




UNIVERSITY OF CRAIOVA  
FACULTY OF SOCIAL SCIENCES  
POLITICAL SCIENCES SPECIALIZATION

Revista de Științe Politice.  
Revue des Sciences Politiques  
No. 70 • 2021





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## EDITORS' NOTE

### **Toward Political Systems' Resilience and Performance: Evidence from Social Construction**

**Note of the Editors of the  
*Revista de Științe Politice. Revue des Sciences Politiques***

**Issue 70/2021**

**Anca Parmena Olimid<sup>1)</sup>,  
Cătălina Maria Georgescu<sup>2)</sup>,  
Cosmin Lucian Gherghe<sup>3)</sup>**

Issue 70/ April 2021 of the *Revista de Științe Politice. Revue des Sciences Politiques* presents the contributions in the field of political systems' resilience and performance, addressing in-depth theoretical and empirical evidence from social construction in a pandemic context.

The current issue presents sixteen research papers documenting theoretical approaches, showing content or statistical analyses, undergoing either a quantitative or

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qualitative or simply combining both the quantitative and qualitative dimensions, thus giving prominence to the intensity of social sciences research during the COVID-19 pandemic. Accordingly, the research options habilitate a breakthrough within analytical studies and advance an improvement in theoretical recognition.

Subsequently a synopsis of the articles' themes displays the research interest as published in the current issue:

- Public communication performance on social networks;
- System performance through “Internet of Things” intelligent “power management”;
- Performance of employment relations achievable through sound labour legislation;
- Performance of Romanian post-communist transition towards democracy;
- The use of propaganda tools within political discourses;
- Increasing the performance of the rural development process;
- The performance of online communication through social media during electoral campaigns;
- The accents of environmental protection and the need for policy performance;
- “Energy performance certification” betwixt “environmental protection and sustainable development”;
- The “financial performance of the banking sector”;
- The role of comprehensive legislation in increasing transport sector performance;
- Determining the impact of factors involved in the electoral performance of political parties during European elections;
- Calculating the financial performance during episodes of market volatility;
- Internalising the means to increase teaching performance;
- Examining the political performance of public institutions during “*legal conflicts of a constitutional nature*”;
- Inquiring on performance indicators for grasping the public's perceptions on the current economic system.

Thus, the research proposed by Valentina MARINESCU, Ines RAZEC, Teodor DUMITRACHE, “*Online Communication of Public Institutions Before the COVID-19 Pandemic*” follows a seminal analytical dimension for monitoring the national police authorities social media communication strategies. Law enforcement state institutions professional public communication activities' performance was thoroughly analysed on social networks.

The next article signed by Mohammad EHSANIFAR, Fatemeh DEKAMINI, Milad BAJELAN, Cristi SPULBAR, Ramona BIRAU, Sina SHALIBEIK, Toni CĂLUGĂRU, “*Identifying Internet of Things (IoT) solutions in the complex process of industrial machinery maintenance*” regards the innovative ways to reduce power use and increase their performance through intelligent methods of power management. The approach is intensely specialised in electronic systems monitoring by applying Internet of Things (IoT) as an “optimization tool”.

In the line of improving work organization and performance, the following article (Adrian NICOLESCU, “*Implications of modifying individual employment contracts in the light of current Romanian legal provisions*”) occasions the research of the interdependencies between labor legislation and employment relations. The research

questions the current legal institutions involved in ensuring the performance of work relations and substantiate their effects into practice.

The following article (Cristina-Eugenia BURTEA-CIOROIANU, *A Look at Communism and Democracy in Octavian Paler's "Question Time"*) describes some views on the performance of Romanian post-communist transition towards democracy. The approach on content analysis exposes the ideological themes and discursive practices streamed during the dawns of democracy in the first years after the revolution.

The importance of ideology in drawing an event imagology is highlighted in the article authored by Andrei Cosmin POPA, *"A case of historiographical contradiction: Communist Romania's 1975 anniversary of Michael the Brave's Unification"*. The research scrupulously locates the propaganda means within the political discourses on the unification celebration.

The performance of the development process is the theme of the article signed by Mihaela LUPĂNCESCU, *"Sustainability of Rural Development in Romania: Priorities, Trends, Objectives"*. The research brings forth a discussion on the efforts, rationality and challenges of balancing sustainability objectives institutionally-developed and national or field realities.

Passing towards "virtual spaces" the article authored by Mihaela BĂRBIERU, entitled *"Election campaign and political communication through social media"* reassures on the contribution disposed by social media and the Internet in the process of political communication during electoral campaigns. The paper exhibits the circumstances and conveniences of online communication in the politician-voter relation.

Resuming the discussion on development and policy performance, the article signed by Mihai Ionuț RĂDOI, Mihaela LUPĂNCESCU, *"Environmental Protection - a New Dimension of Economic Growth and Development in the European Union"* deconstructs the "environmental protection" policy goals considering a discussion over the linkages among globalization and economic growth on the one hand and ecology/environment protection and sustainable development on the other.

Further on the line drawn over the rationality of "environmental protection and sustainable development", this time for "energy performance certification", the article signed by Adrian Barbu ILIE, *"Legislation and public policies regarding energy performance certification"* describes the approaches and summons in adopting sound public policies through a reliable legislative framework. The article pleads for adjusting the public policies' framework in order to improve authorities' performance and raise the awareness of beneficiaries in meeting energy performance standards.

Economic performance comes in different shapes and sizes. Assessing the performance of specific financial indicators, the article authored by Klejda GABESHI, *The Role and Financial Performance of Banks in the Western Balkans* establishes the analytical background of the economic relations and "financial performance of the banking sector" in the region. The approach combines the "qualitative and quantitative analysis" to ascertain the factors and their action over banking performance.

The transport sector performance is highly dependent on the regulation quality of the sector's activities. The article authored by Cristina STANCIU, *"The Legal Regime of Baggage in Romanian Legislation"* clarifies the rights and liabilities of agents and, while identifying the loopholes in legislation, argues for improving the regulation of luggage, targeting the elimination of specific legal issues.

## Editors' Note

The article authored by Mihaela IVĂNESCU, “*An Electoral Outlier or Second Order Business as Usual? A Decade of European Elections in Romania (2009-2019)*” fuels the research on European elections by discussing the “Romanian case”. The paper comprehends the factors involved in the electoral performance of political parties and in electoral turnout.

The article co-authored by Jatin TRIVEDI, Mohd AFJAL, Cristi SPULBAR, Ramona BIRAU, Krishna Murthy INUMULA, Subhendu PRADHAN, “*Modeling emerging stock market volatility using asymmetric GARCH family models: An empirical case study for BSE Ltd. (formerly known as Bombay Stock Exchange) of India*” fasten circumstantial comprehension on the financial performance issues governed by market volatility indicators. The approach considers an intuitive understanding backed by empirical results of stock exchange indicators' evolution.

The paper entitled Costina Denisa BĂRBUCEANU, “*Prezi -The Challenge of Teaching the Hyperlinked Minds*” resumes the research over teaching performance for “digital natives” by approaching the sustainability of modern technological education and teaching resources. Thus, fitting information resources to innovative technologies transforms the teaching experience.

The following article (Elena Cristina MURGU, “*Politics - the real source of legal conflicts of a constitutional nature*”) probes the role of the “political context” in triggering “*legal conflicts of a constitutional nature*”. The article examines the political performance of public authorities as well as highlights the parameters of “*legal conflicts of a constitutional nature*”.

Further, the article signed by Xhemail ÇUPI, Jonuz ABDULLAI, “*Dominant system in the Republic of North Macedonia: Socialism or capitalism?*” stimulates the discussion over the ideological understandings of the past and current social order. The sociological approach aims at clearing the political and ideological background by targeting political and economic performance indicators for interpreting the public perceptions of the current economic system.

The current issue 70/2021 of the *Revista de Științe Politice. Revue des Sciences Politiques* invites its readers to grasp the research contributions on definite issues engaged during the COVID-19 pandemic context which can define the future of the (post)pandemic world: the intensive use of Internet in all aspects of personal and professional life, ranging from public mass communication, industry, teaching; the need for better regulations and regulatory processes; financial performance in specific contexts; measuring citizens' perceptions of determined connected aspects.

Wishing you all the best,

***The RSP Editors***



## ORIGINAL PAPER

# Online Communication of Public Institutions Before the COVID-19 Pandemic

Valentina Marinescu<sup>1)</sup>, Ines Razec<sup>2)</sup>, Teodor Dumitrache<sup>3)</sup>

### Abstract:

This paper aims to analyze the online communication methods used by the Romanian Police before the crisis caused by the global pandemic COVID-19 (and the decree on imposing the state of emergency). Among the public institutions, the Romanian Police is one of the most active in its relationship with the public. The image of the Romanian agent has always fluctuated between police officer jokes and stories of street heroes, without ever being able to reach the size of a James Bond persona with the status of a civil servant. In the case of the adoption of communication with the outside world through Facebook by the Romanian police, the analysis showed that before the COVID-19 pandemic we could not speak of a fully professional communication strategy. At that time, there were, admittedly, some Facebook pages that correctly defined both their organizational identity and the external procedures for entering into dialogue with others. However, most of the Facebook pages considered in the analysis did not have a professionally constructed identity for the community to which they were addressed. On the other hand, from the perspective of the content strictly related to the activity of the Romanian police, our analysis highlighted the fact that most of the Facebook pages owned by the Romanian police were not able to communicate all types of information specific to their field of interest. From the perspective of our analysis, it is obvious that additional efforts are needed in the future to professionalize public communication for this state institution.

**Keywords:** *Public communication; social network sites; state institutions; communication strategies.*

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### **Introduction**

Most of the “classical” approaches to the relationship between the police and the media started from Chibnall's thesis according to whom "people pay attention to media in order to learn about those areas of social life where their direct experience is limited" (Chibnall, 1975). From this point forward, the relationship between the police and the traditional media (radio, TV, newspapers, magazines) has often been shaped by conflicts, whether they were "real or imaginary" (Kelly, 1986).

In recent years, this relationship has been analyzed from different perspectives. Lovell (2003) claims that the US media presented the police officers either as heroes or as figures of fun, thus proving the permanent distrust of the police towards the media, which negatively influenced the communication of this organization with the public or with the society in general.

As far as the relationship between the police and new media is concerned, and particularly what is known as SNS (“Social Network Sites”) or social media, we noticed that research is not particularly numerous at present, and almost completely lacking in some parts of the world, as is the case with Romania.

In this article, we are trying to identify the particularities of the social media use by the Romanian police – specifically Facebook – in order to communicate with citizens before the COVID-19 Pandemics.

### **Theoretical framework**

The current development of SNS has made it possible to remove the difference between the producer and the consumer of the information, thus having the potential to increase the power of the interaction between the police departments (central or local) and the citizens (Svara & Denhardt, 2010; Heverin & Zach, 2010; Crump, 2011; Procter et al., 2013). The current trend, according to Wang and Doong (2010) is that most police departments from various countries use this type of communication in order to improve their capacity to disseminate information and attract citizens to their side (Heverin & Zach, 2010).

For several decades, media, criminology and sociology researchers have drawn attention to the various contributions of social media to legitimize the activity of a specific organization, namely the police departments (Lee & McGovern, 2014; O’Connor, 2015; Schneider, 2016a, 2016b).

In specialized literature (International Association of Chiefs of Police National Law Enforcement Policy Center, 2010; Police Executive Research Forum, 2012; Walsh & Conway, 2011) the current trend is to investigate how SNS can help police to actively interact with citizens and engage the community in an active dialog with the police officers.

Existing studies show that police departments in the United States, Canada, Europe and Australia have integrated SNS into their corporate communication platforms (Lee & McGovern, 2014; LexisNexis, 2012). Besides from using the social media in order to allow officers to disseminate important information and engage in a dialog with the citizens, these police departments also use SNS to communicate internally with their employees (Meijer & Thaens, 2013; Meijer & Torenvlied, 2016; O’Connor, 2015). According to Mawby (2002), the use of SNS by the police departments democratically legitimizes them, considering the fact that the emphasis is placed in this case on values such as: transparency, accountability, and trust, specific to a democratic society (Bullock, 2017).

## Online Communication of Public Institutions Before the COVID-19 Pandemic

A survey conducted in 2015 by the International Association of Chiefs of Police National Law Enforcement Policy Center on a sample of 553 US police departments shows that the vast majority of these departments (73.9%) did not use SNS, but intended to adopt this type of communication in the future (IACP, 2015). As for the social media, the North American police departments most frequently used SNS for investigations related to surveillance and crime prevention (88.7%). Moreover, according to the same data set, the most commonly used social networks were: Facebook (94.2%), Twitter (71.2%) and YouTube (40.0%) (IACP, 2015).

Based on the usage of SNS by the US police departments, Heverin and Zach (2011) conclude that their purpose was mainly to distribute information related to crimes and incidents and to disseminate information related to their work (of the departments), events, traffic and to prevent crime and violence.

At present, according to Brunty and Helenek (2013), some police departments use SNS for investigation purposes, and there are even handbooks that explore it (Brunty & Helenek, 2013). The New York Police Department created a unit dedicated to social media communication in order to gather relevant information from Facebook and Twitter (Parascandola, 2011). Another manner of gathering useful information from SNS by the police is the case discussed by Thompson (2009), in which a local US newspaper used social media to gather information about a crime case.

Crump (2011) studied the use of Twitter by the English police and showed that, until 2011, the English police had only used the service to disseminate various information and not to engage with the public. Following the London and the Manchester violence acts of 2011, the researches started to address the way in which police used Twitter during the time these events occurred (Panagiotopoulos et al., 2012; Deneff et al., 2013; Procter et al., 2013).

In North America, Lieberman (2013) studied how the US police departments used Facebook and sought to identify the prospects for using the service. Meijer and Thaens (2013) showed that the police used communication strategies with other organizations and the public that are different from those previously identified by Mergel (2013) for the public sector: "simple push strategy", "push and pull strategy" and "a network strategy".

Brainard and McNutt (2010) analysed the relationships between the police departments and the citizens through SNS in the case of the Metropolitan Police Department of Washington D.C. The results of their study show that these relationships are more focused on providing information, are rather transactional, and the issues involving the collaboration between citizens and the police are almost completely missing (Brainard & McNutt, 2010).

Kabrud's 2015 survey shows that most of the Idaho police Facebook posts (47.02%) contained information related to public relations, with a particular emphasis on information related to the life of the community (43.17%) (Kabrud, 2015). The second type of important information used by the Idaho police was related to crime and violence acts (17.04%), followed by posts containing warnings (16.57%) (Kabrud, 2015). Based on this information, the author concludes that the Idaho police mainly used Facebook in order to communicate (daily, if necessary) with the public (Kabrud, 2015).

O'Connor (2015) focused on the online communication of the Canadian police and showed that SNS can help the police manage their image and interact with the citizens. In a different research, Perron (2016) reached to the conclusion that the

feedback between the police and the citizens (or the bidirectional communication) has led to an increase in the number of followers on social media.

In his turn, by analyzing the public relations from the police perspective, McIntee (2016) shows that when the police departments proactively used the online dialog with citizens, they benefited from many advantages, resulting in an increase of public's positive appreciation of police officers.

Schneider (2016a, 2016b) analyzed the way in which Twitter was used by the police to promote the organization's commitment to professionalism as a central value.

The study conducted by Sakiyama, Shaffer and Lieberman (2010) shows that the police uses Facebook for various purposes, from public warnings about violent attacks, to employees' recruitment (Sakiyama, Shaffer & Lieberman, 2010).

Other researchers only analyzed police's online interaction with the citizens, by focusing on counting the number of followers of the Twitter and Facebook accounts of the police department (Crump, 2011), trying to find out whether they posted online any information related to events that drew public's attention or solicited the involvement of the police, with a special focus on how the information was delivered (Procter et al., 2013) and whether or not users reposted the initial police posts on social media (van de Velde et al., 2015).

However, as Bullock points out (2017), police departments are skeptical about the ability of SNS to promote an effective and professional communication due to the risk of harming their reputation during the online interactions. Moreover, police officers often believe that social media are more effective when other organizations communicate with their public (Bullock, 2017).

Bain, Robinson and Conser (2014) believe that SNS can be seen as an important tool used by the police in order to initiate a conversation with the younger generation, considering the fact that young people are less interested in traditional media. The same authors point out that the police must attract a wide range of audiences, and therefore, it is essential for the focus to be placed on easily accessible and rapidly distributed information (Bain, Robinson & Conser, 2014).

According to Bain, Robinson and Conser (2014), social media is a quick and effective means to distribute information and receive feedback from the audience, i.e. the citizens. This feedback from the citizens helps establish effective police communication and sets the premises for the development of a relationship between them and the community (Bain, Robinson & Conser, 2014).

It is worth mentioning that the inclusion of social media in the organizational communication of the police departments (Goldsmith, 2015; LexisNexis, 2012; Schneider, 2016b) did not mean abandoning traditional communication, since the new forms of communication did not replace existing ones but worked alongside them, and sometimes merely supplemented the existing information on traditional communication platforms (Heverin & Zach, 2010; Seelye, 2011; Procter, Crump, Karstedt, Voss, & Cantijoch, 2013; Van de Velde, Meijer, & Homburg, 2015).

### **Methodology**

The mini-research project presented in this article has an exploratory nature, as the purpose was to identify the main elements defining the communication strategy with the exterior (citizens and/or other organizations) by using a small sample of Facebook pages belonging to Romanian departments, agencies and police organizations.



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Based on the specialized literature (Geary 2016; Rodgers, 2016), we explored three areas of interest for our analysis:

1. The main elements of the communication identity: we were interested in identifying the main variables related to the communication strategy, such as: whether there is an introduction on the Facebook page stating its general purposes; whether or not there is a link to the website of the department, agency or organization and whether or not it is stated that the page is intended for a target audience, such as young people or potential candidates.

Table 1. The main elements of the external communication of the department/agency/police organization

Category	Description
General introduction	Introductory presentation on the Facebook page, stating its main purposes
The place in the communication strategy	Link to the department's website
Facebook page special attribute	Information regarding the target audience, such as young people and potential candidates

Source: Rodgers, 2016

2. The procedures related to the external communication: our interest was to see whether the page is managed by the sub-division dealing with spreading the information and the relationship with the citizens; whether the contact information of the department is clearly presented; if the page contains the following information: the page explicitly adheres to existing regulations and laws, opinions expressed by Facebook users do not reflect the views of the department, posts are moderated and that some comments can be deleted, posts are public and can be seen by anyone.

Table 2. Procedures related to the position in communication with citizens of the department/agency/ police organization

Category	Description/Subcategory
Administrator(s) identity is clearly stated	The page is managed by the sub-division that deals with information and the relationship with the citizens
Contact details	Department contact information is clearly stated
General regulations related to the content	The content explicitly adheres to existing regulations and laws
Position in communication with citizens	It is stated that opinions expressed by Facebook users do not reflect the views of the department
	It is stated that posts are moderated and that some comments can be deleted
	It is stated that the posts are public and can be seen by anyone

Source: Rodgers, 2016

3. The specific content of the communication with the exterior: we were interested in the following categories:

- Advice: we included posts containing advice on the safety of the citizens and on preventing crime and violence;
- Criminal offenses: Internet crime warnings; general criminal warnings; warnings related to criminal acts already registered with the police; pending cases; requests for additional or new information; posts showing arrests or successful police operations;
- Alerts: we included posts related to road traffic information;
- Traffic accidents produced by the alcohol consumption;
- Missing person's reports: posts related to missing persons or posts informing that a missing person was found;
- Public relations: posts related to the recruitment process; the mission of the department; information about a particular community; the overall strategy of the police department; the link to the last issue of the department newsletter;
- Messages related to the department's services: we focused on identifying the posts that mentioned phone lines open to citizens, references to other SNS of the department, reposts from the department's website.

Table 3. The specific content of the procedures related to the external communication of police departments

Advice	Safety advice	General reminders regarding the safety condition
Crime acts	Advice on preventing crime and violence acts	General advice on how to avoid situations in which an individual is the victim of a criminal act
	Internet crime warnings	Warnings about current specific risks of Internet crime
Alerts	General warnings about crime	Warnings about the specific risks of crime in general
	Warnings related to criminal acts already registered with the police	Presentation of criminal/ violence acts that are currently taking place or recently happened
	Cases in progress	What has been done in a criminal investigation or an existing case
	Request information	Asking for help from the public in order to identify or find a suspect or proof
	Arrest/successful operation	Announcements that the suspect has been arrested, located or extradited
	Traffic	Traffic issues or traffic issues affecting daily traffic
Car accidents due to alcohol consumption		Anything related to traffic accidents produced by the alcohol consumption, including safety advice and checkpoints.
Missing person's report	Missing person's report	News about a missing person
Public relations	The missing person is found	News about a missing person (victim) being found

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	Recruitment	Any information related to employment or the competition for employment of potential candidates
Advice	Mission	Message highlighting the success of a department
	Community interest	Message to the community designed to incite pride for the police/department's activity or community
	Strategy	Messages showing a new perspective
	Safety related advice	General reminders regarding the safety condition
	Newsletter	Post containing a link to the latest number of the department's newsletter
Organization roles	General advice for people	Messages concerning what needs to be done in a particular situation
	Open telephone lines	Message promoting the open telephone
	Reference to other SNS	Mention of the SNS used by the department
	Presentation of posts from the department's website	Comment containing a link to the department's website or to posts from other SNS

Source: Geary 2016

The analyzed sub-sample consisted of five Facebook pages of police departments, agencies subordinated to the Romanian police, or organizations working for it. The analysis was carried out in November – December 2019. For reasons related to the GDPR law we will refer to these pages by using numbers and not the full name.

### Data analysis

The configuration of the analyzed Facebook pages indicates that four of them have cover photos, with the exception of the second Facebook page. As for the profile photo, only the third Facebook page depicts an everyday image (a mug engraved with the message “Today is a good day to smile”), while the rest of the pages only feature the logo of the organization, department, or agency. Almost all of the Facebook pages analyzed are being updated regularly, aside from the second Facebook page, which had its last post in 2011. The remaining four pages released their last posts in November and December 2019. The number of likes (subscribed users) ranged from 536 for the second Facebook page to 13.371 for the fifth.

Table 4. Number of users who liked the page (subscribed users)

Facebook page code	Number of users
Facebook page 1	662
Facebook page 2	536
Facebook page 3	4.127
Facebook page 4	9.043
Facebook page 5	13.371

From the perspective of the main elements of the communicative identity for the Facebook pages included in the sample we can see that all pages feature a “General Introduction” but none of them specify whether this is addressed to a target group or the community in general. All analyzed pages display a link to the website of the organization, department or association they represent, this being an element that specifies their place in the general communication strategy (see Table 5).

Table 5. The main elements of the communication identity of the departments, agencies and/or organizations included in the analysis

Category	Description/ subcategory	Facebook page 1	Facebook page 2	Facebook page 3	Facebook page 4	Facebook page 5
General introduction	Introduction specifying the general purposes of the page	X	X	X	X	X
Place in the communication strategy	Link to the organization, department, association website		X	X	X	X
Facebook page special attribute	It is stated that the page is intended for a target audience (such as young people or potential candidates)				X	

„X” represents total compliance with a considered indicator

Regarding the external communication procedures, our analysis can highlight the fact that the inclusion of contact data is an indicator used on all Facebook pages included in the analysis. However, the usage of this indicator varies. Thus, the contact details are indirect for the Facebook pages 1, 2 and 3 (via the link to the organization or department website). Only for Facebook pages 4 and 5 we could see the existence of complete contact details: address, phone number and location map on Google Maps. Only Facebook page 4 specified the page administrators or editors. Moreover, it is the only page from our sample where the official position, as well as general regulations regarding the content, were presented. The rest of the analyzed Facebook pages included no such elements of external communication (see Table 6).

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Table 6 - External communication procedures for departments, agencies and/or organizations included in the analysis

Category	Description/ subcategory	Facebook page 1	Facebook page 2	Facebook page 3	Facebook page 4	Facebook page 5
Administrator(s) identity is clearly stated	The page is managed by the subdivision that deals with information and the relationship with the citizens				<b>X</b>	
Contact details	Department contact information is clearly stated	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>X</b>	<b>X</b>
General content regulations	The content explicitly adheres to existing regulations and laws				<b>X</b>	
Position in communication with citizens	It is stated that opinions expressed by Facebook users do not reflect the views of the department				<b>X</b>	
	It is stated that posts are moderated and that some comments can be deleted				<b>X</b>	
	It is stated that the posts are public and can be seen by anyone				<b>X</b>	

„X” represents total compliance with a considered indicator

„Y” represents partial compliance with a considered indicator

The specific analysis of the external communication revealed the existence of significant differences between the Facebook pages included in the sample. On a general level, we found that none of the pages provided information on two of items included in the analysis: what to do in case a missing person is found and which telephone lines are permanently open to citizens (see Table 7).

Table 7 - Specific content of external communication for the departments, agency and/or organizations included in the analysis

	Facebook page 1	Facebook page 2	Facebook page 3	Facebook page 4	Facebook page 5
Safety advice	X	X	X	X	X
Advice on preventing crime and violence	X	X	X	X	X
Internet crime warnings	X	X	X	X	
General warnings about crime	X	X	X	X	X
Warnings related to criminal acts already registered with the police			X		
Cases in progress			X		
Request information			X		
Arrest/successful operation			X		
Traffic			X		
Car accidents due to alcohol consumption	X				
Missing persons	X		X		
A missing person is found					
Recruitment					X
Mission			X	X	X
Community interest	X	X	X	X	X
Strategy			X	X	X
Newsletter					
General advice	X	X	X	X	X
Open telephone lines					
Social media links		X		X	X
Organization roles		X	X	X	X

„X” represents total compliance with a considered indicator

At the same general level of analysis, we could find that Facebook page 3 contains most of the information subsumed to the indicators considered important for the external communication of the police by the specialized literature. At the same time, Facebook page 2 satisfied the lowest number of indicators out of the considered total. All Facebook pages included in the sample had posts featuring safety tips, advice on preventing crime and violence, general warnings about crime, information showing the organization’s interest in the community, and general guidance.

Regarding the differences between the Facebook pages analyzed according to the publicly disseminated information, we could see that only Facebook pages 1 and 3 posted information regarding traffic, car accidents due to alcohol consumption and missing persons.

For the indicators subsumed to the “Public Relations” category, we found that four of the analyzed Facebook pages (numbers 2, 3, 4, and 5) redistributed information taken from the web page of the department or organization they presented and three of

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them (numbers 2, 4, and 5) have posts that (directly or indirectly) refer to other social media (especially YouTube).

In the case of items subsumed to the category “Messages related to departmental services”, we found that only Facebook page 5 publicly shared some information related to staff recruitment. At the same time, Facebook pages 1 and 2 did not provide any information on the overall communication strategy of the organization, department or agency presented (see Table 7 above).

### **Conclusions**

According to the literature (Mitchell, Wolak, Finkelhor & Jones, 2012), the police has the same success in using SNS in its practical activity as if it used Web 1.0 (chat-rooms, discussion sites). The strategic use of media (traditional and SNS) to legitimize police activity (Tyler, 2003) has become an organizational value in the United States, Canada, Australia, and Europe, and police departments now typically hire public relations specialists to help promote their organization (Lee & McGovern, 2013). Led according to their own norms and managed by specialists, many police communication departments are currently professional and hire civilians only (Mawby, 2002; Surette, 2001).

According to Meijer and Thaens (2013), police departments believe that better relations between citizens and the police can be achieved through “more authentic external communication of police officers” (Meijer & Thaens, 2013) and online platforms or social media make such communication possible. As Lee and McGovern (2011, 2014) point out, the widespread use by departments of corporate communication strategies and techniques (including SNSs) has led to the situation where “the image of the police and its practical actions are currently inseparable” (Lee & McGovern, 2011, p. 104). In other words, representing and promoting the image of a professional, accountable and transparent police helps to legitimize this organization and facilitates its practical actions (Lee & McGovern, 2013). These strategies involve an “image restoration” in which the communication actions of a police department are subsumed to the objective of transmitting an image of authority and legitimacy to the audience (Bullock, 2017; Chermak, 1995; Ericson, 1982; Manning, 1997; Mawby, 2002).

The mini-research project we carried out identified a series of particularities of the online communication strategies used by Romanian police departments, organizations and agencies via Facebook. Thus, most of the analyzed Facebook pages only partially satisfied the set of indicators related to external communication (with the community or outside departments, agencies or organizations). Only in the case of Facebook page 4 this communication with outside entities was conducted professionally (according to existing standards in other countries). Furthermore, from the perspective of the procedures used for this type of communication (external), the only page included in the sample that met these indicators was Facebook page 4. Regarding the analysis of the specific external communication content, our analysis indicated that Facebook page 3 complied to a large extent with the indicators considered important by police departments in the USA, Canada and Europe.

In the case of the adoption by the Romanian police of external communication through Facebook, we can state that before the COVID-19 pandemic we could not yet speak of a fully professional communication strategy. There were, admittedly, some Facebook pages that correctly defined both their organizational identity and the external communication procedures, but they were, in fact, similar to those of some international

agencies (such as Facebook page 4). Most of the Facebook pages considered in our analysis have not yet had a professionally constructed identity for their community. On the other hand, strictly from the perspective of the content related to the activity of the Romanian police, our analysis highlighted the fact that only one Facebook page included in the sample (Facebook page 3) communicated almost all types of information specific to the field of interest (police).

A further development of this mini-research project could include both increasing the size of the analyzed sample and performing data analysis through an examination grid appropriate for the communication features identified by this research project. Also a necessary development at the moment is the inclusion of the temporal dimension in the analysis by comparing the type of communication of these institutions with their public before and during the COVID-19 pandemic.

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## ORIGINAL PAPER

# Identifying Internet of Things (IoT) solutions in the complex process of industrial machinery maintenance

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### Abstract:

**Objective:** Today, the Internet of Things (IoT) is used as an optimization tool in many aspects of monitoring. It seems that IoT is a suitable approach to transfer data related to various activities, including industrial activities, and ultimately leads to cost optimization and increase the life of some equipment. Accordingly, this study examines the identification of IoT solutions in the maintenance of industrial machinery. **Research Method:** The method used was estimative and fuzzy in MATLAB software environment. The required data for estimation were collected in DTA format and with the opinion of experts using industrial equipment in the form of pairwise comparison matrices. **Findings:** Findings from estimation in fuzzy environment showed that the best possible solutions for identifying and using IoT tools in repair and maintenance of machines based on ranking and respectively to the components of heating system monitoring, direction optimization Reducing power consumption and managing power consumption, creating data transmission firewalls to ensure security and safety, as well as providing automation of inspection equipment along with critical event management. **Results:** Also, for the most optimal use of the Internet of Things in the repair and maintenance of industrial machinery, it is necessary that sensors continuously provide data related to intelligent air conditioning, equipment consumption management in the cloud computing space to engineers and repair technicians.

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**Keywords:** *Internet of Things (IoT); heating system; optimization to reduce power consumption; power management.*

## **1. Introduction**

Industrial machinery is considered as one of the most important parts in energy consumption management in the field of bank databases and banking data transfer. These machines are the most important approach to the use and transfer of data between the Internet of Things due to their large scale and high processing capability in Internet networks. One of the issues of remote equipment control as well as automatic control is equipping the equipment with IoT. The Internet of Things is a collection of objects that can be uniquely defined as part of the Internet. These include small phones, digital cameras, and tablets. When these devices are connected to each other via the Internet, they are able to provide most of the small processing and economic, environmental and health support services. A large number of devices connected to the Internet provide different types of services and produce large amounts of data and information (Habibi, 2017). In another definition, it means the possibility of communicating all objects with each other and with humans, along with identifying and discovering them under an integrated network (Najafpour et al., 2018). Nethravathi et al. (2020) pointed out that interaction between human beings is always based on complex emotional dimension. Standards required by the Internet of Things according to the IoT ecosystem, different standards are necessary in different areas such as: wireless communication, technical, application and service quality, and therefore different organizations and institutions are involved in its standardization (Najafpour et al., 2018).

With the advancement of this technology in the international arena, most of the equipments that currently need manual activation will be equipped with remote control as well as automatic control. On the other hand, the increase in energy prices in recent years has caused consumers to pay more for the use of electrical equipment they need. Especially the price of consumption during peak hours has caused consumer dissatisfaction, which is also true of maintaining data backups in the central bank. Rising population growth, industry growth and, consequently, increased energy consumption, have highlighted the need for energy efficiency optimization for banks more than ever. The central bank is also the most important sector in the banking industry, and the need to use new technologies to reduce energy consumption in this industry in the last decade is fully felt. Therefore, the use of intelligent inspection and safety equipment in the processes of storage, security, transfer and monitoring of financial information seems very necessary. In view of the above, studies in the field of Internet of Things applications have focused mainly on technical issues and have not identified and categorized Internet of Things applications, and this issue is less common for banking. Therefore, the purpose of this study is to identify and prioritize solutions and applications of the Internet of Things in the banking industry with a focus on its performance in the central bank. To achieve this goal, the following question is answered: What are the applications of the Internet of Things in controlling smart energy in the central bank? To answer this question, the FAHP method is used, in which existing articles are analyzed and determine the importance and support of past research in each of the applications. IoT applications are also prioritized in terms of cost, savings, and performance to identify the most important IoT applications in the central bank. To answer this question, the TOPSIS algorithm is used to determine which applications are most considered by central bank managers to control and manage smart energy?

## **Identifying Internet of Things (IoT) solutions in the complex process of industrial...**

The results of this study provide the most optimal solutions for using the Internet of Things (IoT) in the central bank, which move in this direction, in addition to reducing energy costs, investing in future generations and better protection of industrial machinery.

### **Research goals**

1. Explaining the solutions and applications of Internet of Things in the repair and maintenance of industrial machinery in the Central Bank
2. Explaining the prioritization of the components of repair and maintenance of industrial machines based on the Internet of Things in the Central Bank

### **Research questions**

1. What is the ranking of the components affecting the repair and maintenance of machinery?
2. On what basis is the prioritization of the components of repair and maintenance of industrial machines based on the Internet of Things in the Central Bank?

### **Research Hypotheses**

1. Management and consumption approaches to the repair and maintenance of machines based on the Internet of Things in the central bank system has priority.
2. Prioritization of the components of repair and maintenance of industrial machines based on the Internet of Things in the Central Bank is done based on the existing improvements in the Central Bank.

## **2. Literature review**

From the aspects of Internet of Things, we can point to the identification of objects through sensor devices (such as object detection through digital photography and biometric identification) in creating security and personalization of Internet of Things systems (Khedmatgozar, 2015). It is built on the applications of key technology enablers. These enablers are: RFID, wireless sensor technology, intelligent technologies and nanotechnology (Manouchehr et al., 2017). Cisco Systems, the global leader in IT predicts that the Internet of Things will connect 50 billion devices to the Internet by 2020. This platform includes standards such as low-power Bluetooth WIFI, NFC, RFID and so on. Internet-enabled objects have many benefits for both organizations and individuals by facilitating or simplifying environmental sensors, automated sensors, and actuators, which can be used in a variety of fields, including automated home appliances. It is smart to create an intelligent network and product management (Khadijeh and Merrick, 2015) so by implementing data storage systems and data analysis technology, craftsmen can predict the condition of factory equipment before it malfunctions or produces a malfunction in the product, and in the direction of implementing the necessary measures to eliminate the predicted defects (Mostafa Pour, (2015). With the help of technologies such as locators, communication between people and objects in any place is possible. Following this trend, a wide range of new products and services have been created in various fields (Tavakoli et al., 2017). Some IoT roles such as application service providers, application platform providers, and a number of other similar roles in the field of telecommunications may not be defined. In fact, the roles of telecommunications are a subset of the roles of the Internet of Things (Khadijeh and Merrick, 2015).

In recent years, the development of the Internet with interconnected physical objects and devices and their virtual display has been a growing trend, which has created a wide range of potential new products and services in various fields (Tavakoli et al.,

2017). Knowledge is created through the Internet of Things. Knowledge creation can be considered as the process of creating new knowledge or replacing and improving existing organizational knowledge through social relations and organizational collaborations. This process occurs at the individual and organizational levels and leads to the creation of tacit knowledge or new explicit knowledge (Rezaei Noor and Mashayekhi, 2018). Many articles have referred to the applications of the Internet of Things in various industries. Here are some of them: In China, RFID tags and barcodes are attached to firefighting tools to help develop a global fire information system and database (Manouchehr et al., 2017). According to estimates by the Gartner Institute for Information Technology Research (published in July 2014), in the emerging technology cycle, IoT technology is expected to evolve in the next 5 to 10 years (Khadijeh and Merrick, 2015).

The Internet began in 1966 with the connection of two computers at the ARPA Military Research Center in the United States. But half a century later, the range of communication has expanded to such an extent that human beings today are connecting objects to each other and using the data obtained from them. This relationship is called IoT (Mostafa Pour, (2015). With this technology, everything around us, such as mobile phones, cars, watches and accessories, will collect useful user data using different technologies and put the data in an ecosystem. And the collected data will be used to perform various operations autonomously (Najafpour et al., 2018).

#### **Power consumption management**

Intelligent management is an intelligent grid that automatically balances as well as monitors itself and accepts any energy source and converts it into the end user (heat, light, hot water, etc.). Maximum use of renewable energy sources and minimum environmental negative effects of electrical systems can be achieved in smart grids. In addition, smart grids have the ability to sense overload lines and re-use electricity to reduce overloads and prevent potential power outages (Lim et al., 2019).

#### **Heating systems**

Heating is defined as the cycle of creating fluid flows that ultimately raises the temperature of a particular environment. In studies in this field, using different materials of sand heating panel and phase change materials, and different pipes were examined experimentally and numerically and showed that the concept of heating system is an important element in determining the effectiveness of variables using It is a temperature control tool.

#### **Smart air circulation ventilation**

To reduce energy consumption in the building, mandatory standards are required for new residential buildings. These standards require significant thermal improvements over previous buildings, which require building designers or architects to simulate the energy performance of designed buildings and run only buildings that have energy-saving performance in accordance with the design standard (Yao, 2018).

Residential air conditioners, as the most important participants in home electricity bills, have a high potential for smartening and have attracted the most interest (Hu et al., 2017).

Functionally, intelligent building systems are less flexible due to centralized architecture and proprietary communication protocols. In addition, they do not have many intelligent designs and technologies that support decentralized control, intelligence, and energy optimization. As a result, building owners are looking for a cost upgrade over their smart building system, which can also save energy and increase intelligence (Png et al., 2019).

## **Identifying Internet of Things (IoT) solutions in the complex process of industrial...**

### **Provide security and safety**

Network security is an activity designed to protect the usability and integrity of your network and data. This type of security includes both hardware and software technologies. Targets various threats. Prevents it from entering or broadcasting on your network. Effective network security manages network access (Li et al., 2019). Network security is defined as a challenge that changes over time in its settings, where such changes include topological changes, the discovery of a new vulnerability. Therefore, understanding the security situation of dynamic networks and the security situation is extremely important (Enoch et al., 2019). Due to the heterogeneity, complexity and continuous expansion of scale in the current network system, traditional network security techniques do not have effective compatibility and coordination to deal with network security problems. This leads to severe economic damage, adverse social effects and deadly security incidents (Liu et al., 2019).

### **Reduce power consumption**

Awareness of residential consumers about behavioral changes and the basis of measures to reduce electricity consumption is becoming increasingly important. Significant reduction for all parties involved, including: as electricity consumption peaks, so do electricity costs; Suppliers can buy cheaper electricity from the electricity market this way; Manufacturers in this regard have reasons to produce less than the following very sensitive electrical charge; In this way, network operators can avoid heavy investments in network infrastructure (Oprea et al., 2018). Smart meters and home energy management systems allow customers to use the energy and time of their home. Such programs may charge the actual cost of electricity at any time, from high prices at peak times to low prices during off-peak hours (Büchs et al., 2018).

### **Critical event management**

Unpredictable breakdowns in the industrial workplace have made on-site security policies more important than ever. Natural storms such as Hurricane Harvey and Maria have disrupted travel and disrupted industrial equipment, disrupted supply chains and shut down long sites for long periods of time. Many companies today address these concerns in a variety of areas. A centralized approach to proper planning, management, and correction of modern crises that companies face on a daily basis is essential (Villiers et al., 2019). Crisis management helps corporate and government organizations to improve response time, minimize disruption, and gain better management control over important events (Krausmann et al., 2019).

### **Inspection equipment automation**

In recent years, technological advances have significantly expanded the building automation capability. Despite advances, it is clear that automation has not been widely adopted by occupants in buildings. To increase the usability of automation, the automation method in buildings should include determining the level of user preferential automation, in different situations and areas of control and dynamics of learning preference over time (Ahmadi-Karvigh et al., 2019). The term "office automation" originally began as data processing and word processing tools, and now includes more and more complex tasks such as integrating front office and backup systems (Thomson and McElvania, 2019). There are several types of automation that can be used in a variety of commercial industries around the world. With a network connection, all data and information, including text documents, presentations,

spreadsheets, images and videos, can be sent in real time in seconds. By demonstrating the participatory nature of the office automation system, this allows your employees to collaborate in real time and improve their productivity (Sun et al., 2017).

**Table no.1: Research background**

<b>Research result</b>	<b>Research title</b>	<b>Researcher</b>
The findings of this study show that the existence of Internet systems has increased the speed of transactions and all banking activities and optimizes energy management in banks.	The impact of digital trends using the Internet of Things on banking processes	Khanboubi et al. (2019)
The findings show that by using encryption and privatization, a large part of banking contracts and blockchain can prevent the disclosure of personal information and optimize energy consumption levels.	Privacy protection in IoT systems	Hassan et al. (2019)
Controlling access to data based on the privatization of user identities, permissions and certificates based on these systems can help maintain the security and privacy of the system and improve the ability to improve monitoring management in these systems.	Information security and privacy in the IoT system	Varadharajan (2019)
As the penetration of users and bank payments by digital banking services increases, so does the banking system require a more precise security network and optimize energy management for the Internet of Things.	Mobile banking services and business information management with mobile payments	Markoska and (2018) Ivanochko
The use of IoT technology, although it has brought challenges and problems in developing countries, but has led to the development and solution of other problems in this banking system of these countries and improves energy management for banking networks. Forgive.	IoT acceptance is a key challenge, opportunity and implication for a developing country	Sharma and Al-(2018)Muharrami,
Banks can prevent the disclosure of their users' information by personalizing and encrypting all banking operations and can improve energy management.	Content security using IoT banking system	Trnka et al. (2017)
Smart cards have opened up new payment methods for bank customers, but in terms of security and technology, they also need to develop banking networks and improve monitoring management.	Smart card for banking and finance	Markantonakis (2017)
With an overview of software tools, methods and strategies in the real data flow system, IoT financial system in addition to the benefits also has problems that can improve energy management.	Data flow analysis in an IoT financial system	Cuomo et al. (2017)
Since the collection and use of data and their fast transfer speed is one of the	Big Data and the Internet of Things are a prime	(2017) Boumlik



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problems of traditional banking, the use of the Internet of Things can solve this problem well and improve the monitoring and supervision of banking information systems.	opportunity for the banking industry	
To describe and evaluate financial derivatives, we can use the Black-Scholes model and improve the monitoring of the organization.	A new approach to IoT financial data	Cuomo et al. (2016)
IoT technologies offer great potential for tracking, observing, and managing challenges in this area, so that IoT technologies can collect, process, and distribute data throughout the chain.	Use of the Internet of Things in the food supply chain	Pang et al. (2015)
RFID tags and barcodes are attached to firefighting tools to help develop a worldwide firefighting information system and database.	Use of the Internet of Things to fight fires	Zhang (2013)
They examined the use of technologies such as identification and communication capabilities in the Internet of Things and concluded that all objects in the health system (people, equipment, drugs, etc.) can be continuously tracked and monitored.	Use of the Internet of Things in the healthcare industry	Pang et al. (2013)
Using Internet of Things technologies, accidents in mines can be detected and warnings can be issued. On the other hand, with the help of data obtained from mining accidents, the occurrence of accidents can be predicted and the safety of mines can be improved.	IoT for safer production in mines	Qiuping et al. (2011)
The greater the number of physical objects with RFIDs or sensors, the more transportation and logistics companies can monitor the movement of objects from origin to destination.	Using the Internet of Things in transportation and logistics	Atzori et al. (2010)

### 3. Research methodology

In this research study, the solutions are presented as research variables that are measured and prioritized based on the proposed indicators [(Behzad and Behnam (2017); Seifi (2013))]. This research is part of applied research. The research method is estimative and computational-fuzzy. And the fuzzy computation method will be performed using normalized rhythmic matrices. To do this research, pattern making in MATLAB software will be used. The statistical population of this research is the Central Bank of the Islamic Republic of Iran. Examples include equipment used in data transmission systems based on database approaches to IoT services. Examples include industrial devices and equipment installed in industrial sites that have the ability to provide return rate data due to their connection to IoT devices that have been able to be determined by experts and extracted so that experts can calculate their values based on fuzzy criteria to measure. Library resources are used to collect theoretical literature and research background. Observation tools and meta-combination techniques are used to

determine the solutions presented in the articles. To prioritize the solutions, two techniques of fuzzy hierarchical analysis and fuzzy TOPSIS are used. In this way, the fuzzy hierarchical analysis (FAHP) technique is used to determine the weights of the indicators. The input of this technique is to extract computational data based on fuzzy ranking in matrix calculations. Which is complemented by industry expert data. The software used is MATLAB software. The data collection tool was a computational checklist based on the determination of the initial pairwise comparison matrix, which the specialists completed after examining and obtaining the output rates of industrial devices maintained by the Internet of Things. Also, in order to identify the solutions of the Internet of Things in the Central Bank through the meta-combined method, the seven-step method has been used. Keywords for searching in Science Direct, Springer Library databases are determined and based on the following acceptance criteria, articles are extracted and after screening, selected articles are used for analysis.

**Table no.2: Acceptance criteria**

Acceptance criteria	
scientific studies	Geographic Area
English	Research language
2021To2011	Study time
Qualitative and technical-engineering	Study methods
IoT and machine maintenance management	Study community
Articles published in prestigious scientific journals	Type of study

After screening to prioritize the proposed solutions, first using the Fuzzy Analytic Hierarchy Process (FAHP), the weights of the indicators will be estimated based on data extracted by experts and specialists in data format.

First, the components affecting environmental indicators in the use of chemical inputs are identified and prioritized, and then the model will be studied using the structural equation technique. Finally, the sensitivity of environmental indicators to each of the chemical inputs is investigated.

Step 1: Identify and prioritize the components affecting environmental indicators

Fuzzy Hierarchical Analysis Process (Chang Method)

In the fuzzy AHP technique, after drawing the hierarchical decision tree, a pairwise comparison of the elements of each model level must be performed. In the calculation stage, using the definitions and concepts of fuzzy AHP, the coefficients of each matrix of pairwise comparisons are calculated. Thus, for each row of the pairwise comparison matrix, the value  $S_k$ , which is itself a triangular fuzzy number, is obtained from the following equations.

$$S_k = \sum_{j=1}^m M_{ki}^j \otimes \left[ \sum_{i=1}^m \sum_{j=1}^m M_{ij} \right] \quad (1)$$

$$\sum_{j=1}^m M_{ij} = \left( \sum_{i=1}^m l_j, \sum_{i=1}^m m_j, \sum_{i=1}^m u_j \right) - 1, 2, \dots, (2)$$

$$\sum_{i=1}^m \sum_{i=1}^n M_{ij} = \left( \sum_i^n l_i, \sum_i^n m_i, \sum_i^n u_i \right) \quad (3)$$

$$\left[ \sum_{i=1}^m \sum_{j=1}^m M_{ij}^j \right]^{-1} = \left[ \frac{1}{\sum_{i=1}^m u_i}, \frac{1}{\sum_{i=1}^m m_i}, \frac{1}{\sum_{i=1}^m l_i} \right] \quad (4)$$

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In these relations,  $K$  represents the line numbers and  $i$  and  $j$  represent the options and indicators, respectively.

After calculating all  $S_k$ , in this step we have to calculate the magnitude of each level element on the other elements of that level separately according to the following equation.

$$\begin{cases} V(M_1 \geq M_2) = 1 & \text{if } m_1 \geq n \\ V(M_1 \geq M_2) = hgt(M_1 \cap M_2) & \text{otherwise} \end{cases} \quad (5)$$

$$hgt(M_1 \cap M_2) = \frac{l_2 - u_1}{(m_1 - u_1) - (m_2 - u_2)} \quad (6)$$

The magnitude of a triangular fuzzy number is obtained from  $K$  of another triangular fuzzy number from the following equation:

$$V(M_1 \geq M_2, \dots, M_k) = V(M_1 \geq M_2) \text{ and } \dots \text{ and } V(M_1 \geq M_k) \quad (7)$$

Also, to calculate the weight of the indicators in the pairwise comparison matrix, we do the following:

$$w(x_k) = \min\{v(s_i \geq s_k)\} \quad K = 1, 2, \dots, n, k \quad (8)$$

Therefore, the weight vector of the indices will be as follows, which will be the same as the vector of abnormal fuzzy AHP coefficients:

$$W = [W(x_1)W(x_2), \dots, W(x_n)] \quad (9)$$

Step 1) The first step of the fuzzy hierarchical analysis process method method, like the definitive AHP method, is to draw the hierarchical structure or hierarchical state of the research problem. This issue has only two levels of purpose and main indicators.

Step 2) The second step of the fuzzy hierarchical analysis process method is to design a pairwise comparison questionnaire and collect the opinions of agricultural jihad experts and pistachio producers. After collecting the opinions of experts, their opinions are first converted into fuzzy numbers by tables and then the incompatibility rate of each pairwise comparison questionnaire is calculated based on the Gogus and Boucher method. After determining that the incompatibility rate of the questionnaires is acceptable (less than 0.1), the fuzzy paired matrix comparison matrix is calculated.

Step 3) In this step, based on the stated relations, the fuzzy sum of each row and the fuzzy compound expansion are calculated.

Step 4) In this step, based on the stated relations, the degree of possibility, the degree of preference and the normalization of preference are calculated.

Step 5) In this step, the weight of the indicators related to the paired comparison questionnaire will be calculated.

Step 6) Draw a chart of research indicators based on their weight.

## 4. Research findings

### Description of research data

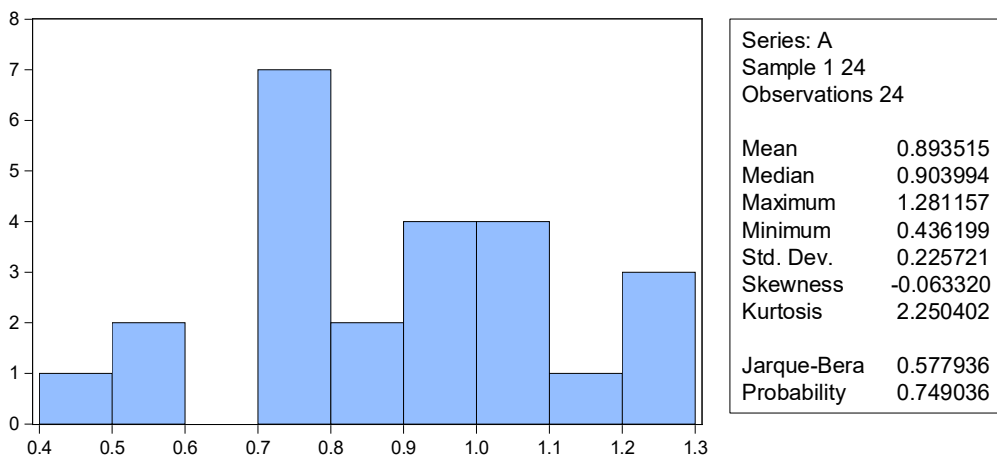
**Table no.3: Statistical description of the main research variables**

Variance	The standard deviation	Average	The main research variables
2.343	1.53064	2.6667	Maintenance of industrial machinery
2.149	1.46602	3.2778	Power consumption management
1.997	1.41309	2.9444	Heating system

2.352	1.53349	2.8611	Smart air circulation ventilation
2.250	1.50000	3.0833	Provide security and safety
1.894	1.37639	2.8611	Reduce power consumption
1.743	1.32017	2.8333	Critical event management
1.628	1.27584	2.5278	Inspection equipment automation
14.066	3.75045	3.8611	Power consumption management

### Estimation of research data

To estimate research data in a fuzzy environment due to the properties of the data extracted based on Dta, we need to first know what distribution the nature of our data will follow. If the nature of the data is not very important in fuzzy computing because the nature of the fuzzy data is such that it will eventually distribute the collected data in the pairwise comparison matrix, which can preferably the nature of the computation Matrix calculates, but it is necessary to determine whether the data distribution has a normal approach, in other words, fuzzy algorithm calculations have been able to use the nature of the estimated data by calculations in a normal way to determine the preference, for this purpose, the Jarque-Bera test will be used in Eviews software. One of the tests that considers the elongation and skewness of the variable under study. It is a test based on Jarque-Bera statistics. The larger the value of Jack's statistic, the farther away from the normal distribution of the variable under study. For a normal distribution of data, the value is zero. Since this statistic is calculated only for a small sample of the population, statistical inference is required to draw conclusions about the changing situation in the population. Regarding the judgment for this test, it can be said that when the probability level in this test is more than 0.05, it can be considered that the distribution of data in the matrix space for fuzzy calculations will be normal and based on this approach, it can be inferred that The normality of the variable will not be rejected with 95% certainty.



**Figure no.1: Estimated data status in MATLAB for industrial machinery maintenance variable**

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According to figure 1, it can be said that the value of Jarque-Bera statistic for the maintenance variable of industrial machinery was equal to 0.577 and is at the level of more than 0.05, so we can say that the data collected in the matrix of pairwise comparisons have a distribution. They were normal. If, after calculating the covariance of variance, the values obtained from the residues total a large number of values less than 0.05, it can be said that the problem of uncertainty in the results of fuzzy calculations will be solved in the outputs of the estimates in Can be seen below.

Date: 11/15/19 Time: 15:31  
 Sample: 1 24  
 Included observations: 24

Autocorrelation	Partial Correlation	AC	PAC	Q-Stat	Prob	
		1	0.267	0.267	1.9363	0.164
		2	0.149	0.083	2.5622	0.278
		3	0.661	0.653	15.537	0.001
		4	0.070	-0.414	15.689	0.003
		5	-0.013	0.065	15.694	0.008
		6	0.438	0.035	22.331	0.001
		7	-0.108	-0.227	22.762	0.002
		8	-0.166	-0.000	23.841	0.002
		9	0.285	0.044	27.227	0.001
		10	-0.149	0.018	28.215	0.002
		11	-0.210	-0.055	30.337	0.001
		12	0.115	-0.211	31.029	0.002

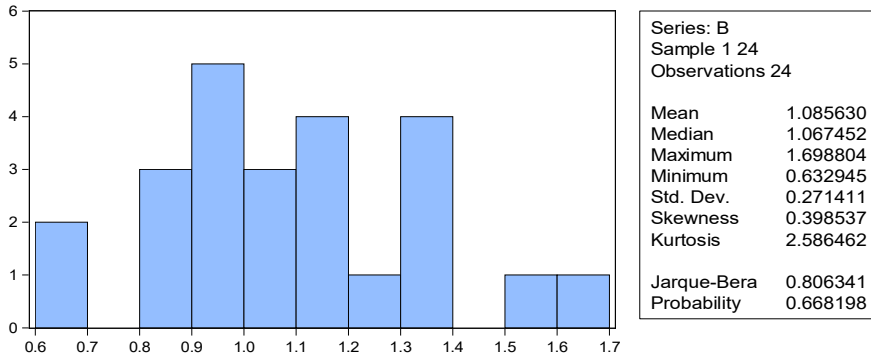
**Figure no.2: Significant level results from autocorrelation calculations for the maintenance of industrial machinery variable**

According to figure 2, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the maintenance variable of industrial machinery were less than 0.05, and it can be said that these data can be reliably Used part for fuzzy computing. Eviews software provides the ability to estimate the reliability of the extracted data, the figure below shows the calculation process of the Dickey-Fuller test. If the calculated values for this test were less than 0.05, it can be said that the data obtained for calculations and estimates in matrix spaces such as fuzzy spaces can have sufficient validity and reliability, which is shown in the figure below:

	t-Statistic	Prob.*
<b>Augmented Dickey-Fuller test statistic</b>	-3.060205	0.0482
Test critical values:		
1% level	-3.857386	
5% level	-3.040391	
10% level	-2.660551	

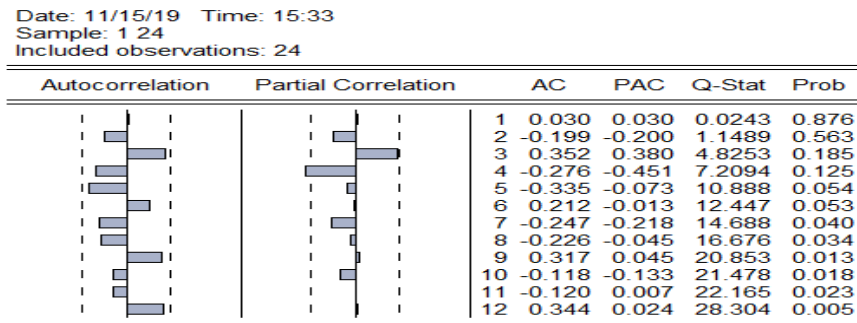
**Figure no.3: Dickey Fuller test values Reliability for maintenance of industrial machinery**

According to figure 3, it can be said that the significance level of Dickey Fuller test for the maintenance variable of industrial machinery is less than 0.05 and therefore matrix data have sufficient reliability for calculations and trust in them.



**Figure no.4: Estimated data status in MATLAB for power consumption management variable**

According to figure 4, it can be said that the value of Jack's statistic for the power consumption management variable was equal to 0.806 and is at the level of more than 0.05, so it can be said that the data collected in the pairwise comparison matrix had a normal distribution.



**Figure no.5: Significant level results from autocorrelation calculations for power consumption management variable**

According to the informations included in figure 5, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the power consumption management variable were less than 0.05, and it can be said that these data can be used as a reliability for calculations Fuzzy used.

Null Hypothesis: D(B) has a unit root  
Exogenous: None  
Lag Length: 2 (Automatic - based on SIC, maxlag=5)

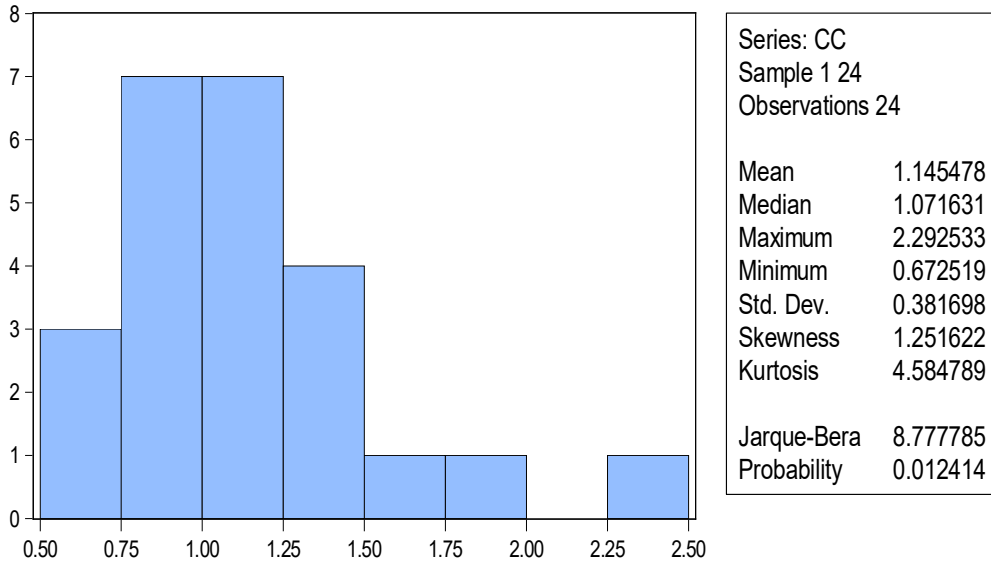
	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-2.097389	0.0374
Test critical values: 1% level	-2.685718	
5% level	-1.959071	
10% level	-1.607456	

\*MacKinnon (1996) one-sided p-values.

**Figure no.6: Dickey Fuller test values Reliability for power consumption management**

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According to figure 6, it can be said that the significance level of Dickey-Fuller test for power consumption management variable is less than 0.05 and therefore matrix data have sufficient reliability for calculations and reliability.



**Figure no.7: Estimated data status in MATLAB for heating systems variable**

According to figure 7, it can be said that the value of Jack's statistic for the heating system variable was equal to 8.777 and is at the level of more than 0.05, so we can say that the data collected in the pairwise comparison matrix had a normal distribution.

Date: 11/15/19 Time: 15:34  
 Sample: 1 24  
 Included observations: 24

Autocorrelation	Partial Correlation	AC	PAC	Q-Stat	Prob	
		1	0.293	0.293	2.3313	0.127
		2	0.109	0.026	2.6703	0.263
		3	0.463	0.465	9.0470	0.029
		4	0.027	-0.313	9.0702	0.059
		5	-0.039	0.072	9.1193	0.104
		6	0.271	0.077	11.663	0.070
		7	-0.136	-0.232	12.342	0.090
		8	-0.245	-0.121	14.678	0.066
		9	-0.038	-0.169	14.739	0.098
		10	-0.264	-0.035	17.844	0.058
		11	-0.268	-0.040	21.298	0.030
		12	-0.034	0.029	21.359	0.045

**Figure no.8: Significant level results from autocorrelation calculations for the heating system variable**

According to figure 8, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the heating system variable were

less than 0.05, and it can be said that these data can be used as a reliability for the calculations Fuzzy used.

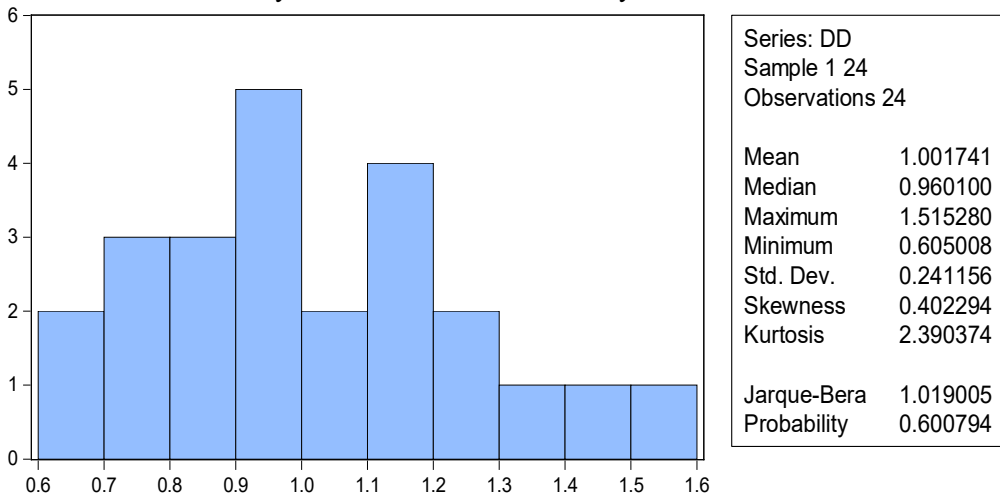
Null Hypothesis: D(CC) has a unit root  
Exogenous: None  
Lag Length: 2 (Automatic - based on SIC, maxlag=5)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-2.482178	0.0160
Test critical values: 1% level	-2.685718	
5% level	-1.959071	
10% level	-1.607456	

\*MacKinnon (1996) one-sided p-values.

**Figure no.9: Dickey Fuller test values Reliability for heating systems**

According to figure 9, it can be said that the significance level of the Dickey-Fuller test for the heating system variable is less than 0.05, and therefore matrix data have sufficient reliability for calculations and reliability.



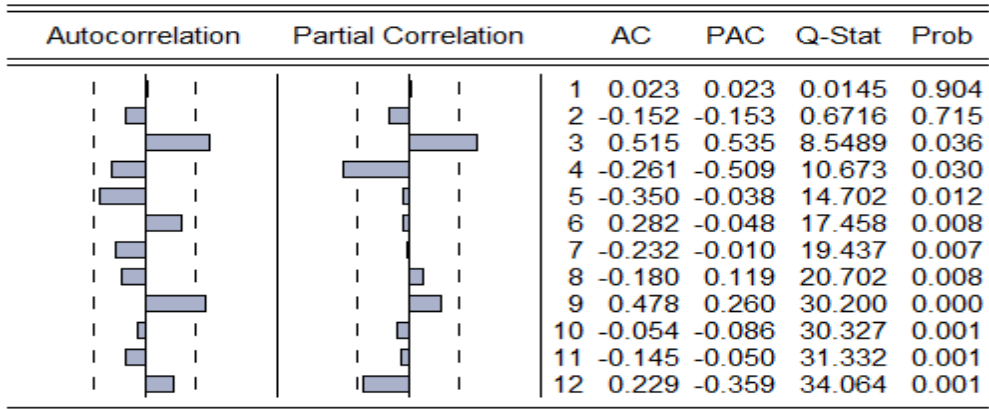
**Figure no.10: Estimated data status in MATLAB for intelligent air conditioning variable**

According to figure 10, it can be said that the value of Jack's statistic for the intelligent air conditioning variable was equal to 1.019 and is at the level of more than 0.05, so it can be said that the data collected in the pairwise comparison matrix had a normal distribution.



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Date: 11/15/19 Time: 15:34  
 Sample: 1 24  
 Included observations: 24



**Figure no.11: Significant level results from autocorrelation calculations for the intelligent air circulation ventilation variable**

According to figure 11, it can be said that in general, the significant levels related to the autocorrelation calculations in the research data for the intelligent air conditioning variable were less than 0.05, and it can be said that these data can be used as a reliable Used fuzzy calculations.

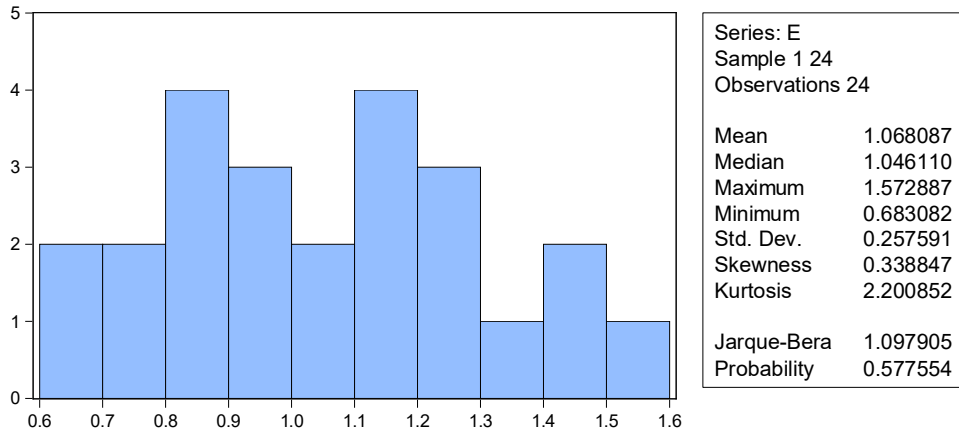
Null Hypothesis: D(DD) has a unit root  
 Exogenous: Constant, Linear Trend  
 Lag Length: 0 (Automatic - based on Modified HQ, maxlag=5)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-6.652682	0.0001
Test critical values: 1% level	-4.440739	
5% level	-3.632896	
10% level	-3.254671	

\*MacKinnon (1996) one-sided p-values.

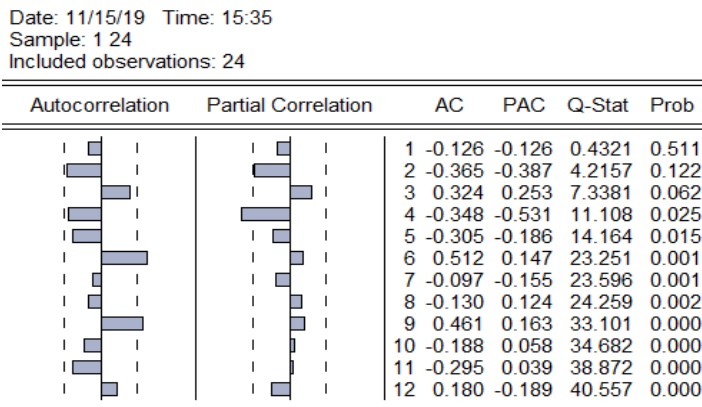
**Figure no.12: Dickey Fuller test values Reliability for intelligent air conditioning ventilation**

According to figure 12, it can be said that the significance level of Dickey-Fuller test for intelligent air conditioning variable is less than 0.05, and therefore matrix data have sufficient reliability for calculations and reliability.



**Figure no.13: Estimated data status in MATLAB for the security and safety variable**

According to figure 13, it can be said that the value of Jack's statistic for the security and safety variable was equal to 1.097 and is at the level of more than 0.05, so it can be said that the data collected in the pairwise comparison matrix had a normal distribution.



**Figure no.14: Results of the significant level resulting from the autocorrelation calculations for the security and safety variable**

According to figure 14, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the security and safety variable were less than 0.05, and it can be said that these data can be used as a reliable source for Used fuzzy calculations.

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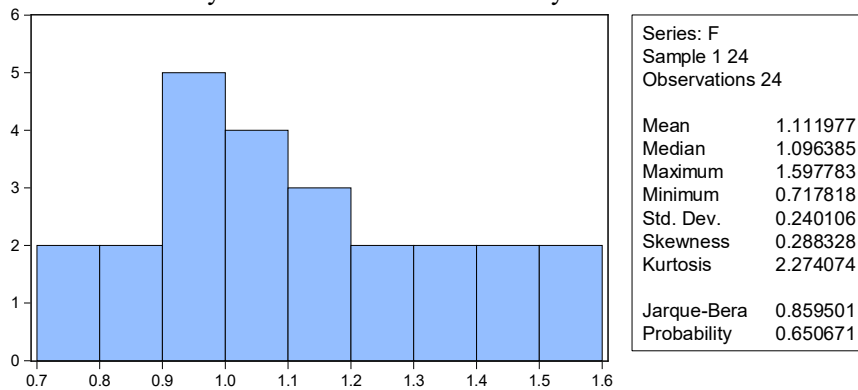
Null Hypothesis: D(E) has a unit root  
 Exogenous: None  
 Lag Length: 4 (Automatic - based on SIC, maxlag=5)

	t-Statistic	Prob.*
<b>Augmented Dickey-Fuller test statistic</b>	<b>-5.054990</b>	<b>0.0000</b>
Test critical values:		
1% level	-2.699769	
5% level	-1.961409	
10% level	-1.606610	

\*MacKinnon (1996) one-sided p-values.

**Figure no.15: Dickey Fuller test values for reliability and safety**

According to figure 15, it can be said that the significance level of Dickey-Fuller test for the security and safety variable is less than 0.05, and therefore matrix data have sufficient reliability for calculations and reliability.



**Figure no.16: Status of estimated data in MATLAB for power consumption reduction variable**

According to figure 16, we can say that the value of Jack's statistic for the variable of power consumption reduction was equal to 0.859 and is at the level of more than 0.05, so we can say that the data collected in the pairwise comparison matrix had a normal distribution.

Date: 11/15/19 Time: 15:35  
 Sample: 1 24  
 Included observations: 24

Autocorrelation	Partial Correlation	AC	PAC	Q-Stat	Prob
		1 -0.012	-0.012	0.0041	0.949
		2 -0.200	-0.200	1.1398	0.566
		3 0.454	0.468	7.2665	0.064
		4 -0.173	-0.322	8.1968	0.085
		5 -0.165	0.127	9.0907	0.106
		6 0.499	0.274	17.719	0.007
		7 -0.184	-0.226	18.959	0.008
		8 -0.279	-0.061	21.990	0.005
		9 0.212	-0.201	23.868	0.005
		10 -0.190	0.039	25.483	0.005
		11 -0.172	-0.026	26.906	0.005
		12 0.297	0.058	31.495	0.002

**Figure no.17: Results of the significant level resulting from the autocorrelation calculations for the variable of power consumption reduction**

According to figure 17, it can be said that in general, the significant levels related to the autocorrelation calculations in the research data for the variable of power consumption reduction was less than 0.05, and it can be said that these data can be used as a reliability for calculations Fuzzy used.

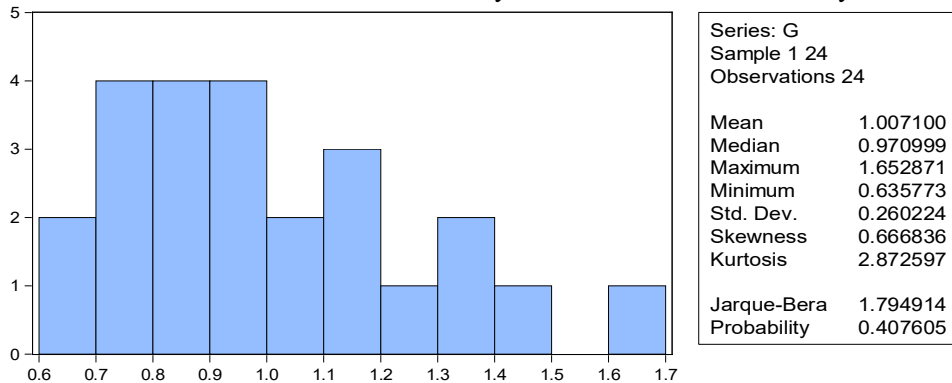
Null Hypothesis: D(F,2) has a unit root  
 Exogenous: Constant  
 Lag Length: 4 (Automatic - based on HQ, maxlag=5)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-8.171837	0.0000
Test critical values:		
1% level	-3.886751	
5% level	-3.052169	
10% level	-2.666593	

\*MacKinnon (1996) one-sided p-values.

**Figure no.18: Dickey Fuller test values reliability to reduce power consumption**

According to figure 18, it can be said that the significance level of Dickey-Fuller test for the variable of reducing power consumption is less than 0.05, and therefore matrix data have sufficient reliability for calculations and reliability.



**Figure no.19: Estimated data status in MATLAB for the critical event management variable**

According to figure 19, we can say that the value of Jack's statistic for the critical event management variable was equal to 1.794 and is at the level of more than 0.05, so it can be said that the data collected in the pairwise comparison matrix had a normal distribution.

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Date: 11/15/19 Time: 15:39  
 Sample: 1 24  
 Included observations: 24

	Autocorrelation	Partial Correlation	AC	PAC	Q-Stat	Prob
1			0.118	0.118	0.3750	0.540
2			-0.106	-0.121	0.6927	0.707
3			0.357	0.397	4.4886	0.213
4			-0.268	-0.485	6.7255	0.151
5			-0.369	-0.110	11.204	0.047
6			0.082	-0.084	11.438	0.076
7			-0.332	-0.243	15.492	0.030
8			-0.238	0.014	17.697	0.024
9			0.393	0.268	24.137	0.004
10			-0.142	-0.327	25.038	0.005
11			-0.211	-0.135	27.174	0.004
12			0.210	-0.325	29.475	0.003

**Figure no.20: Significant level results from autocorrelation calculations for the critical event management variable**

According to figure 20, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the critical event management variable were less than 0.05, and it can be said that these data can be used as a reliability for the calculations Fuzzy used.

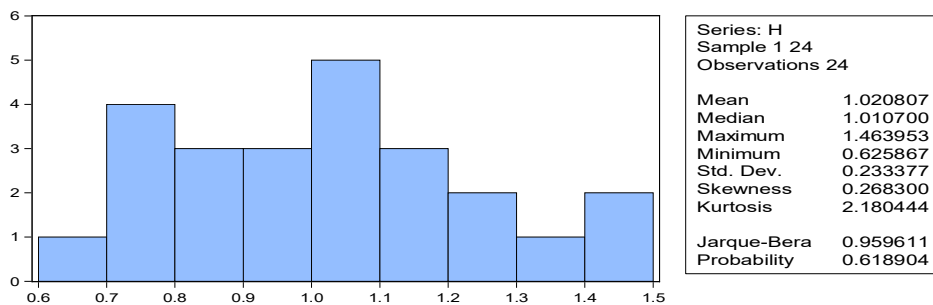
Null Hypothesis: D(G,2) has a unit root  
 Exogenous: Constant  
 Lag Length: 1 (Automatic - based on HQ, maxlag=5)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-12.42675	0.0000
Test critical values:		
1% level	-3.808546	
5% level	-3.020686	
10% level	-2.650413	

\*MacKinnon (1996) one-sided p-values.

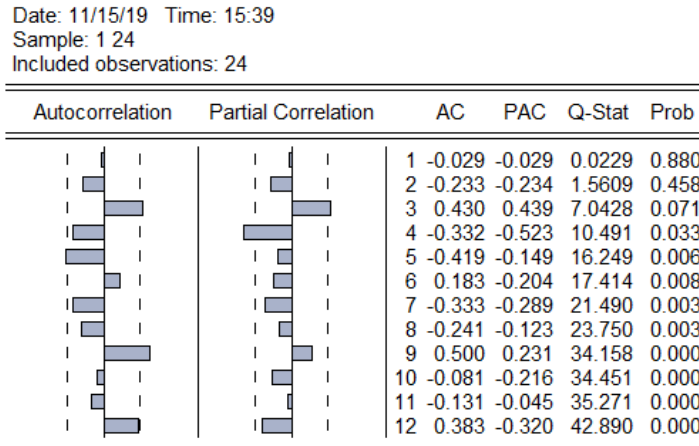
**Figure no.21: Dickey Fuller test values reliability for critical event management**

According to figure 21, it can be said that the significance level of Dickey-Fuller test for the critical event management variable is less than 0.05, and therefore matrix data have sufficient reliability for calculations and reliability.



**Figure no.22: Estimated data status in MATLAB for inspection equipment automation variable**

According to figure 22, it can be said that the value of Jack's statistic for the automation variable of inspection equipment was equal to 0.9596 and is at the level of more than 0.05, so it can be said that the data collected in the pairwise comparison matrix had a normal distribution.



**Figure no.23: Significant level results from autocorrelation calculations for the inspection equipment automation variable**

According to figure 23, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the automation variable of inspection equipment were less than 0.05, and it can be said that these data can be used as reliable for calculations. Fuzzy used.

Null Hypothesis: D(H,2) has a unit root  
Exogenous: Constant  
Lag Length: 1 (Automatic - based on HQ, maxlag=5)

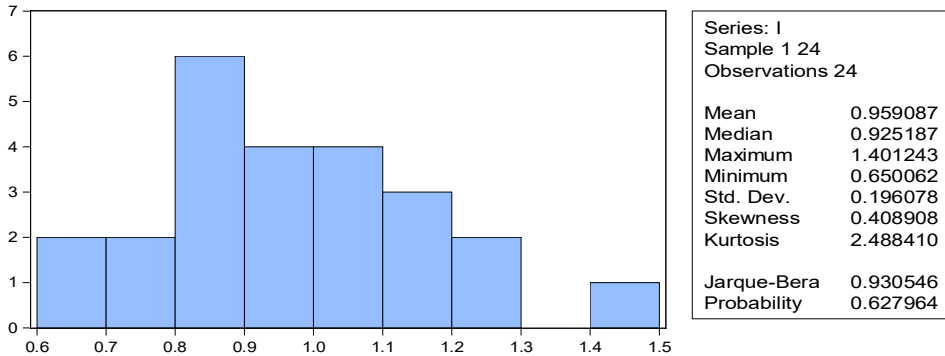
	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-14.48004	0.0000
Test critical values: 1% level	-3.808546	
5% level	-3.020686	
10% level	-2.650413	

\*MacKinnon (1996) one-sided p-values.

**Figure no.24: Dickey Fuller test values reliability for inspection equipment automation**

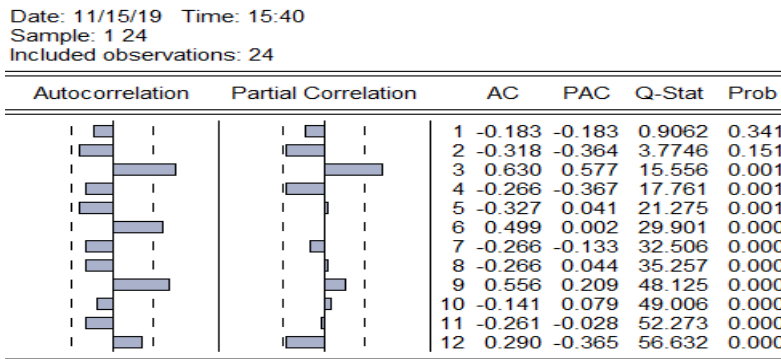
According to figure 24, it can be said that the significance level of Dickey Fuller test for office equipment automation variable is less than 0.05 and therefore matrix data have sufficient reliability for calculations and reliability.

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**Figure no.25: Estimated data status in MATLAB for equipment consumption management variable**

According to figure 25, it can be said that the value of JB's statistic for the equipment consumption management variable was equal to 0.9305 and is at the level of more than 0.05, so it can be said that the data collected in the pairwise comparison matrix had a normal distribution.



**Figure no.26: Significant level results from autocorrelation calculations for equipment consumption management variable**

According to figure 26, it can be said that in total, the significant levels related to the autocorrelation calculations in the research data for the equipment consumption management variable were less than 0.05, and it can be said that these data can be used as a reliability for the calculations. Fuzzy used.

Null Hypothesis: D(1,2) has a unit root  
Exogenous: Constant  
Lag Length: 1 (Automatic - based on HQ, maxlag=5)

	t-Statistic	Prob.*
Augmented Dickey-Fuller test statistic	-23.97941	0.0000
Test critical values: 1% level	-3.808546	
5% level	-3.020686	
10% level	-2.650413	

\*MacKinnon (1996) one-sided p-values.

**Figure no.27: Dickey Fuller test values reliability for equipment consumption management**

According to figure 27, it can be said that the significance level of Dickey-Fuller test for the equipment consumption management variable is less than 0.05, and therefore matrix data have sufficient reliability for calculations and reliability.

**Estimation of fuzzy calculations**

The first step for estimating fuzzy calculations is to compute the fuzzy comparison matrix. This matrix is used to create a pairwise comparison scale, and a pairwise comparison matrix is constructed for each level in the hierarchy. Then, the subsets of each row in the matrix are calculated to have a new set. Triangular fuzzy general values (Li, mi, ui) for the Mi criterion are obtained by calculating  $Li / \sum li, mi / \sum mi, ui / \sum ui, i= 1,2,\dots, n$  (membership functions, which It means the average weight of the corresponding options in the corresponding matrix, using these values are calculated for each criterion.They are normalized and the final weight of the importance of each criterion is obtained. According to Table 4, which shows the fuzzy comparison matrix. The degree of preference of  $S_i$  over  $S_j$  can be calculated for the matrix relationship between the research variables. These calculations make it possible to finally make a fuzzy prioritization of the research results in a fuzzy approach using a high matrix in the MATLAB space.

**Table no.4: Degrees of preference of  $S_i$  over  $S_j$**

Equipment consumption management	Inspection equipment automation	Critical event management	Reduce power consumption	Provide security and safety	Smart air circulation ventilation	Heating systems	Power consumption management	Components
0.9192383	0.4325795	0.8596898	0.738993	0.7989818	0.8702893	0.7157744	0.7758617	Maintenance of industrial machinery
1	1	1	0.969217	1	1	0.9409432	1	Power consumption management
1	1	1	1	1	1	1	1	Heating systems
1	0.5179813	0.98956	0.8742087	0.9283341	0.8478648	0.9073418	1	Smart air circulation ventilation
1	1	1	0.9498921	1	0.9225552	0.9804924	1	Provide security and safety
1	1	1	1	1	0.9700123	1	1	Reduce power consumption
1	0.5211638	0.8833348	0.9378352	1	0.8564379	0.91669	1	Critical event management
1	1	0.8964192	0.950258	1	0.8693078	0.9293561	1	Inspection equipment automation
0.9275718	0.4937465	0.8221033	0.8788608	0.9510389	0.7967053	0.8569029	1	Equipment consumption management

According to Table 5, it can be said that the degree of preference set for the relationship between the components of the fuzzy matrix has finally been confirmed and can examine the values of the relationship and the preference of each variable over the



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other variable. So that the degree of maintenance of industrial machinery over power consumption management was equal to 0.775. Also, the degree of maintenance of industrial machinery over heating systems was equal to 0.715. It should be noted that the closer these values are to the number one, the higher the priority.

**Table no.5: Degrees of preference of research variables**

Degree of preference	Examined variables
0.4325795	Maintenance of industrial machinery
0.9409432	Power consumption management
1	Heating systems
0.5179813	Smart air circulation ventilation
0.9225552	Provide security and safety
0.9700123	Reduce power consumption
0.5211638	Critical event management
0.8693078	Inspection equipment automation
0.4937465	Equipment consumption management

In the next step, the priorities will be estimated in MATLAB software and the final values will be estimated as the results of grading the priorities of the research variables, which are shown in Table 6.

**Table no.6: Prioritization of Variables**

Prioritize variables	Examined variables
0.0649	Maintenance of industrial machinery
0.1411	Power consumption management
0.1500	Heating systems
0.0777	Smart air circulation ventilation
0.1383	Provide security and safety
0.1455	Reduce power consumption
0.0782	Critical event management
0.1304	Inspection equipment automation
0.0740	Equipment consumption management

### Answers to research hypotheses

According to the first hypothesis of the research, which states that management and consumption approaches on the repair and maintenance of machines based on the Internet of Things in the central bank system has priority. The findings of the study showed that by prioritizing the components affecting the health of industrial equipment, a proper prioritization can be provided in the approaches to consumption and equipment repairs, and these approaches can be seen using the data collected through the Internet of

Things. Based on fuzzy calculations, it can be shown that the required priorities in this field were calculated in the following table in MATLAB environment.

**Table no.7: Estimated priorities in FAHP calculations in MATLAB software**

<b>Prioritize variables</b>	<b>Examined variables</b>	<b>Row</b>
0.1500	Heating systems	1
0.1455	Reduce power consumption	2
0.1411	Power consumption management	3
0.1383	Provide security and safety	4
0.1304	Inspection equipment automation	5
0.0782	Critical event management	6
0.0777	Smart air circulation ventilation	7
0.0740	Equipment consumption management	8

According to Table 7, it can be said that the priorities presented for creating the most optimal state of health of electronic equipment should be such that it ultimately creates the most optimal heating system, management and power consumption and providing security firewalls for data transmission Lead to cloud servers. According to the second hypothesis of the research, which states that the prioritization of the components of repair and maintenance of industrial machines based on the Internet of Things in the Central Bank is based on the existing improvements in the Central Bank, the findings showed that using ranking calculations with Fuzzy approach as well as estimation algorithms in MATLAB software environment can be an optimal solution for estimation for final data, whose validity and testability have already been tested by Dickey Fuller reliability test as well as significant residual autocorrelation judgment test. Was tested and the nature of the data was confirmed by the Jarque-Bera test.

## **5. Conclusions**

The purpose of this study was to explain the solutions and applications of the Internet of Things in the repair and maintenance of industrial machinery. For this purpose, this study considered 8 indicators. These indicators were: power consumption management, heating systems, intelligent air conditioning, security and safety, power consumption reduction, critical event management, office equipment automation and equipment consumption management. Based on this model, in this study, Fuzzy approach was used in MATLAB software. In order to determine appropriate solutions and provide appropriate solutions for the maintenance of industrial machinery with respect to IoT applications, the priority of each variable was examined. According to the results, it can be said that heating systems are in the best condition to examine the use of the Internet of Things. Based on this, it can be said that the IoT in the first report should base its monitoring on the rate of heating of the device, in other words, the space heating system in which industrial workshops and equipment operate should be designed in such a way that in the first level report Determine the average temperature in its reliable value. This is important because when the air temperature in the physical environment

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increases, the pressure on industrial equipment to a level higher than what is set will be the first element of heat production.

Heat generation will put more pressure on the equipment and internal components of the industry and will eventually lead to their further depreciation and sudden destruction. This IoT basis should first be able to examine the heating system created in the physical space of the industrial environment as well as the heating system created in the device itself, using monitoring bases as well as its own computational algorithms. Adjust the Internet of Things so that it can provide repair engineers with the necessary reports based on changes in the upper and lower limits of ambient temperature and device temperature. This is consistent with the study conducted by Khanboubi et al. (2019). This study showed that when we use the Internet of Things in equipment, this tool can be used as a monitoring approach. Algorithms written for monitoring equipment in industry as well as telecommunication equipment and technology can be such as to refer to the technician errors due to changes in ambient temperature as well as errors due to temperature increase or decrease of temperature from top to bottom. In other words, IoT in this case can improve machine maintenance services in the digital world and in the industrial world.

In the second priority of the proposed solution for the use of maintenance of industrial machinery, the Internet of Things should invest in reducing electricity consumption. The reason for this is that the optimization of the economic costs of an industrial unit can be introduced digitally. It can provide the most common approach to using the equipment that is introduced to it. This has been proven in the studies of Hassan et al. (2019). In other words, it can be shown that when technicians want to prioritize the optimization of maintenance of industrial machinery, it is better to do so based on electricity consumption management; Because one of the approaches seen in industrial equipment is that when the equipment is depreciated, what changes in their power consumption will change. In other words, it can be said that the equipment may have the same efficiency with more electricity or even with less electricity consumption. Therefore, the Internet of Things can recognize the fluctuations caused by electricity consumption of industrial equipment and finally provide specific patterns of limits related to the health of the device, and through this can create a suitable solution and speed up their maintenance. In other words, creating sensors on the device that can periodically and even send parts related to energy consumption to an IoT device, and also the existence of computational algorithms on that IoT device that can increase its monitoring power can be the basis. This was confirmed by a study conducted by Varadharajan and Bansal (2019) to identify the best time to repair devices. In their study, the researchers showed that by implementing the reduction of electricity consumption in the industrial sector using the Internet of Things, data analysis such as sensors, controllers, and data analysis software can be used.

The third priority can also be the management of electricity consumption in relation to the Internet of Things, and automated meters, bulk or cloud data processors using the Internet of Things can determine the status of devices in factories before they fail. Produce a breakdown in the product, anticipate and take the necessary measures to eliminate the anticipated defect. Also, manufactured products can be monitored and tagged instantly and full time by cameras and sensors, and the Internet of Things can improve it, so that the product manufacturing organization can focus on repairing and maintaining machinery. Be effective. Also, in this regard, the power consumption of the device can be optimized using the Internet of Things, especially until the right time for

repairs, in this case, the Internet of Things and data analysis as a lever to manage and stay in competition with power management. It will be usable. The findings of this study are consistent with a study conducted by Sharma and Al-Muharrami (2018). According to the results of these researchers, industry managers have begun to make changes in the organization and move their organization to use the Internet of Things to manage power consumption in their industrial equipment. These changes included data simulation, training repair engineers to interpret and analyze data, and hiring data mining teams to output changes in device power consumption. In this case, industrial organizations have shown a greater tendency to use the Internet of Things in creating their power consumption management. In fact, IoT engineers are trying to use sensors to detect and optimize power consumption.

There is still time in the industry by creating security firewalls on IoT-related sensor equipment. The IoT seems to need strong networked firewalls to maintain its security, which regularly monitors the sensors of industrial devices, in which case the information is detected by sensors that actually work the five senses. Security of equipment and their data transfer is used. When we eat salty food, its information is sent to the brain by taste sensors and processed. By processing the information of the brain, it is concluded that eating this food is harmful to the health of the body, and at the command of the brain, the eating operation is stopped immediately. The terms described about the Internet we use today are not true, but they are perfectly consistent with the concept of the Internet of Things.

Conditions in which information is collected by sensors and an appropriate command is issued. These findings are consistent with the study of Trnka et al. (2017). The findings of these researchers showed that the use of networks related to security firewalls is related to product delivery and familiarity of repair technicians with the type of data transfer and its security in the network. IoT can improve, optimize the equipment repair process. Moreover, automation of inspection equipment installed by digital monitors in the Internet of Things can increase the network's ability to improve information reading conditions and thus increase the health of the equipment, which can be a sign of the ability of the Internet.

Objects in communicating at all times with equipment and constant monitoring of their health at work. The findings of this study are consistent with the research of Markoska and Ivanochko (2018). Their findings show that the use of the Internet of Things will lead to more accurate and appropriate forecasting and decision making with respect to its use for office equipment automation. In industrial companies or organizations that use industrial equipment, the use of the Internet of Things can accurately track the status of production orders by industrial equipment and share this information with its customers through the automation of inspection equipment. They can also use the available data to accurately predict the time and manner of delivery of their shipments to customers. In this case, the advent of the Internet of Things as a tool to create industrial automation in any part of the industry will completely transform it. Despite this technology, planning will be accompanied by many changes in many industrial fields.

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## ORIGINAL PAPER

# Implications of modifying individual employment contracts in the light of current Romanian legal provisions

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**Abstract:**

Due to the dynamism and complexity of employment relationships, in the current context we are witnessing different situations, circumstances or new elements that may lead to the modification of the contractual clauses included in the individual employment contracts. The current labor legislation is quite permissive, which implies little to no restrictions regarding the mutual or unilateral modification of the individual employment contract with strict observance of the cases required by law. All these changes allowed by labor legislation are generated by certain socio-economic needs, better work organization and, last but not least, the evolution of society that is always changing and innovating. The legal institutions through which a unilateral modification of the individual employment contract can be made under legal conditions are delegation and secondment, which have substantial features that can generate special confusions in practice.

**Keywords:** *Employment contract; delegation; secondment.*

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## **Implications of modifying individual employment contracts in the light of current...**

### **1. Introductory aspects**

Along with other basic principles, the principle of job stability is the one which concerns the performance of the contract, which implies that the latter's modification and termination may occur in cases clearly set out by the legislator. The principle indicated above is a principle that governs labor relations in domestic law, while the principle that occupies a central place in international labor law is that of the sovereignty of states (Popescu, 2008a: 107-108). All these essential principles that concern both domestic law, but especially international labor law, have the role of guiding the whole issues concerning labor relations, which are in constant change due to the dynamism and complexity imposed by human relations in today's society.

The fundamental principles of international law have often inspired national laws that have taken over many principles such as the principle of freedom of labor, collective bargaining, freedom of association, fair pay, professional development, occupational safety, security and health at work (Popescu, 2008b:133).

The rules regarding the modification of the individual employment contract are presented in the Romanian labor legislation, more precisely article 41 of the Labor Code, which provides in par. 1 that „the individual employment contract can be modified only by agreement of the parties”. The same article from the normative act indicated above, but at par. 2, stipulates that, „as an exception, unilateral modification of the individual employment contract is possible only in the cases and under the conditions presented in the code. ”

Modification of the individual employment contract referred to in art. 41 para. 3 of the Romanian Labor Code, may refer to any of the following elements that represent in fact, essential clauses of the contract: duration of the contract, place of work, type of work, working conditions, salary, working time and rest time (Popescu, 2011:86).

In the specialized literature (Țop, 2018:301) it was circulated that the inadmissibility of the unilateral modification of the employment contract does not include non-essential elements, but only its essential, significant elements, namely the type of work, as determined by both professional qualification and function or profession entrusted, the place of work, which means the unit or locality, as well as the salary.

However, art. 48 of the Romanian Labor Code stipulates that the employer may temporarily change the place and type of work, without the consent of the employee, in case of force majeure, as a disciplinary sanction or as a measure to protect the employee.

At the same time, it was shown that „unilateral changes to the exact conditions of work are allowed ... only to the extent that they do not attract a substantial change (alteration) to the relationship between the parties."

Given that the unilateral modification of the individual employment contract is in principle prohibited, the only institutions through which this change can be made without bringing the slightest violation of the legal provisions in force are that of delegation and secondment of the employee. Through the two institutions, the amendment of the individual employment contract is a temporary, but not final one, and currently, the current labor legislation does not contain legal provisions resulting from any permanent institution that can unilaterally amend the individual employment contract.

The doctrine mentions a case of „definitive modification of the individual employment contract is the promotion, i.e. the permanent transfer of the employee to

another position superior to the one previously held, the essence of which is the change of work" (Țiclea, 2009:664).

The current labor codification does not contain legal provisions regarding the institution of the transfer as a way of modifying the individual employment contract that materializes through the final transfer from one unit to another of the employed person (Voiculescu, 2007:59).

The absence of legal provisions regarding the institution of the transfer was considered a legislative gap, given the importance of the transfer, as having been proved in many situations, as well as the fact that it is provided by special laws for several professional categories (teaching staff, doctors, magistrates, customs staff, civil servants, police officers) (Țiclea, 2005:296).

It was mentioned that „the institution of transfer can be used only if the special legislation expressly provides for such a modification of the individual employment contract, in other cases, the contract terminates by agreement between the employer and the employee, followed by the conclusion of a new employment contract between employee and new employer” (Țop, 2018:302).

Often, in practice, confusions have been created regarding the modification of the contract by altering the job description and in this sense in the literature (Țiclea, 2016:686) it was noted that changing the job by modifying the job description does not constitute a change of contract unless the nature of the work performed changes.

The factors that generate the change of the individual employment contracts are related to the better organization of work, to certain socio-economic needs, but also to some personal interests of the employees, and this change implies the transfer of the employee to another job or another activity temporarily or even permanently (Țiclea, 2016:683).

It should be noted that an individual employment contract is not a civil contract, but still a contract with all the specific features that fall within the scope of private law contracts. The characteristic features of the individual employment contract are clear, this being: a bilateral legal act, synallagmatic, onerous and commutative, consensual, intuitu personae and, last but not least, with successive execution act.

In the French legal literature, the individual employment contract is considered that contract by which a natural person (employee) undertakes to perform a job subordinated to a natural or legal person (employer) in exchange for remuneration (Auzero & Dockés, 2015:227).

For a better legal protection, the written form of such contracts is requested ad validitatem, and in accordance with the provisions of art. 1243 of the Romanian Civil Code, „if the law does not provide for this, any modification of the contract is subject to the formal conditions required by law at its conclusion." Thus, in the case of the individual employment contract, any change must be drafted in writing regardless of whether it is a bilateral or unilateral act of the employer.

The legal levers through which the employer can unilaterally change the workplace without the consent of the employee are: unilateral change of workplace as a result of delegation, unilateral change of workplace by secondment and unilateral change of workplace by temporary transfer to another job.

All these legal levers are the prerogative of the current codification which makes clear references to them, making them available to the employer who can use these institutions in good faith and in strict compliance with the legal provisions in force.

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### **2. Effects and specificity of the institution of delegation**

In the light of the legal provisions, in this case art. 43 of the Romanian Labor Code, it is stated that the institution of delegation is the temporary exercise, at the employer's disposal, by the employee, of works or tasks corresponding to duties outside his place of work.

Instead, in the literature it was noted that the delegation „presupposes the existence of a prior agreement between the employer and the unit to which the employee is sent ... an agreement that is not necessary if the unit to which the delegation is to be made is required by law to admit the presence of the delegated employee, or when it takes place in a subunit or own work formation” (Țiclea, 2014:667).

Delegation, as well as secondment, are tools that the legislator has created and made available to the employer for temporary use and in cases clearly provided by applicable law, specifying that the employee retains his position and all other rights provided in the individual work contract.

Nor should it be neglected that „judicial practice has correctly ruled that delegation as well as other acts ordered by the employer in the execution of individual employment contracts may also have a collective character ... a single decision to delegate several employees, but specified individually” (Ștefănescu, 2017:414).

In practice, there have been situations that can create confusion such as the circumstances in which the employer uses a decision to appoint vacant management positions, until they are filled by examination or competition, with a replacing employee, when the specialized literature stressed out that we are not in the presence of the delegation institution (Țiclea, 2016:688).

It was emphasized that „it is essential for the delegation that the place where it is performed is not the usual place of work” (Țiclea, 2012:667).

The institution of delegation does not produce many changes to the individual employment contract, so the only change involves a change of job, and other elements such as the length of working time cannot be changed by the effect of the delegation.

All rights of the employee arising from an individual employment contract concluded under the law must be strictly respected by the employer even during the delegation. Any abuse or bad faith violation of the legal provisions by the employer entails the rigors of the law.

The legislator regulated the temporary limits within which the delegation institution acts and according to the provisions of the labor code it is specified in art. 44 of the Romanian Labor Code the fact that this measure can be ordered for a period of maximum 60 calendar days in 12 months and can be extended for successive periods of maximum 60 calendar days, only with the consent of the employee.

In accordance with the provisions of art. 44 paragraph 2 of the Romanian Labor Code, the disciplinary sanctioning of the employee cannot intervene in the situation in which he refuses to extend the delegation measure.

As the disciplinary sanction cannot intervene as a result of the employee's refusal to extend the delegation, in the specialized literature was circulated the idea according to which „there are applicable by analogy the conditions imposed by art. 46 para. 3 in the case of secondment, namely that the refusal is only able to intervene only exceptionally and for good personal reasons” (Țiclea, 2014:666).

The current labor legislation is very clear regarding the period of time for which the delegation measure is instituted without appealing to the employee's consent, this

being of a maximum of 60 days, and the disposition of the delegation for a period longer than 60 days implicitly involves obtaining of the employee's consent (Moțiu, 2011:183).

If the employee cannot oppose the measure establishing the delegation, the measure being mandatory, being implemented by the need to carry out the employer's activity in good conditions, instead in the case the employer wishes to extend the measure beyond the legal term of 60 days, we are no more in the presence of a discretionary right and it must necessarily be appealed to the consent of the employee.

Exceptionally, there are also situations in which the consent of the employee is obligatorily required for both periods provided for the establishment of the delegation measure, respectively in the case of the magistrates, as art. 57 para. 3 and 6 of Law no. 303/2004 on the status of judges and prosecutors clearly requires the agreement for both periods, both for the first period of no more than 90 days in a year, but also for the extension of the first period by no more than 90 days. In this case, it is mandatory to obtain the consent of the judge, precisely in order not to violate the fundamental principle, that of the immovability of magistrates. Therefore, in a state governed by the rule of law and democracy, the immovability of judges is one of the basic pillars of the organization of justice. It should be emphasized that the fundamental law of the Romanian state refers in its content to the immovability of judges in the content of art. 125 par. 1 „the judges appointed by the President of Romania are irremovable, in accordance with the law. ”

The legal literature has provided practitioners with the method of calculating the 60 calendar day period that applies to the delegation institution and thus „the number of 60 calendar days is calculated from the calendar date on which the delegation measure is ordered, which again is calculated in proportion to the number of months remaining until the end of the calendar year, and the following year, the employer will have the first period of delegation in full. It is sufficient that, in relation to the calendar year, the employer to order the measure of delegation in compliance with the period of 60 calendar days, even if they do not flow consecutively, one after the other” (Top, 2018:304-305).

The institution of delegation does not only presuppose a link between the employer and the employee; it also implies the unit to which the employee is sent. Thus, a prior agreement is reached between the employer who sends the employee and the unit to which he is to carry out his activity, which contains provisions regarding the performance of work at the place of delegation, as well as the manner of its termination.

During the period in which the delegation measure acts, the employee falls under the legal employment relationship with the employer who delegated it, subordinating himself only to him, not to the unit to which he performs the delegation. At the same time, the employee retains his / her position, degree or professional level and the previous salary, and the disciplinary sanctions can be applied to the employee only by the unit that delegated him / her.

In accordance with Art. 44 para. 2 of the Romanian Labor Code, the delegated person has the right to the payment of transport and accommodation expenses, as well as to a delegation allowance.

At the same time, there must also be outlined the provisions of art. 55 letter a of the Government Decision no. 518/1995 according to which the Romanian personnel sent abroad for the accomplishment of some temporary missions receive, during the delegation and secondment, a delegation allowance composed of a daily amount, hereinafter referred to as daily allowance, in order to cover the food and other usual

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small expenses, as well as the cost of transport within the locality in which it operates and, at the same time, a daily amount, hereinafter referred to as accommodation allowance, within which the staff must cover their accommodation expenses. Accommodation expenses mean, in addition to the rates or rent paid, any local taxes, as well as the cost of breakfast, when included in the rate.

It was of interest to practitioners whether the employee has the legal possibility to appeal to the court, and the literature came to their aid and stated that „only in terms of the legality of the measure, the opportunity to delegate cannot be censored, as it is an attribute of the employer, for a good organization of work” (Gheorghie, 2015:188).

In the event that the employee has caused damage to the unit to which he has been delegated, the patrimonial liability cannot be directly established, but the unit that has been harmed will have the legal possibility to go against the one who delegated the employee with an action in damages for the full or partial coverage of his damage, and in his turn the unit that ordered the measure of delegation will regress against its own employee, according to art. 253 of the Labor Code (Ștefănescu, 2017:416).

In the literature it was noted that „if there is no contractual relationship, the unit damaged by the employee will be able, according to tortious civil liability, to seek compensation in court, either from the employer (as principal) who ordered the delegation, either from the delegated employee, or in solidarity from both” (Popescu, 2011:87).

It was also noted that in both cases the damage must have been caused by the employee in the performance of duties or in connection with them, otherwise his liability will be incurred exclusively on the basis of civil law (Top, 2018:306).

Considering the fact that the current codification does not distinguish between the delegation on the Romanian territory or abroad, the institution of the delegation can be constituted for the same period, with the possibility of extension from 60 to 60 days with the employee's consent. In this situation, too, the employee's refusal to extend the delegation cannot entail the application of disciplinary sanctions.

The delegation shall cease in the following cases: at the expiry of the period until which it was ordered, after the execution of the works or the performance of the tasks which were the subject of the delegation, by revoking the measure by the employer, by termination of the employment contract by the delegated person (Țiclea, 2016:690).

### **3. Effects and specificity of the secondment institution**

Pursuant to art. 45 of the Romanian Labor Code, secondment is the act which provides for the temporary change of job at the disposal of the employer, to another employer, in order to perform work in his interest.

According to the provisions of art. 88-100 of the Labor Code, a secondment, but with a special character, can also be considered work through a temporary work agent.

The doctrine noted that „the secondment is not arranged within the same unit, from one subunit to another, or from one post to another, but in order to take this measure it is necessary to have an express request from a unit other than the one in which the employee is working” (Țiclea, 2016:691).

At the same time, from the aspect of the legal nature, „secondment can be seen as a partial and temporary assignment of the individual employment contract, accompanied by the retrocession clause” (Panainte, 2017:124).

The Romanian labor legislation specifies in art. 46 the fact that the institution of secondment may be ordered for a period not exceeding one year, and only exceptionally, the period of secondment may be extended for objective reasons requiring the presence of the employee at the employer at which the secondment was ordered, with the agreement of both parties, by successive periods of 6 months. Given that the measure of secondment is materialized in a mandatory provision for the employee, any unfounded refusal by him to implement this instrument may entail the application of disciplinary sanctions, including the most severe of these, consisting in the termination of the employment contract.

It should be emphasized that the labor legislation does not indicate in its articles what would be the solid personal reasons for which the employee can refuse his secondment to another employer, instead Law no. 188/1999 on the status of civil servants provides in art. 89 paragraph 3 which are the solid personal reasons, these being the state of pregnancy, the circumstance of the employees raising their minor children alone, the precarious state of health proven with a medical certificate, the situation in which the secondment takes place in another locality accommodation, the situation in which the employee is the sole breadwinner and, last but not least, good family reasons. Thus, the High Court of Cassation and Justice, the administrative and fiscal contentious section, by decision no. 1135/2012 ruled that the advanced age of the parents in the care of the employee, justifies the refusal of the civil servant to comply with the measure, the secondment order being illegal, adopted with excess of power.

It was also noted by the legal literature that „an individual employment contract being executed simultaneously with the one for which the secondment is ordered is a good personal reason for the employee to refuse the secondment in another locality" (Popescu, 2017:68).

In accordance with the provisions of art. 46 para. 4 of the Labor Code, the seconded employee has the right to the payment of transport and accommodation expenses, as well as to a secondment allowance, under the conditions provided by law or by the applicable collective labor contract. The granting of these rights regulated by the labor legislation is instituted in charge of the employer to whom the secondment was ordered according to art. 47 paragraph 1 of the Labor Code.

The doctrine has clearly indicated that, „only for the first period, for a maximum of one year, it is a mandatory unilateral measure ... subsequently, for an extension, its agreement is mandatory" (Ștefănescu, 2017:417).

The measure of secondment is limited in time, with the possibility to be extended every 6 months, according to the legal provisions in force, without any restrictions, if there is, of course, the agreement of both parties. The legal literature has shown that the wording of the law is ambiguous, leaving room for interpretation and thus must take into account the agreement of the two employers on the one hand, the one who ordered the secondment and the one who is the direct beneficiary of the secondment, and on the other, we have the employee who has to express a valid and undefeated agreement to accept the undertaken measure (Țiclea, 2016:692).

In the case of magistrates, art. 58 par. 1 and 2 of Law no. 303/2004 on the Statute of Judges and Prosecutors provides that the secondment may be ordered only with their written consent for a period of between 6 months and 3 years, and may be extended for a period of up to 3 years, once. It should be noted that both in order to order the measure and in its extension, the written consent of the magistrate is imperative,

## **Implications of modifying individual employment contracts in the light of current...**

precisely in order not to violate a basic principle, that of the irremovability of magistrates.

The secondment measure is generated due to the express request made by a unit other than the one where the employee is employed. During the secondment, the employee carries out his activity based on the secondment decision issued by the employer who seconds him, at the request of the employer to which he is seconded.

According to the provisions of art. 47 para. 3 and 4 of the Labor Code, the seconding employer has the obligation to take all necessary measures so that the employer to whom the secondment was ordered fulfills in full and on time all the obligations towards the seconded employee, otherwise, ie if the latter does not fulfill in full and on time all the obligations towards the seconded employee, they will be fulfilled by the employer who ordered the secondment.

In order to further increase the legal security at work of the seconded employee, the current codification of work provided in art. 47 para. 5 the fact that in case of divergence between the two employers, or in case neither of them fulfills its legal obligations, the seconded employee has the right to return to his workplace from the employer who seconded him, the right to go against either of the two employers and the right to demand enforcement of unfulfilled obligations.

Like any institution regarding employment relationships, the measure of secondment must be ordered by the employer within and in strict compliance with the rigors of the legislation in force. If the legal provisions are not taken into account or are violated in bad faith, the measure of secondment falls under the sanction of nullity, which may be total or partial. The nullity is total in the situation in which by violating or disregarding the law the secondment is impossible to carry out, and the nullity is partial if after the removal of the illegal clause, the secondment can be executed at least in part under legal conditions.

If the current labor legislation does not regulate the cases of termination of secondment, instead the legal literature paints the picture of these circumstances that determine „termination of secondment as an effect of termination of a previous secondment, death of the assignee employer, termination of employment, abolition of the position held by the employee at assignee employer, the dissolution of the assignee employer legal entity” (Lipscanu, 2013:119-120).

Another circumstance that determines the termination of the secondment is that the employer where the seconded employee works unilaterally applies the provisions regarding the termination of the individual employment contract or if he inserts other duties in the job description, without being related to the type of his work. Such a measure has as implications only the termination of the secondment, without affecting in one way or another the individual employment contract (Țiclea, 2016:695).

The legal literature has contained important clarifications of a special nature in connection with the termination of secondment as a result of the termination of employment:

-if the individual employment contract is to be terminated for objective reasons (dissolution of the original employer, reintegration of the predecessor), the seconded employee may conclude with the employer where he actually works a new contract.

-when the employee does not accept such a solution for his situation, the employer to which he belongs is obliged to offer him another job corresponding to his professional training or to take measures for his requalification (Țiclea, 2016:695).

It has been shown in the legal literature that „both the application of the disciplinary sanction (for the offense committed at the unit where the secondment was ordered) and its cancellation (if the secondment lasted uninterruptedly for at least 12 months), belong to the employer of the unit to which the offence was committed, and not to the employer who, under the Labor Code, ordered the secondment.

As such, the written decision (by which the unit to which the secondment took place disposed the cancellation of the sanction) is kept in the personal file of the existing employee at the latter unit” (Beligrădean, 2012:143).

#### **4.Conclusions**

Both the delegation and the secondment, as unilateral dispositions of the employer, are materialized in a written act ad validitatem as a consecration of the symmetry of the forms of legal acts (Brezeanu, 2017:134).

The decision to unilaterally amend the individual employment contract must be issued by the employer in compliance with the mandatory provisions contained in the Labor Code, namely to comply, under penalty of nullity, the period in which the measure can be ordered, 60 days in 12 months in case of delegation, respectively one year in case of secondment, to obtain the employee's consent in case of extension of delegation or secondment, to grant the employee the rights corresponding to the expenses of transport, accommodation, as well as granting a delegation allowance, respectively secondment allowances (Brezeanu, 2017:132).

In conclusion, there are fundamental differences between the two institutions regarding the change of the workplace, which make them individualize and delimit each other. Thus, the secondment measure involves a temporary transfer of the employee in question from the unit where he is employed, his employment contract being suspended, which is not implied by the delegation measure. Unlike delegation, secondment consists of temporarily assigning the employee to the unit where he is seconded, in which there must be a vacancy.

A substantial difference between the two instruments is that in the case of secondment the prerogative of applying disciplinary sanctions rests within the unit where the employee is seconded, and the most severe of the sanctions, that of termination of the employment contract, can be applied only with the consent of the unit that took the secondment measure.

In conclusion, any breach of the legal provisions in force once the secondment or delegation measures have been ordered entails the incidence of total or partial nullity, depending on the nature of the infringed interest, which means that the institution concerned has no legal effect.

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## ORIGINAL PAPER

# A Look at Communism and Democracy in Octavian Paler's "Question Time"

Cristina-Eugenia Burtea-Cioroianu<sup>1)</sup>

### Abstract:

This article summarizes the post-communist period after 1989 through the work *Question Time*, by Octavian Paler and his vision of the Romanian political scene after the revolution. *Question Time* is a collection of articles from "Free Romania" between 1990-1994, where you can feel the gloomy, negative attitude of Palerian journalism that has penetrated the pages of this book. In *Question Time* are true layouts of the pamphleteering spirit of Octavian Paler, who knew how to combine erudition with critical spirit in his work as a journalist. The disappointment caused by the state of the nation in the years following the revolution, when the political scene was invaded by demagogues and the same characters who had raised the dictator's oshanas is more evident in this work *Question Time* than in others. The writer also offers a look at communism and democracy by addressing topics still current in the Romanian political landscape, such as the post-communist evolution of Romania and the critique of the West as a consumerist, cynical and amoral world. The journalist Octavian Paler fully demonstrated in his articles the quality of a man of culture through firm positions and the originality of his points of view, in connection with some of the thorny issues of the Romanian political and cultural life of the last century and a half.

**Keywords:** *democracy; journalism; Octavian Paler; post-communism; revolution.*

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## A Look at Communism and Democracy in Octavian Paler's "Question Time"

### Introduction

The political article inaugurated in the evolution of the press a new type of discourse, that represents the immediate expression of the political forces and interests present within the society. The political article gives a sense to the present events, integrating them into the discourse and it has a double role: to inform and to convince the public opinion. Octavian Paler is endowed with a real polemic talent and a skilled vocation for the political journalism, directing his critical attention to: "(...) corrupt politicians belonging to various political parties, those that grew rich during the period of transition, the people of the old regime who set up in business or in the parliamentary life," (DGLR, 2006: 21) with the intention to outline a moral chronicle of the political life. Extending over more than a decade, Octavian Paler's articles offer not only a dynamic image of the social and political life, as well as of the political forces in our country and abroad, but they reflect at the same time, both by the implicit comparison that can be established and the direct comments that they comprehend, the argumentative stylistic level elaborated by the Romanian journalists and their position to the public opinion.

Octavian Paler's writings reflect the whole, leaving the impression of global continuity. Thus, the volumes published after 1989 are more and more intensely subjective, embodying a disappointed meditation on the world and life: "I only want to be a writer that comes out of his solitude, from time to time, in order to speak up his mind." The somber, negativist attitude from his published articles also penetrated into the books entitled: *Don Quixote in the East* (1994) and *Question Time* (1995), authentic writings of the pamphletary spirit.

Octavian Paler's periodical publications are characterized, in the last two years, by two central themes, also approached in this volume, namely: the total repudiation, from the perspective of an "enlightened nationalism," of the post-Communist evolution of Romania, generating the black prophecy of our imminent dissolution as a nation and the stylistically elegant, but actually nationalist criticism of the Occident as a communist, cynic, amoral world, bringing about its violent critiques against the supporters of our "synchronization" with the civilized world and those of the Euro-Atlantic integration of Romania, unmasked as "nowhere Europeans."

According to Monica Lovinescu, one of the most appreciated voices of "our frail democracy" – is Octavian Paler, who, together with such writers as Gabriela Adameşteanu, Mircea Mihăieş, Ileana Mălăncioiu, Rodica Palade, etc., converted himself to the journalism. Octavian Paler is a distinct voice of the Romanian press. Mass media represented an important chapter of his career. The regular editing of an important article, on the front page of a daily newspaper is not an easy thing to do, as it involves prompt and qualitative pieces of information, style, a certain easiness while writing, as well as a good knowledge of the political context where the events take place, capacity of synthesis and analysis, an associative power and even a certain visionary spirit. The editorials do not essentially display the concrete fact, the pieces of news exactly as they were obtained, but rather their hidden significations, the wheels within wheels, the subtext and their consequences on the civil society. The editorialist must form prognostics, make remarks upon an event, that are sometimes opposed to the common opinion, in a spontaneous phrasing, without long reflections, as after having finished an editorial, the columnist immediately starts thinking about the next.

Obeying the journalistic rigors, Octavian Paler manifests himself as an assiduous commentator of the daily facts, being a “recorder” of a certain reality. When Octavian Paler appears in the arena of journalism, he is an already shaped pen, knowing how to engage into a dialogue with the reader, with the real fact, facing history intuitively. Launched into a permanent conflict with himself, but especially with the prejudices manifested by the others, he was going to be, after December 1989, a fighter for the unmasking of the political games, of the social reality or of the cultural events. A passionate polemicist, he often argued, at the level of ideas, with his colleagues or with the political personalities of the times. Journalism is for Octavian Paler more than a *modus vivendi*, approving Camil Petrescu’s statement, that: “You write with your blood and nerves, or you do not write at all” (Popa, 2005: 12).

Thus, after 1989, the writer Octavian Paler shaped an authentic journalistic work, as important and valuable as his literary work. The essayist that put on the coat of the journalist tries to pierce the mediatic curtain, the bright interface between the real world and its image reshaped, in order to reach the primary meaning of the daily events. The attention is distributed, whereas the objective’s movement is circular, panning a reality that had broken free from the strait jacket of communism. If the Romanian world seems – and it is – after 1989 released from “prison,” then it found in Octavian Paler the ideal observer and commentator.

The disappointment generated by the state of nation during the years following the Revolution, when the political scene was invaded by demagogues and the same characters that had praised the dictator, is more evident in *Question Time* (1995), subtitled expressively *The Moral Chronicle of a Time Sick and Tired of the Morals*: “In those times, I still believed that this period that we euphemistically call «period of transition», is just «weary of» the morals. Meanwhile, the moral aspect has become not only a caprice, it is considered to be a stupidity. Who cares about the morals today? The dreamers, the idealists risk to become a sect” (Oprea, 2001: 129).

### **The idea of communism and democracy in the work of Octavian Paler’s “Question Time”**

Similar to *Don Quixote in the East*, *Question Time* reveals especially the dubitative consistency of the spirit, the author’s inventiveness with respect to the intellectual changes. They are part of the writer’s existence, being as real and as haunting as the issues of the current circumstances, that the publicist Octavian Paler continuously tries to elucidate: in the press, on TV, on the radio called “Europa Liberă” (Ciobanu, 1999: 191). This part of the essayist’s activity has recently acquired a synthetic expression in the volume entitled *Question Time*, a selection of articles, a collage of interviews and confessions published in the press, (especially in “România liberă”). It is an atypical book for Paler, less influential, less intense for those familiarized with his essays, looking like an essay book to read, lacking profoundness and relying more on the narration of the events the author took part in. However, the book’s structure is really interesting. In *Question Time*, there are fragments from several articles published by Paler, especially in “România Liberă,” between 1990 and 1994. Each of these fragments is complemented by several comments added a few years later, when the author wrote the book, that is in 1995. We can thus easily notice the difference between the way he used to see things then, exactly after the 1989 revolution and his view in 1995, much more clear, more concrete, but hopeless.

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The merit of the polemicist condemned to cordiality consists in the sincere and responsible approach to the post-Decembrist phenomenon, when the political scene was imbued with demagogues and sycophants that had worshipped the dictator, of course, within the limits of the logical reasoning: "(...) I was convinced that I was experiencing a national revival (...) the post-revolutionary history started not only with a Stalinist process. It started with a series of lies" (Paler, 1995: 9-10). "The writer avoids to imagine that he owns the absolute truth and he contents himself with *asking questions*, shaping thus «a chronicle of the questions concerned with this period»" (Oprea, 2001: 119). Octavian Paler does not pretend to be "an analyst" with scientific presences, but only "an emotional individual" who thinks with his heart, defending himself against passionate despairs, ranging among "(...) the Romanian intellectuals that, in the absence of any qualities specific to the professional politicians, felt the need, after the Revolution, «to make» politics. We put the books aside and we broke in the field of the press. (...) My political ideas have always been and they still are approximate." (Paler, 1995: 139).

Disappointed by a Romania of transition, Paler feels like experiencing a nightmare, where "(...) nobody defends anybody and nobody accuses oneself. Everybody throws the blame on everybody" (Paler, 1995: 12) and where despair take the forms of hatred. More than a dream haunted by the ghosts of the past, these putrid times are perceived by the author as coming out of a Post-Communist box of Pandora, where discord, hatred, envy, slander, defamation, gossip, corruption, stupidity, etc. had been crowded: "(...) the 1989 Revolution broke Pandora's box. The evil inside ourselves was set free. It seems like we got out of a dictatorship to get into a multitude of dictatorships. Wherever I look, I am faced with small annoying prejudices, that run counter to one another. A stranger that does not know us and would judge us superficially, would say that a dictator was dwelling inside each victim, waiting to be set free, in order to manifest." (Paler, 1995: 15).

The fear experienced during the Communist period, is back, under another form: "Somebody writes to me, confessing that his life's obsession was fear (...) «Now, after the moments of initial euphoria, I am again seized with fear». Me, too." (Paler, 1995: 15). The writer witnesses a grotesque, post-revolutionary show, where we are confronted with a real demythization and desacralization of the public space: "It is not only vices and flaws that come out of Pandora's box, but also linguistic codes, aberrant slogans, that Octavian Paler mentions meticulously: «Death to the intellectuals!», «We work, we do not think», «We do not sell our country!»" (Paler, 1995: 29). Pandora's box turns into a kind of outlet good for everything, a blender, from which all the bad deeds come out and where negatively recycled symbols penetrate for a short period: this is the case of Timișoara, cursed by the first chosen Parliament, for its reactions against the National Salvation Front and Ion Iliescu" (Cesereanu, 1999: 68).

In a world that "is not made for the idealists" (Paler, 1995: 16), the one that has always fed on illusions, cannot perceive reality other than distortedly, whereas the intuition of truth is that of a sudden awakening from one's own sleep: "That moment, I felt like somebody lifted a veil off my eyes and I suddenly woke, deprived of the euphoria I had experienced ever since Ceaușescu's escape" (Paler, 1995: 16). Fear, infiltrated like a water infiltrated into the groundwater of my consciousness becomes a constant of the manifestations on the political stage of post-Decembrist Romania: "I fear the elections will be fraudulent, although the votes will be correctly counted. This is where the main cause of the bitterness I was seized with, lies." (Paler, 1995: 21); "(...)"

large groups of honest people feel they are in danger, without any personal reason. (...) Do the revolutions aim at instaurating fear again?” (Paler, 1995: 39); “I had been afraid of the communists’ protectors during Ceaușescu’s regime. Now I was seized with a new fear. I had come to fear some of the people I had used to feel solidarity with!” (Paler, 1995: 58); “«The political fear» had been replaced with the «economic fear»” (Paler, 1995: 233).

All the socio-political vices remain closed in the same box, that may be painted with a different colour and that may not need to be phonically isolated: “On the 22nd of December, (...) the Romanian society remained the prisoner of the mentalities, inertias, morals, inhibitions established and proliferated during the dictatorship” (Paler, 1995: 53). Still dominated by a “revolutionary romanticism,” as, “(...) the drug had long-term effects” (Paler, 1995: 11), the signs of an explicit doubt make their presence felt in the journalist’s articles, written in the middle of January 1990. *The illusions ended after a month*, for the one that transforms from the defender of the National Salvation Front into a fervent supporter of a justice that lies somewhere between the tracks of the Revolution tanks: “The current leaders of the National Salvation Front came in the void of power to make possible the annihilation of the rearguard actions, of the elements still faithful to the fallen dictatorship (...) Nobody speculated then that the national Salvation Front improvised maelstrom of events, was going to consider itself to be, after only a month, a movement (...) the organization of a big number of people in order to support an idea, a common aim. What kind of common idea could share an eclectic, hybrid formation, where former dissidents rub shoulders with former privileged individuals of the former regime?” (Paler, 1995: 18). The same initial error of perception is also demonstrated by the journalist in the outlining of several political leaders, suggesting a certain naivety grafted on a still fertile soil of ideology: “Compared to other activists, Iliescu had made an impression on me, he seemed to be an open spirit. I thought his Marxist blockage was related to epoch’s conventions. Suddenly, I discovered a totally different character, keen on power and marked by ideological obsessions” (Paler, 1995: 25).

The ambiguous time of post-Communism, when, “(...) I inevitably debated on politics with everyone I met” (Paler, 1995: 26), is a time of chaos, where the values and the nonsense, the meaningless things combine, giving shape to monstrous hybrids, unrecognizable by the one used with ancient thinking: “We live our lives in an atmosphere overflowing with political passions, that turns even the taciturn ones into jabberers, inflaming the most reasonable spirits. However, instead of setting things clear, we muddle them together, being stricken with fear, or at least this is how I feel. In my opinion, the value we need most, namely the national solidarity, crumbles, making way for a kind of war of everybody against everybody” (Paler, 1995: 27). We seem to be a nation unable to experience freedom, that is not skillful at discovering and exploiting, being maybe too familiar with the totalitarian monologue and losing our power of judging things logically: “Maybe the euphoria of freedom did not find us ready. We have suddenly penetrated from a period of silence into a chaotic, agitated one. We are still confused by this change. We have become overexcited, uncontrolled and even insupportable sometimes. (...) Nobody trusts anybody” (Paler, 1995: 27); “Freedom has become almost a risk” (Paler, 1995: 61); “For an authentic European, freedom cannot exist in the absence of the individual’s freedom, such as happiness, as an aspiration, cannot be conceived in the absence of concrete happiness. Or, what are the principles we have grown up with? We have been told that the individual is a simple screw within an

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economic system and we have been repeated over 45 years that the system is always right (...)" (Paler, 1995: 75-76).

From the antithetic, communism/post-communism presentation, made by the writer, post-Communism is severely criticized, difficult to be situated between the barriers of commonsense or those of the real values: "Communism was a time of masks. Post-Communism is a time when the masks come off. Communism was a blocked history, a kind of end of the history. Post-Communism is a history when public fuss reigns." (Paler, 1995: 289). The fall of the masks shaped under the communism, did not clean the fearful faces, but an excessive make-up, an overlap between the old and the already existing layers, bringing about "a social vulgarization: " Post-communism (...) is a time of doing away with fear, but also a time of the values' debasement; of doing away with «the law of the whip» and with the anarchical tendencies; it is a time when people no longer stand in fear of the authorities, but also a time of the authority crisis; of being alive to things again, but also of the troubled waters; of doing away with the historical blockage, but also of confusions. The feeling of having lived in fear of one's life is replaced with the anguishing feeling that you do not know what to do with your freedom. The fear of not finding anything from what you need is replaced with the fear of prices" (Paler, 1995: 288).

The misunderstood freedom becomes recognizable in the state of those who believe that they are allowed to do anything they want and they exhibit on the stands laid as in a flea market, their real characters, deprived of principles and virtues: "at the same time, post-communism is a time of overindulgences, of excesses. The louts become even more aggressive, after having given up to some mandatory hypocrisies. Those with unjustified ambitions become even more resentful, emitted. (...) The demagogues are more daring and proud than ever. Finally, they are no longer forced to take anything into account. The shy people rushed into the shops to buy pornographic magazines. The louts come on a straight shoot. (...) those good at jockeying for position strive to achieve their aims nonchalantly, without trying to have an anchor to windward" (Paler, 1995: 288-289); "«The socialism of nullities» is mixed with a kind of «capitalism of the louts»" (Paler, 1995: 207).

An article written by a French journalist Jean François Revel, where "the fall of communism was compared to an atomic catastrophe, that renders the soil uncultivable for a long time" (Paler, 1995: 248), gives the writer the feeling that that "we are rather part of an «anti-history», where everything is upside-down. The so-called «nationalists» (...) brought the national feeling into disrepute. The Ministry of Justice (...) infamized Justice, by its deeds. The anti-corruption Commission of the Parliament proved itself to be corrupt" (Paler, 1995: 248) and there, "Almost anything had become possible, with respect to perplexities." (Paler, 1995: 249). In such a country, we can explain the association of corruption with the "sacred cows" of India. Furthermore, the Romanian politician does not care at all about the Horatian *est modus in rebus* (there is a measure in everything): "In our country, «there is a measure in all things» can be translated as it follows: (...) if you steal millions, if you resort to influence peddling at Victoria Palace or in one of the Power's centers, you will obtain immunity. (...) Over «certain limits», the illegal acts do not involve any dangers anymore, as then, the principle of the «sacred cows»" steps into the picture (Paler, 1995: 239-240).

Gradually, the 1989 Revolution itself turns into a "cocotte wearing a strident make-up" (Paler, 1995: 77), being only a "a bloody show of the masks (...) *A Lie as Big as the Century*," (Paler, 1995: 69) according to the press correspondent of the Romanian

events, Michel Castex. Everything puts on the coat of charade, of clowning, leaving us the bad taste of a “missed naivety” and of a “ridiculed idealism” (Paler, 1995: 105). The phenomenon University Square disunited, embittered the population, dividing the Romanians into «rascals» and the rest, (the Power and those magnetized by it) and envenomed the human relations, leading them to paroxysm. Being among the few people that still feel the echo of fraternization experienced during the revolution, that eternal moment of solidarity, the author states: “This may be the reason why I have always remembered «the phenomenon called University Square». The reassuring solidarity that I experienced during the memorable nights in the University Square was like a beautiful wound. I missed it sometimes” (Paler, 1995: 105).

Paler’s assiduity within the political sphere is debatable, all the more so as his leftist or rightist options are not clearly rendered: “as far as I am concerned, I would paraphrase one of Petre Țuțea’s statements and I would declare that I am a monarchist out of pride. I like more to be guided by a king able to address me by the grace of God, than by a president, especially if he is a free-thinker. However, this is my option. I do not pretend anybody to judge things as myself” (Paler, 1995: 229). Beyond this permanent need of the journalist to reorder the ideas on one path or another, Octavian Paler’s polemics was indeed necessary in a period of questions and always unsatisfactory answers. Being among the intellectuals that did not want to be marginalized after the 1989 Revolution, Octavian Paler asserts his need to be listened to and to share and impose his ideas subjected to the rigorous filter of the moral: “I only want to be a writer that comes out of his solitude, from time to time, in order to speak up his mind” (Paler, 1995: 186).

The political sphere is also experienced in the street, in the dust of the suburbs, that landed on the imperceptible culture of value: “A suburbanite in a peripheral district can be picturesque. A suburbanite in the politics makes you sit up and take notice. What will happen if such essential ideas as democracy or constitutional state are introduced into the suburb? (...) Will we all turn into suburbanites? Will we live under the dictatorship of the suburb? (...) Culture is dealt with indifferently, that helps the meaningless things, tastelessness and inelegance gain momentum, annihilating, similar to a dirty tide, the values. Instead of evolving, of progressing from bad to better, from immorality to morality, from injustice to justice, we witness a dangerous ruination of hopes. We grow ever more poor, while the suburb «flourishes» freely” (Paler, 1995: 182). Wherever we look on the social or the cultural stage, “practically, everybody makes politics (...)” (Paler, 1995: 224-225), but, “in a country that seems to have grown weary of politics, intoxicated, haunted by politics, there is (...) no real political power, in the full and classical meaning of the word” (Paler, 1995: 217).

The portraits of the politicians that parade in front of the voters during the electoral campaigns, are outlined by a master in the art concerned with the encapsulation of the nuances and the final retouch of the potential inaccurate depictions. Thus, Ion Iliescu is obsessively mentioned in the author’s comments: “Iliescu has a natural advantage precisely in his affable, smiling mediocrity, not deprived of a certain amiability. He can easily find the path to the mind of the people that got familiar with the «wooden language», and that do not understand the subtle lingo of the intellectuals” (Paler, 1995: 154); “(...) Ion Iliescu remains, I would say only a consequent and ambitious Marxist that made the most of a favorable moment and that strives, alternating the blunders with the ideological obsessions, to defend the ideals of his youth against the history and interests of the Romanian nation (...)” (Paler, 1995: 175).



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Because of the ideality he cultivates, the writer refuses to be "realistic," in the official meaning of the word, he refuses to "relativize" his appreciations in relation to the situation of Romania: "I did not feel at home in the political quarreling (...) I felt journalism as a waste that kept me away from the books and other preoccupations, dear to me, for hours. However, I just did not feel able to give up (...) and I did not want to live in an ivory tower, to carry forward the tranquility displayed by some intellectuals while parading around Cotroceni palace" (Paler, 1995: 81).

Octavian Paler continues to fight tirelessly, manifesting a firm assiduity, a defiance of dangers, by the passionate support of some abstract values, without pretending anybody "to think as I think. "The elegance of Octavian Paler's style contributes to a great extent to the writer's periodical publications. An incorruptible elegance, independent of the circumstances, doubled by the intolerant, outspoken character of his opinions. However, even when he boils with rage, or when he addresses some immobile adversaries, the writer maintains the attitude of an excellent creator" (Ștefănescu, 1995: 6). We must also notice that during such moments, he becomes more elevated, as if he wanted to distance himself from those aimed at in his polemic: "One of the victories of the 1989 Revolution, that was not affected, similar to other successes, is the liberalization of stupidity. Nothing prevents stupidity from manifesting itself with all its resources, in its entire sordid splendor, as our politicians demonstrate us by means of conspicuous proofs" (Paler, 1995: 241-242).

A survey of the Romanian exile gives rise to the possibility to find a solution necessary to heal the non-cicatrized wounds of the past: "Those who would like to resume the thread of history from where it was torn, risks not to take into account one evident thing: half a century of disgraces, does not elapse without leaving any traces. (...) Despite all of our sins, of those «under the governance of times», let us tell you that the hope of a normal Romania does not lie in your estrangement or in your resentments, but in their elimination" (Paler, 1995: 331).

Throughout this book, we witness repetitively the spectacle of a society broken down by the years of communism and destroyed from the inside by the demons of a misunderstood democracy. According to Sartre, "It is not important what history makes of us, but we make of what history makes of us!" (Paler, 1995: 269).

The journalist Octavian Paler demonstrated by the published articles his value as a scholar, by taking firm stands and by the originality of his points of view, with respect to some of the thorny issues of the Romanian political and cultural life from the past century: "My duty is to be right, but our profession relies on searching for the truth together," as: "To think freely is great thing, but to think rightly is greater." (A slogan engraved in golden letters above the entrance to the Grand Auditorium of the University Main Building in Uppsala) (Paler, 1994: 138).

Manifesting his liberal spirit in the Romanian press for more than three decades, the journalist cannot remain indifferent to what is happening around him. As he was stating in an interview, he is interested in the society's issues, taking into account the fact that: "(...) journalism is my public side that I could justify by the need to communicate, to explain myself." Octavian Paler detests the event, living rather in obsolescence, because it is here that the essential actually exists and because the contemporary world is controlled by the post-cultural evolution, of the domination of pragmatism.

His speculations and essayism are developed at a level different from the one of the concrete politics: "I have never really considered myself to be a journalist. I do

understand why Paul Valery once said: «I detest the event». As a matter of fact, I spent most of my years in the field of journalism at the cultural editorial board of the Radio (...) and then in 1970, I started to work at «România liberă». What really affected me during those years, was the deep rupture within myself. For a while, I fed on two illusions: that we can turn bad things into good things and that we must remain pure in a dirty history. Then, these illusions started to crumble. I have never written anything I am now ashamed of. There is not one single line I would like to burn (...)» (Diaconescu, 1998: 17-18).

Octavian Paler's articles are not only "cordial polemics, they are also impeccably formulated, precisely articulated, clearly elegant, in the spirit of A. E. Baconsky, the famous essayist from «Dilema». (...) Octavian Paler writes without neglecting the historical and historical aspects, manifesting a deep interest in ourselves, in himself, in what comforts or causes pain nowadays." (Raicu, 1994: 408-409).

The journalist is a refined aesthete, impressed by the tragedies of the contemporary world, his esthetic consciousness being doubled by a moral one: "I cannot get off the idea according to which the moral can still play a role, even a minor one, in the political life. This is why I did not give up on journalism, although I wanted to do that many times. (...) I would rather speak up my mind, tell what I feel and avoid thus the risk of being a party to the bad things by indifference or detachment (...) as, (...) here, in the East, everything turned into politics, including real or dissimulated disgust of politics (...)» (Stănescu, 1996: 163).

### **Conclusions**

The polemic in his articles is characterized by a certain lucid skepticism. The obloquy is associated with a filtered expression, the discrete tone is preferred to clamor and the reflection of stupidity and immorality of the post-decembrist society is preferred to irony. We cannot analyze his post-Decembrist articles, without noticing at every turn the facets of an always lively lucidity, in different areas of journalism: art, philosophy, politics, social, moral, etc. By the approach to general issues, reflected in our common existence, Octavian Paler sets forth in a natural, "classical" voice, uncomfortable truths that deal with the incontestable guilt, the ordinary cowardice, searching thus for certain incandescent nuclei of actuality, the morally controversial toposes. "A shaper" of matters of conscience, of "issues," Octavian Paler perfectly fits an environment of violent contrasts, carrying out a systematic, penetrating analysis, without any kind of concessions, of the awkward reality. The reflection often begins in the case of Octavian Paler directly from the observation. Sometimes reflection alternates with observation, stimulating the ethical thinking and consciousness of the reader: "From now on, my destiny is only one: to say that the white colour is white, of course, if I see it white" (Iorgulescu, 1982: 13).

Octavian Paler is characterized by an impulse of communication, as well as by the trust in words. He is actually a "Don Quixote" of the need to express himself by a harsh criticism, by the oratorical eloquence and the pathos of argumentations and persuasion assumed primarily as a moral state of existence. The writer, the essayist, the journalist Octavian Paler finally remains a moralist intransigent at the social level, a skilled rhetor, doubled by a subtle stylist at the literary level, an incurable skeptic and a structural pessimist at the level of personal psychology.

Retrospectively, Octavian Paler's entire work is an uninterrupted diary, in whose mirror the writer's personality is reflected, not with a view to admiring himself narcissistically, but to getting an in-depth knowledge of himself. Octavian Paler will

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always step through the time of our memory, even if: "Time stopped to elapse through the hourglass, as the hourglass itself ceased to exist" (Paler, 1974: 113).

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## ORIGINAL PAPER

# A case of historiographical contradiction: Communist Romania's 1975 anniversary of Michael the Brave's Unification

Andrei Cosmin Popa<sup>1)</sup>

### Abstract:

Anniversaries dedicated to historical events from Romania's history were a regular phenomenon during the years Nicolae Ceaușescu was in power. This was a particularity due to the fact that the Romanian Communist Party (PCR) wanted to gain national legitimacy, which it lacked due to its seizing of power with Soviet aid. One of these celebrated events was the 375 years anniversary of the Unification of 1600, which took place in 1975. It was organized due to the fact that the Communist regime deemed Michael the Brave as the most important figure of its cult of heroes. He gained such an image because of his accomplishment of national unification. This accomplishment was in line with party policy, which promoted the "national unity myth" which stated that throughout history, the Romanians from Wallachia, Moldavia and Transylvania were aware that they were the same people and their struggle against foreign invaders was done in the name of national independence. Therefore, PCR stressed the importance of "honoring the memory of the ancestors" as a component of its policy. The aim of this paper is to present the historical discourse used by preeminent historians in the papers published on the occasion of the anniversary. We shall observe how some historians presented the Unification using a term that didn't toe with the party line. Their interpretations of this historical event were somewhat different from the official canon. We shall also present the event's celebration from May 20<sup>th</sup> 1975, when a gathering took place at Alba Iulia in honor of the Unification and of the city's 2000 years anniversary. Thus, we shall see what the party's predominantly biased perspective stated. Consequently, we shall have a better picture of how it differed from the one used by historians.

**Keywords:** *anniversary; communism; historiography; propaganda; Romania.*

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## **A case of historiographical contradiction: Communist Romania's 1975 anniversary...**

Since the late 1960s, a mythical pantheon was created in Communist Romania, which included the Romanian historical figures accepted by the ruling regime. These figures were models of authority due to the fact that they were given an image of savior heroes, who had precise traits which corresponded to a certain mental code. Nicolae Ceaușescu was presented as their follower, which meant that the Communist regime's ideologists instrumentalized national history to give it a meaning in accordance to the dictator's conception (Cioroianu, 2004: 66-67).

An important exponent of the pantheon was Michael the Brave, who had become since the 19<sup>th</sup> century a symbol of the Romanians' eternal vocation of unification, having the trait of 'unifier' (Cioroianu, 2004: 69). After a period in which the role of Slavs prevailed in historiography, PCR adopted a policy of obtaining political legitimacy by appealing to the country's national history. Therefore, a nationalistic historical discourse was adopted, which resumed and exaggerated the 19<sup>th</sup> century descriptions made to historical figures. To this end, PCR organized political celebrations dedicated to significant events from Romania's history, which meant the publishing of history papers, holding of popular gathering, scientific symposiums or mass shows on stadiums. Such was the case for the 375 years anniversary of Michael the Brave's Unification from 1975. Historian Mirela Murgescu explains how the myth of the voivode had prevailed:

"The strength of the myth lies in its ability to survive regardless of historical conditions, as well as in keeping a mobilizing and educational force even in the moment when the concrete aspirations that he represents were long achieved. For common culture, Michael the Brave is the symbol of the Romanians' revenge in the face off the vicissitudes of history, a moment of military strength, of international recognition and of full integration to the European civilization" (Murgescu, 1995: 71).

For these reasons, the celebration of Michael the Brave's Unification is a part of the logic of the legitimacy policy through history, which the regime organized. The voivode's image of model hero who had faced two empires – the Ottoman and Habsburg ones – matched the one that Ceaușescu had created to himself – an opponent of another 'empire' – the Soviet Union. Thus, to the regime, Michael the Brave's independence policy was by analogy a forerunner to that of the Ceaușescu regime, which promoted a foreign policy based on the ideas of the states' independence and national sovereignty. Therefore, the Wallachian ruler appears to Communist historiography as an exponential character.

The Unification's anniversary was the occasion of publishing new papers, as well as republishing old ones that presented the image and deeds of the voivode. The papers praised Michael the Brave's personality as a consequence of his military actions and the fact that he was the doer of Wallachia, Moldavia and Transylvania's first Unification. However, although every history paper had promoted the idea that the voivode had united these states, we shall see how some historians called the occupation of Transylvania and Moldavia a 'conquest'.

### ***The Unification discourse***

The majority of history papers and articles published in honor of the anniversary praised Michael the Brave's rule. Exponential historians promoted a speech that glorified national history since before the anniversary. However, their papers denoted a rather more propagandistic type than a scientific one.

One of these historians, an emblematic figure of the regime's nationalist propaganda, was historian Dumitru Almaș. He deemed history as a lesson, believing that

notions such as ‘motherland’, ‘patriotism’ and ‘nation’ are impregnated from the very beginning in the being of Romanians. Almaş played various cultural roles (Preda, 2014: 319). His scientific history speech is heavily influenced by propaganda. On the anniversary’s occasion, Almaş’s book *Eroi au fost, eroi sunt încă...: evocări și portrete istorice*, which had initially appeared in 1968, was republished. The way he presents Michael the Brave is relevant to the regime’s historical speech, following the glorification policy of the country’s past.

In reference to the voivode’s deed, Almaş asserts that he was planning the Unification of Transylvania and Wallachia since 1597, along with the imperial cardinal Stephen Jósika. Concerning Michael’s military action he says: “Neither Michael, nor his captains, nor chancellor Jósika, Romanian by origin, didn’t see Transylvania as a country that had to be conquered, but as a part of the same Romanian body, a body that deserved to be bound in order to maintain its independence, conquered with so many sacrifices in 1595 so it can continue to exist in history” (Almaş 1975: 153).

Concerning the Unification with Moldavia, the historian asserts: „Thus, the thought of bringing Moldavia under the same leadership came as a great commandment of history, it came from the drama of the fight for freedom. It came from a solidarity instinct in the face of peril. It came from the feeling, the seed of conscience conceived since the appearance of our people that Moldavians as well as Transylvanians have the same language, the same faith, the same customs to those from Wallachia. [...] Perhaps the thought of the Unification of Wallachia, Moldavia and Transylvania wasn’t necessarily conceived in Michael’s mind and of those around him. [...] It is certain that Michael had embraced it with such power that it gave the impression that it comes from the bottom of his soul and with such bravery he fulfilled it, that he had astounded the world” (Almaş 1975: 159).

In an article published in the historical magazine *Magazin istoric*, Dinu C. Giurescu, a preminent historian, recounts Michael the Brave’s battles against the Ottoman Empire, during November 1594-March 1595. He believes that these battles are, as well as those of Michael’s predecessors – Mircea The Wise, Dan II, John Hunyadi, Vlad The Impaler, etc. a part of the policy of balancing the relations with the Ottoman Empire, in order to save state continuity. He asserts that due to the 200 years old military and diplomatic victories in the confrontations with the Ottomans before the rule of Michael the Brave, Wallachia, Moldavia and Transylvania were able to exist uninterrupted and were recognized as such, despite their small size (Giurescu 1975: 2-3).

The author asserts that Michael the Brave led an armed resistance in order to prevent the incorporation of Wallachia to the Ottoman Empire: “It was Michael’s final option to oppose by any means the oppression to which his country was subjected, to restore its rights. It was the main guiding idea of his entire rule, pursued and accomplished with all the incomparable adversities that arose against him” (Giurescu, 1975: 3). In order to take his wish to fruition, the voivode initiated a common front of the Romanian countries, which materialized diplomatically, a consequence being the victory from Călugăreni and the subsequent liberation of Wallachia by Michael and Sigismund Báthory. However, the international political changes led the Romanian countries to lose border settlements, in order for the voivodes to be supervised by the Ottomans. An important factor which made the Ottoman Empire intervene in the Romanian medieval states’ domestic policy is considered to be the boyar factions’ struggle for power. The great gifts towards the Porte were a factor that led to the Romanian countries’ economic decline (Giurescu, 1975: 2).

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The Unification of Transylvania from 1599 is a consequence of its and Moldavia's foreign policies of close relations with the Ottoman Empire, which came in contradiction to the voivode's aim – Wallachian independence. This is believed to be the cause of his action that led to the victory of Șelimbăr and entering Alba Iulia, without it being suggested by The Habsburg Empire. Subsequently, the occupation of Moldavia is a consequence of the hatred of its voivode Ieremia Movilă towards Michael the Brave (Giurescu, 1975: 4-5). Concerning the voivode's Unification, the author says:

“Michael the Brave's exceptional merit is that he was the first who made the political unity of Wallachia, Moldavia and Transylvania – a conclusion of a long lasting reality and historical experience, built on continuity, unity of ethnicity and civilization of the Romanian people from the Carpathian fortress, stretching to the Danube and the Black Sea coast. Only in such an unity, the three medieval states had found the basis and strength for defense, with a real efficiency of their being. Achieving this Unification in 1600, be it for a very short time, shows the genius of Michael the Brave's personality” (Giurescu, 1975: 6).

### **The 'conquest' term reference**

The term 'conquest' is used in the book edited by Ștefan Pascu – *Mihai Viteazul și Transilvania*, the official paper of the anniversary, which is mainly written professionally, and it is a good means of knowing Romanian medieval history. The included chapters make a detailed analysis concerning the voivode's reign and personality, with a slight tendency of exaggerating historical facts.

Ștefan Pascu, an important historian during the Communist period, had promoted the regime's historical discourse since this policy had begun. He was a party member, and had significant historiographical contributions throughout the years with regard to Romanian medieval history. Although he is, on the one hand, a professional historian, on the other, his writings are strongly influenced by propaganda. This is the case for his chapter regarding Michael the Brave. Pascu asserts that the voivode wanted Transylvania from the beginning of his rule, as well as the independence and the Unification of the three Romanian countries. He uses epithets such as: 'enterprising' ('întreprinzător'), 'bold' ('îndrăzneț'), 'brave' ('viteaz'), 'audacious' ('temerar'), 'unifier' ('unificator') and 'mighty oak' ('fâlnic stejar'). He praises Michael for deciding to conquer Transylvania on his own: “Moreover, [...] through an alliance treaty between Michael and Rudolf II, the brave leader revealed his bold intention when he was preparing to conquer Transylvania [...] with or without the will of the imperials” (Pascu, 1975: 14).

One of Pascu's important ideas is that the rule over Transylvania was based on a natural right: the fact that the subjects must be from the same nation as their leaders (Pascu, 1975: 18). Using the term 'conquest' to describe the attacking of Transylvania and the hypothesis of “a natural right” is antithetical, however. Historian Lucian Boia asserts that the Communist interpretation of Michael the Brave's deeds was: “he didn't conquer them (because you can't conquer something that you already own), he unified them” (Boia, 2016: 159). This may be why Pascu also asserts that Michael the Brave was 'obsessed' with the thought of ruling over the territories inhabited by the Romanians of Banat, Maramureș and the Danubian Turkish fortresses, which he wanted to liberate (Pascu, 1975: 22).

Regarding the foreign plots against the voivode, Pascu says: “The eagle's wings who had turned his eyes to the wide horizon had to be cut off” (Pascu, 1975: 23).

Finally, he ends by stating: “The remembrance of those heroic times had awoken in the Romanian people, as Bălcescu had wanted, the sense of a duty to keep and enhance for the future such a precious inheritance: independence and the first unification of Wallachia, Moldavia and Transylvania” (Pascu, 1975: 24).

However, the myth of national unity isn't promoted in the chapter written by historian Constantin Rezachevici, when speaking about the voivode's political conception of Michael the Brave. Concerning his intentions to unify Wallachia, Moldavia and Transylvania, Rezachevici asserts: “But there is no account from that time to allow us to highlight in the great voivode's political conception the existence of a cohesive Unification plan under his leadership of the medieval states in the period from the beginning of his reign” (Rezachevici, 1975: 51). However, the author argues that the decision to occupy Moldavia was taken gradually out of the need to participate in the anti-Ottoman struggle (Rezachevici, 1975: 61). By preferentially discussing the case of Moldavia, Rezachevici says: “Only by 1600, after the conquest of Transylvania, Michael took the decision to occupy Moldavia by himself, with no foreign help, naming a ruler under his own authority. Out of his conception expressed by direct reports results that the occupation of the medieval states from west to east of the Carpathians wasn't an act of ambition and courage but a defense necessity. Through the conquest of Transylvania, Michael defended his reign and Wallachia, and through the conquest of Moldavia he prevented a campaign of his enemies in Transylvania” (Rezachevici, 1975: 72-73).

We can observe that the term ‘conquest’ is again used to designate the voivode's actions, which is curious, especially due to the fact that it is present in the official paper of the anniversary. At a first glance, we can assume that it is a hypothesis of the authors. In reality, the term ‘conquest’ was used by every historian formed before Communism, a term that was used until the glorification of history started. However, the general use of the term shall be condemned and prohibited by the regime due to the promotion of the idea according to which Romanians had aspired for the medieval states to unite (Boia, 1995: 19). To this end, historian Dumitru Berciu dismisses the conquest hypothesis, by stating:

„The traditions of a language unity, of permanent aspirations towards national unity on the lands of ancient Dacia and of Dacia-Romania, after the fruiting of the Thracian-Dacian fund with Roman sap, had never disappeared. What Michael the Brave had accomplished 375 years ago was the inclusion together of an ancient legacy, fulfilling ideals that existed for centuries in the conscience and blood of our entire people and not a conquest, as some historians from abroad claim, willingly falsifying the historical truth” (Berciu, 1975: 40).

### **A criticised book**

Some history books that had appeared on the occasion of the anniversary received reviews in historical magazines. Reviews meant to verify historical accuracy and their accordance to the political correctness of that time. Such was the case of Ion Ionașcu and Victor Atanasiu's book – *Mihai Viteazul*, a monograph that aimed to popularize history. A review published by Nicolae Stoicescu in the magazine *Revista de istorie* made a concise presentation of the book, its strong and weak points, also making suggestions of what could have been better written.

The book of the two historians shows Michael the Brave's life from before his ascension to the throne, the internal organization of Wallachia, and a general image of Europe's 16<sup>th</sup> century political situation. More than half of the book is dedicated to the



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third chapter called "Drumul spre unire" ("The road to Unification"), starting with 1594, which is considered the beginning year, until 1600, the year of the Unification. The main emphasis falls on presenting the country's army.

The book is harshly criticized by Stoicescu, the reviewer, who highlights numerous errors concerning the presentation of Wallachia's administration and army. The authors' opinion that the road to unification began in 1594 is deemed as fake, because that in that year the voivode was rather more preoccupied with gaining the country's independence.

The book is harshly criticized by Stoicescu, the reviewer, who highlights numerous errors concerning the presentation of Wallachia's administration and army. The authors' opinion that the road to Unification began in 1594 is deemed as fake, because in that year the voivode was rather more preoccupied with gaining the country's independence. The way the Unification of the medieval Romanian states is presented gets criticized because of its structuring and the fact that the Unification and the causes that led to its failure aren't analyzed in detail. The review also criticizes the book for not underlining the Romanian people's shared conscience of their common origin, when presenting the circumstances that made the Unification possible. This aspect is considered more relevant than the detailed presentation of the battles against the Turks and the Tatars.

The book is also criticized for not mentioning some 17<sup>th</sup> century voivodes who continued Michael the Brave's policy of unification. Even so, the review ends on a positive tone: "taken as a whole, with all the small shortcomings and errors reported, the monograph of Ion Ionașcu and Victor Atanasiu can be considered a successful work to popularize the glorious reign of Michael the Brave" (Stoicescu, 1975: 1142)

In their book, Ionașcu and Atanasiu also present Michael the Brave as 'the cleanest In their book, Ionașcu and Atanasiu also present Michael the Brave as 'the cleanest symbol of our first Unification', saying about the voivode: "Present not just in legend, but in our entire history, he remains one of the most representative characters of soldiers, and at the same time, of a great commander, under whose banner fought with heroism not "just the soldiers of his country, but also the numerous Balkan hajduks. On most occasions victorious, he drank however, as many other commanders of universal history, from the bitter cup of defeat. He knew, however, to rise every time, strongly, above the times" (Ionașcu, Atanasiu, 1975: 144). They also add: "The heroic figure [...] of Michael the Brave has no resemblance in our national history. [...] The exceptional personality of this man of boiling energy and great boldness in decisive moments for the destiny of his people had astounded his contemporaries" (Ionașcu, Atanasiu, 1975: 148).

They also assert that the voivode had been greatly honored in the last 30 years that had passed from the coming to power of the Communist Party: "A number of papers, studies and articles have appeared, which gave a superior value to the historical accomplishment of the great Romanian lord through their materialist-historical interpretation. Also, some older writings dedicated to Michael the Brave were reedited. A title of national pride became the bearing of his names by settlements, institutions, schools, boulevards, streets, etc." (Ionașcu, Atanasiu, 1975: 144).

### **The Unification discourse used in the popular gathering from Alba Iulia**

In honor of the event, scientific sessions were organized. An important one took place in Bucharest on May 20<sup>th</sup> 1975, at the National History Museum of Bucharest with presentations concerning the city's role during Michael the Brave and how notorious his

actions were on an international scale. The presentations were done mainly by historians like those of Ion Ionașcu: “Mihai Viteazul și Bucureștii; „Originea lui Mihai Viteazul” or Dumitru Almaș – “Răsunetul european al luptei duse de Mihai Viteazul”. Another session was organized in the symbolic city of the Unification – Alba Iulia, by party historical organizations, universities and the city’s local county committee, with the participation of teachers, researchers, curators, party activists, etc. (Mamina, 1975: 146-148).

At Alba Iulia fortress, the Ceaușescu couple and preeminent party top officials attended a gathering in front of tens of thousands of people carrying placards brought from the entire Alba county. On the walls of the fortress the coats of arms of PCR and of The Socialist Republic of Romania (RSR) were mounted, and on the archways from the entrance to the fortress, flags of PCR and RSR were placed, that framed a portrait of Ceaușescu. With capital letters the ancient names of the city were written: “Apoulon” and “Apulum”. Tens of thousands of people took place from the entire county and from around the country, such as Romanians, Hungarians and Germans. The participants carried placards that praised PCR and Ceaușescu. On this occasion, Alba Iulia received the order „Steaua Republicii Socialiste România”, first class (Agerpres, 1975: 3).

Ceaușescu held a speech that criticized historians who praised the rule of foreign powers over Wallachia, Moldavia and Transylvania, and their efforts of insulting the Romanian people: „Despite historical and national obvious realities, such historians assert that through the Unification of Wallachia, Moldavia and Transylvania, Michael the Brave led a conquest policy. Is the realization of the unification for the first time of all three medieval states in a single state – a legal and objective necessity of history, or, on the contrary, was the dominance of different empires over Romanian territories an expansionist policy, one of conquest? History itself has confirmed the rightness and the objective necessity of the act forged by Michael the Brave, by the subsequent realization of his ideal – ideal of all the Romanians - through achieving in the Modern Age of the Romanian unitary state. This is why Michael the Brave remains an illustrious and progressive figure in the golden book of the Romanian people” (Agerpres, 1975: 3).

Ceaușescu also described the Unification as “a moment of crucial importance in the history of our motherland”. He asserted that although the Unification was short-lived, the idea continued to exist: „But the idea of the Unification of the medieval states, the ideals of forming a powerful state on the lands of Dacia could never be killed, because they are deeply rooted in the very blood and spirit of our entire people” (Agerpres, 1975:3).

Ceaușescu also referred to the Székely people as co-participants of Michael the Brave, Stephen the Great and Petru Rareș, naming to this end, as well, the Saxons as participants in the battles of the Romanians throughout time, against foreign invaders. According to Ceaușescu, the goal was “the unity of the Romanian states and the formation of a strong centralized state, which would ensure living conditions, the development of the productive forces of well-being and happiness”. This purpose is described as “a legal requirement, a longing of all the inhabitants of these lands regardless of nationality” (Agerpres, 1975:3).

By making such a statement, the Romanian leader follows the political correctness of the time, that promoted the idea of ancestral unity of the peoples inhabiting Romania, however false or true it may be. Therefore, it fits perfectly in the Unification discourse.

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After the gathering, a show in honor of the event was organized. It began with the song „Alba Iulia – două milenii” that accompanied coreographic displays representing, in turn the formation and continuity of the Romanian people, the hardships that it had endured throughout time, as well as the struggle for unity and independence. These are pillars of the Communist historical speech of the 1970s. Afterwards, above the walls of the fortress an echo of an elder man from the Apuseni Mountains was heard, who recited a poem that praised the Romanians' ancestral presence in their lands, and their capability to survive in front of foreign invasions. (Agerpres, 1975: 4).

Then, on the background of tulnicas and cannon salvos, an actor who played Michael the Brave entered the gates of the fortress, followed by a crowd of people, reconstituting the Unification of the Romanian medieval states. The actor stated: “Get up, raise your foreheads. From now on, let no son of this nation keep his forehead bowed, fulfilling the will that you all proved by fighting. I, Michael voivode, lord of Wallachia, Transylvania and the entire country of Moldavia, let everyone know that our eternal will has been fulfilled”. Then follows a vow of faith of the representatives of the three Romanian medieval states towards the new united land, together with the oath of the ruler (Agerpres, 1975: 4).

### **Conclusions**

We can see that the listed papers present, basically, the same idea: Michael the Brave had united the three Romanian states based on a natural right, as stated by Almaş, Berciu, Giurescu, Pascu and Stoicescu, in his review. On the other hand, although Rezachevici, Ionaşcu and Atanasiu, praised the ruler's actions, they used a more balanced tone. We cannot give an exact explanation for the use of the term ‘conquest’ by Pascu and Rezachevici, but it is clear that it is not used to challenge the official historiographical canon. We can assume that it is a term rooted in the historical vocabulary of the authors, used in specialized papers for readers with a higher level of knowledge. The condemnation of the use of the term ‘conquest’ by Berciu and Ceauşescu is an expression of the political correctness used in the historiographical discourse, but also a reply brought most likely to the interpretation by the Hungarian historiography's point of view concerning the Unification. The new historiographical contributions that appeared on the occasion of the anniversary were beneficial. Despite the fact that there were slight ideological deviations, the papers contain numerous valuable historical information.

The gathering in Alba Iulia was a reflection of the official historical discourse. We can observe the promotion of the theory of continuity during the homage show, as well as in the poem recited by the elder man from the Apuseni Mountains. We also note the promotion of the idea of the continuous struggle for existence of the Romanian people in the same show, as in Ceausescu's speech. Finally, we find the promotion of the myth of national unity – the idea of natural right in the discourse of the actor who plays Michael the Brave, represented through the phrase ‘the eternal will’. We also see that the event was reconstructed, in which the presence of Romanian popular elements is an important factor in identifying the party with national values.

The covenant of faith is made as a transposition over time to show that PCR pursues a similar policy. Thus, the identification with the ideals of the past takes place, which is an essential component of the legitimacy discourse. At the same time, as Michael the Brave is the main character of the Romanian space in 1600, in 1975 this was the role of Ceauşescu, the one who is transposed, as we have mentioned, as the successor of the nation's heroes.

At the same time, we notice that in this assembly the presence of Ceaușescu's cult of personality manifested through banners, slogans and portraits, an allogeneic aspect, which overshadows the authenticity of the anniversary. These aspects highlight the fact that the event served a political interest, of gaining popular support, regardless of whether the price was the gradual acquisition of social antipathy, due to the fact that ordinary people took a forced part in the demonstration. This is a general phenomenon of Communist Romania that will continue to be perpetuated until the fall of the regime, in 1989.

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## ORIGINAL PAPER

# Sustainability of Rural Development in Romania: Priorities, Trends, Objectives

Mihaela Lupănescu<sup>1)</sup>

### Abstract:

Sustainable development has been imposed by the need to solve the multiple global problems of humanity, through a rational consumption of resources, by avoiding pollution and profound imbalances in ecosystems that coexist on a global scale. Consequently, the process of sustainable development aims at both social and ecological economic activity. Given that agriculture is an important economic subsystem of the national economy, the sustainable development of rural areas and agriculture has become an essential component of the sustainable development of the national economy. Through its content, rural development expresses a three-dimensional relationship of economic, social and ecological nature. The article analyzes the development opportunities, financing opportunities, administrative changes and development possibilities of non-agricultural activities in rural areas in Romania, in order to achieve the sustainable development objectives assumed by the 2030 Agenda for Sustainable Development.

**Keywords:** *rural development; sustainable growth; agriculture; climatic change; rural space.*

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### **Introduction**

For rural areas, the accelerated changes has brought not only new challenges but also the affirmation of behaviors favorable to the existence and progress of the rural community.

In some directions, rural development is proving to be the way to achieve inevitable changes, achieved in an economically, rationally environmentally responsible and socially equitable way. The village communities act successfully in the use of the local values and abilities they have, simultaneously with the adoption of the new rules regarding the development of modern technique and technology at local level. Changes in agriculture have stimulated rural communities to better organize themselves locally. Community development allows local residents to pay increasing attention to infrastructure expansion.

In this general context, the preoccupations of scientists and specialists from different fields of human activity, civic organizations, including international economic and social bodies, in order to prevent the degradation of rural space, to affirm the role of rural communities in the process of economic and social development and cultural in rural areas. In more and more countries of the contemporary world, especially in the economically consolidated ones, sustainable development strategies also include essential objectives regarding the sustainable development of the countryside.

The problem of rural development, as a result of the high share of the rural population and of the areas owned in the rural space, of the special role and place that belongs to the social life, has acquired not only a national dimension but also an international one. The special development of the rural space is a very topical problem, of great complexity and difficulty, aiming at achieving a balance between the requirement of preserving and conserving the existing material and spiritual values and the tendency to modernize the rural space.

The component of sustainable economic development, the special development of rural areas can be analyzed based on studies conducted in recent decades (Pirvu G., 2011: 46), which refers to a series of contradictory processes and phenomena of the contemporary world, the most obvious and significant being:

- accentuated polarization of the economic development process, materialized in the existence of some very rich areas and others very poor;
- the deterioration of the natural environment as a result of the unprecedented aggressiveness and the uncontrolled expansion of the industry, of the intensification and growth over tolerable economic limits of the agri-food industry, of the transport infrastructure, etc .;
- uncontrolled rampant urbanization of some areas and regions;
- elimination of traditional values and their replacement with industrialized ones, standardized;
- amplification of negative economic and social phenomena such as unemployment, underemployment, migration, etc ..

These phenomena and processes have negative effects on the development and quality of rural life, which requires the achievement of sustainable rural development against the background of sustainable development of the entire national economic system, in direct connection with Romania's integration into the EU. Through its content, rural development expresses the set of actions designed to improve the quality of life in rural areas, based on sustainable economic growth, on maintaining the natural landscape. A major problem for Romania is the development of the rural world, a

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concept of vital importance for the future evolution of the Romanian state (Bădescu, et al. 2009).

Rural development is currently a priority in the program of economic and social development in the short, medium and long term (Mihailescu, 2005). Taking into account the complexity of such an approach and the particular situation of rural Romania, the emphasis in developing and capitalizing on the opportunities offered by the European context rests with the public administration, by accessing funds specific to the common agricultural policy and other financial instruments of European Union policies, especially the structural funds within the regional policies. Public administration reform ensures a managerial-institutional transformation process in rural areas as well.

The package of reforms for the administration, materialized in the normative acts that regulate the functioning of the local public administration, must produce effects diminishing the dysfunctions regarding the management of services and human and financial resources, of the acquisitions, of the communication and the approach to the citizen. Institutions such as the Central Unit for Public Administration Reform (role in coordinating and modernizing the public administration reform process), the General Directorate for Administrative Capacity Development (specialized structure with a role in managing and implementing the Operational Program for Administrative Capacity Development), the Directorate for Fiscal Policies and Local Budgeting (specialized structure with a role in ensuring the application of local fiscal and budgetary policies), the National Institute of Administration (with the role of ensuring continuous training in public administration and developing the strategy of continuous training of civil servants), National Agency of Civil Servants (With a role in the implementation of the strategy and in the application of the Government Program in the field of management of public functions and civil servants) contributes to ensuring the integrative decision-making system in rural development, in general, and in the reorganization of the regions. it is development, especially (Dinulescu S.M, 2020).

The major problem for the Romanian rural community is implicitly related to identifying different funding opportunities, finding sources of co-financing, developing a portfolio of projects suitable for development options, which means developing a sustainable development strategy aimed at human resource development and promotion of public-private partnerships on areas of common interest associated with neighboring territorial administrations.

### **Economic, Social and Ecological Aspects of the Sustainable Development of the Rural Area**

The rural development process is designed to take place against the background of sustainable and complex development of agriculture, agriculture and rural space being interdependent sides specific to the rural community, by respecting some principles specified and inscribed in the European Charter of Rural Space:

- the European rural area is a valuable landscape of life and work, the fruit of a long history and whose safeguarding is a living concern for society;
- the existing threats make it indispensable to define a policy in favor of the rural space, within a global economic and social policy involving the two sides, rural development and agricultural development;
- the principles of sustainable development are recommended to be reflected in all policies applicable to rural areas, and these policies to be integrated;

- a rural development program should as far as possible start from concrete, regional data, encourage local initiatives and be based on an internal development on the following coordinates: to place man with his problems at the center of concepts and decisions, to ensure the identity of the community, to preserve and promote the cultural and historical particularities of the rural space; to encourage the diversification of relations between rural populations and the rest of society.

In accordance with these principles, the objectives of sustainable rural development have been established, the realization of which is considered to raise the degree of economic and social development of the rural space and to cultivate the traditions and customs specific to the village communities. Among these objectives we should mention:

- increasing the competitiveness of rural areas, in order to maximize their contribution to enhancing economic and social progress;
- ensuring opportunities in favor of the rural population, in order to raise its standard of living to the urban level;
- conservation and protection of the environment;
- maintaining the population in rural areas by eliminating the population exodus to urban centers;
- increasing the income alternatives of family households.

Along with these general objectives, sustainable rural development is also based on a number of principles that were highlighted in the Cork Declaration (Ireland 1996) (Alexandri C., et al., 2003: 663-664).

Economically, sustainable development means that any specific activity carried out in rural areas is carried out in conditions of efficiency. Agriculture itself, a defining activity of the rural area, must be approached in accordance with the needs of future development, in close connection with the protection of the natural environment. In this respect, it is considered that the elements regarding the construction of a sustainable agriculture are (Beli N. et al., 1995):

- the formation of a competitive agriculture that will ensure the creation of an economic surplus necessary for the accumulations destined for its own development and that will have a positive contribution to the achievement of the general balance;
- the insertion of agriculture in the whole natural economic system and its functioning on the principles of the competitive market economy;
- the development of an ecological agriculture that would produce clean agri-food goods and that would not be posted either as an agent or as a victim of pollution;
- developing agricultural activities to ensure the incomes of agricultural producers, increasing the quality of life of farmers and the entire population in rural communities.

The reform in the economic field must have as objective the development of the territorial infrastructure, simultaneously with the one at national level, the establishment of units in public / private partnership providing services for commercialization of agricultural products, including for export, and combating pollution, by carrying out land improvement and water retention works in basins, by regularizing running water courses and by planting trees and sowing meadows (Mărginean, 2005, p. 69). Decisive and differentiated public intervention in favor of farmers with small agricultural land properties in order to be successful must ensure the free execution of mechanical agricultural works, for the households of elderly farmers with properties of 1-2 ha of agricultural land. At the same time, the subsidies on products of the farmers entering the



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market must be consistent, and the concentration of agricultural holdings, which is necessary, must not affect the farmer and must not lead to his new plunder.

The reform must take into account, at the same time, the ways of using resources, including through public borrowing (Mărginean, 2005, p. 69). Recent developments in the European system of financing through the common agricultural policy (CAP) confirm the orientation towards financing development programs in rural areas and increasing the complementarity of financing of agriculture and rural space with financing through regional policy.

Another sector that needs revitalization is the marketing of agricultural products. Even if the products of the Romanian peasants can prove to be competitive on the market, this sector needs a series of support measures to recover the agricultural production through the market: the modification of the laws of the markets; use of guaranteed minimum prices for basic agricultural products (wheat, milk, meat); supporting the development of agricultural and wood products markets; expanding the wholesale market network; development of the sector for the provision of forest services and products, other than wood; encouraging public-private partnership for the purchase of agricultural products.

For the above-mentioned reasons, the knowledge and application of sanitary and phytosanitary quality standards and regulations by farmers are vital from at least two points of view. On the one hand, compliance with these legal provisions is a condition for access to support mechanisms by the European Union: the principle of conditionality or "cross-compliance", ie linking payments to respect for the environment, food security and animal welfare, and maintaining agricultural land in good condition (Ursu, 2005, p. 58). On the other hand, non - compliance by producers leads to the impossibility of marketing agricultural products on the European market. Although there has been an accelerated transposition of the quality, sanitary and phytosanitary acquis in recent years, this problem still raises issues for farmers and processors.

Socially, development is conceived as a support that ensures normal living conditions for rural communities.

The social reform aims to size the school network on multiple criteria and children attend primary school in the village, as well as alternative systems that include transportation, housing, spending coverage, etc., substantial assistance to specialists working in the environment who want to stay in the locality, organizing centers, resources for the development of local development projects and their management, providing material support in the form of scholarships for students in rural areas to attend schools with an agricultural profile, expanding the training system initial and continuing vocational training for rural adults, the provision of subsidized places in higher education for students from poor farming families, the considerable increase in the level of allowances for rural children for periods including schooling, and the increase in the amount of pensions or those from the former CAPs are substantial arguments for the sustainable development of the Romanian village. A locality has real chances to improve the living conditions of its inhabitants if the combined actions of the population and the authorities aim at developing the territorial network of social assistance services, at the same time with a new resettlement, upon request, of the inhabitants of isolated hamlets in suitable locations aid in the reconstruction of households.

The phenomenon of reverse migration compared to the communist period, from urban to rural, specifically for periods of crisis, has severely affected Romania. This

phenomenon took place in villages and counties with the lowest standard of living, contributing to underdevelopment and poverty in these counties. Already poor, they received an excess of labor in the conditions of a very low demand. A gratifying fact recorded in 2011 is that the total labor force entered in agriculture was in decline in Romania by -6.7% (Eurostat, 2012, p. 74).

One of the consequences of the migration phenomenon is the large share of farmers in the total employment rate and the large number of elderly farmers, a problem aggravated by the level of education of the rural population, because only one person per thousand inhabitants in rural areas has higher education which does not allow the redistribution of labor to other sectors. Romanian agriculture, with over 4 million households and over 3 million active people, cannot provide the necessary food for the entire Romanian population, compared to the EU, where 7.8 million farmers produce food for 350 million inhabitants and a significant surplus for export (Radu, Neamțu, 2011, pp. 151-156). This situation is a strong obstacle to Romania's integration. Our country is currently the European state with the largest number of farmers, about 37% of the total active population. Romanian farmers represent almost 40% of the existing farmers in the European Union, where the share of the population active in agriculture, out of the total activity, is only 5.3%. Illustrative is also the fact that two thirds of the Romanian rural population is 50 years old and almost a third of it is over 60 years old (Eurostat, 2012). The situation of the rural population is exacerbated by the crisis in the pension and social insurance system. In order to overcome the crisis in the pension system for farmers and to fight against the poverty of the rural population, Romania must implement a viable system of early retirement of farmers (Popescu, 2004: 11). This is another challenge for the future governments of Romania, given that all attempts to reform the social security system have failed.

The variation of rural occupation is marked within the historical regions by tradition and the heterogeneous aspect of the region (population-relief). The share of the non-agricultural population, in the total employed population in rural areas, is higher the more the mountainous relief is present and the more the reference area has a longer urbanization and the share of employees in the employed population. The predominant occupation in agriculture is characteristic of isolated villages located far from small towns. Residents living in developed villages, with good roads and in households with commuters in the city have higher incomes, obtaining them mainly from non-agricultural rural occupation. The high level of inflation and the difficulties in obtaining low-cost loans have contributed and still contribute to the underdevelopment of the private agricultural and non-agricultural sector in rural communities. Food and beverage boutiques are, in fact, largely the private non-agricultural sector of the Romanian village.

Ecologically, sustainable development is achieved in accordance with economic and social development, environmental protection being the foundation of the balance between economic and ecological. First of all, rural development depends on the practice of sustainable agriculture in order to maintain an optimal relationship between the quantity, quality and structure of food production and the conservation of environmental quality.

Environmental quality and biodiversity are under pressure from the perspective of natural process and economic activities. There is an urgent need to improve environmental conditions and to promote sustainable practices in agriculture and the economy in general. High natural value land (HNV) with an area of about 16% of total agricultural and forestry land is an important factor for biodiversity.

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Increasing the forested area is a priority need, contributing to the process of adapting to climate change and reducing GHG emissions. It is estimated that significant areas of agricultural land are affected by various soil degradation phenomena, being suitable for afforestation. There is a strong link between the need to promote biodiversity and afforestation and the need for training and advice at the local level to promote good practices in agriculture and forestry on landscape and ecosystem management. These concepts are relatively new in Romania, but there is potential for these ideas to be consolidated in the culture of farmers and foresters.

The need for sustainability of businesses, jobs, communities and ecosystems also requires better protection of water and soil resources and integrated management systems. Priority support should be given to specialized training and counseling aimed, especially in high-risk areas, at achieving water quality standards and protecting soil resources as a way of adapting to climate change (MADR, Romania's Rural Development Strategy 2014- 2020).

Particular attention should be paid to local public administration opportunities for EAFRD funding, as it is the tool best suited to the development needs of rural communities. It ensures a unitary and coherent context of European support for local development strategies. EAFRD funding aims to increase the competitiveness of the agricultural and forestry sector by promoting knowledge and improving human capital (training and information, innovative practices, promoting early retirement and establishing young farmers in rural areas, consulting services, etc.), restructuring and development physical capital (modernization of agricultural holdings, increasing the economic value of forests, agricultural products, infrastructure development and revitalizing the productive potential destroyed by natural disasters), as well as transitional measures, specific to the new Member States (supporting the establishment of producer groups, advisory services and consulting, of semi-subsistence farms) (Pirvu G, 2011: 52).

Following the quality of life in rural areas, it can be seen that it becomes necessary to diversify the rural economy and improve the environment in rural areas through measures aimed at sustainable use of agricultural and forestry land through compensatory payments for natural handicaps, agri-environment actions, afforestation premiums, "Natura 2000" payments, by diversifying non-agricultural activities and encouraging tourist activities.

### **Conclusions**

Specialists (Bold I. et al, 2003: 801; Pirvu G. et al, 2009: 5-6; Pirvu G., Gruescu R., 2009: 7) address sustainable rural development in terms of socio-economic, regional economy and of the intersectoral economy. The first concerns the behavior of social groups that live and carry out activities in rural areas, produce income and use rural services; the second identifies the geographical, demographic and economic variables that characterize rural areas, paying attention to the role of rural areas at macro-economic and social level.

The third bases its research object on input-output tables and aims to identify and measure the type and intensity of connections between agriculture, related industries and the rest of the national economy.

Sustainable rural development is considered the main strategic document whose use ensures the attenuation of economic and social discrepancies that occur between regions and areas of a country, between urban and rural space, discrepancies created by

the different degree of endowment with natural resources, real capital human financial. Consequently, the objectives of regional rural development aim at: access to resources, balanced distribution of the benefits of development seen in terms of material, individual, access to service and social security; efficient management of available resources, etc.

The development of basic services for the rural economy and population, the renovation and development of villages, the conservation and improvement of rural heritage (historical, cultural), the development of micro-enterprises are also important measures for the quality of life of the rural citizen. According to the possible portfolio of projects, the action regarding the elaboration of local development strategies must be considered, including the development of public-private partnerships, the design and implementation of strategies with the financing of cooperation programs.

The public administration has the responsibility to get involved as a partner for support and coordination through counseling, dissemination and information actions (Avram, 2007:72). The investments for the modernization of the agricultural and forestry infrastructure, those for the renovation of the villages, the conservation and improvement of the rural heritage belong, together with the implementation of the reform, more and more in proportion, to the local public administration. This, by accessing European funds, but also by attracting the central administration in carrying out projects for the construction or modernization of agricultural roads, irrigation and drying systems to ensure water and electricity sources, land protection works against floods, gas supply networks, sewerage and water treatment systems, renovation of buildings with cultural, historical and architectural value, environmental improvement, etc.

The regional policy of the European Union constituted in a set of instruments and procedures facilitates the development of the localities from the Romanian rural environment.

In the period 2007-2013, Romania had the opportunity to access 13 billion euros through the common agricultural policy and 19 billion euros through the regional policy. The management of financing through the Structural and Cohesion Funds (ERDF, ESF, CF) allowed the development of operational programs such as Human Resources Development Operational Program, Increasing Economic Competitiveness Operational Program, Transport Operational Program, Environment Operational Program, Administrative Capacity Development Operational Program, Regional Operational Program and Technical Assistance Operational Program. The rural public administration also plays an important role through support actions (information, partnership) in obtaining complementary funding. Improving social infrastructures (health, education, social services), as well as supporting the development of the regional and local business environment allow sustainable development by capitalizing on natural resources, including by promoting tourism and increasing the quality of services. Local authorities are considering increasing energy efficiency and security of supply in the context of combating climate change.

To this end, the expansion and modernization of water systems, the development of integrated waste management systems and the rehabilitation of contaminated sites are not only measures for nature protection, but also support for increasing the economic competitiveness of the rural environment. Correlation of the Human Resources Development Operational Program with the Development of Administrative Capacity Operational Program also allow solving the individual and

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collective needs and opportunities of the inhabitants of the Romanian rural environment. Attracting funds and projects that enhance the effectiveness of development strategies is a priority of rural development in the context of territorial organization and institutional reform.

European funds accessed in the period 2014-2020 can be involved in achieving a profound reform of local public administration, in attracting substantial investments in infrastructure and sustainable development in rural areas. At the same time, these funds would allow the increase of social expenditures, taking into account the use of resources for the development of the country, including through public borrowing.

Social policies for the rural environment must focus on welfare criteria “focusing on the poor or at high risk of poverty or social exclusion” (Sandu, 2005, p. 72). In order to restructure social policies and develop the rural environment, it is necessary to know the social groups that ensure the internal dynamics of the villages.

In the vision of the local authorities is also the non-agricultural rural population which includes all the people who have as main source of income the non-agricultural activities and work in the rural environment. The non-agricultural rural economy still has small dimensions and limited diversity. There is a need for an incentive for its development, a public debate and a consistent social and economic study to form the basis of economic policies in rural areas (Dinulescu S.M., 2020: 133-137). At the same time, the reform must take into account the restructuring of inefficient state units, as well as the relaunch of agricultural enterprises in the direction of the market economy. The existence of urban-industrial decline has increased unemployment and rural poverty. At present, the population employed in rural areas has as object of activity agriculture. Seasonality (autumn-winter) affects the occupational segment in rural areas.

The structure of the Romanian economy is still anachronistic compared to the developed countries of the European Union. The decrease of incomes and purchasing power of the rural inhabitants represents the negative consequence of the transformation of the social structure in Romania, of the restriction of the economic activities, of the pioneering in the field of tourism and of the modern agricultural farms.

In the vision of the European Union, as well as of the Romanian rulers, the European funds represent a chance for the rural communities, in general, and for the disadvantaged ones, in particular.

The Regional Operational Program 2014-2020 highlights the direction of local authorities' efforts for the economic and social regeneration of rural communities, for a responsibility in local initiatives to implement strategies, which measures the effectiveness of real local autonomy.

The reform of the Romanian public administration continues to ensure a process of transformation of the rural localities, fact marked by the normative acts that have already brought structural and organizational changes in the management of the resources of the Romanian village communities.

Rural communities received in 2007-2013 and in 2014-2020 substantial amounts to support their development strategies, rural specific programs can be correlated with funding programs through regional policy, environmental policy, enterprise policy, policy in the field of education, health policy, etc. Within the financial perspectives 2014-2020 of the European Union, rural communities benefit from the opportunity to be co-financed both by the funds specific to the Common Agricultural Policy and by financial instruments of other Community policies, especially the structural funds within the regional policy.

In conclusion, we can say that economic development and territorial cohesion cannot be achieved without a viable agriculture, a reform process in all sectors, which are closely linked, and without a mobilization of all segments of civil society, not just government. Agricultural development and modernization of villages is an ongoing, very complex process, which must be accompanied by measures targeting primarily the sensitive sectors.

Accepting the doctrine of sustainable development of rural communities is not a possible voluntary option among many others, but is the only responsible and efficient way to design long-term economic and social development, in accordance with national interest, international cooperation requirements and objective trends. the process of globalization of the world economy.

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## ORIGINAL PAPER

# Election campaign and political communication through *social media*

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**Abstract:**

Starting from the literature, the present study analyzes the electoral campaign and political communication through social media and highlights the capacity of the Internet to transform the way of action of politicians, political parties, governmental organizations, the media and last but not least, of the citizen / voter.

New media is at the moment the concept that has succeeded in transforming the understanding of mass communication, causing radical changes in the communication manner, in the strategies and conduct of the electoral campaign. Virtual / social space exploits communication in all its forms, and politics benefits from these advantages, with the Internet providing the opportunity for politicians to interact directly with voters.

**Keywords:** *political communication; Internet; voters; electoral campaign; social media.*

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## **Election campaign and political communication through social media**

Nowadays, political success or failure is largely dependent on the political potential and abilities of the community. In recent years we are witnessing a real revolution in the way of communication with the general public through the emergence of a new space for manifestation – the virtual space. The multidimensional nature of the Internet has led to a paradigm shift in all areas of activity, including politics, with the reader becoming a true producer of information. Thus, with a very high and at the same time efficient potential, *new media* is currently the concept that has managed to transform inside mass communication, changed the way we communicate, strategies and conducting election campaigns. The online environment manifests itself as a combative space in which politicians, parties, governments, local authorities, institutions, etc. must communicate and negotiate messages, as well as the political and administrative roles (Boşoteanu, 2011: 47-49).

The current century is dominated by digitalization, and progress is the key aspect in all areas of activity, including communication in all its aspects – everyday, commercial or political. Thus, we are offered many opportunities in terms of exchanging political and social ideas at the same time as various risks arise. Communication is a vast and complex phenomenon, in a continuous change, which is constantly adapting to the times. It generates new contexts determined by functional norms based on codes that involve communication processes adapted to the social structures to which they relate and the technology that society acquires at a given time. Without being a concept of today, political communication imposes new beliefs, aspirations and mentalities in order to change electoral attitudes and behaviors. Under the premise of conceptual uncertainty, political communication is evaluated or sanctioned equally by the electorate in terms of voting. It studies the interaction between the rulers and the governed, describing the behavioral and psychological changes that arise from this relationship, and participates in the development of democratic systems while transforming the field into one of public interest (Alexe, 2014: 31).

The form of online communication now made mainly through tablets and smartphones allows an impressively large number of users to actively participate in the political debate. The various social platforms provide us with public forums in which politicians initiate debates on various topics, and citizens have the opportunity to react. With the advent of new technologies, human life has changed a lot. Today's world is no longer the same world most of us were born in. We are more and more preoccupied with searching for information on the internet, commenting on social networks, documenting ourselves using virtual libraries. Social networks have seen a great development in the last decade. As a natural consequence, communication in all areas has experienced the fastest development compared to all that had been before (Davis, 1999: 27). In this context, social media has become the main channel of communication of the political message, more and more politicians understand that its inclusion in the campaign strategy is essential to have greater chances in front of the electorate. Conceived as a collection of technologies, social media is made available to the general public through its main role in transforming communication and content into an interactive dialogue. Today's social networks like Facebook or Twitter, blogging technologies, WordPress, photo and video sharing sites, like YouTube or Flickr, transmit information faster than ever and allow anyone to communicate with anyone.

According to some specialists, political communication is a process of distributing information and promoting awareness, ignorance, manipulation, consensus, disagreement, action or passivity (Tudor, 2008: 129). The main actors of political

communication are political organizations, the general public and the media. The interaction of these factors results in a discursive interaction between candidates and voters. With the advent and development of the internet, there has been a radical change in the way it works today. There is a strong connection between technology and communication, and we cannot exist outside of communication. The presence in the virtual / social space implies the exploitation of communication in all its forms, and the political environment fully benefits from the advantages that this status confers (Bărbieru, 2015: 42). Through the internet, politicians interact with voters, talk to them and listen to them. It turned out that today the politician faces another type of electorate - young and familiar with social media. Political messages need to be adapted to the expectations and demands of such an audience. It should be noted that since social media has made its presence felt in political communication, the power of influence of journalists has decreased considerably, the communication process being directed quite a lot by users of social networks. The radical change to which political communication has been subjected by the invention of the Internet is also given by the paradigm shift in the dissemination of the political message from an easily controllable form to a personalized form led by social network users (Tănase, 2014: 7). They distribute the political message and debate it in their virtual influence groups, not infrequently being even sources of information for the TV and written press. Traditional media, primarily the print media, has also moved online. Listening to, reading and watching the news has become independent of time and space, and the news can be accessed anytime, anywhere. "It is now possible for anyone, even financially, to publish and produce audio or video material. At first glance, some of these platforms are in direct competition with what Deutsche Welle, BBC, Russia Today and so on do. For example, "No Public.com" is one such platform, which claims to work with 130,000 so-called "city journalists" worldwide. They work without money, but there is still a codex, which decides what the information sent should look like", said, in 2008, Christian Trippe, director at Deutsche Welle Brussels (Pitu, 2008). Even though the traditional press has declined, the internet views of periodicals have increased exponentially, realizing that only by moving online can they stay in the readers' attention. Consequently, since the advent of the Internet, traditional media channels have become obsolete in a short time and in no case are they the only distributor of the political message and the only shaper of the public image, especially since, in the opinion of specialists in the field, online political communication has multiple advantages (Maarek, 2007: 269).

According to Bertrand, in 1997 the Internet was not seen as the media. However, through its rapid evolution it has been included in this field (Bertrand, 2000: 34). Specialized research based on the construction of political and electoral communication in the online environment reveals the evolution and adaptation of this type of communication to global trends in the use of new media (Bărbieru, 2015: 43). Through the Internet, changing the nature of political communication, the political message was transmitted in several directions: volume (greater amount of information transmitted compared to other media), speed (the time of transmission of a message being considerably reduced), format (audio, video and text - the receiver is stimulated simultaneously, in dynamic and visual form), direction (interactive communication in real time, wide space, high speed with which the message circulates), individual control (the voter can decide what to see and what to publish) (Gibson, Ward, 2000: 304).

If in the 90's the internet was not at the discretion of the general public, later, through an extremely rapid evolution, it becomes a good for everyone. After the

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technical difficulties manifested at the beginning of the phenomenon were overcome and it became an indispensable working tool, the distances between people became smaller, and communication became easier. Election campaigns and political communication have also moved to the online environment, nowadays the classic forms from rallies, meetings, written press, radio-tv being less and less used (Bărbieru, 2020a: 129-130). In September 2008, Phil Noble, Barack Obama's online campaign adviser, told the Business Standard magazine in Bucharest at the "Politica 2.0" conference that the success of an election campaign is conditioned by the use of the Internet: "You have to be open, experiment, and voters will see that. The Internet is not a magic wand, but it is the tool through which you can communicate and understand people on another level" (Burduja, 2011: 129).

According to statistics, the number of internet users increased from 90,000 in 1993 to 304 million in 2000 (Sinescu: 1). Thus, the invention of the Internet has led to irreversible changes in political communication and election campaigns and has linked them to technology in all aspects. In addition, the evolution of this means of communication seems spectacular compared to other means of mass communication – to reach 50 million users the radio had to consume 38 years, TV 13 years, and the Internet only 4. For the interval 2000-2007 there is a substantial increase in internet users in Europe (315 million), USA (233 million) and Asia (over 700 million) (Sinescu: 1), reaching 2.9 billion in the period 2008-2013 (Ciobanu, 2014) and almost 3 billion in 2015 (Deacu, 2015) and exceeding 4 billion in 2018, according to the Global Digital study published in January 2018 and conducted by We Are Social and Hootsuite (Popa, 2018).

We live in a climate where the flow of information from sender to receiver is very important. Although online activity has been felt since the end of the last millennium, social media soon became the most important and exploited means of mass communication. Politicians and political organizations quickly understood the mechanisms of operation and used it in election campaigns, being aware that the online public has become the most important factor that should be transformed into a vector for transmitting the political message. In communicating with voters, the Internet offers politicians a number of innovative methods and possibilities such as e-mail, blogging, online feedback mechanisms, participation stimulation or social networks, such as Twitter or Facebook. Facebook is the network with the greatest impact on the media, society and politics, which has managed to revolutionize the field of mass communication and become a global phenomenon (Bărbieru, 2020a: 132).

The advantages of social networks in political communication are multiple and refer to search engines that facilitate obtaining information in record time, the possibility of fast communication between politicians and voters, quickly combating negative news about a political party or a candidate. At the same time, there was the possibility of real-time distribution of political achievements or information about candidates, even personal or family information. Obviously, there are some disadvantages. They refer to prejudicial professional secrecy, the public profile of users / candidates or the need for time, congruence and consistency. Communication errors are quickly charged in terms of time and what is communicated through social media networks can provoke numerous attacks from the opposition or the general public.

For politicians, moving political discourse online has become vital. There is an irreversible movement of social media channels to online, determined by young people who use the Internet as the main means of information. The lower the age of Internet

users, the lower their presence in the classical media of political information, and not only. If in previous years candidates used social media platforms to establish interaction with voters only during election campaigns, now interactive communication is constant, and candidates are constantly in the online environment. They develop a communication framework regardless of the electoral periods. The political class understood that online information circulates quickly between politicians, parties, institutions and citizens, and the costs are minimal. The ease with which anyone can access information via the Internet has made traditional media make full use of this source in developing new advertising and profit markets. Not infrequently, the content published online has been copied in its entirety, on the one hand, and has entered the race to attract more and more new consumers through information dedicated to the online environment (Dumitru, 2009: 70).

For parties and candidates who cannot benefit from sufficient funds to support election campaigns in the classic form, the emergence of this form of online demonstration was a real chance to promote politics, attract the electorate and reduce the gap between large parties or known candidates. Online political communication or campaigning in the virtual environment is no longer just an extension of traditional techniques as it was some time ago, but is an easily accessible form of manifestation, which attracts disinterested political groups, offers the possibility of avoiding information bottlenecks for citizens by real-time content modification with low information costs.

The year 2008 marked the political communication and the electoral campaigns in the online environment just as the year 1960 marked this segment through TV. The Pew Research Center conducted a study between November 20 and December 4, 2008, which found that 55% of voters and 74% of American Internet users said they used websites to learn about elections and communicate with others on this subject. It was the first time that half of voters used the Internet for political purposes and when, according to one of the authors of the study, "voters ... were not passive in the political process". "Barack Obama is already using technology to improve presidential policies and help citizens take part in the political process. Obama's Internet campaign is just the beginning of Obama's use of the power of the Internet to transform politics and government. On barackobama.com, voters are connected not only with the election campaign, but also with each other; the campaign uses Internet technology to involve those who could not participate in person in presidential campaigns. More than 280,000 people have created accounts on barackobama.com. These users formed volunteer groups and organized over 13,000 specific events offline using this site" (Burduja, 2011: 133). To win the 2008 election, Obama relied on Facebook, YouTube and personal websites, managing to change communication mindsets, campaign techniques, but also the attitude of politicians towards voters. It is the moment when the need for politicians to be present on social networks becomes obvious both for the ease with which they could communicate their ideas and for the ease of presenting themselves to voters, thus satisfying their need to know the candidate (Stieglitz, Dang-Xuan, 2013: 1277-1291). Basically, from this moment the internet has changed the way politics is reported, especially since we have an electoral victory generated by the new media for a candidate who did not leave with the first chance, if we refer to the religious orientation and to the lower electoral experience compared to his opponent. Through excellent online communication, beyond all the elements that would have prevented him from winning through a traditional campaign, Obama became America's first black president. Thus,

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the influence of technology political communication has become evident in political circles, changing substantially.

New media techniques combine all the elements of old communication techniques - text, sounds, graphics, moving or synthesis images, technological facilities. Through online systems, the speed of information transmission is very high, and the message transmitted is transmitted by both specialists and individuals. The basic principles of communication (communicators, channel, public, content) are preserved, but the advantage of permanent access to the content of the political message is registered. This advantage is facilitated by devices available to anyone today - laptop, tablet, phone. Users can actively participate in debates, provide feedback to any politician or political party, and can be both consumers and content creators.

The new methods of conducting election campaigns require finding all those who have the right to vote, supporting those who gave the vote to a party / candidate, and at the same time attention and care are concentrated on the undecided. In 2007, Dorina Guțu considered that "The parties that will understand the new social realities the fastest and will adapt their messages adequately will have the greatest chances of success. The explosive evolution of web 2.0 and the new technological and social realities require the identification as soon as possible of the differences that begins to appear inside the local polling stations, the re-evaluation of voting options considered traditional and the shaping of specific electoral profiles both online and offline" (Guțu, 2007: 105). It is obvious that the media is constantly changing, and the change irreparably influences the way campaigns and political communication are carried out.

From a financial point of view, online tools fall into two categories: (1) unpaid channels (also considered the main online channels) which are represented by website, email, YouTube, Facebook, Twitter, and (2) paid channels (or online advertising) which are represented by Google, Facebook, YouTube ads. Unpaid channels are free or paid for in very small amounts and are only effective when they have been running for a long time and already have a trained audience. In other words, they need a certain amount of time before they can create an audience, so they have to be exploited before the election campaigns, with variations depending on the specificity of each. It can shorten the duration only if they are related to online advertising. Websites are information platforms and the creation of a database of supporters, static and dependent on the number of visitors, with variable design and features that help both beneficiaries and users – simple, easy to access, adapted to mobile technology, with database management system, simplified communication with registered users, self-generated emails with optimized content and social media integration. The content of a political website informs users, redirects them to other media channels and contains information relevant and of interest to users, such as the biography or story of the candidate / party. Email is a complementary tool that depends on a previously formed database to become functional. It is a free tool, but used quite a bit, even when opening from a mobile phone. The YouTube channel has the advantage of the video channel, which is often more efficient than a channel that uses writing. Stream videos online, either professionally made videos, or PowerPoint running as a video, or amateur recordings. It is available to anyone and offers the possibility to correlate with other online (Facebook) and offline (TV) tools, so that the transferred material can reach many people. In order for a material distributed through this channel to be as effective as possible, it must convey a very clear political message, create emotion, capture the attention of the viewer so that the messages and campaign concepts are retained, built around the messages of the

candidate which has to be a real anchor for campaign messages and to use advertising techniques (the elements presented in the video to be associated by the viewer with aspects of his life). Other elements to keep in mind are the title (easy to find and suggestive to the target audience), tagging the videos (added keywords to highlight the content), the link to the website or to the Facebook page of the candidate or party (so that viewing / distribution continues on these channels), watermark (adding a button that involves displaying it over the video and links to the facebook page or another link to which voters are directed) (Campaign Manual, <http://manualdecampanie.ro/issue/campanie-electorala-online/>).

Regarding the creation of electoral campaigns on the Facebook platform, we can consider that we are already familiar with the techniques used. Lately, there has been an increase in the advertising of candidates, the shares that involve the development of a real campaign strategy in the desire to reach as many voters as possible, as well as the comments to the vast majority of political posts, comments that are more or less relevant and can be made by any Internet user. Electoral campaigns on Facebook are nothing new at this time, especially since for each campaign there are elements of novelty and improved political communication techniques. The Facebook platform has proven its usefulness in a number of roles, such as recruitment, mobilization, information, organization, advertising, communication, positioning, quick response. It is the channel where voters, and not only, interact with the organization, the candidate, the party or even the supporters. The campaign is structured and planned in advance, with a calendar of specific posts and adapted to current mobile technology. The political message is composed of both written text and image, and increases visibility for those who have interacted with specific content through like, share, comment. Increasing visibility is also done in cascade by amplifying a post with a specific content through other subsequent posts with similar content. Videos uploaded directly to the platform and embedded in posts are used for greater exposure.

Paid channels or online advertising are used both to support mainstream channels and as stand-alone tools. Google makes references to political sites through links, and Facebook ads come to support the materials posted on the platform - posts, pages or websites. A number of targeting criteria are used, and the materials are displayed to the right people or target groups. Sidebar ads send messages, recruit recruits, promote candidates' Facebook pages, increase the number of followers, redirect to an external page, while Timeline ads apply to organic content and are an important component in a strategy of online election campaigns. YouTube ads cover those who use this channel as a target audience (Campaign Manual, <http://manualdecampanie.ro/issue/campanie-electorala-online/>).

Online channels are not only used as a tool to convey the political message, but also allow analyzing voter feedback in real time and measuring visitor reactions through various measurement parameters – number of views, traffic at different time intervals, most visited pages, the locations of the visitors (important in the analysis of the urban versus the rural environment), the actions on the pages, the interactions, the number of people to whom the posts were displayed, but also the activity from the pages of the candidates or opposition parties.

As with traditional campaign methods and online, messages need to be constructed in such a way as to attract voters effectively. In order to achieve its ultimate goal, that of creating an emotional connection with the voter or a potential voter, political messages must be clear, short, credible, with important topics that create

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contrast, addressed to the target audience and constantly repeated. Although online election campaigns are popular and increasingly complex, we believe they have not reached their full potential for development.

Romania also knew the moment when social networks had the last word in the elections. Even though social media involvement in election campaigns has been felt since 2009, when local competitors used Facebook, Twitter, campaign sites, blogs, video-sharing sites and YouTube to convey their election messages, only in 2014 politicians became aware of the extraordinary potential of the online environment and the electoral pool that should not be bypassed by anyone. In this year's presidential election, social networks managed an impressive mobilization to go to the polls and turned a candidate with a second chance into a winner, practically turning failure into success. The online environment has been the main host of ideological struggles to attract young voters (Covaci, 2015: 90), who are known to have a low turnout, and to popularize the governing program. It was the time when traditional media networks were far surpassed by online platforms. Social media managed to unbalance a predictable order and have its last word in the election of the president, the effect being unexpected and impressive. In the electoral campaigns for the next elections, the Romanian candidates practically moved online, initiating direct communication with the voters and greatly diminishing the TV appearances both at national and local level. Their presence on social networks has become a strict necessity, and online has become the main part of strategies for election campaigns. With a great capacity for influence, social media has become necessary for politicians and voters alike. Due to the pandemic triggered by Covid19, the 2020 election year forced both parties and candidates, as well as voters to manifest mainly in the online environment. At this time, online election campaigns have become a habit for everyone, and the influence of the electoral masses can be made much easier through this tool due to the decrease in time. It can be considered that the electoral spectrum has been exceeded online, voters being seen as consumers of political offers. The addressability of politicians to the masses is easy, communication and interaction are permanent, the electorate is more educated, participatory, informed and much more demanding than when only traditional campaign techniques were used (Bărbieru, 2020a: 135-137).

In the face of new realities, new-type politicians are forced to be more humane in the eyes of voters, less rigid and more flexible. And the local electorate has changed, becoming much more demanding, more attentive to everything around it, including political life, and more eager for interaction and debate. The political messages, being general or niche, adapted to the moment for the loyalty of the target audience, also underwent changes. Targeting is used by all Romanian politicians, so they adapt their messages to groups of voters – women, the elderly, students, etc. – and uses targeted advertising. On the other hand, election campaigns are influenced by every news item in the online environment, whether it is true or false, making it increasingly difficult for voters to differentiate. Thus, out of the desire to capture attention, bombastic and fake new titles appear taken over and shared without prior documentation. The advantage is that negative news can be combated immediately, even in real time. At the same time, through online political communication and thanks to the internet-consuming public, but without too many political passions, politicians were forced to weigh their speech, to nuance it and to be very attentive to the messages transmitted, given that they are disseminated quickly and are very easily taken over by the traditional media.

In conclusion, we note that an unsuccessful candidate or party cannot yet win elections only through online communication, but this tool can propel a candidate or a party quite a bit. In this sense, we are particularly struck by the performance of the Alliance for the Union of Romanians (AUR) party in the parliamentary elections in Romania, in December 2020, a new political party that managed through online techniques (traditional techniques were very little visible) to obtain a score over other parliamentary parties (PMP, PRO Romania) and obtain seats in an unexpected way. Without benefiting from large sums of money for sponsorships, AUR took full advantage of the election campaign and online political communication. They only used smart targeting of the public, more radical software and political messages: "We cultivated our own bubble. We targeted the ads, they are public information that Facebook provides. ... We used targeting and advertising to those who interacted with our posts. We went by quantity, not micro targeting. Every day we had a video made professionally, which fit in the times of Facebook, meaning to be short enough", said one of the leaders of the party after the election (Popescu, December 2020). These results, as well as the previous ones from the key moments, make us understand the major importance of social media in politics, its role as the main channel of political communication and the special place within the electoral campaign strategies. The Covid-19 pandemic supports this conclusion, showing us in the 2020 election year that an election campaign can take place in a very large percentage in the online environment, with its limits and advantages. Under these conditions, the future places social media in the first place among electoral instruments and in campaign strategies.

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## ORIGINAL PAPER

# Environmental Protection - a New Dimension of Economic Growth and Development in the European Union

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### Abstract:

Contemporary economic and social development are closely linked to the phenomenon of globalization of the world economy, which causes many of the old everyday economic and social processes to influence each other. Today, more than ever, the ecological interference of global interdependencies affects all states of the world. The global and cross-border nature of environmental issues also affect the countries of the European Union. The desire of the world's states to take action and make sacrifices to improve the environment has grown considerably in recent decades as the damage to the environment from human activity has become increasingly severe. As the environment influences the quality of life of EU citizens, the EU is expected to play an active role in protecting and conserving the environment, both internally, in Community law and externally, through the EU's participation in international agreements in this field.

**Keywords:** *economic growth; sustainable development; environment protection; climate change; natural resources.*

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## **Environmental Protection - a New Dimension of Economic Growth and Development...**

### **Introduction**

Resource depletion, pollution are environmental issues that have given rise to the idea that environmental protection is an integral part of development. Natural resources are a component part of economic resources, considered by Solow a cake to be shared between generations (Solow R.M., 1974: 29-46). His idea is continued, if our successors will receive a smaller stock, they must compensate with a larger one of scientific knowledge (Gradinaru I., 2000: 50).

The European Community has synthesized the worst environmental problems: climate change, air pollution, water pollution, man-made disasters, the use of chemicals in consumer products and the use of genetically modified organisms in agriculture (Profiroiu M. 2008: 335).

Environmental protection is an incentive for innovation and not an obstacle to economic performance. That is why it is considered necessary to give priority to the environment before economic competitiveness, and the economic and social progress of countries can be assessed and measured not only by economic and social indicators, but also by environmental indicators (Avram, 2007: 70-73).

A nation develops if it benefits from economic, human, ecological and social capital. Achieving these dimensions implies accepting the limited nature of natural resources (mentioned in the reports of the Club of Rome, the Bruthland Report) and conserving them. Another element that must be accepted is given by the ephemeral existence of man, future generations must develop on the same planet. If natural capital were depleted, if environmental factors were polluted, what life would there be on Earth? Therefore, a restrictive and solid environmental policy is required, but also ensuring coherence between the three components of sustainable development: economic growth, social cohesion, environmental protection.

Environmental protection must be understood as both a European and an international challenge. Environmental problems will have to be solved effectively through the action of all countries, because pollution does not depend on national borders. Climate change, the depletion of the ozone layer, the extinction of various species of wild fauna, melting glaciers, pollution of seas and oceans are realities that draw attention to the need for common measures globally and implicitly in Europe (Pirvu et al., 2011: 225-230).

Interdependencies between countries in the field of environmental protection have led to the conclusion of a large number of international agreements and conventions that should allow for strict monitoring and resolution of environmental issues. At the international level, there are two problems: on the one hand, it is more difficult and takes longer to reach compromises on the part of the participants, and on the other hand, there are difficulties in verifying compliance with commitments and in applying sanctions. However, the globalization of environmental problems shows us that, now and in the future, problems can only be solved internationally, which is in fact the only viable solution.

### **Environmental Protection - Support for Economic Growth and Development**

Homo sapiens, which for millennia has built a civilization with all its values and shortcomings, but which respects itself, has become a homo economicus in recent centuries and, with the transition from industrial society to the technological age, seems to become a frightening speed "homo catastrophicus". Its moral responsibility, which has

been diluted with civil liability, becomes insufficient when the fate of the planet and future generations is at stake. A new type of ethical responsibility becomes necessary because the rationality of science, which intervenes brutally in the field of nature, can overturn not only the natural order of natural phenomena but also the fate of mankind (Jonas, H.:174). For a long time, the industrial society, in the machinist tradition of the 19th century, considered that nature is an inexhaustible reservoir of resources and a garbage can for the waste of exploitation of these resources in the service of progress. The twentieth century continued this tradition to which unimaginable means of destruction were added through military technique. It was necessary for the goal of quantitative growth to reach a critical mass and for human consciousness to realize its own capacity for self-destruction in order for something to begin to change. But change is quite slow and problematic. If initially economic growth was based more on renewable resources or on the unlimited capacity of the natural environment to self-purify, over time human activity has outpaced the ability to regenerate nature, contradicting the natural cycles favorable to economic and biological life (Ionescu G.H., 2020: 3).

In an attempt to define the concept of economic growth, P.A. Samuelson points out that "it is a multifaceted process, in which various elements and dimensions of the most different are combined infinitely" (Samuelson P.A.,1968: 931). This concept has known a continuous evolution, going from the analysis of macroeconomic problems to the elaboration of economic-mathematical models in the '60s, so that in the '70s, to highlight a series of global analyzes initiated by bodies such as: International Monetary Fund (IMF), Rome Club, United Nations Industrial Development Organization (UNIDO). Reality has shown that economic growth involves structural changes, marking the transition from one stage of development to another (Pirvu, Gruescu, Nanu, 2009: 3). In this sense, a complex and extremely important problem facing both developing countries development, as well as industrialized ones, is related to the answer to the question of whether economic growth (increase in gross domestic product-GDP per capita) can be sustained without harming the environment? This problem has been addressed with the help of the concept of sustainable development. In the evaluation of the growth of the gross national product there is an increasing need to take into account new variables, such as: population, natural resources, current material flows between production and the natural environment and polluting residues. Also justified not only quantitative influences but also the qualitative ones deriving from the fragility of the natural environment, in terms of attracted resources, but also of the capacity and its assimilation and neutralization of polluting residues. The emergence of new restrictions, generated by the issue of natural resources has led to the shaping of a type of economic growth, whose concept aims at profound changes in economic strategy.

The economic growth so far has been achieved as a growth based on the idea of obtaining maximum profit and ignoring the external costs of development (Pirvu, Gruescu, 2009: 8). As reality has shown, economic growth cannot avoid pollution, but all the effects of social production must be taken into account, so that improving the quality of life is no longer incompatible with maintaining a natural balance. The integrated accounting system (which captures both components: economic and ecological) must measure both goods and services traded on the market and changes in natural resource reserves. For example, if a natural resource is being depleted due to exports, the accounting results show an apparent increase in wealth, even if in reality the raw material base can only be rebuilt, and the environment is degraded. This fact will

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have to be corrected in the future, so that if a country's resource base is diminished, it should be reflected in national accounts.

Economic growth and development must not be opposed to the environment but adapted to the laws of nature, by achieving the economic-social-ecological optimum. This involves maximizing the attraction and efficient use of the company's main resources; allocation of these resources based on market mechanisms; maximizing material and spiritual well-being by diversifying and streamlining consumption, maintaining ecological balance. These criteria of the economic-social-ecological optimum must be completed with new criteria resulting from the need for economic growth in the conditions of environmental protection. Thus, we can mention some such criteria (Giarini, Sthael, 1996: 117-122).

a. The criterion of minimizing the amount of natural resources incorporated per product unit. This criterion imposes qualitative and quantitative restrictions on the economic efficiency of attracting and using natural resources. In general, the attraction of resources takes place in the descending order of their efficiency and as a result, the same amount of utilities is obtained by using a larger volume of factors of production;

b. The criterion of proper conservation of natural resources. Maintaining economic growth without deteriorating working conditions means rebalancing the ratio between the quantity extracted from nature and the quantity included in the goods produced at different stages of processing.

c. The criterion of energy intensity of national production and minimization of anti-pollution costs, which measures how many units of energy are used to obtain a quantity of national product or national income;

d. The criterion of recyclability and post-consumer recoverability, aims at anticipating the capitalization of the useful material from the physical body of the material goods after their removal from use, both as means of production and as consumer goods;

e. The biodegradability criterion considers the decomposition without harmful effects of any good material taken out of use or thrown in nature;

f. The criterion for optimizing anti-pollution costs is set more as they appear as production costs included in the company's costs. Assuming that these costs are necessary, the company must establish their optimal level in comparison with the savings and benefits obtained by each polluting unit that undertakes anti - pollution measures, as well as at the macroeconomic level;

g. The criterion of increasing the material and spiritual well-being, in the conditions of the contemporary economic growth, which supposes the increase of the national income per inhabitant, the increase of the quantity of goods and services necessary to satisfy the needs;

h. The criterion of ecological responsibility in all spheres of productive and unproductive activity.

Against the background of the worrying decrease of natural resources, in order to ensure the continuity of life on Earth, the environmental services provided by natural systems are of maximum importance, from the regulation of the hydrological cycle with the help of forests, to the filtration of pollutants. Therefore, through environmental policy it is necessary to promote pro-nature laws in parallel with an anticipatory policy for the future. Economic growth in the conditions of natural environment protection is marked by the efforts made by society to avoid the degradation of nature. Simultaneously with the achievement of economic growth, there is a tendency to

increase the external costs that must be born primarily by the one who generated the degradation of the natural environment.

On the other hand, the dynamics of economic growth must not only consider the market competitiveness, quality and technical level, but also allow its use without generating polluting effects (Pîrvu R. et al., 2019b: 5). Herman Daly, Senior Economist in the World Bank's Department of Environment, who focused on economics, ethics, and the environment, said that "There is no point of contact between macroeconomics and the environment" (Daly H. 1999:25). If we consider the most important indicator for measuring the economic achievements of a country - the gross national product (GNP), we observe that in its calculation natural resources are not depreciated by exploitation, while buildings, machinery, equipment.

Suggestions for changing the calculation of some economic indicators are still modest. Thus, both the beneficial products and the harmful outputs of any process should be measured and the changes in each category should be monitored before quantifying the changes in productivity. A simple example would be a power plant that, in addition to kilowatt-hours of electricity, also produces air pollution. It is quite easy to assess the significance of electricity because it is sold. But it is also possible to assess at least part of the economic significance of atmospheric emissions, given that sulfur oxides cause losses in windward crops to the power plant, affecting the health of the population leading to payment for the treatment of respiratory diseases, all this involving costs that are not found in any indicator of economic progress.

In this regard, some economists have revolted against current conceptions of GNP, considering that this indicator would not consider aspects related to environmental degradation, or depletion of non-renewable resources. As a result, voices have emerged proposing several corrections to this indicator. Swedish economist and politician Gunnar Myrdal (1898-1987), winner of the Nobel Prize in Economics (1974) is one of those who militates to take into account when calculating this indicator two elements: the costs needed to stop or slow down growth pollution, respectively the costs of stopping the depletion of non-renewable resources or to find replacements (Gala, P. at al, 2018: 219-236).

Given the evolution of economic growth, there are factors with reverse influence, which involve additional investment costs, such as: switching to the exploitation of deposits with low contents of useful substances or located in extraction conditions, recovery and capitalization of reusable resources, environmental protection and its improvement.

There is an indissoluble link between economic growth and the environment with an accentuated character of reciprocity if the economic process will involve human intervention on nature. In recent decades, the spread of various anthropogenic processes has led to a real environmental crisis, expressed by an antagonism between human society and nature seen as separate systems, with their own laws and rhythms of development, inconsistencies in quantifying economic and ecological phenomena.

Environmental policy, being one of the most complex Community policies, mainly due to its cross-sectoral nature and direct interference with economic growth, faces a set of specific problems. They often stem from an attempt to balance economic and environmental interests and turn them from conflicting interests into complementary interests. This creates situations in which false problems arise, but which are in fact beneficial effects of Community environmental policy. Such an example is given by the relationship between economic growth - the reduction of the quality of environmental

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factors or the reduction of natural resources and which creates tensions and resistance in the application or adoption of environmental protection measures (Pirvu G. et al., 2007: 277-298)

This is precisely because of the fear of supporting the environment, at the cost of economic decline and the creation of social crises - given the maximum nature of consumer production. Achieving economic growth will always be conditioned by environmental factors. This subordination of the Community 's involvement in the field of the environment to economic objectives has led to the ineffectiveness of the measures adopted and to difficulties in reconciling economic and environmental objectives, with delays in the adoption of a sectoral Community policy.

In this regard academician N.N. Constantinescu (1984: 14) showed that concrete work is carried out on the value of using natural elements external to the production of the kind of goods considered, while abstract work creates a value that does not replace any value of the natural environment, but increases the value of goods produced, because without such an expense its production would not have needed to take place.

If we look at natural resources from an economic point of view, they can be grouped into two main categories: the first is represented by natural wealth in the form of working tools (minerals, fuels, wind, hydraulic, solar, electric, nuclear, steam, etc.); the second, information, which began to enjoy increasing attention as its mode of use was discovered, and is now gaining decisive importance.

Several measures are needed to ensure the convergence of economic, social and political objectives, such as:

- regulation of a system of economic instruments to ensure the integration of social and environmental protection objectives in economic policies (prices, property rights, taxes, negotiable emission rights, subsidies, negotiable agreements);
- reconsideration of the decision-making process, in order to allow a wide participation of the civil society and of the decision-makers at various levels;
- creating and developing an information system on the consequences of certain policies and actions in order to facilitate the reversal of current, non-sustainable trends;
- development of markets for public goods and ecological goods and services;
- developing research in the direction of technologies, using fewer natural resources, less polluting, with reduced risks for the environment and for the individual;
- the development of an education and training / communication system that would create the premises for a social dialogue, a transparent decision-making process under the conditions of an individual and collective responsibility and an evolution towards sustainability in consumption and production behaviours;
- horizontal application of sustainability criteria on all economic policies;
- the development of a system of indicators that would allow a regular, efficient evaluation of the sustainability of policies and actions.

### **Sustainability in European Policies**

In European policies, the correlation of the environment with economic dynamics and social cohesion in such a long-term vision has gradually taken place, the decisive moment being the Treaty of Amsterdam. Since then, in developing environmental strategies, various specific programs or complementary and in their application, the key principle has become that of integration. However, the application of the principle was not consistent until the Sixth Environment Action Program (EAP)

and the adoption in 2001 by the Gothenburg European Council of the "EU Sustainable Development Strategy" which confirmed, probably for the next decades, of community action: the environment, as the third pillar alongside the economic and social one.

As economic development takes place within ecological systems, there is an increasing talk of eco-development as a complex relationship between economic development and the natural environment. The technical-scientific progress has registered such performances that, in order to achieve its essential objectives, man has transformed his natural environment with great concern, so that the irrational exploitation of nature will have, in addition to the expected beneficial effects on general well-being, adverse consequences on ecological balance.

The ecological dimension of economic growth and development was realized relatively late for several reasons, the most important of which are:

- the existence, for a rather long period, of a false, mechanistic conception, of attributing the exclusive and determining role in the evolution of the national wealth to some factors with immediate quantitative action (financial resources), neglecting or minimizing the qualitative influence of duration of environmental conditions;
- the slower, more perceptible, and apparently less dangerous nature of the ecological imbalance and environmental degradation compared to the problem of armaments or economic gaps in the world, hunger and poverty, lack of health care, etc., which have attracted the attention of world public opinion more quickly, although all these phenomena involve, more or less, environmental disturbances;
- the appearance of a contradiction between the concept of economic development and the environmental one within some economic theories circulated until a few years ago. Currently, the attitude towards this issue has evolved, appreciating that these two concepts are not only not antagonistic, but can coexist, allowing mutual support and stimulation.

Over the years, EU bodies have drafted hundreds of environmental directives, with companies criticizing the close correlation between the level of stringency of regulations and the costs of adaptation affecting companies. Environmental protection mechanisms are at a stage of complexity that diminishes marginal profits, leading to reluctance on the part of companies to finance them. An assessment of the environmental impact of the Internal Single Market highlights several positive results, but also negative results, which occur as a result of boosting economic growth that generates waste. The competitive pressures generated, but also a series of microeconomic effects in terms of efficiency will determine performance in the use of labor and capital, and the pace of investment in eco - industries is expected to increase. The Single Internal Market also plays a central role in the spread of new green technologies on a European scale. It would be unrealistic to believe that society as a whole will accept a lower standard of living only to improve the quality of the environment.

Another false problem is connected to the previous one and refers to the enlargement process of the European Union and its high cost when environmental issues are involved. This is because, as the Commission documents show, environmental protection in Central and Eastern European countries is underdeveloped compared to previous enlargements, and the cost of alignment with Community standards is shown to be very high. What is not as obvious, however, are the advantages that flow from here, both in environmental and economic terms.



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Thus, in environmental terms it should be noted that raising environmental protection standards in these countries can only have beneficial effects at European and global level and will lead to an improvement in the overall environmental situation, with visible long-term effects. From an economic point of view, the alignment of the industries of these countries with the Community environmental standards implies the massive refurbishment of factories and plants and contributes to the development of the Community production market for such technologies and equipment - hence supporting economic growth at Community level. However, these are general and forward-looking issues. Along with them there are concrete problems, specific to the adoption or implementation of certain community environmental protection measures, but which are nevertheless subordinated to the previously mentioned problems.

Member States have failed to implement this directive and measures have been identified to avoid this evaluation by certain projects (such as structuring a major project into several small projects). Obviously, this situation is the result of a lack of effective weighting of short-term economic effects with long-term environmental effects - and even economic, effects, as we have shown before. Based on these conclusions, the European Commission has established four organizational principles on which to base future initiatives in the field of environmental protection, namely: predictability, integration, flexibility, optimal cost-effect ratio.

The principle of predictability makes it possible for companies to anticipate actions and as such to adapt to them by cultivating a long-term approach. In order to obtain the best possible results in an individual field, an effective mix of tools is used by virtue of the integration principle and sectoral policies that involve a synergistic combination with other areas of the integration process. The principle of flexibility allows business circles to implement the rigor of environmental policy in an efficient manner. According to the principle of the optimal cost-effect ratio, the least expensive optimal solutions should be preferred, provided that the ecological integrity is not affected.

Thus, if we take into account that the activity of environmental protection not only does not endanger but even maintains at an appropriate level the quality of factors of production and thus ensures the functionality of economic flows, satisfying a larger volume of needs with the same amount of utilities, less consumption of time or resources, we also have the size of its involvement in the complex of the national economy.

For the integration of the environment-development relationship at political level, Agenda 21 advocates for the improvement of the decision-making process by:

- integration of economic, ecological and social considerations at all decision-making levels;
- ensuring the transparency and reflection in the national accounting of the effects that the actions of different economic policies have on the environment;
- ensuring access to information at all structural levels;
- improving environmental management strategies and systems, including through the use of environmental impact studies.

Since 1973, the Commission has launched multi-annual environmental action programs (MAPs), setting out future legislative proposals and future objectives for EU environmental policy. In 2013, the Council and Parliament adopted the Seventh WFP for the period up to 2020, entitled "A good life, within the limits of our planet." Building on a number of strategic initiatives, the program sets out nine priority objectives, including:

nature protection, increased ecological resilience, sustainable, resource-efficient and low-carbon growth, and combating environmental health threats. The program also emphasizes the need for better enforcement of EU environmental legislation, cutting-edge scientific knowledge, investment and the integration of environmental issues into other policies.

In 2001, the EU introduced its Sustainable Development Strategy (SDS), complementing the Lisbon Strategy previously adopted to promote growth and jobs with an environmental dimension. In line with these objectives, the Europe 2020 Strategy (European Commission, EUROPE 2020, 2010) for economic growth aims at "smart, sustainable and inclusive growth". Under the auspices of this strategy, the "Resource Efficient Europe" flagship initiative is paving the way for sustainable growth and supporting the transition to a resource-efficient and low-carbon economy. In addition, in 2011, the EU committed itself to tackling the decline of biodiversity and the degradation of ecosystem services by 2020 (European Commission, Biodiversity strategy for 2030).

The EU has a key role to play in international environmental negotiations. The EU is a party to many global, regional, or sub-regional environmental agreements that address a wide range of issues, including nature protection and biodiversity, climate change and transboundary air or water pollution. At the Tenth Conference of the Parties to the Convention on Biological Diversity, held in Nagoya, Japan, in 2010, the EU made a major contribution to establishing an agreement on a comprehensive strategy to halt biodiversity loss by 2020. contributed to the development of several major international agreements adopted in 2015 at the UN level, such as the 2030 Agenda (United Nation, 2015) for sustainable development [which includes the 17 Global Sustainable Development Goals (SDGs) and their 169 targets], The Paris Agreement on Climate Change and the Sendai Framework for Disaster Risk Reduction. At the same time, the Union became a party to the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES).

Practice has shown that economic development is a major cause of environmental degradation, so by virtue of the principle of sustainable development it is necessary to reconcile the goal of increasing competitiveness with that of environmental protection. A sound environmental policy has restrictive implications and costs for competitiveness. The internationalization of economies raises several requirements in external cooperation relations and sustainability must become a catalyst for economic action and public opinion to promote new structural, institutional reforms and changes in production and consumption behaviors. To achieve this goal, coherence should first be ensured between the three coordinates - economic growth, social cohesion and environmental protection - seen as contradictory options, given that social cohesion involves a policy of income redistribution, which limits the sources of growth, in turn, environmental protection involves the adoption of restrictive measures regarding the use of natural resources and technologies, producing distortions in the allocation of factors on criteria of economic efficiency.

Reconciling these coordinates of sustainable development would mean economic growth ensuring the premises of social progress and environmental protection; a stimulating social policy for economic growth; an environmental policy focused on market economy-specific instruments, at the same time effective and economical. Trying to lay the foundations for a mutually positive correlation between industrial competitiveness and environmental protection, the European Commission said: "Overall, exploiting a positive synergy between industrial competitiveness and environmental

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protection is increasingly seen as the introduction of clean industrial processes, preferably trying to identify and fix what has been damaged. This attitude responds much better to the requirements of industrial competitiveness by providing a foundation for the basic factors of competitiveness instead of temporary advantages". (European Commission, 1986).

The key to unleashing the power of national governments towards balancing the environmental protection relationship - economic growth is represented by organizations that promote sustainable development at all levels. If this type of organization proliferates, laying the foundations of a coalition with government structures, then it will be possible to really talk about the existence of a force strong and convincing enough to be able to slow down or even stop activities with a negative impact on the environment.

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## ORIGINAL PAPER

# Legislation and public policies regarding energy performance certification

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**Abstract:**

Environmental protection and sustainable development are achieved through a lot of levels and directions of action, one of them being the creation of a less polluted urban environment by building / rehabilitating buildings so that they meet a high standard of energy performance through the energy certification procedure. This requires an adequate legislative framework, clear and easily implementable public policies by public authorities and raising the interest of users in this construction / rehabilitation and certification processes by providing concrete benefits.

**Keywords:** *Environmental protection, sustainable development, energy performance certificates, renewable energies, nearly zero-energy buildings.*

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## 1. Introduction

Environmental protection is achieved as a unitary as desired, but individually in terms of actions at the level of principle and then sectoral. Starting from the idea of “rule of law” (Ticu, 2016: 87) a central objective is assumed, that of sustainable development, this being a development that meets the needs of the current generation without compromising the chances of future generations to meet their own needs. This objective is complemented by the fundamental right to a healthy and ecologically balanced environment, this being provided both at various levels of legislation within the European Union (Diaconu, 2006: 98) and by the Romanian Constitution at art. 35 and subsequently transposed into the Government Emergency Ordinance (G.E.O.) no. 195/2005 environmental framework law, as amended, in Article 5(Ilie, 2016: 15). The environmental legislation in our country contains a series of principles that define environmental protection as an objective of major public interest and establish that environmental requirements must be integrated into sectoral policies, that preventive and precautionary actions must be taken, that pollutants must be retained at source and that the polluter always pays. Such a sectoral activity of action in the field of environmental protection is also represented by the legal norms from the republished law 372/2005, regarding the energy performance of buildings. From the outset, the law<sup>1</sup> establishes the legal context for action, which is an integrated approach to environmental and urban planning legislation (Bischin, 2016: 125, Ilie, 2017: 70-72). The content of the regulatory act concerns energy saving in buildings, improving the built urban framework and protecting the environment, aiming to increase the energy performance of buildings by designing new buildings with low energy consumption and by thermal rehabilitation of existing buildings, as well as informing the owners/managers of buildings correctly through the energy performance certificate, those being actions of major and general public interest. As stated in the text, the purpose of this law is to promote measures to increase the energy performance of buildings, as well as to improve the urban appearance of localities, but considering the external climatic and location conditions, indoor comfort requirements, optimal level, in terms of costs and energy performance requirements. From this wording it is obvious that the legislator understood that it is necessary to have some detailed and varied technical standards, depending on all these factors, so that the law was supplemented by another normative act, Order of the Minister of Transport, Construction and Tourism, no. 157/2007 with subsequent amendments<sup>2</sup> regarding the Methodology for calculating the energy performance of buildings.

The elements for determining the energy efficiency / energy performance of the building / building unit are expressed mainly by performance indicators. They are unitary at country level, they are in accordance with the standards imposed by the European directives<sup>3</sup>, being divided into the following categories: a) energy class; b) the total specific consumption of primary energy; c) CO<sub>2</sub> equivalent emission index; d) total specific energy consumption from renewable sources. The energy consumption that determines the energy performance of the building / building unit is determined based on the consumption / requirement calculated in accordance with the calculation methodology (Article 5 paragraph (1)) and concerns the following activities that generate energy consumption: a) space heating / cooling; b) heating for domestic hot water; c) ventilation; d) integrated lighting; e) other technical systems of the building.

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The material desideratum of these normative acts concerns the bringing to the standard of a building whose energy consumption is almost equal to zero of all the buildings in our country.

### **2. Buildings/groups of buildings subject to the law. Nearly zero-energy buildings**

The building with almost zero energy consumption (or nearly zero-energy buildings) is a building with an extremely high energy performance. The two framing elements concern energy requirements and its coverage from renewable energy sources. Basically, we are talking about buildings where the energy requirement to ensure energy performance is almost zero or is very low and is covered in proportion to at least 30%, with renewable energy, including renewable energy produced at or near the site, within a radius of 30 km from the GPS coordinates of the building for the period 2021-2031, and this percentage will increase for the next stage. Technically, this cannot happen in a short period of time, so the transition towards this goal will be done gradually, as I said, in stages. The solution proposed by the legislator is a mixed one, imposing building standards whose energy consumption is almost zero for new buildings and those undergoing major rehabilitation and energy performance assessment for buildings in use. Basically, the first stage consists in the construction requirements imposed on certain categories of new buildings or which will be majorly renovated, as well as the obligation to evaluate in terms of energy performance of a wide range of buildings. From the point of view of their purpose, the minimum energy performance requirements of both new and existing buildings or building units apply differently to different types of functions (according to Article 7 (1) of Law 372/2005), as follows: a) residential - collective or individual; b) offices; c) education; d) health; e) hotels and restaurants; f) sports activities; g) trade; h) other functions. The following categories of buildings are exempted from this assessment: a) protected buildings and monuments that are either part of protected built areas, according to the law, or have a special architectural or historical value, which, if the requirements were applied, would be modified unacceptably character or appearance; b) buildings used as places of worship or for other religious activities; c) temporary buildings intended to be used for periods of up to 2 years, from industrial areas, workshops and non-residential buildings in the agricultural field that require low energy consumption; d) residential buildings that are intended to be used for less than 4 months per year; e) independent buildings, with a usable area of less than 50 m<sup>2</sup>. The intention of the legislator is to require the energy assessment procedure for most buildings in the country, except those that either, by type of destination, have a small impact on the environment through low energy consumption, or those that, if they were modified to meet certain technical parameters, they would lose defining elements for their destination. In conjunction with the provisions of republished Law 372/2005 and the Calculation Methodology, it can be seen that the established requirements are designed to take into account the conditions of comfortable and healthy indoor climate, including adequate indoor air quality, to prevent possible adverse effects, such as inadequate ventilation, taking into account local conditions, the destination given in the project and the age of the building. These requirements are subject to revision at regular intervals, but not more than 5 years, and need to be updated whenever necessary to reflect technical progress in the construction sector. The calculation of primary energy shall also be based on the primary energy factors or weighting factors for each energy agent, which may be based on annual, seasonal or monthly weighted averages at

national, regional or local level or on specific information provided for each centralized system. By these provisions, practically, the legislator understands the need for a differentiated approach, depending on the environmental factors, these having a decisive influence in establishing the performance coefficients of each building / group of buildings. The competent authority in this field is the one that establishes the energy or weighting factors to ensure the optimal energy performance in case of enveloping the building. The law expressly states on the type of energy from renewable sources that there is no discrimination between energy from renewable sources supplied through the energy agent and energy from renewable sources generated on site or nearby when calculating the primary energy factors used to determine energy performance of buildings.

The first category of buildings that must meet energy efficiency standards (according to Articles 9, 10 and 17 of the law) is composed of new buildings for which the reception at the end of the works is made based on the building permit issued from December 31, 2020, the obligation being to meet the conditions of a building whose energy consumption is almost zero. As an exception to this deadline, the legislator has set a different deadline for new buildings owned / managed by public administration authorities (whether central or local), which are to be received based on the building permit. For these, it is mandatory that the status of buildings whose energy consumption is almost zero is mandatory in all building permits issued after December 31, 2018. The energy requirements of buildings will be classified in the levels laid down in the specific technical regulations by the planning certificate issued by the competent local public administration authorities for the purpose of obtaining, under the conditions of the law, building authorization (Bischin, 2008: 90). The normative acts provide for new buildings/assemblies of buildings requiring compliance with energy performance standards also the obligation to undergo a study on the technical, economic and environmental feasibility of the use of high-efficiency alternative systems, if any. This study is also required by the planning certificate issued by the competent public administration authorities, to obtain, under the law, the building authorization for the execution of the construction works (Bischin, 2018: 29). It is developed by the designer and is part of the feasibility study. It is developed by the designer and is part of the feasibility study. The law stipulates that these alternative systems can be a) decentralized energy supply, based on renewable energy sources; b) cogeneration / trigeneration; c) central heating or cooling or block; d) heat pumps; e) ground-to-air heat exchangers; f) heat recuperators. From the content of the normative act, it results that this enumeration is limiting, but, obviously, this list can be extended with other models of systems that, from a technological point of view, will meet in the future the requirement of a highly efficient alternative system.

The law also lays down certain technical equipment standards for new buildings. According to the legal provisions (Article 14 of the law), for new buildings whose urban planning certificate is issued after 15 September 2020, investors are required to provide self-adjusting devices for the distinct regulation of indoor temperature and air quality in each directly heated/cooled room or in a heated/cooled area of the building and/or building unit, if it is technically and economically feasible. Self-regulating devices are devices that allow distinct temperature regulation in each heated / cooled room directly in the building or in a heated / cooled area of the building and / or the building unit. These allow automatic adjustment of heating/cooling power depending on the internal temperature set by the user. The law states that it is not



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accepted as a solution the manual adjustment of heating power, even if the adjustment can be made at room/zone level or the device that allows automatic temperature adjustment, but not at room/area level. Although the law specifies the need for this technical solution, it can be observed that it is not of an imperative nature, being limited by the generic wording "technically and economically feasible". This form is unfortunately chosen, creating a conditional obligation based on a conditional cumulation which makes this technical solution easy to ignore for the time being. Another technical solution required by law is that, in the case of new non-residential buildings, as well as in the case of major renovation of non-residential buildings, which have more than 10 parking spaces, other than those owned and occupied by small and medium enterprises, investors / their owners, as the case may be, are obliged to install at least one recharging point for electric vehicles, as well as the recessed piping for electric cables for at least 20% of the planned parking spaces, to allow the installation, at a later stage, of recharging points for electric vehicles. This work is necessary when: a) the car park is located inside the building and, in the case of major renovations, the renovation measures include the car park or the electrical infrastructure of the building; b) the car park is adjacent to the building and, in the case of major renovations, the renovation measures include the car park or the electrical infrastructure of the car park. The law makes a limiting and express list when this solution does not apply. However, it is clear from the text that car parks adjacent to existing buildings are also exempted in this case if the car park is not also subject to a major renovation process. This form of the law text creates the possibility that, in this case, in the current form of the law, the provision will never be applied. Major renovation means work designed and carried out on the building envelope and / or its technical systems, the costs of which exceed 25% of the taxable amount of the building, excluding the value of the land on which the building is located. As such, the realization of renovations, even major ones, in pieces, first the building and then the parking makes these technical solutions not mandatory. It is obvious that, in the future, these technical solutions will be made mandatory, regardless of the situation in which a building with parking is located. Beyond this aspect, the analysis of the legal texts shows that this obligation is imperative, unconditional, and the costs are borne by investors / owners.

The second category of buildings for which it is necessary to improve the energy efficiency standards (according to Article 11 of the law) are those where major renovation works are performed. Major renovation means all work designed and carried out on the building envelope and / or its technical systems, the costs of which exceed 25% of the taxable amount of the building, excluding the value of the land on which the building is located. The law states that this improvement must be made to the extent that this is technically, functionally and economically possible. All technical documentation prepared for the authorization of intervention works for major renovation develops the measures provided in the energy audit report of the building, which represents all specific activities that obtain data and technical elements on the profile of real energy consumption of an existing building / building unit, followed by the identification of solutions to increase energy performance, the quantification of the reduction of energy consumption resulting from the proposed solutions, the evaluation of the economic efficiency of their implementation through economic indicators and finalized with the audit report. As with new buildings, owners / administrators of major rehabilitated buildings may install high-efficiency alternative energy generation systems to the extent that the energy audit of the building establishes that this is technically, functionally and

economically feasible. It should be noted that, in addition to the energy performance of the building, in the case of major building renovations, their owners / administrators must address other issues, such as ensuring a healthy indoor climate, fire protection and risks related to seismic activity and those on removing existing barriers to accessibility. As can be seen, all these requirements that apply to the building or renovated building unit, aim to increase the overall energy performance of the building, these requirements also apply to the envelope element (s) that is / are part of the building envelope and has / have a significant impact on its energy performance, if it is / are upgraded / modernized or replaced / replaced. Moreover, even in the case of these buildings, it is mandatory to install by the owners / administrators, insofar as this is technically and economically feasible, self-regulating temperature devices, when replacing the heat / cold generators. The provisions are similar to those for new buildings, so that the previous analysis of the imperative and the conditions of application of these rules is identical.

### **3. Energy certification of buildings**

The way to determine the energy efficiency of buildings is their energy certification. The energy performance of existing buildings / building units is demonstrated by the energy performance certificate. It is issued for the following situations: a) for all their buildings / units, which are being built, sold, rented or are undergoing major renovations; b) for buildings owned / administered by public authorities or institutions providing public services; c) for buildings in which a total usable area of over 250 sq m is occupied by a public authority and which is frequently visited by the public.

Who conducts this study? According to the legal provisions (article 21 of the law) the certificate is elaborated and issued by the energy auditor for buildings, at the request of the investor / owner / administrator of the building / building unit. Energy auditors for buildings and certified technical experts work as independent experts, authorized natural persons or as employees of legal entities, according to the legislation in force. The study is valid for 10 years from the date of issue registered in the certificate, unless, for the building / building unit for which the certificate is valid, major renovation works are carried out that modify its energy consumption. These certificates are elaborated according to the provisions of the Methodology provided by the Order of the Minister of Transports, Constructions and Tourism, no. 157/2007 with subsequent amendments. It is not mandatory to draw up the energy performance certificate for certain buildings and their units, listed exhaustively by law (see above), but this does not mean that the energy performance certificate cannot be issued at the request of the investor / owner / administrator of the building / unit. building, this is also done based on the methodology. According to the legislation, auditors fall into two categories: first-degree or second-degree auditors. Unlike grade II auditors, grade I auditors are allowed to draw up certificates for both housing and other types of buildings.

In essence, the certificate includes both values calculated, in accordance with the technical regulations in force, on primary and final energy consumption, including from renewable energy sources, and CO<sub>2</sub> emissions, which allow the investor / owner / administrator of the building / unit to compare and evaluate the energy performance of the building / building unit, as well as recommendations to reduce the energy consumption of the building, with the estimation of energy savings by taking measures to increase the energy performance of the building, including details of where to obtain more detailed information such as: the cost-effectiveness of the recommendations made,

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the procedure to be followed for the implementation of the recommendations, financial or other incentives and funding possibilities. Regarding the energy performance of the building, the energy certificate presents it through two important indicators: *energy class*, between A and G (class A being the most energy efficient): energy class A represents the buildings with the lowest consumption of energy, of maximum 125 kWh / m<sup>2</sup> / year (this being the building standard whose energy consumption is almost equal to zero) and energy class G represents the buildings with an increased energy consumption, of 820 kWh / m<sup>2</sup> / year and *energy rating* (between 1 and 100, with a grade of 100 being the best). Statistically, most of the buildings/building units in our country are, at this moment, at an energy class standard in classes D and E.

Enter the identification data of the prepared documents, respectively of the energy performance certificates and of the energy audit reports, as well as of the inspection reports of the heating / air conditioning systems and of the combined heating and ventilation / air conditioning and ventilation systems, as appropriate, in the own register of activity records by energy auditors for buildings and certified technical experts is mandatory. They must be sent, in electronic, editable format, to the Ministry of Public Works, Development and Administration within a maximum of 30 days from the date of their preparation. After 31 December 2020, an editable electronic document containing relevant energy information on the energy-audited building will also need to be sent in order to set up databases at the level of this ministry. These databases are information of public interest and can be constituted into data and information accessible within a platform with a web interface with controlled access.

The normative acts in force require the publicity of the data on energy efficiency, as well as the right of certain persons to know the energy performance of the building. Thus, for buildings or building units that are sold or rented, the investor / owner / administrator is obliged to make available to the potential buyer or tenant before completing the contract, a copy of the certificate so that the applicant knows about the energy performance of the building/units of the building that he/she is to buy/rent, as appropriate. Also, at the conclusion of the sale-purchase contract, the owner has the obligation to send the original certificate to the new owner and on the date of registration of the sale-purchase contract, respectively the lease and the owner has the obligation to submit a copy to the competent tax authority and the original will remain in his possession. The sanction provided by law for non-compliance with this provision in the case of sale-purchase contracts is the relative nullity, according to the provisions of the Civil Code. It should be noted the wording of the law, which provides a penalty only for contracts of sale and purchase, not for leases. This provision can be interpreted as an omission of the law, given that throughout the normative act the sale-purchase and rent are treated uniformly, as legal acts with the same regime in terms of procedures, as well as the rights and obligations of the parties. Last but not least, a tenant's will to rent can be influenced by the maintenance costs of the building, if they are in his charge, so that even in this situation there must be a sanctionable obligation, not an imperfect one.

For new buildings that are being built, the investor / owner / administrator is the one who has the obligation to draw up the certificate and it is presented by him, in original, to the commission convened for reception at the end of the works and it is attached, in copy, to the acceptance report and constitutes a component part of the technical book of the construction. If the report concluded on the occasion of the reception at the end of the works is not accompanied by the copy of the certificate, it is struck by absolute nullity, being null and void. If the building / building unit is sold

before the reception is completed, the investor / owner / administrator will provide the buyer with data / information to assess the energy performance of the building / building unit, which are included in its technical documentation, following the receipt of the final form of the certificate upon receipt upon completion of the works.

Regarding the prior publicity of the energy performance of buildings, the investor / owner / administrator of the building / building unit, in order to inform potential buyers or tenants, shall specify in the notices of sale or rental of them information from the certificate on performance indicators regarding energy performance. Also, in the case of buildings with a usable area of over 250 sqm, owned / administered by public authorities, as well as in the case of buildings where public service institutions operate, by the care of the owner / administrator of the building, as appropriate, the certificate, in validity, is displayed in a place accessible and visible to the public. The obligations regarding the elaboration and display of energy certificates for these institutions are the responsibility of the owners or administrators of buildings of public interest and utility. These provisions also apply to buildings of public interest that are frequently visited by the public. This is a building with a total usable area of over 250 sqm in which daily or periodic activities of general and / or community, social, cultural, commercial and other similar interests are carried out, and which has space / spaces with the function / functions intended / intended for the access and presence of the public temporarily or permanently in it.

#### **4. The control system, the common general framework for assessing the readiness of buildings for smart solutions and financial incentives. Other related normative acts**

State control of the uniform application of the legal provisions on the energy performance of buildings and the inspection of heating / climatization systems is exercised by the State Construction Inspectorate - I.S.C., on the basis of its procedures drawn up and approved by order of the Minister of Public Works, Development and Administration, in order to achieve and maintain the economic requirements of "energy saving and thermal insulation", as well as the other key requirements laid down in Law No 10/1995, republished, with subsequent amendments and additions<sup>4</sup>. This control shall cover: (a) verification of the display of the certificate in buildings with a total useful area of more than 250 sqm, which are frequently visited by the public; b) the annual verification, by sampling, of at least 10% of the energy audit certificates and reports, as well as of the inspection reports of the heating and air conditioning systems, registered annually in the specific databases. At the request of the State Inspectorate for Constructions - I.S.C., the designated specialists from the representative professional associations, certified as energy auditors for buildings and / or certified technical experts for the heating-air conditioning specialty, participate in these controls.

Considering the elaboration by the European Commission of the Common general framework for assessing the readiness of buildings for smart solutions, the definition of the readiness indicator for smart solutions and its calculation methodology were established by normative acts, in order to assess the capacity of a buildings or a building unit to adapt its operation to the needs of the occupant and the network and to improve its energy efficiency and overall performance. This indicator includes elements related to increased energy savings, benchmarking and flexibility, as well as increased functionalities and capabilities resulting from smart and interconnected devices. The

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desired result is the assessment of the situation and the adaptation of the measures that will be taken to be in accordance with the parameters imposed at EU level.

The sources of financing necessary to increase the energy performance of buildings and the transition to buildings whose energy consumption is almost zero will be established by normative acts by the Ministry of Public Works, Development and Administration, as the competent authority of the central public administration, these mainly concerning: a) the appropriate use of structural funds in order to increase the energy efficiency of buildings, in particular housing; b) efficient use of funds attracted from public financial institutions; c) coordinating the use of European Union and national funds, as well as other forms of support, in order to stimulate investments in energy efficiency, in order to achieve national objectives; d) management of financial resources allocated from public funds for financing, in accordance with the law, the elaboration of technical-economic documentation, energy performance certificates, technical expertise reports and energy audit, as well as for the execution of major renovation works of buildings included in programs for increasing the energy performance of buildings.

It is imperative by law that the financial measures for energy efficiency improvement obtained for building renovation should take into account: a) the energy saving that is quantified by comparing energy performance before and after renovation; b) conditions and/or obligations requiring final beneficiaries to demonstrate project performance and effective use of money.

Not only the central public authority can have financial incentive policies but also the local public administration authorities can finance, within the funds approved annually for this purpose in the local budgets, the elaboration of technical-economic documentation, as well as the execution of major renovation works on residential buildings. to buildings of interest and public utility, included in programs to increase the energy performance of buildings.

The legal norms regarding the promotion of measures for increasing the energy performance of buildings are supplemented by other special normative acts, such as G.E.O. no. 18 of March 4, 2009 on increasing the energy performance of apartment buildings with subsequent amendments<sup>5</sup>. The purpose of this normative act is to solve an exceptional situation that consists in the need to reduce energy consumption for heating blocks of flats, in ensuring and maintaining the indoor thermal climate in apartments, by promoting programs integrated into the National Energy Efficiency Plan<sup>6</sup>. The normative act establishes that the reduction of energy consumption for heating apartment blocks has the effects of reducing heating maintenance costs, reducing the effects of climate change, by reducing greenhouse gas emissions, increasing energy independence, by reducing fuel consumption used in the preparation the heating agent, as well as the improvement of the urban aspect of the localities. At the same time, this normative act aims to support economic growth and counteract the negative effects of the current international financial crisis on the energy and construction sectors, including the use of national energy resources. The normative act establishes the intervention works for increasing the energy performance of the blocks of flats built according to projects elaborated until December 31, 2005 (including social housing and other housing units, owned / managed by the local council, regardless of whether they are located in blocks of flats or are single-family homes and single-family homes owned by individuals, with the adaptation of solutions according to the characteristics, particularities and architectural value of homes), as well as the steps required to carry out the works, how

to finance them and the obligations and responsibilities of public administration and owners associations, being excluded the blocks of flats classified / in the process of being classified as historical monuments and the places of dwellings technically examined and classified in class I by a technical expertise report, where intervention works have not been carried out or are being carried out to increase the level of safety at seismic action of existing construction. The intervention works eligible in the sense of the normative act are: thermal rehabilitation works on the envelope; thermal rehabilitation works of the heating system; thermal rehabilitation works of the hot water supply system; installation, as appropriate, of alternative systems for the production of energy from renewable sources. The associations of owners of the identified and inventoried blocks of flats are notified by the local coordinators on the possibility of enrolling in the local program. Along with the notification, the local coordinator also sends the draft mandate contract signed by him, in two original copies, in order to be signed by the owners' association. The mandate contract aims to mandate the local coordinator by the owners' association to establish the measures and actions required, under the conditions and in compliance with this emergency ordinance, to increase the energy performance of the apartment building. The mandate contract stipulates the obligations of the parties, as well as other clauses on which the parties agree. Notified homeowners' associations can enrol in the local program by written request registered with the local coordinator in whose area of competence the block of flats is located.

The emergency ordinance provides for three ways of financing. The general rule, provided by art. 13 of GEO no. 18/2009 stipulates that the financing of the execution of the intervention works is ensured as follows: 50% of the allocations from the state budget, within the limits of the funds approved annually for this purpose in the budget of the Ministry of Regional Development and Public Administration; 30% of the funds approved annually for this purpose in the local budgets and / or from other legally constituted sources; 20% of the repair fund of the owners' association and / or from other legally constituted sources. The financing of the execution of the intervention works from this quota is ensured by the owners' association during the execution of the intervention works, based on the work situations. The second way is financing through structural funds. As an exception, the financing of activities / intervention works to increase the energy performance of apartment buildings can be provided from the structural and cohesion funds of the European Union, as follows: 60% of the structural and cohesion funds of the European Union and budget allocations state, within the funds approved annually for this purpose in the budget of the Ministry of Regional Development and Public Administration; 40% of the funds approved annually for this purpose in the local budgets and / or from other legally constituted sources, as well as from the repair fund of the owners' associations and / or from other legally constituted sources. Here, a clarification must be made: the own contribution quota of the local public administration authorities is established within a quota of maximum 30% of the value of activities / works, so that the owners' association contributes with a quota that cannot be less than 10% from the value of activities / works. The last way of financing is the funds advanced by the local council for the owners' association. The local public administration authorities may ensure, at the request of financing submitted by the owners' associations, based on the decision of the local council, respectively of the General Council of Bucharest or of the local councils of the sectors of Bucharest and within the funds approved annually with this destination, the financing of the expenses related to the execution of the intervention works corresponding to the contribution

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quota that belongs to the owners - respectively to the owners' association -, with the recovery of the amounts in accordance with the law.

### 5. Conclusions

Environmental protection, including its improvement, is a complex process that is carried out on several directions and strategies. One of the most important directions is, as we have demonstrated, the efficient use of energy, both by reducing consumption through various methods of building construction / modernization and by using energy resources efficiently, including by using a significant percentage of green energy. As can be seen in the research, the normative regulation is far from being finalized, new normative acts appearing every year to allow adaptation to the challenges of this task. It is obvious that the imposition of expenditure on owners / associations of owners to achieve these objectives will represent a massive financial challenge. Therefore, by law, it would be necessary to stimulate them by various methods of additional support, such as the differentiated taxation of buildings according to the energy efficiency class in which the building is classified. In practice, by multiplying by a subunit coefficient for buildings of category A-C and supraunit coefficient for those in categories E-G, this incentive can be achieved to participate actively in the energy efficiency process. The leading role of public authorities as an example of good practices and strategies should also not be ignored. Last but not least, it may be necessary to effectively systematize the normative acts in a single normative act, which will ensure an overall understanding and effective application of these provisions with a critical role in ensuring the transition to a modern urbanization that respects the energy challenges of the 21st century and reduces the negative impact on the quality of the environment.<sup>7</sup>

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<sup>1</sup> Law No. 372 of 13 December 2005 on the energy performance of buildings was published in Official Gazette 1144 of 19 December 2005, entering into force on 1 January 2007. It has been republished pursuant to Article VII of Law No. 101/2020 for the amendment and completion of Law No. 372/2005 on the energy performance of buildings, published in the Official Gazette of Romania, Part I, no. 579 of 1 July 2020, giving the texts a new numbering. Law No. 372/2005 on the energy performance of buildings was originally republished in the Official Gazette of Romania, Part I, No. 764 of 30 September 2016.

<sup>2</sup> Order No. 157 of 1 February 2007 for the approval of the technical regulation "Methodology for calculating the energy performance of buildings" was published in Official Gazette No. 126 of 21 February 2007

<sup>3</sup> Law No. 372 of 13 December 2005 on the energy performance of buildings transposes Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (reformation), published in the Official Journal of the European Union, L series, no. 153 of 18 June 2010 and Directive 2018/844/EU of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency, published in the Official Journal of the European Union, L series, no. 156 of 19 June 2018.

<sup>4</sup> Law no. 10 of January 18, 1995 on quality in construction, was republished a second time under art. IV of Law no. 163/2016 for the amendment and completion of Law no. 10/1995 regarding the quality in constructions, published in the Official Gazette of Romania, Part I, no. 561 of July 25, 2016, giving the texts a new numbering.

<sup>5</sup> Government Emergency Ordinance No. 18 of 4 March 2009 on increasing the energy performance of housing blocks was published in Official Gazette No. 155 of 12 March 2009. Subsequently the act was approved by Law 158/2011 and underwent numerous changes through normative acts such as: Order 2154/2020 for the approval of the Multiannual National Programme on Enhancing the Energy Performance of Financing Housing Blocks in the period 2020-2022, Law 231/2017 for the modification and completion of the Government Emergency Ordinance No. 18/2009 on increasing the energy

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performance of the blocks, Law 180/2015 on the modification and completion of the Government Emergency Ordinance No. 18/2009 on increasing the energy performance of housing blocks, Law 238/2013 on the approval of the Government Emergency Ordinance No. 63/2012 for the amendment and completion of the Government Emergency Ordinance No. 18/2009 on increasing the energy performance of housing blocks, etc.

<sup>6</sup> The legislation applies, in practice, the provisions of Directive 2006/32 / EC of the European Parliament and of the Council of 5 April 2006 on energy end-use efficiency and energy services and repealing Council Directive 93/76 / EEC which provides, inter alia, that Member States take all measures to improve energy efficiency for end-users and set a national energy saving target of at least 9% for the 9th year of application of the Directive. Also, the non-adoption of this normative act would have led to the non-fulfilment of the obligations assumed by Romania regarding the transposition of Directive 2006/32 / EC of the European Parliament and of the Council of 5 April 2006 on energy efficiency to end users and energy services and repealing Directive 93 / 76 / EEC of the Council, as well as Directive 2002/91 / EC of the European Parliament and of the Council on the energy performance of buildings.

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## ORIGINAL PAPER

# The Role and Financial Performance of Banks in the Western Balkans

Klejda Gabeshi<sup>1)</sup>

### Abstract:

The bank's performance is its ability to generate sustainable profitability. Although banking institutions have become increasingly complex, the key factors in their performance remain earnings, risk-taking efficiency and financial leverage. The countries of the Western Balkans have some common features: the history of socio-economic development, the transformations that have taken place, the reforms undertaken, liberalization, restructuring and the path to development. Their financial sector is primarily bank-based, so the soundness of the banking sector is significantly important for the stability and progress of their economies in the long term. Using a qualitative and quantitative analysis, the main objective of this paper is to generate and explain the main features about the role and financial performance of banks in the Western Balkans. The research methodology is based in explaining through a descriptive and graphical analysis, the particularities of the main banking systems in Albania, Bosnia and Herzegovina, North Macedonia and Serbia, presenting the four main performance measurement indicators: return on assets (ROA), return on equity (ROE), cost-to-income ratio and net interest margin. Analyzing the data for the period 2000-2019, it was assessed that the region is quite consistent in terms of the performance of the banking sector, the latter being almost equally dynamic for all four countries. The regional economic environment does not favor the stability of the financial system, but prevents the increase of the efficiency and productivity of the banking sector.

**Keywords:** *Cost-to-Income Ratio; Net Interest Margin; Return on Assets; Return on Equity; Western Balkans.*

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### **Introduction**

The bank's performance is its ability to generate sustainable profitability. Although banking institutions became more and more advanced, the main determinants of their performance stay earnings, the efficiency of taking risks, and money leverage. Though it's understandable that a bank should be ready to generate earnings, it's additionally vital to require under consideration the composition and volatility of these earnings. Efficiency is related to the bank's ability to come up with financial gain from a particular quantity of assets and to exploit a particular supply of financial profit. The efficiency of taking risks is mirrored within the necessary changes to earnings for the risks taken to come up with them, as it can be mentioned the value of credit risk during a specific period of time. The financial leverage however, on the one hand might improve the outcome in the means that it works as a multiplier, and on the other hand, it might make bank even more possible to fail thanks to rare, surprising losses.

According to the objectives of each stakeholder, there can be identified several measures used to estimate the bank's performance, where the most used are the return on assets (ROA), the return on equity (ROE), and the cost-to-income ratio. Likewise, the determinant of the net interest margin is also evaluated, taking into consideration the important role of banks in the intermediation process.

The cost-to-income ratio shows the institution's ability to generate profits from a certain revenue stream. ROE is an internal measure of shareholder performance and is by far the most popular measure of performance, as it: (i) proposes a direct assessment of the return on investment of a shareholder; (ii) is readily available to analysts based solely on public information; and (iii) allows comparison between different companies or different sectors of the economy. Finally, the net interest margin is a proxy for the ability to generate income from the intermediary function of banks.

Part of the analysis of banks' performance as financial intermediaries should be the collection of information and data from formal or non-formal sources, to help both depositors and investors achieve their desired objectives. Measuring the performance indicators of the banking activity was considered a difficult process due to the nature of both the services and the products it offers, being immaterial.

Banking crises in developing markets have been associated with major macroeconomic disruptions: gross interest rate rises, high currency depreciations, collapses in production and sustained declines in credit supply. Bank loans have since recovered in a number of countries and there have been significant changes in banking structure, performance and risk management capacity. European banks continued to build a solid capital position and strengthen their balance sheets. The recapitalization effort created by European banks in the wake of the 2008 financial crisis is making the European banking sector more resilient and robust.

The countries of the Western Balkans have some common features: the history of socio-economic development, the transformations that have taken place, the reforms undertaken, liberalization, restructuring and the path to development. Their financial sector is primarily bank-based, so the soundness of the banking sector is significantly important for the stability and progress of their economies in the long term.

Using a qualitative and quantitative analysis, the main objective of this paper is to generate and explain the main features about the role and financial performance of banks in the Western Balkans. The research methodology is based in explaining through a descriptive and graphical analysis, the particularities of the main banking systems in

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Albania, Bosnia and Herzegovina, North Macedonia and Serbia, presenting the four main performance measurement indicators: return on assets (ROA), return on equity (ROE), cost-to-income ratio and net interest margin.

The COVID-19 pandemic has pushed the Western Balkans region into a deep recession, accompanied by a decline in the domestic and external demand and disruptions in supply chains, pushing all six countries in the region into a negative territory of economic growth for 2020. The main risk for the Western Balkans is that a protracted pandemic, as well as a deeper recession within the European Union, could make it difficult to resolve the ensuing economic crisis. As a result, the banking system of these countries has experienced difficulties in general, and in terms of performance in particular. Repaying loans has become very difficult given the rising unemployment. The region is endangered by the growth of non-performing loans.

### **Literature Review**

Rengasamy (2012) defines banking performance as “a mirrored image of how the bank has used its resources to achieve its objectives”. The bank's performance is its ability to generate sustainable profitability. An institution that persistently records a loss will eventually deplete its capital base, which in turn jeopardizes holders of equity and debt (ECB, 2015).

The soundness of the banking sector in a country is very important for the health of the country's economy (Sufian and Chong, 2008). Also, in agreement with this statement, Katrodia (2012) argues that a country's banking sector and economy are closely linked. On the other hand, it is important to note that the soundness of commercial banks depends largely on their financial performance, which was normally used to indicate the strengths and weaknesses of such a commercial bank (Makkar and Singh, 2013). The financial performance of any bank is normally assessed by determining their profitability.

Yousef et.al. (2016) argues more broadly the need to measure the efficiency of the banking sector and says that it is directly related to the productivity of the economy. The efficiency of a bank is its ability to transform labor, capital, technology into financial services and banking products to better serve its customers. Another important conclusion comes from the study of Chortares et.al. (2012). They observed a direct relationship between the development of the financial systems and the banks' efficiency, with larger banks operating in less concentrated economies being more efficient. Hence, a key point for assessing the stability of the entire financial system is measuring the efficiency and productivity indicators (Gabeshi, 2020).

Hawkins and Mihaljek (2001) studied the consolidation and systemic stability of the banking industry in the emerging markets, by comparing it with the developed economies. They found out that the new technologies have an effect on the structure and performance of the banking sector both in developing and developed markets, mainly through their impact on costs and in the establishment of an optimal level. This advantage related to costs seems to favor smaller institutions more than the larger ones, because the investments needed to attract deposits or provide internet banking services are, in general, lower than the costs of founding a traditional branch network. Simultaneously, the cost advantages for larger institutions are created by the huge investments required to expand back office services and risk assessment systems.

It is clear from the literature that the stability of the banking sector is an integral part of the growth and sustainability of emerging and developing markets. Based on

Monnin and Jokipii (2013) results, the periods of stability are particularly followed by an increase in the real output growth while the periods of instability are associated with a decrease in the real output growth. Therefore, it is undeniable that the instability in the banking system affects economic growth due to financial constraints for the government, companies and individuals with direct long-term consequences for the country. In addition, Pradhan et.al. (2019) revealed that the bank's stability is linked to the development of the stock market, indicating that the banking system is linked to other aspects of the economy. Ntarmah (2019) concluded that the stability of the banking system plays a role in the economic sustainability of developing economies.

Even in 2021, it is clear that the financial services industry has not yet embraced the full capabilities of the new technology and there is still a relative friction between fintech (financial technology) organizations and established banks and credit unions. This can be explained, partly by the nature of the industry, where several new and great fintech companies work hard to push more traditional banks into more dynamic services, because of the innovation advantage they have and also by the fact that they were not related to the 2008 financial crisis. According to Talukder (2019) the solution for banks is fintech. By actively investing in the right technology, banks can adapt to the latest technological developments in the financial industry and begin to raise their profiles with modern consumers and innovative businesses.

The economies of the Western Balkan countries are among the most affected by the effects of recent recessions strongly influenced by the evolution of the region's economies. The slow recovery of euro area economies poses a risk to world economies. The almost unmistakable rate of economic growth leads to a decrease in demand, followed by inflation to deflation. The risks carried out by the world economy that can be transmitted to the economies of the region are: market fluctuations, geographical and political tensions, low rates of economic growth in developed countries and decline in emerging countries. European countries will suffer a decrease in investments due to shrinking activity and market development, weakening the economy and increasing investor uncertainty. In such an economic environment, the analysis of the financial stability of the region is of particular importance. The countries of the Western Balkans have some common features, like the history of socio-economic development, the transformations that have taken place, the reforms undertaken, liberalization, restructuring and the path to development. The structure of their financial system is mainly based on the banking sector, and capital markets are underdeveloped or inactive as in the case of Albania. Another common feature that makes them even more exposed to financial instability is that the majority of banks are owned by the largest ones operating in European countries. Meanwhile, the economies and banking sectors of their "parental" countries are facing problems and their economies are shrinking. According to ECB (2015), the most exposed of the Western Balkan countries to foreign capital are Montenegro, Albania and Macedonia. All these savings have been directly or indirectly affected by the crisis of recent years. The economies of these countries are small, but all aim to join the European Union, despite the different levels of development.

The banking sector profitability indicators in the Western Balkans, based on the the study of Varesi (2015), follow the same negative trend with the economic growth rates and the recovery rates are lower than the forecasted ones. The efficiency of the banking sector in the countries of the Western Balkans decreased for the observed period by the author, as well the profitability and overall banking performance showed a decreasing trend. The financial depth of the results of the countries studied has worsened

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compared to the pre-crisis period. Non-performing loans remained the main risk as they tended to increase.

From the analysis of the banking system profitability in Western Balkan countries of Tmava et.al. (2019), it can be concluded that both performance indicators (ROA and ROE) in the Western Balkan countries, for the comparative period (2008-2015), showed on average better performance in the period before the global financial crisis than in the following one and that some of these countries need to fully recover from the crisis in question. Based on the performance indicators (ROA and ROE), the Kosovo banking system presented the best results.

### Research Methodology and Discussion

As mentioned in the introduction part, the research methodology is based in explaining through a descriptive and graphical analysis, the particularities of the main banking systems in Albania, Bosnia and Herzegovina, North Macedonia and Serbia, presenting the four main performance measurement indicators: return on assets (ROA), return on equity (ROE), cost-to-income ratio and net interest margin. The data are analyzed for the period 2000-2019.

In Figure 1. below is represented the evolution of the return on assets (ROA), during the years 2000-2019, for Albania, Bosnia and Herzegovina, North Macedonia and Serbia. The average ROA value for Albania during this period was 1.26%, with a minimum of 0.22% in 2015 and a maximum of 2.28% in 2000. The most recent value in 2019 is 1.39%. The average ROA value for Bosnia and Herzegovina during this period was 0.66%, with a minimum of -1.8% in 2001 and a maximum of 1.5% in 2018. The most recent value in 2019 is 1.3%. The average ROA value for North Macedonia during this period was 1.21%, with a minimum of -0.92% in 2001 and a maximum of 2.43% in 2007. The most recent value in 2019 is 1.3%. The average ROA value for Serbia during this period was 0.6%, with a minimum of -4.68% in 2002 and a maximum of 2.46% in 2017. The most recent value in 2019 is 1.8%.

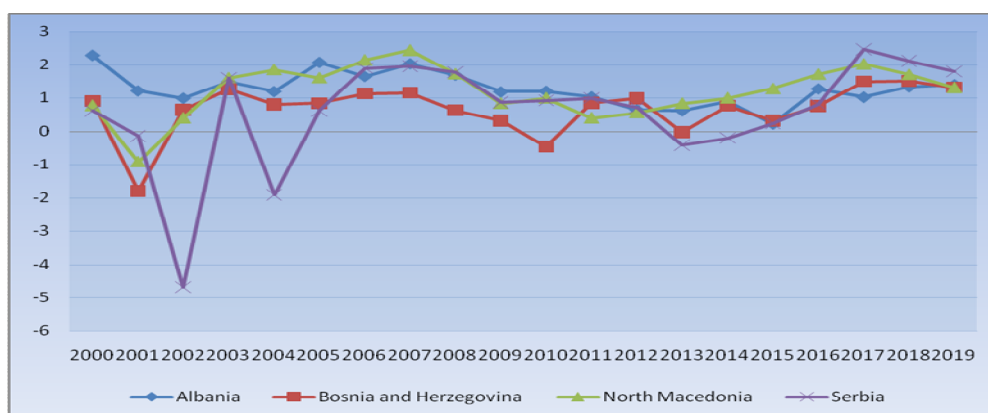


Figure.1. Evolution of ROA: Albania, Bosnia and Herzegovina, North Macedonia and Serbia, Source: processing according to the data from <https://www.theglobaleconomy.com/> and the data taken from the reports of the Central Banks of the 4 countries

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As seen from Figure 1. Albania is the only country that for the years 2000-2019 did not recorded negative values of ROA and Serbia is the one that recorded the lowest value in 2002. A higher ROA indicates a higher profitability, because a bank is earning more money on less investment. Before the financial crisis of 2008, the evolution of ROA for the four countries was varied, and after the crisis it registers almost the same trend.

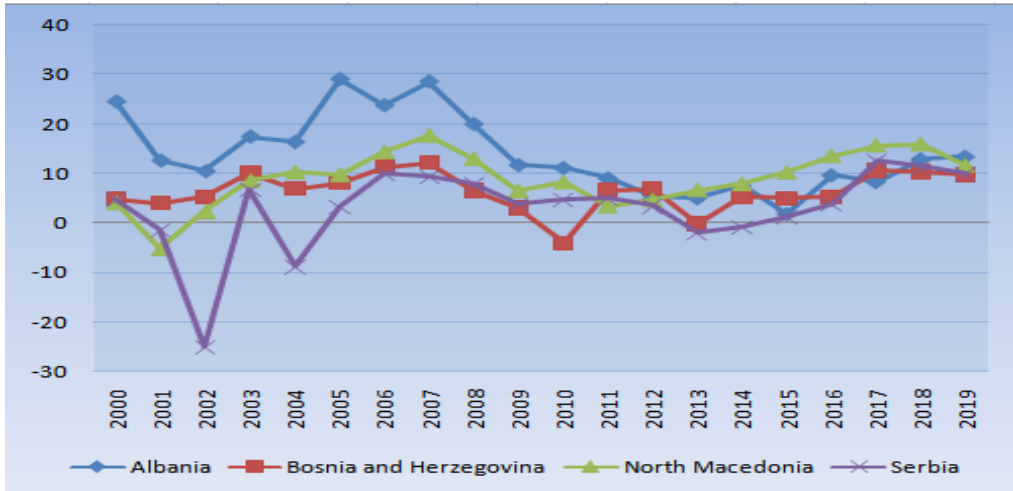


Figure.2. Evolution of ROE: Albania, Bosnia and Herzegovina, North Macedonia and Serbia, Source: processing according to the data from <https://www.theglobaleconomy.com/> and the data taken from the reports of the Central Banks of the 4 countries

In Figure 2 above is represented the evolution of the return on equity (ROE), during the years 2000-2019, for Albania, Bosnia and Herzegovina, North Macedonia and Serbia. The average ROE value for Albania during this period was 13.94%, with a minimum of 1.76% in 2015 and a maximum of 29.02% in 2005. The most recent value in 2019 is 13.45%. The average ROE value for Bosnia and Herzegovina during this period was 6.33%, with a minimum of -4.02% in 2010 and a maximum of 12.05% in 2007. The most recent value in 2019 is 9.6%. The average ROE value for North Macedonia during this period was 9.01%, with a minimum of -5.21% in 2001 and a maximum of 17.77% in 2007. The most recent value in 2019 is 11.7%. The average ROE value for Serbia during this period was 2.97%, with a minimum of -25.09% in 2002 and a maximum of 12.57% in 2017. The most recent value in 2019 is 9.8%. As seen from Figure 2., the evolution of ROE is in the same trend as the evolution of ROA, Albania being the only country that for the years 2000-2019 did not recorded negative values of ROE and Serbia being the one that recorded the lowest value in 2002. A higher ROE is usually better in terms of profitability, because suggests that a bank is increasing its profit generation without needing as much capital. Also, the same as per ROA, the biggest differences in the ROE trend between the four countries are seen before the financial crisis of 2008.

The other two performance measurement indicators that will be represented are the bank cost-to-income ratio and net interest margin. In Figure 3. below is represented

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the evolution of the bank cost-to-income ratio, during the years 2000-2019, for Albania, Bosnia and Herzegovina, North Macedonia and Serbia.

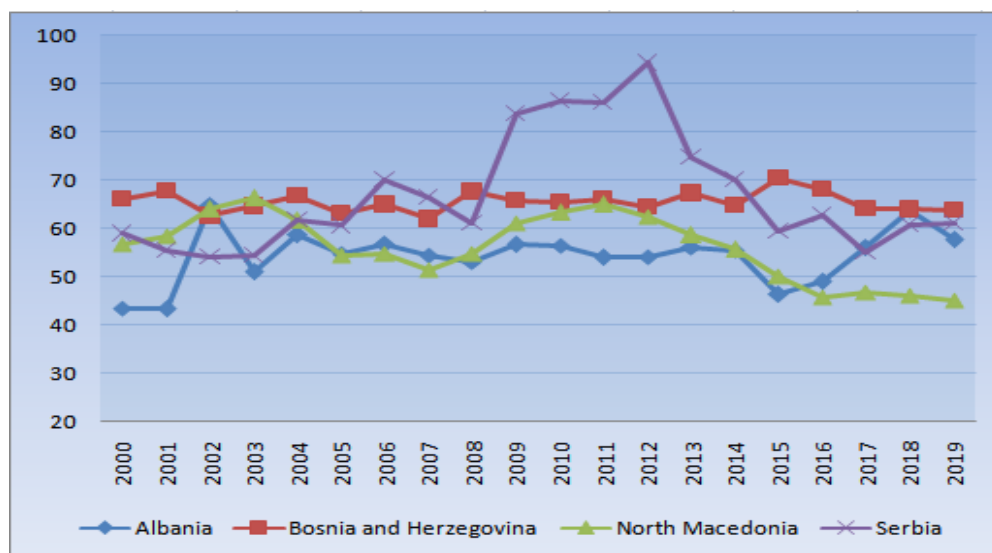


Figure.3. Evolution of the bank cost-to-income ratio: Albania, Bosnia and Herzegovina, North Macedonia and Serbia, Source: processing according to the data from <https://www.theglobaleconomy.com/> and the data taken from the reports of the Central Banks of the 4 countries

The average cost-to-income ratio value for Albania during this period was 54.30%, with a minimum of 43.28% in 2001 and a maximum of 64.71% in 2002. The most recent value in 2019 is 57.61%. The average cost-to-income ratio value for Bosnia and Herzegovina during this period was 65.54%, with a minimum of 62.04% in 2007 and a maximum of 70.51% in 2015. The most recent value in 2019 is 63.86%. The average cost-to-income ratio value for North Macedonia during this period was 56.18%, with a minimum of 45.1% in 2019 and a maximum of 66.34% in 2003. The average cost-to-income ratio value for Serbia during this period was 66.91%, with a minimum of 54.1% in 2002 and a maximum of 94.32% in 2012. The most recent value in 2019 is 61.2%. The bank cost-to-income ratio is calculated as the share of the operating expenses of a bank and the sum of net-interest revenue and other operating income. As seen in Figure.3, the highest value is recorded by Serbia in the year 2012 and the lowest value is recorded by Albania in the year 2001. This ratio gives a clear view of how efficiently a bank is being run, so the lower the value, the more profitable the bank is. Albania also recorded the lowest maximum value between the four countries, so according to cost-to-income ratio indicator, the Albanian banks are more profitable.

The last indicator, net interest margin, is represented in Figure 4. below, for Albania, Bosnia and Herzegovina, North Macedonia and Serbia, during the years 2000-2019. The average net interest margin value for Albania during this period was 4.14%, with a minimum of 3.28% in 2002 and a maximum of 5.65% in 2007. The most recent value in 2019 is 3.4%. The average net interest margin value for Bosnia and Herzegovina during this period was 4.82%, with a minimum of 3.79% in 2016 and a maximum of 6.49% in 2002. The most recent value in 2019 is 3.87%. The average net

interest margin value for North Macedonia during this period was 4.83%, with a minimum of 4.16% in 2016 and a maximum of 5.9% in 2007. The most recent value in 2019 is 4.2%. The average net interest margin value for Serbia during this period was 5.51%, with a minimum of 0.58% in 2000 and a maximum of 8.39% in 2006. The most recent value in 2019 is 3.6%.

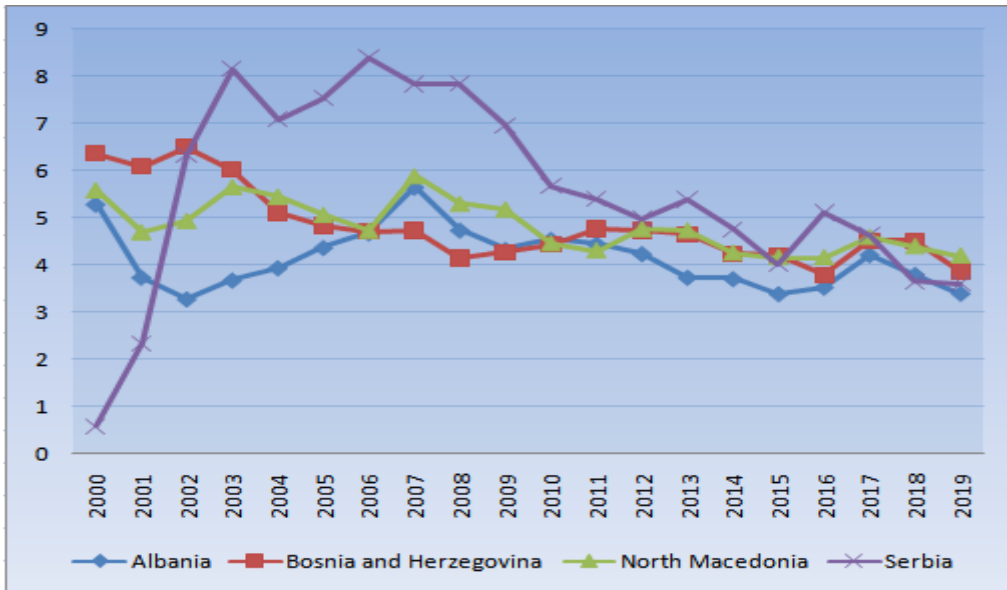


Figure.4. Evolution of the net interest margin ratio: Albania, Bosnia and Herzegovina, North Macedonia and Serbia, Source: processing according to the data from <https://www.theglobaleconomy.com/> and the data taken from the reports of the Central Banks of the 4 countries

Net interest margin (NIM) is calculated as the share of bank’s net interest revenue and total earnings assets. Net interest margin measures the effectiveness of a bank’s investment decisions. A higher NIM would represent an increase of bank’s profitability. So the country with the largest NIM value, theoretically has more profitable banks. As seen from Figure 4., Serbia is the country that has recorded the highest NIM value in 2006, but it is also the country with the lowest value registered in the year 2000. The other countries continued almost the same trend of NIM ratio after the financial crisis of 2008.

The values for the four indicators are processed according to the data from The Global Economy, the Financial Stability Reports (2019) of the Bank of Albania and Central Bank of Bosnia and Herzegovina, the Financial Stability Report (2018) of the National Bank of the Republic of North Macedonia and the Annual Financial Stability Report of the National Bank of Serbia.

Another common feature that makes the countries of the Western Balkans even more exposed to financial instability is that the majority of banks are owned by the largest banks operating in European countries. Banks' profitability, measured through two key indicators (ROA and ROE), displayed a heterogeneity in the four WB countries in the period before global financial crisis that conducted in an extremely difficult business environment and in the period after it their evolution tend to evolve in the same



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trend. The dominant component of the Albanian financial system is the banking sector, whose activity is transparent and leads to an efficient market economy. The Albanian banking system underwent further consolidation in 2019, a process initiated in previous years of the decade. The financial soundness indicators of the Albanian banking system have generally improved. The ROA profitability indicator in 2019 was 1.39%, slightly higher than the previous year. Serbia's banking sector, making up over 90% of financial sector assets, was stable in 2019 owing to adequate capitalisation, high liquidity and profitability. As in the previous years, in 2019, the North Macedonian banking system maintained its stability. The banks with their prudent policies and the National Bank, through the constant improvement of the standards in accordance with the European regulations, enabled the maintenance of high and stable liquidity and solvency. In 2019, the Bosnian banking sector continued to grow as well as being a generator of business for the economy.

The Western Balkan countries (WB) have only recently managed to recover from the diffuse effects of the eurozone crisis by recording strong economic growth in recent years. This is partly attributed to new inflows of foreign direct investment, especially in Serbia and Northern Macedonia, into sectors such as manufacturing, creating thousands of new jobs. The global COVID-19 pandemic and measures taken by governments around the world constitute a major disruption to the "work as usual" approach, including in the Western Balkans. The pandemic is overshadowing other developments, while also accelerating existing trends, and will continue to do so.

It is clear that one of the main challenges of the Western Balkans region today is the need to accelerate credit growth. But it is difficult in the current situation to push the banking sector to ease credit restrictions and provide more credit to the economy. In these circumstances, non-EU banks, non-bank entities and technological innovations, including Fintech and Bigtech have the potential to help. Given the risks associated with new market participants and actors in general, it is essential to increase awareness and cooperation between countries to minimize risks and vulnerabilities. In addition to higher awareness and collaboration, it is essential to gather as much information and data as possible about the new financial technologies that are reshaping the world financial markets. This data has not been available, but is essential not only to better understand but also to adapt oversight laws, regulations and practices to the new future. Finally, improving financial education would help both individuals and banks to establish financial sustainability and reduce financial risks.

### **Conclusions**

The financial systems of the Western Balkan countries are dominated by banks mostly with foreign capital. The assets of banks held by foreign owned banks in these countries vary between 70-90% of the total assets of the banking sector in these countries. The profitability of banks in the Western Balkan countries, which operate in a difficult environment, is addressed through two key indicators (ROA and ROE). Based on the literature review as well as the data analyzed in the Western Balkan countries for the period 2000-2019 that was taken into consideration, using the comparative method, it can be concluded that these indicators differ and are reliable from the variations of a number of internal and external variables. Therefore, for a certain period of time, some variables for a certain group of banks in a country may have a high statistical significance on ROA and ROE, while for the other period it may not be significant at all.

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The region is quite consistent in terms of the performance of the banking sector, the latter being almost equally dynamic for all four countries. The regional economic environment does not favor the stability of the financial system, but prevents the increase of the efficiency and productivity of the banking sector.

All these economies have been directly or indirectly affected by the crisis of recent years. The economies of these countries are small, but all have the objective of joining the European Union, despite the different levels of development. Therefore, according to the data generated during the research and the literature review, the profitability of banks measured by the ROA and ROE indicators, regarding the analyzed countries, turns out to be extremely low, especially compared to EU countries where they strive.

According to the cost-to-income ratio indicator, the Albanian banks are more profitable, compared to the other three countries during the observed period of 2000-2019 and Serbia was the country that has recorded the highest NIM value in 2006, but it was also the country with the lowest value registered in the year 2000.

Therefore, as a conclusion, the results of the evolution of the four indicators analyzed, ROA, ROE, cost-to-income ratio and net interest margin, indicated that the banking systems of the Western Balkan countries for the 2000-2019 period have been characterized by many fluctuations in terms of performance, business risk management and problems related to non-performing loans.

The COVID-19 pandemic hit the six Western Balkans amidst a reacceleration of economic activity and promising economic outlook for 2020. The main risk for the Western Balkans is that a protracted pandemic, as well as a deeper recession within the European Union, could make it difficult to resolve the ensuing economic crisis. As a result, the banking system of these countries has experienced difficulties in general, and in terms of performance in particular. Repaying loans has become very difficult given the rising unemployment. The region is endangered by the growth of non-performing loans. The central banks across the region reacted by cutting their key policy rates and providing liquidity to banks and non-bank financial institutions, which in turn, ease the burden on companies and individuals affected by sharp disruptions.

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## ORIGINAL PAPER

# The Legal Regime of Baggage in Romanian Legislation

Cristina Stanciu<sup>1)</sup>

### Abstract:

The Romanian Civil Code stipulates the obligation of the carrier to carry the passenger's luggage without any other payment and establishes the carrier's liability for non-fulfillment, but does not define the notion of luggage, does not establish a legal regime, at the principle level, for liability of hand luggage and registered one and does not make a clear distinction between the transport of goods and luggage. The general regulation makes references to special laws which also, although regulating the baggage regime in their own means of transport, do not have complete references covering the whole spectrum of legal issues of luggage, which is why, where possible, it leaves the carrier, through their own regulations, to manage these issues.

A broader regulation of luggage rules and, possibly, a definition of it results from special regulations on rail and passenger transport or from special regulations on other types of transport.

**Keywords:** *luggage; hand luggage; checked luggage.*

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## The Legal Regime of Baggage in Romanian Legislation

**General.** The general regulation regarding the contract of carriage is provided in the Civil Code rules, which are grouped into three sections: the provisions of art. 1955- 1960 - Section 1. General provisions, Section 2. The contract of carriage of goods - the provisions of art. 1961-2001 and the provisions of art. 2002-2008 - Section 3. The contract of carriage of passengers and baggage. The first section provides a general rule for all carriage contracts, regardless of the mode of transport and regardless of whether it is the carriage of goods or passengers and baggage. The second section regulates the contract of carriage of goods and, taken as a whole, it resumes the issues of the previous regulation, that of the Commercial Code. Final Section, Section 3. The contract of carriage of passengers and baggage is a set of rules with novelty status at the level of general rule for this matter.

The regulations on the contract of carriage of passengers and baggage do not cover all the legal aspects raised by this type of transport, but it is nevertheless a plus that the current Civil Code provides regulations that establish, even at the level of principles, a minimum set of rules for this matter. However, we must admit that, overall, this regulation contains very few items and that, in fact, in terms of content, only two aspects of the contract of carriage of passengers and baggage are covered: obligations of the parties and the responsibility of the transport operator for the passenger and for the baggage and other goods (Cotuțiu, 2015: 203).

Regarding the baggage, an inventory of the Civil Code regulations with direct addressability for this legal issue, indicates the fact that, from the entire regulation, the following articles are reserved for the issues regarding the baggage: art. 2003 (c), art. 2005, art. 2006 para. 2, art. 2008.

**Baggage in the General Regulation.** The Romanian Civil Code provides in art. 2003 (c), the obligation of the carrier to transport, without additional costs, the passenger's baggage, in the quantity and terms stipulated by the provisions of the special law. Although the Civil Code regulates baggage as a general rule, it does not define the notion of baggage, nor does it make a clear distinction between what is carry-on baggage and checked baggage, referring to special laws.

As the doctrine notes, the definition of the notion of baggage is important because in the case of damages to other goods than those included in the baggage, the liability of the carrier will be based on the provisions of art. 1984 and the following in the matter of the contract of carriage of goods and not on art. 2005 regulating the liability for the travellers' baggage and their other goods (Baias, Chelaru, Constantinovici, Macovei, 2012: 2011).

The doctrine (Popa, 2020: 678-679) is also the one that tries to define the content of the notion of baggage. Thus, baggage consists of those goods intended to be used by the traveller, intended for the purpose of the journey or necessary to the traveller at the destination (Nemeș, Fierbințeanu, 2020: 310-311). In other words, baggage is a set of goods that serve the travellers as necessary and usual goods in their journey or when they reach their destination. It is of two types: carry-on baggage, which is carried with the passengers, therefore, in the same vehicle, being at their disposal and under their supervision the whole journey and the checked baggage, which is handed over to the carrier and which is transported separately from the passenger and under the supervision of the carrier. Regardless of the type of baggage, there are conditions related to its content, quantity or volume, depending on the type of transport. Thus, these goods are

usually contained in suitcases, trunks, travel bags, bags, baskets and the like, and the notion of baggage includes for different types of transport and objects such as: portable armchairs or wheels for sick people, prams, skis, certain musical instruments, various devices needed by the passenger, etc.

The carrier is liable for the loss or damage to the passenger's baggage or other goods, unless it is proved that the damage was caused by their vice, the passenger's fault or by force majeure.

It can be seen that art. 2005 of the Civil Code regulates the loss and damage, but not the delay of baggage. This does not mean that in case of delay the carrier is not liable, but that the liability for the delay of the baggage will be based on the provisions of art. 1959 para. 2 of the Civil Code stipulating that: for the damages caused by the delay in reaching the destination, except for the fortuitous case and the force majeure, the carrier is liable. Also, the provisions of art. 2004 para. 2 of the Romanian Civil Code apply, which stipulates that the carrier is liable for direct and immediate damages resulting from the non-execution of the transport, from its execution in other conditions than those established or from the delay of its execution.

For carry-on baggage or other goods carried by the passenger, the carrier will be liable only if the carrier's intent or fault for the loss or damage of such baggage is proved.

The obligation to carry the passenger's baggage is an obligation of result, as a rule, and an obligation of means, as an exception, if the transport is free (Stănescu, 2019: 27), and the legal responsibility for the baggage and other goods of the passenger is, as a legal nature, a contractual liability (Baiaș, Chelaru, Constantinovici, Macovei, 2012: 2012).

For the carrier to be held liable, the conditions for this type of liability must be met cumulatively: the existence of damage – quantified in the loss or damage of baggage or other goods of the passenger, the existence of an unlawful act – actions or, where appropriate, inactions of the carrier or the defective compliance with an obligation to preserve the baggage, the culpable commission of this deed, a causal relationship between the illicit deed and the damage. According to the rules of civil law, namely the provisions of art. 1548 of the Romanian Civil Code, the fault of the debtor of a contractual obligation is presumed by the mere fact of its non-execution. As a result, for the loss or damage of the baggage or other goods of the passenger, the carrier's guilt, as a rule, does not have to be proved. As an exception, guilt must be proved in the case of carry-on baggage or other goods which the passenger carries with him/her and which are, mainly, under his/her supervision.

Also, in order for the carrier to be held liable, causes extenuating liability or forfeiture of the right to be compensated should not apply in that particular case. These causes are listed by art. 2005 para. 1 of the Civil Code, namely the baggage vice, passenger fault or force majeure. The provisions of art. 1991 para. 3 of the Romanian Civil Code add up to these. The application of this provision is possible, because it is expressly referred to by legal provisions on the contract of carriage of passengers and baggage, namely the provisions of art. Civil Code aimed at removing the carrier's liability in this matter. The effect is that extending the exonerating causes of liability provided by art. 2005 of the Romanian Civil Code. Thus, it will not be liable even in cases where the damage is caused by the passenger's instructions or by the act of a third party for which the carrier is not held liable.

Regarding the amount of damages, the carrier is liable for the loss or damage of

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the passenger's baggage or other goods within the declared value or, if the value has not been declared, in relation to the nature, their usual content.

The Civil Code regulates in the matter of the contract of carriage of passengers and baggage, in art. 2006, the liability in successive or combined transport. Thus, in the successive or combined transport, the carrier on the transport of which the death occurred, the injury of the bodily integrity or the health of the passenger, the loss or damage of the passenger's baggage or other goods is responsible for the damage thus caused. We observe the promotion at the legislative level of a different solution to the transport of goods where, regarding the liability of this type of transport, the responsible action can be exercised against the carrier who has concluded the contract of transport or against the last carrier and in respect of damages, In their relations, each carrier contributes to compensation in proportion to the appropriate portion of the fare. An exception is also allowed in this matter: the carrier is not liable if the transport contract expressly stipulates that one of the carriers is fully responsible.

For the loss or damage of baggage or other goods of the traveller that have been delivered, each of the carriers is required to contribute to compensation. Regarding the baggage, the Code refers to the provisions of art. 2000 of the Civil Code that becomes applicable in the matter, that is to say the solution in the matter of the contract of carriage of goods. However, it should be noted that the solution is valid, according to the Civil Code, for the loss or damage of baggage or other goods of the passenger that have been handed over to the carrier. On the contrary, this solution does not apply to baggage and goods held by the traveller, but to the transport of persons.

At the same time, it should be noted that the exceptions to the rule that each carrier contributes in proportion to its share in the cost of transport to compensation will be maintained, exceptions promoted by the legal provisions on the carriage of goods, namely: if the damage is caused intentionally or through the gross negligence of one of the carriers, in which case the entire compensation is incumbent on it and if one of the carriers proves that the damage did not occur during its carriage, in which case it will no longer be bound to contribute to compensation (Baias, Chelaru, Constantinovici, Macovei, 2012: 2013).

Thus, the Romanian Civil Code, although it stipulates the obligation of the carrier to carry the baggage of the passenger without further payment and establishes the carrier's liability for non-compliance with this provision, it does not define the concept of baggage, it does not establish a legal regime at the principle level for liability in respect of carry-on baggage and the checked one and does not make a clear distinction between what constitutes the transport of goods and that of baggage. It limits itself to making references to the special laws which, although they regulate the baggage regime in their own means of transport, they do not have complete references covering the whole spectrum of legal issues raised by baggage, which is why, where possible, it leaves it to the carrier, by its own regulations, to manage these aspects.

**Baggage in Railway Transport.** A broader regulation of the baggage rules and, possibly, a definition thereof results from the special regulations regarding the railway transport of passengers and baggage.

The legal rules that regulate the transport of passengers on the Romanian railways are: Government Ordinance No 7/2005 for the approval of the Regulation on railway transport in Romania, as amended by Order No 655/2007 for the approval of the Uniform Rules on the Railway Transport in Romania. However, the regulation focuses

mainly on the passenger's carry-on baggage and less on the legal status of checked baggage.

According to art. 17 of the Government Ordinance No 7/2005, the traveller can take with him/her in the passenger cars the carry-on baggage, free of charge. Carry-on baggage should, as a rule, be easy to handle, be well packaged, so that it is not possible to leak the contents, damage or mess the wagons or cause inconvenience to the other passengers. The passenger has, for his/her carry-on baggage, only the space above the seat he/she occupies or an equivalent space in the baggage storage of the wagons. For railway transport, the total weight of carry-on baggage allowed for each occupied place is 30 kg. There are also prohibitions, in the sense that the following cannot be introduced as baggage: materials and objects excluded from the carriage of baggage, objects likely to embarrass or disturb passengers or cause damage to passengers, the railway operator or to the railway infrastructure, objects prohibited by the regulations of the administrative authorities, certain living beings. As a rule, animals, birds, reptiles, fish, live insects cannot be carried in passenger wagons (Law No 110/2006, art. 18). The supervision of the objects that the traveller takes with him/her in the wagon rests with them and, in principle, the traveller is responsible for any damage caused by the objects and living beings he/she takes along in the wagon. The carrier remains liable if it is found that the baggage has been lost out of its fault.

The legal basis of liability is provided by art. 22 of Government Ordinance No 7/2005 which stipulates that the railway carrier is liable for damage resulting from the death, injury or any other damage to the physical or mental integrity of the passenger, caused by an accident, in connection with the railway operation, produced while the passenger is in vehicles or in spaces related to the operator, respectively in the embarkation and disembarkation operations. At the same time, it is also liable for the damage resulting from the total or partial loss or damage to the objects that the passenger, victim of such an accident, had on him/her.

The carrier has the right to ensure, in the presence of the passenger, the nature of the objects introduced in the passenger cars or in its spaces. If it is not possible to identify the holder of the objects subject to verification, the carrier shall carry out the verification in the presence of law enforcement.

The rules regarding the baggage forgotten in the train are, as a rule, included in the regulations of the railway transport operator, which are brought to the passengers' knowledge and, in this sense, Order No 655/2007 stipulates that the baggage that was forgotten on the train and that was found by the agents of the public railway passenger transport operators, will be deposited at the home station, namely the final train station.

For international rail transport, the applicable rules are those of the Convention concerning International Carriage by Rail of May 9<sup>th</sup>, 1980 (COTIF) to which Romania is a party, as a Member State of the European Union. With regard to the baggage, a comprehensive treatment of carry-on baggage and checked baggage and their legal status is provided by the Uniform Rules concerning the Contract of International Carriage of Passengers by Rail - CIV Appendix A to the Convention. Thus, according to Title III (Chapter I, II and III) and Title IV (Chapter III), a series of rules on baggage are established and the conditions are established for which the responsibility incumbent is incurred in case of non-compliance.

With regard to carry-on baggage, which is defined as easy-to-carry items, a set of rules is established. Thus, objects or animals which may disturb or cause inconvenience to other passengers or which may cause damage are not permitted as



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carry-on baggage; the transport of dangerous goods, as carry-on baggage, can be transported by rail only under the terms of the International Carriage of Dangerous Goods by Rail (RID); during the journey, the passenger is bound to comply with all formalities required by the customs or administrative authorities in terms of carry-on baggage or animals. To this end, the passenger will have to be present at the verification of these objects or animals, except in the situations provided for as exceptions by the laws of the State in transit at that time.

With regard to the duty of care, the carry-on baggage and animals carried by the passenger must be supervised by him/her.

In the event of a presumption of non-compliance with the conditions of carriage, the carrier has the right to verify that the carry-on baggage and the animals transported comply with the transport conditions. The passenger must be invited to attend the verification, and in his/her absence, the carrier must carry out the verification in the presence of two independent witnesses. If, as a result of the checks, it is found that the passenger has not complied with the conditions of carriage, the carrier may ask him/her to pay the costs of the check.

With regard to liability, in the event of death or personal injury of passengers, the carrier shall be liable for damage resulting from the total or partial loss or damage to objects the passenger had on him/her and for his/her carry-on baggage. The carrier shall also be liable if the damage was caused by an accident in connection with the operation of the railway, which occurred while the passenger was in the railway vehicles or in the embarkation or disembarkation operations, except in those situations where the carrier is exempt from liability (Uniform Rules concerning the Contract for the International Carriage of Goods by Rail - CIV Appendix A to the Convention, art. 26 para. 2). The carrier is not liable for damage resulting from the total or partial loss or damage to objects, carry-on baggage or animals the supervision of which was the responsibility of the passenger, unless the damage is caused by the carrier's fault.

With regard to the checked baggage, the passenger may send, as checked baggage, objects and animals, as long as they do not contravene the general conditions of carriage, and the transport of dangerous goods, as checked baggage, may be transported by rail only under the terms of the International Carriage of Dangerous Goods by Rail (RID).

In the event of a serious presumption of non-compliance with the conditions of carriage, the carrier has the right to verify that the checked baggage and the animals transported comply with the transport conditions. The passenger must be invited to attend the verification, and in his/her absence, the carrier must carry out the verification in the presence of two independent witnesses. If, as a result of the checks, it is found that the passenger has not complied with the conditions of carriage, the carrier may ask him/her to pay the costs of the check.

The contractual obligations on the shipment of checked baggage are stipulated in a baggage registration voucher, a document issued to the passenger by the carrier. This document is required as an *ad probationem* condition, therefore the absence, irregularity or loss of the baggage registration voucher does not affect the existence or validity of the agreements regarding the shipment of checked baggage. The baggage registration voucher shall prove, until proven otherwise, the registration of the baggage and the conditions for the carriage thereof. In other words, the relative presumption arises that the carrier has taken the checked baggage in good condition and that the number and weight of the baggage correspond to the existing entries on the baggage

registration voucher.

The following information shall be recorded on the baggage registration voucher: the carrier or carriers; the mention that the shipment is subject to this Convention, notwithstanding any clause to the contrary, and this may be done under the CIV logo; any other indication necessary to demonstrate the contractual obligations regarding the dispatch of the checked baggage and which allows the passenger to exercise his/her rights deriving from the contract of carriage. The passenger's obligation is to ensure, upon receipt of the registered baggage voucher, that it has been drawn up in accordance with his/her instructions. At the same time, the passenger must write on each package, in a visible, durable and legible place: his/her name, address and destination of the baggage.

As a rule, baggage check-in only takes place upon presentation of a transport pass valid at least until the place of destination of the baggage, but the carrier may send the checked baggage by another train or other means of transport and on a different route than the one used by the traveller.

Unless otherwise stipulated between the passenger and the carrier, the price for the carriage of checked baggage shall be paid at the time of check-in.

The passenger may request the return of baggage at the place of dispatch, against submission of the registered baggage voucher and the transport pass, when possible. The place of destination for the checked baggage may be changed, with possible financial consequences for the passenger.

Delivery of checked baggage will be ensured in exchange for the delivery of the registered baggage voucher or in exchange for payment of the charges for the shipment if they have not been paid in advance. At the same time, the carrier has the right to check if the holder of the voucher has the capacity to take over the delivery. It is, however, a right and not an obligation he/she has to comply with.

The holder of the registered baggage voucher may request the delivery of the baggage to the place of destination as soon as the agreed time or the time required for the operations carried out by the customs or other administrative authorities expires, if a check by them is required.

The baggage is delivered to the place of destination for which it was checked in. The person entitled to receive the baggage may refuse to accept it, if the carrier does not comply with his request to proceed with the checked baggage in order to ascertain a possible damage (Uniform Rules concerning the Contract of International Carriage of Passengers by Rail - CIV Appendix A to the Convention, articles 12-22).

With regard to the liability of the carrier (Uniform Rules concerning the Contract of International Carriage of Passengers by Rail - CIV Appendix A to the Convention, art. 38), it shall be liable for damage resulting from total or partial loss or damage to checked baggage, if any, in the time span between takeover by the carrier and delivery. The carrier is also responsible for the delay in the delivery of baggage.

The carrier is exempt from liability if the loss, damage or delay in delivery was due to: the fault of the passenger, an order given by the passenger not resulting from the carrier's fault, a defect in baggage or circumstances that the carrier could not avoid or prevent. In principle, the burden of proving that the loss, damage or delay in delivery of the checked baggage was due to one of the causes invoked is the carrier's responsibility.

At the same time, the carrier is exonerated from liability if the loss or damage is the result of specific risks inherent in one or more of the following circumstances: lack of packaging or improper packaging; the special nature of the baggage and the dispatch

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as baggage of items excluded from transport.

If a package has not been delivered or made available to the person entitled to receive it within fourteen days of the request for delivery, the presumption of loss of that package arises.

If a package considered lost is found during the year following the request for delivery, the carrier must notify the person entitled if their address is known or it can be found. Within thirty days of receiving the notice of finding the baggage, the person entitled may request that the package be delivered to them. The consequences are, in this case, the following: they shall pay the costs of transporting the package from the place of dispatch to the place where the delivery will take place and reimburse the compensation received, less, if applicable, the costs included therein. The person entitled to receive the baggage also retains the right to claim compensation for the delay in delivery.

For total or partial loss of the checked baggage, the carrier must pay damages. The carrier must also reimburse the price for the carriage of baggage and other amounts paid in connection with the carriage of the lost parcel, as well as the customs duties and excise duties already paid.

In the event of damage to the checked baggage, the carrier must pay, excluding all the other damages, compensation equivalent to the depreciation of the baggage. In this case, the compensation may not exceed the amount that would have been reached in the event of total loss, if all baggage is impaired due to damage or the amount that would have been reached in case of loss of the impaired part, if only a part of the baggage was impaired due to damage.

In case of delay in delivery of checked baggage, the carrier must pay compensation, for each full period of twenty-four hours from the request for delivery, which does not exceed a maximum of fourteen days according to the General Conditions of Carriage (Uniform Rules concerning the Contract of International Carriage of Passengers by Rail - CIV Appendix A to the Convention, articles 40-43). "General Conditions of Carriage" means the conditions of the carrier in the form of general conditions or legal charges in force in each Member State which have become an integral part of the contract of carriage upon its execution.

**Baggage in Air Transport.** Article 17 of the Montreal Convention, without defining the concept of baggage, stipulates that the term baggage used in the Convention refers to both checked and unchecked baggage, unless there are express provisions relating to a particular type of baggage. Moreover, the provisions of the Convention expressly specify those situations concerning the checked baggage.

One such example is art. 3 of the Montreal Convention which compels the carrier to issue to the passenger a baggage identification tag for each piece of checked baggage. Furthermore, the passenger, by virtue of the right to information, shall be issued a written notice informing them that the carrier may limit their liability in case of destruction, loss or damage of baggage.

The carrier is also liable for damage caused by the destruction, loss or damage of checked baggage, provided that the event that caused the destruction, loss or damage occurred on board the aircraft or during the period when the carrier was entrusted with the checked baggage. The carrier is not liable if the damage that occurred due to a defect in the baggage, its quality or faults.

For unchecked baggage, including the passenger's personal belongings, the air

carrier is only liable if the damage is due to its fault, that of its agents or proxies.

If the carrier admits the loss of the checked baggage, or if the checked baggage has not arrived at the expiration of twenty-one days after the date on which it ought to have arrived, the passenger is entitled to enforce against the carrier the rights which flow from the contract of carriage (the Montreal Convention, art. 17).

In the case of air transport, the liability of the baggage carrier in case of destruction, loss, damage or delay is limited (to the amount of SDR 1.000, Special Drawing Rights as defined by the International Monetary Fund, for each passenger), unless the passenger, when the checked baggage was handed over to the carrier, made a special declaration of interest in the delivery to the destination and paid an additional amount, if necessary. The carrier will be liable to pay a sum not exceeding the declared sum, unless it proves that the sum is greater than the passenger's actual interest in delivery at destination. The carrier shall not be liable in the event that it is proved that the damage was due to an action or omission of the carrier, its agents or proxies, made with the intention of causing damage or by recklessness. These acts or omissions of a servant or agent are relevant only if such servant or agent was acting within the scope of its employment (the Montreal Convention, art. 22).

The air carrier is liable for the delay in the air transport of passengers and baggage. The carrier shall not be liable for any damage caused by the delay if it proves that it has taken all reasonable steps, or its agents or assignees have done so to avoid the damage or that it has been impossible for them to take such actions. Also, if the carrier proves that the damage was caused or facilitated by the negligence or other wrongful act or omission of the person claiming compensation or of the person from whom it derives its rights, the carrier is exonerated in whole or in part from liability to the claimant, if such negligence or any other wrongful act or omission has caused or contributed to the damage.

The Montreal Convention provides that the right to compensation and the limitation of the carrier's liability in the event of destruction, loss, damage or delay of baggage also apply to a passenger claiming such compensation for damage, loss, damage or delay of baggage checked to the name of another passenger, provided that the baggage actually contains the personal belongings of the first passenger. The passenger must, however, prove that their personal belongings were indeed in the checked baggage. It is up to each affected passenger to prove this before a national judge, who may take into account that the passengers are, for example, members of the same family have bought a ticket together and travelled together. The resulting damage and its extent resulting from the loss of baggage include both pecuniary damage and non-pecuniary damage.

Loss of baggage, as well as delayed return of baggage, can cause passengers who owned it a mental illness because they were deprived of their belongings and as claimants, they can claim material damage, but also moral damage. It is well known that, in the field of contractual liability, non-pecuniary damage is lower than in the field of tortious liability and they cover only certain contractual obligations. Baggage, due to the content of its notion, is subject to an obligation whose non-compliance leads to the claim of moral damages as well, not only to material damages. The judge is the one who, in relation to the factual circumstance, will assess the overall amount to compensate for the consequences of the faulty execution of this obligation (Pap, 2016: 197- 203).

The Convention Regulation (the Montreal Convention, art. 1) clarifies the situation of the successive air carriage, in the sense that such a carriage to be performed

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by several successive carriers is deemed to be one undivided carriage if it has been regarded by the parties as a single operation, whether it has been agreed upon under the form of a single contract or of several contracts. As a result, the will of the parties to consider the carriage operation as undivided and not the number of contracts, respectively carriage documents that incorporate this will, prevails.

With regard to the baggage in successive air transport, the passenger may act against the first carrier, against the last carrier and, in addition, they may act against the carrier that actually carried out the transport during which the destruction, loss, damage or delay occurred. These carriers are jointly and severally liable to the passenger (Montreal Convention, art. 36).

**Baggage in Road Transport.** Government Ordinance No 27/2011 on road transport, which is the general framework for the organization and performance of road transport of goods and passengers on the Romanian territory, as well as their related activities and which creates the general legal framework for the direct application of the provisions in this field at European Union level (EC Regulation No 1071/2009 of the European Parliament and of the Council of October 21<sup>st</sup>, 2009, EC Regulation No 1072/2009 of the European Parliament and of the Council of October 21<sup>st</sup>, 2009, EC Regulation No 1073/2009 of the European Parliament and of October 21<sup>st</sup>, 2009), does not provide for a regulation outlining a complete legal regime for baggage on this type of transport.

Government Ordinance No 27/2011 is limited, by its regulations, to provide the obligation of the passenger to pay in advance the fare for the transport. The travel ticket or, as the case may be, the season ticket, represents the contract of carriage in the case of regular services, concluded between the provider – namely the transport operator and the beneficiary – and the passenger, respectively, whereby the road transport operator undertakes to safety and comfortably conduct the transport, and the beneficiary undertakes to pay in advance its value, which includes the insurance of passengers and baggage, as well as the risks that may arise from road transport (Scarlat, 2018: 122-123). In other words, the road carrier is bound to conclude an insurance policy to cover the risks of accidents for the transported passengers and for their baggage.

According to Regulation (EU) No 181/2011 of the European Parliament and of the Council of 16 February 2011 concerning the rights of passengers in bus and coach transport and amending Regulation (EC) No 2006/2004, passengers shall be entitled to compensation for death or personal injury as well as to loss of or damage to baggage due to accidents arising out of the use of the bus or coach.

The amount of compensation shall be calculated in accordance with applicable national law. Any maximum limit provided by national law to the compensation for death and personal injury or loss of or damage to baggage shall on each distinct occasion not be less than: EUR 220,000 EUR per passenger and EUR 1,200 per piece of baggage. In the event of damage to wheelchairs, other mobility equipment or assistive devices the amount of compensation shall be equal to the cost of replacement or repair of the equipment lost or damaged (EU Regulation No 181/2011, art. 7).

In the legislation in the field of road transport, covering other transport categories than those covered by Government Ordinance No 27/2011, there are also, for different types of means of transport, references to baggage. Thus, Law No 38/2003 regarding the transport in taxi and rental regime, art. 52 paragraph 3 (m) stipulates the obligation for the carrier to carry the baggage of the clients, in the case of the transport

of persons, within the space meant for them, without collecting additional fees; and art. 49 paragraph 1 (c) that the price of the transport is not conditioned by the number of persons or the quantity of goods transported, as long as they do not exceed the authorized transport capacity of the taxi.

At the same time, Emergency Government Ordinance No 49/2019 on alternative transport activities with a car and a driver, provides the obligation of the carrier to carry the baggage of the passenger without further payment. Regarding the baggage, art. 28 of this regulation expressly stipulates that, in the exercise of his/her job, the driver has the obligation to transport customers' baggage, in the case of passenger transport, within the limits of the space intended for this purpose, without charging additional fees. This regulation represents an application of the principles established, in the matter of baggage, in the general theory, through the provisions of art. 2003 of the Civil Code on the obligations of the parties in the contract of carriage of passengers and baggage.

**Baggage in Maritime Transport.** The regulation of maritime transport in our legislation is also not very rich in terms of providing a legal baggage regime. In Romanian law, the navigation activity is regulated by Government Ordinance No 42/1997 on naval transport, as republished. After the entry into force of Government Ordinance No 42/1997 on civil navigation, the legal regulations in the field have been supplemented with legal provisions aimed at ensuring optimal conditions for naval transport activities. These normative acts include more technical provisions and legal provisions covering the organization of a global system of authorization and licensing and the establishment of personnel, or facilities intended to promote international maritime transports. In the absence of special regulations in this area, common law will be used.

In this sense, art. 2618 of the Civil Code provides that the property that is part of a passenger's personal belongings is subject to their national law. The regulation, which belongs to the sphere of private international law, is a more comprehensive one and it concerns goods in transit, in general, for which the following rule operates: they are subject to the law of the state from which they were sent (Romanian Civil Code, art. 2618). There are, however, three exceptions to the law of the place of dispatch of the goods: when the interested parties have chosen by their agreement, another law, it thus becomes applicable; when the goods are stored in a warehouse or seized under precautionary measures or as a result of a forced sale, in which case the law of the place where it was temporarily resettled shall apply during the period of storage or seizure; if the goods are part of a passenger's personal belongings, they are, in this situation, subject to his/her national law.

Council Decision of December 12<sup>th</sup>, 2011 concerning the accession of the European Union to the Protocol of 2002 to the 1974 Athens Convention relating to the Carriage of Passengers and their Baggage by Sea it is an improvement in the European Union in terms of the liability of carriers and the compensation of passengers travelling by sea. In particular, this Protocol provides for a liability of the carrier, including compulsory insurance, with a right of direct action against insurers up to specified limits, and for rules on jurisdiction and the recognition and enforcement of judgments. In other words, the Athens Protocol is therefore in accordance with the Union's objective of improving the legal regime relating to carriers' liability.

Most of the rules of the Athens Protocol have been incorporated into Union law by means of Regulation (EC) No 392/2009 of the European Parliament and of the

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Council of April 23<sup>rd</sup>, 2009 on the liability of carriers of passengers by sea in the event of accidents. Regulation (EC) No 392/2009 reproduces in its annexes the relevant provisions of the consolidated version of the Athens Convention as amended by the Athens Protocol and the IMO Guidelines.

Romania, by Law 34/2014, acceded to the Protocol of 2002 to the Athens Convention of 1974 on the Carriage of Passengers and their Baggage by Sea, adopted in London on November 1<sup>st</sup>, 2002.

The protocol defines a series of notions concerning the contract of carriage of persons and baggage for this type of transport. Thus, under that regulation, *passenger* means any person carried on board a ship under a contract of carriage or who, with the consent of the carrier, accompanies a vehicle or live animals. *Baggage* is, according to the same regulations, any object or vehicle carried by the carrier under a contract of carriage, except for: objects and vehicles carried under a charter party, a bill of lading or other contract mainly covering the carriage of goods and live animals. *Cabin baggage* is the baggage that the passenger has in his/her cabin or that is otherwise in his/her possession, custody or under his/her control. Cabin baggage also includes baggage that the passenger has inside or above his/her vehicle.

At the same time, the notion of *loss or damage to baggage* includes the material damage resulting from non-delivery of baggage to the passenger within a reasonable time of arrival of the ship on which it was shipped or was due to be shipped, less delays caused by labour disputes.

According to the Athens Protocol, for the loss suffered as a result of the loss of or damage to cabin baggage, the carrier shall be liable if the incident which caused the loss was due to the fault or neglect of the carrier. The fault or neglect of the carrier shall be presumed for loss caused by a shipping incident. The shipping incident is represented by the shipwreck, overturning, collision or failure of the ship, explosions or fires on board or failure of the ship, and the fault or negligence of the carrier is also caused by the fault or negligence of its agents acting in their duties.

For the loss suffered as a result of the loss of or damage to baggage other than cabin baggage, the carrier shall be liable unless the carrier proves that the incident which caused the loss occurred without the fault or neglect of the carrier.

The liability of the carrier relates exclusively to damage caused by incidents during transport and proving that fact and the extent of the damage lies with the plaintiff.

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Orientările interpretative referitoare la Regulamentul CE nr. 261/2004 al Parlamentului European și al Consiliului de stabilire a unor norme comune în materie de compensare și de asistență a pasagerilor în eventualitatea refuzului la îmbarcare și anulării sau întârzierii prelungite a zborurilor și la Regulamentul CE nr. 2027/97 al Consiliului privind răspunderea operatorilor de transport aerian în caz de accidente, astfel cum a fost modificat prin Regulamentul CE nr. 889/2002 al Parlamentului European și al Consiliului  
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## ORIGINAL PAPER

# An Electoral Outlier or Second Order Business as Usual? A Decade of European Elections in Romania (2009-2019)

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### Abstract:

Where the European Union (EU) Member States (MS) are concerned, European elections tend to attract less interest than general elections, despite the fact that, at least until the mid-1990s, the turnout has been over 50% even in the case of these elections. From the 1999 European elections to the ones in 2019, the turnout fell below 50% even though 13 new states have joined the EU after 2004. This is intriguing because in general, in the new MSs, the level of enthusiasm and trust in the EU and its institutions is higher than in the others MSs, especially in the first years after accession.

Romania participated in four European elections from 2007 to 2019 and only in one of them the turnout reached 50%. To put things in perspective, for the first two, the turnout was below 30%, in the third one, it slightly exceeded this percentage, while in the fourth one it reached 51%. The European elections have already been theorized as Second Order Elections (SOE), and, at a first glance, the case of Romania does not seem to be an exception from this point of view. This paper aims to analyze the European elections held in Romania following the SOE model, in order to identify those particularities that individualize the Romanian case and are consistent with or reject the SOE model features. The analysis is particularly concerned with the main factors that influenced the turnout and the role that certain political issues of national interest played in increasing the participation during the last elections as well as how they shaped the results registered by several political parties.

**Keywords:** *Romania; European elections; second order elections; turnout; national politics; absenteeism.*

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### **Introduction. Theoretical background**

Since the first time its members were elected by universal suffrage, in 1979 and until the mid '90s, the turnout for the European Parliament (EP) elections remained above 50%, even if slight decreases can be observed with each electoral moment: 61.99% in 1979, 58.98% in 1984, 58.41% in 1989, 56.67% in 1994 (European Parliament, 2019a). The two decades between 1999 and 2019 brought a more obvious decrease in the turnout average, with only one electoral moment – 2019 – which registered an upward swing: 49.51% in 1999, 45.47% in 2004, 42.97% in 2009, 42.61% in 2014 and 50.66% in 2019 (European Parliament, 2019a). This descending trend can be observed from one election to the next, even if every electoral moment added new Member States (MS) that participated in the election. This could seem as a paradox if we consider the fact that, in general, in the new MSs the level of enthusiasm and trust in the European Union (EU) and its institutions is higher than in the other MSs. As Simon Hix and Sara Hagemann observe, “European Parliament elections have failed in any meaningful sense to create an ‘electoral connection’ between European citizens and politics in the European Parliament, in particular, and in the European Union (EU), more generally” (Hix and Hagemann, 2009: 38).

A suitable fix that Hix and Hagemann propose in order to ensure that a stronger connection is built between the European citizens and the members of the European Parliament (MEP), would be an electoral reform, which should allow for the MEPs to be selected individually rather than from closed lists decided by the political parties (Hix and Hagemann, 2009: 38). The two authors argue that the “best practice” of those countries that use such variants of proportional representation (PR) and where the turnout and the citizens’ knowledge about the elections are higher, “should become the general model in all MSs” (Hix and Hagemann, 2009: 38). Hence, the best electoral system for electing the MEPs would be “either open-list PR or STV” [Single Transferable Vote] in “relatively small multi-member districts” whose size would allow the election of between 4 and 10 MEPs in each constituency (Hix and Hagemann, 2009: 50-51). This said, there have been many studies that theorized that the low turnout is due to the European elections being Second Order Elections (SOE): Reif and Schmitt, 1980; Reif, 1984; Hix and Marsh, 2007; Hajner, 2001; Hobolt and Wittrock, 2011.

Compared to the first-order elections, SOE are characterized by: **(I)** lower turnout; **(II)** a better electoral result for new or smaller parties; **(III)** more invalidated ballots; and **(IV)** a loss of votes for the national government parties (Hajner, 2001:1; Reif and Schmitt, 1980: 9).

Reif and Schmitt argue that “there is less at stake” in these elections (Reif and Schmitt, 1980: 9).

More recently, Hobolt and Wittrock added another important feature to the SOE model, emphasizing the fact that voters tend to apply the preferences specific to national (first-order) elections to the European (second-order) elections as well: “[...] vote choices are based on preferences specific to the first-order (national) arena rather than the second-order (European) arena” (Hobolt and Wittrock, 2011: 30). Also, there have been studies that tested the four standard SOE hypotheses against others that focus on party ideologies aside from the electoral system effects or the influence of the party system on the SOE model. Ehin and Talving, for example, found that “ideologically extreme parties and protest parties gain votes in EP elections compared with the preceding national election” (Ehin and Talving, 2021: 4). This brings into the discussion

the fact that the more fragmented the party system is, the less pronounced are the effects of the party size and the electoral system on the electoral performance in the EP elections (Ehin and Talving, 2021: 4-5).

This paper examines the European elections results from Romania in the four European electoral episodes that this country experienced so far (2007, 2009, 2014, and 2019) by applying the features of the SOE model in order to assess whether the results are consistent with those hypotheses or whether, on the contrary, they eschew them. We will use aggregate data at the national and European level, retrieved from the official websites of the European Parliament, the Romanian Permanent Electoral Authority, and the Romanian Central Election Bureau.

### **Electoral procedures**

According to the European legislative rules, the main principle that governs the election of the European Parliament is the principle of proportional representation. Even though each MS has some specific national legislation regarding European elections, the common rule set by the 1976 Electoral Act and, subsequently, by the Maastricht Treaty (Electoral Act, 1976; Maastricht Treaty, 1993: art. 8) and a few other Council's decisions is that all MSs should use either the list system or the STV to select their MEPs. Also, the MSs can decide on a threshold of maximum 5% of the valid votes cast at national level (Council Decision, 2018/994: art. 3). In addition to that, the Council stated that, in the constituencies with more than 35 seats, there must be a mandatory minimum threshold between 2% and 5%. Currently, 15 of the 27 MSs apply thresholds; most of them apply the 5% threshold (France, Belgium, Czech Republic, Croatia, Hungary, Latvia, Lithuania, Poland, Romania and Slovakia) and a few others use lower thresholds, of 4% (Austria, Italy, and Sweden), 3% (Greece), and 1.8% (Cyprus). The remaining MSs apply no threshold (European Parliament, 2019b). Also, the great majority of MSs have a single national constituency for the European elections; only in 4 MSs (Belgium, Ireland, Italy, and Poland), there are also smaller regional constituencies.

Another factor that plays a significant role is the type of electoral system used. Although all the countries use variants of PR, not all of them allow voters to cast preferential votes (to change the order of the candidates on the list). There are six MSs – Romania is one of them – where closed lists are used, meaning that they do not allow preferential vote (the others are Germany, Hungary, France, Portugal, and Spain). Only two MSs use the STV, which is regarded as the most accurate proportional representation system (Malta and Ireland). STV allows the voters to make their own candidate list in order of preference, by being able to choose candidates from different lists. This type of electoral system is the one that would allow for a better connection between voters and MEPs and, in time, would help increase the interest in the EU elections and, by extension, the turnout. Hix and Hagemann argue that changing the electoral rules will lead to changing “the incentives for candidates” who will be more interested in creating “politically visible personal profiles” which would change the way voters relate to them and to the European electoral process (Hix and Hagemann, 2009: 41).

Romania currently uses a closed-list PR system for the EP elections, the same type of electoral system used for electing the national Parliament. This system has been in use for the general national elections since 1990, with just one exception between

2008 and 2012, when a so-called single member majority system was adopted. Since the general elections in 2016, the closed list PR has been restored.

### I. Low turnout?

Based on Hix and Hagemann’s argumentation, this type of electoral system contributes to maintaining a relatively weak connection between the voters and the candidates and that could be a plausible explanation for the lower turnout. From this point of view, the Romanian case “checks” the first feature of the SOE model: low turnout. All the four European election episodes have shown that Romania is one of the countries with the lowest turnout: 29.47% in 2007 (the year the country entered EU), 27.67% in 2009, 32.44% in 2014 and 51.20% in 2019. By comparison, of the ten states that became members of the EU in 2004, only five registered a lower turnout during that year’s European elections (Czech Republic – 28.30%, Estonia – 26.83%, Poland – 20.87%, Slovenia – 28.35% and Slovakia – 16.97%) (European Parliament, 2019a).

This is an interesting situation, since more than half of the newest 13 MSs (8 to be precise) registered the lowest turnout in their first European elections. Indeed, this could be explained by the novelty of the political situation in which they found themselves since the European elections were held just a few months after their accession (the same in 2004, 2007 and 2013). In other words, a case can be made that the population had too little time at its disposal to understand the political importance of those elections. However, this explanation no longer applies when we look at the next European elections from 2009. The turnout in Romania was 27.67%, though, however low, it was not a singular case and even lower turnouts were registered in Slovakia (19.64%), Poland (24.53%), and Lithuania (20.98%). For the third European electoral exercise, Romania exceeded the 30% threshold, with 32.44% of the voters participating in the elections. Only 7 other MS – Croatia (25.24%), Slovakia (13.05%), Slovenia (24.55%), Poland (23.83%), Hungary (28.97%), Latvia (30.24%) and Czech Republic (18.20%) – registered lower turnouts (European Parliament, 2019a).

The 2019 elections could seem like a great surprise if we look at the fact that Romania registered its highest turnout yet (51.20%) which exceeded even the European average (50.66%). This situation should be, however, analyzed in correlation with the fact that, during the election day, the Romanian citizens were also called to a double national referendum, on a theme of maximum interest, which had been covered persistently in most of the political debates of the previous months. There is no doubt that this national political context represented the main incentive for the Romanian voters, and as a result, we cannot attribute the increase in the electoral turnout to the voters’ sudden increased interest in the EP election.

The thesis of the SOE model is, therefore, validated if we compare those turnouts with the ones registered for the national elections that preceded the European ones.

**Table 1 - Electoral turnout for the parliamentary and presidential elections held in Romania between 1990 and 2020**

Year	Turnout in parliamentary elections (Chamber of Deputies)	Turnout in presidential elections (first round)	Turnout in presidential elections (second round)
1990	86.18%	86.18%	-
1992	76.29%	76.29%	73.23%

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1996	76.01%	76.01%	75.90%
2000	65.31%	65.31%	57.50%
2004	58.51%	58.51%	55.21%
2008	39.20%	-	-
2009	-	54.37%	58.02%
2012	41.76%	-	-
2014	-	53.18%	64.11%
2016	39.49%	-	-
2019	-	47.66%	49.87%
2020	31.94%	-	-

Data sources: Romanian Permanent Electoral Authority (2020a; 2020b)

**Table 2 - Electoral turnout for the parliamentary and European elections held in Romania between 2004 and 2019**

Year	Turnout in parliamentary elections (Chamber of Deputies)	Turnout in European elections
2004	58.51%	-
2007	-	29.47%
2008	39.20%	-
2009	-	27.67%
2012	41.76%	-
2014	-	32.44%
2016	39.49%	-
2019	-	51.20%

Data sources: Romanian Permanent Electoral Authority (2020a); European Parliament (2019a)

In this regard, it is worth mentioning that the turnout was not very high in the national elections either, with only the presidential elections registering turnouts above 50% after 2004. This decline in turnout at the national parliamentary elections can also be explained by the fact that 2004 was the last year when the parliamentary and the presidential elections were held at the same time. After the revision of the Romanian Constitution in 2003, the presidential mandate was changed from 4 to 5 years, meaning that the parliamentary and the presidential elections would be held at the same time only once in 20 years. This led to a decrease in turnout in the following parliamentary elections (2008, 2012, 2016 and 2020), since it is known that the presidential elections have always been the ones that generate the most interest for the Romanian voters (Ivănescu, 2018: 148-149). Nevertheless, the lower turnout in the European election can be easily remarked, when compared to the national ones, thus validating the first “rule” of the SOE model.

### II. A better electoral result for the new or small(er) parties?

The electoral results show that the Romanian case does not seem to follow the second “rule” of the SOE model. In 2004, the Romanian political scene was dominated by two political alliances that gained the large majority of the votes in the parliamentary elections: the National Union PSD + PUR (Social Democratic Party and the Romanian

Humanist Party), with 36.61% of the votes and the Justice and Truth Alliance comprising of PNL and PD (National Liberal Party and Democratic Party), with 31.32% of the votes. Apart from the two, another two political parties entered the Parliament: Greater Romania Party (PRM), with 12.92% of the votes and the Democratic Union of the Hungarians in Romania (UDMR), with 6.16% of the votes (Ivănescu, 2015: 166).

**Figure 1 – Electoral results of the main Romanian political parties at the 2004 general elections and 2007 European elections**



Data sources: Ivănescu (2015), Romanian Permanent Electoral Authority (2007)

At the EP elections from 2007, the national electoral threshold was exceeded by five political parties. That does not mean, however, that some new political parties managed to gain momentum in the EU elections. In December 2006, the Liberal Democratic Party (PLD) was formed, when a faction of PNL split following some internal frictions. This generated a slightly lower electoral result for PNL in the EU elections in 2007. Shortly after those elections, in December 2007, PD and PLD merged,

forming the Democratic Liberal Party (PDL), which was an important political actor in the Romanian politics during the following years.

PRM failed to meet the 5% threshold at the EU elections in 2007 and the governing coalition obtained an even better result than what it secured three years earlier, thus invalidating the SOE model. In the EP elections, PRM managed to gain 3 seats, after failing to enter the national Parliament a year earlier.

**Figure 2 – Electoral results of the main Romanian political parties at the 2008 general elections and 2009 European elections**



Data sources: Romanian Permanent Electoral Authority (2008, 2009)

The People’s Movement Party (PMP) was launched by the People’s Movement Foundation, at the initiative of former President Traian Băsescu, after he and some of his supporters left PDL in 2003. That year, during PDL’s National Convention, Băsescu accused the party leadership of falsifying the results of the elections for the party president position. Having supported his former councilor Elena Udrea for this position, Băsescu directed his accusations at Vasile Blaga (who ended up winning the presidency of the party) and his team.

The 2014 electoral cycle also confirms our initial assessment, since although PMP was new and relatively small, it did not break the mould: a vehicle to serve the former president’s political ambitions, PMP was dependent on the support that its figurehead could garner from its loyal base.

Figure 3 – Electoral results of the main Romanian political parties at the 2012 general elections and 2014 European elections



Data sources: Romanian Permanent Electoral Authority (2012, 2014)

In 2019, we witness that a new party gains traction in the EP elections: USR-PLUS. The result of a fusion between the Save Romania Union (USR) and Freedom, Unity and Solidarity Party (PLUS), USR-PLUS has become the third largest political party in Romania. Critical of the establishment parties and their stale way of doing politics, the party is centered on a good governance and anti-corruption platform and proposes a managerial approach to politics. This being said, its gains in the 2019 EP elections cannot be attributed strictly to its policy agenda, since as we have mentioned before, the 2019 results are influenced by the referendum turnout. In other words, we could say that these elections were more FOE (first order elections) than SOE. Moreover, there is a certain irony if we stop to think that the president of PLUS, Dacian Cioloș was a European technocrat *par excellence*, having been the Agriculture Commissioner in the Barroso Commission (2010-2014) while as of 2019, he is the leader of the Renew Europe political group in the EP.



Figure 4 – Electoral results of the main Romanian political parties at the 2016 general elections and 2019 European elections



Data sources: Romanian Permanent Electoral Authority (2016, 2019), European Parliament (2019c)

The national and European elections results presented in this section lead us to conclude that the second feature of the SOE model (better electoral results for new and small parties) is only partially fulfilled in the Romanian case. It is true that PDL in 2007 (7.79%), PRM in 2009 (8.92%), PMP in 2014 (6.21%), USR-PLUS and Pro Romania in 2019 (22.36%, respectively 6.44%) had been either new or relatively small(er) parties on the Romanian political scene. Yet, their results are either just a few percentage points above the 5% threshold, which cannot be considered, in our opinion, a “good” electoral result, even if they are slightly higher than the one obtained in the previous national elections (as shown in the figures above) or a direct consequence of the developments on the national political scene. In other words, they were not the result of a more pro-European campaign.

If the result of PRM in 2009 could sustain the SOE thesis (as the party obtained almost 9% of the votes after not being able to enter the national parliament a year before), the cases of Pro Romania and USR-PLUS (in 2019) should be seen in connection to the national political context more than in relation to the European electoral one. While it is true that Pro Romania was at its first European electoral exercise in 2019, it was a parliamentary party which, even if did not participate in the

2016 general elections, managed to form a political group in the Romanian Parliament in 2019, after picking up 20 deputies, 16 of whom had been elected on the PSD lists in 2016. It can be argued, therefore, that Pro Romania was not a “new” party, since the most prominent members were well known politicians (two of them having served as Prime Ministers of Romania – Mihai Tudose and Victor Ponta, the party president).

If we compare 2016 national elections to 2019 European ones, the biggest electoral leap can be observed in the case of USR. This result must be, however, understood in light of the national context. As mentioned above, the 2019 European elections in Romania registered the highest turnout so far and a win for PNL against PSD, which had gained over 45% of the votes in the previous national elections. One of the main explanations for this result lies in the fact that, at the same time with the EP elections from May 26, 2019, Romania held a national referendum regarding two of the most discussed political themes of the recent years: the amnesty and pardon for corruption offenses and the government excessive use of emergency ordinances in the field of justice (and in other fields, for that matter).

After numerous protests in Bucharest and other big Romanian cities, which started in January 2017 (as a reaction to the PSD government’s intentions to modify the amnesty law and some other provisions of the Penal Code) and continued to garner traction in 2018 and 2019 as well, the national referendum over the justice reforms called by President Iohannis pushed a significant majority of the electorate to participate and, as a result, to also vote in the EP elections. Practically, the momentum gained by USR, with their initiative “No convicted people in public office”, together with their support for the President’s decision to call a national referendum, made possible for them to obtain an increased vote share in the EP elections as well. This meant that USR managed to gain almost as many votes as PSD in the EP elections, while 3 years earlier, in the national elections, PSD gained 45.47% of the votes and USR, only 8.87%.

In the national referendum regarding the justice reform, Romanian voters were presented with two questions on the ballot paper:

- Do you agree with the ban on amnesty and pardon for corruption offenses?
- Do you agree with the ban on the Government’s adoption of emergency ordinances in the field of crime, punishment and the organization of the judiciary and with extending the right to appeal the ordinances directly to the Constitutional Court?

Both proposals were approved with comfortable majorities: the answers in support had been in proportion of 85.42% for the first question and 85.7% for the second one. (Romanian Central Election Bureau, 2019a, 2019b).

If we were to exclude the discussion about the role that the national political events played in the electoral results that those parties obtained at the European elections, it could be argued that this outcome supports the second thesis of the SOE model. The contextualization is, however, necessary and it leads us to conclude that, as Hobolt and Wittrock argued, voter choice in the European elections is based more on the national specific preferences (Hobolt and Wittrock, 2011: 30). With this in mind, we can draw the conclusion that the second “rule” of the SOE model is only partially validated in the Romanian case. We would posit that it is a borderline validation.

### III. What about the invalid ballots?

**Table 3 – Invalid ballots in national and European elections, 2004-2019**

Year / Type of election	Total number of persons who voted	Valid ballots	%	Invalid ballots	%
<b>2004, parliamentary</b>	10 794 653	10 188 106	94.38%	599 641	5.55%
<b>2007, European</b>	5 370 171	5 122 226	95.38%	246 555	4.59%
<b>2008, parliamentary</b>	7 238 871	6 886 794	95.14%	Null: 210 994 White: 139 139	4.84%
<b>2009, European</b>	5 035 299	4 840 033	96.12%	194 626	3.86%
<b>2012, parliamentary</b>	7 694 180	7 409 626	96.30%	Null: 212 289 White: 71 364	3.69%
<b>2014, European</b>	5 911 794	5 566 616	94.16%	345 011	<b>5.83%</b>
<b>2016, parliamentary</b>	7 323 368	7 047 384	96.23%	213 916	2.92%
<b>2019, European</b>	9 352 472	9 069 822	96.97%	274 415	2.93%

Data sources: Romanian Permanent Electoral Authority (2004, 2007, 2008, 2009, 2012, 2014, 2016, 2019)

The data from the table above shows that only in the 2014 EP elections, the percentage rate of invalid ballots was higher than in the parliamentary elections from two years before. Thus, the SOE model is not validated from this point of view. The percentage of spoilt votes is not indicative of a protest trend among the voters who would deliberately waste their ballots. Rather, absenteeism would be a better variable to check for given how depressed the turnout tends to be even during first order elections. This is due to the fact that public confidence in political parties tends to constantly decrease, mainly because of “the excessive fragmentation of the main ideological poles in a great number of small parties that [occupy] similar ideological spots on the Romanian political scene” (Ivănescu, 2018: 149).

### IV. A loss of votes for the national government party

The SOE model final feature can be observed only in the last EP elections, from 2019. However, as discussed above, the result should be interpreted by taking into consideration the unstable political context at that time, the failed co-habitation between the PSD Prime Minister and the President, and the fact that the European elections were held together with the national referendum on the justice reform. While the result supports the SOE model thesis, it is clear that it was not organically driven by the specific nature of the European elections, but it was, instead, influenced by the volatility accompanying the national political issues.

### Conclusions

The aggregate data analyzed in this article show that the SOE model is clearly validated only where turnout is concerned. While we have seen that the model is

partially validated for the other theoretical traits, this is more a result tributary to the influence that the national political context exerts in the outcome of the European elections. It is not a direct consequence resulted from the specificities of those elections.

In other words, the “national preference” is the one that determines the result of the European elections, and this was visible in all four rounds of European elections in which Romania participated so far. Also, in the three electoral moments in which the EP elections were not linked to any national electoral process, the turnout was substantially low, confirming the classic SOE outcome that Hix and Marsh (2007: 496) revisit: “the timing of a European election in a national election cycle will determine the size of the [SOE] effects”. We conclude that the EP elections are, indeed, second-order elections for the Romanian voters, but not particularly because of the electoral system that is used, nor because of the weak connection between voters and politicians; rather it is due to the poor civil and political culture, the insufficient political information, and an extremely dangerous amount of social conformism. All those features generally characterize the Romanian electorate, who, although participates in the elections, does not always possess elementary knowledge about what the public offices that they vote for entail, about the structure of the administrative and political institutions, much less about the European political realities, the role of the EP at the core of these realities or their rights as European citizens.

This is concerning since an uninformed electorate is vulnerable to actors of disinformation that seek to weaponize this weakness in order to advance their (populist) agenda. While “we are far from talking about a pan-anti-European popular trend clamoring for the rejection of the European Union” (Filimon 2015: 215), the ascendancy of radical right parties, the creeping radicalization of the mainstream (Ivănescu and Filimon 2020), Brexit, or the immigration backlash speak to how critical it is for the voters to be in possession of civic knowledge. For this vulnerability to be overcome, national and European actors need to be more actively involved in communicating this information and to create effective tools for the citizens to become effective voters. Anything less weakens this core democratic institution that is represented by the electoral exercise, turning it into cheap spectacle and pablum. This is a pity since citizens are clamoring to put their trust in the institutions which would uphold their rights and improve their wellbeing (Ivănescu and Filimon 2014).

In conclusion, beyond the rules of the SOE model, the analysis of the Romanian case reveals a series of systemic problems that the country is facing, one of the most sensitive of which being the collapse of citizens’ trust in politicians and political institutions. This, in turn, exerts a major influence on the European electoral process as well. Finally, it can be argued that it is not necessarily the SOE model which shows its limits in the Romanian case, but it is rather the loss of the Romanian electorate’s trust in the political class that becomes the main limitation and prevents us from drawing more generalizing conclusions about the validity of the SOE framework of analysis. Only by watching the development and results of future electoral exercises will this issue be better clarified, or maybe, on the contrary, the SOE model will, instead, be unequivocally invalidated in the Romanian case.

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## ORIGINAL PAPER

# Modeling emerging stock market volatility using asymmetric GARCH family models: An empirical case study for BSE Ltd. (formerly known as Bombay Stock Exchange) of India

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### Abstract:

This study focuses on volatility estimation using asymmetric GARCH family models in financial series of S&P BSE LargeCap index collected from BSE Limited (formerly known as Bombay Stock Exchange) of India. The objective of this paper is to investigate volatility in market, asymmetry in volatility, measure short and long term volatility persistence and impact of news on market. This study considers data from 01:2005 to 05:2020 counting 3818 daily observations and follows GARCH (1, 1), EGARCH (1, 1) and GJR (1, 1). The empirical results indicate the following: 1) presence of changing asymmetry in series returns of S&P BSE LargeCap index and evidence of leverage effect, 2) presence of abnormal volatility shocks which indicates high investment risk, 3) estimated impact of news and effect on market and 4) an opportunity for investment and return prospects. Main results and findings include all data statistics outcomes with graphical explanations. Furthermore, detailed result statistics available in full for GARCH and GARCH family models.

**Keywords:** *Financial econometrics; GARCH family models; Financial markets; Stock market; Volatility.*

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## **1. Introduction**

The main objective of this research paper is to provide complex framework on emerging stock market volatility using asymmetric GARCH family models based on an empirical case study of Bombay Stock Exchange of India. Stock market represents a volatile behavior. Before daily closing of any stock market, several times index moves up and down. It is believed that emerging stock market has higher volatility compare to developed stock market. This paper focuses on one of the segment of Bombay Stock Exchange, namely BSE500. In recent past, there are several incidents for great fall down in global stock markets even after global financial crisis, with one or other particular reasons. More interestingly stock market can be divided into two parts; (i) predictable market and (ii) unpredictable market. Predictable market delineates absolute possibility of super risks and great losses, whereas unpredictable market shows possibility of returns. Volatility creates degree of risk factor and can be read two sides; (i) possibility for higher losses (ii) possibility for higher returns. Such kind of investigation and prediction requires advance statistical methodology which can provide idea about past moment so that an investor can predict an opportunity for return on investment. There are several methods but among the most used is ARCH by Engle (1982) and GARCH model designed by Bollerslev (1986). Such statistical analysis considers volatility as conditional variance. Black (1976) has introduced new facts about stock market volatility, i.e. the leverage effect. It means that the losses have greater influence than do gains. Asymmetry represents the impact of distribution of losses and expected greater tail than do gains.

This study on &P BSE LargeCap index and the aim to find out (i) the volatility (ii) leverage effect and asymmetry (iii) impact of news and (iv) finding out an opportunity for investment in &P BSE LargeCap index. GARCH stands for generalized autoregressive conditional heteroskedasticity and identified as most used econometric tool to analyze time series and stock market.

## **2. Literature review**

In this research paper we follow GARCH (1, 1) by Bollerslev (1986) to model the volatility, and other GARCH based models to test leverage effect and asymmetry, such as EGARCH, Exponential GARCH designed by Nelson (1991) and GJR – GARCH by Glosten, Jagannathan and Runkle (1993). Alberg et al. (2008) worked on a comprehensive empirical analysis focused on the mean return and conditional variance of Tel Aviv Stock Exchange (TASE) indices is performed using various GARCH models. The empirical findings revealed that asymmetric GARCH model based on fat-tailed distributions provides improved estimation results in case of conditional variance, while EGARCH model is the most suitable for prediction of TASE indices. Trivedi et al. (2021) investigated volatility spillovers between certain developed and emerging stock markets in the European Union based on GARCH family models.

Furthermore, Chen and Kuan (2002) investigated the dynamics of US stock market returns by applying GARCH and EGARCH models. However, EGARCH, which is also known as Exponential GARCH designed by Nelson (1991) fits well on most of financial series and captures stylize facts of series returns. The use of the new hybrid asymmetric volatility methods can simultaneously decrease the stochastic and nonlinearity of the error term sequence, while capturing the asymmetric volatility (Tseng et al., 2008). Moreover Marcucci (2005) applied standard GARCH models in order to predict the volatility pattern of US financial market.



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Engle and Rangel (2008) suggested that “Volatility is higher for emerging markets and for markets with small numbers of listed companies and market capitalization, but also for large economies”. Spulbar et al. (2020) examined volatility spillover effect between emerging and developed stock markets, including the case of India and argued that an international diversification strategy has a considerable influence on guaranteeing the portfolio value based on decreasing aggregate investment risk and stock returns volatility. It is also important to consider international portfolio diversification strategy in order to achieve significant potential benefits. Moreover, Pinto et al. argued that: “stocks with low historical volatility exhibit superior risk-adjusted returns and higher absolute returns over high volatility stocks”.

On the other hand, Ejaz et al. (2020) have highlighted that emerging stock markets represent a source of much more attractive portfolio diversification opportunities in comparison with developed stock markets. Spulbar and Birau (2019) pointed out that international linkages which implies causality and interdependence between developed and emerging stock markets determine the effect of dynamic transmission patterns based on the spread of financial shocks. However, Zulfiqar et al. (2020) revealed that: “stock markets which operate under efficient governance and institutional environments experience greater stock returns and lower level of risk.” Hemanth and Basavaraj (2016) have conducted an empirical research study on volatility prediction based on GARCH models and concluded that in case that volatility suffers a change at higher rate, the result may consists of either high profits or high losses. However, Nethravathi et al. (2020) indicated that using correlation can effectively contribute to detect the degree to which certain two variables are connected to each other.

Castaño (2010) studied general index of stock exchange of Colombia and its volatility using GARCH type models. The paper follows EGARCH modeling and results suggest that importance of asymmetric modeling and EGARCH which captures stylized facts of financial market of Colombia. This paper’s objectives are to explore the volatility, stylize facts of financial series and impact of news on stock market returns of BSE - Large Cap series by using GARCH (1, 1) designed by Bollerslev (1986), exponential GARCH or EGARCH model designed by Nelson (1991) and GJR – GARCH designed by Glosten, Jagannathan and Runkle (1993).

Tripathi and Sethi (2010) argued that the essential pillars that determine the financial integration of stock market include the following: bilateral trade relationships, interest rate differential, inflation differential, but also stock market main features such as size and return volatility. Mukherjee and Mishra (2005) investigated stock market interlinkages and concluded that the stock market from India is characterized by an integration relationship with the following emerging stock markets in Asia, i.e.: Indonesia, Malaysia, Korea, Philippines and Thailand.

Bonga (2019) investigated relevant issues on Stock Market Volatility using GARCH models, such as GARCH(1,1), GARCH-M(1,1), IGARCH(1,1) and EGARCH(1,1) models based on an empirical case study for Zimbabwe Stock Exchange (Africa). The empirical findings revealed that Exponential GARCH (1,1) or E-Garch (1,1) model has proven to be the most suitable model while asymmetric coefficient have been significant.

### **3. Research methodology**

This empirical study consists of 3.818 daily observations of financial series of S&P BSE LargeCap index from the sample period of January 2005 to May 2020, were

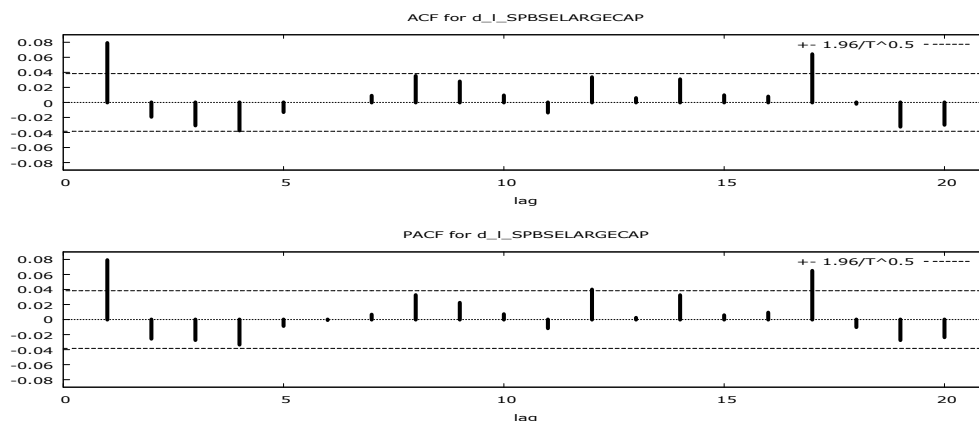
obtained from official website of Bombay stock exchange. Before process to statistics, we have converted S&P BSE LargeCap index series to log returns and computed first log difference of the series. Data statistics than processed to compute basic statistics and original series return and converted stationary series returns (see table no.1 and figure no.2). The fundamentals of financial market volatility analysis has been completely changed after immediate introduction of asymmetry GARCH models such as GARCH-M, EGARCH, GJR-GARCH, T-GARCH etc. Asymmetry and Leverage effect explores deep stylized facts of BSE500 series returns. Application of such econometric tools can proceed only after white noise process (stationary of data series) and with this paper it has been tested with ADF test by using following formula. The ADF (Augmented Dickey Fuller) test is the augmented version of Dickey Fuller test and used to determine if the variables are stationary. Most of financial time series face autocorrelation problem and thus it can be augmented by adding various lagged dependable variables. The ADF test formula is the following:

$$\Delta y_t = (\rho - 1)y_{t-1} + \alpha_i \sum_{i=1}^m \Delta y_{t-i} + u_t$$

In the above formulation the correct value of  $m$  represents number of lags. The aim of Augmented Dickey Fuller test is to maximize the amount of information. During the ADF test we confirm the ARCH effect and no unit root problems at level of 10%, 5% and at level of 1%. We consider results at level of 1%. ADF test statistics is computed twice i.e. with constant and trend by considering 4 lag as maximum order and considered 16 lags order.

#### 4. Empirical results and discussion

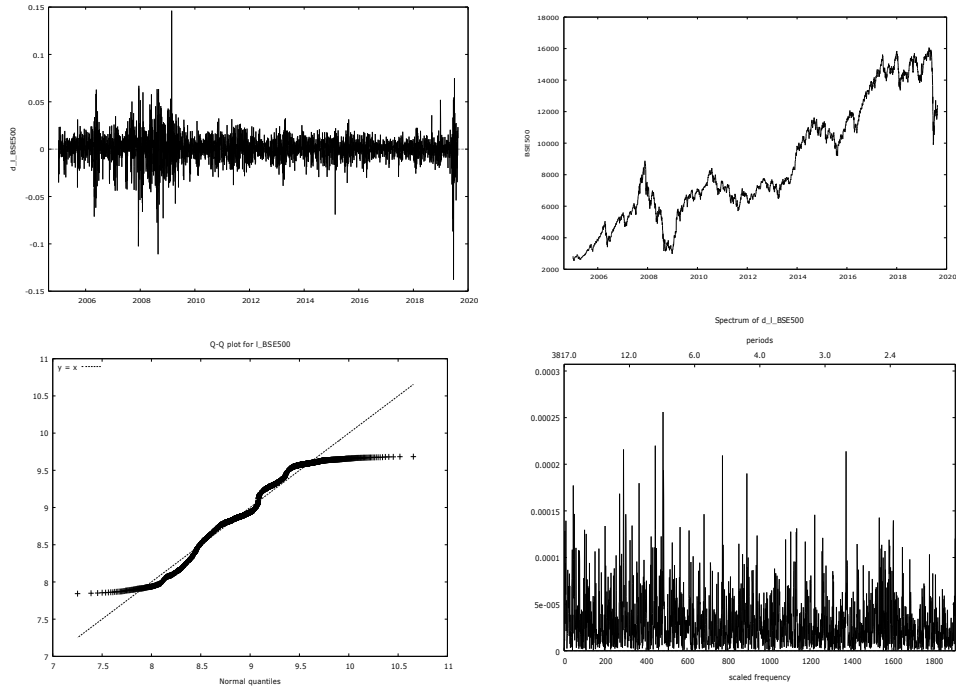
Augmented Dickey-Fuller test results with constant and trend including 16 lags of (1-L)(max was 4, criterion AIC) sample size 3818 unit-root null hypothesis:  $a = 1$ , with constant and trend model:  $(1-L)y = b_0 + b_1*t + (a-1)*y(-1) + \dots + e$  where estimated value of  $(a - 1)$ : -0.637421, test statistic:  $\tau_{ct}(1) = -11.87$  asymptotic p-value 1.624e-024, 1st-order autocorrelation coefficient for  $e$ : 0.000, lagged differences:  $F(16, 3783) = 4.755 [0.0000]$ . ADF test statistics indicates that the series is stationary and follows no unit root problems. Furthermore, the series returns also processed with ACF and PACF tests autocorrelation function tests provides significance level at 10%, 5% and at level of 1% using standard error  $1/T^{0.5}$  (see Figure no.1).



**Figure no.1** The ACF and PACF results for S&P BSE LargeCap index series of log returns  
Source: Author's computation

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The series of S&P BSE LargeCap index started from base index point of 2825 in Jan 2005 and series returns are volatile completely as it has jumped over 4 times i.e. over 12000 index points in 15 years. Global financial crisis impact is quite visible in series return and dropped index 3000 points in less than a year. The volatility sketches indicate that any short term investment possibly created comparatively more loss than the gains and returns from investment. The following figure no.2 exhibits the behavior of S&P BSE LargeCap index movement as daily prices but also converted in stationary series of log returns.



**Figure no.2** The dynamics of S&P BSE LargeCap index  
Source: Author's computation

Moreover the continuous rise of index immediate after global financial crisis has given new life and opportunity for investor confidence in S&P BSE LargeCap index and its activity sectors. Spulbar and Birau (2018) highlighted the fact that financial time series are characterized by time variation in mean and variance, which is the main reason for non-stationary dynamics. On the other hand, figure no.2 consists of four graphical pictures where the first represents original series returns, second indicates volatility sketches and stationary of series, third indicates the long fat tail which indicates leptokurtosis impact and last picture shows spectrum density (volatility effect) of S&P BSE LargeCap index series returns. The stationary graph presentation reveals the volatility magnitude which lasted up to 0.15 scales positively and around 0.12 magnitude scale negatively. Nevertheless there are many number of visible volatility sketches at upper side and lower side. The basic statistics indicates  $st\_dev$  0.01386 which means financial returns are not out of high risks. The mean and median are about

zero which was expected since the indication of negative skewness and high degree of kurtosis which creates long fat tail effect (see fig1). Degree of minimum to maximum from zero is reversing the index (see table no.1).

Table-1 Summary Statistics for BSE500 (Jan 2005 to May 2020)

Mean	Median	Minimum	Maximum
0.00038775	0.0012582	-0.13789	0.14618
Std. Dev.	C.V.	Skewness	Ex. kurtosis
0.013886	35.812	-0.57962	11.279

Source: Author's computation

Autoregressive Conditional Heteroskedasticity model (ARCH), first introduced by Engle (1982) and further extended by Bollerslev (1986) and Nelson (1991). The GARCH (1, 1) model is not capable to explore the stylized facts in financial series but definitely it explores volatility in financial series returns. The GARCH (1, 1) model by Bollerslev (1986) is as follows;

$$h_t = \omega + \alpha_1 u_{t-1}^2 + \beta_1 h_{t-1}$$

Where  $h_t$  = represents volatility of S&P BSE LargeCap index,  $\omega$  = represents constants, and  $\alpha_1 u_{t-1}^2$  = represents ARCH (1) effect and  $\beta_1 h_{t-1}$  = represents GARCH (1) effect.

It represents unconditional variance which must exist and thus it can be case where we find  $\alpha_1 + \beta_1 < 1$  and for converting it into generates positive result, we require that  $\alpha_0 > 0$ . Only positive result will help to go ahead in progress since negative result will be useless. Positive result will indicate good news for market. And also gives an indication to precede further to employ asymmetry GARCH models.

The maximum return in series is 0.0939 and  $\alpha_1 u_{t-1}^2 + \beta_1 h_{t-1} = 0.118059 + 0.869686 = 0.987745$  which is lower than 1 and positive. This indicates certain favorable signals to investors and also presence of strong volatility in financial series returns. This statistics suggests that financial series returns are significantly stationary. The sum of  $a + b < 1$  but it is most near to zero. It indicates high presence of volatility; furthermore the sum of  $b$  is greater than  $\alpha_1$  which was expected. It means the bad news generates long term volatility impact on financial series returns.

The volatility presence  $h_t = \omega + \alpha_1 u_{t-1}^2 + \beta_1 h_{t-1} = 0.98857$  in series return of BSE500. The importance of asymmetric and leverage effect in financial series return has given new vision to financial series return analysis and a very new criteria to investor for consideration before making investment. Exponential GARCH also known as EGARCH introduced by Nelson (1991) that takes long form and adds an additional term for leverage effect. This paper includes complete results for EGARCH and GJR GARCH including the density graph. Extended GARCH model introduced as EGARCH or Exponential GARCH by Nelson (1991) explores financial series returns in details and delivers results for asymmetry or leverage effect.

$$\text{Log } h_t = \omega + \beta_1 \log h_{t-1} + \alpha_1 [ \theta V_{t-1} + \gamma \{ |V_{t-1}| - E|V_{t-1}| \} ]$$

To accept the null hypotheses of no leverage effect which indicated by ( $\gamma$ ) in above model the following condition must fulfilled.

The gamma coefficient must be positive (+) otherwise alternate hypotheses will be accepted. It means gamma coefficient is negative; there is evidence of leverage effect

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in series. During the modeling of financial returns of S&P BSE LargeCap index we have considered significant level at 5% for EGARCH and GJR GARCH modeling. Here the  $\gamma$  indicates asymmetry effect on series. The value for  $\gamma$  should be expected positive to accept null hypotheses of no presence of leverage effect. Otherwise the second hypotheses will be accepted i.e. presence of leverage effect. Leverage effect in financial series indicates that financial series returns are more volatile at downside and creates more volatile sketches and volatility clustering. In other words the listed stock becomes more risky to invest. Nevertheless, this also can be considered otherwise for the investors who look for long term investment in stocks. It creates an opportunity for investors to gain greater returns on investments if invested at right time of downside volatility. EGARCH model by Nelson (1991) fitted perfectly at significant level of 1%.

The value for  $\gamma\{|V_{t-1}| - E|V_{t-1}|\}$  is non-zero and negative which was not fulfilling the null hypotheses of no leverage effect.

$$\gamma\{|V_{t-1}| - E|V_{t-1}|\} = -0.0903640$$

Furthermore the value for  $\alpha_1$  is 0.216334 which is much lower than the value for  $\beta_1$  which is 0.975776. This statistics indicates that volatility is persistent or in other words it remains constant volatile at certain down level for long time. This situation takes long time to come over or block the investment for mean time. Non-zero and negative indicates that asymmetry series return has evidence of leverage effect in S&P BSE LargeCap index series returns and shocks are persistent. It also means that bad news creates more volatility than do good news. Table no.2 clearly indicates that return series exhibits volatility asymmetry. It indicates asymmetry impact of negative and positive shocks of the same magnitudes, in other words bad news or negative shocks creates more volatility in the market for long time than good news or positive shocks. This also means that good news or positive shocks stand always for short volatility persistence and self consume very quickly. EGARCH model by Nelson (1991) is limited to compute the impact of good and bad news in degree of magnitude. The impact of news on series return is estimated and modeled by using GJR GARCH type model by Glosten, Jagannathan and Runkle (1993). The asymmetry GARCH model (GJR) also indicates stylized fact and impact of news in magnitudes. GJR – GARCH by Glosten, Jagannathan and Runkle (1993) can take following form;

$$h_t = \omega + \alpha_1 u_{t-1}^2 + \beta_1 h_{t-1} + \theta I_{t-1} u_{t-1}^2$$

To accept the null hypotheses of no leverage effect which indicated by  $(\theta)$  in above model the following condition must be fulfilled. The gamma coefficient must be negative (-) otherwise alternate hypotheses will be accepted. It means that if gamma coefficient is not negative; there is evidence of leverage effect in series. As we learned that if  $\theta > 0$ , we say that there is a leverage effect. If  $(u_{t-1} > 0)$ , that has an effect of  $\alpha_1 u_{t-1}^2$  on the variance and represents effect of good news on volatility, while bad news effects  $(u_{t-1} < 0)$  has an effect of  $(\alpha_1 + \theta) u_{t-1}^2$  on the variance. Furthermore the short term volatility persistence can be computed by  $(\alpha_1 + \theta / 2)$  where as we compute long term persistence by adding the Beta value in the above equation i.e.  $(\alpha_1 + \beta_1 + \theta / 2)$ . GJR GARCH statistics estimates non-zero and positive gamma which indicates and supports the results of changing asymmetry and supporting leverage effect in series. Notable gamma value estimates 0.323941 which was expected negative for no leverage effect. The positive magnitude communicates at degree of 0.098279; this means that good news impact series return of S&P BSE LargeCap index at magnitude of 0.098279 scales. The

short term volatility persistence estimated 0.323941. The bad news impact on series is 0.42222.

GARCH and GARCH TYPE model estimations with Kernel density compare with standard normal distribution. All GARCH modeling estimation is followed by normal distribution considering OBS 3818 with VCV method.

### **5. Conclusions**

This study does not cover the volume of trading along with the closing index of BSE-LARGECAP financial series. Data for S&P BSE LargeCap index collected from BSE, also known as the former Bombay Stock Exchange of India, website and covers the sample time period from January 2005 to May 2020 consisting 3818 daily observations. The basic statistics indicates negative skewness and over degree of kurtosis and creates leptokurtosis impact. Investors need to take note that the data statistics for standard deviation suggests that S&P BSE LargeCap index is no free from risk. Bollerslev (1986) GARCH (1, 1) model fitted very well on the series returns. It suggests presence of strong volatility. EGARCH estimated model indicates presence of leverage effect in the series os stock returns. It also was confirmed by GJR model designed by Glosten, Jagannathan and Runkee (1993). The result suggests that S&P BSE LargeCap index series return has evidence of leverage effect and takes long time to die out the negative shocks and creates more volatility in market. That means the positive shocks (at upper side) dissipates very quickly and do not stand long. This makes market riskier for beginner or makes investment block for long time to get recover. It means that bad news creates volatility for long time and it takes long time to die out at down side. On the other side it creates volatility for short time at upper side and dies out quickly. Investments made during this time may take long waiting to show the investment stock price. Similarly, the same data statistics also creates great opportunity to invest in S&P BSE LargeCap index if the investment made in long term volatility persistence, it increases chances to earn super profit returns in short time and create green prospects for investor community.

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## ORIGINAL PAPER

# Prezi -The Challenge of Teaching the Hyperlinked Minds

Costina Denisa Bărbuceanu<sup>1)</sup>

### Abstract:

The world we live today does not resemble the world we grew up in, and the world today is undoubtedly not the world our children and future students will live in. The histrionic fluctuations our world has experienced, technologically speaking, the digital generation students are not the students our institutes and universities were planned for and are not the students present day teachers were skilled to teach. Moreover “If we teach today’s students as we taught yesterday’s, we rob them of tomorrow.” (West, 2013). Phones, nowadays, are not merely objects of conveying oral messages, they no longer serve this intended purpose, now, phones or smart phones are digital devices, with computer memory, satellite identification and wi fi structures incorporated, with running application, mini portable computers, which can access information from every corner of the world, from libraries and dictionaries with a single touch. The enquiry brought up in this paper tackles the ways teachers of the 21<sup>st</sup> century classroom master instruction in the assorted scenery and the how to we use technology and multi modal instruction to generate an attractive learning background. The definition of hyper-link in the Oxford dictionary states: “A link from a hypertext document to another location, activated by clicking on a highlighted word or image.” (<https://www.lexico.com/en/definition/hyperlink>). Today’s generation talks in hyper-links, greets and video calls in WhatsApp, shares pictures through Facebook or talks face to face using Skype and basically all and any of the technological resources accessible today: iPhones, iPads, digital textbooks, social media, blogs, vlogs, wikis. The challenge nowadays teachers face is to find the finest methods to fuse the traditional literacy with the innovative concept of plural literacies to prepare students for homogeneous assessments and life outside the seminar room.

**Keywords:** *Prezi presentations; zoom in and out; digital natives; visual literacy; eye-tracking.*

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### Objectives

This paper inspects the visible outcomes and effects that the digital assault-from continuous contact to digital media, has on our children and students in this novel unfolding digital background and reflects the thoughtful inferences this has for the future of teaching. The challenge nowadays teachers face is to find the finest methods to fuse the traditional literacy with the innovative concept of plural literacies to prepare students for homogeneous assessments and life outside the seminar room. The enquiry brought up in this paper tackles the ways teachers of the 21<sup>st</sup> century classroom master instruction in the assorted scenery and the how to we use technology and multi modal instruction to generate an attractive learning background.

### Introduction

Literacy generally highlights the capacity of humans to decode reading and writing, but in the twenty-first century, literacy has other values added to the meaning, that of understanding and connecting data through a variety of media formats, using phone applications, imageries, video, audio, and digital texts. Phones, nowadays, are not merely objects of conveying oral messages, they no longer serve this intended purpose, now, phones or smartphones are digital devices, with computer memory, satellite identification and wi fi structures incorporated, with running application, mini portable computers, which can access information from every corner of the world, from libraries and dictionaries with a single touch. Visual literacy is the ability to distinguish and evaluate visual communications, and the capacity to contemplate and resolve problems in the visual field, to decode, read, inquire, produce, challenge and appraise texts that communicate with visual imageries rather than words. Visually literate persons can deliver the proposed meaning in a visual text such as an announcement or a commercial, understand the drive and intended connotation, and estimate the system, assembly and features of the text. Visual literacy enhances both critical thinking in students who manage problem unravelling effortlessly, allowing them to subordinate and assess, moods/opinions, situations, memories and practises and empowers teachers to integrate technology to increase student learning by permitting students to produce visual images and messages.

Today's generation talks in hyperlinks, greets and video calls in WhatsApp, shares pictures through Facebook or talks face to face using Skype and basically all and any of the technological resources accessible today: iPhones, iPads, digital textbooks, social media, blogs, vlogs, wikis. In addition, "Today's average college grads have spent fewer than 5,000 hours of their lives reading, but over 10,000 hours playing video games (not to mention 20,000 hours watching TV). Computer games, e-mail, the Internet, cell phones and instant messaging are integral parts of their lives." (Prensky, 2001). The definition of hyperlink in the Oxford dictionary states: "A link from a hypertext document to another location, activated by clicking on a highlighted word or image." (<https://www.lexico.com/en/definition/hyperlink>). The **hyperlinked minds** or the generation X, the digital natives are persons born and bred in the digital era; they are also stated as the "**iGeneration**" and considered having digital DNA. The term digital immigrant may also be attributed to persons who were born after the blowout of digital technology and who were not exposed to it since childhood. Digital immigrants are the reverse of digital natives, who have been networking with technology from childhood. **Digital immigrants**, frequently teachers born prior to 1980, are aware of the time their

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students and kids spend on line, on the net, on their mobile phones and know something is wrong, because they are not stirring the hearts and interest of digital native students as well as they stirred in the past. Those nearer to the edge are occasionally called **digital intermediates**, translating that they started using digital technology in adolescences consequently being closer to digital natives in terms of their skills. In addition, “Digital immigrant instructors, who speak an outdated language are struggling to teach a population that speaks an entirely new language.” (Prensky, 2001).

Today’s teachers, digital immigrants must comprehend this twist in generation X and take up the challenge to comprise reflection and critical thinking in teaching, because digital natives need an instruction that ignite and sparkle their curiosity. Participants in the process of education, especially immigrant teachers ought to prepare to face students whose way of learning has seriously challenged. The newest neuroscientist and psychological investigations tell us about the role the technology has on the brain, mainly the young and vulnerable brain and how digital experiences in the new digital landscape are re-wiring and re-shaping today students’ cognitive processes. Teachers have a difficult task in merging these new advances with existing instructional practices, in an environment of standardization and liability, in finding new provoking strategies to appeal to the learning needs of hyperlinked minds while, at the same time, honouring our old-style methods.

Both teachers and students are increasingly using of their **mobile phones**, tablets or Chromebook for instruction and learning purposes - whether the students are viewing or receiving audio input through videos, communicating with the teacher or browsing the net to research a specified topic. **WebQuest** has changed the classical reading activity making it stimulating in order to expand accuracy and articulation through reading skills.

### The marvel of our mind

Marc Prensky promotes the idea that the hyperlinked brains are materially different from the digital immigrants’, due to the marvel called **neuroplasticity** and **flexibility**. **Neuroplasticity** is a phenomenon describing the ability of the human brain to constantly rearrange itself. The hyperlinked minds have changed to the digital world owing to the early contact, thus merging into a different physical brain compared to the immigrants. “Neuro is for neuron, the nerve cells in our brains and nervous systems. Plastic is for changeable, malleable, modifiable.” (Doidge, 2007).

A single image of a tree or a house can stimulate more than 30 million neurons in the visual cortex; the visual cortex makes about 20 percent of the cerebral cortex and it is located in the occipital lobe, being fixed in processing information about mobile and immobile objects and plays an enormous role in form recognition. The brain can see images that last for just 13 milliseconds (0.013 seconds). Moreover, “Remarkably, unbelievably, the brain is capable of absorbing 36,000 visual images every hour. How can this imponderable ability be true? It is because the sophisticated visual capacity of our brain is beyond the conscious processing of our mind: research approximates that between 70 and 90 percent of the information received by the brain is through visual channels. Though our auditory and kinaesthetic modes of sensing are complex, the brain’s dominant and most efficient sensory filter for most information is our eyes.” (Hyerle, 2008). Enquiries have shown out that coarsely 50% of our brain is devoted to visual resolutions and the brain develops visuals in 250 milliseconds, and 99% of all

sensory information disappears out of the brain instantaneously. Visual information is in the 1% that is leftover.

Our brain archives, through our eyes, 36,000 visual messages per hour and we notice the sense of a visual scenery in less than 1/10 of a second so unquestionably 90% of information transported to the brain is visual, thus visuals are managed 60,000X quicker in the brain than in the text. **Eye tracking** is a method that uses the eye's position to adjust the stare direction of an individual and also the order in which there are moved. That is valuable for teachers when creating a Prezi presentation to know how to display the right amount of information on the slides. The French ophthalmologist, Emile Java, 1839 – 1907, was amid the first who described the eye movements during text reading. He observed with empirical methods, - with a the support of a mirror, that the eye movements are not uninterruptedly along the sentence but made from swift movements called *saccades* joint with rapid pause called *fixation*.

### What is Prezi?

The word *prezi* comes from Hungarian, and it is the short form of "presentation", additionally, "Well, Prezi redefines the presentation playing field by transforming your canvas from a sequential, linear sequence of slides to a flat canvas that zooms in and out. When you start a new Prezi, it's much like standing in front of a huge, blank wall on which you have the freedom to group your topics in clusters and plug-in images, links to websites, videos or voice messages to tell your story. The nature of the Prezi interface will likely compel you to integrate more rich media rather than fall back on the age-old text on a slide. For this reason, it's a compellingly different tool and it shouldn't be theorized simply as a replacement for a presentation tool." (Brock - Pacansky, 2012). Up until the late 2009, nobody imagined presentations without the power point classical liner slides nevertheless the appearance of Prezi- created in 2009 in Budapest, Hungary, by Adam Somlai Fischer, Peter Halacsy, and Peter Arvai - as a Web 2.0 cloud-based presentation tool, has revolutionized presentation, as we know it. Prezi has reached the performance of having more than 100 million users worldwide who have created more than 360 million public presentations that have been accessed and viewed over 3.5 billion times .Moreover "Prezi helps you organize your thoughts and deliver them in a clearer way that really makes an impact on your audience and helps them reach that 'ah-hah' moment faster." Peter Arvai CEO & Cofounder (<https://prezi.com/about/>). Prezi's unique features are based on its visual and motion capabilities of "Zoomable User Interface (ZUI)" that allows for 3D fade-in and out animation that harvests sleek rotations, over viewing or moreover "birds eye view"( Covili, Provenzano, 2015) and zooming- the quality to move in and out of subject matter so as to evidence different levels of details on the canvas. Basically, Prezi uses a zooming user interface model wherein blocks of content are arranged in a logical in relation to other blocks of content where the user can navigate in a non-linear manner, by zooming in and out of the content—exchanging between an overview, and a detail view. Furthermore, "Prezi, on the other hand, allows for both a linear and a free-flowing presentation of a story line. "(Spornjak, 2014).

Prezi is the ideal tool to be used in the seminar rooms because it can convey substance making knotty concepts seem easier by introducing complex vocabulary, for example, in the easiest, visual way attainable. The technique is completely based on technology, and technology related devices that all the participants in the process of

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education in the seminar room should possess: Chromebooks, Laptops, tablets, wi -fi, video projectors, and smart phones. The presentation can be shared before the students come to class, like in a flipped classroom and can be viewed at the same time both on the video projector's white board and on the students' phones, through WhatsApp group sharing. Note taking is given through transcripts provided by Prezi slides shared through WhatsApp class group containing multimedia-based teaching material. The essentials of the technological teaching system are the use of Prezi presentation on video projector to engage students with hypermedia content promptly, using a student -centred method, focused in the self-motivated education where skills in word processing and sharing the material electronically (cloud-based or e- platforms) are needed.

### **The Prezi effect on students**

The objective of the present study is to investigate and interpret the consideration/experiences of Theology students in using Prezi as a helpful means of acquiring three types of new vocabulary during a single lecture.

### **Questions**

1. Are students aware of the online tool Prezi accessibility?
2. Are students generally accustomed to higher tool presentations and particularly with Prezi ? in
3. What are the challenges of using Prezi, both for teachers and students?
5. Do seminar or course rooms have the necessary infrastructure for prezi to be delivered during lecture?
6. How do students react and feel about the new EBT vocabulary presented with Prezi?

### **Significance of the Study**

Carrying out studies regarding the impact, the acceptance and implementation of such new-sprung presentation tool, like Prezi, who is different from power point, in higher institutions is well thought out to be exceedingly urgent and important. Surprisingly, research or observational studies regarding the in class impact on students are scarce, thus, little verifiable research studies have stressed on or orientated toward this exceptional form of human-technology fundamental interaction.

### **The Prezi presentation**

It is a storytelling presentation which gives an incomparable manner of presenting content on a single canvas -the digital space with a grid background that you can write anywhere you want, and place your content in whatever style that is significant to you. The visual input that Prezi's architectural construction offers has effects on the learner's brain which starts to understand its structure and develop links one would not normally develop in the absence of the previous mentioned ones. Moreover "Prezi is a very visual medium and the scalability of the software allows users to stress the relative importance of specific topics or terms. It is also easy to incorporate media into your Prezi presentation, including online video. Youtube clips, for example, can be embedded quickly and you can choose at which stage in your presentation path you would like to view them." (Ingle, Duckworth, 2013).

The level of students' engagement is outstanding due to the ingenious, progressive, and ground breaking presentation, which delivers content in a dynamic way, allowing for inspecting details and seeing the big picture, at the same time. Prezi's most unique feature is the non linear presentation of content and the amount of data accessibility the creator has on the digital canvas, and the fact that you can skip content

slides or return in which point you desire without following a linear line. Moreover “Prezi can be used to outline specific topics, concepts and content just like a regular slide-ware presentation, although more uniquely it can be used to illustrate how different aspects of a specific topic are linked together and where relationships may exist. The canvas approach promotes a visual representation of your information-rather than slides, Prezi uses frames where specific content can be displayed and grouped together in clusters. ” (Ingle, Duckworth, 2013). Thus, if you decided to emphasis something in your prezi presentation, you can effortlessly access the necessary content from your pc display by merely touching that frame, so Prezi becomes a provider to recreate a pathway or a storyline clearer and powerful. As it is often described as a transformation tool, all these visible frames or inside texts can be effortlessly moved, resized, revolved, on the big digital canvas, creating the awareness of a more multi-dimensional demonstration in which the viewer the the utmost beneficiary.

### **Prezi in the seminar room**

“Prezi shows tremendous promise for enhancing the presentation of ideas in social work research and educational settings. This software rectifies design limitations of existing presentation software. Additionally, the ability to collaborate on the development of presentations can be of value to researchers working in remote areas. This feature is also important for educational purposes, particularly in promoting collaboration among students on joint projects.”(Peron, Stearns, 2011). In universities and higher education or research institutions, colleges, presentations are the norm, sounding for something to break the regularity and dullness of a of slide-based presentations, no matter if the teacher is lecturing to students or students are requested to present the project based activities to the whole class due to these precise **ICT tools**. “Information Communication Technology tools are digital infrastructures such as: computers, laptops, desktops, data projector, software programs, printers, scanners and Interactive teaching box. The ICT tools are the latest technology or devices and concepts used in Information and Communication Technology among students to students, students to teacher interaction (e.g., flipped classroom, mobile apps, and clickers devices).” (<https://www.igi-global.com/dictionary/ict-tools/49250>)

The employ of Prezi in the seminar room allows students, no matter their learning style, to internalize concepts they later deal with when creating new-sprung models. Prezi has the unique ability to engage all five learning styles: visual, auditory, kinesthetic and textual, facilitating the student to utilize both left and right side of the brain thus it might be for this reason, that Prezi has created a purposely education license for teachers and students worldwide. Firstly, Prezi communicates efficaciously and expeditiously, bringing forth new concepts because they benefit from visual imaging techniques, secondly, Prezi has major success in storytelling, mind mapping, communicative learning, and problem resolution, thus boosting the teaching- learning process and making them more persuasive, applicable, and unforgettable for students. Basically, Prezi can be used for brain storming and bringing forth new ideas/concepts. The capacity to create content/thought can be educated. It is the amount of links/relations you are competent to shuffle with other ideas/cognitive content that determine and becomes a causal factor on how forward-looking you can be—it is not the sum of the brain cells you own. The features built-in with Prezi invigorate when building mind maps in Prezi, you are utilising both your right and left brain to make up sensory

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systems maps that pan/move and zoom in and out; thus, conveying your fanciful and progressive side (i.e., your right brain) as well as your analytic and coherent side (i.e., your left brain). Consequently, Prezi can be used for obtaining and sharing educational materials, public lectures and teaching notes, and school projects. Therefore, Prezi can be employed for exhibiting and sharing curriculum vitae, project based tasks, portfolios, and storytelling about people's careers, favourite collections, albums, and other special events. Dissimilar to other conventional presentation software, Prezi supplies you with the right instruments that modifies your work in versatile dimensions to excite a erstwhile uninterested audience (i.e., students). It is capable in moving us from planar thought process to two-dimensional reasoning to sidelong higher cognitive process (i.e., non-linear thought process).

### **Introducing three types of vocabulary- theological, Latin and medical- with the *Medical Aspects of the Lord's Crucifixion* Prezi presentation**

Teacher used a Prezi presentation for the Theology students to emphasis the power of using visual material in introducing new theological vocabulary: *Medical aspects of the Lord's Crucifixion*. Firstly, students were offered slides with pictures from the Mel Gibson's movie *The Passion of the Christ* in which text was embedded, but not made visible from the beginning and vice versa. Either the hidden text and the visible image or the visible text and the hidden image had a positive predictor impact on students, who were eager to see what is next and guess about it. This offered the teacher a new possibility of clearing up the novel vocabulary with the help of visual aids in order to attain the anticipated results: debates arose, discussions started and the whole classroom was awake and attentive. Secondly, teacher poses a theological problem regarding *hematidrosis* and the *thrust of spear* in the rib of the Lord: why did water come first and then blood? What is the medical and theological explanation of this fact and provoked students in thinking about this problem? Students present the teacher with possible answers and are clarified in the following slides that include video with medical explanations from actual doctors. Additionally, "On the flip side, it's important to think about all your students when teaching with Prezi. First, focus your content when using Prezi and be gentle with the motions you incorporate into the viewing experience." (Brock -Pacansky, 2012). Subsequently, examining the video, the teacher elicited theological information from the students, inquiring, clarifying situations. After that, students are asked to use the new vocabulary in analysing *The Icon of Crucifixion* which is presented on a single slide, zoom in and out, with the help of Prezi, to maximize the details. Consequently, the teacher unveils the next slide which has embedded a writing activity, and a short text, they are asked to theologially interpret, that is a prophecy of the The Saviour uttered on His way to the Cross: "*Daughters of Jerusalem, do not weep for me; weep for yourselves and for your children.*"<sup>29</sup> *For the time will come when you will say, 'Blessed are the childless women, the wombs that never bore and the breasts that never nursed!'*<sup>30</sup> *Then "they will say to the mountains, "Fall on us!" and to the hills, "Cover us!"*<sup>31</sup> *For if people do these things when the tree is green, what will happen when it is dry?"* The Latin vocabulary is introduced with the help of visuals, more specifically, pictures, integrated in prezi slides, allowing for zooming in and out to the specific parts the teacher wants to emphasize: the different types of crucifixion crosses and their denomination in Latin, with extra information about different parts of them: titulus, tau cross, patibulum, sedile. Next the teacher presents a short sequence from Mel Gibson's movie, *Passion of Christ*, for students to observe the type of cross

used, the length, the sedile employed, the use of patibulum or of the entire cross, and to receive feedback from the students in relation to the newly introduced Latin vocabulary. Students are thus amazingly exposed to visual, video, text and audio, in one sitting, in one single prezi presentation, with focus on details and specific words that the teacher can easily display with the help of prezi features.

### **Observations**

The feeling in the seminar room changed when the Prezi presentation began, and the images from the movie and the icons were displayed on the huge whiteboard. The number of students engaging in the debates and talks started to increase, as opposed to traditional teaching, when the pictures were presented in black and white. The involvement and willing to participate made the seminar room a slightly noisy, but this was mainly because they did not wait for their turn, in speaking. Some students who previously displayed hesitant behaviour in partaking the discussions, now came forth, perceiving rather rapidly and accomplishing the tasks equitably. The learning setting was rousing, increasing the instruction procedure, and making education more widely reachable to all kinds of learners. In learning, Prezi can be used to present problematic subject matter, ideas, conceptions, substance, or other optical assemblage. It could be adjusted to the seminar room and to the level of perceptiveness and cognition of the students, teachers believe that the way we visual perception with presentations would modify Educating with Prezi. With Prezi, teachers are competent to deliver high-standard conspicuous presentations without boundaries. With Prezi, you are not constricted by anything, except perhaps your creative thinking, ability, and conception. Furthermore, "Prezi provides an environment for creating highly customizable presentations. The user can select different fonts, colours, and canvas layouts and can incorporate different types of media. The elements can be easily rearranged anywhere on the canvas with the mouse, and further editing (e.g., size, orientation, and relative position) is done with an embedded editing tool. Users also have the option to publish their presentations online, where other subscribers may view and copy them. Unlike many other presentation applications, Prezi's web based interface allows users to access presentations on any computer with a high-speed Internet connection.

Presentations can also be shared, allowing multiple people to collaborate on a single presentation. This is an important feature, given the growth of distance collaborations among social work researchers." (Peron, Stearns, 2011). Using the Prezi presentation, resulted that students incline to engage more and in a lesser amount of time, permitting a constructive effect of the used visuals and attaining self- poise and independence in speaking English. Moreover, "Users can place images, shapes, headings and text anywhere on the canvas, but for any of these to be part of the presentation, they need to be included as part of the path." (Houska, 2013). Through audio-video input, students retain the gist and the new vocabulary easily giving teachers the possibility of reaching at a palpable result of the process of real communication, allowing them to confer sounds, colours, movement, and interaction that were not plausible in a traditional seminar room.

### **Conclusions**

The use of seminar room technology certainly affects the hyperlinked minds and delivers more pliability, positivism that drops nervousness for the students giving corresponding opportunity to all involved. Prezi can be used with Twitter for sharing



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the presentation and basically being able to open them from any device or phone that has internet access. Prezi's main quality is to ease contrasting teaching methods and acquisition styles, to enhance classroom interaction as well as to stimulate group action and reasoning on teaching and learning experiences of students and lecturers, likewise. Moreover, "Prezi is taking hold in some disciplines and circles, and it is likely to come soon to a classroom or conference near you – if it has not already. Instructors, professional speakers and students continue to post presentations created though Prezi (Prezis for short) online for public perusal. These presentations can be an excellent starting point for tech-savvy instructors looking to reinvigorate their classroom instruction or present material in a novel, engaging format." (Houska, 2013).

If used synergistically, Prezi can greatly assist in constructing e-teaching/e-learning activities by mainly extinguishing the technical/ financial obstructions for content sharing via the Internet because they are user friendly, visceral, pliable, cooperative, and practical methods for teaching the digital natives. Students were also impressed with Prezi's unique feature of delivering flipped classroom and blended learning so as to enable individuals to brainstorm, manage, and eventually present their constructs through storytelling presentations of their own, the learners showing importantly high levels of engagement and acquisition compared to classic lectures. The employment of Prezi was sensed, by the majority of students, as being healthful to them because it allowed for communication in lectures and boosted learners' courage to take part expeditiously in the learning process to improve the general acquisition outcome.

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## ORIGINAL PAPER

# Politics - the real source of legal conflicts of a constitutional nature

Elena Cristina Murgu<sup>1)</sup>

### Abstract:

Legal conflicts of a constitutional nature are a new and controversial concept which is closely related to the principle of constitutional loyalty and although they should not have any relation to politics, yet, they are still influenced to a great extent by politics. Moreover, despite this controversial nature of this kind of conflicts, within the functioning of the Romanian state there is also a current extremely tense political context, thing which increases the tendency to confuse legal conflicts of a constitutional nature with conflicts of any other nature (predominantly political ones).

This tendency is perfectly justified because any legal conflict of a constitutional nature is based on a political divergence and it always implies a lack of cooperation between the public authorities, but not every political conflict between two or more public authorities is a legal conflict of a constitutional nature and equally, the violation of constitutional loyalty is not always equivalent to the appearance of such a conflict.

Yet, it should always be taken into account that politics is the inexhaustible source of legal conflicts of constitutional nature and despite this fact, what differentiates the two categories of conflicts is the degree of intensity of the political nature of a conflict: as the political nature is highlighted, the constitutional character of the conflict is blurred. In other words, although a legal conflict of a constitutional nature is never an "obvious" one due to its strong connection to political conflicts, it should be mentioned that it has its own valences -it make references to constitutional competences, it produces an institutional imbalance by violating the principle of constitutional loyalty; specifically, it has a special structure that involves several cumulative normative coordinates.

**Keywords:** *legal conflicts; politics; public authorities; Constitutional Court; fundamental law.*

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The concept of legal conflict of constitutional nature is a relatively new one in our legal system – hardly introduced in 2003 with the revision of the fundamental law, and despite the fact that the situations in which constitutional disputes arise between public authorities are extremely common in a relatively short period of time (from 2003 until present), thing which should have generated an overview on this domain, however, nowadays this type of conflicts continue to arouse controversy and differences of opinion between scholars as well as between the institutions of the state.

The reasons why these controversial aspects are possible are on the one hand the generality of the normative framework that regulates legal conflicts of constitutional nature and on the other hand, the complex and tricky character of these disputes.

Regarding the constitutional normative framework, I am of the opinion that it contains very general provisions, which establish the competence of the Constitutional Court to solve legal conflicts of a constitutional nature between public authorities, at the request of the President of Romania, one of the Presidents of the two Chambers, of the Prime Minister or of the president of the Superior Council of Magistracy (The Constitution of Romania, art. 146 letter e)), with references to the organic law, in order to determine the procedural modalities for the implementation of this competence. Both the generality and ambiguity of the constitutional norm are the ones that allow the constitutional judge to be able to adapt to the different conflictual situations that may arise between public authorities and also that enable the Constitutional Court to consolidate its position as final arbitrator in the constitutional justice system through the jurisdictional procedure of solving legal conflicts of constitutional nature.

Precisely this general character of the fundamental legal provisions regarding legal conflicts of constitutional nature grants the constitutional judge the possibility to intervene on the border between the world of law and the political world (Costinescu, 2020: 22), due to the fact that the Constitutional Court is the only authority in Romania that can decide, depending on the circumstances of the case, whether it is competent or not to resolve a conflict between public authorities.

The clarification for this situation is as simple as possible: at the moment when the Constitutional Court of Romania acquired the constitutional attribution to solve legal conflicts of constitutional nature, it was not taken into account the role that politics played and continues to play within the rule of law, because politics cannot be detached from law, just as law cannot be detached from politics.

Therefore, the Constitutional Court has been given overall the role of solving legal conflicts of constitutional nature within the rule of law, without being defined this new concept, without being clarified the concrete content of these disputes and without being taken into account the fact that politics is a distinct reality that influences to a great extent the way public authorities work together. Moreover, with regard to politics, it is also known that it coners every aspect of the existence of a Constitutional Court, namely the way judges are elected, the persons and institutions that have access to the court, the cases it can judge, the reactions to certain decisions (Dima, 2009: 16).

However, this does not mean that the decisions of the Constitutional Court are political decisions, on the contrary, this very point of view is excluded from the beginning, as the decisions of the Constitutional Court of Romania are the result of a certain procedure that guarantees their impartiality, they are given in accordance with the law and they have the authority of *res judicata*.

## **Politics - the real source of legal conflicts of a constitutional nature**

Therefore, politics has an extremely important role on the constitutional loyalty and implicitly on the relations between the public authorities, becoming the main cause of the tensions between them and the source of legal conflicts of constitutional nature.

As a result, the aim of this study is to establish in concrete the position of legal conflicts of a constitutional nature with respect to political conflicts between public authorities and the constitutional loyalty, in an attempt to delimit three categories of disputes that may arise between the public authorities of the state, namely - legal conflicts of a constitutional nature - political conflicts - tense situations generated by the violation of the principle of constitutional loyalty -.

Regarding the delimitation of the first two types of conflicts (the legal conflict of a constitutional nature and the political one), this is an extremely sensitive and difficult process, due to the controversial nature of legal conflicts of a constitutional nature but also to the current extremely tense political context which increases the tendency to confuse legal conflicts of a constitutional nature with conflicts of any other nature (predominantly political).

It should be noted that any legal conflict of a constitutional nature is based on a political divergence and it always implies a lack of cooperation between the powers of the state, but not every political conflict between two or more public authorities is a legal dispute and equally, the violation of constitutional loyalty is not always equivalent to the appearance of a legal conflict of a constitutional nature.

Beyond the above mentioned, I am of the opinion that what differentiates the two categories of conflicts is the degree of intensity of the political nature of a conflict, because a political nature is found in any dispute between public authorities, but, as this political nature is highlighted, the constitutional character is blurred, thing which determines the non-involvement of the Constitutional Court of Romania in the settlement of the dispute on the grounds that it is not competent in this domain.

This is how the main purpose of the Constitutional Court in the matter of legal conflicts of a constitutional nature was outlined - that of avoiding its involvement in resolving political conflicts. This concern of the Constitutional Court of Romania was due to the fact that any legal conflict of a constitutional nature is based on a political conflict, and the Court, by virtue of the constitutional attribution newly introduced in its task, must not intervene and resolve political divergences, because in this way it would not fulfill its role as guarantor of the Constitution and, implicitly, it would not restore the institutional balance of the state, but it would just turn itself into a political partisan.

It should be noted, however, that a legal conflict of a constitutional nature is never an "obvious" one, but it has complex valences - it has a political ground, it refers to constitutional competences, it produces an institutional imbalance by violating the principle of constitutional loyalty; specifically, it has a special structure that involves several cumulative normative coordinates.

It is this cumulative fulfillment that determines the constitutional nature of a legal conflict, because each specific feature mentioned- taken separately - is easily found in other types of conflicts, but the difference is made from the perspective of their cumulative fulfillment.

For instance, not all disputes that arise between the public authorities of the state are legal conflicts of a constitutional nature, but only those that, in addition to the aspect of the circumstantial parties involved, also have a legal character, refer to the constitutional powers of the public authorities, consist in concrete acts, actions, facts or

omissions and generate institutional blockages that affect the functioning of the rule of law.

The current extremely tense political context generated the active implication of the Constitutional Court in the settlement of legal conflicts of a constitutional nature between public authorities, reason for what it has recently had to resolve more and more strained relations caused by political differences between the President and the Government as well as between the legislature and the executive power.

The conflicts that arise within the executive power between the President of Romania and the Prime Minister are eminently due to the existence of a bicephalous executive. Basically, the conflict within the executive power occurs when there is a dichotomy within it, when the executive power is divided between the President and the head of Government and as a result of an obvious lack of cooperation between the two authorities, as a direct consequence of an increased adversity between them.

The conflict between the President and the Prime Minister was more visible than ever in the period 2004-2008 and was due to the fact that at that time, both the President and the Prime Minister came from different political parties, which were at the time in opposition.

Although the parties of the two political actors managed to form an alliance for the beginning, gradually things took another turn, the party from which the President came passing in opposition. Such situations demonstrate the adversity between the President and the Prime Minister, which constantly increases the conflict within the executive branch. Moreover, this permanent hostility along with unclear constitutional provisions regarding the attributions of the two entities, allow both the President and the Prime Minister to interpret them according to their own interest, thing which facilitates the emergence of institutional blockages, and also the conversion of existing conflictual situations within the executive into legal conflicts of a constitutional nature between the President and the Prime Minister.

Through Decision no. 356/2007, the Constitutional Court stated the existence of a legal conflict of a constitutional nature triggered by the refusal of the President of Romania to appoint a member of the Government at the proposal of the Prime Minister; namely the appointment of Adrian Cioroianu as Minister of Foreign Affairs, an appointment that the President refused to make on the grounds that the respective candidate would not have the necessary professional competence. As it can be seen, the President's refusal occurs as a result of certain assessments based on subjective criteria and, at the same time, it is possible, due to the existence of unclear, ambiguous or incomplete constitutional provisions; namely art. 85 para. (2) of the Constitution whose provisions are evidently unclear, because they do not contain an exact delimitation of the President's attributions. Obviously, the fundamental law specifically mentions the attributions of the President (respectively, appoints and revokes), but it does not establish the actual content of these attributions, using vague terms that allow subjective interpretations and assessments which generate improper conduct.

Under such terms, the general character of the constitutional provisions allows the President of Romania to act regarding his powers, at least formally, in accordance with the Constitution, but, nevertheless, despite the provisions of the fundamental law, the President's actions led to an institutional blockage - a blockage which, in turn, caused an institutional imbalance.

It is obvious that the only solution to manage this conflict and to avoid similar situations in the future is to promote a loyal behavior between public authorities.

## **Politics - the real source of legal conflicts of a constitutional nature**

Considering the adversities between the public authorities - in political terms, but which also reflect on the relations of a constitutional nature - the aspiration of a collaboration is unlikely to be reached from the willingness of the subjects involved. At this point, the active role of the Constitutional Court highlights, and not only that it mentions the importance of the existence within the rule of law of certain relations based on constitutional loyalty, but it also implements it in the relations between authorities, significantly diminishing the misconduct of one power over the other.

Another eloquent example in this regard is the legal conflict of a constitutional nature constituted within the executive branch as a result of the actions taken by the Government and the Prime Minister to exclude the President of Romania from the delegation that represented Romania in the European Council on June 28-29, 2012 (Decision no. 683/2012 published in the Official Journal no. 479 from 12<sup>th</sup> of July 2012: 1) and the assumption by the Prime Minister of the constitutional attribution of representing the Romanian state within the respective European institution. The blockage consisted of a lack of state representation in the European Council due to the fact that there were major misunderstandings between the President and the Prime Minister regarding who has the constitutional power to participate in this meeting on behalf of Romania.

On a tensioned background with a pronounced political character, both the President of Romania and the Prime Minister not only that they refused to reach a consensus, but also each of them claimed without reservation, its own right of representation, even with the consequence of affecting the functioning of the institutional framework of the Romanian state, and therefore both of them acted intensely in achieving the aim to be the one who represents the state at the European Council.

Given the fact that the two public authorities did not take into account a series of imperative norms and acted in promoting their own interests to the detriment of those of the Romanian state, I appreciate that these actions infringed the constitutional loyalty, and by affecting this concept, raised to the rank of constitutional principle, there has indeed emerged a legal conflict of constitutional nature between them.

With regard to the strained relations between the executive and the legislative power, over time the Constitutional Court has been invested with the settlement of presumed legal conflicts of a constitutional nature which were rather purely political conflicts, disguised as constitutional disputes. For example, the so-called legal conflict of a constitutional nature between the President of Romania and the Parliament triggered by the public statements made by the President of Romania against the Parliament and the political parties (Decision no. 53/2005, published in the Official Journal no. 144 from 17<sup>th</sup> of February 2005: 1), a dispute that demonstrated the close link between a political conflict and one of a constitutional nature.

From the perspective of the President of the Chamber of Deputies, on the one hand, and the President of the Senate, on the other, the fact that the President has made in public several "offensive" statements regarding certain political parties, demonstrates a behavior which is contrary to the spirit of the Constitution and which is capable of triggering conflicts within the rule of law, reasons for which they both considered to be necessary the intervention of the Constitutional Court in the settlement of this dispute, in their view, a constitutional one, in order to force the President to make public apologize for his own opinion.

As it can be noticed, the purpose of the intervention of the Court in this case was not to restore an institutional balance as a result of a legal conflict between two public authorities, namely Parliament and the President, but to force the latter to apologize in public for exposing his opinion with reference to the Romanian political system.

Another representative situation in this matter is the legal conflict of a constitutional nature between the Parliament and the Government, a conflict triggered by the blocking of the legislative procedure of the National Education Law project from the Senate and the Government's engaging responsibility for this project (Decision no. 1.431/2010 published in the Official Journal no. 758 from 3<sup>rd</sup> of November 2010: 5).

It should be noted that although the Government has the possibility to engage its responsibility on a law project without this attribution being in any way conditioned by certain constitutional provisions, the opportunity of the legislative initiative being left to the discretion of the Government, yet, this legislative process is only exceptional, and the Constitutional Court noted that accepting the assumption that the Government could engage in liability for a law project at any time and under any circumstances would definitely mean to turn itself into a public legislative authority, (Costinescu, 2020: 1096), fact that would generate a legal conflict of constitutional nature. Therefore, solving this case, the Constitutional Court stated "the existence of a legal conflict of a constitutional nature between the Romanian Parliament and the Government." (Decision no. 1.431/2010 published in the Official Journal no. 758 from 3<sup>rd</sup> of November 2010: 8).

At this point, it should be also mentioned the legal conflict of constitutional nature determined by the refusal of the Parliament to allow the presentation and the debate of the motion of censure filed as a result of the Government's engaging responsibility for the National Education Law project (Decision no. 1,525/2010 published in the Official Journal no. 818 from 7<sup>th</sup> of December 2010 : 1). Analyzing the case, the Constitutional Court of Romania stated that the Parliament, by violating the provisions of the fundamental law (namely art.114 paragraph 2 and art.113 paragraph 3), prevented the submission of the motion of censure filed in the procedure of engaging the responsibility (Costinescu, 2020: 197) and refused to submit it for debate in the joint meeting of the two Chambers, depriving the parliamentary opposition of the right to express its opinion, and also removing the parliamentary control over the Government, actions through which a real legal conflict of constitutional nature was determined.

An atypical and in the same time an interesting situation in this domain is the legal conflict of a constitutional nature between the Prime Minister, on the one hand, and the President of Romania, on the other hand, determined by the "refusal to revoke and, respectively, to appoint certain members of the Government, at the proposal of the Prime-Minister, according to art.85 paragraph (2) from the Romanian Constitution, as well as by the tacit refusal of the President of Romania to appoint interim members of the Government among the incumbent ones, at the proposal of the Prime Minister, (Decision no. 504/2019 published in the Official Journal no. 801 from 3<sup>rd</sup> of October 2019: 1).

Specifically, the Prime Minister asked the President to appoint, in the event of a vacancy, members of the Government, at a time when relations between political parties were extremely strained. The President of Romania speculated on this moment in politics, and therefore rejected, through political statements and some inappropriate subjective assessments, all of the Prime Minister's proposals, thing which reveals an



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abusive way of exercising his constitutional powers and prerogatives with regard to the appointment of the members of the Government.

I am of the opinion that the President's conduct is far from loyal because, on a period characterized by political tensions, he refused to appoint the interim members of the Government proposed by the Prime minister, given the fact that he has no right of option in this regard. Moreover, the President's constitutional role of mediator would have required him to call on political parties for consultations to find effective and viable solutions, and not to perpetuate the political crisis through actions that are rather electoral in background.

Taking into account the whole factual situation, I am of the opinion that this conflict has a pronounced political character rather than a legal one, thing which confirms the idea that politics is the inexhaustible source of legal conflicts of constitutional nature.

It should be noted, however, that the attitude of the Constitutional Court in this situation demonstrates once again that the constitutional court does not judge by political statements or documents, but it takes into account only legal arguments (Deaconu, 2011: 1).

Concluding all the above mentioned, the real content of legal conflicts of a constitutional nature between public authorities is by far the most complex and the most controversial normative coordinate of this type of conflicts, a hypothesis that is justified by the multitude of aspects involved in such conflicts, as their organic nature is conferred mainly by their content, this representing the factor that demarcates the organic litigations from disputes of any other nature, especially from the political ones that can be constituted within the rule of law.

Moreover, through its jurisprudence, the Constitutional Court of Romania has tried on the one hand to delimit the sphere of legal conflicts of a constitutional nature from the category of political conflicts that frequently occur between the public authorities of the state, and on the other hand it has tried to regulate this delimitation through the constitutional provisions, precisely in order to ensure the transparency of the content of this concept and to consolidate its role of arbitrator of these litigations within the rule of law.

Therefore, legal conflicts of a constitutional nature are clearly individualized from political conflicts both from the perspective of the subjects involved and also from the perspective of the object that determines them, in the sense that the latter implies the fulfillment of certain conditions to turn into organic disputes. In other words, any legal conflict of a constitutional nature is in its essence a political conflict, but not every political conflict between public authorities is implicitly a legal conflict of a constitutional nature.

The second significant element that differentiates the two classes of conflicts, respectively the consequences generated within the state, it is indisputably dependent on the first aspect as follows: the more intense the effects are at the institutional level, the greater is the importance of such conflicts within the rule of law. Taking into account the content of legal conflicts of a constitutional nature but also that of political conflicts, it is superfluous to establish a hierarchy between them, as the powers expressly conferred by the Constitution on certain public authorities are an issue of particular relevance to both the rule of law and for certain constitutional principles such as the separation of powers in the state.

Therefore, any act or action through which the constitutional competences of the public authorities are harmed in any way or their usual way of exercising is influenced in a certain manner; implicitly, which inevitably triggers a legal conflict of a constitutional nature, causes an imbalance within the rule of law by the emergence of an institutional deadlock that affects its proper functioning, and consequently it categorically precedes any objective situation in relation to which could be constituted a political conflict.

Although legal conflicts of a constitutional nature and political conflicts that may arise between the public authorities of the state are different categories, among others also in terms of the object in connection to which they may be established, I appreciate convenient the interventions of the Constitutional Court of Romania in order to establish a clear delimitation of the two concepts, especially insofar as organic disputes always intervene in extremely sensitive areas of power, especially in the sphere of games and political interests, and the mirage of confusion is imminent in the absence of eloquent regulations.

Thus, it can be stated that with the constitutional power to solve the legal conflicts of constitutional nature, the Constitutional Court has acquired a privileged position, a very important position in "creating the rules" in the activity of the executive, legislative power.

Without denying the usefulness or necessity of such an attribution in certain tense political or economic contexts (when the Constitutional Court has to solve an irreconcilable conflict), there must be investigated the implications that such decisions may have within the constitutional order and on the constitutional attributions of public authorities (Dima, 2009: 24), because through the settlement of legal conflicts of constitutional nature it is indicated the conduct to be followed in order to eliminate the tensions between the public authorities and to avoid the appearance of similar situations in the future.

Precisely through these actions of removing the existing tensions between the constitutional public authorities, we can appreciate that the procedure provided by art. 146 letter e) from the Constitution represents a source of conciliation of the political and constitutional life.

However, although this new attribution would seem to be the ideal solution for solving legal disputes between public authorities, due to the fact that an organic dispute is situated at the border of political conflicts and lack of cooperation between public authorities, things get rather complicated. Thus, there is a risk that in certain situations, the Constitutional Court will have to settle a presumed legal conflict of constitutional nature, being a common fact every divergence between public authorities has a political background.

However, the settlement of political conflicts by the Constitutional Court would mean the increasing of the tensions between the public authorities, the definitive destabilization of the balance of powers in the state and the irremediable involvement of the Court in the political field. In order to avoid such a scenario, the Constitutional Court takes advantage of any conjuncture to highlight the difference between a political conflict and an organic one and reiterates it whenever it has the opportunity, and through this attitude its connection with political interests at stake remains a secondary one.

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## ORIGINAL PAPER

# Dominant system in the Republic of North Macedonia: Socialism or capitalism?

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### Abstract:

The vast majority of explanations of capitalist and socialist systems are based on their contradictory features. However, on a general historical and theoretical level, there are some similarities between both families of a system obtained throughout the process of their co-evolution. Therefore, as a result of these similarities, even today, most confuse their economic concepts. Such confusion rightly stimulates our research interest to understand some basic categories within the political culture of citizens in North Macedonia, i.e., understanding its homogenization level (whether it is low or high), which is a necessary precondition for the basic consensus in society. The research, based on the distribution of social wealth and product, and private property and market ownership, through the survey, will measure the attitude of citizens towards the old and new social order, respectively, towards socialism and capitalism. To accomplish this survey by not asking correspondents direct questions, through some indicative questions, we will focus on the constituent features of these two systems, such as justice, humanity, the concentration of capital, and property distribution. These are also elements of a fundamental difference between socialism and capitalism, both in theory and social practice. The results will prove the hypothesis that in the Republic of North Macedonia, we can not have a clear picture of the dominant system, as we have a combined mosaic that to some extent is in favor of the new capitalist system, but without many economic prospects.

**Keywords:** *Socialism; Capitalism; Political Culture; North Macedonia.*

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## **Dominant system in the Republic of North Macedonia: Socialism or capitalism?**

### **Between Socialism and Capitalism**

Although political systems represent a complex interplay of political culture with other aspects of the political system, both formal and informal, it isn't easy with the tools currently available to deal with the totality of political systems at the same time.

This paper comes at a time of socio-economic and political changes in the country and in the region, which is followed by the formation of new states and the loss of trust in current institutions and political elites.

The paper itself incorporates empirical research, which offers different modalities from different prisms of intellectual point of view and the role of political culture in the awareness and participation of citizens in policymaking, highlighting the views of young age groups on the future of the country.

The awareness dominates the current system's opinion that society is dynamic, not static, and subject to constant changes and revolutions in its development. Changes happen in all areas. Based on Parsons' (1998) functional theory, revolution is a process of change that increases the ability to be adopted in different conditions and circumstances.

As the most comprehensive economic and political concept of this ideology, socialism is any of the various economic and political theories that defend collective or governmental ownership. On the other side, concerning the distribution of wealth in capitalism, which follows a different logic, society's organizations are based on private property and market economy laws.

Polish scholar Anna Volk-Poveska in her study of democracy and the market economy in Eastern Europe writes that "the political culture of societies that abandoned communism is full of paradoxes, which relate to the character and essence of the processes of the transitional period" (Weidenfeld, 1999). Despite the fact that these countries, including North Macedonia, are in the process of transition, they even to this day can be found in the conflict between the political system and the interests of society, in the conflict between goals and means, in the conflict of integrative credibility. Therefore, the transition would be considered meaningful if this process represents a social change, which in the first place means a political change, which affects every pore of contemporary society.

After the fall of the Berlin Wall, which symbolized Europe's unification, the transition process began, followed by a series of challenges concentrated on activities to remedy the weak economic situation. "Stabilization, liberalization, and privatization were presented as the main objectives for this unique historical experience. The highest priority was the fight against inflation, and speed was seen as essential to privatization. "Shock therapy provided a model to build a market economy within a short historical period" (Balcerowicz, 1995). But according to Abdullai (2008), the countries that accepted this therapy, i.e., the financial packages from the International Monetary Fund, such as Poland and Hungary, managed to survive with many difficulties and problems, such as rising unemployment, declining living standards, and the enrichment of political oligarchs who bought enterprises at a low price or without money. While the former Yugoslavia of the reformist Prime Minister, Ante Markovic, did not accept this therapy, the consequences were fatal, which ended with the dissolution and disappearance of this multinational state. The transition and privatization process in North Macedonia began on the eve of the former Yugoslavia's break-up, but still under its auspices. This process

took place at a fast and intense pace, where many uncertainties and distortions appeared. Therefore, it did not bring economic prosperity and economic development to the country.

### **Methodology**

It is proven that for the overall design of a country's political culture, the survey is more appropriate; therefore, as far as North Macedonia is concerned, such a study has been previously conducted by various scholars and the prestigious world institutes. We can specify World Value Survey, European Social Survey, and European Values Study, significant projects research-led every year in all Europe and the world - suitable for extracting the necessary formulations for research questions and proper coding. The most applied model is that of the World Value Survey (WVS, 2001). Still, this prestigious organization for North Macedonia has conducted only two surveys, one in 1998 and the last in 2001. In the same year, the Institute for Sociological and Political-Legal Research entitled "Political Culture of Citizens in the Republic of Macedonia" made a similar study (Simoska, Gaber & Babunski, 2001). The latest known survey on the measurement of the political culture in North Macedonia is that of 2013 by the Institute for Democracy "Societas Civilis" - Skopje (IDSCS, 2013), entitled "Political culture in Macedonia - national field research report." So, as can be seen from 2013 until today, there is no direct study of a political culture based on the North Macedonia survey.

Our study's survey is conducted by the Institute for Research, Innovation, and Development – Tetovo (irid.mk). It was intended to measure the population's public opinion throughout the territory of North Macedonia in the period October - December, 2019. The methodology used to create the representative sample was "Clustered Convenience Sampling, and the software used for recording and processing the responses was SPSS (ibm.com)." For this survey, twenty surveyors were engaged with different ethnic compositions, gender, and ages 22 to 45 years. As a result, the number of valid answers is 1070, a representative sample for the Republic of North Macedonia. Ronald Inglehart's article entitled "How Strong is Mass Support for Democracy: And How Can We Measure It?" (Inglehart, 2003) - has been used mainly as a methodological guide in measuring the democratic capacity of the country. In terms of question modeling in our study, we have found it reasonable to refer to these preliminary surveys (World Value Survey, European Social Survey, and European Values Study) to a certain degree. However, the scale and the measurement structure itself has been adapted to the context of North Macedonia to make it more understandable to the citizens and to provide more relevant answers.

The empirical part must be representative following the population's state statistics, i.e., the country's demographic criteria. Therefore, based on the last census of 2002, North Macedonia is officially the home of 64.2 percent of the Macedonian population, 25.2 percent of the Albanian population, about 10 percent of Turks, Serbs, Vlachs, Bosnians, etc. (stat.gov.mk, 2019). But, since, from 2002 until today, the population census has not been done, and its demographics may have changed, we find that compared to state statistics, we have a deviation of the ethnic ratio of 10%. As another limitation, we also consider age. We have 10% of the age over 46, which is deemed small to measure the average population's political culture. Later, due to the lack of middle and old age, we also have a low percentage of people with primary or eighth-grade school (only 1.3%). These restrictions are objective due to time constraints,

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limited human resources, and financial constraints. We decided to focus mostly on the younger generation of the population due to this survey's knowledge and practicality. We also had obstacles that prevented survey conduct and refusals from participating in the survey by prejudicing and thinking about the survey's background during this process. However, our engaged interviewers have tried to clarify its research objective.

### The results of the survey - Dominant system: Socialism or capitalism?

The survey topic is called socialism or capitalism, and not socialism versus capitalism is the reason for observing the results. Even today, these two terminologies still live in parallel, and we cannot draw a dividing line between them.

#### A. Indications of political differences between the two systems (Socialism & Capitalism)

Regarding the political differences between the two systems, in order to get the best results, in our survey we asked three questions of the political character of the capitalist or socialist system.

#### *Question 1*

Based on the current political system, on the idea of party pluralism or having only one party, surprising results were obtained from the answers to the statement: "I do not trust the one-party political class," where 73.6% responded positively to this finding while 25.4% responded negatively.

Table 1 – Author's elaboration

I do not trust the one-party political class		
N	Valid	1059
	Missing	11

		Frequency	Percent	Valid percentage	Cumulative percentage
Valid	Yes	787	73.6	74.3	74.3
	No	272	25.4	25.7	100.0
	Total	1059	99.0	100.0	
Missing	.0	11	1.0		
Total		1070	100.0		

Weaves:

a. Ethnicity \* I do not trust the one-party-led political class

Table 2 – Author's elaboration

		I do not trust the one-party-led political class		Total
		Po	Jo	
Ethnicity	Macedonian	401	147	548
	Albanians	282	99	381
	Turkish	42	18	60
	Macedonian Muslims	33	4	37
	Roma	5	1	6
	Others	17	2	19

Total	780	271	1051
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In the intertwining of data, if you concentrate on the ethnic report, the attitude of the Albanians is paradoxical, given that the Albanians vote for the ruling party for the last 20 years. The results show that 25% of Albanian ethnicity still trust the political class of a single party. In conclusion, it turns out that still in specific leadership segments, they have convictions from the past ideological system. While mainly for Albanians, the term "group" is at multiple hierarchies of values (regardless of whether it is a political party or religious or ethnic group).

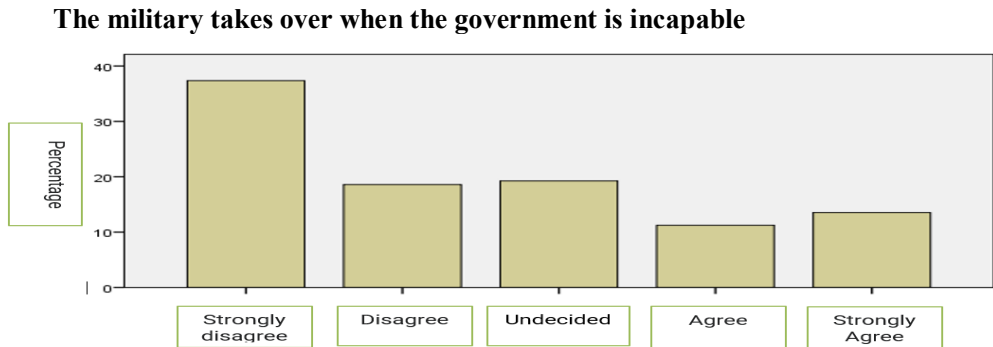
**Question 2**

Regarding the fact that the army takes over when the government is incompetent, we still have a variety of answers but that more in percentage respectively 36.6% do not agree at all with this statement, while to this when we add 18.2% of respondents who do not agree. It turns out that over half of the respondents do not agree with this undemocratic statement. On the other hand, 18.9% are undecided on this statement, 11% agree, and 13.3% fully agree.

Table 3 – Author's elaboration

<b>The military takes over when the government is incapable</b>		
N	Missing	1049
	Total	21

Graphic 1 – Author's elaboration



Whether the citizens of North Macedonia have democratic or authoritarian beliefs depends on their attitudes towards the political elite. The next question focused on the behavior of politicians in the relationship between their interests and the interests of the country and whether they have the willingness and capacity to respond to the needs of the community at large.

Generally speaking, authority is considered a negative value. It is usually seen as a product of the political relations of the past. In this research, the authoritarianism of the political leaders in the country will be elaborated only as one of the segments of the political culture.

Initially, a number of variables will be extracted, decomposed, and defined, constituting the authority's primary content.



## Dominant system in the Republic of North Macedonia: Socialism or capitalism?

Below we will highlight only those variables that affect the political and managerial processes, along with a brief definition of each:

*Conservatism* - Strict adherence to conventional, middle-class values;

*Authoritarian Aggression* - The tendency to be on the lookout for, condemn, dismiss, and punish disobedient people.

*Strength and "rigor"* - Preoccupation with the dominant-submissive dimension, strong/weak, leader/follower; identification with the power figure; great emphasis on the usual attributes of the ego; exaggerated assertion of strength and severity.

*Destructiveness and cynicism* - Generalized enmity, the extermination of man;

*Conventionalism* - Affirmation of disobedience and related values;

*Authoritarian submission* - Submissive, uncritical attitude towards idealized moral authorities; and

*Awareness* - Respect for power and total discipline.

Each of the variables outlined above is assessed as a more or less central tendency in an authoritarian person, who, under a dynamic political process, brings to the surface his ethnocentrism. One of the attitudes that are indicative in this view is how the citizens in the country evaluate the political elite. The following answers provide an overview in this regard.

### **Question 3**

Regarding whether the political class is old and in solid relation with the communist past, it turns out that more than half, respectively 53.9% stated that the political class is old while 43.6% that it is not.

Table 13 – Author's elaboration

The political class is old and in strong relation to the communist past		
N	Valid	1044
	Missing	26

		Frequency	Percent	Valid percentage	Cumulative percentage
Valid	Yes	577	53.9	55.3	55.3
	No	467	43.6	44.7	100.0
	Total	1044	97.6	100.0	
Missing	.0	26	2.4		
Total		1070	100.0		

Weaves:

#### **a. Ethnicity \* The political class is old and in strong relation to the communist past**

Table 13 – Author's elaboration

		The political class is old and in strong relation to the communist past		Total
		Po	Jo	
Ethnicity	Macedonian	277	263	540
	Albanians	226	149	375
	Turkish	33	27	60
	Macedonian Muslims	24	12	36
	Roma	1	5	6
	Others	13	6	19

Total	574	462	1036
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Since the majority (53.9%) of the correspondents think that the political class is old and related to the communist past, it is very significant to emphasize the ethnic differences concerning this issue. Among Macedonians, the ratio between affirmative and negative answers is very close (51% Yes - 49% No). Among Albanians, it is slightly more distinct (60% Yes - 40 No), while much more distinct, despite the small number of correspondents, is of Macedonian Muslim ethnicity (67% Yes - 33 No).

Where do citizens refer when they mention the age of the elite when most current party leaders are led by new figures who are not related to the previous system? The dilemma can be based on the aspect of the ideological history of the party and certain actors within the party bodies that have age-related connections with the past ideology.

### B. Indications of economical differences between the two systems (Socialism & Capitalism)

For the research needs, we concretized some of the main socialism features as a social system is mostly identified as in the ideological-economic aspect. Furthermore, in the framework of socialism's social practices, the central question was about the distribution of social wealth, i.e., social production.

We will try to achieve better results if we ask five indicative indirect questions to understand the correspondents' opinion and not necessarily their declaration that they prefer the current capitalist system or the old socialist system.

#### *Question 1*

Regarding the claim that "**the money should be in the hands of as few successful people as possible,**" 13.4% strongly agree, 10.3% agree with this statement, 24.3% are undecided, 16% disagree, and 35% strongly disagree.

Table 4 – Author's elaboration

The money should be in the hands of a few successful people as possible.	
Valid	1049
Missing	21

		Frequency	Percent	Valid percentage	Cumulative percentage
Valid	Strongly disagree	375	35.0	35.4	35.4
	Disagree	171	16.0	16.1	51.6
	Undecided	260	24.3	24.6	76.1
	Agree	110	10.3	10.4	86.5
	Strongly agree	143	13.4	13.5	100.0
Total		1059	99.0	100.0	
Missing	.0	11	1.0		
Total:		1070	100.0		

Regarding the declaration that "**money should be in the hands of as few successful people as possible,**" the total of those who strongly disagree and disagree is more than half correspondent (51%). If we analyze the results, interesting is the percentage of those who are undecided, about 25%.

## Dominant system in the Republic of North Macedonia: Socialism or capitalism?

Weaves:

Table 5 – Author's elaboration

		"Money should be in the hands of as few successful people as possible"					Total
		Strongly disagree	Strongly disagree	Strongly disagree	Strongly disagree	Strongly disagree	
Ethnicity	Macedonian	207	107	145	36	53	548
	Albanians	126	52	74	52	79	383
	Turkish	14	6	20	16	4	60
	Macedonian Muslims	22	1	8	2	4	37
	Roma	0	0	3	3	0	6
	Others	5	3	10	0	1	19
Total		374	169	260	109	141	1053

In terms of intertwining ethnic data, despite the small number of correspondents, all Roma respondents are positive that "money should be in the hands of as few successful people".

### *Question 2*

Regarding the quote that "**the rich need something to be taken for others to have more,**" again we have a variety of answers: 22.9% strongly disagree with this statement, 14.1% disagree, 24.9% are undecided, 10.6 % agree, and 26.7% strongly agree that the rich should be deprived of something so that others can have more.

Table 6 – Author's elaboration

The rich need something to be taken for others to have more.		
N	Valid	1061
	Missing	9

		Frequency	Percent	Valid percentage	Cumulative percentage
Valid	Strongly disagree	245	22.9	23.1	23.1
	Disagree	151	14.1	14.2	37.3
	Undecided	266	24.9	25.1	62.4
	Agree	113	10.6	10.7	73.0
	Strongly agree	286	26.7	27.0	100.0
	Total	1061	99.2	100.0	
Missing	.0	9	.8		
Total		1070	100.0		

Regarding the statement that "**The rich need something to be taken for others to have more,**" the total correspondents who strongly disagree and disagree with it is 37% (compared to those who agree and strongly agree 37.2%).

### *Question 3*

According to the respondents, the state is not equal to its citizens and does not treat them equally to people's incomes. 41.8% of the correspondent strongly disagree

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that "the state equals people's incomes," 20.4% disagree, 21.9% are undecided, 7.2% agree, and 7.2% fully agree.

Table 7 – Author's elaboration

<b>The state equals people's incomes</b>		
	Valid	1053
	Missing	17

		Frequency	Percent	Valid percentage	Cumulative percentage
Valid	Strongly disagree	447	41.8	42.5	42.5
	Disagree	218	20.4	20.7	63.2
	Undecided	234	21.9	22.2	85.4
	Agree	77	7.2	7.3	92.7
	Strongly agree	77	7.2	7.3	100.0
	Total	1053	98.4	100.0	
Missing	.0	17	1.6		
Total		1070	100.0		

Weaving:

Table 8 - Author's elaboration

		<b>The state equals people's incomes</b>					Total
		Strongly disagree	Disagree	Undecided	Agree	Strongly agree	
Age group	18-30	320	136	168	64	48	736
	31-45	69	64	39	10	24	206
	46-60	43	9	21	2	3	78
	Over 60	13	8	5	1	1	28
Total		445	217	233	77	76	1048

**Ethnicity \* The state equals people's incomes**

Table 9 – Author's elaboration

		<b>The state equals people's incomes</b>				
		Strongly disagree	Disagree	Undecided	Agree	Strongly agree
Ethnicity	Macedonian	195	139	139	43	27
	Albanians	203	56	61	24	40
	Turkish	22	16	9	8	5
	Macedonian Muslims	9	3	20	0	3
	Roma	2	2	1	1	0
	Others	14	2	3	0	0
Total		445	218	233	76	75

The certainty of the answer "strongly disagree" among the Albanians, in this case, is more pronounced. 52% of them strongly disagree that the state equals people's incomes.

## Dominant system in the Republic of North Macedonia: Socialism or capitalism?

As we can see, the above questions are directly related to socialism, but except for the query "the state equals people's incomes," where over 60% of respondents disagree and strongly disagree with this system, in the first and second question, their resistance to socialism is weaker.

Regarding the quote: "money to be in the hands of as few successful people as possible," the total of those who disagree and disagree at all is 51% (compared to 23.7%).

While in the statement: "the rich should get something for others to have more," the total of those who disagree and disagree at all is 37% (compared to 37.2%).

Below, we will try to achieve better results if we ask indicative secret questions to understand the correspondents' beliefs and not necessarily their declaration that they prefer the current capitalist system or the old socialist system.

### Question 4

When quoted as "**the government should tax the rich and subsidize the poor,**" over a third or 35.8% strongly disagree with this statement, 26% are undecided, 18.8% disagree, 7.5% agree, and 11.5% strongly agree. As can be seen, there is a significant percentage of undecided (26%). This high percentage may be an indication that they probably do not understand taxation.

Table 10 – Author's elaboration

<b>The government should tax the rich and subsidize the poor.</b>		
N	Valid	1061
	Missing	9

		Frequency	Percent	Valid percentage	Cumulative percentage
Valid	Strongly disagree	383	35.8	36.1	36.1
	Disagree	201	18.8	18.9	55.0
	Undecided	278	26.0	26.2	81.2
	Agree	76	7.1	7.2	88.4
	Strongly agree	123	11.5	11.6	100.0
	Total	1061	99.2	100.0	
Missing	.0	9	.8		
Total:		1070	100.0		

### Question 5

Regarding the statement that "**people should receive state aid for unemployment,**" 10.4% of respondents strongly agree, 12.5% agree, 19.6% disagree, and 27.5% strongly disagree.

Table 11 – Author's elaboration

<b>People should receive state aid for unemployment</b>		
	Valid	1052
	Missing	18

		Frequency	Percent	Valid percentage	Cumulative percentage
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Valid	Strongly disagree	294	27.5	27.9	27.9
	Disagree	210	19.6	20.0	47.9
	Undecided	303	28.3	28.8	76.7
	Agree	134	12.5	12.7	89.4
	Strongly agree	111	10.4	10.6	100.0
	Total	1052	98.3	100.0	
Missing	.0	18	1.7		
Total		1070	100.0		

Nevertheless, then based on implied or indicative assertions of systems through sub-questions, we came to results as follows:

- In the following quote: **"The government should tax the rich and subsidize the poor,"** the ratio of those who oppose this claim and those who accept it is 54% to 19%, but again the percentage of undecided correspondents remains high (25%);

- Regarding the statement that **"people should receive state aid for unemployment,"** the ratio of those who oppose this statement and those who accept it is 47.1% to 22.9%. While correspondents who are undecided reach the maximum percentage of 28.3%;

There is a large gap of dilemmas, doubts, and uncertainties easily verified by the large percentage of correspondent's undecided on which system they belong to, which is the common denominator of the above three cases (24.3%, 24.9%, and 21.9 %). Citizens have gradually disengaged from the old system, but it is not safe on their path to capitalism.

If we look further at the intertwining of age, we will realize that it is normal for the older ones to show weaker criticism of the old system, that is, more criticism of capitalism. Young and highly educated correspondents mostly felt praise for capitalism as the capitalist system directly influences them daily.

To get the most accurate results, we built a model with the sum of:

- a. The joint answers "Strongly disagree" and "disagree" represent capitalism; and
- b. The collective responses "strongly agree" and "agree" define socialism.

If we calculate them, we will come to precise results of the dominant system in North Macedonia:

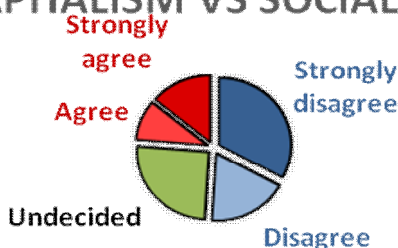
Table 12 – Author's elaboration

Economic aspect	Capitalism		Neutral	Socialism	
	Strongly disagree	Disagree	Undecided	Agree	Strongly agree
<b>The money should be in the hands of a few successful people as possible.</b>	375	171	260	110	143
<b>The rich need something to be taken for others to have more.</b>	245	151	266	113	286
<b>The state equals people's incomes.</b>	447	218	234	77	77

## Dominant system in the Republic of North Macedonia: Socialism or capitalism?

The government should tax the rich and subsidize the poor.	383	201	278	76	123
People should receive state aid for unemployment.	294	210	303	134	111
Total I	1744	951	1341	510	740
Total II	2695 answers favor Capitalism		1341 neutral	1250 answers favor Socialism	

### CAPITALISM VS SOCIALISM



Graphic 2 – Author's elaboration

We achieved results that favor the capitalist system with a ratio of approximately 2 to 1:

Two thousand six hundred ninety-five accumulated answers from the survey favor capitalism (2695), and 1250 collected answers in favor of socialism. More specifically, except when the correspondents believe in the socialist statement that: "**The rich need something to be taken for others (poor) to have more**" (26.7% strongly agree and 10.6% agree), which can be justified due to the country's unstable economic situation, in other cases, perhaps not with any great superiority, everything favors capitalism.

### Conclusion

The data stated concerning the general assessment of socialism, namely capitalism, shows a mosaic appearance. Elaboration of the distribution of questions shows that the respondents are more willing to agree with the capitalist system to a large extent, emphasizing that young people are more predisposed to the new system and the elderly for the socialist system. It is realistic to expect that better transition outcomes will be needed in addition to a considerable period, as necessary preconditions for greater positive acceptance of capitalism. In conclusion, initially, the improvement of the citizens' living standards will act as a catalyst in terms of embracing or accepting some changes in the new capitalist system.

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[http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=GBV&url=http%3A%2F%2Fgso.gbv.de%2FDB%3D2.1%2FCHARSET%3DUTF-8%2FIMPLAND%3DY%2FNLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FCOOKIE%3DD2.1%2CE900d94f2-d%2Ci0%2CB9000%2B%2B%2B%2B%2B%2CSY%2CA%2CH6-11%2C%2C16-17%2C%2C21%2C%2C30%2C%2C50%2C%2C60-61%2C%2C73-75%2C%2C77%2C%2C88-90%2CNKVK%2BWEBZUGANG%2CR129.13.130.211%2CFN%2FSET%3D1%2FPNSET%3FPN%3D590280090&signature=Omwa\\_NLtwvdaOmmyeo7SUOCEYuDRGtoZqGXIK-vTY1o&showCoverImg=1](http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=GBV&url=http%3A%2F%2Fgso.gbv.de%2FDB%3D2.1%2FCHARSET%3DUTF-8%2FIMPLAND%3DY%2FNLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FCOOKIE%3DD2.1%2CE900d94f2-d%2Ci0%2CB9000%2B%2B%2B%2B%2B%2CSY%2CA%2CH6-11%2C%2C16-17%2C%2C21%2C%2C30%2C%2C50%2C%2C60-61%2C%2C73-75%2C%2C77%2C%2C88-90%2CNKVK%2BWEBZUGANG%2CR129.13.130.211%2CFN%2FSET%3D1%2FPNSET%3FPN%3D590280090&signature=Omwa_NLtwvdaOmmyeo7SUOCEYuDRGtoZqGXIK-vTY1o&showCoverImg=1)

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<https://copac.jisc.ac.uk/search?&isn=1584-224x>

ACPN Catalogo Italiano dei Periodici, Universita di Bologna

<https://acnpsearch.unibo.it/journal/2601620>

Bibliothèque Nationale de Luxembourg

[https://a-z.lu/primo-explore/fulldisplay?vid=BIBNET&docid=SFX\\_LOCAL1000000000726583&context=L](https://a-z.lu/primo-explore/fulldisplay?vid=BIBNET&docid=SFX_LOCAL1000000000726583&context=L)

National Library of Sweden

<http://libris.kb.se/bib/11702473>

Harold B. Lee Library, Brigham Young University

[http://sfx.lib.byu.edu/sfxlcl3?url\\_ver=Z39.88-2004&url\\_ctx\\_fmt=info:ofi/fmt:kev:mtx:ctx&ctx\\_enc=info:ofi/enc:UTF-8&ctx\\_ver=Z39.88-2004&rft\\_id=info:sid/sfxit.com:azlist&sfx.ignore\\_date\\_threshold=1&rft.object\\_id=1000000000726583&rft.object\\_portfolio\\_id=&svc.holdings=yes&svc.fulltext=yes](http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=1000000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes)

## CEPOS NEW CALL FOR PAPERS 2022

### Catalogue of Hamburg Libraries

[https://beluga.sub.uni-hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV\\_ILN\\_22&lookfor=1584-224x](https://beluga.sub.uni-hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV_ILN_22&lookfor=1584-224x)

### Edith Cowan Australia

<https://ecu.on.worldcat.org/search?databaseList=&queryString=1584-224X>

### University College Cork, Ireland

<https://ucc.summon.serialssolutions.com/?q=1584-224X#!search?ho=t&jt=Revista%20de%20Stiinte%20Politice&l=en-UK&q=>

### York University Library, Toronto, Ontario, Canada

<https://www.library.yorku.ca/find/Record/muler82857>

### The University of Chicago, USA

[https://catalog.lib.uchicago.edu/vufind/Record/sfx\\_100000000726583](https://catalog.lib.uchicago.edu/vufind/Record/sfx_100000000726583)

### The University of Kansas KUMC Libraries Catalogue

<http://voyagercatalog.kumc.edu/Search/Results?lookfor=1584-224X&type=AllFields>

### Journal Seek

<http://journalseek.net/cgi-bin/journalseek/journalsearch.cgi?field=issn&query=1584-224X>

### State Library New South Wales, Sidney, Australia,

<http://library.sl.nsw.gov.au/search~S1/?searchtype=i&searcharg=1584-224X&searchscope=1&SORT=D&extended=0&SUBMIT=Search&searchlimits=&searchorigarg=i1583-9583>

### Electronic Journal Library

[https://opac.giga-hamburg.de/ezb/detail.phtml?bibid=GIGA&colors=7&lang=en&flavour=classic&jour\\_id=111736](https://opac.giga-hamburg.de/ezb/detail.phtml?bibid=GIGA&colors=7&lang=en&flavour=classic&jour_id=111736)

### Open University Malaysia

<http://library.oum.edu.my/oumlib/content/catalog/778733>

### Wayne State University Libraries

<http://elibrary.wayne.edu/record=4203588>

### Kun Shan University Library

[http://muse.lib.ksu.edu.tw:8080/1cate/?rft\\_val\\_fmt=publisher&pubid=ucvpress](http://muse.lib.ksu.edu.tw:8080/1cate/?rft_val_fmt=publisher&pubid=ucvpress)

### Western Theological Seminar

[https://col-westernsem.primo.exlibrisgroup.com/discovery/fulldisplay?docid=alma991001225541104770&context=L&vid=01COL\\_WTS:WTS&lang=en&search\\_scope=MyInst\\_and\\_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&facet=rtype,include,journals&mode=Basic&offset=0](https://col-westernsem.primo.exlibrisgroup.com/discovery/fulldisplay?docid=alma991001225541104770&context=L&vid=01COL_WTS:WTS&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&facet=rtype,include,journals&mode=Basic&offset=0)

### Swansea University Prifysgol Abertawe

[http://whel-primo.hosted.exlibrisgroup.com/primo\\_library/libweb/action/search.do?vid=44WHELP\\_SWA\\_VU1&reset\\_config=true#.VSU9SPmsVSk](http://whel-primo.hosted.exlibrisgroup.com/primo_library/libweb/action/search.do?vid=44WHELP_SWA_VU1&reset_config=true#.VSU9SPmsVSk)

Vanderbilt Library

[https://catalog.library.vanderbilt.edu/discovery/fulldisplay?docid=alma991043322926803276&context=L&vid=01VAN\\_INST:vanui&lang=en&search\\_scope=MyInst\\_and\\_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&offset=0](https://catalog.library.vanderbilt.edu/discovery/fulldisplay?docid=alma991043322926803276&context=L&vid=01VAN_INST:vanui&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&offset=0)

Wissenschaftszentrum Berlin für Sozial

[https://www.wzb.eu/en/literature-data/search-find/e-journals?page=searchres.phtml&bibid=WZB&lang=en&jq\\_type1=IS&jq\\_term1=1584-224X&jq\\_bool2=AND&jq\\_type2=KS&jq\\_term2=&jq\\_bool3=AND&jq\\_type3=PU&jq\\_term3=&offset=1&hits\\_per\\_page=50&Notations%5B%5D=all&selected\\_colors%5B%5D=1&selected\\_colors%5B%5D=2](https://www.wzb.eu/en/literature-data/search-find/e-journals?page=searchres.phtml&bibid=WZB&lang=en&jq_type1=IS&jq_term1=1584-224X&jq_bool2=AND&jq_type2=KS&jq_term2=&jq_bool3=AND&jq_type3=PU&jq_term3=&offset=1&hits_per_page=50&Notations%5B%5D=all&selected_colors%5B%5D=1&selected_colors%5B%5D=2)

Radboud University Nijmegen

<https://zaandam.hosting.ru.nl/oamarket-acc/score?OpenAccess=&InstitutionalDiscounts=&Title=&Issn=1584-224&Publisher=>

Elektronische Zeitschriftenbibliothek EZB (Electronic Journals Library)

[http://rzblx1.uni-regensburg.de/ezeit/detail.phtml?bibid=AAAAA&colors=7&lang=de&jour\\_id=111736](http://rzblx1.uni-regensburg.de/ezeit/detail.phtml?bibid=AAAAA&colors=7&lang=de&jour_id=111736)

The University of Hong Kong Libraries

[https://julac.hosted.exlibrisgroup.com/primo-explore/search?query=any,contains,1584-224x&search\\_scope=My%20Institution&vid=HKU&facet=rtype,include,journals&mode=Basic&offset=0](https://julac.hosted.exlibrisgroup.com/primo-explore/search?query=any,contains,1584-224x&search_scope=My%20Institution&vid=HKU&facet=rtype,include,journals&mode=Basic&offset=0)

Metropolitan University Prague, Czech Republic

<https://s-knihovna.mup.cz/katalog/eng/l.dll?h~=&DD=1&H1=&V1=o&P1=2&H2=&V2=o&P2=3&H3=&V3=z&P3=4&H4=1584-224x&V4=o&P4=33&H5=&V5=z&P5=25>  
University of the West Library  
<https://uwest.on.worldcat.org/search?queryString=1584-224x&clusterResults=off&stickyFacetsChecked=on#/oclc/875039367>

Elektronische Zeitschriften der Universität zu Köln

[https://www.ub.uni-koeln.de/IPS?SERVICE=METASEARCH&SUBSERVICE=INITSEARCH&VIEW=USB:Simple&LOCATION=USB&SID=IPS3:2d1c5acebc65a3cdc057a9d6c64ce76e&SETCOOKIE=TRUE&COUNT=15&GWTIMEOUT=30&HIGHLIGHTING=on&HISTORY=SESSION&START=1&STREAMING=on&URLENCODING=TRUE&QUERY\\_alAL=1584-224x&SERVICEGROUP1.SERVICE.SEARCH\\_EDS=on&SERVICEGROUP1.SERVICE.SEARCH\\_KUGJSON=on&SERVICEGROUP1.SERVICE.SEARCH\\_KUGUSBWEB=on&SERVICEGROUP1.SERVICEGROUP.USB:Default=on](https://www.ub.uni-koeln.de/IPS?SERVICE=METASEARCH&SUBSERVICE=INITSEARCH&VIEW=USB:Simple&LOCATION=USB&SID=IPS3:2d1c5acebc65a3cdc057a9d6c64ce76e&SETCOOKIE=TRUE&COUNT=15&GWTIMEOUT=30&HIGHLIGHTING=on&HISTORY=SESSION&START=1&STREAMING=on&URLENCODING=TRUE&QUERY_alAL=1584-224x&SERVICEGROUP1.SERVICE.SEARCH_EDS=on&SERVICEGROUP1.SERVICE.SEARCH_KUGJSON=on&SERVICEGROUP1.SERVICE.SEARCH_KUGUSBWEB=on&SERVICEGROUP1.SERVICEGROUP.USB:Default=on)

EKP Publications

[https://ekp-invenio.physik.uni-karlsruhe.de/search?ln=en&sc=1&p=1584-224X&f=&action\\_search=Search&c=Experiments&c=Authorities](https://ekp-invenio.physik.uni-karlsruhe.de/search?ln=en&sc=1&p=1584-224X&f=&action_search=Search&c=Experiments&c=Authorities)

Valley City State University

[https://odin-primo.hosted.exlibrisgroup.com/primo-explore/search?query=any,contains,1584-224X&tab=tab1&search\\_scope=ndv\\_everything&sortby=rank&vid=ndv&lang=en\\_US&mode=advanced&offset=0&displayMode%3Dfull&displayField=all&pcAvailabilityMode=true](https://odin-primo.hosted.exlibrisgroup.com/primo-explore/search?query=any,contains,1584-224X&tab=tab1&search_scope=ndv_everything&sortby=rank&vid=ndv&lang=en_US&mode=advanced&offset=0&displayMode%3Dfull&displayField=all&pcAvailabilityMode=true)

Impact Factor Poland

<http://impactfactor.pl/czasopisma/21722-revista-de-stiinte-politice-revue-des-sciences-politiques>

Universite Laval

[http://sfx.bibl.ulaval.ca:9003/sfx\\_local?url\\_ver=Z39.88-](http://sfx.bibl.ulaval.ca:9003/sfx_local?url_ver=Z39.88-)

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Universität Passau

[https://infoguide.ub.uni-](https://infoguide.ub.uni-passau.de/InfoGuideClient.upasis/start.do?Query=10%3d%22BV035261002%22)

[passau.de/InfoGuideClient.upasis/start.do?Query=10%3d%22BV035261002%22](https://infoguide.ub.uni-passau.de/InfoGuideClient.upasis/start.do?Query=10%3d%22BV035261002%22)

BSB Bayerische StaatBibliothek

<https://opacplus.bsb-muenchen.de/metaopac/search?View=default&oclcno=502495838>

Deutsches Museum

[https://opac.deutsches-](https://opac.deutsches-museum.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=dmm&Language=de)

[museum.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=dmm&Language=de](https://opac.deutsches-museum.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=dmm&Language=de)

Technische Hochschule Ingolstadt

[https://opac.ku.de/TouchPoint/start.do?Branch=3&Language=de&View=thi&Query=35=%22502495838%22+IN+\[2\]](https://opac.ku.de/TouchPoint/start.do?Branch=3&Language=de&View=thi&Query=35=%22502495838%22+IN+[2])

Hochschule Augsburg, Bibliothek

[https://infoguide.hs-](https://infoguide.hs-augsburg.de/InfoGuideClient.fhasis/start.do?Query=10%3d%22BV035261002%22)

[augsburg.de/InfoGuideClient.fhasis/start.do?Query=10%3d%22BV035261002%22](https://infoguide.hs-augsburg.de/InfoGuideClient.fhasis/start.do?Query=10%3d%22BV035261002%22)

Hochschule Weihenstephan-Triesdorf, Zentralbibliothek

Freising, Germany

[https://ffwtp20.bib-](https://ffwtp20.bib-bvb.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ffw&Language=de)

[bvb.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ffw&Language=de](https://ffwtp20.bib-bvb.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ffw&Language=de)

OTH- Ostbayerische Technische Hochschule Regensburg, Hochschulbibliothek

OTHBR, Regensburg, Germany

[https://www.regensburger-](https://www.regensburger-katalog.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ubr&Language=de)

[katalog.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ubr&Language=de](https://www.regensburger-katalog.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ubr&Language=de)

Staatliche Bibliothek Neuburg/Donau , SBND,

Neuburg/Donau, Germany

<https://opac.sbnd.de/InfoGuideClient.sndsis/start.do?Query=10%3d%22BV035261002%22>

Universitätsbibliothek Eichstätt-Ingolstadt, Eichstätt, Germany

[https://opac.ku.de/TouchPoint/start.do?Branch=0&Language=de&View=uei&Query=35=%22502495838%22+IN+\[2\]](https://opac.ku.de/TouchPoint/start.do?Branch=0&Language=de&View=uei&Query=35=%22502495838%22+IN+[2])

Bibliothek der Humboldt-Universität Berlin, Universitätsbibliothek der Humboldt-Universität zu Berlin

Berlin, Germany

[https://hu-berlin.hosted.exlibrisgroup.com/primo-](https://hu-berlin.hosted.exlibrisgroup.com/primo-explore/search?institution=HUB_UB&vid=hub_ub&search_scope=default_scope&tab=default_tab&query=issn,exact,1584-224X)

[explore/search?institution=HUB\\_UB&vid=hub\\_ub&search\\_scope=default\\_scope&tab=default\\_tab&query=issn,exact,1584-224X](https://hu-berlin.hosted.exlibrisgroup.com/primo-explore/search?institution=HUB_UB&vid=hub_ub&search_scope=default_scope&tab=default_tab&query=issn,exact,1584-224X)

Hochschulbibliothek Ansbach, Ansbach, Germany

[https://fanoz3.bib-](https://fanoz3.bib-bvb.de/InfoGuideClient.fansis/start.do?Query=10%3d%22BV035261002%22)

[bvb.de/InfoGuideClient.fansis/start.do?Query=10%3d%22BV035261002%22](https://fanoz3.bib-bvb.de/InfoGuideClient.fansis/start.do?Query=10%3d%22BV035261002%22)



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Bibliothek der Europa-Universität Viadrina, Frankfurt (Oder)  
Frankfurt/Oder, Germany  
<https://opac.europa-uni.de/InfoGuideClient.euvisis/start.do?Query=10%3d%22BV035261002%22>

University of California Library Catalog  
<https://catalog.library.ucla.edu/vwebv/search?searchCode1=GKEY&searchType=2&searchArg1=ucoclc469823489>

For more details about the past issues and international abstracting and indexing, please visit the journal website at the following address:

<http://cis01.central.ucv.ro/revistadestiintepolitice/acces.php>.

### CONFERENCE INTERNATIONAL INDEXING OF THE PAST EDITIONS (2014-2021)

#### CEPOS Conference 2021

The Eleventh International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 19-20 March 2021) was evaluated and accepted for indexing in 5 international databases, catalogues and NGO's databases:

<https://academic.oup.com/jcs/advance-articleabstract/doi/10.1093/jcs/csaa064/5941887?redirectedFrom=fulltext>

<https://conferencealerts.com/show-event?id=229654>

<https://www.sciencedz.net/en/conference/72628-1thinternational-conference-after-communism-east-and-west-underscrutiny>

<https://10times.com/after-communism-east-and-west-underscrutiny>

<https://worlduniversitydirectory.com/edu/event/?slib=1thinternational-conference-after-communism-east-and-west-underscrutiny-2>

#### CEPOS Conference 2020

The Tenth International Conference After Communism. East and West under Scrutiny (27-28 March 2020) was evaluated and accepted for indexing in 7 international databases, catalogues and NGO's databases:

Scichemistry  
<https://scichemistry.org/ConferenceInfosByConferenceTopicId?conferenceTopicId=57>

Oxford Journals  
<https://academic.oup.com/jcs/advance-articlepdf/doi/10.1093/jcs/csz078/30096829/csz078.pdf>

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Conference alerts

<https://conferencealerts.com/show-event?id=215370>

<https://www.sciencedz.net/en/conference/57625-10thinternational-conference-after-communism-east-and-west-underscrutiny>

Intraders

<https://www.intraders.org>.

[cdn.ampproject.org/v/s/www.intraders.org/news/romania/10th-international-conference-after-communism-east-and-west-underscrutiny/amp/?amp\\_js\\_v=a2&\\_gsa=1&usqp=mq331AQCKAE%3D#ah=15737604302246&referrer=https%3A%2F%2Fwww.google.com&\\_tf=De%20pe%20%251%24s&share=https%3A%2F%2Fwww.intraders.org%2Fnews%2Fromania%2F10th-internationalconference-after-communism-east-and-west-under-scrutiny%2F](https://cdn.ampproject.org/v/s/www.intraders.org/news/romania/10th-international-conference-after-communism-east-and-west-underscrutiny/amp/?amp_js_v=a2&_gsa=1&usqp=mq331AQCKAE%3D#ah=15737604302246&referrer=https%3A%2F%2Fwww.google.com&_tf=De%20pe%20%251%24s&share=https%3A%2F%2Fwww.intraders.org%2Fnews%2Fromania%2F10th-internationalconference-after-communism-east-and-west-under-scrutiny%2F)

10 times

<https://10times.com/after-communism-east-and-west-underscrutiny>

The conference alerts

<https://theconferencealerts.com/event/46428/10th-internationalconference-after-communism-east-and-west-under-scrutiny>

Scirea

<https://www.scirea.org/ConferenceInfosByConferenceCountryId?conferenceCountryId=75>

### CEPOS Conference 2019

The Ninth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 29-30 March 2019) was evaluated and accepted for indexing in 6 international databases, catalogues and NGO's databases:

Oxford Academic Journal of Church & State <https://academic.oup.com/jcs/article-abstract/60/4/784/5106417?redirectedFrom=PDF>

10 Times

<https://10times.com/after-communism-east-and-west-under-scrutiny>

Conference Alerts

<https://conferencealerts.com/show-event?id=205682>

Researchgate

[https://www.researchgate.net/publication/327905733\\_CEPOS\\_9TH\\_INTERNATIONAL\\_CONFERENCE\\_AFTER\\_COMMUNISM\\_EAST\\_AND\\_WEST\\_UNDER\\_SCRUTINY\\_2019?iepl%5BviewId%5D=sjcOJrVCO8PTLapcfVciZQsb&iepl%5Bcontexts%5D%5B0%5D=publicationCreationEOT&iepl%5BtargetEntityId%5D=PB%3A327905733&iepl%5BinteractionType%5D=publicationCTA](https://www.researchgate.net/publication/327905733_CEPOS_9TH_INTERNATIONAL_CONFERENCE_AFTER_COMMUNISM_EAST_AND_WEST_UNDER_SCRUTINY_2019?iepl%5BviewId%5D=sjcOJrVCO8PTLapcfVciZQsb&iepl%5Bcontexts%5D%5B0%5D=publicationCreationEOT&iepl%5BtargetEntityId%5D=PB%3A327905733&iepl%5BinteractionType%5D=publicationCTA)

The Free Library

<https://www.thefreelibrary.com/9th+INTERNATIONAL+CONFERENCE+AFTER+COMMUNISM.+EAST+AND+WEST+UNDER...-a0542803701>

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Science Dz.net

<https://www.sciencedz.net/conference/42812-9th-international-conference-after-communism-east-and-west-under-scrutiny>

### CEPOS Conference 2018

The Eighth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 23-24 March 2018) was evaluated and accepted for indexing in 15 international databases, catalogues and NGO's databases:

Conference Alerts, <https://conferencealerts.com/show-event?id=186626>

Sciencesdz, <http://www.sciencedz.net/conference/29484-8th-international-conference-after-communism-east-and-west-under-scrutiny>

ManuscriptLink,

<https://manuscriptlink.com/cfp/detail?cfpId=AYAXKVAR46277063&type=event>

Maspolitiques, <http://www.maspolitiques.com/ar/index.php/en/1154-8th-international-conference-after-communism-east-and-west-under-scrutiny>

Aconf, [https://www.aconf.org/conf\\_112399.html](https://www.aconf.org/conf_112399.html)

Call4paper, <https://call4paper.com/listByCity?type=event&city=3025&count=count>  
Eventegg, <https://eventegg.com/cepos/>

10 times, <https://10times.com/after-communism-east-and-west-under-scrutiny>

Biblioteca de Sociologie, <http://bibliotecadesociologie.ro/cfp-cepos-after-communism-east-and-west-under-scrutiny-craiova-2018/>

Science Research Association <http://www.scirea.org/topiclisting?conferenceTopicId=5>  
ResearcherBook <http://researcherbook.com/country/Romania>

Conference Search Net, <http://conferencesearch.net/en/29484-8th-international-conference-after-communism-east-and-west-under-scrutiny>

SchoolandCollegeListings,

<https://www.schoolandcollegelistings.com/RO/Craiova/485957361454074/Center-of-Post-Communist-Political-Studies-CEPOS>

Vepub conference, <http://www.vepub.com/conferences-view/8th-International-Conference-After-Communism.-East-and-West-under-Scrutiny/bC9aUE5rcHN0ZmpkYU9nTHJzUkRmdz09/>

Geopolitika Hungary, <http://www.geopolitika.hu/event/8th-international-conference-after-communism-east-and-west-under-scrutiny/>

### CEPOS Conference 2017

The Seventh International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 24-25 March 2017) was evaluated and accepted for indexing in 10 international databases, catalogues and NGO's databases: Ethic & International Affairs (Carnegie Council), Cambridge University Press-

## CEPOS NEW CALL FOR PAPERS 2022

<https://www.ethicsandinternationalaffairs.org/2016/upcoming-conferences-interest-2016-2017/>

ELSEVIER GLOBAL EVENTS  
LIST <http://www.globaleventslist.elsevier.com/events/2017/03/7th-international-conference-after-communism-east-and-west-under-scrutiny>

CONFERENCE ALERTS-<http://www.conferencealerts.com/show-event?id=171792>

10TIMES.COM-<http://10times.com/after-communism-east-and-west-under-scrutiny>

Hiway Conference Discovery System-<http://www.hicds.cn/meeting/detail/45826124>  
Geopolitika (Hungary)-<http://www.geopolitika.hu/event/7th-international-conference-after-communism-east-and-west-under-scrutiny/>

Academic.net-<http://www.academic.net/show-24-4103-1.html>

World University Directory-  
<http://www.worlduniversitydirectory.com/conferencedetail.php?AgentID=2001769>

Science Research Association-  
<http://www.scirea.org/conferenceinfo?conferenceId=35290>

Science Social Community-<https://www.science-community.org/ru/node/174892>

### CEPOS Conference 2016

The Sixth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 8-9 April 2016) was evaluated and accepted for indexing in the following international databases, catalogues and NGO's databases:

ELSEVIER GLOBAL EVENTS-  
<http://www.globaleventslist.elsevier.com/events/2016/04/6th-international-conference-after-communism-east-and-west-under-scrutiny/>  
Oxford Journals – Oxford Journal of Church & State-  
<http://jcs.oxfordjournals.org/content/early/2016/02/06/jcs.csv121.extract>

Conference Alerts-<http://www.conferencealerts.com/country-listing?country=Romania>  
Conferences-In - <http://conferences-in.com/conference/romania/2016/economics/6th-international-conference-after-communism-east-and-west-under-scrutiny/>

Socmag.net - <http://www.socmag.net/?p=1562>

African Journal of Political Sciences-  
[http://www.maspolitiques.com/mas/index.php?option=com\\_content&view=article&id=450:-securitee-&catid=2:2010-12-09-22-47-00&Itemid=4#.VjUI5PnhCUk](http://www.maspolitiques.com/mas/index.php?option=com_content&view=article&id=450:-securitee-&catid=2:2010-12-09-22-47-00&Itemid=4#.VjUI5PnhCUk)

Researchgate-  
[https://www.researchgate.net/publication/283151988\\_Call\\_for\\_Papers\\_6TH\\_International\\_Conference\\_After\\_Communism\\_East\\_and\\_West\\_under\\_Scrutiny\\_8-9\\_April\\_2016\\_Craiova\\_Romania](https://www.researchgate.net/publication/283151988_Call_for_Papers_6TH_International_Conference_After_Communism_East_and_West_under_Scrutiny_8-9_April_2016_Craiova_Romania)

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World Conference Alerts-  
<http://www.worldconferencealerts.com/ConferenceDetail.php?EVENT=WLD1442>  
Edu events-<http://eduevents.eu/listings/6th-international-conference-after-communism-east-and-west-under-scrutiny/>

Esocsci.org-<http://www.esocsci.org.nz/events/list/>

Sciencedz.net-<http://www.sciencedz.net/index.php?topic=events&page=53>

Science-community.org-<http://www.science-community.org/ru/node/164404/?did=070216>

### CEPOS Conference 2015

The Fifth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 24-25 April 2015) was evaluated and accepted for indexing in 15 international databases, catalogues and NGO's databases:

THE ATLANTIC COUNCIL OF CANADA, CANADA-  
<http://natocouncil.ca/events/international-conferences/>

ELSEVIER GLOBAL EVENTS LIST-  
<http://www.globaleventslist.elsevier.com/events/2015/04/fifth-international-conf>

GCONFERENCE.NET-  
[http://www.gconference.net/eng/conference\\_view.html?no=47485&catalog=1&cata=018&co\\_kind=&co\\_type=&pageno=1&conf\\_cata=01](http://www.gconference.net/eng/conference_view.html?no=47485&catalog=1&cata=018&co_kind=&co_type=&pageno=1&conf_cata=01)

CONFERENCE BIOXBIO-<http://conference.bioxbio.com/location/Romania>

10 TIMES-<http://10times.com/Romania>

CONFERENCE ALERTS-<http://www.conferencealerts.com/country-listing?country=Romania>

<http://www.iem.ro/orizont2020/wp-content/uploads/2014/12/lista-3-conferinte-internationale.pdf>  
<http://sdil.ac.ir/index.aspx?pid=99&articleid=62893>

NATIONAL SYMPOSIUM-<http://www.nationalsymposium.com/communism.php>  
SCIENCE DZ-<http://www.sciencedz.net/conference/6443-fifth-international-conference-after-communism-east-and-west-under-scrutiny>

ARCHIVE COM-[http://archive-com.com/com/c/conferencealerts.com/2014-12-01\\_5014609\\_70/Rome\\_15th\\_International\\_Academic\\_Conference\\_The\\_IISES/](http://archive-com.com/com/c/conferencealerts.com/2014-12-01_5014609_70/Rome_15th_International_Academic_Conference_The_IISES/)

CONFERENCE WORLD-<http://conferencesworld.com/higher-education/>  
KNOW A CONFERENCE KNOW A CONFERENCE-  
<http://knowaconference.com/social-work/>

International Journal on New Trends in Education and Their Implications (IJONTE)

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Turkey <http://www.ijonte.org/?pnum=15&>

Journal of Research in Education and Teaching Turkey-  
<http://www.jret.org/?pnum=13&pt=Kongre+ve+Sempozyum>

CEPOS CONFERENCE 2015 is part of a "consolidated list of all international and Canadian conferences taking place pertaining to international relations, politics, trade, energy and sustainable development". For more details see <http://natocouncil.ca/events/international-conferences/>

### CEPOS Conference 2014

The Fourth International Conference After Communism. East and West under Scrutiny, Craiova, 4-5 April 2014 was very well received by the national media and successfully indexed in more than 9 international databases, catalogues and NGO's databases such as:

American Political Science Association, USA-  
<http://www.apsanet.org/conferences.cfm>

Journal of Church and State, Oxford-  
<http://jcs.oxfordjournals.org/content/early/2014/01/23/jcs.cst141.full.pdf+html>;  
NATO Council of Canada (section events/ international conferences), Canada,  
<http://atlantic-council.ca/events/international-conferences/>

International Society of Political Psychology, Columbus, USA-  
[http://www.ispp.org/uploads/attachments/April\\_2014.pdf](http://www.ispp.org/uploads/attachments/April_2014.pdf)

Academic Biographical Sketch, <http://academicprofile.org/SeminarConference.aspx>;  
Conference alerts, <http://www.conferencealerts.com/show-event?id=121380>  
Gesis Sowiport, Koln, Germany, <http://sowiport.gesis.org/>; Osteuropa-Netzwerk,  
Universität Kassel, Germany, [http://its-vm508.its.uni-kassel.de/mediawiki/index.php/After\\_communism:\\_East\\_and\\_West\\_under\\_scrutiny:\\_Fourth\\_International\\_Conference](http://its-vm508.its.uni-kassel.de/mediawiki/index.php/After_communism:_East_and_West_under_scrutiny:_Fourth_International_Conference)

Ilustre Colegio Nacional de Doctores y Licenciados en Ciencias Politicas y Sociologia, futuro Consejo Nacional de Colegios Profesionales, Madrid,  
<http://colpolsocmadrid.org/agenda/>.



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E.g.: (Olimid, 2009: 14; Olimid and Georgescu, 2012: 14-15; Olimid, Georgescu and Gherghe, 2013: 20-23).

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### References:

The references cited in the Article are listed at the end of the paper in alphabetical order of authors' names.

References of the same author are listed chronologically.

### For books

Olimid, A. P. (2009a). *Viața politică și spirituală în România modernă. Un model românesc al relațiilor dintre Stat și Biserică*, Craiova: Aius Publishing.

Olimid, A. P. (2009b). *Politica românească după 1989*, Craiova: Aius Publishing.

### For chapters in edited books

Goodin, R. E. (2011). The State of the Discipline, the Discipline of the State. In Goodin, R. E. (editor), *The Oxford Handbook of Political Science*, Oxford: Oxford University Press, pp. 19-39.

### For journal Articles

Georgescu, C. M. (2013a). Qualitative Analysis on the Institutionalisation of the Ethics and Integrity Standard within the Romanian Public Administration. *Revista de Științe Politice. Revue des Sciences Politiques*, 37, 320-326.

Georgescu, C. M. (2013b). Patterns of Local Self-Government and Governance: A Comparative Analysis Regarding the Democratic Organization of Thirteen Central and Eastern European Administrations (I). *Revista de Științe Politice. Revue des Științe Politice*, 39, 49-58.

### Tables and Figures

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