred to Europe and elsewhere with vessels; or to use a pipeline passing through Turkish territory. Third option, to install a pipeline from Israel to Cyprus, where liquefied natural gas is transferred via shipping in Europe and elsewhere (Charalambides 2011b, cited in Simerini, 2011: 10).

Israel cannot advance its national interests through the first and second option. Both Egypt and Turkey present themselves as regional powers and constitute the main Israel's rivalries. In this respect, if Israel goes for the first and second options, it will

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[5] As the Chief negotiators of the Turkish Accession Talks with the EU, Egemen Bağış stated on September 28, 2011, in the framework of the Joint Parliamentary Committee between Turkey and the EU, his country will never abandon the aim of becoming an EU full member states (Personal notes of the writer).

depend on Egypt and Turkey. Thus, one may argue that this is a strategically wrong decision as the Israelis have no intention and reason to enhance the Turkish and Egyptian geopolitical and geostrategic importance, especially during a period where their relations are on knife's edge. On September 2, 2011, Turkey expelled the Israeli ambassador from Ankara. Pursuant to Turkish President Abdullah Gül it was the first measure that his country took as Israel did not apologize to Ankara for the nine Turkish citizens who lost their lives in the bloody flotilla's incidents (ET World, 2011). The Turkish government disputed the report on the bloody incidents, prepared by former New Zealand Prime Minister Geoffrey Palmer and former Colombian President Alvaro Uribe. The report, which had been unofficially circulated on May 10, 2011, was presented to the UN Secretary-General Ban Ki-moon. One may allege that it is a balanced report. On the one hand, it cites that the Israeli raid was *"excessive and unreasonable"*. On the other hand, the spokesman of the Israeli Prime Minister Benjamin Netanyahu, Mark Regev underlines the following:

"The UN commission clearly states that Israel acted legally in imposing the naval blockade to protect our people from the smuggling of rockets and weapons that are fired at our civilians". (Sunday's Zaman, 2011).

In parallel, the Turkish government evoked the legal order and officially expressed its political will to appeal to the International Court. As Davutoğlu said:

"What is binding is the International Court of Justice. This is what we are saying: let the International Court of Justice decide. We are starting the necessary legal procedures this coming week". Davutoğlu toke a step further supporting that*: "If Israel persists with its current position, the Arab spring will give rise to a strong Israel opposition as well as the debate on the authoritarian regimes"*.

Responding to the Turkish allegation, the Deputy Foreign Minister, Danny Ayalon maintained on September 2, 2011 that his country has nothing to apologize and stated:

"The problem here is on the Turkish side... They were not ready for a compromise and kept raising the threshold. I think we need to say to the Turks: as far as we are concerned, this saga is behind us. Now we need to cooperate. Lack of cooperation harms not only us, but Turkey as well" (Sunday's Zaman, 2011)

4. Conflicting triangle

A few days later, a "conflicting triangle", between Israel, Egypt and Turkey, was to be shaped. Whist Turkey disputed with Israel, on September 10, 2001 the Israeli ambassador in Egypt was forced to leave the country over a night as Egyptian demonstrators invaded and destroyed the Israeli embassy in Cairo. The US intervened diplomatically and asked from the Egyptian Authorities to send the vandals before the Court and punish them. Neither the Israeli government nor the Egyptian Military Forces - which rule the country in the transitional period – have the political intention to sever diplomatic relations. Israel announced that their ambassador would return to Egypt. However, the tension continued as the Turkish Prime Minister Tayyip Erdogan was planning to visit Cairo, expressing also his political intention to pass through Egypt toward the Palestinian Authority. The Egyptians opposed and never gave him the green light to pass through. Erndogan did not postpone his trip to Egypt. However Davutoğlu stated that his Prime Minister would not visit the Palestinian Authority.

5. The theory of a "Turkish Seas"

The conflicting political environment was not restricted within a "triangle", composed by Israel, Egypt and Turkey. On the contrary, whilst the Egyptian Authorities

cancelled Erndogan's visit to the Palestinian Authorities, Egemen Bağıs warned that if the Republic of Cyprus starts drilling "plot 12", called Aphrodite, then Turkey will be ready to take military measures! As Bağış sated, Turkey trains its army in order to mobilise it in a proper time. More precisely, the Turkish minister said:

"*These kinds of things that have happened in the past [Turkish naval interference with exploration] whenever the Greek Cypriots have made such attempts may well happen again. That is how serious Turkey is. Doing this in waters where they have no jurisdiction is illegal. Turkey will rely on international law to pursue its rights to the fullest extent". And he added: "This is what we have the navy for. We have trained our marines for this; we have equipped the navy for this. All options are on the table; anything can be done"*. (Yanatam, 2011, cited in Sunday's Zaman, Loizou 2011 cited in Simerini. 13).

This belligerent rhetoric was the prelude of a diplomatic and military tension that Ankara put in effect under the argument of defending its national interests and protecting the Turkish Cypriot interests. However, this way of action implies the revisionist Turkish policy which means a strategy including efforts to render Turkey as an undisputable regional power. In the same context, Ankara opposes to both Cyprus and Israel exploring and exploiting their gas and probably oil deposits as its geopolitical and geostrategic role would be at stake. Turkish policy and strategy considers that territorial waters from Marmaris to Iskenderun constitute a *"closed Turkish lake"* (Erdogan, 2011). A few days later, he added that the entire Mediterranean Sea is a *"Turkish Sea"*. Therefore, if Cyprus and Israel were to get into the gas production and market, the Turkish strategic plan would be threatened by the "new players" and Ankara could not present itself any more as the only supplier of gas and oil toward the EU, through the pipelines lying on its territory. The Turkish government expressed its political intention to send three frigates in the Eastern Mediterranean Sea and the research ship "Piri Reis" in order to start surveys even in the Exclusive Economic Zone of the Republic of Cyprus. "Noble Energy" accomplished successfully its survey within the Cyprus Exclusive Economic Zone and Turkey continued to a great new fait accompli by signing agreements with the occupying Turkish Cypriots Authorities and thus its military vessels sailed in the Cyprus territorial waters.

In attempting to explain Turkish policy we maintain the following:

As Israel continues to impose embargo over the Palestinian territories, Turkey alleges that it feels the obligation to guarantee the free navigation in the international waters. In the mean time, the Turkish Prime Minister Tayyip Erdogan organized a strategic tour in Egypt, Tunisia and Libya, giving the impression that Turkey is the most important Muslim leading country, which can successfully defend their interests. In addition, the visits of the Turkish Prime Minister had multiple political and strategic dimensions:

a. to create fertile ground for the establishment of new coalitions;

b. to cover Turkey's back in case of a crisis with Israel and Cyprus. However, a coin has always two sides. Egyptian analysts and the "Muslim Brotherhood" were very suspicious about Erdogan's visit in Egypt, deducing that the Turkish government aims at filling the leading political gap resulting from the volatile political situation in Egypt. In this respect, they did not give any support to the Turkish strategic task, which aims at replacing Egypt's leading role in the Muslim and Arab World. Thus, we have three stages of a "power game" where Turkey is engaged in. The first stage is that of the EU, the second is that of Israel and the third is that of Egypt. It is obvious that the Turkish strategy to become a regional power seems to be like a "double sword" encompassing both visible and invisible risks.

Cyprus drilled "plot 12" and intents to drill other plots, lying in its Exclusive Economic Zone, and furthermore to exploit its gas deposits. According to the Turkish arguments: a) the Greek Cypriots have no legal right to drill "plot 12" since the natural resources also belong to the Turkish Cypriots who are not represented by the Greek Cypriots; b) as far as the Cyprus issue remains unresolved, the Greek Cypriots cannot explore nor exploit the national resources of gas and oil.

Turkey and the Turkish Cypriot leadership do not recognize the Republic of Cyprus, which is in fact the only state in the island that both the UN and the EU recognize. In this regard, we must underline that, from the legal point of view, the gas and oil natural recourses fall under the sovereign rights of the Republic of Cyprus. In the spirit and practice of a diplomatic, strategic and legal "equivalent fait accompli", the Turkish government signed on September 21, 2011 with the illegal Turkish Cypriot leadership an agreement with a twofold character. The one aspect focuses on delineating their "continental shelf" and the other on currying out surveys for exploring gas and oil at the northern, even at the western territorial waters of Cyprus. The Republic of Cyprus argues that the agreement, which has been signed between Turkey and the so called "Turkish Republic of Northern Cyprus" is illegal and invalid. The legal arguments provided by the Republic of Cyprus are the following: a. The UN Security Council issued two relevant resolutions, 541 and 550, flatly stating that the so called "Turkish Republic of Northern Cyprus" is not valid. b. The EU declaration, which was officially circulated on September 21, 2005, makes it clear that the only state the EU and its member states recognize on the island is the Republic of Cyprus.

Since Turkey does not recognize the Republic of Cyprus and did not sign the Convention of the International Law of the Sea, it does not recognize the delineation of the EEZ between Cyprus and Israel. In pursuant to the Turkish government, the EEZ between Turkey, Israel and Cyprus will be delineated after the solution of the Cyprus issue. This solution will be based on the concept of the two "constituent states". The one will be under the Greek Cypriots and the other under the Turkish Cypriot's administrative control in the context of a political system, which is not clear whether there will be a federation or confederation.

Which is the moral argument provided by the Turkish policy? Turkish government attempts to ground its argument upon its ethical and legal obligation to defend the rights of the Turkish Cypriot Community, as they stem from the Zurich and London Agreement. In this respect, one may argue that this policy is morally correct. However, the Turkish troops have been continuously stationed in the northern part of the island, keeping the Turkish Cypriots in isolation and depriving from the Greek Cypriots the free exercise of their legal, constitutional and any other human rights deriving from the Zurich and London Agreement, the international law and the "acquis communautaire". Under these conditions, one may also stress that the Turkish moral argument is based on an unethical and immoral policy, which breaches the international and European legal order.

Despite the Turkish objections, Cyprus has already delineated its EEZ. However, in the case of Greece, Turkey has silently set a "casus belli". Ankara alleges that Greece has no right to delineate its own EEZ in the region of the island of Kastelorizo. The Turkish legal argument is grounded on the allegation that the Mediterranean Sea is a "closed Sea" and therefore islands have no legal right of delineating their own EEZ. Beyond the Turkish legal argument, there is a strategic concept supporting that if Turkey stops "vetoing" the Greek sovereign rights and gives the green light, the Greek EEZ will adjoin the Cyprus one. In this case, Turkey could not expand its own EEZ toward Egypt and could not realize its strategic plan of turning the territorial waters - extending from Marmaris to Iskenderun - into a

Turkish lake. In light of these facts mentioned above, a number of significant strategic questions are raised: what would be the Turkish reaction if Greece delineates its EEZ and then signs a relevant agreement with Cyprus and establishes a coalition with Israel? Would Turkey trigger a military crisis? Would it launch an attack against Greece striking, at the same time, the Israelis, the EU and even the US interests, as "Noble Energy", the company which took over to explore and exploit the gas and oil deposits within the Cyprus and Israel EEZ, belongs to American shareholders and interests? Would that mean or not the inglorious end of the Turkish accession negotiations to the EU? Would the US allow the region to blow up?

6. Preventive reasons

Whether the US will act or not as a preventive power in case of a crisis, constitutes a fundamental issue, which must be scrutinized. On September 17, 2011, Hilary Clinton intervened diplomatically to avert an imminent crisis by calling upon Turkey to show self-restraint and refrain from any threats that may create a dangerous situation with Israel. The preventive political practice of Hilary Clinton was followed by a meeting between President Obama and Prime Minister Tayyip Erdogan. The US never "twisted Turkey's ear" as the American aim was not to offend Turkey but to prevent the crisis. The US still considers Turkey as one of its major allies, mainly due to its efforts against terrorism. Besides, American policy never stopped considering Turkey as a valuable actor for improving its relations with Muslim and Arab world. Thus, the US holds a leash to the Turkish policy in order to avoid the crisis, but it turned a blind eye regarding the patrol of the Turkish warships in the Eastern Mediterranean Sea. In autumn 2011, the crisis was averted for the following reasons:

American national interests, the regional security system as well as economic interests imposed the prevention of the crisis. The US could not afford political and military power to avert a new military clash.

Israel has a strong military strength and a reliable preventive ability and does not hesitate to respond at once against any strike.

Although Turkey created tension, it does not take any military action against Cyprus since the cost of such a belligerent option would be higher than any possible benefit. Besides, a diplomatic shield - comprising of American, Russian and other EU energy and economic interests - has been raised around Cyprus. The support, given to the Republic of Cyprus, was grounded on the fundamental principles of the UN Charter such as the respect for the exercise of the state's sovereign rights. The Conclusions issue by the European Council on December 9, 2010, call upon Turkey to refrain from any actions which may put the regional security at risk and to peacefully solve the problems that it raises against its neighboring countries.

Cyprus has neither reliable military forces nor warship to hinder and keep away the Turkish military fleet from the Cyprus Republic territorial waters and the EEZ. Usually it takes two to tango. In the case of Cyprus we have only one. However, Cyprus is under constant Turkish threat and cannot fully defend its sovereign rights and its territorial integrity. Under these conditions, Turkey attempts to enforce a new "fait accompli" by putting in question the sovereignty of the Republic of Cyprus. Thus, Turkey puts in effect the "gunboat diplomacy" and plans to carry out surveys within the EEZ of Cyprus in the northern and western territorial waters of the island. Given the fact that the Doctrine of the "Single Defensive Space" between Cyprus and Greece does not exist anymore and that

Greece suffers from an unhealthy and grim economic crisis, the question is whether Cyprus needs or not to establish new preventive strategic coalitions.

7. Criteria of a strategic coalition

The surveys and the exploitation of the gas and oil deposits which lie in the Exclusive Economic Zone of Cyprus, the political situation resulting from the "Arab Spring" and the "power game", where regional and potential regional powers as Egypt, Israel and Turkey have engaged in, created a conflicting situation. In this conflicting political environment, states should find allies, proper policies and mechanisms in order to advance or protect their national interests and furthermore achieve their strategic goals. Preventive policy constitutes an indispensable pillar of a wider strategy with a certain goal. It is also a rational response to external threats, which may put at risk national interests, territorial integrity and state's sovereignty. Given the fact that convergent national interests constitute a step stone upon which a coalition can be build, the question is whether Israel and Cyprus could sign and conclude a coalition and what the character of this coalition would be.

Taking into consideration the interconnected and conflicting relations between Israel-Cyprus on the one hand and Turkey on the other, one may argue that the pillars upon which a Cypriot-Israeli strategic coalition can be constructed are the following:

Common interests. Both countries have explored hydrocarbons, (particularly gas) (ERBIC 2011, ERPIC 2011a) and therefore they could formulate a common policy for an effective and safe exploitation.

Strategic situation. The enemy of my enemy is my friend. This is a cynical strategic tenet, which complies with the existing circumstances. In this context a "conflicting triangle" is created. Turkey is Cyprus' enemy and Israel is a Turkish enemy. Therefore, Israel could not only be a friend of Cyprus but also a strategic partner and vice versa. In this regard, if we consider that Cyprus is a strategic way out for Israel, at the same time, Israel can be seen by the Cypriots as a preventive shield against the Turkish threat.

We must cite another strategic parameter which is of utmost importance; the exploitation of natural gas resources in the Exclusive Economic Zone of Cyprus by "Noble Energy", serves American interests since it is a US based company. Therefore the USA is obliged by economic, moral and political reasons to protect the company from potential threats. One may argue that, in this case, the common interests of all parties involved are in favor of establishing a coalition between Israel and Cyprus. It is evident that the US does not want any military clash between Cyprus and Turkey and mostly between Israel and Turkey, since the interests of an American company would be at stake. For the US it is a matter of principle. Thus, one may allege that even if the US does not openly support an Israeli-Cypriot coalition, at least it will show tolerance. The US is not the only actor and parameter that should be taken on board. Cyprus has to consider all the political parameters and actors before establishing such a coalition and therefore any decision should be taken and scheduled on the basis of a strategic concept. Otherwise, it may be trapped within a coalition in which a powerful Israel will have the upper hand and absolute military and geopolitical power, as well as any other control over the island. Under these circumstances, Cyprus can do almost nothing to protect itself in case of disagreements or divergence of national interests. As far as Cyprus continues to be under Turkish threat, it has no option other than establishing an alliance with Israel on the basis of common interests. Certainly, this alliance should be constructed on a strategic concept, which means the economic, commercial, military and any other cooperation so that both

sides can safeguard their interests and prevent any threat which might be launched from Turkey. In terms of a "power game" (Morgenthau, 1978), Turkey deems that it has the strategic right to control oil and gas deposits, although they lie in the sea bed of the Exclusive Economic Zone of Cyprus. Turkey has called Lebanon not to ratify its agreement with Cyprus regarding the delineation of their EEZones and urged Egypt to suspend a package of similar agreements it has signed with the Republic of Cyprus (ERBIC 2011, ERBIC 2011a). In November 2011, both sides (Cyprus and Lebanon) concluded an agreement and this certain issue had a successful end. Although, Turkish diplomatic efforts failed, since interest proved stronger than political pressures, Cyprus should be alert and ready to encounter various diplomatic and other problems created by Turley, which is a state that never gives up.

8. Conclusion

The exploitation of gas and oil in the East Mediterranean region falls under the rules of strategic interests and "power games". The legal aspect of the problem, reflected in the respect for International Law of the Sea, is used as a methodological tool to enshrine state's sovereign rights and advance national interests. Should the parties involved wish to avoid a crisis, they must find rational ways of actions. These political formulas must be based on the International and European legal systems, the common interests and mutual respect. To achieve a regional system of common interests, we must consider the rules of the "power game" as we don't live in a perfect international and regional system. Thus, stability, mutual respect and common interests should be firstly based on the "balance of power", which must be shaped through strategic coalitions. We must approach and analyze the political situation in the South - Eastern Mediterranean region and the Middle East through the prism of the peculiar rival mentality, which reflects in a conflicting political and strategic environment. As gas and oil are raw strategic materials of development, prosperity and power, we must maintain the following: a possible coalition between Cyprus and Israel is not the only decisive factor in exploiting gas and oil. There is another one which is also important. It is the advance of the Great Powers' interests through the engagement of their multinational colossus into the energy game. The service of the American and European, even the Russian interests:

Could become a political and economic shield against any aggressive policy or crisis and the basis upon which a wider block of common interests could be formulated.

Could create a fertile ground toward the shaping of a new geopolitical status quo and alliance, including, not only Cyprus, Israel and Greece, but also other countries. In this regard, Turkey could promote a flexible policy and thus produce more benefit than cost, by adopting and implementing a democratic policy in the context of a win –win situation in line with the International Law and the acquis communautaire. This is a rational strategic game related to a democratic solution of the Cyprus issue, which may also help the Turkish accession to the EU.

In any case, the economic and political involvement of the EU, the US and Russia should take place in view of respecting state's sovereignty and thereby such an engagement could constitute a reliable and capable strategic recipe of protecting the "Cyprus pigeon" and holding in leash both the "White Shark" and the "Islamic hawks".

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INTERVENTIONS IN DEFINING POST-IMPERIAL MISSIONS

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Abstract: *The external interventions, particularly the military ones, question the sovereignty of the states involved. From a constructivist viewpoint, the paper is approaching the possibility of considering some of these interventions as expressions of a post- imperial order, as they take place in weak states that formed part of an empire where the initiator was in many cases the very former imperial power. The aim of this article is to investigate the ideological arguments supporting these actions and how they affect the meanings of 'sovereignty'.*

Introduction

The term 'intervention' basically refers to any interference of an international actor into the domestic affairs of another and, as many scholars observe, it covers a variety of actions, from simple speech to the use of force. As such broad meaning risks to making the concept analytically useless, it is generally restricted to the violent end of the definitional spectrum. (Nye, 2003: 154-155; Finnemore, 2003: 7-11)

Obviously, the interventions - especially those involving the use of force – put a big pressure on the meaning of sovereignty of their subjects, and require explanation for the new understandings of the anarchy, at least for what is visible in the relation between the interfering actor and its subject. The use of force in the anarchic realm can be considered, by default, a matter of international security (Kolodziej, 2005: 22) - and such a narrow definition cannot be rejected, but at most expanded, by any theoretical approach with impact on the field. The meanings of 'security' and 'sovereignty', in the constructivist approach assumed here, are considered to be in an inter-subjective and dynamic co-determination relation (Ungureanu, 2010).

For this reason, I consider in this paper that 'sovereignty', 'anarchy', and 'security', the particular relations among political entities involving particular senses, have not unique meanings and they are made visible in their interactions. Good evidence in this direction can be found in the particular relations developed in a long period of time between the two main participants in an intervention: the one making the intervention and the one that endures it. Empirically, it can be noticed that most interventions take place in weak states that are former parts of empires, and now parts of the Third World, while the most interested state in intervening is precisely the former imperial power. That is why I consider that the study of the interventions in international politics can be in many cases, but definitely not in all, regarded as a consequence of the common imperial history.

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Therefore, I present in this paper the hypothesis that, once fulfilled the above-conditions, the interventions taken into consideration represent the 'missions' of the post-imperial orders. In a broad sense, I would like to investigate the effects of these post-imperial missions on the meanings of 'sovereignty'.

As for the structure, the paper is organized in several sections. The introduction is followed by the definition of the terms used in the paper, and then by the emphasis of some important differences between the interventions inside an empire and in the anarchic realm, respectively. The next step is to address the issue of transition from an empire to a post-imperial order from the point of view of the former metropolis. I assume, in accordance to the constructivist's assumption, a change in the general cultural structure, so that the following section is intended to look at the two ideal-types of post-imperial orders in such a dynamic environment. Then, I discuss these kinds of post-imperial orders in two particular cases, the Russian and the EU's. The major conclusions of this paper are outlined in its final part.

2. Definition of terms

As I conferred here special meanings to some terms, I consider it necessary to also provide their definitions. Firstly, the term of 'empire' itself, a negation of 'sovereignty', a peculiar amendment to the supposed systemic 'anarchy', that lacks a generally accepted meaning. For instance, from what could be named a functional point of view, for David Lake it is a continuum that describes the relationships among political entities, the empire placed at the hierarchy's end of a scale, with 'anarchy' at the other, close to 'informal empire' (Lake, 2003: 311-313). I have addressed this issue somewhere else, and now I must only emphasize the main argument of interest here: a necessary condition for identifying an empire is its formal hierarchical structure. For any kind of dominance of a sovereign polity over another I suggest the term 'hegemony', which should be classified according to the hardship of the dominance. I also consider the normative monopoly of the center over the subordinate entities as a distinctive feature of such hierarchical political structure (Ungureanu, 2011: 279-281).

With regard to the 'post-imperial order' (PIO), this term aims to emphasizing the peculiarity of the relations developed between the former metropolis and the new independent states, and among these, which appear at the dismantlement of an empire. In a previous paper, I identified two ideal-types of a PIO: firstly, a power-oriented PIO (POPIO) – considered as such when the former imperial power intends to preserve a strategic and selfish (excluding others) influence in these new states. On the other hand, a norm-oriented PIO (NOPIO) is an altruistic and pluralist one – the former imperial power considers itself as responsible toward the new states and their citizens and welcomes the participation of others that have the same ideas and the resources to get involved (Ungureanu, 2011: 284-285).

As for the 'mission', I defined it as the ideological argument of an empire, "that bonds together previous existing political entities, legitimizes their subordination to specific institutions, and guides the action of the whole" (Ungureanu, 2012: 21), the term 'mission' being thus considered here with a broader meaning than that of 'civilizing mission', as used by authors like Kenneth Pomeranz (Pomeranz, 2005) or Jan Zielonka (Zielonka, 2012). In this paper, I consider that this notion can also be used for the PIOs, as long as there are good reasons for taking into account an ideological argument in discussing them (the special links among political units that characterize a PIO should, in a constructivist approach, be supported by common identity, interests, etc.).

Each PIO defines a specific mission. By following the logic for each kind of PIO, it is somehow natural to consider that the mission driving a POPIO expresses the identities and interests of the former imperial power, and that of a NOPIO is consistent with those (considered to be) of the now-independent states - or their societies/ citizens. In other words, the two ideal-types of PIOs are similar regarding the source of who is defining it - mainly, the former metropolis, but different in considering its beneficiary.

These ideal-types are obviously in accordance with the Weberian conception to which the constructivism is tributary, intellectual instruments whose roles are to make the reality understandable to its researcher, usually missing a perfect correspondence in reality (Weber, 1978:19-22). In other words, the concepts I suggest do not mean to actually describe a factual, historical reality, because their role is to offer a theoretical comprehension.

3. Imperial and post-imperial interventions

Using the terms defined in the previous section, it is now the moment to address the interventions themselves, more precisely their significance in post-imperial order, as opposed to those taking place inside an empire. The fall of an empire is not only a dramatic, but also a very important moment for the study of international relations and security. It marks, beyond any possible doubt, the changes suffered by the power structure of the international system – and I say this because the decay of an empire is usually a slow process, difficult to perceive and understand as such. It is also accompanied by other events – the most important being the confrontations between the (armed) liberation movements and counter-insurgencies forces, quarrels with the neighbors of the new state, the domestic confrontations in the new state (as a consequence of the state-building process) and the former metropolis alike (where various groups are presumably discontent with the new political situation), etc. The last 60 or so years of history offer many examples in this respect, such as the former European empires, or, more recently, the Soviet one.

It can be noticed that there are many issues relevant for the international security problematic that can be connected to the collapse of an empire. The pages below consider these questions as the expression of the replacement of an imperial order with a post-imperial one and, more widely, the amendments to the anarchy of the system.

To start, one should note that the political practice that constitutes the focus of the present paper – the (military) intervention – is common to both empires and PIOs. For an empire, this is a consequence of its political and social diversity, the central power needing from time to time to use the force in order to impose its will (Porch, 2000). For a nation-state, "the more inclusive the social structures of rights, the less war-prone they will be. Inclusive social structures imply acceptance and homogenising of differences within a society" (Alkopher, 2007: 10) On the contrary, as a hierarchic order, the empire needs only a normative supremacy over its subjects, its internal heterogeneity and, usually even the size, making impossible to put into practice the normative monopoly that it is supposed to represent. This social and normative diversity can be considered ferments for violence.

It is obvious, despite the resemblances in forms, the important difference between the interventions inside an empire and those in a nation-state, and that is the breaking of the sovereignty rule. The "Westphalian myth", although historically unsustainable (Osiander, 2001), is an endurable and specific element of the IR field, which has an overwhelming importance in some of the most influential theoretical approaches. The consequence of this fact is that the scholars as well as the decision-makers and the public opinion face serious troubles in positioning toward the interventions and interpreting them. An imperial intervention occurs inside the borders of the empire, a manifestation of its own sovereignty

and common normative space. An external intervention, on the other hand, takes place in the anarchic realm, as a consequence of the states' sovereignties. The non-interference norm is a corollary of the sovereignty, so an external intervention questions the very foundation of the common understanding and practice of international relations.

As for the PIOs, the interventions have to be integrated in the second category, as long their subjects are independent states. This legal status granted, for instance, by the formal recognition as a member of the UN system, has not necessarily a political base, either domestic, or external, or both. The internal difficulties accompanying the processes of new state building are somehow natural, and I do not intend to address these issues here, but to focus on the external acceptance as a member of international community. In this regard, the attitude of the former imperial power is crucial.

4. From empire to post-imperial orders

In order to understand how the main heir of an empire places toward its former subjects, the first factor that should be considered is the structure of the former empire, and two models can be identified, at least. For instance, Dominic Lieven points out, in a convincing manner, the differences between the Tsarist and British empires: an autocratic, land-based polity, versus a liberal, diffused maritime power (Lieven, 2004: 138). Such differences are definitely important in considering how empires collapse and what happens after this moment, but I think that some other considerations, concerning the transformations of the interests and identities of the former imperial power that form a different, second category of factors, should also be taken into account. I have already addressed these issues somewhere else and here I would like only to summarize them. For the Russian empires (in its both forms, the Tsarist and the Soviet ones), it was a state-guided effort, based on a unifying factor (Tsar or communism), and, very peculiar, with the core of the empire (Russia) lacking a certain identity inside the empire – Russia *is* the empire. On the other hand, in the British case, the empire was, most part of its history, an individualistic enterprise, that considered its dissolution was conditioned by the self-governing aptitudes of the people in the colonies, and where Britain itself was only the core of the empire - proceeding, co-existing, and succeeding it (Ungureanu, 2011: 282-283).

I consider that the last criterion – the identity of the central power inside the empire – is one of the most important factors in considering its attitude at the moment of empire's brake-up. In 1976, Robin Winks identified the 'doctrine of preparation' as one of the three processes entailed by decolonization (on political matters – the other two being focused on economic and, respectively, social relations, more precisely on national identity). At least in theory, this doctrine envisages several steps for the transformation of a colonial society in order to prepare it for independence, considered by both the colonizer and the colonized (Winks, 1976: 540). Let aside the misunderstandings between the two sides involved and their different interpretations of the process (Winks, 1976: 541-542), in my opinion the doctrine represents, after all, an acceptance of the inevitable fate of the empire *per se* and indicates that the imperial elites are looking for new political arrangements. It is, in any case, a sharp contrast between this attitude (even somehow hypocritical - being defined and judged by the colonizer, and not generally and instantly socially shared) and that expressed, for instance, by Vladimir Putin's famous description of the dismantlement of USSR as "a major geopolitical disaster of the [20th] century" (Putin, 2005).

5. POPIO and NOPIO in dynamic cultural structure

The above discussion must be regarded in the social and cultural environment, which, according to the constructivist tenets, simultaneously constrain the actions of the social actors and is constructed by them, as long as, in Bill McSweeney's words, in the relation between agency and structure, "each is realized and made actual in and through the other" (McSweeney, 1999: 139). From the actor's perspective, the acceptance of the collapse of the empire as a political and social fact can occur, in my view, in time and can be interpreted as a sign of the transition from a POPIO to a NOPIO (Ungureanu, 2011: 285). The above-mentioned 'doctrine of preparation' is discussed by Winks about two decades after the beginning of the decolonization process, and it is hard to say how influential it was in the eyes of the political elites and public opinion. The British case was a peculiar one, with a long tradition in considering the imperial dissolution (the 'white' dominions being established in the 19th century) and liberal government, but these facts were not powerful enough to restrain the Britain's attempts to prevent the collapse of its empire (in Malaya, Kenya, etc.) (Newsinger, 2002). Another important colonial power, France, knew even more dramatic experiences in this respect, such as the wars in Indochina or Algeria. On the other hand, decades after these post-colonial wars both states can be considered as being in the core of a NOPIO.

By considering now the influence of the structure, some should note that the change of the ideas suggesting the transition from a POPIO to a NOPIO, like those discussed above, takes place in a dynamic cultural environment. In this respect, it seems important to note that the legitimizing principles justifying interventions have changed in time. As Martha Finnemore observes, during the last century it has been noticed a dynamic of the norms and practices concerning in the use of force. By considering that "[t]he utility of force is a function of its legitimacy" (Finnemore, 2003: 16), she supports the most important changes occurred not in the material, but in the social and normative dimensions – that can explain the nowadays states' preference toward multilateralism (as opposed to unilateralism), the appeal to the universal Human Rights discourse (and not simply egoistic national interests), etc. (Finnemore, 2003: 16-23).

The constructivist approach allows Finnemore to observe such a dynamic, which somehow oblige even the great powers to observe the necessity of changing at least the discourse, even if not necessary the practices and ideas, in accordance with the contemporary international norms. For instance, in the above-mentioned Putin's speech, "the geopolitical disaster" is completed with an affirmation that changes it in the terms of the nation, because "[t]ens of millions of our co-citizens and compatriots found themselves outside Russian territory" (Putin, 2005).

It should be noted that, in practice, such a nostalgic, old-style consideration was not followed in the manner considered decades ago. The politics toward the former Soviet republics were to include them in a sphere of influence, not to regain them territorially. For instance, the war against Georgia in 2008 was justified as a duty to separate possible belligerents in an internal war (the status of Russian forces was, formally, of peacekeeping forces). The war did not end with a Russian annexation, but with its singular recognition of the statehoods of South Ossetia and Abkhazia. The reason for such position cannot be separated from the question of legitimacy. Nowadays, "most states do not *want* more territory nor do they see force as an effective or legitimate means of obtaining it. More territory is no longer a marker of state success or state greatness." (Finnemore, 2003: 140; emphasis in original.) It is obvious that the Russian policy toward Georgia should be considered as an attempt to impose its will and interests, but not a formal hierarchy. It

should also be noted that the actions were justified in terms of protection granted to individuals and groups, not those of "national interest". In my view, this proves the general changes in the social and normative structure of the international relations discussed by Finnemore.

Given these conditions, it is legitimate to ask how can Russia's intervention in Georgia be interpreted in the very terms of this paper – as a transition from a POPIO to a NOPIO or as a result of the normative structure? In my view, the elements suggesting the transition from an ideal-type of a PIO to another are not strong enough, because one essential element is missing. What do I have in mind is its social acceptance. In the altruistic NOPIO the Other is invited to participate, because the goal is to improve the subject's intervention condition, so that any help is welcomed. In the egoistic POPIO, the Other's participation is, obviously, rejected – the ultimate beneficiary of the intervention is the interventionist itself, so that there are no reasons to share the possible gains. In the case of the Russia's intervention in Georgia, let aside the problem of the real beneficiary (not obviously identified), the Other is missing. Moreover, the final political outputs of the intervention from Moscow's perspective – the statehoods of Abkhazia and South Ossetia – are recognized by Russia alone.

Keeping in mind this rather artificial delimitation between the actions due to the changes in actor's ideas and those of the environment (artificial as long as one should keep in mind McSweeney's observation with regard to the relation between agency and structure), it is possible to take a closer look toward the missions supposed by the two PIOs. For this purpose I selected two particular cases that I consider typical in today's international politics – one for the POPIO and one for the NOPIO.

6. The mission in a POPIO: the Russian case.

The first part of the discussion concerning the mission in a PIO takes into account the POPIO, and I suppose that the Russian case, already introduced in the previous section of the paper, is very appropriate and eloquent.

To resume the consideration, it seems rather a matter of time if and why Russia's position toward the former Soviet republics would change enough to turn the present POPIO into a NOPIO. The Russian case is different from other imperial collapses: it was a sudden process, which did not occur as a consequence of a dramatic moment such as a war, but of a dramatic shift of legitimacy from imperial and communist ideology to the national one. In a structuralist approach attempting to explain this historical fact, Alexander Motyl takes into account the totalitarian nature of the Soviet regime – and he defines USSR as "the world's only totalitarian empire" (Motyl, 2001: 49). If "[e]mpires and totalitarian states are structurally isomorphic" (Motyl, 2001: 52), the progressive abandonment of totalitarism during Gorbachev's time undermined the empire (Motyl, 2001: 83-85.)

From the constructivist point of view of this paper, the agents' ideas should also be taken into account. In this respect, it looks that the opinions of the decision-makers, academics, and public about the future and role of Russia were quit diverse in the post-Soviet era. In the debate that marked the period, Andrei Tsygankov identified four important projects – the international institutionalism, the defensive and offensive realism, and the revolutionary expansionism (Tsygankov, 1997). Even if he later considered that the realist approach won (Tsygankov, 2006), it looks that Russia itself has encountered many troubles in the process of defining the state and the nation, as proved by the Chechen Wars and confirmed by the words of Putin in the above mentioned address in 2005, according to whom "the epidemic of disintegration infected Russia itself" (Putin, 2005).

In the view of these considerations, the most appropriate way in dealing with the Russian post-imperial mission looks to be in the terms of defining the nation - a very difficult job, firstly because it is a multiethnic society, and secondly because many Russian ethnics are now living outside its borders. Lacking of an ideological common argument, at least after the collapse of communism and empire, and without a clear and socially broad understanding of the nation, the state cannot be – in the 'realist' perspective that Tsygankov suggests that triumphed in Moscow – anything but a shaky social institution. The fear of the geopolitical Western advancement toward its borders (in West, but also in the South) also demonstrates, from this point of view, a certain uncertainty about who the Russians and their state are. It is, in other words, a matter of political identity. The Russian aggressiveness outside its borders is, in my view, designed to fulfill the same goals as inside them (for instance, in the Chechen Wars): to enforce a certain, more precisely the largest possible, definition of the Russian nation and its interests, whose expression is the state. The mission of the Russian PIO is, from Moscow's perspective at least, that of enforcing the Russian states, its conception about the nation, and its strategic, power-oriented interests.

In brief, it seems that the effect of an intervention in a POPIO is (or is designed to) the undermining of the sovereignty of the state in question. Generally speaking, the interventionist looks to be prisoner of its own old interests and identities, unable to recognize the very re-distribution of power in the system that made it loose the empire and 're-invent' itself. Surprisingly as it seems, the case discussed above indicates that the interventionist's primary goal in a POPIO is internal, in order to define its own sovereignty and nation that it has to represent.

8. The mission in a NOPIO: the EU case.

The second part of the discussion concerning the missions of a PIO takes a closer look at the NOPIO, and I suggest the case-study of the European Union. For starters I shall consider the necessary conditions for setting a NOPIO. The current nature of the state that used to be an imperial power could be an indicator of the envisaged type of PIO. In the light of the above discussion concerning Russia, by contrast, it looks that a pre-requisite for a NOPIO is a certain stable image about the Self – in other words, a stable and sufficiently clear identity, socially wide spread, as a basis for an altruistic involvement in world's affairs, driven by its own self-assumed responsibilities. The most natural expression of such a polity seems to be nowadays a cohesive society in the conditions of a stable democracy, although, in my opinion, not compulsory from a theoretical point of view. The fulfillment of its mission – of assuming, when necessary, responsibilities toward its former subjects – also involves an instrumental argument. This requires a reasonable economic power, at least, if not impressive military means too. The economic capacity is also a political condition, because the fulfillment of the mission must be supported by the political elite and the society, which should not regard it as an unbearable burden - an important aspect for democracies in particular.

A NOPIO also requires the understanding of 'security' in a broader sense than the implied one, for instance, in state-centric theories. The interventions made in a NOPIO has the individuals/ groups as the central object of reference (not the state), and the former imperial power welcomes the involvement of Others in order to achieve its goal, so that the international cooperation is valued even in the military affairs.

The NOPIO military interventions I have in mind, the humanitarian ones, can be interpreted in a liberal/ cosmopolitan key - or, more widely, of what Martin Wight called

'the Revolutionist tradition' of International Relations (Wight, 1991). Even if such logic could be sufficient in order to put in place an intervention (in the virtue of a responsibility given the humanity that bonds all individuals, etc.), the relations among the interventionists in a NOPIO are better understood, I think, in the constructivist terms.

This consideration is made due to the characteristics of a NOPIO. A humanitarian intervention is, by itself, a singular act, which requires a quick response to a crisis. The hypothetical existence of a NOPIO triggers a wider range of bounds than those typical in a humanitarian crisis to be taken into consideration with regard to the responsibilities self-assumed by the former imperial power. Its involvement virtually covers any aspect of social interaction (in political, economic, cultural, social spheres), implies a large variety of actors (from states to simple individuals), being temporally a long-term commitment. In such broad understanding of responsibilities and ideas, those supposed by a humanitarian crisis ask for the participation of the those alike, the usual friends and partners, with whom it shares the same meanings, values, and political practices, a recognized interpret of norms (Ungureanu, 2011: 284-285).

With regard to the empirical situation, all the former imperial powers in my mind are nowadays members of the European Union, and define a composite NOPIO (Ungureanu, 2012: 24-25). The Other invited to interfere is, basically, any stable liberal democracy willing to get involved, such as Japan or Australia, and, of course, the United States. Even if I reject the idea of regarding the United States as an empire, precisely due to the sovereignty criterion mentioned above (Ungureanu, 2012: 22-23), except for the period preceding the First World War, there is no doubt that, in this particular case, the American idealist foreign policy tradition allows the use of the term 'mission' for its self-assumed and declared goals, such as "to promote democracy abroad as a way of enhancing national security" (Smith, 1994: 4). The EU's and, respectively, American missions are quite similar in their very ends (such as the spread of democracy, let aside the motivation behind – no one can understand EU's support for democracy in 'national security' rhetoric) and complementary in means (Ungureanu, 2012).

The goal of an intervention made in a NOPIO is, as stated, to improve the situation of its beneficiary, mainly in terms of strengthening its self-governing capacity. In other words, the state suffering it should be enforced, while the formal sovereignty gains some consistency. That is a sharp contrast with the consequences of an intervention made in a POPIO, whose effect is (or, at least, is intended to be by the interventionist) the weakening of its victim's sovereignty.

This reversed correspondence is also preserved in the peculiar cases of the interventionists that I have discussed. If the Russian POPIO can be regarded as a sign of a process nation-state definition, the NOPIO seems to be more an indication that its core is moving toward some sort of a post-Westphalian conception of international politics. The observation is, of course, valid especially in the example provided by EU's nature. It is exactly the sovereignty issue that makes EU an innovative polity, so important that there seems to be good reasons for calling it an empire, more precisely a neo-medieval, as opposed to Westphalian, one (Zielonka, 2006), a classification that I support (Ungureanu, 2012). Besides this, the security relations among the interventionists in the NOPIO are, I suppose, best described by the concept of 'security community', an institution that, by definition, excludes the most important consequence of the anarchy – the fear among its members (Adler, Barnett, 1998: 30). In this respect, using the terms of this theory, EU is a tightly-coupled security community inside a loosely-coupled one (Ungureanu, 2012: 25).

The mission of a NOPIO is thus to offer the best possible answer to the needs of those envisaged for getting help as result of the intervention. It also tightens the bounds between the former members of the empire (imperial power and its subjects), but also among the interventionists. In the particular case of the European Union, it seems to give some substance to the imperative of offering an international presence to this polity, thus contributing to a more profound integration of its members (Ungureanu, 2012: 23-25).

Briefly, the particular cases treated here seem to indicate that a POPIO shows the efforts made by the former imperial power in order to define and enforce concepts about the nation and state, while a NOPIO suggests a new, altruistic, and even post-Westphalian comprehension of what anarchy supposes, and of sovereignty implicitly, by its initiator(s).

10. Conclusions

The goal of this paper is to investigate some of the meanings of 'sovereignty' and 'security' in the international interventions, mainly in those involving the use of force. It grounds on the observations that these interventions usually take place in the weak Third World states that used to be parts of an empire, and that the main interventionist is the former imperial power.

I made three suggestions: that the break of an empire is followed by a wide variety of bounds, distinct from other international relations, and still connects the heirs of the empire, so that they constitute a post-imperial order, mainly defined by the former metropolis. Like the empires, the PIOs need an ideological argument, which I call 'mission'. There are two ideal-types of a PIO: the first is power-oriented (POPIO) and its goal is to preserve the interests and position of the former imperial power that considers the lost empire as a new exclusive zone of influence. The second is norm-oriented (NOPIO) form, and supposes a sense of responsibility from the center toward its former subjects; it is thus altruistic and open to influences from those similar Others that can help.

I used these observations and terms to refer to the interventions - particularly the military ones - in the view of their effect of the sovereignties of the actors involved. In this respect, it seems quite natural for an intervention in a POPIO to diminish this attribute of the statehood, as it is made in the interest of the interventionist. On the other hand, the intervention made in a NOPIO, including those designed to manage desperate situations, are supposed to lead, sooner or later, to the re-enforcement of the statehood of its beneficiary, and thus of its sovereignty.

The particular cases taken into discussion led to some surprising conclusions. The references to the 2008 Russian intervention into Georgia and the Chechen Wars show that the main goal was not even in terms of strategic goals, but to force the acceptance of a certain meaning of Russia and Russian nation - and that is the Russian post-imperial mission. In other words, the goal (not necessarily the socially accepted effect) is to describe a certain meaning of the Russian sovereignty, as construed by the political elite in Moscow at that time.

The opposite case - NOPIO - represents, by its permeability and confidence in the alike Other, a much softer understanding of the consequences of anarchy among the interventionists. The particular case of the European Union is, by its nature, the best known example of a polity that investigates ways of escaping the limits imposed by its member states' sovereignties. The mission of its composite NOPIO seems to be defined in altruistic terms, but it also legitimizes EU's international personality and presence.

It is obvious that these two models should be considered as research instruments, the reality being, undoubtedly, far more complex than they can describe. They aim to

offering a better, deeper understanding of some of the most dramatic events of nowadays security issues - the interventions, and to proposing new ways of approaching a core concept of the International Relations - 'sovereignty' - whose meanings seem to be more and more interrogated in the contemporary theoretical perspectives of this field. My constructivist approach supports the dynamics and plural meanings of any given and assumed term. In this paper I tried to identify some of the main directions that can be found with regard to 'sovereignty' using the study of interventions in PIOs.

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V. Events

International Summer School. Ethnic and Religious Minorities and Majorities - for a Democratic Intercultural Dialogue at the European Union Eastern Border

The University of Oradea, in partnership with the Institute for Euroregional Studies Oradea-Debrecen, organized the international summer school "Ethnic and Religious Minorities and Majorities-for a Democratic Intercultural Dialogue at the European Union Eastern Border" in July 2012. Organized within the Jean Monnet Programme *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border,* the summer school was focused on highlighting the relations between different minorities, ethnical or religious, and the majority in the historical region of Transylvania.

Diversity was the key-theme of the summer school, a fact which is also proven by the participants, who originated from different parts of Europe and even Latin America. Along with participants from Oradea, Cluj-Napoca, Bucharest or the Republic of Moldova, the attendants originated from Greece, Germany, Austria, Scotland, Poland and even Brazil. They were offered the chance to learn about minorities in Romania and see with their own eyes the cooperation and intercultural dialogue in places like Cluj-Napoca, Sibiu or Târgu-Mureş.

In order to capture perfectly these relations and interactions, the summer school was organized in order to showcase and present each minority in its own setting. Thus, the summer school was an itinerant onewith stops in major cities of Transylvania where minorities play an important role in society.

The summer school started on the 2nd of July in Oradea with the registration of the participants and the first courses held at the University of Oradea on *Memory and*

European Identity by prof. Ioan Horga, the Dean of the Faculty of History, International Relations, Political Sciences and Communication Sciences*, Ethno/religious realities in post-communist Romania* by Mircea Brie, the organizer of the summer school and the presentation of Oradea, a truly multicultural city. After these general presentations regarding minorities in Romania, the case study regarding the role of education in the Roma communities, courtesy of the Ruhama Foundation, captivated the participants.

The next important stop was in Cluj-Napoca, at Babeş-Bolyai University, on the 3rd of July, where prof. Ioan Bolovan and Dr. Ioan Cârja held courses on the ethno-confessional structure of Transylvania and the specificity of the Romanian population in the Apuseni Mountains. The courses section ended with a lecture on the history and confessions of the Roma population in Romania. Târgu-Mureş marked the final stop of the first day, where the attendants learned important details about the Hungarian minority in Romania by auditing courses on the relations between it and the Romanian majority, as well as some details regarding Szeklerland.

The third day of the summer school was dedicated to visiting important historical landmarks of Transylvania, such as Sighişoara and its fortress, Braşov and the Bran Castle or the Peleş Castle.

Sibiu was another key stop for the summer school, where, besides having the opportunity of visiting the impressive city, the participants audited a lecture by Hans Klein, one of the leaders of the German community in Sibiu. The participants were interested in finding out the way in which the German minority worked together with the Romanian majority to develop the city. Moreover, in Sibiu the participants were given the opportunity to witness first-hand the life of one of the leaders of the Roma community, at King Cioabă's residence. The leaders of the community explained the way in which they were emancipated, they joined a neo-Protestant church and how they value education for their children.

The last two days of the summer school were spent at Stâna de Vale mountain resort, where the participants attended workshops that would help them apply the knowledge they had acquired over the past days at the different courses on minorities. The thematic activities were divided into three activities: *Politics – promoting interculturality or interfering in peaceful majority-minority relations?, Between inclusion and exclusion: the Roma issue not only a Romanian problem but also a preoccupation for Europe?!* and *Citizens and Cultural Diversity: Learning to communicate.*

The lively debates concluded with the presentation of the conclusions of the summer school, several recommendations for future editions of the summer school and the handing out of the certficates of attendance.

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European Union in crisis?!
Scientific Session of the Students from International Relations and European Studies

The 16 and 17 March 2012 ARISE (Association of the Students in International Relations and European Studies) and the Institute for Euroregional Studies of the Department for European Studies and International Relations organised the **Scientific Session of the Students from International Relations and European Studies**. This was the first students' national conference organised by the above-mentioned department, although at the local level ARISE already had held, in May 2010, another one, and had already issued the conference proceedings.

The conference of 16-17 March 2012 was attended by not only students in International Relations and European Studies, but also by students in Political Science and in Economy, from different Romanian universities, i.e. Babeş-Bolyai University, from Cluj-Napoca and University of Bucharest. The main mission of this conference was to bring together, in Oradea, the young students interested in the evolution of the European Union in times of crisis, whatever the perspective of approach.

The conference had three panels, two dedicated to the different aspects of the crisis, i.e. political and social perspectives and the economic perspective, and one panel concerning the connections between the European Union and the world in the framework of the current economic crisis. The conference opened with the speeches given by the Vice-Rector with International Issues of the University of Oradea, Mr. Barbu Ştefănescu; by the Dean of the Faculty of History, International Relations, Political Science and

Communication Sciences, Mr. Ioan Horga; by the Director of Department for European Studies and International Relations, Mr. Mircea Brie, and by representatives of PhD students and of ARISE.

The topics discussed by participants concerned very important aspects of the crisis in the European Union, as for example the democratic and leadership crisis in the European Union; the social troubles having as basis the economic crisis; the issue of recruitment, employment and of unemployment in EU during times of crisis and the problem of the Schengen Space in the same context of the economic crisis. The second panel of the conference, focused on the economic aspects of the crisis, had brought together presentations concerning, among others, the EU's influence on the Romanian economy in the context of the economic crisis; the economic crisis reflected in Romanian mass-media; some considerations concerning causes and possible solution of the debt crisis; the Spanish crisis view before and after the Euro; the possible consequences of UK withdrawal from the EU; the situation of the small and medium enterprises in EU; the necessity to turn to a green infrastructure in the context of the economic crisis; and an analysis of the risk of bankruptcy of the EU member countries.

The third panel, entitled "Speaking the European Union and the World" was more general and gathered presentations on enough different topics: history of the crisis in the international economy; crisis and interdependencies in EU; the Eurosceptic opinion on the economic crisis in EU; the cultural perspective of the crisis; EU and the challenges of the crisis.

It is very important that ARISE and ISER intend to organise the second edition of the national conference in the spring of 2013, focused on an actual problem in the European Union.

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VI. Honoured Personality

LAUDATIO

To Professor Iordan Gheorghe Bărbulescu, celebrating 60 years

Each of those seeking knowledge and professional development aspire to identify a mentor from whom to learn various skills of research, analysis and use of knowledge acquired. Often, those seeking such a mentor cannot find it and abandon the road to knowledge. However, there are situations when the mentor finds you and grants you with trust, time, hope, and even logistical and financial resources. As a result, the commitment of the advised person does not consist in occasional expressions of gratitude, but in a continuous and deepened research and development of knowledge held. In fact, according to some, the essence of mentoring is to generate and maintain knowledge transfer from one generation to another; according to others, mentoring is actually a ritual that has a much deeper human-constructivist part. According to the latter opinions, knowledge transfer is not mechanical or realized through mimetic methods, but through a long ritual, including steps such as identifying, testing, investing trust, openness and recognition. Voltaire said: "*There is no innate knowledge, for the same reason that there is no tree that bears leaves and fruit when it first starts above the earth*". The transfer of knowledge inheritance is actually made throughout this journey that can last even decades, and involves one of the most important aspects, namely knowledge symbiosis, a phenomenon eminently based on human relationships. The academic environment perpetuates and reinforces this approach for almost 1000 years and no contemporary interpretations have the power to change the meaning and logic of this ritual of initiation in the acquisition, processing, exploitation and dissemination of knowledge in its many forms. In fact, an effective and efficient developer of knowledge is also an excellent mentor, and hence the ritual is continuous and applicable to all those who identify their right place and time.

The mentor to whom we dedicate this *laudatio* is invaluable to the undersigned, not only because he respected and respects the aforementioned ritual, but because he knew how to identify for us the right time and place. We are referring to Professor Iordan Gheorghe Bărbulescu, which in 2012 has reached the honourable age of 60 years. His career and professional prestige indicate that he is not only an excellent teacher, but also a great diplomat who made a real contribution to Romania's accession to the European Union, disseminating knowledge about accession and integration of his own experience. Few universities in Romania have managed to outline study programmes (either specific master ones or general postgraduate ones) where the teaching activities are carried on by experts who contributed to the completion of the negotiations and accession to the European Union. In our – unbiased, we hope – opinion, one has to admit that the National School of Political Studies and Public Administration (SNSPA) in Bucharest has managed to achieve such an institutional success since its early beginnings and that Professor Bărbulescu contributed to

strengthening and maintaining this performance. Below we will share some professional facets we know and appreciate to the professor Iordan Bărbulescu.

Professor Bărbulescu was born on January 20, 1952 in Hunedoara. Between 1973 and 1978 he studied at the University of Bucharest, receiving a degree in philosophy. In 1996 he defended the thesis entitled "La preadhesion de los paises de Europa Central a la Union Europea, elemento clave de la unificacion. El caso de Rumania" at the University of the Basque Country (UPV/EHU). The thesis was prepared under the direction of Professor Francisco AldecoaLuzarraga and, after more than 15 years since its defence, it proves to be a pioneering monograph on the deepening of European integration, an analysis from the perspective of Central and Eastern Europe countries.

Between 1991 and 2003 he was hired as the Ministry of Foreign Affairs as diplomat, during this period serving as Deputy Director of the European Union Direction, Deputy Director of America Direction, Director of Latin America Direction, European Integration Embassy Counsellor, Embassy Minister Counsellor of Romania's Embassy in Madrid. In its work as a diplomat, Professor Iordan Gheorghe Bărbulescu actively participated to boost the process of negotiating the accession to the European Union. For example, significant contribution in this direction was taken before and during the Spanish Presidency of the EU Council in the first half of 2002, when Prof. Bărbulescu greatly contributed to the opening of nine negotiation chapters and provisionally closed three negotiation chapters. For his contribution to the foreign policy of Romania, Prof. Iordan Bărbulescu was awarded in 2002 the National Order "Faithful Service" in rank of "Knight". Nevertheless, he continued to contribute to boost negotiations and the preparation of the actual accession; therefore, in recognition for his 2007 efforts, he was awarded the "Personality of the Year for a European Romania" prize afforded by EUROLINK Foundation - House of Europe. Moreover, in order to exploit and disseminate knowledge held about deepening European integration, in June 2012 he was recruited by the European Commission Representation in Romania as a member of Team Europe – the European Commission's Network of independent conference speakers.

In addition to his diplomatic experience, Professor Bărbulescu excelled in the development and dissemination of knowledge through teaching activities at SNSPA, at the University of the Basque Country (UPV/EHB) of Bilbao and at Complutense University of Madrid. At SNSPA, his teaching work can be seen in two stages: (a) the years 1997-1999, when he introduced within the Faculty of Political Sciences the courses "Institutions of the European Union" and "European Union Policies"; at the time, the courses were considered a pioneer in social and political sciences; (b) the second stage begins in 2003 and lasts to the present, during which Prof. Bărbulescu continued teaching the two before mentioned courses, but he also introduced new courses (taught in various academic curriculum arrangements and adapted for different categories of students) for bachelor and master programs: "EU Sectoral policies", "European Union: deepening and enlargement", "Romania's international relations", "Common Foreign and Security Policy", "Decision-making in the European Union", "Evaluation of EU policies", etc. Regarding his teaching in universities in Spain, one may also indicate two distinct periods (1992 - 1997 and 1999 -2003) and the fact that one of his second period course - "La preadhesión de los países de Europa central a la UE, unaoportunidadhistorica" - was highly appreciated by the Spanish academic community. In addition to university teaching, Professor Iordan Bărbulescu developed and taught specific courses on continuing vocational training for different Romanian ministries and government agencies/authorities, as well as for various foundations and associations. Here it is worth mentioning that in 2006-2009 he was the leader of the Jean Monnet Module "Change and Continuity in the European Governance",

and that since 2011 (until 2013) he is the leader of a similar Jean Monnet Module "Rights and Identities Beyond the State: Managing Diversity in the EU".

His professional prestige is fully recognized by current and former students. In this sense, as a landmark recognition and appreciation of the high degree of professionalism, during the last two years, Professor Bărbulescu ranks first among SNSPA university teachers coordinating doctoral studies, by the number of requests for coordination PhD thesis. The same situation is also identified for bachelor and master final papers, but in this respect, the phenomenon lasts for more than six years. The explanation is that, through the coordination process, professor Bărbulescu gives each student a particular attention, being supported in his coordination activity through a system of guidance through academic tutoring conducted by his young assistants. For his effort regarding the proper evaluation of students and for the high quality academic and professional guiding, in May 2011, the National Alliance of Student Organizations in Romania awarded Professor Iordan Gheorghe Bărbulescu the title "Bologna Professor ".

Through curriculum and teaching innovation, Professor Iordan Bărbulescu has contributed to the expansion and development of curricula in International Relations and European Studies (RISE) area, both in SNSPA and in the partner faculties such as the Faculty of History, International Relations, Political Sciences and Communication Sciences from University of Oradea, or the Department of International Studies and Contemporary History of the Babes-Bolyai University in Cluj-Napoca, etc. Moreover, in order to develop the academic community in the field of International Relations and European Studies, along with teachers such as IoanHorga, Adrian Ivan and Gheorghe Poede, and with a team of ambitious and dynamic young academics, he founded in 2010 the Romanian Association for International Relations and European Studies (ARRISE), where he was elected president. Through a several year effort, one will be able to achieve convergence in the RISE study programs so as to ensure greater diversification and complementarity in this area.

Another of his recent concerns regarding academic and curricular innovation can be identified within the approaches meant to develop the culture of evaluating domestic and EU policies and programmes. Together with Professor Adrian Miroiu and supported by a team of young academics, Professor Bărbulescu established the first master program in Romania in the Evaluation of European Policies and Programmes, which is now already experiencing the third generation of students enrolled and the potential extension and multiplication by the University of Oradea and University Babes-Bolyai in Cluj-Napoca. Moreover, to help institutionalize this culture of evaluation, Prof. Bărbulescu contributed to the development of specialized professional organizations; for example, he actively participated at the establishment of the Association for Developing Evaluation in Romania, where he is vice president. Noteworthy is also the fact that he is a member of the European Evaluation Society and a member of the Romanian Evaluation Association "Evalrom".

Words of appreciation and admiration can be addressed as well about his academic management work. Since 2006, Professor Bărbulescu is Dean of the Department of International Relations and European Integration from SNSPA. The appointment and subsequent election as Dean of the Department was undertaken in a very difficult time for this structure: master programmes exceeded by the requests of potential students, a small contingent of students, a high rate of abandonment, a difficult financial situation, etc. After taking over the dean position, his manager skills were noticed through substantial changes in the administration of the Department, identified by a significantly increase of the number of students, the development and accreditation of new masters programs, preparation of strategic partnerships with relevant employers in the area, recruiting young

collaborators with vision and energy in terms of teaching, research and promotion of the institution. Consequently, in the last four university years, the Department led by Professor Iordan Gheorghe Bărbulescu became the most dynamic academic structure within SNSPA, both in terms of sustainability of the study programmes and in terms of relations with the specific professional community. The SNSPA academic community recognized his abilities and skills of professional manager and, in February 2012, he was elected as President of the SNSPA Senate, so that currently he contributes to revival SNSPA as a national and regional renowned university on the governance topic.

Similarly, regarding the academic management area, one has to mention Professor Bărbulescu's active involvement in developing a culture of quality assurance in the Romanian Higher Education system. Thus, from 2007 to the present, he is part of the Romanian Agency for Quality Assurance in Higher Education (ARACIS) team of experts, holding the position of Secretary to the Commission "Political Science, Sociology, European Studies and Communication". Similarly, in June 2010, he was recruited as an international expert of the Agency for Development of Higher Education and Quality Assurance from Bosnia and Herzegovina. Moreover, within the 2011 - 2012 period, he was a member of the Committee of sociology, political science and administration of the National Council for the Recognition of Degrees, Diplomas and Certificates – CNATDCU, as well as evaluator of the Executive Agency for Higher Education, Research, Development and Innovation Funding - UEFSCDI for the university and study programmes ranking exercise.

Concerning the research activity, it is noteworthy the quality of his books on the European integration topic, a total of 12 titles, among which the following: "EU: Deepening and Enlargement", "EU: From Economic to Political", "EU: From National to Federal", "Decision-making Process in the European Union". Furthermore, Prof. Bărbulescu has experience in over 25 research and institutional/systemic development projects, such as: " El papelintegrador de Rusia en el territorio de la antigua URSS y la contribucion de la UE en la estabilidad del proceso: la gestion de la nueva Europe" or "Searching for an efficient adaptation of national legislation to European standards", "Institutional reconstruction in Romania. Challenges and trends in the context of EU accession", as well as Strategies and Policies Studies – "The Lisbon Treaty. Impact on Romanian Institutions and Policies" and "National coordination of European affairs.Mechanisms of collaboration in European affairs between the Government and the Parliament. Comparative study of EU Member States", the latter ones being prepared for the European Institute of Romania. As a recognition of his academic consistency, in 2010 Professor Iordan Bărbulescu was awarded the National Council of Scientific Research in Higher Education-CNCSIS prize for the article "References to God and the Christian Tradition in the Treaty Establishing a Constitution for Europe: An Examination of the Background" (published in the *Journal for the Study of Religions and Ideologies*, 8 / 24/2009, ISI), co-authored with professor Gabriel Andreescu. Here we may recall the fact that since 2007 he is also the scientific coordinator (together with prof. Adrian Miroiu) of the Collection "Public Policy and European Integration" of Polirom Publishing House from Iaşi; here, under his guidance, there were published almost 10 titles in the European studies domain.

Rounding out the description of the accomplishments obtained during the past two decades, it is remarkable the international exposure of Professor Iordan Gheorghe Bărbulescu, both through the multiple specializations in European integration he pursued abroad, and through the conferences, courses and lectures he held in different European countries. It has to be appreciated his involvement in developing the field of European

studies in universities from the Republic of Moldova, by the academic coordination of the "Development of curriculum and improving university management in European Studies from Moldova" project, implemented by the Soros Foundation in Moldova.

In conclusion, we find that through his academic and professional work, as well as through his books and public appearances, Professor Iordan Gheorghe Bărbulescu contributed to the crystallization of a "Romanian voice" in the European debate related to vertical and horizontal development of the European Union, to its place in a globalized world, as well as to the place and role of Romania in the new Europe. We wish that many of those who seek knowledge development and to obtain professional prestige have such mentor as Professor Iordan Gheorghe Bărbulescu.

PhD Lecturer NicolaeToderaş
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VII. Book reviews

Intercultural Dialogue from the Micro-Social to Cross-Border Cooperation Perspective

Cristina-Maria DOGOT[*]

Debates and researches on the great ethnic and cultural diversity of the Central and Eastern Europe could be considered as one of the most preferred topics of the post-communist decades, as well as by the western and by the eastern specialists. The cultural interdependences of this part of Europe were year after year an unfailing resource for conferences, round tables, debates, articles, European projects or domestic laws. And the fact that twenty years after the fall of communism the problem of interculturalism is again a key subject for numerous researches and debates, almost indifferently where around the world and from what different perspectives, represents the proof of the social and cultural richness, and of the dynamism of multicultural societies (a good and consistent source for new and new scientific approaches).
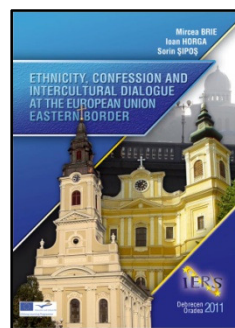
Hence, the Eastern approaches of the problem of ethnicity and interculturalism are proved by the plentiful existent bibliography, here mentioning only some works of the most representative researchers: Gerard Delanty, *Inventing Europe: Idea, Identity, Reality*, (Houndmills, Basingstoke, Hampshire, London: Palgrave Macmillan, 1995); Will Kymlicka, *Multicultural Citizenship: a Liberal Theory of Minority Rights*, (Oxford: Clarendon Press, 1997) and *Politics in the Vernacular. Nationalism, Multiculturalism and Citizenship*, (Oxford, New-York, Auckland: Oxford University Press, 2001); Ulrich Kockel, *Borderline Cases. The Ethnic Frontiers of European Integration*, (Liverpool: Liverpool University Press, 1999), Kantor Ryszard, *Borderslands, Culture, Identity*, (Cracow: Jagiellonian University, 1996). In Romania, the matter of ethnicity and interculturalism became an important subject of research after the fall of communism, the most important books in this sense being those of Ioan-Aurel Pop, *Românii şi maghiarii în secolele IX-XIV: geneza statului medieval în Transilvania* [The Romanians and the Magyars in IX-XIV centuries: the Genesis of the Transylvanian State of the Middle Age], (Cluj-Napoca: Fundaţia Culturală Română, 1996); Ioan Bolovan, *Biserică şi societate: studii istorice* [Church and Society: Historical Studies], (Arad: Gutenberg Univesrs, 2005) or *Ciclul vieţii familiale la românii din Transilvania în a doua jumătate a sec. al-XIX-lea*

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şi începutul sec. XX [Family life cycle of Romanians from Transylvania/Transylvania Romanians' family life cycle in the second half of XIX century and the beginning of XX century], (Cluj-Napoca: Presa Universitară Clujană, 2009); *Dilemele conviețuirii: evrei şi ne-evrei în Europa Centrală şi de Est înainte şi după Shoa-Dillemes de la cohabitation : juifs et non-juifs en Europe Centrale-Orientale avant et après la Shoan* (Cluj-Napoca: Institutul Cultural Român, Centrul de Studii Transilvane, 2006); Sorin Mitu, *The Bibliography of Romanian Nationalism & Ethnicity in Western Languages*, (Cluj-Napoca: International Book Access, 2008) and *Geneza identității naționale la românii ardeleni* [The Genesis of National Identity of Romanians from Transylvania], (Bucureşti, Ed. Humanitas, 1997); Edit Szegedi, *Identități premoderne în Transilvania* [*Pre-modern Identities in Transylvania*], (Cluj-Napoca: EFES, 2002); Radu Carp, *Multilingvism şi dialog intercultural în Uniunea Europeană : o viziune românească* [Multilingualism and intercultural dialogue in the European Union: a Romanian perspective]*,* (Bucureşti: Institutul European din România, 2008) and the examples could continue. Beside the numerous books focused on the matter of ethnicity and interculturalism, there are too many articles, disseminated in different magazines and cultural or even political sciences reviews. And not at the last, we consider very important the role of some non-governmental organisations that focused their whole activity on the matter of ethnic and intercultural studies: Centrul de Resurse pentru Diversitate Etnoculturală[1] [Ethnocultural Diversity Resource Centre], from Cluj-Napoca; Fundația Soros România[2] [Soros Foundation Romania]; Liga ProEuropa Târgu-Mureş, the latter generally concentrating on the problem of intercultural education, and developing an Intercultural Center where are held, twice a year, an Intercultural Forum, where are discussed the problems of national minorities, and the Academia Interculturală Transylvania (Intercultural Academy Transylvania), where the participant students can familiarize themselves with the traditions and culture of all the ethnic groups from Transylvania[3].

In this scientific and civic context the issue of some collective volumes or thematic magazines, edited by small academic groups, it is completely understandable. So, it is possible to mention the issues: 3/2007, 6/2008 and 9/2010 of the journal *Eurolimes*, edited by the Institute for Euroregional Studies Oradea-Debrecen, all of these being focused on different aspects of intercultural dialogue[4]; the collective volume *Ethno-Confessional Realities in the Romanian Area. Historical Perspectives (XVIII-XX Centuries)*, eds. Mircea Brie, Sorin Şipoş

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[1] Centrul de Resurse pentru Diversitate Etnoculturală, www.edrc.ro.

[2] Fundația Soros România http://www.soros.ro/ro/index.php.

[3] Liga ProEuropa, "Centrul Intercultural", http://www.proeuropa.ro/centrul_intercultural.html# manifestaripermanente.

[4] We remember the following articles: Ioan Horga, "The Role of the Media in Changing the Meaning of Borders", *Eurolimes* 3, *Media, Intercultural Dialogue and the New Frontiers of Europe*, eds. Fabienne Maron, Renaud de La Brosse, Luminița Şoproni (Oradea University Press, 2007); Luminița Şoproni, "The Romanian – Hungarian Cross–border Cooperation in the Regional Press of Bihor County", *Eurolimes* 3, *Media, Intercultural Dialogue and the New Frontiers of Europe*, eds Fabienne Maron, Renaud de La Brosse, Luminița Şoproni (Oradea University Press, 2007); Suzana Şaptefrați, "The first step towards intercultural dialogue: acknowledging the "other" (non)-stereotypical representation of Migrants versus Ethnic minorities before and after the 2007 European Union enlargement", *Eurolimes* 6, *Intercultural Dialogue and the European space*, eds Cristina Dogot, Szabó Gyula & Esther Gimeno Ugalde, (Oradea/Bruxelles: Oradea University Press/ Bruylant, 2008); Alina Stoica and Sorin Şipoş, "A Few Aspects on Intercultural Dialogue: Interwar Romania as Seen by the Portuguese Diplomat, Martinho de Brederode", *Eurolimes* 9, *The Cultural Frontiers of Europe*, eds Alina Stoica, Didier Francfort, Károly Teperics (Oradea/Bruxelles: Oradea University Press/ Bruylant, 2010).

and Ioan Horga, (Oradea: Editura Universităţii din Oradea, 2011), and equally the volume presented by this book review. Even a brief observation of the issues of the review *Eurolimes* could demonstrate that the geographical position of a research centre could influence the topic of examinations. Thus, the members of the Institute for Euroregional Studies from Oradea are concentrated especially on the study of the intercultural dialogue as well as from the local (regional, i.e. Transylvanian perspective), from the historical perspective of the structure of the population in a border region[5], and from the new perspective of the cross-border cooperation (Oradea is one of the Romanian and Transylvanian intercultural communities situated on the border and is part of two Euroregions).

It is easy to observe the large variety of scientific and practical approaches starting from the same fundament: the ethnic (and often the implicitily cultural and spiritual) differences. From the historical perspective to multilingualism and civic action, the matter of ethnicity and of the common life of different minorities in diverse historical periods was and seems to be yet, if we consider the recently edited book which is the subject of our review, a very generous research topic. Therefore, the new book edited by Mircea Brie, Ioan Horga and Sorin Şipoş gets to complete the various perspectives concerning the role of ethnicity and of religion in the intercultural dialogue, but this time starting from a different geopolitical and cultural region: the Eastern border of the European Union. This part of Europe and of the European Union is interesting from different viewpoints, unconcernedly if these refer to political, economic, cultural prospects, to European policies or to local relations, to the present problems or to the difficulties generated so far by the past time. The three coordinators of the book preferred to reach a quite sensitive and maybe subjective topic, that of the deep interdependencies between ethnicity, religion, and common life of minorities in a space where minorities are so numerous and interconnected that this is perceived as a common situation of life.

The book edited by Brie, Horga and Şipoş brings together a sum of articles dealing with the problem of ethnicity from very different angles (political, economic, identity-alterity perceptions, socio-cultural or socio-political perceptions, political culture, etc.), being integrated in three different sections: *Minority and Majority in the Eastern European Area*; *The Phenomenon of Migration in Europe*; *Managing Interethnic Relations and European Security*. The heterogeneous perspectives of the articles demonstrate once again the unlimited possibilities to touch a so sensitive question like that of ethnic identity, but in the same time offer to the reader the possibility to choose the directions of his/her act to reading. The book starts with two introductive studies explaining the magnitude of interculturalism from two different standpoints: that of the life at the Eastern border of the EU and that of the necessity to study the interculturalism at the academic level. Thus, Mircea Brie, in his introductive study entitled "Ethnicity, Religion and Intercultural Dialogue in the European Border Space" focuses on the role of ethnicity in the context of the actual general (financial, economic, political, social, ideological) crisis, when the ethnic difference could be seen as a basis both for a

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[5] We consider timely to mention here the articles of Florentina Chirodea, "Ethnic and religious structure aspects from the Western border of Great Romania. The Academy of Law student in Oradea", in *Ethno-Confessional Realities in the Romanian Area. Historical Perspectives (XVIII-XX Centuries)*, eds Mircea Brie, Sorin Şipoş and Ioan Horga, (Oradea: Editura Universităţii din Oradea, 2011) and that of Gabriel Moisa, "National Minorities in Romanian Press from Oradea. Interwar Period", in *Ethno-Confessional Realities in the Romanian Area. Historical Perspectives (XVIII-XX Centuries)*, eds Mircea Brie, Sorin Şipoş and Ioan Horga (Oradea: Editura Universităţii din Oradea, 2011).

strengthened social solidarity and for nationalism and social cleavages. As a continuation to this "sceptical" approach, the second introductory study, written by Ioan Horga, focuses on the importance of the intercultural education as a necessary tool in the process of creation of social values, just to avoid the nationalisms and the lack of human solidarity. Between these two approaches, which can be used in order to describe an existent situation and to prospect another possible one, the authors who consigned their articles to be published in this book offer us a very large spectrum of the actual consequences of ethnic diversity, in the context of globalisation and also of the (economic) crisis.

The articles assembled in the first part of the book are concentrating especially on the problem of ethnic minorities in different political and administrative contexts, the proposed approaches being either general (i.e. the articles of Victoria Bevziuc, "Electoral Systems and Minorities Representations in the Eastern European Area" or of Sergiu and Valentina Cornea, "Administrative Tools in the Protection and Promotion of the Rights of Ethnic Minorities") or focused on a case study like the problems of Ukrainian minority in Romania (Yuriy Yuriychuc), on Romanian minority in Ukraine (Aurelian Lavric), the Slovak minority in the villages of Upper Bistra, from Bihor county (Stelian Nistor and Sorin Şipoş) and the Gagauz minority in Moldova (Natalia Putină) etc. The majority of articles presented in this part of the book are centred on the issue of Hungarian minorities, one of the most examined topics after the fall of communism (beside the issue of Roma people). Hence, we remarked the articles of Gheorghe Şişeştean, Constantin Ţoca, Mircea Brie and István Polgár. The three articles propose different perspectives on the relations between Romanians and Hungarians. Thus, the article of Ghe. Şişeştean[6] suggests a sociological approach of the mixed marriages in the Bihor-Hajdu Bihar region, for the period 1930-2000, the author specifying different characteristics for distinctive sub-periods and showing us the main social and cultural influences of the mixed marriages[7]. On the other hand, the article of M. Brie and I. Polgár[8] proposes an analysis of the mass media reflection of a public policy adopted by Hungary for Hungarians living in other countries, in order to prevent assimilation of Hungarian individuals by the different majorities and to preserve untouched the cultural identity. This public policy, which produces its effects after 01 January 2011, refers to the possibility of obtaining the Hungarian citizenship if there is proved the existence of Hungarian ancestries and the author of request is speaking Hungarian language, no matter where he/she is living (the

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[6] Gheorghe Şişeştean, "Marital Strategies and Identity Changes of Romanians in Hungary (Hajdú-Bihar)", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds. Mircea Brie, Ioan Horga and Sorin Şipoş (Debrecen/Oradea: IERS, 2011), 104-106.

[7] Another two similar articles, on almost the same topic, are those of Mircea Brie, "Parish registers of civil status in Transylvania in the second half of the nineteenth century", *Transilvanian Review*, vol. XX, Supplement no. 3 (2011) and Mircea Brie, "Ethnic identity and the issue of otherness through Marriage in Northwest Transylvania (second half of the XIX – early XX century)", in *Ethno-Confessional Realities in the Romanian Area. Historical Perspectives (XVIII-XX Centuries)*, eds. Mircea Brie, Sorin Şipoş and Ioan Horga (Oradea: Editura Universităţii din Oradea, 2011); Corneliu Pădurean, "Ethnic groups and denominations at Romania's Western border in the inter-war period", in *Ethno-Confessional Realities in the Romanian Area. Historical Perspectives (XVIII-XX Centuries)*, eds Mircea Brie, Sorin Şipoş and Ioan Horga (Oradea: Editura Universităţii din Oradea, 2011).

[8] Mircea Brie and István Polgár, "Dual Citizenship Granted to Hungarian Ethnics. Context and Arguments in the Romanian and Hungarian Mass Media", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş (Debrecen/Oradea: IERS, 2011), 154-9.

permanent residency in Hungary is not asked anymore). Such public policy has given rise to different international reactions, more or less temperate, but which are not largely mentioned by the authors, who focused especially on the mass media attitude, both in Hungary and Romania. The authors conclude that in the EU integration and context, the above-mentioned public policy of Hungary was first of all a political and a useful electoral strategy of the Hungarian Prime Minister Viktor Orban.

In the same manner, a key issue of ethnicity at the Romania-Hungary border, could be listed the article of Constantin Țoca[9], which concentrates on the perspective of the cross-border cooperation, having as case study the cooperation between two cities, Debrecen and Oradea. First of all, the author explains the role of Euroregions for the cross-border cooperation process and shows us the demographic dimension of the ethnic groups in the two departments involved in this process. The eight most numerous ethnic groups that live and interfere in the Bihor-Hajdú Bihar Euroregion are considered a source of the deep relations, of the dynamism and of the good practices developed in this area after the fall of the communist regime.

Amongst the articles proposed in the first part of the book we remarked too that of Florica Ştefănescu, "Demographic Determinants of the Economic-Financial Crisis", who considers that the low birth rate, the increase in life expectancy and the ageing of population are some of the most important causes of the actual economic crisis. From Ştefănescu's viewpoint, the demographic changes contributed to the start of the economic crisis and can accentuate it if decision-makers will not be able to find the ways to transform the demographic vulnerabilities in new opportunities. The author's arguments present us the statistical examples of ten European countries which experienced the more critical forms of the crisis.

The second part of the book emphasizes a very actual issue, that of migration and of the integration of migrants in their "adoptive" countries. Hence, the authors considered: the problems of the integration of immigrants in Scotland, United Kingdom and Washington State, USA (the article of Judit Molnár), or more general that of the integration of immigrants in the European Union (article of Alexandra Cseke); the provisions of the Council of Europe Law on the problem of Migration (article of Adrian-Claudiu Popoviciu); the actions of different diasporas in Europe (for the Iraqi Kurdish Diaspora it is very useful the article of Valentina-Tania Duna and Dacian Duna, while for the general role in the cultural and ethnic cohesion we remarked the article of Valeriu Moşneagă and Rodica Rusu). Taking into account that this part reflects especially the problem of labour migration, it could not be missed the African perspective on this subject, which belongs to Kobasheni Moopen Parumaul.

In order to encompass the largest perspective of this quite sensitive topic in the context of the actual economic crisis and of globalisation (where the economic actors are moving around the world without carrying for their own workers or for other related groups), we will focus especially on the article of A.C. Popoviciu[10] who proposes us an analysis of the Council of Europe regulations concerning the labour migration as a primary type of settlements in this field. The article of Popoviciu distinguishes four main

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[9] Constantin Țoca, "Ethnical Analysis within Bihor-Hajdú Bihar Euroregion", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş (Debrecen/Oradea: IERS, 2011), 128-131.

[10] Adrian-Claudiu Popoviciu, "Labour Migration Reflected in the Council of Europe Law", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş (Debrecen/Oradea: IERS, 2011), 249-252.

periods of the labour migration process after the Second World War, each of them being a source of arrangement in the field of labour migration, both from the part of the new created European Community and of the Council of Europe. Consequently, the author differentiates the period of 1945-1970, considered a period of the European reconstruction deeply based on the migrants' labour; the period 1970-1985, characterised by the world economic changes and crisis, the change of the monetary system caused by the oil crisis (this oil crisis being also the source of many conflicts), the period when the European governments adopted the most important policies which encouraged the coming back to home of migrants workers; the period between 1985 and the end of the 1990th, when the east wave of labour migration was flourishing; the period after the end of 1990th, one of the "preferential labour migration", when the skilled workers and temporary migration were the main characteristics. In this general context A. Popoviciu explains how the Council of Europe tried and succeeded to regulate a so sensitive problem, by adopting one of the most important regulations in the general field of human rights and in the specifically field of labour migration.

The last part of the book concerns a very actual matter, that of the ways to ensure the societal security in the multiethnic communities, the ways to manage the interethnic relations so that the ethnic conflict to become only a past problem. Being the most consistent part of the volume, these content articles centre on a large spectrum of subjects:

-**societal security and multiethnic communities** (the article of Dorin Dolghi on the formation of the culture of security in European Union; the article of Dragoş Lucian Ivan, regarding the situation of the countries that historically experienced the ethnic issues and the new management of these issues in the framework of the European Union; the article of George Angliţoiu on the perpetual issue of Belgian partition considered as a pattern for certain issues in the Eastern countries);

-**managing the interethnic communities both in conflict or in peaceful zones** (the article of Aurora Bencic and Teodor Ioan Hodor which brings into question the ethnic character of the Transdniestria conflict and the article of Anatoliy Kruglasov on the stability of interethnic relations at Ukrainian-Romanian border); the different national policies concerning the problem of ethnic minorities (the article of Pavlo Molochko on the ethno-national policies of Ukraine; the article of Ecterina Ceban on the role of political parties in the harmonization of interethnic relations in Moldova; the article of Claudia Anamaria Iov on the EU's social policies concerning the Roma minority);

-**the good practices in the field of interethnic communities** (the article of Grigore Silaşi and Monica Boldea, on the peaceful interethnic cohabitation in the region of Romanian Banat; the article of Dragoş Dărăbăneanu on the role of ethnicity and of the multicultural communication in the shaping of the European Social Space; the article of Floare Chipea and Raluca Miclea on the neighbourhood relations and the social frameworks accomplished by the cross-border cooperation in the Bihor-Hajdú Bihar area; the article of Sergiu Bălţătescu on the process of migration in searching of residence, occurred in the counties situated on the border between Romania and Hungary)

-**general approaches concerning the interethnic policies** (the article of Srimayee Dam on the new interpretations of the European identity by the civic-ethnic distinction; the article of Nataliya Nechayeva-Yuriychuk on the evolution of nation beyond the nation-state);

For every distinctive topic emphasized for this last part of the book it is possible to distinguish one or more articles that concentrate on a very actual and practical problem. However, we will centre only on few of them, because of the space and in order to let the reader the possibility to discover the subjects proposed by the different authors.

Therefore, for the topic **societal security and multi-ethnic communities** we consider that the article of Dorin Dolghi[11] offers, for the Romanian specialists, a new standpoint on the societal security, starting from the concept of the "European security culture". The author exemplifies that despite of the numerous variables of the European identity and of the tights between the European security culture and the United States strategic culture, the concept "European security culture" can find its international place and role due to its main quality: the "soft" character.

For the articles concerning **the good practices in the field of interethnic communities, we will focus on** those of Grigore Silaşi and Monica Boldea and Floare Chipea and Raluca Miclea. The first couple of authors analyses the concept of security from the comparative perspective of the political and the societal security, having as case study the multi-ethnic communities from Romanian Banat, well-known as a peaceful region although it is very heterogeneous (it gathers Romanians, Serbs, Hungarians, Jews, Bulgarians and Slovaks). From the authors' point of view, this characteristic is given principally by the use of all the minorities' languages in schools, cultural or political organisations, and also church[12].

The other article brings us back in the Bihor-Hajdú Bihár area, emphasizing the level of tolerance and intolerance of the major ethnic groups, Romanians and Hungarians, to each other and those of the two towards the Gypsy minority. Authors conclude that Romanians and Hungarians are really tolerant with each other and toward the other out-groups, except the Gypsy minority[13]. As a continuation-completion of this article can be mentioned that of Claudia Anamaria Iov which is underlining the fail of EU's education, employment, healthcare and housing politics concerning the Roma people and, in the same time, the fail of the national politics and strategies concerning the improvement of the Roma people's situation[14].

As a conclusion, we consider that could be used the article of Srimayee Dam or that of Nataliya Nechayeva-Yuriychuk, both concentrating on some theoretical aspects of the problem of ethnic identity in Europe. Hence, it is difficult to achieve a more tolerant attitude towards the Roma people particularly as long as the European nations are constructed on different practical and conceptual bases and sometimes are lacking of tolerance in regard to one another. As an argument could be used the asserts of Horga and Angliţoiu, who consider that the better and the most active European collective memory is that of the conflicts, and by consequence, the memory of the negativity, of the numerous

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[11] Dorin Dolghi, "The Culture of Security: Perceptions and Preference Formation in the European Union", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş, (Debrecen/Oradea: IERS, 2011), 324-5.

[12] Grigore Silaşi and Monica Boldea, "The Romanian Banat Region – An example of peaceful interethnic cohabitation at the Eastern border of the European Union", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş, (Debrecen/Oradea: IERS, 2011), 372-4.

[13] Floare Chipea and Raluca Miclea, "The social frameworks of the neighbourhood relationships construnction in cross-border area Bihor- Hajdú-Bihár", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş, (Debrecen/Oradea: IERS, 2011), 391-2.

[14] Claudia Anamaria Iov, "The Roma minority – the prospects and limits of EU's social policy, what could or should the EU be doing", in *Ethnicity, Confession and Intercultural Dialogue at the European Union Eastern Border*, eds Mircea Brie, Ioan Horga and Sorin Şipoş, (Debrecen/Oradea: IERS, 2011), 489-490.

prejudices that the European countries caused each other[15]. If the European people didn't succeed to surpass this situation, the interculturalism, no matter how many successful examples we offer, will remain only a micro-scale reality, not a macro-level practice. The reality surprised at the micro level shows us that the small communities exercice the intercultural dialog in a natural manner. The European projects relaunced the small or large communities cooperation, at least in some important fields (especially economic). Two so positive facts could induce, logically, the idea that the intercultural dialogue unifies (finally!) the different European people (cultures and spiritualities). Howewer, some nationalist (and sometimes so Western European) voices have the ingrate role to moderate the optimistic views, but in the same time they must have the role of a catalisator of the unity and cultural diversity advocacies, of the … supporters. The scientifical approaches are extremely useful both for the specialists themselves and for the interested readers. The issue that remains is: what the political decision makers or the politicians generally are able to learn from the practical realities and the scinetifical approaches?

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[15] Ioan Horga and George Angliţoiu, "National Memory and European Integration", in *Transilvanian Review*, vol. XX, Supplement no. 3 (2011). Nevertheless, we must remember that Western European countries were sometimes a model for the Eastern countries, especially during some important historical events, like the 1848 Revolution, in order to give only one example. See: Dana Pantea, "The image of England and English in Ion Codru Drăguşanu's *Transylvanian Pilgrim*", in *Transilvanian Review*, vol. XX, Supplement no. 3 (2011).

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Issues of International Relations and Diplomacy in Late Nineteenth Century and the Beginning of the Twentieth Century

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Review of: Alina Stoica, *Relații diplomatice româno-portugheze (1919-1933). Martinho de Brederode - ambassador la București* [*Romanian – Portuguese Diplomatic Realtions (1919-1933) Martinho de Brederode – Ambassador in Bucharest*], University of Oradea Press, Oradea, 2011, 335 p., ISBN 978-606-10-0384-6.

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International relations, as study area are closely related to the interactions between states manifested in a global landscape unequal in resources and opportunities. Each country operates with a specific political system supported by transient ideologies and governance practices that favor the national interest to ensure safety and recognition of sovereignty. Interstate relations created by commercial interests, namely population movement, money or information, determine alliances or conflicts, requiring the need for treaties, agreements and diplomatic ties. (Sheeran, 2007: vi-viii). Beginning shy in the first decades of the 17th century, characterized by European sovereigns' effort to not "lose any detail of the conflict", diplomatic practices evolved by specialization and diversification of the negotiations, maintaining good relations with partners, whoever they would be. When economic interests began to prevail, "politicians have begun to be more careful with our European partners", the diplomatic activity at the end of the eighteenth century was used to put on a more solid state power. In times of peace or war, the great powers sought to enter the "possession of large assets that had to have modern economic societies, defined by: market and monopolies, vital ports and border policy, furs, fish, essential materials shipbuilding, wheat, fabulous tropical products or other sources of enrichment" (Brie and Horga 2009: 9, 367).

In the next century, a new phase of expansion of European countries to Africa and Asia begins, which will become a source of raw materials and markets for products manufactured in the West. The economic interest was not the only one who has characterized the first phase of the European expansionism. Inevitably, economic prosperity was accompanied by the assertion of national status and political power, which goes hand in hand with having a colonial empire. For the global strategies, the colonies brought tangible benefits in a world of the balance of power policy as well as economic profits; many nations became concerned in colonies to win against rivals, but also in their own advantage (Duiker and Spielvogel, 2010: 615). Thus, the European powers in collaboration with colonial elite, create empires both formal - colonies and informal -

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commercial, investment and strategic. They will create rivalries that led to the political crisis of the end of the nineteenth century and beginning of the next century (Graham Fry, Goldstein and Langhorne, 2002: viii-x).

In this context, the diplomats of the nineteenth century and early twentieth century, devoted mainly to "high policy" were recruited, for the most part, the elite aristocracy and high bourgeoisie (Graham Fry, Goldstein, Langhorne, 2002: viii-x). One of them, Martinho Maria Teixeira Homen de Brederode de Cunha is the subject of a recently published research from University of Oradea Publishing House. The author of the study *Relaţii diplomatice româno-portugheze (1919 - 1933). Martinho de Brederode – ambassador la Bucureşti,* Alina Stoica, analyzes the Portugal bilateral relations with countries in Europe, Africa and Asia, in the international context of the late nineteenth century and beginning of the twentieth century, through the diplomatic activity carried by Martinho de Brederode. His correspondence, along with other published and unpublished sources consulted, gives the researcher the opportunity to outline the general Portuguese policy towards the Balkan nations and highlight the direct relationship established between Romania and Portugal, highlighting the "difficulties in the international promotion of Romanian interests of the time, but the manner in which diplomats in Bucharest understood or wanted to understand the reality de facto" (Stoica, 2011: 17-18).

The first chapter dedicated to the presentation of the role of the Brederode family in Portugal's history shows us, in fact, the family history of the Portuguese diplomat from the first record of the name of Brederode in the thirteenth century. Descendant of an old Dutch noble family, later moved to Portugal, left fatherless at the age of two years and having a seriously ill mother, Martihno of Brederode had already committed career, the family tradition being representatives on the male line pointing towards the military or the diplomatic field. A character "rebellious and independent" the young of Brederode was interested in literary studies, his talent was recognized unanimously by the teachers of the Upper Course of Letters of Lisbon. The inclination to poetry, passion for art and literature and symbolism sensitivity made the future diplomat known in the intellectual Portuguese circle, meanwhile heading his towards diplomacy. The researcher's analysis of this period of formation of Martinho de Brederode emphasizes the humanistic side of his personality that allowed him to reach beyond the daily reality, the essence of the nation in whose country has received diplomatic missions. On the other hand, Alina Stoica reveals a man "controversial, jealous by nature, haughty, proud and impulsive characteristics of the class to which he belonged and the manner in which he had been raised", qualities that attract many "dislikes in intellectual and political circles" of the time (Stoica, 2011: 33-59).

Martinho de Brederode begins his career as official of the Lusitanian Ministry of Foreign Affairs on 20 April 1889, with a mission to attach to the Portuguese Legation in Brussels. The researcher surprises the moment when the young diplomat arrives in the Belgian capital, being stressed the Lusitanian government interest in maintaining and expanding its colonies in Africa, and various projects proposed by the great powers of the time at the Berlin Conference of the Division of Africa in 1885. In full manifestation of informal imperialism, the European countries did not hesitate to use military force, influence and economic dominance to acquire remote areas and accumulation of goods and slaves (Nanjira, 2010: 182,191). Diplomatic correspondence sent from Brussels to Lisbon turns into a tool used by Alina Stoica to emphasize the relationships between Portugal and Belgium near Brussels Conference of 1890. The decisions made at the negotiating table, which ended the slave trade, regulated the arms sales and alcoholics in Africa and gradually organized administrative services, legal, religious and military in the territories placed under the sovereignty or protectorate of the great powers, ruins,

according to the author, "Portugal, which had to pass to a reform of state institutions, from the military to military service" (Stoica, 201: 72).

The last decade of the nineteenth century, characterized by the emergence of a new form of domination through the use of subject peoples and their wealth for the good of the colonial powers, is that where the competition starts on the one hand, disputes between European countries, and on the other hand formation of alliances to maintain markets and empires. In this context, Africa provides an excellent platform for the new type of imperialism. Progress towards establishing colonial administration in Africa reaches 90% in 1900, the territory was divided between the seven European powers: Britain, France, Germany, Portugal, Italy, Belgium and Spain (Don Nanjira, 2010: 182, 191, 199). But there were also countries which, although not part of the settlement have not escaped the influence policies and practices of colonialism. One of these, Morocco for centuries remained outside the European influence, wealth being a constant point of interest, especially to France. The bilateral system established by the French government to ensure the Moroccan objective stirs protests from Germany, the reasons that triggered the "first Moroccan crisis" is analyzed and discussed by Alina Stoica from the perspective of the Portuguese diplomat sent in 1906 to serve the Legation in Tanger, as interim Chargé d'Affaires, Head of Mission. Diplomatic notes, accompanied by articles in local newspapers in French, complete the picture of events at the border of Morocco and Algeria. His informative reports and notes contain a wealth of information about the time of the Conference of Algeciras and the effects of implementation of the decisions taken. Another aspect of the mission in Morocco aims to represent the interests of Portugal in an area with great potential for the Lusitanian trade. Turning his attention to local officials, Martinho de Brederode manages to identify the commercial and financial mechanisms to protect Portuguese and Brazilian merchants, but also other possibilities for economic cooperation between Portugal and Morocco. Making a general statistics of import-export trade and the level of importance and the product approach which requires special efforts from the Portuguese diplomat is a good opportunity to find the work complexity of a diplomat.

Martinho de Brederode's talent to develop Lusitano-Moroccan trade promotion brings on the position of first secretary in the winter of 1907 when was appointed Chargé d'Affaires near the Legation in Peking. His arrival in the capital of imperial China is posted again, by the author of the study, in the context of "realignment of international relations in the early years of the twentieth century, following the Russo – Japanese" war (Stoica, 2011: 89). The Portuguese diplomat's comments on China's involvement in the international system, gives us a position of China in relation to other European powers and the U.S.A. The country's representative with which Peking established relationships since the sixteenth century, and this time manages to reach the essence of the Chinese people, which he considers "beyond all its flaws (liar and braggart), all nasty and many qualities represented abused by a minority government and Chinese government" (Stoica, 2011: 91).

Macao, an area where the Portuguese had obtained approval to establish since 1557, the strategic gateway to Guangzhou, close to Xinjiang where you can reach other parts of Guangoxi, sitting on some waterways linking the colony of Dongjiang, Beijiang and other prosperous parts of southern China, woke up the constant interest of Western great powers, Portugal, Holland, England, France and later the U.S.A. (Zhidong Hao, 2011: 13). It is therefore natural to find in the Portuguese diplomatic correspondence sent from Peking numerous details of the system of alliances that China tried to establish with some Western powers to regain control of the Portuguese colony.

Parallel to the situation in the Far East, Portugal is, in 1910, the third European country, after France and Switzerland. The Constitution of 1911 rejected the

presidentialism or decentralized power and invested with great power the state legislative institutions, leaving the executive weak. Where party discipline has proven to be weak, it was a recipe for short-term government and a long political instability (Gallagher, 1983: 22). After carrying out the recognition of the Portuguese Republic by Chinese officials, Martihno of Brederode is transferred in the spring of 1913 in Paris. Outbreak of the First World War, put to the test again on mission the Portuguese diplomat qualities in a country participating in the war since March 1916, Portugal honors the request of his old ally, United Kingdom, to confiscate German ships stationed in Lusitanian ports, the declaration of war leading the Portuguese government to go to war with the Allies (Wheeler and Opello Jr., 2010: xxiv). The end of hostilities finds Martihno of Brederode to Rome serving as First Secretary of the embassy and Portuguese legation counselor in Italy until February 1919.

The First World War left behind a ruined society both materially and politically. The dissolution of great empires dynastic and absolutist, but also the colonial ones, brought on the international relations scene heterogeneous peoples who tried to find their place in the new political, economic and ideological relations established by the treaties of 1919 – 1920 (Cârstea and Buzatu, 2007: 13-18). Focusing on maintaining the international power, the former colonial empires interested on the new formatted state, diplomacy, having this time also, an important role. Portugal, in our case, decided to establish a legation in the Balkans, already having official ties with Serbia and Greece. Martinho de Brederode arrives in Bucharest at the end of 1919, the internal Yugoslav situation does not allowing to seat of the Legation in Belgrade. As in his other missions, the Portuguese diplomat is very attentive to the economy and culture of the host country, but also to the foreign policy promoted by Romania in the interwar period. Based on the reports and information notes, the author manages to give us a picture of the changes through which Romanian society passed immediately after the Great Union. The governments formation in the interwar Romania or management of the economic crisis of the early '30s, are other topics found in the Portuguese Legation diplomatic correspondence and analyzed by the researcher.

During the time spent in Bucharest, Martinho de Brederode has proven to be more than a keen observer of Romanian society or a domestic and foreign policy analyst taken by the governments of Romania. The Portuguese diplomat has expressed a keen interest in setting up the Lusitanian-Romanian trade, funding consulates in Bucharest, Braila and Galati, negotiating a treaty of commerce and navigation between the two countries and advocating for the reestablishment of the Romanian Legation in Lisbon. The cultural exchanges initiated the leading to the conclusion of cooperation agreements between universities and the introduction of Portuguese literature in Romania, respectively the Romanian one in Portugal. In conclusion, we can say that research by Alina Stoica is distinguished by the objectivity with which she treated the information contained in published and unpublished sources that she consulted. The solid knowledge of international relations allowed the researcher to overlook the Martinho de Brederode comments made when they were found to be subjective. By submitting the typology of the *information notes* the author approaches the field of diplomatic studies, opening a new direction to deepen the research. At the same time, the wealth of information, analytical methods used and the conclusions drawn by the author, recommends the work both to students concerned with the study of international relations as well as to modern and contemporary world history researchers.

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L'imagologie, un moyen de connaître l'autre

Mariana BUDA[*]

L'imagologie, discipline scientifique, a toujours été définie comme une matière qui se trouve à la frontière entre la psychologie, l'anthropologie, l'histoire et la littérature. A part la théorie et la science, l'imagologie est un moyen de connaître autres peuples, autre gens, par les yeux ou les pensées ou les visions de ce qui regardent, qui pensent ou qui voient différentes choses.

L'imagologie s'intéresse surtout aux relations entre les écrivains et les pays étrangers telles qu'elles se traduisent dans les œuvres littéraires. Pour élaborer une image de l'étranger, l'auteur ne copie pas le réel, il sélectionne un certain nombre de traits jugés pertinents pour sa représentation de l'altérité. L'imagologie décrit ces éléments, les rapproche des cadres historiques, sociaux et culturels qui en forment le contexte, et détermine ce qui appartient en propre à la création de l'écrivain.[1] Le Dictionnaire de langue française définit l'imagologie tout simplement comme l'étude des images littéraires[2], même si le terme est beaucoup large que cette définition.

Le livre qu'on analyse dans ce compte rendu, *Imaginea Angliei şi a englezului în cultura românească din secolul al XIX-lea, (L'image de l'Angleterre et de l'anglais dans la culture roumaine du XIXème siècle)* écrit par Dana Pantea, professeur des universités à l'Université d'Oradea, Faculté d'Histoire, Relations Internationales, Sciences Politique et Sciences de la Communication, Département d'Etudes Européennes et Relations Internationales, est un très bon exemple d'application de l'imagologie.

Le matériel proposé se compose de huit chapitres, chacun en analysant et en dévoilant de manière progressive un aspect de la culture anglaise vue par les roumains. Le premier chapitre est de nature introductive et explicative. On nous fait exemplifier le concept d'imagologie et ses différentes parties, la relation de l'imagologie avec autres sciences et également l'histoire des mentalités.

Tout au long du livre la formation de philologue de l'auteur est évidente. Les phrases découlent l'une de l'autre telle que la logique des idées et l'enchaînement des chapitres. Le texte est agréable à lire, captivant et plein de choses intéressantes à découvrir. Professeur de langue anglaise à la base, mais de culture et civilisation anglaises

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[1] http://www.flsh.unilim.fr/ditl/Fahey/IMAGOLOGIESocialimages_n.html.
[2] http://dictionnaire.reverso.net/francais-definition/imagologie.

aussi, Dana Pantea fait preuve d'une excellente connaissance du peuple anglais. Le deuxième chapitre, *Civilizaţia engleză din secolul al XIX-lea, (La civilisation anglaise du XIXème siècle)* introduit le lecteur dans le monde anglais de l'époque. On nous fait savoir quelques caractéristiques générales de la culture anglaise, l'évolution socio-économique de l'Angleterre mais l'histoire politique de l'Angleterre aussi.

De manière parallèle, le chapitre suivant, *Caracteristici ale culturii româneşti din secolul al XIX-lea (Caractéristiques de la culture roumaine du XIXeme siècle)* présente quelques caractéristiques de la culture roumaine pendant le même siècle. Le XIXeme siècle a été un siècle qui a connu beaucoup de changements dans la vie des roumains de Transylvanie et de toute la Roumanie. C'est le moment quand les contacts de plus en plus nombreux avec l'Europe ont produit des changements économiques, sociaux et culturels qui ont marqués de manière positive le pays. C'est également la période de la formation de l'élite intellectuelle roumaine qui a lutté pour la création d'une nation roumaine.[3]

La synthèse et l'originalité de ce travail se concrétise dans les quatre suivants chapitres. D'abord on connait l'image de l'Angleterre et de l'anglais dans la littérature roumaine, ensuite on fait connaissance avec la même image vue par les diplomates roumains, après l'image de l'Angleterre et des anglais dans l'enseignement et finalement cette image vue dans la presse roumaine. Le travail n'a pas été facile à réaliser et la multitude des aspects surpris par l'auteur donne de la consistance à la synthèse proposée.

Le quatrième chapitre, *Imaginea Angliei şi a englezului în literatura română, (L'image de l'Angleterre et de l'anglais dans la littérature roumaine)* est consistent et plein d'informations intéressantes. Au début du XIXeme siècle les relations culturelles anglo-roumaines ont été très peu nombreuses. Le premier roumain qui est arrivé en Angleterre a été Stefan Bogdan, prétendant au trône de la Moldavie, qui était allé à la Cour de la Reine.[4] Les premiers contacts entre la littérature roumaine et la littérature anglaise se réaliseront par l'intermède des traductions.

Une source très importante pour connaitre l'autre est la littérature de voyage. Ceux qui voyagent écrivent leurs impressions et le public est le récepteur des images transmises par les voyageurs. Cette modalité est très répandue dans l'imagologie, sauf qu'elle est très subjective. Par exemple, un voyageur qui est intéressé par l'économie décriera plutôt des détails économiques, un autre qui est intéressé par la culture décriera l'architecture et l'ordre social des villes, etc.[5]

Au fil du temps, l'histoire a été reconstruite aussi grâce à la correspondance littéraire et diplomatique. La même source est un excellent moyen de voir la manière dans laquelle les gens se perçoivent entre eux, car les images sont transmises par ce biais également.

La diplomatie représente la voie officielle de communication entre les états. Elle doit présenter toujours une image formelle et créer de représentations vraies. Les documents officiels disponibles dans les archives montrent une liaison entre les deux populations et des efforts pour consolider cette liaison. Parmi les personnalités roumaines qui ont écrit sur Angleterre et les anglais on peut mentionner à Nicoale Iorga, homme de culture roumain, George Moroianu, qui voulait transmettre l'esprit anglais aux roumains, ou Iuliu Coroianu, Vasile Lucaciu, Eugen Brote et Aurel Popoviciu qui ont eu l'occasion d'entrer en contact avec la vie anglaise.

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[3] Dana Pantea, *Imaginea Angliei şi a englezului în cultura românească din secolul al XIX-lea.* Editura Universităţii din Oradea, 2011, p. 47.

[4] *Ibidem*, p. 65.

[5] Dan Horea Mazilu, *Noi despre ceilalţi. Fals tratat de imagologie*. Editura Polirom, Bucureşti, 1999, p. 56.

L'enseignement est la force de chaque peuple. Ou ça devrait l'être. L'enseignement roumain a été influencé dans quelques aspects par la culture anglaise. La fin du XVIIIème siècle et le début du XIXeme a connu une transformation importante concernant l'enseignement. Cela s'observe par l'accroissement de l'intérêt pour la culture, pour le désir de connaitre, car les changements intervenus dans la vie courante avaient besoin d'émancipation et de modernisation. Des écoles ont été créées d'après le modèle anglais, la femme a commencé à s'émanciper, la langue a commencé à être apprise dans les institutions d'enseignement. En plus, l'image de l'Angleterre se trouve aussi dans les manuels scolaires, ce qui relève le fait que ce pays a été un vrai modèle à suivre pour le peuple roumain à cette époque. Le sixième chapitre du livre, *Imaginea Angliei şi a englezului în învăţământul românesc, (L'image de l'Angleterre et de l'anglais dans l'enseignement roumain)* présente de manière succincte tous ces aspects.

Pas dernièrement, lorsqu'on parle de l'imagologie, il faut toucher l'aspect de la presse aussi. La presse est importante au moment de transmettre des images, car elle peut beaucoup influencer les lecteurs. La presse, même si elle est objective, peut transmettre des images positives ou négatives qui resteront dans le mental collectif. Le septième chapitre, *Imaginea Angliei şi a englezului în presa românească, (L'image de l'Angleterre et de l'anglais dans la presse roumaine)* est très positive et assez présente. Elle reflète les préoccupations des anglais à cette époque-là, aspects de l'histoire récente de l'Angleterre, de la politique, l'économie et le commerce. Parfois, on trouve des stéréotypes, mais aussi des images qui se maintiennent au fil du temps.

Les conclusions du livre sont éloquentes. L'Angleterre et les anglais ont représenté un modèle pour les roumains, qui se trouvaient dans une société en pleine évolution et transformation et qui avaient besoin de se moderniser. L'image que les roumains se sont formé des anglais et leur pays est influencée par l'intérêt que les roumains ont manifesté de connaitre la vie économique, politique, idéologique, religieuse, éducative des anglais. L'image de l'Angleterre et de l'anglais s'est formée dans une période longue de temps et pas du tout de manière linéaire.[6]

L'anglais est vu par les roumains comme l'aristocrate raffiné, élégant, blond ou roux qui boit de la bière. L'anglaise est une femme diaphane, blonde, à stature droite, maigre et un peu dure. Quand même, ce sont des gens éduqués, qui veulent réussir par ses propres forces et qui ont des qualités appréciés par tout le monde. L'Angleterre, en échange, est un pays modèle de civilisation, un modèle d'industrialisation, un modèle de lutte contre le trafic de personnes. Bref, et l'Angleterre et l'anglais sont perçus d'une manière positives dans tous les aspects de la vie, représentent un modèle et un exemple pour les roumain au XIXème siècle.

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Minorities and "Majorities" in Romania: Facts, Opinions, Interpretations

Alina Sorina OROS[*]

Review of: Mircea Brie, Sorin Şipoş, Ioan Horga (coord.), *Ethno-Confessional Realities in the Romanian Area: Historical Perspectives* (*XVIII- XX Centuries)*, Editura Universității din Oradea, 2011, 319 p., ISBN 978-606-10-0626-7

Keywords: *Romanian Area, Confession, Minorities, Ethnicity, Nation, Migration*

When people speak about reality, they think about the immediate situation, referring to the present they live in. Each of us understands the reality according to his own code, represented by attitudes, beliefs and values. An important factor of the present is the ethno-confessional one, which individualizes groups, even if the world is subject to global levelling.

The book is built around three major themes: *Confession and Confessional Minorities*, *Ethnicity, Nation and Nationalism* and *Migration and Assimilation*. It could be a guide about the situation of the social structure and of the confessions in Romania, by resorting to different study cases comprised during XIXth and XXth centuries. The 19 articles can be grouped in other categories than those mentioned, about Romanian - Hungarian issues, Bessarabia, Transylvania, Dobruja, Jews, Germans, outsiders' opinions, role of the literature in the ethnic problems etc.

The first part comprises five articles built around the theme of confession. The XIXth century documents record a dual hypostasis of the Romanian rural world. This situation is explained by the historical context: "The historical background was dominated by the attempt of the Habsburg state to provide the multiethnic empire with a spiritual connection through Catholicism. On the other hand, the Orthodox Russia (...) assumed the role of a defender of all Orthodox in the Empire (...) by bonding the Romanian Orthodox in Transylvania with those over the Carpathians despite the ever harder law meant to prevent it" (Ştefănescu, 2011:19). The result was a fihting scene where many priests and believers were attaked, insulted and even harassed in the name of the religion. The term that defined the Romanian population at the dawn of the 18th century, in the author's view, was confessionalisation.

Apart fron Barbu Ştefănescu, the western teritorry is analized by Eugen Ghiţă and Corneliu Pădurean. Their articles are complementary, as they speak about the confessions in the teritory of Arad, Timiş, Bihor and Satu Mare. Corneliu Pădurean examines pre and post Trianon Treaty religious structure. Although at the beginning of the XIX century colonisations with Hungarian ethnics continued, Orthodoxy remained the top religion in the mentioned area according to Eugen Ghiţă.
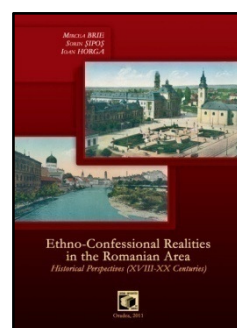
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An aspect of the Greek Catholic Church is brought to attention, by analysing the Rosary from a religious and laic point of view. Lavinia Buda demonstrates that, apart from a ritual habit, the Rosary was a means of attracting believers, by addressing even to the illiterates.

The second part, *Ethnicity, Nation and Nationalism,* is initiated by the article of Mircea Brie, *Ethnic Identity and the Issue of Otherness through Marriage in Northwest Transylvania (Second half of the XIX- Early XX Century).* The documents used are primary sources such as records made by the Austrian state authorities and Church documents. Censuses made in the second half of the XIX century and the early XX century interfered with some historical events like: the revolution of 1848/ 1849 in Hungary, the war against Prussia, political and administrative reforms etc. There are some flaws regarding the censuses run which the author observes: having not clarified the meaning of the nationality, included in the census, this led to different understandings in the interpretation; the mother tongue criterion determined an ignorance of the older population etc. The political context is seen as an influential factor on the evolution of the ethnic structure of population. This was influenced by the Hapsburg rule in the area: "This process [immigration and systematic colonization] has considerably increased the share of ethnic Hungarians, Germans and Jews. This process resulted in a heterogeneousness of the population from the ethnicity point of view." (Brie, 2011: 98). Analysing some case studies in what concerns the Romanian, Hungarian, Slovak and German communities, the author concludes that ethnic identity was very heavy in the times referred to.

A great part of the second section builds around the gaps between Romanians and Hungarians, in the studies of Istvan Polgar, Imola Katalin Nagy, Anca Oltean and Gabriel Moisa.

Analysing some classic documents, Istvan Polgar presents what Hungary considered to be a historical mission that aimed at civilizing the nations of Central Europe and Balkans. Their action was not perceived in that way by the Romanians, being part of that territory on which they were a tolerated nation. This became a two-sided claiming war upon Transylvania. These two counterparts are completed with the theory of "Transylvanianism" that sustains the neither of the parts, but the autonomy of the area. Imola Katalin Nagy analyzes the spectrum of the "Transylvanianism" theory in the interwar time span, the area referred to being seen as a multicultural space and a land of freedom.

Gabriel Moisa, which studies the written press texts by means of a discourse analysis of the Romanian daily paper, published in Oradea. The author focuses upon the conflict between Jews that preserved their ethnic group identity and Hungarian Jews. The chief editor, as cited by Gabriel Moisa, observed that between the two categories there was an irreconcilable attitude that came from opposite purposes.

In an antagonist relation there was the education in the North-West part of Romania. "In a time when the Academy has always been discredited, the academic community and the local one was fighting continuously against the dissolution of the academic school" (Chirodea, 2011: 154).

An interesting case of ethnics is brought ot attention by Anca Oltean by means of some main historical events, when communism concentrated upon ideological education of the society. Jews that survived the Holocaust, tried to integrate into the new world, found in Romania and Hungary. In both cases they were persecuted, sent to heavy work, suffered starvation and forced some to keep their origins secret. The number of Jews decreased in this period due to the short permissive times when many of them rushed to Israel.

Apart from Jews, Germans constituted another minority mingled with the Romanians. Orsolya Nagy Szilveszter refers to the artistic expression of the life in the post war conditions.

Assimilated with the Nazi regime, ethnics who settled in the Romanian area suffered a great deal after the war. In these conditions a new kind of literature begat, namely the Romanian German literature, represented by well-known even Nobel awarded authors like Herta Muller, Adam Muller Guttenbrun, Hans Bergel, Richard Wagner etc. Their works, even if literary, approach the theme of the identity, ethnicity and nation. Germans often felt like a kind of stepchildren of the Romanian land and sometimes rejected by the origin country.

Even if the Western and Northwestern part of the Romania is much controversed, Alina Stoica adds to the image spectrum of Romania in the interwar period the point of view of a non-neighbouring state, through the eyes of the diplomat Martinho de Bredetrode. In her study entitled *The image of Romania and the Romanians, the Potuguese Legation in Bucharest*, the foreign eye observed that Romania was not reaching the western level of development and it was a mixture of Oriental and Occidental ellements. The problems M. Brederode identified were: the poor conditions of the infrastructure, agricultural clumsiness, delays in the economic sector etc. The author concludes that "The image of Romania and Romanians in Martinho Brederode's vision brigs an advantage in our national historical image of the inter-war Romania" (Stoica, 2011: 167). One thing the Portuguese official remarked was that Jewish community often found refuge and better acceptance among Romanians in comparison to other horizons.

The fact that the territory of Romania was one of multi ethno-confessional instances can be observed in many of the studies written in the book. Cătălin Turliuc focuses on the issue of nationalism and multiculturalism and emphasises the synchronous comparativism as a possible instrument for a higher degree of neutrality in the theoretical approach.

Sorin Şipoş exposes in his study *Silviu Dragomir and the North Roman Balkan Research in the Context of Romania's New Political Realities*, the reviews of the history in the aftermath of the Second World War, by resorting to the work of the historian Silviu Dragomir. He tried to stand against the brutal and unfair distortion of the information contained in the history works until then. The conclusion of the article's author is that "The researches on Romanian history in the North West of the Balkan Peninsula led to the clarification of the role played by the population of Roman origins in the Middle Ages" (Şipoş, 2011: 210).

The last part of the book consists of four contributions gathered under the title *Migration and Assimilation*. The territory under scrutiny is Dobruja and especially Bessarabia, situated in the Eastern part.

The same minorities - Jews, Germans- Bulgarians, Turks and Tatars constitute the focal point of the research of Ivan Duminica, Alexander Roitman, Arthur Viorel Tuluş and Cătălin Negoiţă.

An attitude of the Romanian historiography towards the Bessarabia Bulgarians problem was visible in the interwar period. Analysing opinions of many specialists (Duminică, 2011). Ivan Duminica reaches the conclusion that Romanian historiography was influenced in this matter by the principle of nationalism. Romanian historians tended to emphasize the importance of the Romanian principalities regarding the revival of the Bulgarian state, according to the theory of emigration of the Bulgarians in Bessarabia at the beginning of the XIXth century. The process that took place in Bessarabia aimed at levelling or standardizing the society which was under Russian influence: on one hand

Russians wanted to eliminate the "state in state" made by the Jewish people and on the other hand aimed at imposing a Russian model for uniformity. As a consequence Jews were shattered from a moral and social point of view in the XIXth century due to the ambitions of the Russian tsars.

Another stray impulse of the tsars was to colonize Bessarabia with Germans, in the detriment of the Jews. Due to many facilities offered, German colonists went to Bessarabia around the year 1814. In 1940, according to an agreement between Germany and Soviet Union, all the German Ethnics were evacuated. On the properties previously owned by Germans, Soviet authorities colonized Ukrainian and Polish families.

Being at the crossroads of many influences, Dobruja, in the South of Bessarabia, was mainly inhabited by Turkish –Tatar community. Due to the fact that a convention was signed between Romania and Turkey, many of the these emigrated.

The volume is characterized by a thematic variety and approaches comprised in 19 works belonging to well known Romanian researchers and professors, as well as Hungarian, Moldavian and Bulgarian, thus offering an objective perspective of the ethno - confessional situation in the XVIIIth - XXth century Romanian area.

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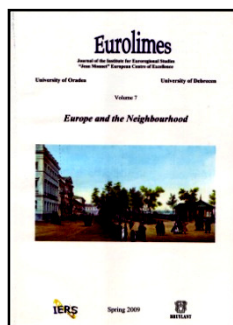
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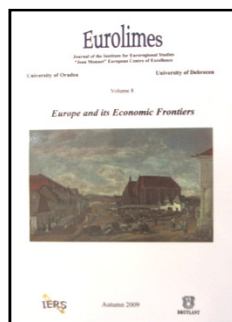
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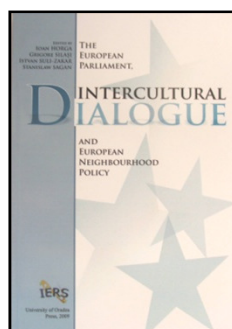
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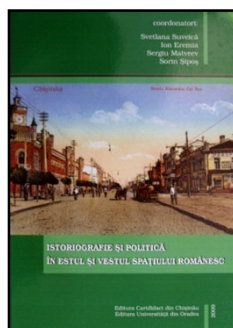
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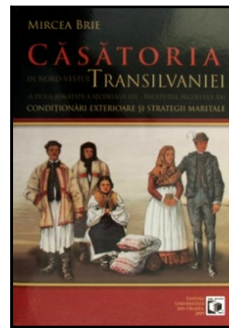
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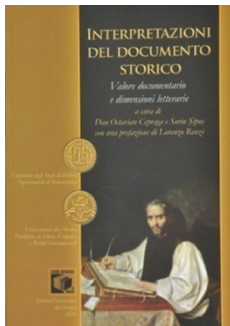
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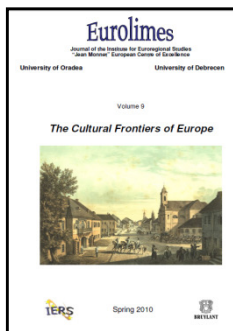
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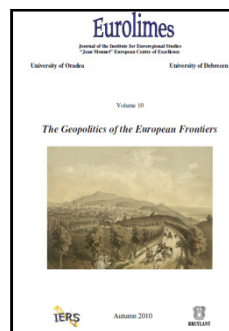
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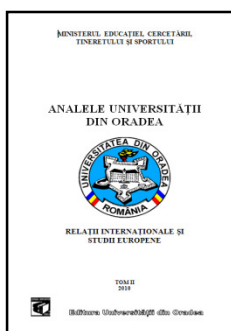
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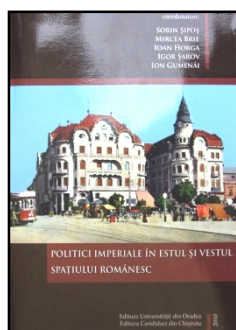
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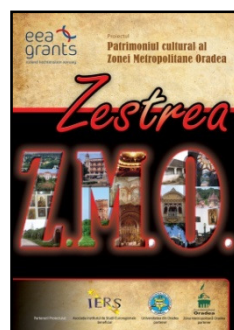
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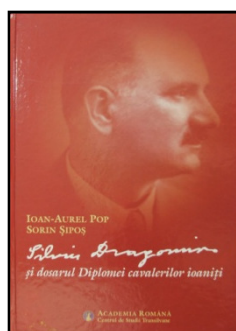
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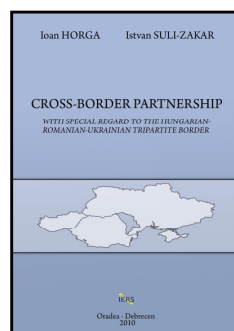
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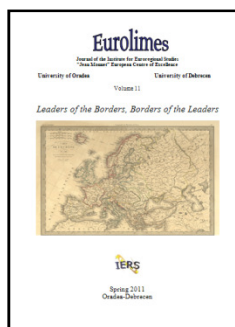
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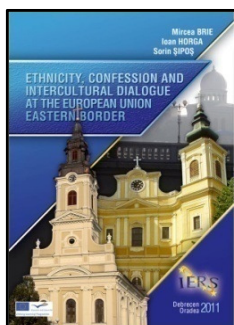
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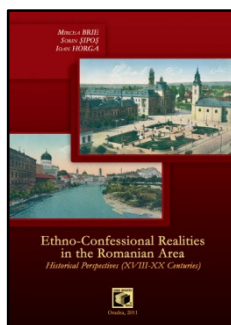
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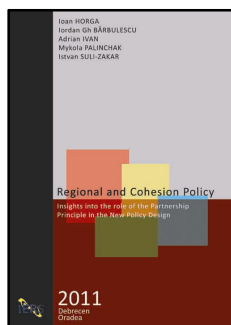
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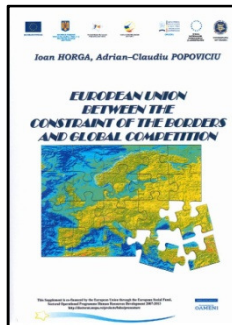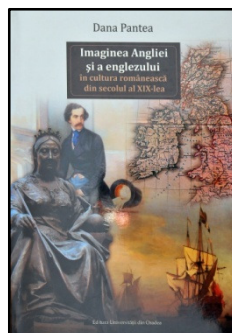
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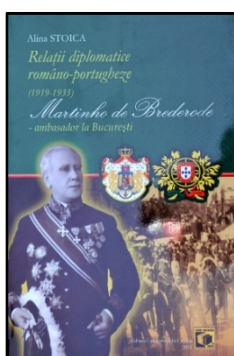
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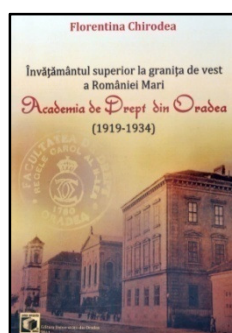Oradea University Press, 2011, 254 p., ISBN 978-606-10-0571-0

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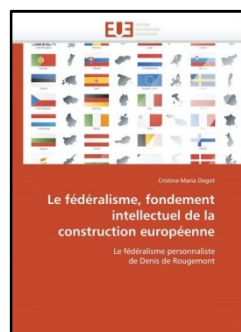
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