

**UNIVERSITY OF CRAIOVA
FACULTY OF LAW AND SOCIAL SCIENCES
POLITICAL SCIENCES SPECIALIZATION &
CENTER OF POST-COMMUNIST POLITICAL STUDIES
(CESPO-CEPOS)**

**REVISTA DE ȘTIINȚE POLITICE.
REVUE DES SCIENCES POLITIQUES**

No. 43 • 2014



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University of Craiova, 13th A. I. Cuza Street, Craiova, 200585, Dolj, Romania.

Phone /Fax: +40251418515, Email: cepos2013@yahoo.com, cepos2013@gmail.com.

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Special Issue:
Compass of Politics: Systems and Regimes Synopsis

CONTENTS

EDITORS' NOTE

- Anca Parmena OLIMID, Cătălina Maria GEORGESCU, Cosmin Lucian GHERGHE,** 9
Note of the Editors of the Revista de Științe Politice. Revue des Sciences Politiques

ORIGINAL PAPERS

- Lorena-Valeria STUPARU,** 12
The political power and the personal power. A philosophical view of a postcommunist experience
- Martin ŠTEFEK,** 22
The Scope and Limits of Czechoslovak Perestroika: the Case of Party's Programme
- Florin NACU,** 32
The return to the democracy and the restitution of the land property
- Veronica GHEORGHITĂ (ION),** 43
The relationship between the State and the Romanian Orthodox Church during the communist period
- Alexandrina PĂDUREȚU,** 55
The restoration of religious monuments in post-communist Romania
- Elena Tereza DANCIU,** 66
The Evolution of Romanian Civil Law in the Modern Times
- Narcisa Maria MITU,** 75
The Romanian Crown Domain - six decades of existence
- Mihaela Camelia ILIE,** 86
The Erasure of King Carol II's Name during the Communist Regime. Case Study – the Church Saints Archangels from Craiova
- Marusia CÎRSTEA,** 96
Great Britain's foreign policy as seen by Romanian diplomatic attachés in London (1933-1939)

Mihaela BĂRBIERU, <i>The political diplomacy of Romania and Yugoslavia in the international context of the period between the two World Wars. Projects and Unions in this area</i>	106
Victor OLARU, <i>John Ruskin-Between Art and Social Justice</i>	116
Ali PAJAZITI, <i>Values and Academia: a Sociological-Empirical Approach</i>	125
Mihaela CEANĂ, <i>The occupational structure of the labour power in the South-West Oltenia Region</i>	141
Costela IORDACHE, Cristiana VÎLCEA, <i>The evolution of Romanian agriculture in the post-communist period</i>	158
Alexandrina Mihaela POPESCU, Mihaela Aurelia ȘTEFAN, <i>Training the Educator for Methodological Alternatives and Paradigm Changes in Education</i>	171
Oana GHIȚĂ, Roxana Gabriela ALBĂSTROIU, <i>Is the family of the 21st century based exclusively on the marriage between a man and a woman?</i>	183
Cristina ILIE GOGA, <i>The status quo of regional social policy in the European Union</i>	194
Anca Parmena OLIMID, <i>International Peace and Security Cause in UN Security Council Resolutions. A State of Art Analysis (2012-2014)</i>	208
Cătălina Maria GEORGESCU, <i>Europeanization Imagology, Historical Institutionalism and Integration: Comparative Politics of Institutional Change in Governance</i>	222
RSP Manuscript Submission	235

Editors' Note



Editors' Note

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

**Anca Parmena Olimid^{*},
Cătălina Maria Georgescu^{**},
Cosmin Lucian Gherghe^{***}**

Welcome to the third issue of 2014 of the *Revista de Științe Politice. Revue des Sciences Politiques* (hereinafter **RSP**). The new covers and the concept of the journal provided since issue 41/ 2014 are dedicated to further the research and critical observance of the social sciences investigation.

Due to recent political inconsistencies and contradictions in the region, **RSP** Editorial Board launched a new four issues series entitled as follows: *East & West Post-Communist Encounters: Ideologies, Policies, Institutions Under Scrutiny* (issue 41/ 2014); *Citizenship, Elections and Security: An Analytical Puzzle* (issue 41/ 2014); *Compass of Politics: Systems and Regimes Synopsis* (launched at the end of September 2014 and available online beginning with September 30, issue 43/ 2014).

The content of issue 43/ 2014 is set out to *compass* the inconsistencies and undecisions of regional politics focusing on: the international peace and security cause on the United Nations agenda; the institutional governance and the system challenges; the political regime encounter in the mid-century Romania; the electoral provisions and contradictions in contemporary Romania; the restitution of land property; the religious mapping of the Eastern societies; the new kind of regional social policy in EU landscape; values and academia that have been fermenting in the region for the last twenty years.

^{*} Associate Professor, PhD, University of Craiova, Faculty of Law and Social Sciences, Political Sciences specialization, CEPOS Staff, Member of the Board of Directors of the CEPOS Conference 2014; Phone: 0040251418515, E-mail: parmena2002@yahoo.com

^{**} Lecturer, PhD, University of Craiova, Faculty of Law and Social Sciences, Political Sciences specialization, CEPOS Staff, Member of the Board of Directors of the CEPOS Conference 2014; Phone: 0040251418515, E-mail: cata.georgescu@yahoo.com.

^{***} Lecturer, PhD, University of Craiova, Faculty of Law and Social Sciences, Political Sciences specialization, CEPOS Staff, Member of the Board of Directors of the CEPOS Conference 2014; Phone: 0040251418515, E-mail: avcosmingherghe@yahoo.com.

Editors' Note

The journal cover and format hopefully individualize the research initiatives and studies such as: *After 25 years: Pinpointing East and West Encounter Arena* (cover of issue 41/2014); *Identity and Belonging in Post-Communism* (cover of issue 42/2014) and *In-between change: system and regime algorithm* (cover of issue 43/2014).

In this issue the research of Lorena-Valeria Stuparu accounts for the correlations between the political power and the personal/individual power constructing a philosophical perspective on the practice of democracy. The author offers a personal perspective on the imagology associated to political participation of citizens, legitimacy of the ruling class and political power to construct a theoretical framework for identifying the political system's inconsistencies and sources of deception.

The sources for regime change are dealt with in this issue with reference to the Czechoslovak Perestroika. Martin Štefek outlines in this issue the case of the party Programme by historically accounting the phases of the Czechoslovak reform process highlighting the creeping in of "differentiation and fractionalisation within the Czechoslovak communist leadership" and bringing to light precious archival material that stood at the basis of transition towards democracy.

The "return to democracy" is moreover correlated to land reforms. Florin Nacu makes a description of the land restitution process in post-communist Romania mapping the private property, social structure urban/rural area in the post-revolutionary context.

Studies on systemic change in Romania take into account the spiritual revolution of the population. The aim of the study accomplished by Veronica Gheorghită (Ion) is to explain the positions adopted by the Romanian Orthodox Church during the communist period. The article authored by Alexandrina Pădurețu continues this line by outlining the policies of restoring religious monuments in post-communist Romania in opposition to their destruction during the totalitarian regime.

The historical administrative traditions account for the actors' behavior at present. The article of Elena Tereza Danciu draws the evolution of the Romanian civil code in the modern period accounting its critiques, but outlining its path-opening nature. Historical studies highlight the specificity of national institutions and traditions. Narcisa Maria Mitu accomplishes in her study a descriptive profile of state-Crown relations starting with the institutionalization of the Romanian Crown Domain.

Communist regime propaganda struggled to delete a whole chapter of Romanian history. The article signed by Mihaela Camelia Ilie aims at offering a synopsis of the practices and instruments deployed in order to cripple collective memory and history by cutting short the whole chapter of monarchy in Romania.

The research of Marusia Cîrstea offers valuable information on Great Britain's foreign policy during the interwar period by discussing the reports of Romanian diplomats. The methodology improves the explanations of the Great Powers behaviours and interests towards Romania in that specific period.

During the inter-war period the international relations between the Romanian state and the Yugoslav state were determined by the social-economic and geo-political context, the two countries following their interest on preserving the status-quo. The study of Mihaela Bărbieru explains the conditions for the participation of both Romania and Yugoslavia in bilateral treaties and their decisions of joining in defensive political-military alliances.

"Between Art and Social Justice" is the title of a study on the political thought, the ideas, morals, theses in politics and political economy that molded the evolution of English and European culture (Victor Olaru).

Editors' Note

The evolution of the system of values and norms accounts for the changes in society. Offering synthetic characterizations, typologies and explanations of the modern systems of values, Ali Pajaziti explains the value crisis in transition societies with a peculiar interest to the system of higher education in Macedonia.

Studies on the occupational structure of the labour force in a specific geographical area are relevant for explaining the functionality of market economy and the reaching of an appropriate living standard of the employed population within a territory (Mihaela Ceană).

Researches on the evolution of Romanian agriculture in the post-communist period are usually drawn in correlation to de-collectivization, privatization and the re-structuring based on private property. Costela Iordache and Cristiana Vilcea add to this equation an institutionalist approach that explains the stadialization of the transition process in agriculture.

The paradigm of alternatives and the paradigm of changes in education are outlined in an empirical research (Alexandrina Mihaela Popescu, Mihaela Aurelia Ștefan) aimed at identifying and explaining the challenges of old educational models and the alternatives at hand.

Studies on family legislation usually result in considering a series of factors such as culture, society, religion and traditions. The article authored by Oana Ghiță and Roxana Gabriela Albăstroiu upgrade the discussion by moving the context to the European Union legislation and wondering on the possibility of establishing a “European Code of norms which regulate family relationships”.

Regional social policy in the EU has been studied through institutionalist approaches that offer insights on policy fields such as „social redistribution, social regulation and social rights”. The study of Cristina Ilie Goga allows for author’s interpretations concentrating on „protection and social inclusion, education, labour market and unemployment, gender equality and health”.

International peace and security cause on the UN agenda has triggered recently a seminal preoccupation for researchers interested in the institution building and vocabulary associated to international security issues. Through a complex and coherent political discourse analysis Anca Parmena Olimid identifies „pattern themes” while accomplishing a separate „rating theme coding”.

The Europeanization imagology has triggered huge interest lately due to the diversity of theoretical opinions and empirical findings that do not account for a unitary position of the role of national parliaments and executives within the integration process. Cătălina Maria Georgescu explains this situation and the correlations between integration, Europeanization, “de-parliamentarisation”, institutional adaptation, strengthening the executives, transfer of competences by adding a historical institutionalism touch.



ORIGINAL PAPER

The political power and the personal power. A philosophical view of a postcommunist experience

Lorena-Valeria Stuparu*

Abstract

The relation between political power and personal power involves a relation between the authority and the individual power and this general remark which is valid for any political system has special connotations in the case of postcommunist Romanian experience, which are in connection with the democratic consolidation, citizen participation and the Romanian ruling class. The Romanian political experience of the last decades proves that the understanding and the practice of democracy in the postcommunist age requires a “philosophical” view of the phenomenon of power. This was the reason why my study has focused on the main theoretical aspects of the relations between political power, authority and personal power, on the portrait of the leader and in the same time of the citizen whose current “critical” activity is not taken into account by representatives of political power, on the characteristics of an individual power and the frame for the citizen political participation under a democratic widespread deception. The hope to overcome this situation can be found in conceiving democracy as a system where the dialogue is possible and its topic is the public interest.

Keywords: democratic consolidation, political power, personal power, Romanian ruling class, citizen participation.

* Scientific Researcher, PhD, Institute of Political Sciences and International Relations of the Romanian Academy, Phone: 0040721769245, E-mail: l_stuparu@yahoo.com.

The political power and the personal power...

1. Aspects of the power in the framework of democratic consolidation

1.1. The participatory democracy

Concerning this aspect I first notice that generally, the relation between political power and personal power involves a relation between the authority and the individual power and this general remark which is valid for any political system has special connotations in the case of postcommunist Romanian experience, which are in connection with the democratic consolidation, citizen participation and the Romanian ruling class – the Keywords of my paper.

I shall begin with a remark of Loïc Blondiaux which shows that contemporary democracies are searching for a new spirit, new reasons, - and this because, despite the survival of classical forms of political representation, their legitimacy "narrows" and their effectiveness is declining. "This loss of trust simultaneously affects mostly actors traditionally destined to play an intermediary role between the people and their representatives in democracies: political parties, trade unions, journalists, experts..." (Blondiaux, 2008: 5).

An expression of the new democratic spirit on the stage of frequently political conflict which nowadays illustrates, in a paradoxical sense, the consolidation of democracy in Romania consists in "the increase of the citizen's word power in the public sphere". This is manifested by blogs, forums, participatory journalism giving the impression that "today, the cost of access to material and symbolic political power has reached the point where everyone is allowed to make his voice heard", when the representative democracy becomes unsatisfactory. Appropriating the terms of Benjamin Barber (Barber, 1997), Blondiaux believes that the transition from the "minimalistic democracy" to the "strong" democracy is even included in the democratic project within which "participatory democracy in all its forms will establish itself like the insurmountable horizon of our democratic condition" (Blondiaux, 2008: 7).

Pluralist versions of the participation ideal also involves deliberative democracy, because "the theories of participatory democracy and deliberative democracy share many common assumptions, particularly dissatisfaction regarding the definition of democracy and citizenship limited to the principle of majority and his only accomplishment by vote". However, the two kinds of democracy are distinguished by their main finalities. While participatory democracy includes "active citizenship training communities, focusing on engagement and politicization of the participants", deliberative democracy aims "a better policy making, linking this latter with the process of rational argumentation, involving opposing viewpoints" (Blondiaux, 2008: 44). From this area are shed the species of the "agonistic democracy" and "peaceful democracy", but concerning the tension between these two figures of participation is invoked the reflection of Jürgen Habermas concerning the topic: "When he opposed in the writings on deliberative democracy, autonomous space of a 'civil society' organized only as informal communication structures, producing of a continuous public opinion, and the classic institutional sphere (parliament, government ...), (...) Habermas notes the separation between the two spheres, however without reaching the veritable nature of their relationship". Or, according to Blondiaux, "the more general issue that puts the participatory democracy still holds of the possibility of articulation between the two dimensions of participation, between these initiatives proper to the field of developing

'wild democracy' which is a labile and contesting one, and the classic representative democracy, in a soft form" (Blondiaux, 2008: 47).

Thus, summarizing the meticulous analysis of the two famous researchers, what we can "diagnose" as a problem of the participation, namely as a question of non-participation malady, is the fact that the majority of people perceive themselves more as subjects than as citizens (and paradoxically the noisy minorities assume the role of citizens — what we can see in the public space in Romania). Ordinary citizens believes that the power decisions are outside their powers, they just having passive obligations, mainly in relation to loyalty towards authority.

However, influential and active citizen described by normative political theory is not exempt from the obligations of subject. Even more than that, since he participates in "making" law (at least by consulting in the referendums or Forums — such as the Constitutional Forum 2013 in Romania) means that he is obliged to obey much more just because of its participation. Often it was argued that real democracy is the ability of individuals to participate in the small communities. In the democratic regime installed in Romania 25 years ago, because the lack of transparency in decisions of politicians and also of an open dialogue with those who voted them, this is still a basic participatory ideal of democratic consolidation.

1.2. Power and authority. The citizen and the politician

If theoretically politics itself, "autonomous" is something rational, "Aristotelian" and happily fulfilling architectural function in building the state and the community organization where the individual is "humanising" (Johann, 2007) – even in the best of possible political worlds, that democratic, political game consisting of conquest and conservation of the power involves the "dark" and "irrational" side of the policy.

Thus, first of all, power can be associated with a negative value of the human condition.

The desire for power and the fascination which it exerts are together with anxiety, seduction and frustration, the "uncanonical keywords" of the democracy (Braud). Here are at stake the attraction, the aversion or the pleasure, through the simulacra game and competitive performances provided to the citizens – except for the ones situated at "zero level of emotion" (Braud, f.a.: 22), which are indifferent towards politics.

But this "scene", this "drama" is the main place where the citizen, the individual political subject can freely express discontent (according to democratic status) and the inexhaustible talent for parody the power, sometimes reaching the perfection in this framework (as in the movie *The Great Dictator* by Charlie Chaplin). Theoretical, in democracies, the manifestations for and against the power that are intensifying in election campaigns are the most direct expression of the autonomy of the individual in the modern era, conquered after a long philosophical detour which progressively abolished association with the control and the limitation of freedom. If within a normative framework, noted Peter Morriss following Philip Petit (*Republicanism*, 1977), when we talk about power we can focus on the theoretical interest either how citizens have the power to meet their own goals or the extent to which a person is subject to the another power (Morriss, 2002: XIV), we can say, in this latter case, that the last reference is not the relationship between domination and allegiance, but actually that of

The political power and the personal power...

the way in which those elected to lead, to organize the society so that it may be appropriate for the aspirations of voters to freely express and develop their own capabilities. Different analysis perspectives are convergent regarding the complexity of this specific phenomenon of the modern era, to which postmodern theoretical and practical frameworks increase its ambiguity, relativism and unpredictable.

So, as helpless like a person compared to irrational manifestations of geopolitics sphere, as small at the scale of the universe which remains unfathomable, the individual seems very strong as the subject of civic democratic society in which he lives. Even if one of the founders of the European Community (Robert Schuman) remarked that individual autonomy is not complete (he can not determine the rules which agrees to comply and the situations in which he evolves, much more, he is the victim of errors and abuses) (Schuman, 1954: 74) - within the participatory democratic regimes, his power is real, insofar as he uses it as natural resources that allow occasional action, as well as he uses the legal capacity to make something or the opportunity to exercise their rights and chances for action in a field.

Beyond that individual's identity from the modern era is defined as an expression of independence and its autonomy, the power of the individual citizen consists also in the possibility of peaceful but firmly manifestation, on behalf of the founding values of democracy (equality of all, human rights). It consists also in the participation at associations defending the rights of citizens, by knowing all the recent legal provisions on transparency of procedures and decision power; of the opportunity to be part of the official structures existing or newly created ones; of the right to free expression of opinion; from meeting their elected representatives governing and voting them. In a dysfunctional democracy is allowed addressing to different legal recourse organizations or pressure through print media, the television, the Internet.

In a democratic system the exercise of citizen's power is a right constitutionally guaranteed and an ideal political power is that which ensure good governance, i.e. the respect of individuals by the representatives who know their responsibility, thus ensuring transparency and effectiveness of the decisions.

Among the principles of democratic political power and its practice appear discrepancies and the necessity of control's mechanisms regarding the separation of powers as well as the protection of freedoms to prevent the evils which bring the power, turns into an advantage for the individual.

The separation of powers can also mean a decrease of power. The strong ones depend on each other, from behind the scenes games. The authority – in the sense of recognition of the ability to dominate and to impose obedience – is demystified today through images of human weakness of the leaders about which the simple individuals (defended by mass media's indiscretion) are fully informed. The leaders are often surprised in comic or ridiculous, or degrading images, they are "disclosed" in their intimate life. Does this strategy of imaging typically postmodern which relativizes the notion of authority, aim to inoculate the idea that power means no responsibility or "mission", not even pride or arrogance, that it has become a caprice of the individual or a bad joke of history, since the clown is the "King" himself (and on the Romanian political scene there are a lot of such examples), and the people does not have fear from the wrath of the "lords"? Wants this imagistic strategy to show that the political man as an individual is weak, while the individual-citizen as critical spectator is strong?

In a consolidated democracy, theoretically, while political power itself decreases, the power of the individual increases, even if he doesn't exercises its

sovereignty temporary: either because he or she understand the mechanism of the power and allow themselves to be analytical, critical or simply indifferent, either to take action when they see fit; either because he, the individual, does not understand any of the policies and he lives quietly his life, while those in the top of the pyramid are waging a fierce struggle to maintain his place.

The individual power, beyond its specific spiritual connotation (that which "can move the mountains") has today a public dimension, both in terms of civic and political life. In democratic systems this truth remains valid and describes in a pragmatic way the game of human dignity and political power at the level of each society or community.

For highlighting the difference between political power and personal power decisive is the correlation between power and authority: although they may have at some point different connotations and extensions (for example, in the Romanian language the power send more to the political and the religious realm, while the authority suggests juridical, ethical, epistemical and cultural realities) – they meet, coming together in the spheres of the symbology and sociology, where an uninterpretable object is practically nonexistent. The authority and the power begin their short or long existence from the moment they are perceived as such by those who feel and interpret them as such. The perception of the authority and of the power can be equally intense at the individual level as well as at the collective level. The perspective of the analytic philosophy (J.M. Bochenski) on the phenomenon of the authority helps in deciphering aspect of the power in the concrete political situations, or personal representative.

According to Bochenski "essentially there are two different ontologies of human group, i.e. of the society: the one Aristotelian and the one Hegelian (it is true that both were developed unilaterally by the spirits less endowments until the most absurd consequences: the major ontology of Aristotle and Hegel certainly are not responsible for this)" (Bochenski, 1992: 32).

By focusing on the "democratic turning" which marks the emancipation's route of the individual-citizen including the side of political power, we are going actually (assigning as Alain Renault to the modern age the "advantage" of individuality as a figure of the subject) on the way opened for a long time by Aristotle (a very "modern" author). In Aristotle read by Bochenski, "the individual is the only and last subject in society. Of course that the society is not a fiction: within it there is in addition the human individual subjects as other real relationships because of which the group is actually more than the sum of individuals. But the society can not be in any case a bearer of the authority because it is not subject (i.e. substance)" (Bochenski, 1992: 33).

According to that same reading, "Hegel believes that the group is a real subject that has even a proper spirit, so-called objective spirit. Hegel is so convinced of this, that according to him, individuals appear as a only as 'dialectical moments', like organs of the group. Viewed from this perspective, the group may be a bearer of the authority" (Bochenski, 1992: 33). He conceives the "individual conscience of society's leader, e.g. of statesman" as a very good substitute for the group conscience. Therefore, any political power, even a representative one, is in its way a personal power, depending on the place where the individual is situated in a hierarchy, without necessarily incurring dictatorship. In its own system, by investing a group with a represented personal conscience Hegel brings out a drama: he "sees in the fact that the statesman must borrow the (subjective) individual conscience, a very limited one, never suitable to the social spirit, more comprehensive a tragedy of the statesman" (Bochenski, 1992: 33). I think that the tragedy comes, on the one hand, from the fact that a divided and widespread

The political power and the personal power...

consciousness (assuming that it is a genuine and a selfless one) reduces his own creative potential and personal freedom (and then the leader becomes a hero or a martyr) or from the misunderstood that carries with him among contemporaries, any superior conscience; or, conversely, from the fact that the leader can force (first through its "charismatic" example, and then through coercive means) at one point the group to accept a loan conscience, which doesn't represent it. (However, the drama is "everlasting" because, as it was shown, the division of powers, means actually diminishing of power).

In the field of psycho-politics, personal authority matter which is relevant particularly in its relation to political power can be "solved", starting with the modern era (since legitimacy is based on democratic electoral system) through the concept of "charismatic leader", because in the premodern age political power and personal authority was legitimized by the principle of hereditary monarch, or the sacredness of function.

It seems that the modern mentality even in the most secular or atheistic versions preserved the idea of the spiritual autonomy, but in different languages: as autonomy of human individual or as subjective perspectivism, as freedom of conscience and of expression, as a freedom of thought. The notion of authority as a radiant force that imposes itself as prestigious, as what is recognized like superior, whether we accept it or not, maintains in the present the majesty of medieval concept, and it could be reinforced by constructive orientation of a postmodernism that nuances the exaggerations of modernity.

Alexandre Dorna shows how the "starting point" of personal authority "is situated in the human being" (Dorna, 2004: 15).

The charismatic leader is loved by lots of peoples because he "cumulates emotional and cognitive skills, but he puts into front those first, in order to better dissimulate the other" and he is also "a formidable revealer of the hidden truths". This concerns in fact, "demystifying the reality of power" achieved using "emotional intelligence" (Goleman) own to this leader whose language "is in a striking contrast to the wooden language of the professionals of policy" (Dorna, 2004: 23).

The charismatic leader is still an acceptable and appropriate expression of personal power (which can sometimes degenerate into tyranny).

After I have shown that the authority and power always have a personal side, more or less related to the kantian transcendental power of the individual-subject, the simply observation shows that a person is strong if allows himself to ignore the others, or many of fellow; is strong that person whose public manifestations through his own authority are regarded as acts of generosity, or, regardless of causes and consequences, as the right judgment, as the correct solution to a controversial issue. And this only if that person allows interpreting his gestures. Is powerful one whose company is coveted, dreamed of his contemporaries, or at least of some of them. (There are many individuals who wish apparently a little personal power to find themselves around the elites: gratuitousness, only those which are devout and dreamers; in a interesting way, those irrepressible in their desire to be, in turn, influential).

The power, beyond as being a "moral danger", can be distilled from the essence of politics, and delivered as products more or less acceptable on symbolic "market". And the politician, either "born" to govern, to dominate, to lead or endowed with a character whose dominant is the tendency to monopolize personal power as society complicates their organizational forms in different systems, he is more "made", i.e. built through multiple "organisms" which includes those who initiate him, who sustain him, who

propels him and those who vote him, accept or recognize him.

By adopting the analytical perspective on the philosophical history of modernity that articulates subjectivity with individuality (Alain Renault) starting with Leibniz and Descartes, and continuing with the Kantian vision of autonomy we are witnessing at the paradigm's changing of the power. The humanistic paradigm of power is centered on natural, social and political rights of each individual. The same viewpoint (analytical) applied to the relationship of power with authority emphasizes this anthropological and psychological phenomenon as always worn by a person. In other words, beyond any regime, political power is also personal, in a more or less intense manner: "Power doesn't equal politics, so you don't need to become a Machiavellian character to introduce more power into your career — nor do you need to betray your integrity!(...) Focusing your development on generating increasing levels of personal power will mean that, over time, you will become less dependent on the use of politics to create influence and success in your career. People with power don't need to be overly political, even though they sometimes are!" (Gautrey, 2008: 1).

2. Romanian ruling class after 1989 and citizen participation

Combining the perspectives (those already mentioned can be attached to the phenomenology and hermeneutics of power) we notice that what really defines the people as social beings, both in a "political society" and in a "non-political society" (Dragomir, 2005: 335) is the report of power or of authority which is established between individuals. Even within consolidated democracies it "express 'officially' (...) mainly a fundamental inequality: the one which the social stratification and social class system establish between individuals and between groups" (Balandier, 1998: 97).

Concerning this issue, in Romania, the formation of the leading groups is not stable over time. The transformation of the state's role and functions throughout history has influenced the selection of political elites, those designed to govern the country. The hostile development conditions of Romanian's evolution in various historical circumstances have made difficult to create a powerful, personalized, autonomous political class. The legitimate desire of the rulers to decide the historical destiny of Romania was always locked, abandoned or delayed, because the first thing that must be respected was the ritual of recognition by the major powers of the time. This had an impact on the composition and continuity of functions of the political class, historical succession, on its psychology, on the ruler's "ethos" (i.e. on the character and ethical principles that certain things are done, or not done). Before being recognized by their citizens as legitimate leaders, Romanian politicians who have held the highest office in the state (even today) are supposed to be recognized by the great powers. Therefore, their character has been rather marked by a internal political tact (and sometimes external), by a certain covetousness and less by a "social contract".

In the first years after the revolution of 1989, there were attempts to recover the Romanian political elite, as it was constituted in modern Romanian history by grouping its political parties. But unfortunately, the actuality of this difficult process, as well as the whole evolution of Romanian society and of its political institutions, marked by three dictatorships in the twentieth century is reflected in the political arena by the propulsion of a counter-elite.

Among the ideological parties grouped in ideological families (in the early '90s the political landscape of Romania was very variegated) were still dominant National

The political power and the personal power...

Salvation Front (FSN, which subsequently became National Salvation Democratic Front - FDSN, later Romanian Social Democratic Party - PDSR, and then Social Democratic Party - PSD), Liberal National Party - PNL, National Peasant Party - PNT. Also, PNL and PNT had in their turn "avatars": at some point from the Liberal National Party has separated a "young wing", and then The Liberal Democratic Party – PDL. National Peasant Party became The Democratic Christian Peasant Party which in 1996 together with other parties formed The Romanian Democratic Convention (CDR) and won the presidential election. Also, another parties as Civic Alliance Party (PAC), Conservative Party (PC), Socialist Labour Party (PSM), the Movement for Romania, the Great Romania Party, the New Generation Party, People's Democratic Party (PDL) - have been part of the political space. The ruling coalition within the range 2012-2014, the Social Liberal Union (USL), made up of three parties so different from the perspective of their doctrine (PNL; PSD; PC) that really, through this synthesis makes the difference of a specific political Romanian identity Romanian - recently has collapsed. So that, what seemed from the very beginning an utopia remained an utopia and an anachronistic model: a liberal state from an economically, politically and culturally point of view; a social states in terms of protection of citizens; a conservative state from ethically and religiously perspective. After the decomposition of USL, in the Romanian public space appeared a new political party resulting from the merger of PNL and PDL, under the name PNL.

The current political parties and politicians implicitly (selected by subjective criteria and not by specialization) are maturing slowly in the absence of credible political programs and of basic ethical principles. No matter whose party belongs, the political class does not represent the interests of civil society, but only those of its members (Constantiniu, 2009). The trend is towards an oligarchy, a phenomenon that marked the political life of modern Romania from its genesis to the present (As "exemplary" phenomena: the political struggles from Romania in the summer of 2012 that have "worried" foreigners, technocratic corporatism and bureaucracy). After 25 years of democracy, the anemic civic reaction to the abuses of political power that disregards the mere citizen power, demonstrates that personal power allowed by a democratic regime is not explored in a profitable direction. On the one hand, individuals-citizens limit their own power and the illusion of participation at the "ideal" level of virtual debate. In this respect, for example, about the phenomenon of the University Square in 2012, both the TV journalists as well as active participants at the protest action counseled the Romanians to manifest their solidarity and revolt not simply from the posture of simple viewers or Internet navigators. On some evenings, those present at the event mocked those who did not participate directly, chanting "Like! Like! Like". And on the other hand, whether the right or left, the representatives of the ruling class have the same mentality of government "landlords", entitled to make decisions, to control and dominate the population. Instead, the daily human side of the leader (real or symbolic) is fully exploited by the media. Unfortunately, despite the message that democracy is a regime in which the fear of political power was defeated, these unofficial or official appearances unconventional have not really a worthy message to enrich and reinforce civic culture. They fall into the category of questionable current entertainment where is not important the art of the "actor", but the directing and techniques used, the quality of the show being conferred only by the mere fact of being in front of an audience. There are of course notable exceptions, related to the restricted area of the genuine elites. The numbness and even the "sleep" of civic responsibility are maintained and even

deliberately cultivated by political leaders or “managers“ which have a great interest to govern a population or some employees subject, fearful, suspicious, distrustful of each other and in the their civic power, unsympathetic to an idea, which can be intimidated and manipulated.

In Romania, as noted Andrei Pleșu, “the concept of ‘power’ came to have its lowest meaning: the brute force. Public actors do not have only one goal, one focus (...). The ‘statesman’ want to be only men and nothing else than man” (Pleșu, 2013).

Conclusion

The Romanian political experience of the last decades proves that the understanding and the practice of democracy in the postcommunist age requires a “philosophical” view of the phenomenon of power. This was the reason why my study has focused on the main theoretical aspects of the relations between political power, authority and personal power, on the portrait of the leader and in the same time of the citizen whose current ”critical” activity is not taken into account by representatives of political power, on the characteristics of an individual power and the frame for the citizen political participation under a democratic widespred deception. For leaders and voters alike, the way to sustain candidates to be elected and thus the meaning of the democratic consolidation involve the growth of strong political parties.

From direct and participative observations I can say, after theorizing, that we are living in a paradoxical condition: even though our power in terms of civil rights is increasing in agonistic and deliberative democracy, the participatory aspect it getting smaller, and the trends of rulers to personalize the power and of individuals to associate it with particular persons are becoming more pronounced.

Of course, for this problem there are many solutions, but they depend only on the willingness to conceive democracy as a system where the dialogue is possible and its topic is the public interest.

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The political power and the personal power...

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ORIGINAL PAPER

The Scope and Limits of Czechoslovak Perestroika: the Case of Party's Programme

Martin Štefek*

Abstract

The paper discusses the scope and limits of Czechoslovak process of perestroika in the late 1980s. Firstly, the author describes historical condition and obstacles for launching reforms inspired by Gorbachev's 'reconstruction'. Subsequently, it summarises phases of the reform. The election of Mikhail Gorbachev as General Secretary of the CPSU Central Committee, 27th Congress of the CPSU in 1986, plenary session of the CPSU Central Committee in January 1987 and 19th All-Union Conference of the CPSU in 1988. All these events represent major milestones of Soviet perestroika and as well as they define qualitatively different phases of Czechoslovak reform process. While the period of 1985–1986 is characterized as a 'waiting game' and neutral attitude toward Gorbachev on the part of Husák's communist elite, during the second stage (1987–1989) the communist leadership admitted to start with modest reforms in the field of both the political system and economy. As a consequence of the reform process, differentiation and fractionalisation within the Czechoslovak communist leadership took place and resulted in personnel changes in Presidium of the KSC Central Committee and in the Czechoslovak government.

For the assessment of the Czechoslovak perestroika, the author will analyse the programme of the Communist party, which was approved by members of Presidium of the KSC Central Committee on the 10th November 1989 – one week before the Velvet revolution. Not only the content of so far omitted document, but notably its genesis and internal debates will be analysed. The empirical basis of the paper is largely grounded in the study of archival sources stored at the National Archives in Prague.

Keywords: Perestroika; Non-Democratic Regimes, Communism, Czechoslovakia, Transition to Democracy.

* Lecturer, Mgr., Metropolitan University Prague, Prague, E-mail: stefek@mup.cz.

The Scope and Limits of Czechoslovak Perestroika...

Introduction

As Archie Brown says, “*perestroika meant different things to different people at different times*” (Brown 2007: 17). In his monumental writing *Seven Years that Changed the World*, the author pondered about differentiation among the then ruling actors in the USSR and particular East-European countries. The same could be applied to the current contemplations among historians and political scientists. For some the process of perestroika is only one of many unsuccessful attempts to reform the Soviet-type regime. I consider the Gorbachev’s ‘new policies’ as a ‘catalyst’ of the regime-change. My perspective is based on Cohen’s understanding of the term ‘reform’, which does not have to be seen only as a move toward liberalization and democratization in the Western sense (Cohen 1979: 189). Following this perspective, the non-democratic regime of the Soviet-type is not approached as a rigid and un-reformable structure, but as a dynamical system changing and developing *within* the limits of non-democracy logic. In this respect, this paper does not deal with (Czechoslovak) perestroika *per se*. Analysis of modest reforms in the field of political system and economy generally reveals much about rigidity/elasticity of the regimes.

As for the Czechoslovak reform, social scientists have not uncovered much about this topic.* After 1989 historians focused, primarily, on dominant themes of contemporary history. Stalinism in the 1950s, Prague Spring in 1968, democratic dissent, the Velvet revolution in 1989 and the transition to democracy have been the most favoured areas of interest. For majority of specialists, implicitly expressed, it is not worthy studying something that had not been fully put into practice. Twenty-five years after the fall of Communism we know almost everything about every single singer of Charter 77, but little about functioning of the outgoing regime. The picture of communist leadership allegedly opposing Gorbachev could be seen as a generally shared stereotype. Comparing reform processes in East-Central European countries in the late 1980s, we must admit that Czechoslovak perestroika was rather bashful. I go along with David Mason according to whom there were three types of reactions on Gorbachev’s initiatives. After January 1987, Poland and Hungary “*welcomed the Soviet initiatives as a confirmation of their own policies and as an implicit sanction for further liberalization*” (Mason 1988: 437). On the other hand, East Germany and Romania refused to inspire and opposed to any reform impulses. Czechoslovakia and Bulgaria held the ‘middle’ position and launched modest reforms (Mason 1988: 437).

This paper tries to briefly demonstrate internal regime-development on the example of the genesis of the Party’s programme. It is predominantly descriptive. The findings are primarily based on archival research. The content of the article mirrors the conference-presentation.†

* In English language, it is worthy studying Saxonberg, S. (2001). *The Fall: A Comparative Study of the End of Communism in Czechoslovakia, East Germany, Hungary and Poland*. Amsterdam: Harwood. In Czech language, see Pullmann, M. (2011). *Konec experimentu: přestavba a pád komunismu v Československu*. Praha: Scriptorium.

† Some arguments contained in this paper are based on the text of my so far unpublished book *Za fasádou jednoty* (Behind the façade of the Unity).

Genesis of the Programme

On the 10th November 1989 from 9:00 AM, a regular meeting of the Presidium of the Central Committee of the Communist party of Czechoslovakia (CPC) took place. It was one day after the fall of the Berlin Wall and one week before the student demonstration in Prague, which set off so called Czechoslovak Velvet Revolution. Archival sources do not indicate anything uncommon. A simple transcript of the discussion retains neither nervousness of the members nor any other exceptionality (NA, f. 02/1, arch. j. P138/89, b. 0).^{*} Incidentally, the revolutionary events from Berlin were probably not discussed at all. Yet, the last regular session of the leadership before the breakdown of the regime was somehow special. The first item on the agenda was an appraisal and ratification of the Draft of the Party's Programme. According to the plan, the Draft was supposed to be publically discussed and subsequently in May 1990 finally approved by the delegates of the 18th Party Congress. Nevertheless, the Draft was eventually shed as a result of the epoch-making affairs of the following weeks. During the process of transition to democracy, no relevant participant (both communists and oppositionists) referred to the process of perestroika. That is to say, the modest pre-1989 reforms did not entail *liberalisation* as a phase of transition.

The programme was supposed to summarize, justify and explain principles of prepared reforms to Czechoslovak people. Analysis of the document could, I am convinced, say much about the *scope and limits* of the Czechoslovak perestroika and about the functioning of the regime during the late stage of its existence. The Communist party had not come up with any programmatic document since 1970. In this year, the Central Committee approved 'Poučení z krizového vývoje ve straně a společnosti po XIII. sjezdu KSČ' (*Lessons Learned from the Crisis Development in the Party and Society after the 13th Congress of the CPC*). 'Poučení' was a cardinal ideological canon of the regime. This document justified the process of 'normalisation'[†] after the military suppression of reform process in August of 1968. It defined 'what socialism is' and completely refused the democratization of the Prague Spring. The main initiator and author of the document, the Secretary of the Central Committee, Vasil Biľak, considered its content a universal guide for policy making. It is highly disputable if it served as an ideological guide for society. Rather, it imposed internal limits (besides external limits imposed by Leonid Brezhnev) for Czechoslovak politicians and party functionaries. The problem with 'Poučení' lies in the fact that after 1985 Mikhail Gorbachev started with changes that were very similar to the Prague Spring reforms. For Vasil Biľak and for other members of the 'conservative wing', it was very problematic to accept Gorbachev's initiative along with persisting on the principles of 'Poučení'. However, Biľak pronounced several times in the second half of the 1980s publically and internally: 'Poučení' is still valid.[‡] This idea constituted a significant obstacle for dynamism of the regime. Nevertheless, international environment and impulses streaming from the USSR were stronger than conservatism inside the communist leadership.

^{*} NA (National Archives), f. (archival fond), arch. j. (numbering of the meetings), b. (item).

[†] The term 'normalisation' means the revival of the monopoly of power (Otáhal 2002: 5). Czech historians apply it for the period from 1969 to 1989.

[‡] cf. *Rudé právo*, Vol. 67, No. 42, p. 1. (Interview with the Secretary of the Central Committee Vasil Biľak on the 20th February 1987).

The Scope and Limits of Czechoslovak Perestroika...

Although this paper does not aspire to provide deep analysis of the final stage of the Czechoslovak non-democratic regime, let us briefly describe the facts of the period. Czechoslovak perestroika could be preliminary divided into three distinctive phases (Štefek 2010). First two years after the election of Mikhail Gorbachev as General Secretary of the CPSU Central Committee could be characterized as a ‘waiting game’ and neutral attitude toward Gorbachev on the part of Czechoslovak leadership. Leaving out some changes in the field of foreign policy, Gorbachev had not come up with deep changes before January 1987 (see below). Theses that the Soviet leader articulated in 1985 and 1986 were generally accepted among the members of the Presidium. General ideas on ‘radical reform’ that Gorbachev presented to the delegates of the 27th Congress of the CPSU in 1986 were not taken in consideration seriously. Contrary to Hungary and Poland, Czechoslovak leadership did not start with reforms independently. Launching the Czechoslovak perestroika was induced externally.

For Czechoslovak people, the introduction of the (economic) reform came unexpectedly. On the 9th of January 1987 communist newspaper *Rudé právo* published 36 general principles for reconstruction of the economic system.* These principles became a basis for the later (1988) approval of the Czechoslovak Law on State Enterprise, the most important outcome of the reform. A sudden turn of the course was induced directly by the Soviet General Secretary. Absolute majority inside the leadership of the CPC was not in favour of any reforms. Since the early 1970s, the Presidium had been split into two vaguely defined tendencies.† There was a ‘conservative’ wing led by Vasil Biľak and his adherents Alois Indra, Miloš Jakeš, Jozef Lenárt, and Karel Hoffmann (all of which had collaborated with Soviet leadership in August 1968). On the other side, the Federal Prime Minister Lubomír Štrougal represented a ‘pragmatic’ or even ‘reformist’ wing. The latter was calling for modest reforms from the early 1980s, but its capacity to initiate some changes was highly limited.

Despite the fact that conservatives implicitly opposed‡ any reforms, they were not able to refuse the new Soviet course completely. Additionally, Vasil Biľak and his adherents were not used to opposing Soviet General Secretary at all. On the 10th and 11th November 1986, the General Secretary of the CPC Central Committee Gustáv Husák§

* cf. *Rudé právo*, Vol. 67, No. 7, p. 3. Detailed analysis of the Czechoslovak economy reform in: (Pullmann 2011: 75–93).

† I try to avoid using the term ‘faction’. That is to say, the groups inside the broader leadership were not organized; the boundaries between them were rather blurred.

‡ It is necessary to mention that Biľak’s conservative wing did not refused perestroika explicitly. They always stressed unique conditions of Czechoslovakia. On the contrary, the federal Prime Minister and his adherents considered the perestroika a universal programme for all countries in the bloc. Lubomír Štrougal revealed this difference publicly. On the 3rd March 1987 the *Rudé právo* published his critical speech concerning the intra-party factionalism: “*There is no need to conceal that there have been attempts to narrow the meaning of new ideas and experience of the Communist Party of the Soviet Union characterizing its current policy only to the Soviet Union itself. Whilst verbally acknowledging the revolutionary range of processes that take place there, in the same breath it is added that these are specific issues since the Soviet conditions are completely different. It is interesting to note that suddenly these views are spread by people who would previously recognize national specificities only if they were seen in the deep shadow of generally valid and natural principles and tendencies. They absolutized these general patterns then, now, for a change they are tempted to absolutize our specificities*”. In: *Rudé právo*, Vol. 67, No. 51, p. 3.

§ It seems to me that he held ‘centrist’ position between the two vaguely defined wings with moderate inclination toward reformists. He became a symbol of the regime despite the fact that he was not such a powerful leader.

Martin ŠTEFEK

took part in the meeting of The Council for Mutual Economic Assistance (COMECON) leaders in Moscow. According to the archival documents, Mikhail Gorbachev clearly said to the partakers that there were two alternatives: reforms or decay (NA, f. 02/1, arch. j. P20/86, b. 1). One week later, Gorbachev sent the stenographs from the meeting to Prague. Gustáv Husák decided to set this affair into the agenda of both the Presidium and the Plenum of the Central Committee. On the 4th December 1986, every member of the Central Committee was allowed to read original Gorbachev's ideas encouraging reforms initiation. At the turn of 1986 and 1987 it was clear that Perestroika would be integral part of the general discourse.

The concept of the Czechoslovak perestroika shifted significantly a few days later. The January plenary session of the CPSU Central Committee in 1987 could be considered as a turning point in the Soviet history. Mikhail Gorbachev managed to push a radical reform (democratization of the Party, change of the cadre policy, Law on State Enterprise) through the Central Committee. This act had a significant impact on Czechoslovak leadership as well. Without doubt, the absolute majority inside the Presidium was not in favour of the newest Soviet policy. Despite this fact, circumstances forced Czechoslovak politicians to deal with it; Gorbachev's initiative encouraged the until then relatively stable and inert regime to gradually change. There is a humorous story concerning the way of how this issue was (unintentionally) set into the Presidium's agenda. That is to say, it was very common in Czechoslovakia to publish uncensored translation of Gorbachev's speeches in the official newspaper. It happened so in the period from the 28th to 30th January 1987. *Rudé právo* published all the important documents of the CPSU Central Committee plenum.^{*} Naturally, their content was not in line with the predominant conservative views. Three weeks later, General Secretary of the Party, the President of Czechoslovakia Gustáv Husák, opened the 27th meeting of party's Presidium with these words: "*We published all Soviet documents. The society shall pose a question what we will do*" (NA, f. 02/1, arch. j. P27/87, b. 0). Indeed, the Party's newspaper, the alleged tool for propaganda and indoctrination, popularized and established serious discussion on perestroika (sic!). After long-running debate among the Presidium members, the ruling body decided on starting with modest reforms (Štefek 2010: 112).[†]

Despite a relatively consensual output, the relations between leadership members were not idyllic at all. The period from February to December 1987 was (besides the Prague Spring) probably the most dynamical time in the history of the regime in Czechoslovakia. On the one hand, the factional struggle for power and for the limits of the reforms brought out. On the other hand, many reform projects in the field of political system and economy were (unwillingly) prepared. The *scope and limits* of Czechoslovak perestroika must be seen as the result of the factionalism and disagreements inside the Presidium.[‡] At the end of 1987, the conservative wing ousted

^{*} cf. *Rudé právo*, Vol. 67, No. 22, 23, 24.

[†] The debates related to the January Plenum dealt with new Czechoslovak Constitution, the reform of electoral system for parliamentary elections, cadre policy, the status of the National Front, federalization of the Party, internal organization of the Apparatus, etc. Only few changes were implemented until the Velvet revolution.

[‡] Similarly to other ruling parties in the Soviet Bloc, the Presidium was the highest political organ in Czechoslovakia. After the 17th Congress in 1986, it consisted of eleven members: Gustáv Husák (the General Secretary of the Central Committee; Czechoslovak President), Vasil Biľak (the Secretary of the Central Committee), Peter Colotka (Prime Minister of the Slovak government), Karel Hoffmann

The Scope and Limits of Czechoslovak Perestroika...

the General Secretary Gustáv Husák (until December 1989 the President of Czechoslovakia) who moderately supported Štrougal's progressive line. The new General Secretary, Miloš Jakeš, approached the reforms with restraint. Moreover, during 1988 almost all adherents of the reforms left the leadership (including Lubomír Štrougal).*

At the first sight, the conservative tendency prevailed. In spite of their indisputable supremacy, the Presidium could not refuse reforms completely – neither internally nor publically. The 19th All-Union Conference of the CPSU in 1988 was the event of the highest importance both for the USSR and for the other countries in the Bloc. Theses declared by Mikhail Gorbachev in June 1988 went beyond the limits that he defined in the January 1987. While the ideas of 'January' would not be in contradiction with the logic of functioning of the Soviet-type regime, the resolution of the 19th Conference moved the USSR to the liberalisation or even democratization. There was a great aversion toward Soviet policies on the part of the Czechoslovak leadership. Yet, they had no power to *say no* to Gorbachev. In September 1988 the Party came up with the 'schedule' for the consequent reform implementation (*NA*, f. 02/1, arch. j. P86/88, b. 12). Notwithstanding, the third phase of perestroika could be considered yet another 'waiting game'. In summer 1988 the Presidium decided to call the 18th Congress one year earlier – in May 1990.† The further preparation of the reforms was significantly influenced by this timing. The Party worked on several concepts, which were supposed to be implemented after the approval of the Congress delegates. These were applied for the Party's programme as well.

Approximately two years after the initiation of perestroika in Czechoslovakia the Party admitted the need to generate a document summarizing the reform process. The Plenum of the Central Committee agreed the constitution of the special council established for the programme genesis.‡ Approximately one year later, on the 20th October 1989, the leadership met to discuss and evaluate the first version of the Draft. Obviously, the members of the Presidium were surprised or even shocked by the content and as well as by its quality. The simple hand-written transcript indicates general disarray among the partakers. The collective view expressed a member of the Presidium, Miroslav Zavadil, perfectly: "*The submitted proposal does not agree with my views, but I cannot say what it should look like.*"§ It was agreed that the Draft gets adopted by the

(Chief of the Trade-Unions), Alois Indra (President of the Federal Assembly), Miloš Jakeš (the Secretary of the Central Committee), Antonín Kapek (Head Secretary of the Party's Committee in Prague), Josef Kempný (the President of the Czech National Council), Josef Korčák (the Prime Minister of the Czech government), Jozef Lenárt (the First Secretary of the Central Committee of the Slovak Communist Party), Lubomír Štrougal (the Federal Prime Minister). Besides eleven full-members, candidates of the Presidium and other Central Committee Secretaries took part the meetings of the leadership.

* From 1971 to 1986 the leadership was very stable with only minor personnel changes. From 1987 to 1988 the composition of the Central Committee Presidium, the Secretariat and even the Federal Government changed significantly. The triumph of the conservatives was significantly influenced by Gorbachev alone, who refused to support Czechoslovak reform wing (cf. Saxonberg 2001: 127).

† For the first time, the leadership discussed this affair shortly after the 19th All-Union Conference of the CPSU (cf. *NA*, f. 02/1, arch. j. P78/88, b. 0).

‡ Cf. *NA*, KSČ – ÚV, zasedání pléna, zápis ze zasedání 10. a 11. října 1988 (The stenograph of the Plenum of CPC Central Committee held on the 10th and 11th October 1988).

§ That is to say, this attitude was not unique among the members of the Presidium. Many of conservatives shared the hostility to the Gorbachev proposals as well as awareness of the fact that the system had to be reformed.

'academia'. If the academia has produced this, it reflects its poor standards. I feel embarrassed to evaluate this document, but there is little time left until the Congress" (NA, f. 02/1, arch. j. P135/89, b. 0). The Secretary of the Central Committee, Karel Hoffmann, added: *"With such a programme the leadership would fail altogether"* (Ibid).

Three weeks later, the reconstructed Draft was set on the agenda of the Presidium. Its content indicates a significant shift of the acceptable *scope* of perestroika. First and foremost, it is the first party-document of such importance since 1971, which does not mention 'Poučení' at all.* The programme does not provide an innovative view on the Prague Spring, but it reinterprets processes of the early 'normalisation'. For instance, the authors confessed to mistakes during the purges in 1969 and 1970,† they criticised formalism, bureaucratism, and problems of the economy. The Draft even says that the then Party's effort to intervene in all spheres of the life led to people's alienation (NA, f. 02/1, arch. j. P138/89, b. 1). This kind of self-criticism could be considered as a precondition for any further reform-attempt. Moreover, some other passages of the document outline possible *limits* of the perestroika. As for the existing leading role of the KPC, the authors of the Programme do not call for it at all costs (sic!):

"The Party will continue to achieve a decisive influence on the political life and be in the forefront of the struggle for further social progress in the country. It recognizes that its leading role in the society is legitimate only, if the Party is able to be the force that selflessly serves the working class, working people, their interests, and if it can identify, formulate, integrate, consistently and decisively advance and satisfy their interests" (Ibid).

Some concluding remarks

The dynamics of the regime during the last year of its existence were predestined by the waiting for the 18th Party Congress, which should have taken place in May 1990. Indeed, something changed in Czechoslovakia in the late 1980s. The party and state leadership unusually expected far-reaching changes related to the resolution of the Congress, including the deep 'cadre casting' in the Central Committee. The Draft of the Programme (among some other outstanding documents) was supposed to be approved by the Congress delegates. That is to say, the content of the document had more likely the character of an anticipation of the post-Congress situation rather than the description of leadership's attitudes in 1989.‡ Although the analysis of the Programme is a relatively minor issue from the global historiographical perspective, its study leads us to two concluding remarks.

Firstly, tracing the genesis of the Draft, we can document a character of agenda setting and decision-making process inside the structure of the ruling party. The traditional view delineates an image according to which the power streams exclusively from the top to bottom. In the 1950s, this picture was essential for the sustaining the totalitarian model in the field of western 'sovietology'. Empirical study of the political process inside the Party retrospectively affirms theses of the proponents of 'pluralistic

* It is necessary to mention in this context, that the author of the 'Poučení', Vasil Biľak, quit the leadership in December 1988.

† Nearly 500 000 members of the CPC quit the party after August 1968.

‡ It is necessary to add that the members of the Presidium were well aware of the fact that there was a great incongruence between the societal will and the views of the CPC leadership.

The Scope and Limits of Czechoslovak Perestroika...

school', who pondered about the reversed flow of power, ideas and values (which are essential for the functioning of all social systems). It follows from my research that the dynamics and change of the regime consisted of a 'modest pluralisation' of political process. Inside the Party there was no relevant actor thinking of broader democratization of the system. All changes, albeit significant, were confined to the framework of the authoritarian structure. With the help of the Ludz's theory, we can argue that the effect of Czechoslovak perestroika in the field of political system rested in the strengthening of the 'consultative' aspects of the political process (see Skilling 1970, Ludz 1972). Even though the 'top' of the party structure had power to decide all the important societal issues, its capacity to influence the shape of particular policies was rather limited. Not only the 'top of the pyramid', but some other State- and Party-organs participated in politics.

Secondly, the authors of the Programme said, consciously or unconsciously, much about their understanding of the then existing world:

“Our relation to capitalism represents the socioeconomic formation; the launch of which is a great historical progress. In its development capitalism proved hugely adaptable. The most developed countries of this system have already managed to make use of and develop the scientific and technological revolution; in spite of the decline as the consequence of the socialistic and national revolutions. As a result of the struggle for the capitalistic labourers' rights and the effect of the socialistic world, it also enabled capitalism to successfully resolve a number of social issues” (NA, f. 02/1, arch. j. P138/89, b. 1).

The quoted passage says much about the authors' perspective. It seems almost unbelievable that party's Presidium accepted a view resembling main arguments of the convergence theorists. In 1960s, opponents of the totalitarian model refused the 'black and white' view to the functioning of western democracy and eastern totalitarianism. Although there were many variants of the convergence theories, the basic tenet was based on the idea according to which East and West is becoming more alike (Brzezinski & Huntington 1978: 9) Here, I would like to avoid discussing the credibility of such a theory. That is to say, its principals were very unpopular both in the USA and the USSR. Yet, we can argue clearly that the acceptance of such perspective makes the *scope* and *limits* of Czechoslovak version of perestroika very flexible. The then ruling elite was well aware of the fact that their era would finish in May 1990. It is highly difficult (and controversial) to anticipate the hypothetical post-Congress situation. Yet, one thing is clear. The Jakeš's leadership had no chance to continue. The prepared programme of the Party seems to be the basis for the intended shift of the reform-concept toward the convergence of socialism and market economy.

In the previous paragraphs I used the expression “waiting game” applied for the Presidium's attitude toward the new Soviet policies in the first and third phase of the perestroika. It is not worthy posing the question of what the Party's leadership was waiting *for*. For analytical purposes, it is more utile to examine the reason of the inaction. Obviously, this approach was not typical only for the implementation of reforms in the late of 1980s. That is to say, political process in Czechoslovakia after 1969 was predominantly *gradual*, devoid of revolutionary changes. Naturally, one does not expect deep transformation at all costs. Yet, lieutenants of the regime were not able to come up with objectively necessary reforms in the field of economy before the launch of the perestroika. As Lubomír Štrougal said to East-German Prime-Minister Willi Stoph in March 1985, there was no support for the reforms, neither in Czechoslovakia nor

Martin ŠTEFEK

abroad (Štefek 2010: 113). As noted above, there was no reform-zeal even after the disappearance of the great external barrier. Such a stability or even ‘rigidity’ was not based on conservative predominance inside the highest organs of the Party only. The ‘Immobility’ reveals much about the character of the regime. The kind of ‘waiting game’ was an integral part of the decision-making process before 1989. There exists a theory with great explanatory value that can systematize the arguments. In 1978, Valerie Bunce and John M. Echols employed the paradigm of *incrementalism* to explain minor changes in policies. They tried to utilize the concept which had been applied mainly to democratic polities (Bunce & Echols 1978: 913). Even though this experiment has not been generally acknowledged, it seems that it can explain much about (not only) Czechoslovak political processes in 1970s and 1980s. The authors tried to problematize the contention that “*communist polities differ fundamentally in their organization and principles from Western democratic regimes, and that these differences naturally lead to greater policy shifts than are exhibited in the West*” (Bunce & Echols 1978: 914). Bunce and Echols contrast western pluralist power structure and instrumental political culture with communist centralization and ideological political culture (Ibid). This contrast implies incrementalism in the former case and a great dynamism in the latter. Yet, there was incremental political process in pre-1989 Czechoslovakia, as noted above. So what was the precondition for the Czechoslovak ‘waiting game’ (a kind of incrementalism)? Firstly, there was an unquestionable lack of the ideological factor in political culture. Secondly, (and more important) there existed a kind of ‘pluralism’ (albeit not perfect) inside the political structure. The conflict between tendencies inside the highest organs (and between institutions) was not in favour to the resolute move forwards. Finally, it is worthy cogitating on the above ‘convergence’ in the context of Bunce and Echols’ arguments.

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ORIGINAL PAPER

The return to the democracy and the restitution of the land property

Florin Nacu*

Abstract

The communist regime of Romania used as a radical measure the nationalisation of the land property. After the Revolution of 1989, the restitution of the land was considered by the contemporaries as a natural measure, because it could influence the situation of the social structure of Romania. The destruction of the former Agricultural Production Cooperatives and the State Agricultural Enterprises conducted to the restitution of many land properties. Our study proposes to reliefate the way in which Romanian society was influenced by the partial reconstruction of the private property. The communist regime influenced the majority of young people to become workers and cooperator peasants. After the Revolution, the clash of the great industrial centers generated a return in the rural area of a great part of people which lived in the urban area, but this migration could not change radically the perspective of the social structure of Romania.

Keywords: communism, rural area, urban area, social structure, peasants, private property, workers, Revolution

* PhD, „CS Nicolăescu Ploșor” Social Humanistic Research Institute, Craiova, Phone: 0040761617067, E-mail: florin_nacu@yahoo.com.

The return to the democracy and the restitution of the land property

1. Historical background (1866-1918)

The social reform in Romania coincided with the radical political measures for the improvement of the international legal status according to the fulfillment of the wishes of Revolution of 1848, the national territorial unification and political independence.

The understanding of the socio-economic reconstruction stages required a basic analysis of the economic structures and the associated structures, trying to solve the complex problems identified in the Romanian society of the period 1859-1918 (Berindei, 2003: 56).

A main characteristic of the Romanian society is the influence of the political and economical factors having a medieval origin, perpetual economic dependence principalities of the Ottoman Empire, which, contrary to international regulations, engaged in Romanian domestic politics (Platon, 1985: 210).

Modernizing desires of a part of the nobility were used by the Habsburgs and Russians as evidence capable of supporting a probable territorial occupation, leaving these constructive initiatives in theory, weak in practice finality by low penetration capacity of the original message.

Great mass of people were dependent peasants, a small part were merchants, artisans (usually foreign subjects), while a minority owned most of the property, which gives political power.

The essential purpose of the study was the main features of the Romanian society, from the union in 1859, to the proclamation of the Kingdom in 1881. During this period, the most important commitments made by policymakers in Romania, starting in 1821 and continuing with the reforms of Alexander John Cuza, the adoption of the 1866 Constitution, legislative strengthening and independence (Durandin, 1988: 132).

We insisted on discussing the particularities of Romanian society, whose evolution from medieval to modern was accelerated after 1831, especially after the double election of Alexandru Ioan Cuza. Its bold reforms have been maintained, but the pace was rather slow. Essential contradiction independent Romanian society was that the gap between peasants, landowners and the bourgeoisie, the last two classes holding by the poll tax vote, political power, not willing to share with most people, on whose shoulders a press excessive taxation, poverty acute shortage of health services, consumer goods, the poor condition of communication. The two issues, rural election, which give added the third, Hebrew question were those that generated the main currents of thought: liberal, conservative, socialist (Osiac, 1997: 76).

We expose the main reasons that influenced the social and political stratification of different social classes. Our study gives researchers important data on the number and proportion of social structures in rural and urban areas. The sheer volume of information has been used in speech logic and the presentation of Romanian realities of the period studied. Social instability in the village and city of the Old Kingdom has been explicitly presented in terms of social classes will. Landowners and the bourgeoisie in the process of organizing and ideological maturity, promoted reform and progress, while peasants change their status and become a class that asks political rights. The workers are organized and start fighting for economic, social and political rights. Strengthening internal state determined internationally affirmation in a world where the great powers had shared their areas of influence and authority. Making nationally was essential, since

Florin NACU

Romania gets its official independence, managed to get out to sea in 1878 to take over Southern Dobrogea, in 1913. Part of the Triple Alliance political-military bloc, Romania makes peeling the allies in 1914, following national desire, which it carries out in 1918.

Internally, at the beginning of the study period (1860 census), about social structures, we can mention that 1,871,800 people working agriculture which accounted for 86.2% of the population, industry 114,900 (5.3%), transport 2,000 (0.1%), commerce and credit 44,900 (2.1%), education, worship, culture 8,300 (0.4%) in health care administration and 24,400 in army (0.1 %). Towards the end of the period (1912 census) in the same line of work parallels 3.1934 million representing 79.5% of the population, 8,200 industrial, 1,900 in transport, trade and credit 3,100, in education, worship, culture 800, Safety Sanitation 300, government, army 3,500 (Berindei (coord.), 2003: 598).

Regarding the constitutional evolution of the Romanian state, we note that the fundamental act of 1866 had two intended to preserve the social status of Romania. Article 7 shall deprive Hebrew nationality, and Article 12 prohibiting any change in property ownership, except for expropriation in the public interest for infrastructure projects. This is the paradox of Romanian society, a country governed by the few in their interest, while the majority of the population was at subsistence level, being deprived of political power. A special category, which could counteract the influence of the ruling minority financial bourgeoisie, was kept out of political power. Lack of land remains a constant of the nineteenth century, partly mitigated by the agrarian reform of 1864.

The law of rural property in August 1864 assigned an area of 1,766,258.2 ha of land to a number of farms 467,840 while remaining „expropriated landowners” 7,305,718.3 hectares of arable land, forests and pastures „in one place”. After the reform, the peasantry owned 3,226,334 ha which is less than half of which had large land area. However agrarian reform of 1864 has sparked interest untied the peasant masses that saw the group work and allotted (Creangă, 1913: 79; Dobrescu, 1999: 65-72).

This reform, the first in modern history had, as was natural limits. Peasants received land areas or "agricultural inventory" they needed for their maintenance and their families, and some were not given land at all. As a result, agriculture remains a number of feudal remnants that have been an obstacle to capitalist development in Romania. With the concentration of a significant amount of money in the hands of landlords workforce, the large landed estates gradually began to take place villager consented (Scurtu, 1968: 499-521).

The governors, who on the eve of independence war broke promised surfaces of land to the peasants, were forced by the imposing victories on the battlefield, to amend the law agricultural compacts. Thus, a total of 48,342 families of married couples and other villagers who had not received land in 1864 might receive the promised surfaces. Under the pressure of the masses of peasants had to vote Liberal cabinet in February 1880 a decision under which the soldiers received land application of state lands and Dobrogea, but few have accepted to be displaced from their native land to be given land, demanding the give land in estates close. Arbitrary application of the agrarian reform of 1864, the lack of property for new-married people or their appropriation of land located far from their native land, the harsh conditions of agricultural compacts, in the spring of 1888 led to the outbreak of a powerful revolt, which included a number of counties in Walachia.

The impressive number of petitions to the authorities made the ruling circles of the time to take some action: changing the law farming arrangements, concern

The return to the democracy and the restitution of the land property

municipalities to pay damages from the war and others. Most complaints made by farmers were that they had to dispose of some of the land received by rural law of 1864, they still pay "land taxes".

At the beginning of the twentieth century according to historical data, there were 408,502 families (48,27%) of taxpayers establish rural communities who lacked land. Among counties, the largest numbers of farmers deprived of land were in Dolj – 30,130, Ilfov – 26,361, Vlașca – 22,623.

The situation of the Romanian village that was completed by 4,171 large owners having up to 100 ha of which 66 with over 5,000 ha had the highest percentage of arable land, with the Conservative Party decision-making power still subject to limitation by the bourgeoisie class who led the modernization and national reunification.

Lack of agricultural inventory, price increase grazing tithe rent in increasingly higher prices for agricultural work listed in decreasing pacts on most estates, abuse authorities, tenants and owners of estates extremism led the peasants who grew the late nineteenth century and early twentieth century (Osiaç, 1999: 147).

A form of struggle of the peasantry, manifested after the war of independence, was the abandonment by the villagers of the homeland and establish in other parts of the country or emigrate to other countries.

The information in the period 1878-1888, recorded several cases where peasants made their own hands. The officers have been punished lessees, tenants, mayors, notaries, and innkeepers. The causes of violent behavior of the peasantry, in time, be reflected in the ways in which reforms have been implemented in 1864 and 1879.

The abolition of servile peasantry nearly 500,000 peasant families was added smallholders. Payment of compensation, insufficient inventory dead and alive, raising the taxes to the state, county and led common slow formation of a strong peasant classes. GD Vernescu mention in the House of Representatives in June 1875 „peasant state, which is down by burdening taxes”.

Winning national independence of Romania led to the removal of one of the main obstacles standing in the way of the country's capitalist development: dependence on the Ottoman Empire. The ability to freely conclude commercial treaties and customs of different countries has enabled the adoption of economic policies that favor industrial development of the country, a prerequisite for advancement modern Romanian state. In turn, the development of capitalist industry has direct consequences on other sectors of the economy: agriculture, capitalist banking system, internal and external trade, means of communications and transportation, etc. (Berindei, 2009: 317-323).

CD Creangă in 1907 estimates that the vast property of 100 hectares was owned by 4,171 estates with a total of 3,180,351 ha (54.72%). 920,739 farmers with up to 10 ha property had 3,153,645 ha (45.28%), without taking into account the woods, where a major role was played by the freeholders (condominium ownership) (Dobrescu, 1999: 65-72).

2. The enforcement and the decline of the democracy (1918-1945)

The most important achievement of the Great Union of Romanian politics after independence was the result of the interaction of the classes. The major role was that of the bourgeoisie and landlords as progress classes. A role becoming more visible in the implementation of the national and social program of the Revolution of 1848 began to be

Florin NACU

peasants, laborers that influenced political events and large-scale national and international events of the period (Iordache, 1987: 237).

They saw the real causes of discontent in part by proposing solving problems from the standpoint of class. Landowners proposed that land be given only to those „leaders” series that are able to work the land, the bourgeoisie villages rising during this period. Also, it further provides a series of measures inapplicable. To control and prevent abuse agricultural landowners and leaseholders will be established in one County Court magistrate acting as a control pacts agricultural, authenticate them, to supervise the use of communal pastures, to authenticate the documents for the sale of land. Agriculture was compacts price at the discretion of the owners, the court refraining from fixed rates to determine districts or regions. Rebels directed their complaints to local and county officials going to change and install them instead of people committed to their cause.

After the 1900, unrest and riots continued more intensively, especially in 1905-1906, because in the spring of 1907 to culminate new large-scale rebellion. The 1860 and 1912 censuses and surveys 1901-1902 industrial structure gives us a mirror of the active population spread over large areas of the economy. Note that is specialized population with a certain degree of training significantly increased more than twice, from 1860 1912. Industrial Survey of 1901-1902 mentions 37,746 people working in large industries (24,4%), 105,031 people working in small industries, handicrafts (64.6%), 17,853 Handful who worked in special industries , mills, saws, fuelling (11%). Administrative and technical sector of large industry in 2,421 was served by people who came after, fell into the middle class. Considering ethnicity, of these, 1268 were Romanian, 633 foreigners and 520 without a passport („unprotected”) (Stan, 1979: 55-62).

The middle class has experienced significant changes due to the modernization of the Romanian state. The above mentioned document gives the number of 71,000 enterprises, representing small industries and special industries. We mentioned that there were, at the beginning of the twentieth century 71,000 employers, representing the middle class. In the early twentieth century, the professions represented a significant part of the middle class. Thus, there were 1,325 lawyers and more than 100,000 people, professors, teachers, doctors, government officials. All this adds to the peasants who owned 10-50 hectares of dull and tenants. Representatives of the middle class were tributary but the imbalance between needs and possibilities of development of society maintained throughout the period 1859-1918.

The Countryside Act of 1864 and sales laws adopted by 1901, 629,389 peasants have obtained 2,562 ha as follows: 1864 – 467,840 peasants 2,826 ha in 1878 to 1,879 – „the law of the new-married” – 48,342 farmers with 9728 ha in 1881 – 4,970 to 23,069 peasants, 7,936 ha; 1889 – 1,615 peasants with 526,233 ha. All these laws have allowed the appropriation of up to 10 ha/lot. Also in 1881 and 1889, to 1,716 peasants were given 4,339 hectares. Their loads exceeding 10 ha. This remained unmodified until 1906.

The sale of estates of the state was insufficient to meet the need of land for the peasants and assumed political and economic goals.

In 1904, it was decided to set up the village communities, who could rent estates. In 1913, it was estimated a total of 495 rural communities with 77,000 members, but they only have 1/6 of the total area controlled by tenants.

The return to the democracy and the restitution of the land property

In the Parliament of 1911, 50% of seat occupants deputies and senators were for large landowners. Gradually, amid increasing as a share of tenants, more properties will be controlled by people eager to win, willing to use coercive forms of the peasants who worked on the estates, which criticized the C. Dobrogeanu Gherea as new-serfdom. Radu Rosetti emphasized the unconstitutional nature of the agricultural compacts that penalize farmers and opens the way to abuse.

United bourgeoisie increased organizational power and because the National Bank Law, the Law of encouraging industry, the 1887 Mining Law of 1895.

There is the growing attraction of large landowners to industrial, commercial and bancaire so that the separation between „bourgeois” and „landlords” would gradually fade (Iosa, 1982: 207).

At the end of the nineteenth century, the two currents, liberal and conservative political struggle continued on the peasant question. Conservatives declared themselves against fragmentation surfaces in small batches, demonstrating that 920,000 peasants who had about 50 of the country in small areas is a step backwards more than the 300,000 landless peasants . The desire to solve the agrarian question and riots were blamed on liberals. The latter, consistent doctrinal ideals, believed that a country with a well-defined social structure could not have a developed bourgeoisie and poor peasantry. Neither before nor after 1907 vigor liberal reforms was not expected. As profiling framework gaining independence made possible reform of 1864, the external environment and this time could be the trigger fundamental reforms and electoral property.

After secularization of church clergy remuneration issue, as well as maintenance of places of worship has become increasingly pressing. The initial solution to the allocation of land parishes failed to improve the situation. To redefine the role of the Church in society, the Romanian state has engaged increasingly more institutional reorganization of the Church, both in the church hierarchy and the regular clergy. Successive reforms of the second half of the nineteenth century have transformed the internal organization of the Church, now suffering a process of “rationalization ” but also to impose state control at all levels.

The reorganization process in the Church life in the principality (later in Romania) has affected not only monahil¹⁸ but ordinary clergy. As a result of secularization, the Church runs most of its heritage and the support of the clergy is a problem becoming more dramatic. Long debate, a lay clergy Law was adopted only in 1893. As a result, the proportion of clergy in the population was gradually limited, purely economic considerations of efficiency: the number of parishes, and the ordinations was limited. The law defines the number of parishes in 3,031, he may only increase with population growth (a parish at least 400 families of believers), priests who exceed this number being considered supernumerary existing continuing to work in parishes, but he limited the number of ordinations. By this law, the clergy were treated as servants. It was also crept differentiation criterion based clerical education. The law establishes the principle of funding from the state budget (or, depending on the category, the local community) to pay the priests, differentiated by type of community (urban/rural), depending on education (seminar/university) and the role fulfilled parish (parish priest or auxiliary) (Drăgușin, 1957: 92; Bujoreanu, 1872: 172).

With population growth, the number of parishes increased again so that in 1913 there were 3,834 parishes from the 3,031 set twenty years ago in law lay clergy. The

Florin NACU

number of churches in the same period amounted to 6766 (including churches subsidiaries) and the number of priests had approx. 380,020 .

In the census of 1860, the data analyzed by Leonida Colescu the United Principalities were registered 30,417 traders, 59,869 artisans, 22,811 civil servants, 6,066 teachers, 9,702 priests, laity, 318 lawyers. Although the statute could not be personal property, due to the training, we can consider among the bourgeoisie and a number of 8,750 monks and nuns.

„Middle class” of rural peasants were represented by the 10-50 hectares of land owners, merchants, priests and teachers. They are supplemented by tenants who stood by income class approached the large landowners.

The economic situation of this social class was hard. Thus, between 1860 and 1912, the percentage of stone and brick farmhouses evolved from 1.8 to 9.5% and 1,4 rooms, to 2,2. They are added to 270,000 homes with a single room and 42 000 huts.

Social and political status of Romania, in the first decade and a half of the twentieth century show the concentration of political power is in the hands of large landowners, followed by bourgeois and wealthy peasantry, a large gap from the general population, to bear taxation regime compacts, military obligations, living in poor conditions with limited literacy education. Exponents current conservative rhetoric (especially Constantine Argetoianu) continue to be redundant in the sense that they require „educating peasants” and agrarian reform and election, while the Liberals, from 1913, considered in their political program that was necessary to reduce this gap. It is in this context that the National Liberal Party took the initiative constitutional revision in 1914, the purpose of the expropriation of landowners within certain limits and adopting single Electoral College Knowing the book. The initiative was designed to bring new doctrinal clarifications to the Conservative Party and a tough political battle in Parliament, the press, public meetings. If all politicians recognized the need to amend the disparity between the high and the low property and improve the situation of the peasantry by assignment, differences arise as to how to achieve them. Liberals were in power advocates expropriation landowners, specifically the large land properties, the compensation limits agreed with the opinion of conservatives and Democrats (Maciu, 1973: 343). Conservative Party’s traditional supporters considered sufficient allotment lands in possession of state lands dead hand, purchased the Rural House, expropriation is illegitimate, unnecessary and dangerous to the mood of the Romanian society. Apart from the principle of unique college supported by liberals, conservatives democrats they thought more suitable system of two colleges, and traditional conservatives preferred the existing system of three electoral colleges.

With the outbreak of World War I, the reforms have been left in the background. In 1917, when two-thirds of the national territory was occupied by the enemy, the government, the army and some people were in Moldova, the Parliament of Iasi, due to the need to ensure the participation enlivened the last resistance of the peasants, but also dangerous because of spectrum order of destabilization caused by the socialist revolution in Russia, decided to resume the project of reforms in a more extensive manner. They were considered the expropriation of more than 2 million ha and universal suffrage. Despite the continuing political confrontations and differences, the results have exceeded expectations. Romanian society, in addition to the need for democratization, has to face the possibility of materializing national aspirations of unity of all Romanians who, at the end of the war, became a reality. If representatives of the National Liberal Party have found the ability to adapt to weather through these reforms,

The return to the democracy and the restitution of the land property

Conservative leaders were aware that the struggle for survival, which in early interwar became impossible, and because the label of „collaborationist” given to the Marghiloman government, which remained in Bucharest (Iosa & Lungu, 1977: 243).

Expropriation decrees of 15 and 16 December 1918 (followed by the agrarian reform laws of 17 and 30 July 1921) and the organization in November 1919 the first parliamentary general elections based on universal suffrage represented the end of a political process started in, 1864. Need to strengthen the Romanian national state impose a new Constitution with a strong democratic, on 29 March 1923. Basically, we believe that the principles of the Constitution of 1866 dominated the Basic Law of 1923, that in fact it was not only an improved version, driven by new social and political- territorial configuration of Romania.

In 1921, Romania had the major reform of its entire history. Were expropriated properties bigger than 250 ha, in plain, 100 ha of the properties rented at the date of introduction of law. Until 1937, in Romania were expropriated 4 millions ha. In Romania only 2700 properties had more than 500 ha, and 9,500 properties under 100 ha (Hitchins, 1994: 363-364).

This was generally speaking the situation of the land property until the end of democracy in 1945.

The nationalization and collectivization (1945-1952)

In the field of the land property, the process of land nationalization started in 1945 being known as “collectivization”. Initially, this reform was imagined to take 1.5 million ha from the owners who detained properties over 50 ha to be redistributed to peasants, which conducted at a medium land property of 5 ha.

In 1948, the nationalization was extended to all landowners with no regard to the dimension of the property. A small number of peasant in the mountain who remained un-collectivized. The action of „collectivization” consisted in „convincing” peasants to enter collective farms, until 1948, by imposing a quota of their crop benefits to enter in the state property (Directorate General for Internal Policies policy department, 2010: 98).

After 1952, the state authorities used force and imprisonment against the peasants which refused the idea of collectivization.

The democratical renaissance

At the end of 1989 state collective farms had 86% of the agricultural land of Romania (Directorate General for Internal Policies policy department, 2010: 98).

In the contemporary history of Romania we can make a distinction between three major periods (Scurtu, 2010: 123):

- I. 1989-1996 – the period of a left-wing governance, on which the problem of the restitution was not considered a priority
- II. 1996-2000 – *restitutio in integrum*- a right-wing governance which did not succeeded to accomplish this difficult task
- III. 2000-2005 – the period of a left wing governance in which the major objective was the entrance of Romania in NATO and EU when the reforms were strongly recommended by the European Commission.

Florin NACU

IV. 2005-2010 – the problems of restitution of the property were in attention of CEDO and other international judgment institutions.

The main legislative acts of the restitution of the property were the Governmental Decrees (42 and 43 in 1990) by granting property rights to members of the collective farms (CAP) within the limits of 0.5 ha per property.

In 1991, Law 18/1991 on land resources was issued to remove partially the Decree 42/1990. The law entrusted local commissions at the level of each commune, town or municipality, under the supervision of a county level commission appointed and led by the prefect. He coordinated local commissions which were led by the mayor/deputy mayor and was formed of the general secretary of the town hall, citizens - representatives of property owners, specialists in forestry, water, agriculture, legal advisers working in the town hall or other state institutions.

In 1991, the entrusted people could receive lots of up to 10 ha per person with additional limits on land ownership to 100 ha per family, but no less than 0.5 ha, with interdiction to sell the land for 10 years.

During the communist regime, the agricultural sector was divided into state farms IAS (28%, 411 state farms), and collective farms CAP (65%, 3,776 cooperatives).

If we discuss the legislation progress, we consider that the major milestones are the Law on Land, Law no.18/1991, Law 1/2000 and the Law no. 247/2005.

We generally consider that the institutional and legislative background applicable to the land ownership in Romania has been major influenced by the political factor.

The communist regime of Romania used as a radical measure the nationalisation of the land property. After the Revolution of 1989, the restitution of the land was considered by the contemporaries as a natural measure, because it could influence the situation of the social structure of Romania.

The destruction of the former Agricultural Production Cooperatives and the State Agricultural Enterprises conducted to the restitution of many land properties. Our study proposes to reliefate the way in which Romanian society was influenced by the partial reconstruction of the private property. The communist regime influenced the majority of young people to become workers and cooperators peasants. After the Revolution, the clash of the great industrial centers generated a return in the rural area of a great part of people which lived in the urban area, but this migration could not change radically the perspective of the social structure of Romania (Mogoș, National Journal: 2011).

The government of Romania tried to make a procedure to keep the land united, as in process of „comassation”. In Romania, the restitution of the property was the object of the following institutions: National Authority for Property Restitution, Ministry of Agriculture, National Agency of Cadastre and Real Estate Publicity Fund „Property” R.A.P.P.S., The Union Notaries and the National Order of Surveyors.

According to the Law 18/1991 counties Covasna, Sibiu, Prahova, Brăila, Buzău, Constanța, Tulcea, Bistrița-Năsăud, Neamț, Bihor, Sălaj, Satu Mare, Arad, Hunedoara, Timiș, Dolj accomplished their restitution of the woods surfaces.

According to Law 1/2000, the restitution of woods properties were accomplished until 2005 in counties: Sibiu, Constanța, Caraș-Severin, Dolj și Mehedinți. In other counties, the process passed the year 2005, being enregistered the following situations: Brăila (28.7%), Buzău (55.5%), Bacău (51.9%), Iași (47.9%), Bihor (56.8%), Satu Mare (57.6%), Arad (66.6%), și Hunedoara (28.5 %) (Nichiforel, 2005: 35).

The return to the democracy and the restitution of the land property

The total percentage in the field of woods properties restitution was 82.7% (85.2% physical persons, 86.4% associations, 89.0% churches and 78,7 territorial-administrative units).

Concerning the PIB, the agriculture and the woods industry offered in 1989 – 13.7 % and in 2000 – 11.4% (Nichiforel, 2005: 35).

In 1989 in the rural area were 27.5% of population and in 2000, the percentage grew up at 40.6%.

In 2000, the private sector had 8.098,3 thousand ha agricultural field, from 9379,74 ha, 500 thousand ha of wine, fruit land.

From 736 IAS (State Industrial Enterprises) in 1989, in 2000, were privatized 113 and 158 closed by judicial decision, 67 were in procedure of closing and 398 were in process of privatization (Position Document of Romania: 23-25).

The laws adopted in Romania had many articles which did not offer a clearly determination.

In the first ten years after the revolution, in Romania produced a change in the occupational profile of Romania. After closing of the great industrial centers, after the failure of many privatisation procedures, a lot of the inhabitants of the cities came in the rural areas at the houses of their parents.

In 2010, from a total surface of 14,8 millions ha, 6,8 millions are not laboured (Bâtcă, Evenement of the Day: 2011). 30 % of the active population works in agriculture. The failure of the privatisation, and of the restitution process conducted to the small surfaces, the absence of modern technology and the dependence of the crop by the evolution of the weather.

The introduction of the SAPARD funds helped the development of the IMM (Middle and Small Enterprises) in rural area. It was generalised the system of rent. In the wine, fruits and vegetables area, there were a lot of factories closed and a good part of production goes to the sustainability of the small peasant property.

We can consider as a conclusion that the governments of Romania did not have the intention to make a real procedure of restitution. It was more important to ensure a „political capital”, for the former workers and peasants instead of restitution to former landowners many of them living across the frontiers of the country.

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ORIGINAL PAPER

The relationship between the State and the Romanian Orthodox Church during the communist period

Veronica Gheorghică (Ion) *

Abstract

In Romania, the communist powers will impose the atheistic principle as the state religion, turning his attention to the final eradication of religious beliefs. During this period, the Romanian Orthodox Church came to a dead end because the Church was dealing with a social and political hostile partner. Between the two types of reporting to the political context (open struggle against communist power for fully meeting its mission or accepting an intervention of the state in the administrative life of the Church by giving up certain specific missions), the Romanian Orthodox Church decided not to openly oppose the regime, but rather to create a spiritual strength. There was the conviction that an official attitude towards the decisions of the communist state would jeopardize their existence and the possibility to continue, in any form, its mission as spiritual training and guidance of the people.

Keywords: religion, Romanian Orthodox Church, State, communist period.

* Assistant Professor, PhD, University of Craiova, Faculty of Law and Social Sciences, Specialization Sociology, Phone: 0740458527, E-mail: veronikaion@yahoo.com.

Veronica GHEORGHÎĂ (ION)

Communism, as moral, social and cultural doctrine, aimed the radical transformation of society through the creation of a new conception of man and his existence. The state's commitment aimed at creating a superior being called "the new man" and removing his opposite, the old man, devoid of socialist principles. The material basis of communism "is the ability to produce an abundance of goods, while the social basis consists, among others, of the social lack of private economic property, inequality of wealth and power and oppressive state institutions"(Johnson, 2007: 80).

"As political myth, communism promised the immanent salvation, the chance to get prosperity, freedom and equality. In fact, during the twentieth century, the communist vision of the world became fundamental to the totalitarian political experiments that led to terrible human costs" (Tismăneanu, 2011: 16). In this context, religion was understood as one of the "worst enemies" of the state and therefore there were used various means of oppression attempting at nullifying its influence and strengthen the ideological power of the new regime: abolished religious cults, destroyed places of worship, arrest of clerical staff, persecution of believers and constant supervision and control of church activities, etc.

From the beginning, in Romania, the communist party tried to remove from the people's consciousness the idea of the existence of God, in order to create a new society based on atheistic truth. Religion ended up being defined as nonsense, a false ideology used for preserving the unproductive past and a major obstacle in the way of development. Having become a fearsome enemy in the implementation of the new order, the political power will use force and persuasion to take the citizens out of the influence of religion. Despite the fact that the strategy, intensity and methods changed in time, usually it was intended that the regulation of the religious market be done through the strict control of the process of religious demand and offer.

Also, "it was consistently sought that the Church restricted its activity only to the liturgical plan, being removed from the army, prisons and places of social protection. Confessional schools were abolished and hospitals, asylums and other philanthropic institutions were taken over by the state, which exclusively assumed the charity - philanthropic function, to support the poor, the sick, the orphans, the elderly" (Ministry of Culture, 2008: 12).

The communist government, aware of the fact that the secularization of society depends on the elimination of the people's religious demand, focused on the physical and moral terror of religious people and clerics. In this regard, there are three stages:

- The aggressive war against God, religion and Church through investigations and arrests;
- The temporary stop of anti-religious activity, such as the denouncing of clerics, persecution of religious people and public abolishing of church dogmas. The fight against religion will become the responsibility of specially trained people, devoted to the communist ideology, who will perform supervision activities;
- The attempt to destroy religion from within, without using the means of terror, which only strengthened people's faith.

Therefore, the State pursued to eliminate the public and private religiousness of the individual by turning political every aspect of life. A first step was legally prohibiting religious celebrations and mentioning the state ones, with holidays for the citizens: January 1, May 1 and 2 (International Workers' Day and Youth Day), August 23 and 24 (the National Holiday of the Socialist Republic of Romania).

The relationship between the State and the Romanian Orthodox Church ...

Besides those, there was also celebration of special events that took place in the Soviet Union, as well as specific ones (youth days, pioneer days or women's days etc.). They attempted to stimulate the patriotic feeling, engagement and solidarity, by involving all the citizens in parades, rallies, decoration or honorary title awards. They were very important, both from the point of view of promoting socialist ideas, and as a means of structuring family life, community and society.

In December of 1952, the communist regime, through the Bureau of Executive Committee of the General Labor Confederation (GLC), attempted to transform the two bank holidays around Christmas, that is December 25 and 26, into normal business days. In order to avoid tension in the population, a compromise was reached: December 25 remained a bank holiday, without any religious connotation, and December 26 was transformed into a regular business day (Vasile, 2013). Step by step, toward the end of the '50s, the country's leaders imposed business days on all big religious holidays, and the bank holidays were only those decided by the government. By actively involving the citizens on the labor market, the socialists were hoping to reduce the time given to religion and, eventually, eliminate the interest in traditional religious ceremonies and rituals.

Even though they could not prohibit religious pilgrimages, which took place especially on the occasion of important religious holidays, the communist leaders used ingenious means to discourage this type of activity. For instance, in 1962, at the Nicula Monastery pilgrimage on the occasion of the "Assumption of the Virgin Mary" celebration, actions were undertaken to reduce the number of participants: the compulsory use of population in secular activities, forbidding the priests in the nearby villages to leave their parishes on August 15, restricting the involvement of the bishop of the area in the events at the monastery, organizing check points on the road to the monastery in order to demoralize the participants, and supervising the actions of the crowd through the infiltration of people loyal to the communist dogmas. The people of the village were also prohibited from offering services (food and accommodation) to the pilgrims (Enache, 2010).

The situation was the same in the case of religious ceremonies marking the three major events in the life of a person: baptism, marriage and funeral. Even though they were not prohibited, their following, in a self-proclaimed atheistic or free-thinking society, became difficult or even impossible. In many cases, they were being celebrated, in the church or at home, usually secretly or even very quietly. The fear of repercussions for this religious behavior was also amplified by the lack of certainty concerning the people close to you, because the campaigns of supervision of the citizens were accompanied by the demand of the communist leaders for exposure or unmasking of those who were breaking the laws of the state.

On the other hand, party members were prohibited from entering a church and especially from taking part in any religious ceremony. Any violation of this provision led to strong punishment, such as exclusion from the party, investigation or prison.

In fact, any behavior that did not fit the standards of the state was labeled as illegal and punished accordingly. These punitive measures not only limited or annihilated the "enemies of the state", but also aimed to destroy any potential for resistance and opposition. "Because everything the citizens did had political meaning, the political infraction and deviation from the norm ended up with a very loose meaning, leading to the abusive treatment of a large number of people who, for the most part, had

Veronica GHEORGHÎĂ (ION)

almost no interest in politics and did not have a predilection for questioning and, even less, endangering the power of the party-state” (Hollander, 2011: 62).

The education system aimed to impose a new soviet model, having been turned into a “device for control and discipline, designed for creating a new communist ethic and a New Human Being, capable of creating its future without the help of retrograde religious ideas”(Gog & Herțeliu, 2012: 337). For this reason, since the establishment of communist power, the activity of theological schools was tightly controlled, the religious studies were removed from the school curriculum and the religious insignia in schools and public institutions were replaced with those of the communist power: the president’s picture and the country’s coat of arms.

The removal of religious studies wanted to stop the religious socialization of children, considered the greatest obstacle in the transformation of the young generation into devoted members of the Communist Party. The atheization was supposed to be imposed through raising the ideological nature of the school curriculum, the spreading of a materialistic and non-religious way of thinking and the performance of socialist activities during the students’ free time. Nevertheless, the religious education of children continued in the family, the official documents underlining the building of a spiritual resistance against these methods of control.

Thus, people tried to oppose the official rules, maintaining a certain degree of independence and freedom in their private lives. Avoiding a direct confrontation with the authorities, the people developed its spirituality in a small environment, outside the direct control of the socialist powers. Even though they attended religious sermons and followed the main rituals of the big holidays around the year (coloring eggs, caroling etc.), the people tried to protect itself through the symbolic “acceptance” of the substitution of religious holidays and traditions with secular ones. For instance, nationwide, Father Christmas was replaced with Ded Moroz, who had no connection to the celebration of Christmas, and came from a far away and cold country to bring gifts after December 25. By replacing the name and moving the arrival of Ded Moroz to the end of the year, the country’s leaders attempted to draw the collective attention to New Year’s Day.

During the communist era, the winter holidays began on December 27, with the “winter tree celebrations” and ended on January 3. The main event was the New Year, announced by the “Plugușor” (a group of people go from house to house and perform special songs to announce the beginning of the New Year) and the decoration of the winter tree. The moving in space and time of the winter holidays and rituals aimed to remove their religious signification and draw the attention to the country’s accomplishments and the establishing of new goals for the year to come.

Nevertheless, the state-imposed secular ceremonies and rituals did not gain important meaning in the lives of the individuals, which was proven by the fact that they did not remain in the people’s consciousness after the Revolution of 1989. On the other hand, the religious ones were supported by their symbolism, the richness of the rituals and the seriousness of the ceremonies performed during religious events.

Studying the relationship between State and Church in the communist period becomes a difficult action for two main reasons: the complexity of the relationship between the two institutions and the reduced amount of information, the researcher having a limited access to official documents (both the state and church’s).

The communist leaders repeatedly expressed their position on religion and religious cults. The ideological aspects concerning the relationship between Church and

The relationship between the State and the Romanian Orthodox Church ...

State were made clear, especially between 1947 and 1951, by Stanciu Stoian, Minister of Cults. The revising of the relationship between the state and the cults was based on the Marxist concept, which promoted the interest of the masses, of the working class, representing the people, the fight against inequality, and wished to build a new society ruled by the proletariat, social solidarity, industrialization and the generalization of state property.

In socialist Romania, the anti - religious policies imposed by the communist regime left their mark on the organization and functioning of religion, contributing to the decline of the churches' legally recognized status. However, the measures imposed did not affect the religiosity of Romanians to the same extent as it happened in other states under communist government, because there were alliances and compromises with the political regime itself.

The supervision and control activity, exercised by the communist state on religious cults, aimed to remove the excessive devotion towards a particular religious doctrine. Solving the problem of proselytism was considered a priority, the events and attitudes of "religious fanatics" brought a threat to the communist ideology by the increase in the number of believers and the inevitable incitement to riot.

From this point of view, in 1948 the Security will be established, an instrument of terror and law enforceability, and since 1949, the state will constantly and violently intervene in the life of cults, especially the Catholic and Protestant ones, whose activity was considered harmful by the religious extremism that they spread among the population. The Orthodox Church did not escape either the supervision or interferences of the communist powers in the life of cults, but their interference occurred in a less aggressive and invading manner, as the church activities were considered less hostile and disruptive towards the state.

Suppression of the Greek Catholic Church and the legal recognition of four neo-protestant cults (Baptist Church, Seventh-day Adventist Church, Apostolic - Pentecostal Church of God, Evangelical Christian Church) were classified among the regulations of elimination of proselytizing actions and reduction of number of religious adherents. By decree no. 358 of December 2nd 1948 it was approved the abolition of the Greek Catholic Church by state authorities and its integration into the Orthodox Church: "after Greek Catholic cult of the local communities (parishes) returned to the Romanian Orthodox cult and according to art. 13 of Decree no. 177/1948, the central and statutory organizations of this cult, such as: Cathedral, Dioceses, orders, congregations, archpriestships, monasteries, foundations, associations as well as any other institutions and organizations, under any name, ceases to exist."

Believers, but also a part of Greek Catholic priests, under the influence of threats and unable to exercise their religion, switched to orthodoxy or preferred to stay in the Catholic cult, by attending Roman Catholic churches. However, in many cases, although watched by the security, part of Greek Catholic clergy and believers opted to pursue an illegal activity and attend the place of worship, despite the restrictions. In rural areas, there was an increase in the number of Greek Catholic followers, those inclining to take part in rites typical to the religion they belonged to, the rosary being mentioned (Presidential Commission for the Analysis of the Communist Dictatorship in Romania, 2007: 268).

Neo-protestant churches became a real concern for the communist regime, their work being considered exclusively proselyte. Outside the four legal neo-protestant denominations, the rest were called "cults" or "anti-national groups" and were

Veronica GHEORGIȚĂ (ION)

outlawed. The state's concern towards their activity increased with the impressive number of followers, during 1944-1959. While the other religions manage to capture the concerns of the faithful in a very little extent, the neo-protestant ones, appreciated the head of the Cults' Department, D. Dogaru, manage to almost completely capture the interest of believers in religious matters, while decreasing their concerns towards social, economic, cultural and political issues (*Ibid*: 283).

Although, overall, most churches made their presence felt in the life of Romanians, there were observed different degrees of decline between religious denominations. Legal provisions adopted by the communist authorities and the atheist policy to diminish the influence of religion among the population had a smaller impact on the Romanian Orthodox Church, than on others religions.

Between the two types of reporting to the political context "the open fight against the new communist system and the attempt to fully implement its mission, or give up some of its special missions and accept an interference of the state in its administrative life" (Popescu, 2010: 245), the Orthodox Church is capable to establish a "modus vivendi with the communist power, to ensure its survival and lead to minimal losses from the regime" (Voicu, 2007: 26).

As major and dominant religion, the Orthodox Church played an important role in building the Romanian people, as well as in preserving and asserting its identity, as Christian born people and it has remained so until today.

And yet, how can the persistence of orthodoxy in socialist Romania be explained?

Christian Smith, in his article *Why Christianity Works: An Emotions-Focused Phenomenological Account*, assigns Christianity interesting and compelling practices, which many people find interesting. Also, Christianity builds to the believers an image of a deity which understands, forgives and gets involved.

In addition, "orthodoxy is understood by its members as a living faith, which means that the primary source of renewal lies in the experience of the divine. In orthodox understanding the church becomes a community of people experiencing the divine, united around liturgical practices" (Naumescu, 2007:18). Therefore, the church is described as place for prayer, of contact with divinity from the perspective of collective religious experience.

"Romanian Orthodox spiritual tradition turns out to have been through the ages alive and uninterrupted. The latest research -and they far from being exhaustive- have found in Romanians a true vocation for perfection, of realization by the means provided by local spiritual of a human honest type, body and soul, free from passions, beautiful and kind, self and beauty loving, in harmony with himself, with nature, with others and with God" (Plămădeală, 2010: 355).

Also, the ritualistic practices of Orthodoxy become the best ways of learning the teachings of the church and overcoming moments of weakness and misery. Making them jointly with other believers gives a state of excitement and safety, where "man himself lives within him, lifted and tastes his future exaltations, including his eternal life in God, the Spirit of love and communion with God and His people" (Stăniloae, 1970: 737).

Also, orthodoxy has always been represented as an element of national consciousness, its historical, social and cultural role contributing to its integration into the life of the Romanian people: „the people gives the church a national character. The conflict appears between the rigidity of the doctrine and its relative welcoming by that

The relationship between the State and the Romanian Orthodox Church ...

people, without whose welcome the mere idea of a national Church disappears” (Iorga, 1908: VI).

Given that Christianity was present since the formation of the Romanian people, the Orthodox Church, in the words of the poet Mihai Eminescu, becomes its “spiritual mother”, having contributed to the regeneration of our people’s spiritual structure.

In addition, the church played an essential role in the building of the Romanian people’s history by being involved in the fight to affirm the people’s existence and involvement in national conflict resolution. In this way, it was allowed the “partial penetration in everyday and cultural life of the ecclesiastical and liturgical life” (Clément, 2005: 9).

Therefore, “between the state, in its most important expression, the Government, and the Church, an institution that leads the spiritual lives of the people, strong connections are established, caused by common interests, aiming for the maintaining of the collective consciousness of the Romanian people (Ponea, 2011: 18-19)”. From a political point of view, the Orthodox Church, through its hierarchical servants, priests and monks, was involved in the national freedom and social justice fights, as well as for the national unity of Romania (the Rebellion led by Horia, Cloșca and Crișan in 1784, The Revolutionary Movement of Tudor Vladimirescu of 1821, The Union of the Principalities in 1859 and the Grand Union of December 1, 1918). Throughout history, certain high priests were councilors of rulers, or even replacement rulers.

Apart from their religious purpose, the Orthodox Churches and monasteries also became “cultural centers”, thus fulfilling an important creative and cultural role. They are considered as the first education centers, having hosted the first schools or printing presses, and having designed the first books of religious teaching, secular works or textbooks.

The orthodox religious establishments, such as monasteries, paid particular attention to intellectual formation, becoming, in the words of Nicolae Iorga „universities of the people”. The first schools, either elementary, secondary or higher, appeared close to monasteries. We must mention the Romanian school close to the “Saint Nicholas” church of Șcheii Brașovului (1495), as well as schools such as the ones of Putna Monastery, “Three Saint High Priests” Monastery of Iași, founded by Vasile Lupu and *The Romanian Academy of Bucharest* founded by Constantin Brâncoveanu.

Given that the church was the only institution that received the approval to found schools in the mother tongue, inside it appeared the so-called *confessional schools*, supported financially by the church, where the clerical staff usually taught.

The Orthodox Church, according to Oliver Clement, gives an individual a profound feeling of belonging and cohesion through the organization of time and space.

Thus, time still follows the rhythm of religious holidays, which consist of habits and ritual scenarios intending to celebrate religious divinities (the Holy Trinity, the Virgin Mary, saints, apostles etc.). They have a strong impact and, implicitly, are better preserved and more spectacular if they take place in large units of time (year or season) and less important when they aim for small units, such as day or week.

In Romania, depending on the living environment, religious holidays are known and followed, their cyclic nature giving the feeling of unity. Beyond the fact that they

Veronica GHEORGIȚĂ (ION)

regulate and structure life, they create subtle connections in the entire society, as people go through similar experiences.

In relation to the state it tried to maintain cooperation and harmonious relations, avoiding becoming a rival or competitor of it. However, the “Church-State symphony was never symmetrical in the sense of equality of similar forces, but always asymmetrical and uneven” (Ministry of Culture - State Secretariat for Religious Affairs, 2005: 13), existing both a form of protection as well as of subjugation from the political institution.

Olivier Gillet in the book *Religion and nationalism. Ideology of the Romanian Orthodox Church under the communist regime* offers some perspectives to consider regarding the relationship between Church and State in terms of ecclesiological perspectives. In terms of autonomy, the Orthodox Church could “legislate only on matters related to its nature, the state control being able to be exercised only in relation to its external manifestations. By this autonomy is guaranteed the canonical separation between Church and State, based on the principles established by the Transylvanian Metropolitan Andrei Șaguna in the 19th century (Carp, 2009 :144).

The state realized that completely prohibiting religion would be a favorable step for the church. Thus, they ensured a legal and institutional framework for practicing religion by introducing religious freedom in the Constitution. Nevertheless, this was not a conciliatory attitude between State and Church, religion still being considered a threat and, thus, aiming for the eradication of all religious mentality and attitudes. Even though religion went through “a more complex trajectory, which, despite religious persecutions, drastic regulations of church activities and political secularism, survived in the private circles of families” (Gog & Herțeliu, 2012: 336).

The initial report between the Romanian Orthodox Church and the Communist State (1944-1965) can be thus periodized (Tudor-Pavelescu, 2004: VIII):

- The stage of consolidation of the communist power, between August 23rd 1944 (the state which will bring the Communist Party to government) and February 27th 1948 (death of Patriarch Nicodemus). The government, from its early months of installation, initiated a strong wave of arrests among priests over a year, the harsh intervention of communist powers led to a notable increase in the number of clergy imprisoned in camps.

The legal framework of communist repression emerged once 1944 ended, when on October 8th it was approved Law no. 486, which aimed towards the foundation of a committee of clerical institutions' control. The law for cleaning public administration aimed at removing officials who did not serve the interests of the state, by promoting arbitrary attitudes and involvement in extremist, paramilitary organizations. The purification of the state system was completed by Law no. 217 in 1945, when many servants of religion and theologians were dismissed. From November 1946, one could notice more and more actions of incarceration and censorship.

- The stage between 1948 and 1959 presents the first years of Patriarch Justinian Marina at the head of the church and the anti-monastic state repression. The period was marked by several special incidents, namely: the expansion of investigation and arrests' wave of priests and the intervention of the new patriarch in favor of the jailed ones (sending a telegram to the Ministry of Religious Affairs requesting correctness for the arrest measures), massive arrests of clergy and monks in the Orthodox monasteries, considered legionnaires or promoters of events adverse to

The relationship between the State and the Romanian Orthodox Church ...

the state, the monastic reform by issuing the decree 410 of October 28th 1959 which stated restructuring among monastic personnel (by decree 410/1959 young monks were evacuated, the men who were not aged 55 being forced to leave and for women those who were not yet 50) and closing monasteries which could not work due to lack of staff.

Also, on numerous occasions, the Patriarch underlined the need for collaboration between the State, a human institution that wants to offer people a decent life, and Church, a divine institution whose purpose is the spiritual redemption of people. This collaboration was obvious in the speeches and written messages of the Patriarch, where he was telling the people to accept the law and obey the decisions of the state. For instance, regarding the ideas depicted in the Constitution of 1948, he said that “the Romanian Orthodox Church notices that the new constitution contains principles that guarantee the free practicing of religion. Thus, the principle that the whole power of the state comes from the people and belongs to the people complies with the principles of the Bible... Every man must work...By establishing the obligatory nature of work, the new Constitution guaranteed the right to work” (Enache, 2005: 59-60)

- The stage which took place between 1959 and 1965 includes the actions of Patriarch Justinian Marina that will contribute significantly to unlock and shape the relations between institutions. His speeches bring to focus the idea of Romanian unity and the contribution of the Orthodox Church in the building of the national identity and the people’s consciousness. Thus, since the 1960s, the Church also took an ethnic dimension, apart from the social one.

Although the Church-State relationship suffered deep changes when the communist regime came into power, the Church autonomy towards the state was maintained over the centuries, including “in a minimal form even during the communist regime, since the Constitution of the People’s Republic of Romania or Socialist Republic of Romania did not expressly provide for a separation between State and Church” (Ministry of Culture - State Secretariat for Religious Denominations, 2005). In 1965, art. 30 from the Constitution include the only normative of division of the two institutions: the separation of national education from church, leaving the possibility to only train religious personnel in schools especially open.

In 1970, the State Council will issue the decree no. 334 of July 13th in which “the principle of State domination over the Church was replaced by the principle of harmony or cooperation between the two institutions” (Pădurețu, 2013: 112).

In Chapter II of the decree that regulated the tasks, structure and operation of the Department of Religious Affairs, and the ability to exercise on behalf of the state the supervision and control over the religions recognized by law, are provided tasks of:

- monitoring and controlling of cults’ activity;
- keeping the provisions established by law on the relations between religions and external cult relations;
- drafting reports to recognize the status of cults and giving the authorization to perform their function to persons about to go among the staff of worship cults;
- authorizing the establishment of dioceses, monasteries, educational institutions for the training of religious cult personnel and other cult organizations.

Veronica GHEORGIȚĂ (ION)

Communist powers tried to obtain absolute cooperation from the Romanian Orthodox Church, to legitimize its existence and help spreading the atheistic ideology. Its action strategy was based on acts of aggression, control and manipulation, as well as moral degradation of the church and the clergy by spreading rumors, compelling priests to prepare sermons in writing, public humiliation of some clergymen and opening investigations for “inappropriate behavior”.

By far, the greatest pressure on the Orthodox Church by the communist regime was the one directed against the clergy (priests and monks). It manifested through harsher investigations and sentences in their case (including death sentences), direct attacks on the families of political prisoners (expulsion from houses, physical aggression, expulsion from schools of children), confiscation of material goods and distribution of prisoners in labor colonies. Based on these manifestations forms it was promoted the idea of identifying Orthodox clergy with Legionnaires, most of those arrested until 1965 being classified as belonging to the Legionary Movement. Also, as a form of enmity, communist authorities blamed priests for the incarceration of secular population who listened to them.

Therefore, over the entire period, the authorities opted especially for the solution to undermine religion in interior, by infiltrating in it people attached to the regime, to obtain information about the churches and believers. They were known as delegates or representatives of the Department of Religious Affairs, whose task was to prepare reports and briefings on the religious behavior of believers (degree of church attendance) and the representatives of the clergy.

Thus, “their work task was to regularly report the presence of the believers in church on holidays and Sundays, to find out if that priest was *deeply mystical* - that is if he fulfilled the duty of pastor of that community or, on the contrary, if he believed in the *new social order*, whether in church believers met outside the Holy Mass” (Rădulescu, 2012: 18). If irregularities were observed, the delegate made a report, accompanied by a warning to the person in question, which subsequently could be used to open investigation files.

Also, the control of the Orthodox Church was assured by issuing regulations to restrict the institution range of action and ultimately lead to a decrease in the institutional influence of the church among the population formed as atheistic. In its turn, the Church, conscious of the need to avoid an irremediable conflict with the State, understood to be of the people side and showed an open attitude towards the actions of the communist powers.

According to the communist leaders, the Romanian Orthodox Church may fulfill the tasks outlined by the government through priests and religious people, who have a double affiliation: they are part of the people, but also citizens of the state. Thus, the priest, as a citizen, must fully obey the laws, and as a spiritual guide, must help the people live better lives and raise the people’s standard of living and cultural level. (Enache, 2005: 27)

The Church became useful to the state because it fundamentally contributed to the spreading of socialist teachings. Therefore, the regime requires it to “play the part of a propaganda institution that promotes among its followers the project of the future society, in virtue of the principle that, serving the interests of the people to which it belongs, it may not oppose anything that contributes to the well-being and happiness of the people: the collectivization of agriculture, the nationalization of production means,

The relationship between the State and the Romanian Orthodox Church ...

the unmasking of the enemies of the people and the acceptance of class antagonism”(*Ibid*: 28).

Thus, the configuration of a social role of the church and the identification of the priest with the will of the people are means of altering the orthodox teachings. Nevertheless, there are notable differences in the ways in which they are perceived: the state wants an identification of the communist ideals with those promoted by the Orthodox Church, while the Church uses them to explain its endurance in a secular society.

In the fulfillment of the tasks imposed by the state (supporting the actions of the party and the good performance of the activities of the cult), the Orthodox Church did not always accept the content and appropriate means for fulfilling them. Moreover, the idea of a Church with an active involvement in the life of its people, in a time when it had become a source of legitimacy, justified its mere existence.

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Veronica GHEORGIȚĂ (ION)

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ORIGINAL PAPER

**The restoration of religious monuments in
post-communist Romania**

Alexandrina Pădurețu*

Abstract

After the demolition and systematic destruction of the churches in the communist period, special attention is given to Romanian cultural heritage since 1990. Thus, under the Ministry of Culture and National Heritage, have started many activities of conservation and restoration of churches and monasteries assemblies damaged and intentionally degraded in the communist period. Restoration interventions have been conducted so as to achieve a balance between the historical and the aesthetic point. Also, another aim is to keep as much of the original in the process of restoration of monasteries and church painting, without producing a historical and artistic fake or without removing the traces of transition through time of the work of art.

Keywords: restoration, communist regime, political life, religious monuments, monastery, church, mural painting.

* Restorer Lecturer, PhD, University of Craiova, Faculty of Orthodox Theology, Specialization Sacred Art, Phone: 0763778967, E-mail: alexandrina_paduretu@yahoo.com.

Alexandrina PĂDUREȚU

Starting with the year 1990, after the fall of communist regime, the Church began to gradually regain its function and role, religious education began to be present again in society, and particular attention was given to cultural heritage and especially the churches.

Thus, after 45 years of communism, a first step made by the Ministry of Education and Science has been to reintroduce religion as a discipline in pre - university education, after being forbidden as a school discipline (Ministry of Culture, State Secretariat for Culture, 2006: 17).

A proof of the decisive role of the Church in the spiritual life of the Romanian people is its state during the communist regime, having in the Church the most powerful and consistent opponent. However the regime did not dare to forbid it, as has happened in some neighboring countries and during the communist period continued to exist over three hundred convents and monasteries (Firuță & Ion, 2006: 15).

Regarding the places of worship, there were resumed and initiated numerous activities for their conservation and restoration, as well as the frescoes taken from churches and monastic ensembles totally destroyed or degraded, following their systematic demolition and destruction during the communist period.

The first restoration data in our country appeared in the year 1698, when a painter called Radu demanded to repair the portrait of the voievod Michael the Brave from the Saint Nicholas Church of Scheii Brașovului. (Meteuș, 1929: 115), the manifestations of an official interest for historical monuments appear for the first time in 1974 (Kázmér, 2003: 27).

A census of the historical monuments of Romania was performed by the historian Alexandru Odobescu, who was responsible with creating a historical documentary archive, emphasizing the issues concerning the preservation and restoration of mural paintings in the studied churches (Mureșan, 2012: 15).

The action to save and restore monuments in Romania began with the establishment of the Commission for Historical Monuments in 1892 and the election of Nicolae Iorga as President was instrumental in initiating operations of restoration of monuments in Romania. Under the auspices of Nicolae Iorga and with the support of personalities like Nicolae Ghica Dudești and George Balș, the Historical Monuments Commission managed to restore many monuments in the period between the two world wars.

The most eloquent example is presented by the Hurezi monastery ensemble, monument of the age of Brâncoveanu, which during 1910-1930 was among the first restoration sites of the Historical Monuments Commission. The correct and careful interventions rehabilitated the ensemble also affected by the general history of the monastery places of the 19th century. An ample restoration of the entire monument took place between 1960-1970, when the inside and all the churches belonging to the monastery were investigated and restored, preserving the original aspect. (Popa, 2011: 234)

Starting with the year 1955, there were established laws regarding the preservation especially of architectural heritage, also being approved a new list of historical monuments. Due to the wars, the general attention was directed towards preserving and restoring the architectural appearance of the monument, the mural restoration being neglected. This changed in 1968 when there were founded the first monastery church sites at the church of Cozia Monastery and the Church in Strei, to restore the mural painting.

The restoration of religious monuments in post-communist Romania

In our country, the actions of the former Commission for Historical Monuments, have not always given the expected results. In the year of 1952, at the Museum of Art of Romania was established the first systematic workshop for the restoration of easel painting with unsatisfactory results, which were gradually enriched with other departments of restoration, among which we can remember the section of graphics, sculpture, wood, etc.

Here were also formed the restaurateurs of museums in other cities of the country. A section of the mural restoration was created in the recent years in the Institute of Fine Arts "Nicolae Grigorescu" . (Nicolescu, 1979 : 82-83).

But much has been said about Romanian heritage protection as historical and legal fact and much less about the evolution of the concept of conservation-restoration as fundamental cultural phenomenon, as a comparison with what happened in European culture. (Mohanu, 1996 : 9).

With the involvement of ICCROM (The International Center for the Study of the Preservation and Restoration of Cultural Property) and the Direction of Historical Monuments in 1972 on the site of the Humor Monastery, there was developed a methodology for the traditional conservation and restoration, following the value of the heritage monument, a particular attention being paid to the preparation of the restoration documents. The rigorous methodology of conservation and restoration and the scientific requirements initiated and developed at Humor Monastery were continued after 1989, with the establishment at the National University of Arts in Bucharest, of a division of Conservation and Restoration. After the fall of communist regime, an important role in the development of conservation and restoration is occupied by the fact that restoration divisions were opened at the Faculties of Theology in the country.

The preservation-restoration intervention means making efficient again a product of human activity. If the product is considered a work of art, the functionality of the object is only a secondary aspect. "Restoration is the methodological moment of recognition of the work of art, in its physical consistency and its double esthetic and historical polarity, in order to transmit it to the future" (Brandi, 1996: 33).

The first and most important action undertaken in order to treat a work of art is scientific documentation, consisting of analysis, tests, written, photographic and drawn documentation. All of these types of documentation are usually necessary in order to emphasize the technological aspects of the conservation status of the studied objects, the types of degradation existing on the surface of the painted layer, as well as the proof of evolution of the performed interventions.

The degradation of the work of art is the undesired effect of various causes, with an uncontrolled evolution, being a chain of physical and chemical processes that progressively alter the aspect, shape, nature and resistance of the materials which form the objects. These causes are interdependent, which creates conditions favorable for another one to start acting. Sometimes the effect can appear late after the cause starts acting and it may continue for a long time after the cause is removed. This shows clearly the need for analysis, a technical and historical inquiry on the work or monument, in order to reconstitute the chain of causes and effects in time that led to the present degradation. Carefully recording and analyzing the changes to the work in time, we can decide and then act efficiently on the causes, removing them or reducing them, and ensure the long-term protection of the monument.

Therefore, the degradation means the loss of several initial features of the works of art, both on the surface, and in their structure. The most fragile to the action of the

degradation factors are the objects made up entirely or partly of organic matter, such as the wooden churches, which have mural paintings.

One of the most important principles of contemporary restoration is that to conserve and preserve the integrity of the monuments. In the restoration process there must used materials compatible with the old ones and the traditional techniques of work, and each intervention on the monument must be reversible and aim to give the original aspect of the monument (Popa, 2011: 233).

In the case of Humor Monastery, the conservation and restoration operations in the '70s were confined to emergency operations to save the church that is, only strengthening the paint layer. After the earthquake of 1977, when Ceaușescu suppressed the Commission for Historical Monuments and ordered the destruction of many monuments, particularly religious ones, the preservation and restoration works of Humor were interrupted until 1993, when they were resumed on emergency. The methodology established by the international team in 1972, subsequently completed within the project in 1994, led to the conservation and restoration interventions conducted starting with 2004 (Dubrăvician, 2012: 37), interventions that imposed new investigations to reformulate some methodological steps necessary due to the high degradation of the mural paintings. Restoring the church of the Humor Monastery, starting with 2004, had as primary operation the recovery of the adhesion layer, peeled and powdered inside the church, strengthening the depth of the plaster layers and building a new methodology for the operations of removal of coarse deposits of dust, smoke and tars.

Consolidations in depth had to be made because in the bottom of the church walls there were phenomena of loss of cohesion of the plaster layers, due to capillary moisture and salt crystallization.

Peelings and powders of the paint layer were found in areas where there were most earth tone pigments, i.e. the surface of the hands and faces of saints and in architectural scenes and landscapes. After the consolidation of the paint layer it was also performed the operation to remove adherent deposits, arising from the action of physicochemical factors and the anthropogenic one.

Given that the varied structure of the works of art also involves a multitude of solutions to choose in order to restore and give the work a final esthetic presentation, if it has areas of missing matter, a rational method must be ensured, depending on the character of that piece for treating the missing areas of the support and, especially, in the painted layer.

Humidity is one of the worst causes of monument degradation and, in the case of mural paintings, is the main and most devastating cause. Identifying the origin and removing the humidity are the first measures to be taken before intervention on the painted layer. The existing types of humidity that have the most effect on the external and internal painting of the churches are infiltration humidity, caused by flaws in the roof or exposure to rain, capillarity humidity, which can be found in walls after contact with humid soil, condensation humidity which appears on cold surfaces, variable humidity caused by the heterogeneity of the hygroscopic materials and induced humidity or humidity caused by humid air that comes from the soil.

There is a tight correlation between temperature and the relative humidity of air. Thus, a hydrometric diagram shows that the air contains a larger quantity of water vapors when it's hot than when it's cold. After a certain temperature, the continuous heating leads to a decrease of relative humidity. The condition is for the absolute

The restoration of religious monuments in post-communist Romania

humidity not to be very high, because in that case the temperature must increase very much in order to reach a satisfactory relative humidity.

In case of frescoes, an important part is played by the devices for measuring superficial humidity and wall humidity, for monitoring and acting efficiently, both during the restoration process, and during the preservation of the monument, on the degradation factors caused by humidity.

There are many types of degradation caused by humidity. It dissolves and disintegrates certain materials and transports soluble salts, whose crystallizing leads to weathering. In the case of a fresco, the capillarity water brings salts from the ground and attracts the salts in the plastering, which it brings to the surface, where they are crystallized when they dry, bombing the entire area. Following crystallization, the salts may cause efflorescence outside the wall or, inside it, cryptoflorescences, which they develop inside the pores. In both cases, a struggle may happen between the expanding crystals and the walls of the pores and one of them loses, depending on the resistance of the materials.

If the plaster is stronger, the crystal is expelled and the efflorescence appear and if the walls of the pores do not resist and break, the weathering of the plaster takes place. In most cases, both phenomena happen simultaneously, because the materials are not homogenous and have a varied composition.

The veils and salt crusts that blur mural paintings are the most unaesthetic and disturb the vision. They affect both the aspect and integrity of the color layers and can be seen both in the lower registers as well as the top ones of the painting. There are numerous cases of mural painting, which after removing the efflorescence, are unrecoverable. (Istudor, 2011: 305)

In most cases, these crystallization of salts are the ones causing a strong degradation of the surface color layer, because the formation of the crystals attracts color particles. This phenomenon is found particularly on the lower side of the walls, especially in the monasteries that are being restored, such as Arbore and Probota. In these situations, the color layer was brought back to the support layer by pressing it with a roller, through Japanese paper, on which salt solubilizing bolsters were applied until the crystallizing phenomenon stopped (Boldura, 2013: 77).

At the Voroneț Monastery, on the lower side of the Southern and Northern entrances and on the West wing, where Judgment Day is pictured, the physical and mechanical action of the salts, associated with the frost-thaw phenomenon caused lacks of support, especially in the lower registers marked by capillarity humidity. In order to stabilize the de-cohesion process, it was necessary, first of all, to eliminate the capillary humidity and then clean the surfaces through mechanical means, up to the surface of the painted layer. (*Ibid*: 81).

Humidity is the main cause of monument degradation, causing dillations and contractions of the supports, especially the flexible ones, detachments of the painted layer, especially given that they already have lacunae or crackles and creates environments favorable to microorganisms. In case of mobile patrimony, where the work is on organic support and primers of natural clay with chalk dust, the humidity causes clays to weather, molds appear and the wet wood supports are attacked by xilophagous insects.

Relatively very low humidity values, between 20-40%, can cause significant losses of hygroscopic moisture content of the paint layer support, a process that causes

the appearance of stiffness and then the appearance of frailty and losses of support material. (Deac, 2008: 22)

Over the limit of 70% relative humidity and at more than 25°-30°C, the mold develops in optimal conditions, especially since the storage area is not aired and the work sits in the dark. The materials containing cellulose are attacked, such as cloth, paper, cardboard, wood, leather, animal and vegetable clays. The limits of acceptable humidity for works of art are between 45% and 50% , with a maximum limit of 65%, and the optimal temperature is between 15° and 18° C during winter and 18° and 23° C during summer.

It is advisable to stop the temperature and humidity fluctuations and the dryness caused by central heating eliminated in the case of church monuments. These oscillations cause a sudden loss of water from the structure of the work, changing the volume, which leads to crackle and breaks, the materials becoming thus friable. Frost alternating with successive heat cause very big temperature fluctuations, which lead to dilatations and contractions that can even destroy stone.

A very common problem in the case of monuments and works of art, caused by excessive humidity and dangerous variations, is the alteration of pigments, especially those containing excess stuffing materials. Thus, some pigments can darken very much in time.

In case of churches Monastery Humor, Saint George the New of Suceava, Probota, Arbore, Sucevita, the massive deposits which were formed over a period of time on the surface of the frescoes, were made of tar and dust, also with the consistently participation of condensation. So, this layering of tars and dust in periodical condensation created a thick layer of fat and compact deposition.

Tars are fat particles from the incomplete combustion of the wax components from which candles are made of, which often has a heterogeneous composition, being rarely formed only of beeswax, which is the least harmful. Within the composition of the candles there is paraffin, microcrystalline wax, parts not fully refined of oil, at the time of combustion resulting very fine carbon particles, which are the result of complete combustion product and tars. Tars cause the fatty, sticky deposits and contribute to reinforce the adhesion connections of the dust and dirt depositions, and fine coal particles absorb the corrosive gases in the air, thus achieving corrosive concentrations such as CO₂, SO₂, NO₂, etc.

Starting with the site of Humor and according to the requirements and criteria for restoration of ICCROM, through the Direction of Historical Monuments, restoration and emergency interventions were continued also at the monuments in northern Moldavia like the church of Sucevița, Arbore, Voroneț and Moldovița Monasteries. At these monasteries belonging to the UNESCO list of monuments it was specifically intervened to restore the exterior paintings, which were most affected by the microclimate.

The recurrent changes in the moisture content of the support layer created strong internal stresses due to differences between the interior and exterior structure of the paint layer, thus causing continuing tensions that resulted in adverse effects on the paint layer. Another factor that participated in the degradation of murals is sunlight, by issuing ultraviolet and infrared radiations, causing discolorations of frescoes. Since the painted surfaces were located outside, they supported in time the action and effect of wind movement, winds with dust, sand and various other particles, causing also erosions of the paint layer surface.

The restoration of religious monuments in post-communist Romania

At the same time in the twentieth century, air pollution acted over the polychrome layer, with its compounds of acids, alkali or sulfuric ones, which microscopically have contributed to physicochemical changes and reactions.

In 1994 at Stavropoleos Church and Doamnei Church in Bucharest, a test was made for measuring particulate matter, the measured value was of 0.10 g/m³ and the maximum CMA permissible concentration was of 0.075 g/m³. Particulate matter was composed of soot particles due to combustion of different fuels such as gasoline, diesel, gas, kerosene, fuel oil and wood, and fat particles had great grip especially for decorated components (building materials, stone, wood, frescoes, etc.).

For sulfur dioxide, the measured value was of 0.03 g/m³ and CMA of 0.06 g/m³, and nitrogen dioxide has the measured value of 0.07 -1g/m³ and CMA of 0.04 g/m³.

Other monuments of the 17th and 18th centuries, similar in terms of architecture with Hurezi monastery, which entered into restoration, were also Stavropoleos Church in Bucharest and Văcărești monastery (Ștefănuț, 2008a: 78). The three monuments present elements specific to the Wallachian architecture from that period, elements specific to the national style, namely the building body open to the outside, like the porch open on the arches, used for both religious architecture as well as housing architecture. (Ștefănuț, 2008b: 19)

With the fall of communism in 1989, the openness towards the West was possible and implicitly the access to various restorative materials which hitherto could not be obtained, which led to the improvement of the methodology of conservation and restoration of paintings in the fixed and mobile heritage, as well as frescoes removed before the revolution from the monuments completely destroyed.

In the category of historical monuments destroyed by Nicolae Ceaușescu starting with the year 1977 we can mention Enei Church, Albă Postăvari Church, Cotroceni Monastery, St. Vineri Church, St. Vineri, St. Treime Church, Văcărești Monastery, St. Mina Church, Pantelimon Monastery, St. Spiridon Vechi Church, these being some of the 20 monuments destroyed only in Bucharest.

Văcărești Monastery was built during the reign of Nicolae Mavrocordat, between 1716 and 1724, when it was built the church, abbey, royal house, refectory, cells, and the first enclosure wall with entrance tower. Since 1923 the monastery set up a printing press and a Greek school, existing there also the ruler's library, considered at that time the largest and most complete in Europe. In 1848 the monastery becomes prison, maintaining its function of place of worship until 1863, when the place of worship is disposed. (Martin, 2012: 78). In the year 1974 an extensive restoration project starts, systematically and with professionalism restoration teams dealing with the restoration of the monument and the removal of additions, keeping only the original elements. Thus on the eve of 1977 the Chapel and part of the Abbey, the east side that included the Royal house and the Gallery on two levels were almost completely restored, and the church was to be preserved and restored. It was wanted that in Văcărești to be opened a Museum of Romanian Culture or National Museum of Religious Painting. (Leahu, 1996: 51).

After the earthquake of 1977 the Direction of Historic Monuments was abolished and restoration Văcărești Monastery was interrupted, and in 1984 it was decided to demolish the monument. By 1986 the whole monastery ensemble was demolished, a small part of a church mural painting, approximately 120 m², was saved by restorers with the extraction operation in harsh conditions, when the church was already in a stage of collapse. (The National Museum of Art of Romania, 2008: 134)

Alexandrina PĂDUREȚU

The essential principles of the conservation - restoration process led to the reconversion interventions to a new support of the extracted paintings. First, there were considered the principles of minimal intervention, of material reversibility and used methods, leaving the possibility for further future interventions (Gheorghiuță, 2013: 51).

The frescoes belong mostly to the History Museum of Bucharest, but part of the frescoes are still preserved and restored now at the National University of Arts in Bucharest. The extraction of fragments was performed by the stacco method, the paint layer being detached with its plaster holder, this method allowing the deployment of large areas of the painting. For the extracted fragments special supports were made to sustain them and ensure a good stability throughout the restoration operation, as well as to be able to be exposed later in an exhibition.

By recovering and preserving the original mural painting fragments, it is once again recognized the image of historic and artistic monument of the Church of Văcărești Monastery, the made restoration and reconversion operations being able to be further researched, preserved and better appreciated in the future (*Ibid*: 53).

Other fragments of mural paintings that have undergone a process of conservation - restoration are the ones extracted from the episcopal church of Curtea de Argeș. The fragments, patrimony of the National Museum of Art, have suffered deterioration after the events of December 1989, when they were touched by bullets. Thus, after the removal of mural painting fragments by André Lecomte de Noüy in 1882, this was the first major intervention of conservation - restoration when extracting them. The restoration took place in the National Museum of Art of Romania, the Department of Conservation and Restoration of the National University of Arts in Bucharest.

The used technique in order to extract fragments is not known, but the mark of brick structure, stored behind the fragments may be an important technical indicator in an attempt to reconstruct the extraction methodology. The rests of bricks on the back of the frescoes have been preserved in the restoration operation, allowing visual access to this technology information, which is generally hidden from the viewer. (The National Museum of Art of Romania, 2013: 194).

After analyzing fragments, it was discovered that restaurateurs in that time have designed a retrieval and transposing system of each fresco fragment. It is believed that the idea of extracting fragments of the original painting was part of a general concept of recovery of a part of the painting that will be lost after major interventions on the structure and architecture of the Episcopal Church in Curtea de Arges, consistent with the principles of restoration promoted in the school Eugène Viollet-le-Duc. (*Ibid*: 195)

The concept of restoration took into account both principles of restoration, the particularities of extraction as well as the time evolution of the initial materials introduced in the work and there were used in the restoration process materials compatible and reversible with the original (*Ibid*: 211).

If during the period 1954-1977 there were started many projects to restore architectural and church monuments, organizing the visits and talks before the main monuments with major murals, at some churches where there was little left from the original painting, like Sf. Ioan cel Nou Monastery in Suceava, Probota Monastery as well as some representative museums of Romanian art in the XIV - XVII centuries, the Putna, Sucevița, Arbore, Dragomirna, Moldovița Monasteries, the Bălinești Church (Giurescu, 1994: 36).

The restoration of religious monuments in post-communist Romania

If such conservation - restoration actions were to have been continued after the 1977 earthquake, they would have saved significant parts of the artistic and architectural heritage of the country.

After the fall of communism, the evolution of restoration soared, starting with the international UNESCO site organized to restore the mural paintings of Probota between 1994 and 2000. The monastery's old iconostasis was also restored as part of a restoration site, under the coordination of an expert restorer between 2008 and 2010, with the purpose of keeping the integrity of the entire ensemble.

Within the National Museum of Art, the Medieval Sculpture Collection includes several religious objects, in carved, painted and gilded wood, from Probota Monastery, which were restored in the laboratories of the museum (The National Museum of Art of Romania, 2006: 138).

The Church of the Monastery Probota Monastery was largely covered by numerous interventions both inside and outside until restoration between 1995-2000. The concept of restoration applied in this case pursued the partial preservation of historical stages, and recovery and the improvement of the painting from the time of Petru Rares. (Boldura, 2013: 231). After many changes made over time, the church and the paint layer are entered into a special program for the conservation and restoration since 1995. In this multidisciplinary program specialists from prestigious schools of Europe's restoration were also involved. (*Ibid*: 232)

Starting with the '90s, there were resumed the operations of conservation and restoration of monuments in Romania, most of them being in the restoration even today. The restoration interventions were and are conducted so as to achieve a balance between the historical instance and aesthetic one, and the restoration of monasteries and church paintings to keep as much from the original, without producing a historical or artistic fake or removing the traces of the artwork's transition through by time (Brandi, 1996: 39).

With the methodological evolution of the conservation and restoration process, the interventions and operations made at the religious monuments in all the country and especially in northern Moldavia imposed an iconographic and artistic reassessment, which bring important additions to the assessments of historical documentation (Boldura, 2013: 335).

Starting with the restoration interventions at Voroneț monastery, for preserving the external mural paintings, as well as with the opening several restoration sites, restorers were able to gain access to information and phenomena happening in time inside a monument. Since the communist era, preservation and restoration methodologies were established for painted surfaces, adapted to the particular traits of each monument.

On the occasion of the restoration of exterior painting of the Church Monastery of Voroneț in the years 1980-1987, unsuitable material were removed from vertical cracks throughout the structure of masonry, resulting from the addition of the porch. Under these overlaps, numerous fragments covered by paintings were found. The restoration interventions have been made since 2003 on order to restore the church roof and interior and exterior painting restoration. (*Ibid*: 366).

Sucevița Monastery Church also came to the attention of specialist restorers since the communist period, and from 1989 began the restoration intervention of external paintings, intervention that lasted until 2000. The research in the exterior undertaken during the restoration, made possible to identify the order in which the

decorations of the two porches on the north and south of the church were performed in relation to dating the external painting of the church. (*Ibid*: 354).

Moldovița Monastery Church, built by Petru Rares in 1532, is one of the monuments which, after the restoration of the exterior in 1998, has revealed the times when changes were made to the architecture of the time, then confirmed by the restoration interventions within the church. (*Ibid*: 373).

Another church that allowed the identification of adjustments in the period after the beginning of the restoration in 2002 is the Church of Bălinești. The research found that the bell tower was added to the church later.

The Church Saint George of the Monastery Saint John the New of Suceava has suffered many interventions of restoration over time, the first being made in 1829. A major intervention on the church began in the communist period, after the earthquake in 1977, completed in 1984. The specific interventions started by conducting stratigraphic surveys that highlighted the mural painting of all church facades. (*Ibid*: 203).

The restoration intervention resumed in 2000, aimed to identify and preserve historical documents of the time by bringing the original painting to light under repainting the beginning of last century. The principles of restoration on the final aesthetic presentation as processed, puts us into a fair attitude reported to authentic quality of aesthetic values that we wish to transmit to the future. (*Ibid*: 212).

Many of the demolished churches were cultural monuments with a history of several centuries, belonging to the national heritage, heritage which can hardly be recovered, even after massive interventions of restoration. Monument must be subject to ongoing monitoring, immediately after completing the interventions of restoration, for preservation and sustainability in time, as well as to prevent problems or other types of degradation.

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The restoration of religious monuments in post-communist Romania

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ORIGINAL PAPER

The Evolution of Romanian Civil Law in the Modern Times

Elena Tereza Danciu*

Abstract

The new state established by Alexandru Ioan Cuza's double election, had to have modern legislation, structure and principles. The 1864 reforming laws also contained what is known as "the legislative work of Alexandru Ioan Cuza" or *corpus iuris civilis*, namely: *the Civil Code*, *the Criminal Code*, *the Code of Civil Procedure* and *the Code of Criminal Procedure*.

This paper aims at a brief analysis of the Civil Code. Designed between 1862 and 1864, it entered into force on 1 December 1865 as the *Romanian Civil Code*. It has often been criticized, but it still remains the longest normative act in the evolution of the Romanian civil legislation.

Keywords: civil, law, modernization, society, principles.

* Associate Professor PhD, University of Craiova, Faculty of Law and Social Sciences, Law Department, Email: tereza.danciu@yahoo.com.

The Evolution of Romanian Civil Law in the Modern Times

The publication of the first specialized code, *Codul Calimach*, in Moldavia, prefigured the tendency to modernize civil legislation. The Wallachian variant, *Legiurea Caragea*, was a general code, structured into six parts containing civil dispositions in the first four parts. The two codes were rightly considered legislative landmarks of the first half of the 19th century because they enriched the Romanian legal work with modern provisions, and the credit belongs to those who took part in their fulfillment. These elaborate legal works, implemented during the first half of the 19th century opened the way to the modernization of Romanian society and, consequently, of the legislative system.

Western laws were not brought and translated in one night of 1864 in order to be enforced here, on the contrary, they were the result of a movement rooted in the Ottoman-Phanariote era. Yet, it is true that 1864 was the year when most laws were promulgated, in an attempt to apply the principles of the 1848 Revolution and to meet the requirements imposed to the Romanian Principalities by the seven great European powers for the recognition of their unification.

The new state established by Alexandru Ioan Cuza's double election, had to have modern legislation, structure and principles. The 1864 reforming laws also contained what was known as "the legislative work of Alexandru Ioan Cuza" or *corpus iuris civilis*, namely: *the Civil Code, the Criminal Code, the Code of Civil Procedure and the Code of Criminal Procedure*.

This paper aims at a brief analysis of the Civil Code. Designed between 1862 and 1864, it entered into force on 1 December 1865 as the *Romanian Civil Code*. It has often been criticized, but it still remains the longest normative act in the evolution of the Romanian civil legislation.

The modernisation of civil law was expected since the Phanariot times, with the publication of the first civil code, *Codul Calimach (The Code of Calimach)* in Moldavia. It was designed by outstanding legal practitioners, i.e. Anania Cusanos, Andronache Donici and Christian Flechtenmacher, for the Greek version of 1817 and Petrache Asachi in 1833. *Legiurea Caragea*, the version adapted for Wallachia, was a general code with six sections, including civil provisions in its first four sections. For the design of such code, Ioan Gheorghe Caragea, the ruler of Wallachia, would appoint, after 1815, "two nobles with knowledge and practice in law making" (Rădulescu; 1991; 79-83), that would each draw up a draft law. They were Atanasie Hristopol and Chancellor Nestor Craiovescu. The two codes were rightfully considered genuine legislative landmarks of the first half of the 19th century, as they improved the Romanian legal framework with modern provisions. Those who participated in their design are truly worthy of appreciation. As Andrei Rădulescu showed, "they tried to outline the significance of laws and the science of law" and it is worth mentioning that, through their work, "they sought to adapt Western civilisation forms to our realities (...), matching them with our situation, linking such forms to our institutions, so that the connection with the past would not be destroyed" (Rădulescu; 1991; 79-83). This mindset is present in *Pravilniceasca Condică*, in the foreword to its Romanian language version, where Brăiloiu writes that it is not advisable to bring foreign laws by any means, but it must always be sought that laws should match the current social situation. The legal practitioners of those times tried not to make that mistake, but it would occur later, especially after 1850 (Rădulescu; 1991; 79-83).

A proof lies within the sources of inspiration used for designing such codes. The sources of *Codul Calimach* were the customs of the land, Roman-Byzantine laws, the

French Civil Code of 1804 and the Austrian Civil Code of 1811. *Legiuirea Caragea*, driven by a conservative spirit, would adopt some legal regulations from the Code of Napoleon. In other words, there was a traditional pillar represented by old Romanian custom laws, a Roman-Byzantine pillar, since Roman law was considered a national law in the mindset of those times, and a Western pillar, driven by the will to modernise Romanian law. *Codul Calimach* and *Legiuirea Caragea* had been applied until the Civil Code of 1864 came into force. Due to these elaborated legal texts, implemented in the first half of the 19th century, the modernisation of Romanian society and, implicitly, of the legislative system was already under way. Western laws were not brought and translated on some night of 1864 so that they might be applied in Romania, but they resulted from a movement rooted in the times of the Turkish-Phanariot domination.

It is true, however, that most of the laws aiming at implementing the principles of the 1848 Revolution and fulfilling the requirements imposed by the seven great powers of Europe in order to recognise the union of the Romanian Principalities were passed in 1864. The new state formed through the double election of Alexandru Ioan Cuza as ruler of Wallachia and Moldavia, on January 24, 1859, had to have a modern structure, principles and legislation. The reformative package of 1864 also included what was called the "legislative masterpiece of Alexandru Ioan Cuza" or the *corpus iuris civilis*, i.e. *the Civil Code, the Criminal Code, the Civil Procedure Code and the Criminal Procedure Code*.

We shall attempt to briefly analyse the Civil Code. Drafted during 1862-1864, it came into force on December 1, 1865, as *the Alexandru Ioan Civil Code* and later on, after Alexandru Ioan Cuza's abdication, it was renamed *the Romanian Civil Code*. The sources used for its elaboration were, to a small extent, provisions from the old Romanian law regarding kinship from baptism, divorce, custody, succession of poor widows, legal mortgage of married women, advance payments, loans, etc. Moreover, provisions were taken over from the Pisanelli draft on goods and obligations and texts on privileges and mortgages were taken from Belgian law. The most important source of inspiration was the French Civil Code of 1804.

Maybe due to an excess of zeal, from an inferiority complex or from an inability to innovate and adapt foreign models to the domestic social realities, the lawmakers of 1864 repeated a mistake that had been previously found in religious and secular laws. The Civil Code of 1864 was designed, *inter alia*, by I. Strat, Papadopol-Calimach, Gh. Vernescu, Gh. Apostoleanu and Alexandru Crețeanu. The work began on October 10, 1864 and ended on December 4, 1864, i.e. in less than two months.

The latter had the great merit of having ensured the transition from custom law to written law, but they were mostly translations of Byzantine laws. The lesson of the authors of the *Codul Calimach* has ever since been a lesson that modern Romanian lawmakers have not been able to learn yet. Foreign legislative models can only be taken when the political, economic and social conditions allow for such a transfer. With hindsight, the great merits of the Romanian custom law, known in the Middle Ages, was that of originality and adaptability of transfers to local social, political and legal realities. However, it seems that the legal practitioners taking part in the drafting of the Civil Code were in such a hurry to create and implement a normative act corresponding to the pattern adopted from modern Western laws that they forgot to adjust such pattern to the dimensions of the Romanian society.

The similarities between the Romanian Civil Code and the French Civil Code have been extensively studied in our literature. In order to observe the differences

The Evolution of Romanian Civil Law in the Modern Times

between the two codes, Constantin Nacu, Professor and politician, compared them at the beginning of the last century (Nacu C.). This analysis manages to successfully answer the question: “What percentage of the Romanian Civil Code of 1864 is a true translation of the French Civil Code and to what extent has the Romanian lawmaker intervened to adapt the provisions of civil law to domestic realities?” The answer is obvious. Romanian lawmakers only intervened where the imposition of the provisions of the Code of Napoleon altered a rule of law. For the rest, the French civil law of 1804 was one of the examples of implementation of a foreign legislative model to Romanian political, social and economic realities.

Another criticism to the Civil Code of 1864 refers to the mentality underpinning the Romanian civil law in the Reunited Principalities. Thus, the Civil Code of 1864 was considered a bourgeois code in terms of conception, guidelines and regulation of the legal institutions of this branch of law. A formalised, individualist and highly class-based Civil Code would have only been a code of owners, managers and creditors. However, it is very difficult to impose a quick democratisation of the legal system in a society that has hardly abandoned the medieval mindset.

An example to this purpose is the failure of the agricultural reform resulting in the assignment of land to peasants. Those who received land had to pay an indemnity to former landowners. Moreover, the agricultural reform brought about the peasants' release from serfdom. On the other hand, landowners had to find a way to work their large fields by employing the “free workforce” of peasants in various ways. The peasants' incapacity to pay the indemnity imposed by the agricultural law of 1864 and the landowners' demand for workforce resulted in the drafting of special laws regulating the so-called agricultural negotiations. These were contracts between the peasants that had become free from serfdom due to the agricultural reform, but who had been assigned no or a small piece of land, or between the peasants who could not pay their indemnity, on the one hand, and the landowners that needed workforce, on the other hand. “Agricultural agreements only apparently reflect agricultural work; they actually refer to an exploitation of human labour, not of the land” (Kogălniceanu; 1907; 8-9). The first law of agricultural agreements of 1866 assigned both the authentication of contracts and the follow-up of their performance to the administration of the commune. This favoured the exploiting owners and awarded no guarantee to contracted peasants. A new law of agricultural agreements was drawn up in 1872, in response to the landowners' discontent with the first law, which introduced *manu militari* constraints, resulting in an infringement of the peasants' freedom, as obtained through the agricultural reform of 1864 (Rosetti; 1907; 67). The consequences of this law were the endless brutalities and abuses perpetrated by landowners and by the persons appointed for seizing the property of peasants, when the latter were unable to meet their duties (Rosetti; 1907; 456-457). Given the anger of peasants and the protests of personalities with a progressive vision, the Romanian government drew up another law in 1882, going back to the economic constraints in the seizure of the properties of peasants who could not meet their duties, though such constraint was in no way softer than *manu militari*. The law drawn up in December 1907 and amended in 1908 also failed to improve the situation of peasants, even though its adoption was a consequence of the great peasant revolution of 1907. In conclusion, even though the range of laws regulating this category of contracts was a deviation from the regulations of the Romanian civil code, both in terms of establishment and enforcement of such contracts, the laws only expressed the will and mentality of the dominant social categories of Romanian society. This is why it should

not come as a surprise that, despite the declared will of imposing modern principles in the Romanian laws of the end of the 19th century and the beginning of the 20th century, this legislation could not replace an old mindset, that was still deeply rooted in the society. In other words, even though the Civil Code of 1864 aimed at providing new impetus to civil law, it did not find the favourable environment for changing the society fundamentally.

Another relevant example to this purpose refers to family relations, where the husband's authority is imposed as "head of the household" or "head of conjugal association". Married women were listed under Article 950 (3) of the Romanian Civil Code, as unable. From able, before their marriage, they became unable after they were married. Married women could enter no agreements without their husband's approval, including for the administration of their own goods, unless they chose the matrimonial system of separation of goods. Married women could take no legal action and they could not be present in court, for any reason, without their husband's approval, unless they were defendant in a criminal cause. Moreover, married women did not have the right to have a job or enter a labour contract without their husband's approval. According to article 1224, the husband's power in family relations could also be observed in: the transfer of the husband's nationality to the wife, the husband's right to control the conduct, relations and correspondence of his wife, the husband's right to exert financial control of the household, entailing the wife's obligation to pay her husband her contribution to the household duties, the prevalence in the exercise of paternal authority, etc. Such provisions were even more obsolete than the regulations of the old custom law, where women were able to manage the dowry they had brought into the marriage without their husband's approval. In case of divorce, these goods belonged to the wife. A woman married to a servant peasant did not acquire his status after marriage. The woman could enter legal actions and legal agreements without her husband's explicit approval. Paradoxically, democratic provisions are found in the law of the Middle Ages and austere regulations are observed in the laws aiming at founding the Romanian modern state. These drawbacks of the law were repaired through the laws drawn up in the interwar period, supplementing the provisions of the Romanian Civil Code of 1864.

Despite the criticisms to the Romanian Civil Code, it remained valid for a long period of time and was not repealed even during the communist times. For this reason, civil law provisions were adapted by means of subsequent laws. We can thus find several phases: the interwar phase, the communist phase and the contemporary phase (December 1989 and October 2011, when the new Civil Code came into force).

Several laws amended the ownership system in the interwar period and an agricultural reform was sought, that improved the issues of peasants through the Agricultural Law of 1821, although it did not manage to solve them completely. Large properties were not fully liquidated, as the state took several steps for interfering in the life of villages. The law regulating the circulation of land obtained through the ownership laws of August 1929 is such an example.

After achieving its independence, the state focused on industrial improvements and a general regime was created in 1887, that included a range of steps facilitating the industrial development of Romania. However, the Great Union of December 1, 1918 was the event that enhanced this focus, given the significance of the Law on customs fees of 1921, the Law on the organisation and commercial management of public companies and fortunes of 1929 or the Law on the state-backed bonds issued by companies of 1931.

The Evolution of Romanian Civil Law in the Modern Times

Regulations on the operation of underground resources do not have a correspondent in the old constitution and in the provisions of the Civil Code. Underground resources were nationalised according to article 19 of the Constitution of 1923. The Law on mines of July 1924 (subsequently amended in 1927 and 1935), the Law on energy of July 1924 and the Law on water management of June 1924 (amended in 1926) were drawn up based on the constitutional principles included in the Constitution of 1923. However, some rights on underground natural resources were also recognised to landowners.

The increase in urban population resulted in buildings with several storeys and several flats, and gave rise to new issues between their inhabitants, regarding the shared areas. These issues were regulated through the Law of March 1927.

The personal publicity system regarding the transfer of real estate, as established by the Civil Code, became unsatisfactory, so it was replaced by the real publicity system. Nonetheless, the practical enforcement of the provisions of the laws of 1932 and 1938 was difficult, since extensive cadastral work and land registers had to be done. The personal publicity system continued to be implemented until their completion.

Passing from ownership to the legal status of natural persons, the adopted laws sought, on the one hand, to achieve a unitary regulation. On the other hand, inequities between men and women were diminished. This issue was regulated in a unitary manner by means of the Law of civil register documents of 1928.

Thereafter, according to the Law on labour contracts of 1929, women no longer had to ask for approval of their husbands with a view to entering a labour agreement. The Law of 1932 regarding the cancellation of the incapacity of married women repealed several provisions of the Civil Code and the Civil Procedure Code, stipulating that women could assign or transfer their goods without their husband's authorisation.

The status of legal entities was amended by the Law of May 26, 1921 on the organisation of trade unions, whose activity was only authorised if strictly professional, economic, social and cultural. Thus, they were not entitled to develop political activities or depend on any political party.

The Law on legal entities of February 6, 1924 regulated the activity of associations and foundations with a lucrative purpose. According to the provisions of this law, legal entities could be divided into: public legal entities, companies and associations included in the Commerce Code and companies and foundations without a lucrative purpose. The laws generally introduce a strict public control on the training and activities developed by natural persons.

With regard to obligations, a range of new regulations allowed for public intervention, especially during the economic crisis, with a view to establishing the relations between creditors and debtors, in order to promote the interests of landowners and the bourgeoisie (Cernea & Molcuț; 2006; 263).

In terms of succession, according to Article 652 - final part, Article 676 and Article 679 of the Civil Code, succession was assigned to the surviving spouse only in the absence of collaterals up to the 12th degree, which was highly unjust. This inequity was diminished through the Law on the progressive tax for succession of July 1921, amending and unifying provisions of the Law on stamps and the Civil Code. This Law stipulated (in an ambiguous manner, but with a proper interpretation of case law) that the surviving spouse was called to succession from the deceased spouse subsequent to collaterals in the 4th degree.

Elena Tereza DANCIU

The provisions of the Civil Code of 1864 were also supplemented through the drafting and adoption of special laws during the communist period, even though the changes experienced by our country after the Second World War exclude Romania from the natural evolution of a society based on principles and a democratic law system. The changes regarding the democratic orientation of the Romanian political life would be anticipated by Nicolae Iorga who, at King Charles II's coronation, remarked that "the sun is setting for the life of political parties". The principles of the Constitution of 1928 provided the required legislative framework for an authoritative monarchy, outlawing political parties and, to an equal extent, the democratic institutions of the domestic political system. It was the first step towards the alteration of Parliament life and the establishment of dictatorship.

Two years later, following the land losses of the summer of 1940, Charles II had to empower general Ion Antonescu to set up a new government. The Decree-Law 3052 of September 5, 1940 suspended the Constitution and dissolved the law-making bodies. A day later, Charles II abdicated, transferring the royal prerogatives to his son, Michael. Until August 23, 1944, the royal dictatorship shifted to the military dictatorship of the General Antonescu, who assumed the entire leadership of the country. As such, he became the single lawmaker of the country and was appointed the sole head of executive and administrative offices.

The overthrow of Antonescu's regime also represented the first step in the communist ascension, since this political party took part in the preparation of the *coup d'état* of August 23, 1944. On November 19, 1946, Parliament elections were controlled and won by communists. Subsequently, the adopted laws lay the foundations of the totalitarian communist regime. The Romanian constitutional tradition was broken off in 1948, when a new Constitution was adopted, even though the Constitution of 1923 was neither revised, as it stipulated, nor repealed.

The Constitution of 1948 was provisional, with economic issues prevailing upon political issues, thus preparing the public control of economy. Articles 11, 14, 15 of the Constitution provide the legal framework for suppressing private property and adopting a planned economy. On June 11, 1948 the main industrial, mining, insurance and transport companies were nationalised. Many buildings and residences were nationalised on April 2, 1950. A new monetary reform was conducted in January 1952, in order to confiscate the last cash reserves of the population. The remaining 50 hectares belonging to former landowners according to the agricultural reform of March 6, 1945 were expropriated in March 1949 and the socialist transformation of agriculture was decided on March 3-5, 1952. According to the provisions and principles of the 1948 Constitution, as well as the Constitution of September 24, 1952 and the Constitution of August 21, 1965, the entire legal system was changed accordingly.

However, the Civil Code was not repealed, but a range of provisions were removed by means of laws and decrees mainly focusing on enhancing the legal personality of public socialist units (Law 11/1971 on the management and organisation of socialist public units, as amended by Law 57/1974, Decree no. 154/1976 and Law 19/1976 on the enhancement of economic and financial mechanisms), economic contracts (Law 71/1969 on economic contracts, as amended by Law 3/1979 and Law 2/1970 on product quality assurance and control, Law 14/1971 on the management of fixed funds, material resources and technical and material supply), the legal status of residences (Law 9/1968 on the development of residential buildings from the state fund, Law 10/1968 on the management of the locative fund subsequently replaced by Law

The Evolution of Romanian Civil Law in the Modern Times

4/1973 on the development of residential buildings and Law 5/1973 on the management of the locative fund) and in terms of succession (Law 58/1974 on the land management and urban and rural settlement and the Law on the land fund). During the communist regime, the Civil Code maintained its former structure, except for the first book, "On Persons", which was entirely repealed. The provisions of the first part were replaced by the regulations of Decree no. 31/1954 on natural persons and legal entities, Decree no. 278/1960 on civil register documents or Decree no. 975/1968 on names. Moreover, all the provisions regarding the family institution were no longer an integral part of the Civil Code when the Decree no. 32/1954 on the implementation of the Family Code was adopted. This ensured a unitary and comprehensive regulation of family relations, and family law became a distinct branch of the new law system.

The second book, "On Goods and Ownership Changes" and the third book, "On How Is Property Acquired", mostly maintained their former provisions, but notes and comments were added where normative acts were adopted, amending and supplementing the Code of 1864.

Property laws adopted during 1948-1952 became the source of structural changes in the Romanian society. Thus, the fundamental institution of the new law system was socialist ownership, in its two forms: socialist public property and cooperative and communal socialist property. With regard to personal property, it derived from the great socialist property and referred to revenues and savings obtained from labour, as well as individual consumption goods. The state guaranteed and supported citizens by building and purchasing residences, by selling long-term use goods, in instalments. To an equal extent, Decree no. 92 of April 20, 1950 abusively nationalised significant categories of real estate, except for those owned by workers, officers, small craftsmen, professional intellectuals and retirees. In other words, the context of equalitarian tendencies restricted individual property to a minimum (Marcu; 1997; 288-290).

Contracts were still regulated by the Civil Code, but a range of regulations regarding the special category of economic contracts, concluded by and between socialist organisations, were added. Decree no. 265/1949 regarded the compulsory character of written contracts and the regulation of payments between companies and socialist organisations. Law 5/1954 concerned the organisation and operation of Public Arbitration and the Decision of the Ministers Council no. 1397 focused on the approval of the guidelines for the arbitral procedure.

The rules included in the Civil Code, in terms of succession, were supplemented by a range of normative acts regarding the succession rights of the surviving spouse (Law 319/1944), notary procedures for succession (Decree no. 378/1960), the deadline for the acceptance of inheritance (Decree no. 73/1954 on the amendment of articles 680 and 700 Civil Code). Moreover, provisions on the inheritance right were included in the Decree no. 371/1958 regarding the organisation and operation of CEC (the Romanian bank of the time).

In conclusion, during the communist period, Civil Law, as per the Code of 1864, was common law, with a range of autonomous law branches resulting from newly created laws: Family Law, Labour Law, Cooperation Law or Economic Law.

After December 1989, the new transformations driven by the democratisation process imposed radical changes in the legislative system. The principles of the Constitution of 1991, as revised in 2003, provided the fundamental legal framework through which Romania became a democratic society, facing the new political and

economic challenges of the end of the 20th century and the beginning of the 21st century. With regard to civil legislation, the old Civil Code was valid until October 1, 2011. Hence, an older legislative practice, also known in the interwar and the communist periods, was reiterated for 21 years. The new Romanian Civil Code replaces the Civil Code of December 1865, thus putting an end to a 146-year history. The evolution of civil legislation in the modern times is, after all, the evolution of a legislative project aiming at modernising the Romanian society, which has proven to be the longest-standing code in the history of the Romanian legal creations, despite the criticisms raised since its first publication. On the other hand, the new Civil Code uses, besides foreign sources of inspiration, such as the Civil Code of the Quebec district, most of the provisions of the Civil Code of 1865. From this point of view, the Civil Code of 1864 deserves, as the historian Dan Berindei claims "legitimate appreciation, and its creators are worthy of all our respect."

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ORIGINAL PAPER

The Romanian Crown Domain - six decades of existence

Narcisa Maria Mitu*

Abstract

The proposal for the bill regarding the constituting of the Crown's Domain made by Ion. C. Brătianu at June 5th/17th 1884, although led to many discussions in the Parliament, culminated with the adopting of the bill at June 10th/22nd 1884. According to the law, the Crown had the right to use and exploit the properties that constituted the Domain and the income obtained from them was meant to complete the civil list of the Royal Family.

The actions of organization and modernization have been realized under the guidance and the careful supervision of the six administrators: Ion Kalinderu, Barbu Știrbey, Nicolae Mișu, General Ernest O. Baliff, General Alexandru Manolescu, Dimitrie D. Negel.

Becoming advantageous, the Domains' Administration, through the benevolence of the sovereigns, annually offered money, products and timber to the people in need, scholarships for the poor pupils and students.

Keywords: Crown Domain, Romania, 1884-1948, Ion Kalinderu, the organization and modernization, the national and the international exhibitions.

* 3rd deg. Scientific Researcher, PhD „C.S. Nicolăescu-Ploșor” Institute of Socio-Human Researches, Craiova, email: narcisa_mitu@yahoo.com.

The preoccupations related to the understanding of what the Crown Domain now represents were very few. These were registered especially after 1989, when any kind of constraint disappeared and the access to information became available. The subject turned into the focus point of those historians who studied the Romanian Monarchy period, but without seriously approach this theme. More information regarding the way in which was done the exploitation of the estates were offered by the heads of the twelve administrations in the monographs (Armășescu, 1906; Berian, 1906; Boiu, Precup, 1906; Condurache, Marinescu, 1906; Davidescu, 1906; Manolescu, Codrescu, 1906; Medianu, Codrescu, 1906; Popescu, 1906; Popovici, 1906; Popovici, 1906). The paper is the result of a research and documentation at The National Central Historical Archives from Bucharest, The County Administration of the National Archives from Dolj and The Romanian Academy Library, The Neamț County Library “G. T. Kirileanu”, The University Central Library from Bucharest, The Dolj County Library “Aman”.

The period of the monarchy (1866 – 1947) (Constantiniu, 1997; Damean, 2000; Scurtu, 2001; Mamina, 2004) represents a very important period in the historical evolution of Romania. This fact is proven by the transformations during this period and in all the aspects: political, economic, social, demographical, administrative and cultural. This historical age was marked by the personalities of the kings: Carol I (1866 – 1914), Ferdinand I (1914 – 1917), Carol II (1930 – 1940) and Michael I (1927 – 1930; 1940 – 1947). The four kings, who succeeded to the throne left their mark, each in their own way, on the evolution of the entire Romanian state and society.

The reign of Carol I (1866 – 1914) is the most important because during this time the achievements from Romania were truthfully impressive: the institution and the international recognition of the constitutional hereditary monarchy regime, the gaining of the Independence, the proclamation of the Romanian Kingdom, the consolidation of Romania’s position in Europe and its appreciation as an equilibrium factor in the Balkan area, the assurance of an internal political stability after the alternation to the governing of the liberals and conservatives, the remarkable progress registered for the modernization.

However, there were still moments when the King Carol I had to face the contradictory opinions of the different political and social categories, but also of the European powers with certain occasions: his arriving in Romania after the removing of A. I. Cuza, the proclamation of the Romanian Kingdom and of Carol as King (14th/26th of March 1881) – fact that generated vehement discussions inside and outside the country –, accepting in 1884 of the twelve agricultural estates offered by the Crown etc.

After the proclamation of the Romanian Kingdom, many political figures proposed, taking into consideration the new status of the country, to create a Crown Domain, made from estates that belonged to the state, which the King should administrate according to his desire. This Domain was supposed to have a status fundamentally different from the other royal properties, having the right to usufruct. This act was initiated with the purpose to establish a tighter connection between the Dynasty and the Romanians, the monarch belonging, along with the dwellers from this country, to the new life that included the agricultural aspect.

In 1884, at the proposal of the liberal Prime Minister, Ion C. Brătianu, was created a royal patrimony, made of 12 estates, from different areas of the country, on a surface of 118.286 ha (Mitú, 2008: 123) that had to supply the Crown with the necessary means for a dignifying position of the state and to create a tight connection between the

The Romanian Crown Domain - six decades of existence

King and the country, especially with the villagers. Despite the numerous protests from the opposition, the law establishing the scope of the Crown was voted on 10th/22nd of June 1884 (Hamangiu, 1907: 729-730).

According to this law, the estates from Sadova and Segarcea, (Dolj county), Rușețu (Brăila county), Cocioc (Ilfov county), Gherghița (Prahova county), Domnița (Râmnicu-Sărat county), Dobrovăț (Vaslui county), Mălini, Borca, Sabașa - Farcașa (Suceava county), Bicaz (Neamț county) and Bușteni, with the mountains Clăbucetul Taurului and Caraiman (Prahova county) constituted the Crown Domain. These rural immobile possessions were declared inalienable and imprescriptible, couldn't be sold, changed, given, mortgaged or subjected to any other usage than that already established. They also didn't pay taxes to the state but they paid the county and the communal taxes. The contracts and the papers referring to their administration granted, also, the tax-exemption in all the situations. The Decree from the 14th of November 1934 brought supplementary specifications, showing the fact that the law must be interpreted regarding the fact that the Crown Domain properties, regardless the way they are exploited, is not imposed any tax, under any name, to the state, public institutions, different ministries etc. if the laws that led to the creation of a tax or a duty didn't refer to the specific disposition that the Crown Domain should be subjected to that or those taxes. The Crown Domain could be taxed only by the county or commune but only regarding the agricultural areas and the buildings (Mitu, 2011a: 42). In 1940, through a decree-law from 14th of October (Mitu, 2011a: 42) all the exemptions and the reductions on the subject of taxes, duties and any contributions given to the members of the Royal Family, the Royal House and the Crown Domain. The personal real estates and those put into use, the mobile goods, any kind of income, the papers and the juridical facts had been subjected to the same fiscal regime as those of the private persons. Tax-exempted was also the civil list of the King Michael I and endowment of the Queen-mother Helen. The dispositions from this decree-law had been abrogated through the Law no. 45 from 1945 (Mitu, 2011a: 42). Through the decision no. 232 from 10th of March 1948, with retroactive effect, starting from the 1st of January 1948, were permanently abolished the laws that provisioned the exemptions or the reductions of taxes by which the members of the former Royal Family benefited, the goods that once constituted the Crown Domain being subjected to the fiscal regime that was referring to the state's possessions (Mitu, 2011a: 44).

The actions of organization and modernization had been realized under the guidance and the careful supervision of the six administrators: Ion Kalinderu (26th of December 1884 – 11th of December 1913); Barbu Știrbey (21st of December 1913-9th December 1919); Nicolae Mișu (9th of December 1919 – 15th of May 1920), General Ernest O. Baliff (15th of May 1920 – 13th of February 1941), General Alexandru Manolescu (15th of February 1941 – 11th of July 1942); Dimitrie D. Negel (22nd of July 1942-30th of December 1947) (Mitu, 2011b: 303). The headquarters of the institution was established in Bucharest being managed by a general administrator. The exterior service was divided in 11 districts, each managed by a chief agronomist or sylviculturist, directly subordinated to the central administrator. The entire activity was structured on three sections: sylviculture, agriculture and accountancy. To the attribution of the first two were designated the forest planning, meaning the making of agricultural exploitation and the control of the staff from the exterior service. The staff was appointed by addresses by the general Administrator and no decisions were taken without his consultation or accept (Mitu, 2011b: 303-304).

Narcisa Maria MITU

Noted by King Carol I, since 1872, when he was administrator of the State's Domains and Forests, Ioan Kalinderu was appointed, in 1884, at the leadership of the Crown's Domain institutions, function that he filled till the end of his life (1913). This was the period when he managed to fully compensate the attention and the trust that the king showed for him, becoming a conscience influencing agent, image creator and an instrument in making the people loyal to the king and the dynasty. Besides, he considered “this mission as the most complete and honourable work of his life” (Mitu, 2011c: 117).

In agreement with the King, he elaborated a workings plan that would lead to the transformation of the twelve estates of the domain, in models for the Romanian rural world. For this, as an evidence, there are the numerous leaflets addressed to the superiors of the administrations, addresses that prove the clarity of his way of thinking, the profound knowledge of the people and of the dwellers, but also his philanthropic spirit. “I always searched and I shall further search, that the progresses that had been achieved after the introduced reforms, to pass beyond the boundaries of the Crown's Domains, so that in such a way, the successful interpenetration of the measures taken after our initiative, to leave an impression in a circle as wide as possible” (Mitu, 2011c: 117-118).

A special attention was given both to the collaboration between the administrations superiors and the employed personnel and dwellers: “The Crown Domain Administration mustn't serve as a model only through the more systematic agricultural and forestry exploitations, through the improvements brought to the population from these Domains, both in material and moral way, but also as regarding the staff” (Mitu, 2011c: 120).

A special merit, that should be recorded, is represented by the registration at the Economy House or at its offices, of the office workers from the Crown Domain. This measure extended, starting with July the 1st 1893 to the inferior personnel also. On April 1st 1900, all the employees of the Crown Domain Administration were constituted in a society called *Societate de pensii și ajutor mutual* (*Society of pensions and mutual help*), under the presidency of the Administrator. Starting with 1903, the workers hired on the agricultural machines and those used in the forestry exploitations, had been insured against the working accidents (Mitu, 2011b: 306).

For the modernization must be mentioned that there had been made efforts in order to fit out the administrations with modern buildings for the employees, they embellished the villagers' households by giving them fruit and ornamental trees for free, they repaired and built schools, churches and health centers in all the administrations etc. In the first 16 years, were built: 37 houses for the personnel of the administration, 20 dwelling places for the workshops' superiors, 10 workshops (smithy, charts-workroom, rope-workroom, chimney-workroom), 14 stables, 16 stalls for cattle and a poultry raising house at Periș, a sheepfold Dobrovăț, 3 pigsties at Dobrovăț, Periș and Gherghița, 18 grain storehouses for a volume of 175.000 hectolitres, 43 corn storehouse, with a capacity of 2.800 – 4.500 hectolitres each, 12 sheds for the agricultural machinery, model houses and stables for the peasants, with vegetables gardens. All these investments cost The Crown Domain Administration 6.500.000 francs (Mitu, 2011c: 118).

Also, the creation of a new image of the Romanian village constituted the central objective of Ioan Kalinderu's managing system. The model peasants' houses, equipped with the necessary annexes: stable, shed, storehouse, barn, pigsty and hen house, surrounded by a small plantation, should have represented a model for the

The Romanian Crown Domain - six decades of existence

dwellers. With the help of the Administration, these houses were to replace the insalubrious small-cottages, dark and not spacious that generally formed the landscape of the Romanian village. At his request, the gardens, the parks, the alleys from around the administration's houses, the ward's houses but also the peasants' households, were decorated with fruit trees and roses or ornamental trees.

As regarding the aspects that concern the organization, the manpower and the exploitation of the Crown Domains, we must evidence the efforts of the leadership, along with the employed specialists, to practise modern farming, by the alternation of crops, use of the mechanized devices, industrial processing of the agricultural and forest products, the registering of the domains in the commercial circuit etc., in order to be an example for all the farmers from the neighbouring areas.

The improved agricultural machinery were brought, most of them, from countries such Germany, France, England, USA: Sakou Eckert ploughs, John Fawler mechanic ploughs, screening machines, Drill sowing machines, mowing machines, reaping machines, Ruston & Clayton threshing machines, ventilators, hay tossing machines etc. In 1905, the agricultural inventory of the Crown Domain of 1.245.820 lei included: 5 mechanic ploughs, 333 ploughs, 9 vineyard ploughs, 19 threshing machines, 139 sowing machines (41 through spreading, 96 in rows, one for the experimental field, one for beetroot), 69 reaping machines, 150 clod crushers (2 made of iron), 29 mowing machines, 23 mechanic rakes (one American), 19 screening machines (6 for the wheat's treatment with copper sulphate), 66 mechanic hoeing machines, 278 iron harrows, 12 iron beataxes, 31 winnowing machines, 14 forage choppers (1 for straws, 3 for hay), almost 11 corn threshing machines, 12 wheat threshing machines, 16 machines for chopping the beetroot, 3 machines for extracting the potatoes, 3 hay tossing machines, 16 elevators, 9 locomotives, 3 spins for selecting the seeds, 12 pulverizers for the vineyard, a systematic wine press, a wine press, 2 crushing machines, a circular sow, a crane, 8 pumps for cars, 6 pumps for fires, 225 charts, 6 wagons, 21 trucks, 4 carriages, 20 sledges (Mitu, 2011a: 64).

Although the mechanic work was extending more and more, the animals working wasn't removed. Under these circumstances, noble breed animals were brought, some especially for working and others for milk and meat. Once with the founding of the farms, the villagers had the possibility to improve the animal breeds from their own households, having at their disposal, freely, the sires on the domain but also information regarding the optimal life and food conditions.

The growing of the agricultural production, through the improvement of the cultivated plants' structure and their alternation on the land, according to the nature of the soil and the climatic conditions, represented another objective of Ioan Kalinderu's managing system. Following the model of the neighbouring states, he organized experimental fields, on which new types, breeds and varieties of cereals and fodder plants were created, in order to adapt easily to the climatic conditions of the region and have been introduced chemical and animal fertilizers, last of them being also available to the peasants. He introduced new plants, such as: flax, hemp, beetroot, potato etc. He gave much attention to the culture subordinate to the agriculture: vine, fruit trees, sericulture, and apiculture. He also encouraged and supported the development of the household industries: dairy producing, rope making, pottery, but also the organization of some mechanics workshops, smithy, well making, cooperage, straws, willow, club rush weaving etc (Mitu, 2011c: 119).

Narcisa Maria MITU

The profitability of the exploitations of the Crown Domain during the period 1884-1914 emerges from the following table (The National Central Historical Archives Service, file: 39/1911, f. 12; 40/1912, f. 1; 42/1914, f. 3):

<i>No. crt.</i>	<i>The years</i>	<i>Cashing</i>	<i>Expenses</i>	<i>% from expenses</i>	<i>Incomes</i>
1.	1884	379.769,93	23.852,00	6,00	355.917,93
2.	1885	937.191,39	144.260,97	15,00	729.930,42
3.	1886	902.798,97	216.765,37	24,00	686.033,60
4.	1887	1.030.773,82	289.216,72	28,00	741.557,10
5.	1888	1.107.573,55	268.627,62	24,00	838.945,93
6.	1889	1.220.080,00	338.140,34	27,00	881.939,66
7.	1890	1.329.761,98	390.848,75	29,00	938.913,23
8.	1891	1.304.491,72	327.895,06	25,00	976.596,66
9.	1892	1.275.493,75	406.914,68	33,00	868.579,07
10.	1893	1.390.670,91	510.594,50	37,00	880.076,41
11.	1894	1.160.263,22	496.428,80	43,00	663.834,42
12.	1895	1.543.251,17	493.952,30	32,00	1.049.298,87
13.	1896	1.844.700,91	593.404,64	32,00	1.251.296,27
14.	1897	1.350.290,41	593.186,29	44,00	757.104,12
15.	1898	1.469.581,99	498.644,67	34,00	970.937,32
16.	1899	977.821,23	638.806,93	65,00	339.014,30
17.	1900	1.172.106,45	285.331,37	24,34	886.775,03
18.	1901	1.240.371,29	538.840,00	43,45	701.531,29
19.	1902	1.841.244,43	572.550,65	31,09	1.268.693,78
20.	1903	1.411.623,95	586.909,93	41,59	824.714,02
21.	1904	1.137.037,61	484.000,00	35,33	653.037,61
22.	1905	1.573.074,61	415.000,00	26,38	1.158.074,61
23.	1906	1.366.897,67	672.993,96	49,23	693.903,71
24.	1907	1.740.093,76	721.000,00	41,43	1.019.093,76
25.	1908	1.207.081,11	700.000,00	57,99	507.081,11
26.	1909	1.645.944,55	130.000,00	7,89	1.515.944,55
27.	1910	2.137.877,12	272.535,65	12,74	1.865.341,47
28.	1911	2.783.979,08	139.566,00	5,00	2.644.413,08
29.	1912	1.768.487,55	228.368,25	12,91	1.540.116,30
30.	1914	-	-	-	975.075,8
Total		40.250.331,08	11.978.635,45	887,37	29.183.771,38

According to the table above, the exploitation of the Crown Domain brought substantial Royalty income. The King Charles I himself, acknowledged in his will, the significant contribution of these domains in the increasing wealth of the Royal family: "Through a good standing and severe in household expenditure, without aid, many smaller required from all sides, my wealth grew from year to year; the domain of the Crown revenues contributed, in particular, at the increase, thanks to a very good administration and provision of Mr. Kalinderu, who worshiped with a boundless devotion, at this institution, so useful for the whole country" (Mitu, 2010a: 148).

The Romanian Crown Domain - six decades of existence

An important role was played by the Crown Domain Administration in assuring the necessary conditions for the growth of the socio-cultural level for the villagers, as schools, churches and libraries building, providing the schools with publications and the necessary didactic material, work-shops and theatres. In each village were organized courses, were delivered lectures, were commemorated through a festivity the great moments or the historical personalities, were organized campaigns for gathering folklore, proverbs, sayings, old adages, were built museums and cultural societies (Mitu, 2011b: 313-316).

The school and parish libraries, those from the cultural societies ones and those of the administrations houses had been endowed with a great number of books – didactic books, literature, history, science, practical works – and magazines whose number was increasing each year, through the acquisition of new books and magazines. Therefore, the subjects were diverse and for all the categories of readers. Preponderant, were the compilations that appeared under the aegis of “The Popular Library of the Crown Domain Administration”. They had been realized at the call of Ioan Kalinderu, in simple and common terms. Very many of them were also in the houses of the peasants, to whom were distributed on free.

In 1884, on the Crown Domains, existed 18 schools that functioned, most of them, in rented rural houses, built of half timber walls or entirely of timber. After the implication of the Administration led by Ioan Kalinderu, in 1908/1909, their number raised to 42 buildings, among which only three schools functioned in rented houses. The rest of 39 schools benefited by their own places, according to the last pedagogical norms: large rooms, well illuminated and properly endowed (Mitu, 2011c: 121). He also took some measures regarding the introduction of gymnastics and military exercises in schools, the creation of school choirs, he encouraged the students to participate to the completion of a proverbs compilation, whose author was to participate to the Orientalists Congress in Rome, he got the people involved in money collecting for the building of monuments in the memory of some personalities such Ion Creangă, V. Alecsandri.

On the expense of the Administration, have been founded school museums and cultural societies, creating proper functioning conditions, placing at their disposal the edifices and the necessary furniture. The heating, the maintenance of the buildings and the books, that constituted the library, were also under the care of the Administration. During 1899-1910, had been constructed on the crown's domains 11 popular banks with 5.642 members, with a subscribed share capital of 721.890,88 lei and a paid up share capital of 801.727,37 lei, 5 consumption societies, 3 societies for the purchasing and selling of products, 4 societies for the vegetables culture, 9 purchasing societies (Mitu, 2011c: 122).

He gave consistent amounts of money for the remaking and the construction of new churches, mayoralties and other institutions. Observing, during his monthly visits on the Crown's Domains, the lack of people from the Sunday and Holiday services, Ioan Kalinderu appealed to the teachers and to the personalities of the communities „asking them to take part at the services and, through their example, to attract as many children as possible and also dwellers.

Becoming advantageous, the Domains' Administration, through the benevolence of the sovereigns, annually offered money, products and timber to the people in need, scholarships for the poor pupils and students. Once with the end of the First World War, the Domain got involved in creating places for the invalid people, for

the children orphan after the war and other charities. From the Crown Domain's funds was created the Institute for the study of history from the Superior Dacia University.

The Central Administration fought intensively against the immorality and misery, considered in all the respects, heading sometimes to pedantism.

The agrarian reform from 1921 led to a reduction of the agricultural surface of about 46.400 hectares of agricultural field designated for the appropriation of the dwellers (Mitu, 2011a: 162). The diminishing of the agricultural areas, including the number of estates, imposed the reorganization of the administrations: the Domain Domnița was entirely expropriated; the Domains Borca with Sabașa and Farcașa and also Cocioc with Gherghița were administratively joined. The Union from 1918 led to the entering in the Crown Domain of a new estate from Basarabia, the Domain Românești (Orhei county) (The National Central Historical Archives Service, file: 1884/1885: f. 3-4; 1939: f. 105; 1073/1944: f. 76). In the period before the War this estate belonged to the Russian royal family.

The economical crisis from 1929-1933 and the Second World War (1939-1945) negatively affected the activity on these estates. At the mountain administrations, where the main activity was the forestry exploitation, was registered a stagnation of the works and a great decrease in the sailing of the timber. The administrations from the field area registered reductions on the cultivated surfaces and in production.

Starting with 1934, the effects of the crisis had been attenuated and then liquidated by the ever increasing request of agricultural and forestry products, after the growth of the prices on the internal and external market. During 1934 – 1939 were registered requests for export, especially for the viticultural products and timber.

In 1938 were sent from the Segarcea Administration 14.000 bottles of Bordeaux wine in Switzerland, 55.300 bottles in Indies, 7.500 bottles in Argentina (S.A.N.I.C., file 268/F.D.: f. 23.). Requests for wine were registered in Warsaw, Poland for the preparing of vinegar.

For timber were registered requests from Albania, Iraq but also from the Society BELROM S.A.R., as a representative of the concern Samac – Luxemburg – New York, announcing that it was willing to take in 1939, from the entire production of timber from Valea Bistriței and the region Fălticeni of the Crown Domain, a quantity of almost 30.000 m³ of semi-finished and planed timber (Mitu, 2011a: 164-165). The export was made only in trans-ocean countries, in the Eastern Asia, in Africa, in North, Central and South America and Australia.

The breaking out of the Second World War led to a new decrease of the activity. This is due to the fact that men were sent to the battle-front, were requisitioned materials and animals for the war needs, but was also due to the plunders and destructions caused by the Soviet, German and even Romanian armies. The losing of the Domain Românești in 1945 meant the first step to the dismembering of the Crown Domain. Once the power was seized by the communist regime, the imminent disappearance of the Domain emerged. After the forced abdication of King Michael, on December 30th 1947, the Crown Domain became the state's property.

The efforts made for the organization, modernization and the increase of productivity, were successful at the national and international exhibitions, to which this institution attended.

A great success the Crown Domain registered in 1906, at the Jubilee Exhibition from Bucharest, where there were commemorated 1.800 years from the arriving of the first colonists in the Romanian territories, 40 years of reign under Carol I

The Romanian Crown Domain - six decades of existence

and 25 years from the proclamation of the Romanian Kingdom (Mitu, 2010a: 149). At this exhibition, the Domain showed to the visitors all the products obtained in all the administrations, from agricultural and forestry products to the industry items. Ion Kalinderu was awarded a special prize, representing a silver vase with allegorical figures, exquisitely made. This prize was offered by the king himself “to the most remarkable farmer” (Mitu, 2010a: 151). Exposing the motifs for which the Crown Domains were awarded this special prize, Dr. C. Istrati, said: “The Crown Domains are for a long time a good example for the entire country, having an important influence on the activity of our great landowners. All that was done there was due to a serious thinking, had been studied and applied before on a large scale, only after it had been experienced on a smaller scale” and continued, referring to the industry that was developing in the perimeter of the Administrations: “A good result was that regarding the industry and especially the industry that works with the products from agriculture and particularly during the winter’s months, by our villagers” (Mitu, 2010a: 153).

The exhibit was closed on November 23rd, in the presence of Queen Elisabeth and the princely couple, Ferdinand and Mary. In the speech that Ion Lahovary delivered, he mentioned all the objectives and the purposes of the organizers: “We desired to show to the foreigners and to the Romanians that what Romania once had been and what is today, after 40 years of glorious reign of the King Carol I...we wanted that the foreigners to know and that the Romanians to know themselves better, to know that between the Danube and the Carpathians leaves, grows and becomes stronger a hard-working, brave and peaceful people, leaded by a patriot and wise king” (Mitu, 2010a: 153).

Mentions regarding the exhibitions organized during the period 1906-1918 aren’t any, although we don’t doubt about their existence, the archive of the Crown Domain being destroyed during the First World War (1916-19180).

The union of Basarabia with Romania from 1918, extended the possibility to participate at the exhibitions organized in the Romanian province from over the Prut. Thus, when such an event was organized at Chişinău, on August the 5th 1925, the Segarcea Crown Domain, recognized especially for the wines produced there, answered positively to the invitation to participate with agricultural, forestry, viticultutal and animal products (Mitu, 2010a: 153).

On the international plan, a first important success was registered by the Administration at the Paris exhibition from 1900. This success is evidenced by the great number of prizes obtained: a great prize awarded to the administrator Ion Kalinderu for the entire activity in the service of the Crown Domain, two golden medals, 5 silver medals, one bronze medal and three mentions (Ollănescu, 1901a: 442-444, 447; Vlad, 2001a: 174). For the period between the wars we have more information regarding the presence of the Crown Domain at the universal exhibitions. We mention here the exhibition from 1925 organized at Lemberg, Ukraine, that from 1929 in Warsaw where there had been exhibited three different types of wines, grapes and other fresh or conserved fruit. In 1935, with the celebration of the Belgian state of 100 years from the inauguration of the first continental railway and 50 years from the creation of the independent state of Congo, took place the universal the exhibition from Brussels (Holland). the exhibition lasted 194 days, housing the stands of 8.930 exhibitors from all continents countries. the presents at this exhibition was under the patronage of King Carol II, initiative due to the Committee led by Ion Manolescu Strunga, the Minister of the Industry and Commerce. In the pavilion there had been organized section for

Narcisa Maria MITU

agriculture, transportations, textile products and ancient, religious and rural art. We find the Crown Domain at the agrarian section, exposing different samples, along with the Institute of agronomic researches, The State Farm Zorleni, Jean Cămărășescu, The Viticulture School from Chisinau etc. The exhibition was marked by the artistic dimension. The awarding ceremony of the participants to the exhibition, organized on October 15th 1935, offered to Romania 97 rewards, placing it on the 15th place (Vlad, 2001b: 101; Mitu, 2010b: 234-235).

The exhibition from U.S.A. in 1938 was the last exhibition at which the Crown Domain took part. Its presence was facilitated by the election of the first president of the American confederate nations. It was called one of the most grandiose exhibitions in the entire history, having 44 million visitors. It took place at Flushing Meadows - Corona Park, in two seasons, 1939-1940, and named "Building the World of Tomorrow" (Mitu, 2010b: 235).

Among the exhibitors from New York, there was also the Administration of the Segarcea Crown Domain, with the new presentation of wines. The range of wines exposed here were the noble ones, internationally recognized. The total number of wine bottles that went to America was 15.240. Besides wine, there were sent 400 bottles of brandy and 200 bottles of sterilized grapes juice (Mitu, 2010b: 235). These drinks could be tasted and bought from the restaurant-pavilion.

All these exhibitions offered the opportunity for our products, obtained in the thirteen administrations, to be recognized and appreciated. Thanks to this possibility of promotion, many requests had been registered for our wines and wood products, the proof being the contracts concluded with different foreign societies.

An institution that struggled with the poverty, an important factor in the education and the culture of the villages through rational methods and activity, the Crown Domain constituted an example of what can be achieved, in a short time, in a country that was obliged to make large steps on the development ladder.

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ORIGINAL PAPER

The Erasure of King Carol II's Name during the Communist Regime. Case Study – the Church Saints Archangels from Craiova

Mihaela Camelia Ilie*

Abstract

The communist propaganda tried to make Romanian people forget the Hohenzollern dynasty. They excluded the kings of this family from the history studied in schools and universities and, moreover, the ideologists of the regime used other methods to raze the monarchy from the social memory. One of these methods was to remove the kings' names from different public monuments, as it happened at the church Saints Archangels from Craiova, where Carol II's name was erased from an inscription dating back to 1932.

Keywords: monarchy, communism, Carol II, church, inscription.

* PhD, University of Craiova, Faculty of Law and Social Sciences, Phone: 0040766355005, Email: mihabuzatu@gmail.com.

The Erasure of King Carol II's Name during the Communist Regime...

An introduction – monarchy and communism in the Romanian history

The researcher that analyzes the history of Romania during modern and contemporary period must take into account two defining aspects – the Hohenzollern monarchy (1866 to 1947) and the communist regime (1947 to 1989). It is obvious that we can not understand what Romania is today if we don't know the relation between those two political periods. If one has to compare them, the first conclusion is that they were totally different, we may say opposite, from many points of view: monarchy vs. republic, democratic regime vs. totalitarianism, western political influence vs. eastern political influence etc.

Therefore, these two regimes rejected each other and, as communism chronologically succeeded monarchy, the ideologists of the communist period tried to make forgotten the memory of the kings that ruled Romania in the second part of the 19th century and the first half of the 20th century. In order to legitimize their power, the communists erased the background of the monarchy and created a negative image of the Hohenzollern kings in the memory of the Romanian people. Their main goal was to produce a social blackout regarding the monarchic idea and the first step was to destroy the material remains of the royal period – the less people knew about their past, the more controlled they were in their present.

Erasing people means erasing names – this is what the communists understood and learnt. This idea was not new at all; it was as old as the Roman Empire – in ancient Rome, when someone wanted to destroy the memory of a former emperor, the first thing was to demolish his statues and blot out his name from the public monuments.

The same situation was met in Romania during the communist regime, regarding the Hohenzollern dynasty. The ideologists tried to exclude the monarchy from the history books. The second part of the 19th century and the first half of the 20th century was divided into different parts which did not take into account the „royal history”: the revolution from 1848, the independence war from 1877-1878, the first world war, the second world war etc. The researchers were not allowed to divide the Romanian history in the reign of Carol I, the reign of Ferdinand or the reign of Carol II etc. Although in the 70's some information was given about the royal family, the titles of the chapters entirely excluded them (Oțetea (coord.), 1970).

Carol II – an authoritarian king of Romania

Carol II was the son of king Ferdinand of Romania. His tumultuous personal life (Quinlan, 2008: 5) excluded him from the succession to the crown of the Romanian kingdom. In the summer of 1930, he returned to Romania and replaced his minor son, Mihai (Michael) as a king; thus, beginning with June, 8th, 1930 Carol II ruled Romania for a decade (Berindei, 2000: 4-7; Scurtu, 2003: 280).

What kind of king was Carol II? For answering this question, one must take into account a portrayal made by Ioan Scurtu, a Romanian historian who researched the 20th century: „The new king was the supporter of the idea that the monarchy should not remain outside the political disputes, should not be a passive referee, that take note of the decisions taken by the political parties. His model was his uncle, Carol I, who decided the changes of the governments and the structure of the ministerial portfolios, who was taking part in the internal disputes of the political parties or who was involved in adopting a law which he considered absolutely necessary, Carol I effectively led the

external policy of the country [...] This the kind of monarchy that Carol II was aiming at and that is why he was mentioning so often his uncle, while Ferdinand I was reminded only during the feasts consecrated to the war for national unity [the First World War] or to the Great Union from 1918.” (Scurtu, 2000: 15-16).

At the end of his reign, he passed to an authoritarian political regime; 1938 was a decisive year for the overthrowing of the Romanian political system. After the resignation of the government led by Octavian Goga, on February, 9th, 1938 (Scurtu (coord.), 2003: 385), the next day the king nominated Miron Cristea, the patriarch of the Orthodox Romanian Church, as the new president of the Council of Ministers of Romania (Scurtu, Buzatu, 1999: 343); Henry Prost considered that from that moment „the sovereign became his own prime minister” (Prost, 2006: 169). The relationship between the king and the patriarch, a relationship that changed Romania at the end of the 4th decade, was a kind of Byzantine cesaropapism in the 20th century. In his daily memories, king Carol II expressed his gratitude, in his laconic manner, for all the efforts that Miron Cristea made throughout his life; when participating to the patriarch’s funerals, Carol II wrote in his diary: „Monday, March, 13th, 1939 [...] The Patriarch’s funerals [...] The coffin was placed in the middle of the cathedral; as it had a glass lid, I could see for the last time this good servant of the Church and the Country.” (Carol II, 2003: 302-303)

The new regime was legally confirmed by the new constitution issued on February, 27th. The new fundamental law of the country increased the king’s political influence; by the new constitution, he became „the head of the state”. Therefore, the „leviathanic” discourse of the legal document was fundamentally influenced by the politics; the king’s person was proclaimed „inviolable”. Another important step took place next month, on March, 30th – all the political parties were dissolved. It is enough to quote the first article of the law in order to understand the political situation from Romania in the spring of the year 1938. „All the present associations, groups or parties, which were set in order to propagate or to achieve political ideas, are and remain dissolved” (Scurtu, Buzatu, 1999: 345-346).

In order to better understand the political situation from Romania, one must take into account a political map of Europe, drawn for the beginning of the year 1938, by Serge Berstein and Pierre Milza. According to this map, the continent was divided in four big categories: the states with a parliamentary regime or a liberal democracy (France, United Kingdom, Ireland, Netherlands, Belgium, Luxembourg, Switzerland, Norway, Sweden, Finland, Czechoslovakia and Islands); the states with a fascist regime (Italy and Germany), The states with a communist regime (The Union of Soviet Socialist Republics) and the states with a traditional authoritarian regime (Spain, Portugal, Turkey, Greece, Bulgaria, Yugoslavia, Romania, Hungary, Austria, Poland, Lithuania, Latvia and Estonia) (Berstein, Milza, 1998: 112). The authoritarian political regime from Romania, initiated by Carol II during the winter and the spring of the year 1938, can be thus integrated in a larger area, which was spread along the Europe.

The political „reforms” that king Carol II began in February, 1938, continued along the same year with some changes in the administration. On August, 14th, Romania was divided in ten lands (*ținuturi*), each of them being lead by a „royal resident”; the royal resident was appointed by the king for six years (Scurtu, Buzatu, 1999: 351; Păunoiu, 2012: 52-88).

The Erasure of King Carol II's Name during the Communist Regime...

National Renaissance Front – a party for a king

One of the most important steps in the new political architecture built by the king was the creation of National Renaissance Front (Rusu, 2000-2001: 404-414). On December, 16th, 1938 a new party appeared in the Romanian political landscape. The law which gave birth to National Renaissance Front (NRF) was signed by the King Carol II, by the Prime-minister Miron Cristea and by the ministers for Justice and Internal Policy, Victor Iamandi and Armand Călinescu. A short document (the law had only 8 articles) created the Romanian political background for the next years; the process that began in March finished in December (Buzatu, 2009: 29). Although it was the only party of Romania during that period, NRF collaborated with the members of the traditional parties that were eliminated in the spring of 1938. In fact, this was one of its main goals – to attract the politicians without a party and to enlist the citizens who were not members of a political organization.

An interesting presentation of NRF was made by Radu Florian Bruja, a historian that wrote a monograph of the political organization. In his opinion, the party „can be equated to with the end of the Romanian interwar democracy. At the same time, it was contemporaneous with one of the most tragic events in the history of the Romanian people, namely the desintegration of Great Romania. The single party could neither prevent that, nor could it maintain the regime it had created. It assisted the undemocratic regime of Carol II's monarchy, the first in a series of undemocratic regimes of the 20th century Romania.” (Bruja, 2006: 291)

Shortly after the foundation of the party, there were issued documents regarding the organization and functioning of NRF; structured hierarchically, with the center in Bucharest, the new party embedded in its composition, from its early months, an impressive number of members. Beyond the more or less sincere adherence to the ideas of the Front, they were individualized in society by the obligation of wearing a uniform; this was a model found out in the totalitarian parties of Europe from that period.

In early 1939, there were established the bases of the royal party central structure, such the Directorate and the National Superior Council of the NRF; at the same time, the first government of the Front was also established, under the chairmanship of Miron Cristea (Buzatu, 2012: 245-254). In order to determine a wide adherence to certain categories of members, an exemplary method was tried – the leaders of different groups joined the party; thus, after the Miron Cristea, the Patriarch of the Romanian Orthodox Church had entered NRF, the clergy from Bucharest, and thereafter other priests in the country followed him and joined so joined the Front (Dindirică, 2011: 333-335). The proximity to the representatives of the Orthodox Church was not random and the appointment of Patriarch Miron Cristea as prime minister brought the royal party one of the most important institutions from The Romanian interwar period – the Church. In a time when more than 70% of the Romanian population belonged to the Orthodox confession and the obedience to the leaders of the Church was undeniable, their involvement in the king's political plan gave him, in theory, the prospects of a rapid development. From participating in different feasts organized by FRN representatives and in different sermons that called for solidarity in the royal party, orthodox priests led a campaign of popularizing the Romanian single party; with all this support, the Front failed to translate into practice the political ideas of King Carol II.

Another characteristic of the royal party, which worked to its detriment, was legislative instability manifested throughout the existence of the FRN. The law for the establishment of the Front, dating from January 5th, 1939, proved ineffective. At a central level, the bodies necessary for the coordination of the party activities were made in a few months – the Directorate, the National Supreme Council and the FRN Government; in June 1939, a legislative structure was created – the Front Parliament; on the other hand, at a local level, there were recorded a lot of organizational problems. Among them, one can mention the lack of communal secretaries, the poor communication between local and central bodies, but also a low interest expressed by the representatives of the royal party for the implementation of the ideas coming from the center (Țurlea, 2006: 11-132).

After the assassination of Armand Calinescu, on September 21st, 1939 (Bănică, 2007: 164-169), the National Renaissance Front entered a new stage. By losing one of the most important people of the Front, Carol II felt the need to become more involved in the reorganization of his party; thus, the last months of 1939 and the first half of 1940 was dominated by attempts to reform FRN. Less than a year after the appearance of the single party, the sovereign was found in a position to start a campaign of reorganizing it; under these circumstances and taking into account the last events, there were established two new ministries – the Ministry of Propaganda and the Ministry of the National Renaissance Front – both having the purpose to support the propagation of FRN political principles and to help their implementation. An important part of this new guideline was the openness of the single party to the representatives of former traditional political parties, manifested mainly in the reports with the Iron Guard. In theory, the rapprochement to the legionnaires and their ideas was justified by the close ties that they had with Germany, which at the time, played a decisive role in European politics. The first part of 1940 brought new changes in the legislation and in the Front's organization, the central authorities of the royal party trying to apply these changes in the territory.

In this second phase, more than the period during December 1938 – September 1939, the propaganda pro-NRF had much more varied aspects. The main propaganda body of the single party was the National Guard whose efforts had to be focused, primarily, on popularizing the Front's doctrine and on raising many members. In addition to meetings, whose specific purpose was to present the program pursued by the royal party, the Guard's representatives took advantage of every meeting they had with citizens in order to spread the ideas of the Front – whether it concerned the solemnity of oath depositions of the National Guard members, the involvement in national hygiene program initiated by the Ministry of Health and Social Care, the help given by the general Commissariat for defeating illicit speculation or the involvement in law enforcement for the capitalization of wheat, scrap collection, etc. A large-scale propaganda campaign could be started with the onset of actions for the organization of the country's defense. Sending orders of concentration led to a difficult situation both for the focused persons and for their families; by the departure of a husband or a son, the family was deprived by a person that, by his support, held up the family. The intervention of the National Guard consisted in the participation on equipping the army by collecting money or clothing required for the focused persons, even collecting and sending books to soldiers. In addition to the noble purpose, the campaign started by the Guard members had a clearly propagandistic effect, confirmed by the extent of the demonstrations that took place both for raising funds and goods, and for their distribution. Different meetings were organized throughout the country by the National

The Erasure of King Carol II's Name during the Communist Regime...

Guard, during that period: balls, cultural parties and dances, festivals, social evenings and cultural meetings, rustic festivals, etc.; all of them aimed at equipping the army and helping the families of the soldiers, and last but not least, further systematic propagation of the FRN doctrine amongst the population (Bruja, 2006: 88-97).

The transformation of NRF

The month of June 1940 was decisive for the unique party, both internally and in terms of its classification in the general events of Romanian history. On June 22nd, 1940 the National Renaissance Front became, by royal decree, the Nation Party, „totalitarian single party” set, this time, directly under the leadership of King Carol II. With this new title, only theoretical changes were made regarding the royal party, because the party at that time was under the sovereign’s rule, and its character had been until then a totalitarian one. That specification was necessary as it was meant to identify the doctrine of the Romanian single party as against European totalitarian parties, in general, and concerning the German totalitarian party, in particular. In a time when England and France showed no willingness to guarantee the territorial integrity of Romania, Adolf Hitler was the most important character and politician that could stop the annexation trends of the USSR, Hungary and Bulgaria. Therefore, the king hoped that if he could have managed to create the German leader the impression that Romania was copying the domestic politics of the Third Reich, the country would have been saved from disaster; unfortunately for the Romanian political destiny and future, this did not happen and although Carol II made efforts to legitimize the party as a totalitarian one, the Romanian ruler found himself totally abandoned, in terms of external support, during the months July – September 1940.

Regarding internal politics, the leaders and members of the traditional political parties, aware of the seriousness of the international situation and the severity of repercussions that it could have (and has had) on Romania, gave their endorsement on the sovereign’s policy and, by default, to the single party; among them, Ion Mihalache, one of the leaders of the National Peasants’ Party, accepted the political position of royal advisor. In spite of his late support from some politicians, the king was not able to counteract the pressures exercised from outside to the the territorial integrity of Romania.

The transition to the Nation Party, essentially the same party of national renaissance, was a last attempt of political grooming, which actually never reached that level of popularity desired by the sovereign. A few days after the act of transforming the National Renaissance Front in the National Party, the drama of Romania began and spread in the summer and autumn of 1940; the loss of Bessarabia and Northern Bukovina, as well as an important part of Transylvania and the Quadrilateral, made Carol II the head of the main Romanian political disaster at the end of the fourth decade of the past century. The king’s public stigmatization drew, obviously, a great image deficit to the National Renaissance Front. In this situation, the king was obliged to appeal to general Ion Antonescu in order to form a new government; thus, on September 5th, 1940, Carol vested the general with full powers in order to rule the Romanian state; four days later, Antonescu was the one who signed the law for abolishing the National Party.

The last months of existence of the single party corresponded to the last months of the political life of the king. By the Romanian territorial losses from the summer and

autumn of 1940, Carol II became, in the eyes of the public opinion, primarily responsible for this situation; thus, his abdication, imposed by the new conditions on September 6th, 1940, caused, consequently, the abolition of the royal party. Emerged from the Sovereign's desire to dominate the Romanian society, by his own party, NRF (thereafter NP) disappeared from the political scene together with its initiator. Born from an idea of the authoritarian ruler of Romania, who wanted to expand his projected absolute power not only on the Romanian political class, but also on the entire nation, the National Renaissance Front embraced the fate of its creator – without external support and without real internal assistance, the Front left the political scene in the fall of 1940 (Constantiniu, 1997: 371-386; Crampton, 2002: 140-141; Quinlan, 2008: 357-372; Țurlea, 2006: 231-284).

Some historians saw NRF as a vivid example for Romanian history of the 20th century: „Posterity did not justice to the National renaissance Front. Some key aspects, such as its character, its organization or, at least, its importance have not been given due attention. As any single party (Romania is familiar enough with a more recent such regime), the National Renaissance Front set back the democratic evaluation of the state. It has to be studied, analyzed and be made an example for the future. The National Renaissance Front had no political role model, but it paved the way for other single-parties, much more violent and harmful to our history.” (Bruja, 2006: 296-297)

From the cult of personality to a „Maecenas” of the 20th century

The authoritarian political regime adopted by Carol II consequently transformed the king in a leader that developed a strong cult of his personality; an important part this cult found its roots in the Romanian interwar intellectualism (Boia, 2002: 312-313; Cristoiu, 2011: p. 17-18). Three years after he had come on the throne of Romania, the sovereign created *The Foundation for Litterature and Art „King Carol”*; from its activity, one can not forget the monthly periodical, „The Journal of Royal Foundations”, that appeared from 1934 to 1947. The king financially supported the cultural and artistic works, as well as the litterature or the history writing. Tudor Arghezi, Liviu Rebreanu, Lucian Blaga, Mihail Sadoveanu or Mircea Eliade are only a part of the names that enriched the Romanian culture during Carol II's reign (Cioroianu, 2000: 34). As a response to this „cultural policy”, the intellectuals tried to depict a „Maecenas” image for the king Carol II. It is enough to mention the book *Ten years of reign for His Majesty, Carol II*, which was published in 1940, in order to underline the cultural roots of Carol II's cult of personality. At the end of the 4th decade of the 20th century, he understood that an important support for the propaganda will bring him an image advantage. Thus, while the famous Romanian historian Constantin C. Giurescum was the Minister of propaganda, the king gave an important amount of money (184 millions lei) to this minister (Cioroianu, 2000: 34-35).

It was mentioned above that Carol II tried to present himself as a protector of arts and culture – „the voivode of culture” as it was often quoted at the end of the fourth decade. An interesting situation is found at the church Saint Demetrius from Craiova. The princely church, as it was mentioned in medieval and early modern documents, was rebuilt at the middle of the 17th century by Matei Basarab. The earthquake from 1838 affected the church, which was closed at the middle of the 19th century. Saint Demetrius was elected by the king Carol I to be restored in a wider programme of repairing and rebuilding of the medieval princely churches. The works began at the end of the 19th

The Erasure of King Carol II's Name during the Communist Regime...

century and were finished in 1933, during Carol II's reign, the building being consecrated in 1933 (Avram, Ciobotea, Gărașu (coord.), 1998: 7-15). The inscription from 1933 underlines that the works were finished „under the reign of king Carol II, the voivode of the Romanian culture”. Therefore, it is obvious that the shadows of the cult of personality was present not only in the lay monuments, but also in the ecclesiastical ones. When analyzing the inscription, a curious detail appears. The names of Carol II, as well as the names of Carol I and his wife Elisabeth has a different colour from that of the rest of the inscription. The explanation is that during the communist regime the names of the kings from Hohenzollern dynasty were erased from public monuments. One can see that in the case of the church Saint Demetrius, the names were covered with a building material, probably a white paste, which was removed after after the fall of the communist regime.

A short history of the church Saints Archangels from Craiova

A similar situation can be found at the church Saints Archangels from Craiova. The church was built at the end of the 18th century; the old inscription mentions that the building works began in 1783 and finished in 1793 (Avram, Ciobotea, Gărașu, 1998: 69). In 1838 an earthquake shook Wallachia and 217 churches crumbled or were seriously damaged (<http://www.natgeo.ro/natura/1440/7872?showall=1>; August, 25th, 2014, 18.51.); among them – the church Saints Archangels. Consequently, it was closed and the restoration took place between 1857 and 1860 (Avram, Ciobotea, Gărașu (coord.), 1998: 71).

The third and fourth decades of the 20th century represented a new period of restoration. From 1929 to 1932, the church was repaired again, this time by the family Vorvoreanu, and it was opened during the reign of the king Carol II (Stoicescu, 1970: 224). It was a common place of the medieval historiography and cronology to present a period of time by refernce to the reign of a political sovereign (emperor, king, prince etc.). This situation was present in the Romanian Middle Ages and was preserved until the beginning of the 20th century; thus, Carol II's cult of personality was placed over an old political heritage.

The Erasure of King Carol II's name at the church Saints Archangels

The inscription from 1932 was placed over the door of the church. It makes a short oral history of Saints Archangels from Craiova, emphasizing the importance of the founders from the 20th century. The text of the inscription is the following: „This saint church, with the name «Gogu and Polina Vorvoreanu», having as patrons the Saints Achangels Michael and Gabriel, it was built from its foundation by the brothers Buzescu in the 17th century. In 1779 it was rebuilt by the colonel Demetrius together with other founders. It was rebuilt in 1855 by the parishioners, as a result of the eathquake from 1838. Now, for the third time, it was restored with the expenses of the pious parishioner Mrs. Polina Vorvoreanu, in the memory of her late husband, Gogu Vorvoreanu. Under the control of the Commission of Historical Monuments, the rebuilding works finished in 1932 and it was consecrated on October, 23, during the days of king Carol II. Vartolomeu was the bishop of Ramnic Noul Severin and father V. Marghescu, the rector of the church”.

The most interesting detail is that with Carol II's erased name. The inscription quotes that the church was finished in 1932 and „it was consecrated on October, 32nd, during the days of king Carol II”; as it can be seen in the plate, after the word „days (zilele, in Romanian)”, the name of the king was totally covered, maybe with the same white paste as in the case of the church Saint Demetrius.

The Romans destroyed the emperors' statues when they wanted to destroy their memory. The communists chose to erase the names of the kings of Romania, by covering or directly erasing them on the public monuments.

Conclusions

A very interesting and original character, Carol II was the king of Romania during the period 1930-1940. The son of Ferdinand I was somehow different from his father. He created an authoritarian regime, a unique party and a strong cult of his personality. „The voivode of the Romanian culture” was a constant presence not only on the lay monuments, but also on the ecclesiastical buildings. The rejection of the monarchy and its ideas by the communist regime was similar to the erasure or the covering of the king's names from the public monuments, such as the church Saint Demetrius from Craiova. In the end, a single remark must be reaffirmed – erasing people means erasing names.

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The Erasure of King Carol II's Name during the Communist Regime...

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ORIGINAL PAPER

Great Britain's foreign policy as seen by Romanian diplomatic attachés in London (1933-1939)

Marusia Cîrstea*

Abstract

The present article pertains to the continual and efficient activity carried out by Romanian diplomats within the London Legation. During the interwar period, political, military and diplomatic personalities – such as N. Titulescu, N. Rădescu, V.V. Tilea and others – contributed to a better understanding of Great Britain's foreign policy in relation to Romania and the Great Powers of the times. Romanian diplomats – C.M. Laptew, Gh. Niculescu, Gh. Dumitrescu, Radu Florescu – who constitute the topic of our article, reported and characterised Great Britain's foreign policy in the fourth decade of the twentieth century as “balance” and also “compromise policy”, British governments “showing no definite inclination towards one way or the other”. The reports of Romanian diplomats in London reveal that only after “the division and military occupation of Czechoslovakia and then Memel”, which “shocked English public opinion”, will there be a change in the British Cabinet's position towards the aggressors.

Keywords: Great Britain, C.M. Laptew, Gh. Niculescu, Gh. Dumitrescu, Radu Florescu.

* Associate Professor, PhD, University of Craiova, Faculty of Law and Social Sciences, History specialization, E-mail: cirsteamara@yahoo.com.

Great Britain's foreign policy as seen by Romanian diplomatic attachés ...

During the entire interwar period, Romania's diplomacy accommodated itself to the country's historic traditions and promoted a programme that embraced principles and objectives characteristic of interstate rapports exclusively, such as, primarily, *international cooperation and equality among states, fighting revisionism and also the elimination of war from the international life* (Boicu, Cristian & Platon, 1980: 442-480). It is worth mentioning that the efforts made by Romanian diplomacy in this period concentrated on a large and varied range of objectives: a continual activity within the League of Nations in favour of peace and international security; creating regional security bodies and mechanisms; strengthening Romania's traditional alliances with the two Western powers, France and England (Căpușan, 2009: 71-79). Referring to Romania's above-mentioned objectives, I.G. Duca, minister of Foreign Affairs, emphasised that it was imperiously necessary to strengthen ties with the Great Powers and "maintain friendly rapports with neighbours to whom we are joined by common interests." (*Reprezentanțele*, 1971: 10) The same I.G. Duca, speaking about the results of the Locarno Conference, estimated that the division of Europe into countries with guaranteed borders and others left to their own fate "will increase European insecurity" and, as a result, he requested N. Titulescu, minister plenipotentiary in London, and Constantin Diamandi, who held a similar position in Paris, to draw the attention of governments to which they were accredited to the danger such multilateral agreements posed to European peace and show that "if their true aim is a consolidation of the status quo created by the war, they must seek the correct means of offering guarantees to the other states." (Bold & Ciupercă, 2010: 99) At the same time, N. Titulescu asked Austin Chamberlain, Foreign Secretary, to make a public statement to specify that Great Britain "is interested in maintaining order in Central Europe" and that the attempt "to disturb order, through violent means, cannot leave Great Britain indifferent." (Bold & Ciupercă, 2010: 99) Romanian diplomats pursued a foreign policy based on both Romanian interests and true European membership. In its international endeavours, Romania had to take into consideration several threats which were depicted and summarised in the documents of the Foreign Ministry in Bucharest in this way: "its geo-political position; the ever-present likelihood of an attack from Soviet Russia, who never rightfully acknowledged our territorial status; our proximity to some of the states that were defeated at the end of the war and who secretly plan and openly request a revision of the territorial status sanctioned by treaties; the absence of a national arms industry capable of supporting the needs of our army in a moment of crisis" (Georgescu, 2002: 259).

In the fourth decade, as a result of the new course taken by international relations, Grigore Gafencu, having taken over the leadership of diplomacy in Bucharest, declared in a speech that Romania was pursuing abroad a policy of peace with unwavering resolve. The Romanian state was interested in any of the great powers' attempts at understanding and rapprochement, yet this didn't preclude determinately rejecting any foreign intervention in its internal affairs. Gafencu specified Romania will continue to fulfil "its peaceful duty to itself, its neighbours and all the states around, on the grounds of unconditional independence and complete national integrity. These are possessions conquered with blood and in good justice. They represent a sacred heritage. No Romanian will ever permit them to be stained. (apud Mareș, 2010: 108).

In the interwar period, Great Britain's main objectives were: maintaining good relations with the USA – Great Britain had to take into account the fact that the USA was already a great economic power and a potentially great military power and they might need the USA's help anytime; another objective shared by all governments was

ensuring appropriate defence for the country. The defence policy relied on four main objectives: the United Kingdom's security; the protection of the main British commercial routes; the defence of the empire; the decision to contribute to the defence of Great Britain's allies; at the same time, most British politicians hoped that a judicious policy of compromise, reconciliation and concession may prevent a conflict. Such a policy was later named *appeasement* (apud Farmer, 2000: 11-45).

Examining international politics in the 20's, Churchill wrote (in 1948): "in Europe there was peace as there hadn't been for 20 years, a peace that wasn't going to last for other 20 years. There was a certain liking for Germany as a result of our Pact in Locarno and the evacuation of the Rhineland by French troops and allied contingents... The new Germany had taken its place in the reduced League of Nations... France and its alliance system looked robust in Europe..." (Farmer, 2000: 40).

Beginning with the fourth decade, Germany – taking advantage of the Western powers' conciliatory tendencies – hindered continuously any constructive initiative, armament being the essential and declared aim of the Reich's policy. Thus, during the *World Disarmament Conference*, on 2nd February 1932 (Calafeteanu, 2003: 270-271), in Geneva, Great Britain – together with the USA, France and Italy – expressed its agreement on the issue of revising the military situation of the defeated states and mainly Germany. In the meantime, Nazi Germany's increased and also threatening pressure forced Western diplomacy to look for solutions to rebalance the forces. Consequently, the famous *Four-Power Pact* was signed on 15th July 1933 by Great Britain, France, Italy and Germany with a view to establishing a European directorate capable of regulating economic and political problems on the continent, according to the interests of the Great Powers. In the following years – 1934, 1935 – German diplomacy continued its assault working towards destabilising and discrediting Western democracies. Germany's feverish action of undermining international treaties prompted MacDonald to denounce Nazi Germany's accelerated rearmament pace in the House of Commons on 4th March 1935 (Talpeș, 1988: 108-109).

The negative evolution of international events caused the Western Great Powers – Great Britain, France, Italy – to meet in April 1935 at Stresa, for a conference, to analyse Germany's new position. The decisions taken at Stresa seemed to prove the existence of a united front against Germany. The three countries were protesting against the method of unilateral denouncement of treaties. They declared their fidelity for the Treaty of Locarno and confirmed the French-Anglo-Italian statements of 17th and 27th September 1935 about the need to maintain Austria's independence and integrity (Duroselle, 2006: 139). The Conference proceedings came to an end on 14th April when a report was presented to the League of Nations. On the following day, its permanent Council condemned the violation of the Treaty of Versailles and on 17th April issued a declaration showing that adherence to the signed treaties was a prerequisite of saving peace (apud Loghin, 1989: 38-40). However, it had become obvious that Germany and Italy continued a policy of armament and aggression. The forceful acts of 1936 – the continuing military operations in Ethiopia (October 1935 – May 1936); the invasion of the demilitarised area of the Rhineland (7th March); the introduction of the mandatory military service in Austria (1st April); the signing of the Austro-German agreement (11th July); the outbreak of the Spanish civil war (17th July); the signing of the Montreux treaty (20th July); the creation of the Berlin-Rome Axis (25th October) and others – gradually lead to a dangerous turn of events, mainly for the central and eastern European countries (Duroselle, 2006: 147-153). Under these circumstances, the Locarno powers

Great Britain's foreign policy as seen by Romanian diplomatic attachés ...

requested that Germany should limit effectives in the Rhineland; on the other hand, awaiting a new agreement, England, France and Belgium mutually guaranteed lands in case of a German aggression.

All the problems Great Britain faced in its foreign, domestic and military politics were examined by military attachés and Romanian diplomats accredited to London or working within the Ministry of Foreign Affairs. In the interwar period political, military and diplomatic personalities such as Nicolae Titulescu, Ion Antonescu, Nicolae Rădescu, Constantin Sănătescu, V.V. Tilea, C.M. Laptew, Gheorghe Niculescu, Gheorghe Dumitrescu, Radu Florescu, Alexandru Cretzianu and others, contributed to widening connections between England and Romania, but also followed closely the British Empire's foreign policy. Thus, Colonel Ion Antonescu – military attaché in London – reported to the Romanian General Staff that “from a political point of view, it is to be noticed that the [British] government never forsake the principles of national defence and imperial domination upheld by all their predecessors” (A.M.A.E., Fund London, vol. 254: unpagued).

The international events in 1930-1933 and especially Hitler coming to power in Germany represent a new stage in the history of the Anglo-German relations, an overall change in the Foreign Office's perspective in matters of external politics being noticeable. Thus, the Romanian representative in London, C.M. Laptew, emphasised (in a *Report* in October 1933 (A.M.A.E., Fund 71 England, vol. 2: 209-232), written to the Romanian Ministry of Foreign Affairs): “The Foreign Office is at present overtly against Germany” (A.M.A.E., Fund 71 England, vol. 2: 223). The same *Report* analyses Great Britain's relations with:

- *France* – showing that “Great Britain feels closer to France than ever before [although] the relation between the two countries is affected by a certain embarrassment at Germany's retirement from Geneva” (A.M.A.E., fond 71 England, vol. 2: 222);

- *the USSR* – noting “the slight displeasure (especially in conservative circles) caused by hindrances in signing the commercial agreement, which allow Russia to enjoy the most-favoured-nation clause” (A.M.A.E., Fund 71 England, vol. 2: 223);

- *the USA* – who, desiring a “disarmed Europe, when America declared she couldn't do it herself” (A.M.A.E., Fund 71 England, vol. 2: 224), only led to more strained relations between the European powers;

- *Italy* – where “rapports [...] are fairly relaxed” (A.M.A.E., Fund 71 England, vol. 2: 225);

- *the Little Entente* countries – emphasising doubts expressed by the Foreign Office and political circles about the decisions taken by “The First Meeting of the Permanent Council of the Little Entente in Sinaia” and also “Minister Titulescu's activity in Poland and the Balkans” to sign bi- and multilateral agreements. All these endeavours were perceived by Great Britain as “proof of the attempts to steal this part of Europe away from under the influence of the Great Powers” (A.M.A.E., Fund 71 England, vol. 2: 224).

The same *Report* written by C.M. Laptew reviews Great Britain's position on current international events, such as: disarmament; Germany's retirement from the League of Nations; the revision of treaties; the payment of war debts; the matter of minorities. As far as the *revision of treaties* is concerned, the Romanian diplomat was apprehensive that “An important number of less important [British] deputies – broadly ignorant of the essence of the matter or directly interested in lucrative endeavours – intend, in their enthusiasm for Hungary, recently visited on a budget, to propose that the

Chamber should request that the League of Nations includes the matter of the revision on its agenda” (A.M.A.E., Fund 71 England, vol. 2: 227). Referring to *The payment of the war debt*, the report emphasised that negotiations between the Great Powers “have led to few results so far” (A.M.A.E., Fund 71 England, vol. 2: 226) and that “The difference between the American demands and the British proposals is too big. It seems the British offer might be the following: either the payment, once and for all, of £80 million gold, representing the total of debt, capital and interest, or the reduction of the annual installment to £ 2 000 000 to be paid in two biannual installments starting with 15th December 1933. It is likely that only a provisional agreement will be reached.” (A.M.A.E., Fund 71 England, vol. 2: 226-227) As far as *the matter of minorities* is concerned, the military attaché emphasised that “However, the English government does not receive Jewish refugees in England and when apprised by Germany’s neighbours, injured by the latter’s procedures which forces them to receive an unexpected influx of inhabitants chased out of Germany, – the English government was very late in giving an answer.” A.M.A.E., Fund 71 England, vol. 2: 228-229). Another distressing problem is that of the Palestinian population, “dissatisfied with the growing number of Jews deciding to settle in Palestine [which] caused the disorders that were quickly quelled by British authorities.” (A.M.A.E., Fund 71 England, vol. 2: 229).

Another military attaché in London, keen on explaining “the essentials of English foreign policy” was Gheorghe Niculescu. He emphasised that “the essentials of English foreign policy” remain the same “as long as nobody threatens its interests, peace efforts and the guaranteeing of a world-wide market for its commerce and industry. Concerns that the English population live safely and well etc.” (A.M.R., General Secretariat Fund, vol. 1433: 242). Other matters of foreign politics that preoccupied Great Britain in 1934 were: “The German problem concerning Mittel Europa and [...] the Japanese Matter, which, in a not too distant future, will gravely affect English interests in the Indian Ocean” (A.M.R., General Secretariat Fund, vol. 1433: 242).

In 1934, C.M. Laptew returns with a new *Report* (A.M.A.E., Fund 71 England, vol. 3: 188-208) to the Ministry of Foreign Affairs, in which he shows that “Political rapports between Romania and Great Britain remain excellent. The essential role that Romania, whose Ministry of Foreign Affairs is the President of the Permanent Council of the Little Entente, plays in the European Concert makes these rapports all the more important” (A.M.A.E., Fund 71 England, vol. 3: 207-208). Referring to England’s relations with the great powers, he specifies: “The more than simple moral support given to the French initiative in the creation of the Locarno Eastern pact” (A.M.A.E., Fund 71 England, vol. 3: 200), as well as “the satisfaction with which Great Britain received Russia’s admission in the League of Nations Concert” (A.M.A.E., Fund 71 England, vol. 3: 202). As far as Germany is concerned, the [British] official circles’ mistrust of the Reich’s future policy (A.M.A.E., Fund 71 England, vol. 3: 200) becomes evident, especially after the events in the summer of 1934 (when the Vienna putsch takes place, orchestrated from Berlin, with Hitler’s direct involvement), which caused “public opinion in Great Britain [...] as well as German sympathy to drop considerably” (A.M.A.E., Fund 71 England, vol. 3: 200). These “sympathies” also dropped because commercial difficulties between the two countries increased, which determined “the British government to send a special delegation to Berlin, presided by none other than the British Government’s economic Official Counsellor, Sir Frederick Leith-Ross. What did not find its desired echo in “The impartial British spirit” was Mr. Schacht’s graceless explanation in a chapter of his speech, revealing that Great Britain, who shows so much

Great Britain's foreign policy as seen by Romanian diplomatic attachés ...

indignation at the German answer that it cannot pay its creditors, hasn't in fact paid its own debt to America." (A.M.A.E., Fund 71 England, vol. 3: 202). Under such conditions of "official circles' mistrust of the Reich's future policy" (A.M.A.E., Fund 71 England, vol. 3: 200), London found arguments to adopt an increasingly cautious strategy in Eastern Asia, trying to "study opportunities for more intense commercial exchanges with the new Mandchouko state, as well as Japan" (A.M.A.E., Fund 71 England, vol. 3: 202) and "establish agreements on all the matters which interest Great Britain in the Far East" (A.M.A.E., Fund 71 England, vol. 3: 202). As far as England's relations with Italy are concerned, the author of the *Report* shows they "continue to be good, in spite of all the little frictions caused by Mr. Baldwin's statements" and "certain Italian displeasure at the British attitude towards the events in Austria" (A.M.A.E., Fund 71 England, vol. 3: 203).

The author of the *Report* pays special attention to the way in which the two regional organisations – the *Little Entente* and the *Balkan Entente* – are regarded by British politicians, who consider they "are being called on to play a progressively more significant role in the issue of maintaining peace" and "the Little Entente is meant to replace the States that overset the system of the Eastern pact designed by Messrs. Barthou and Litvinoff and supported by the British government" (A.M.A.E., Fund 71 England, vol. 3: 203). Other issues debated by C.M. Laptew in the *Report* regarded: "a) *The Naval Conference*. During August it was rumoured that the Japanese government intended to denounce the Washington Naval Treaty. However, these rumours were not confirmed and now the Japanese experts are said to arrive in London in October to discuss the whole naval matter. The Japanese proposals are directed towards the following: setting a tonnage limit for each great Power, which should be free to build any type of ships within the set tonnage limit, restricting only certain categories, such as aircraft carriers; setting a naval armament limit for the very extensively equipped Powers, in order to prevent them from being able to attack, yet ample enough to guarantee their defence. b) *The Eastern Pact*. The difficulties hampering the signing of the Pact make official circles quite pessimistic about the outcome of this endeavour. In any case, here it is no longer considered possible that a Pact will be signed as agreed at the beginning, as neither Germany, nor Poland or all of the Baltic States can still be relied on and it's not sure in what manner France will reach an agreement with Russia. Closing a pact that would include Czechoslovakia alongside these two Powers does not seem a satisfactory solution. The desire of the British government would be to have an overall pact, guaranteeing both France and Germany." (A.M.A.E., Fund 71 England, vol. 3: 205-206).

Another Romanian diplomat – interested in reporting as accurately and realistically as possible on the political, diplomatic and economic interactions between the European states – was Gheorghe Dumitrescu. Thus, in a *Report* on 21st June 1935 (A.M.A.E., Fund 71 Romania, vol. 362: 88-120), referring to the Italian-Ethiopian conflict (1935) and Great Britain's position, he emphasised the following: "British official circles consider that debating the Italian-Abyssinian conflict within the League of Nations would put certain strain on the Anglo-French-Italian pact, because on the one hand London is under the impression that France gave Italy a green light in Abyssinia and, on the other, the fulfilment of Italian desires in Eastern Africa is considered perilous to England in the future" (A.M.A.E., Fund 71 Romania, vol. 362: 88-89). The minister plenipotentiary in London, C.M. Laptew, refers to the same Italian-Abyssinian conflict, emphasising that "generally speaking, the British policy in the Ethiopian conflict

continued to alternate between a policy of sanctions and one of conciliation” (A.M.A.E., Fund 71 England, vol. 4: 391-402).

Great Britain was going to lead the same policy of resignation in the face of the unavoidable in the 1936-1939 period. In 1936, London protests faintly against the remilitarisation of the Rhineland, refuses to engage in the Spanish civil war and does not take any action when faced with the creation of the Rome-Berlin Axis, later extended to include Japan through the signing of the Anti-Comintern pact (Cîrstea, Buzatu, 2007: 105-106). This policy of “resignation and non-intervention” reached a peak in the Munich Conference (29th September 1938), when N. Chamberlain accepts the dismemberment of Czechoslovakia, convinced that he has definitively saved the peace. On his return to London, at the airport, where he was greeted and acclaimed by a large public, he waved the paper on which he had signed and told the crowd: “Peace is ensured for our generation” (Farmer, 2000: 115). A few weeks later, the signing of non-aggression agreements with Hitler showed the British politicians and leaders’ degree of delusion on the eve of the Second World War. However, there were first rank politicians, such as Lloyd George, who criticised the British government’s politics. “What have we done?” – asks Lloyd George. “After putting pressure on the Czechoslovakian government to accept all concessions and succeeding in it, we abandoned the little democratic state in Central Europe [...] in the hands of a brutal dictator who will deny both the Czechs and the Germans any freedom. The same way it happened in Austria” (A.M.A.E., Fund 71 England, vol. 8: 123).

Great Britain’s whole European politics in this period of disquietude and change – political, military and national – is also depicted by Radu Florescu, in a confidential *Report* entitled *On the English Politics following the Munich Agreement* (A.M.A.E., Fund 71 Romania, vol. 262: 196-219). In his concise examination, Radu Florescu insists on emphasising that Great Britain’s foreign politics is different from other European states because “as a community of interests so widely spread around the surface of the globe, the British Empire’s actions and reactions are naturally different from those of a state with limited and compact geographical interests” (A.M.A.E., Fund 71 Romania, vol. 262: 196-219). This is the reason why “No British Chief of government and no Parliament would be able to engage the entire Empire in the protection of local interests knowing that it would endanger much bigger interests” (A.M.A.E., Fund 71 Romania, vol. 262: 196-219). Nevertheless, the diplomat continued, “a vital interest for the Empire is the geographic and military connection between England and a continental power. England’s gendarme for Europe is France, so anyone attacking France would weaken England’s military bridgehead on the Continent” (A.M.A.E., Fund 71 Romania, vol. 262: 196-219). Taking these interests into account, England, together with France, unwilling to engage in a damaging war, will sacrifice Czechoslovakia’s freedom on the altar of what the supporters of “a policy of conciliation” called “the peace cause” (Renouvin, 1975: 39-45). “The impression of the unfavourable moment prevails in the explanations of the government-inspired press. Added to this, the belief that the revision of Czechoslovakian borders prevented the German armies from immediately invading south-eastern Europe, which could not have been defended effectively by the Bohemian fortifications, isolated after the annexation of Austria and the defection of Poland. Chamberlain’s invitation that Mussolini come to Munich to stave off German pressure confirms Italy’s role in Central Europe as well as the difficulty of reaching a solution in the absence of Italian consent” (A.M.A.E., Fund 71 Romania, vol. 262: 199-200). Thus, Munich inaugurated a change in the direction of

Great Britain's foreign policy as seen by Romanian diplomatic attachés ...

British foreign policy to the effect that any conflict “arising outside England’s vital areas should be brought under control, as much as possible, to prevent war” (A.M.A.E., Fund 71 Romania, vol. 262: 199-200).

An interesting and complete analysis of the evolution of Anglo-Romanian relations in the interwar period was made by diplomat Alexandru Cretzianu (1895-1979 – was the son of George Gh. Cretzianu, a regular diplomat, who held the position of extraordinary envoy and Romania’s minister plenipotentiary in Spain (15th June 1913 – 1st April 1922), the USA (5th November 1926 – 15th July 1929) and Poland (7th October 1929 – 27th July 1931). Director of the Political Department within the Foreign Centre (1933-1938), later Secretary General (1939-1941); resigned in October 1941 in protest against the alliance with Germany, being immediately discharged with the rank of minister plenipotentiary (apud Cretzianu, 1998: 5, 12). In his synthesis *Report* (A.M.A.E., Fund 71 England, vol. 39: 5-26), the author insists upon all the essential moments recorded in the evolution of Bucharest-London rapports in the period between the two world wars, such as, first and foremost, the years leading to 1935, the rise of Hitler’s Germany and the British policy on the continent, the Anglo-French guarantees given to Poland, Greece and Romania in 1939 and their functionality, the V.V. Tilea case, the Hitler-Stalin non-aggression pact of 23rd August 1939, the outbreak of the war on 1st September 1939, the defeat of France and its consequences, the Soviet ultimatum notes on 26th-27th June 1940 and the dissolution of greater Romania (Buzatu, Cîrstea, 2003: 249-265). The document drafted on 5th March 1941 ends with Alexandru Cretzianu’s nuanced and categorically enunciated conclusions, namely that “England was disinterested in Romania while its interests were not directly at stake. Later, when England wanted to cooperate with Romania, the latter couldn’t say either *yes* or *not* and, in its turn, adopted an attitude which was dearly paid for.”

At the beginning of 1939 N. Chamberlain received a series of disturbing reports (some incorrect) from the British secret services, predicting German actions against Poland, Czechoslovakia, Ukraine and even the Netherlands and Switzerland. After Germany occupied the whole of Czechoslovakia on 15th March 1939, Chamberlain accused Berlin of having become alienated from the spirit of Munich. Towards the end of March, Chamberlain’s government abandons the appeasement policy pursued so far and tries to organise a common resistance against the Nazi threat, in cooperation with the French government (Cretzianu, 1998: 49). Guarantees (Deakin, 1975: 63-87) were given to Poland, Romania and Greece. Under the circumstances, Great Britain moved even closer to France. Both countries had embarked on the road to democracy and were equally afraid for their security. That is why the two countries’ main concern was extending their military cooperation based on “the strength of the British fleet, which needed to be maintained at a level that would frustrate the reunited European fleets in their attempts to defy it. Germany’s latest demand for parity in submarine tonnage was met with wonder here and the Germans’ explanations were not convincing in the least. On the grounds of the French-British cooperation, the French army, in its turn, is called upon to stand against an enemy of Germany’s size, waiting for England to extend its own army by training reservists and instituting permanent reserves.” (A.M.A.E., Fund 71 Romania, vol. 262: 214-215).

Analysing the political and military situation of 1939, Radu Florescu emphasised that Great Britain wished “to avoid, if possible, in case of conflict, having to face the risks of a war in which she would stand against the three states bound in the Anti-

Marusia CÎRSTEA

Comintern Pact, even if together with Russia and France.” (A.M.A.E., Fund 71 Romania, vol. 262: 215-216).

However, the signing of the German-Soviet pact on 23rd August 1939 and the invasion of Poland on 1st September 1939 shatter the last illusions: once the ultimatum given to Hitler expires on 3rd September 1939, Great Britain finds itself engaged in war. N. Chamberlain resigns. The new Prime Minister, Winston Churchill, addressing the entire country, was declaring: “I have nothing to offer but blood, toil, tears and sweat” and continued “You ask, what is our aim? I can answer in one word. It is victory, victory at all costs, victory in spite of all terror, victory, however long and hard the road may be; for without victory, there is no survival” (apud Bluche, 2000: 267-268). Churchill’s words were not only heard, but also listened to: the entire empire, with the exception of Ireland, joins the ultimate fight for freedom and democracy. Rejecting the Führer’s peace offers, England becomes stuck in the *phoney war*, carried under the sign of tergiversation and barely moderated by a few naval operations meant to warrant security on the seas. However, while nothing was happening in the west, Eastern Europe experienced great changes triggered by the Soviet Union taking advantage of all the consequences of the German-Soviet Pact. At the end of September and beginning of October, a regime of military occupation was enforced in the three Baltic States; in November, the eastern part of Poland was annexed, while on 28th November, faced with Finland’s refusal to accept the frontier revisions that had been requested, the Red Army took the offensive. The “Winter War” was extremely difficult for the Soviets, who, nevertheless, managed to become victorious (March 1940), forcing the Finns to withdraw their border to the west and cede Wiborg/Våborg, important territories in Lapland and the Murmansk region; when the war gained momentum in the West, the Soviets were also quick in annexing the Baltic States, as well as Bessarabia and Bucovina, snatched from Romania. (Carpentier, Lebrun, 2006: 353). The complexity of the international situation, as well as the change in the ratio of forces among the Great Powers prompted Romania to adopt neutrality in the hope of maintaining its forces intact and awaiting favourable external conditions to achieve its objectives – in accordance with its national interests and the norms of international law.

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ORIGINAL PAPER

The political diplomacy of Romania and Yugoslavia in the international context of the period between the two World Wars. Projects and Unions in this area

Mihaela Bărbieru *

Abstract

After the unleashing of World War I, the political-diplomatic relations between Romania and Yugoslavia took a new turn, as a consequence of the socio-economic and political conditions from the south-east of Europe, conditions that left their mark on the diplomatic activities of the two states, interested in maintaining the status-quo, created after the Versailles System. Between 1919 and 1939, the gathering of the political, diplomatic and military elements for securing the territorial status-quo, imposed the signing, by both Romania and Yugoslavia, of some bilateral treaties, their integration in the League of Nations and other organizations like the Little Entente and the Balkan Pact. Romania and Yugoslavia, medium-sized states, with an irrelevant economic potential, wished to join defensive political-military alliances that would allow them to consolidate their international situation. The guarantee of their security and peace constituted the priority of their external policy, while there was emerging the revanchism, the revision of the peace treaties from the Versailles System and the instauration of totalitarian regimes. In order to describe the evolution of the political diplomacy of the two countries, the study presents the principles of the Romanian and Yugoslavian external policy from the analysed period of time, accentuating their main objectives and moments: the issue of Banat area, the birth of the League of Nations and the zonal organizations, and the role that Romania and Yugoslavia played in these organizations, the problems of disarmament and enemy identification, along with the collective security policy. The activation of the Romanian and Yugoslavian external policy was due to the initiatives from the General Staffs of the two armies, of the special services from the two countries, the power of receiving and supporting the political initiative, for the edification of the collective security. The period between the two world wars evidenced the friendship between the two neighbour countries, sustained by political and military conventions, diplomatic agreements and protocols between the General Staffs from Belgrade and Bucharest.

Keywords: policy, unions, Banat, diplomacy, revisionism.

* Lecturer, PhD, University of Craiova, Faculty of Law and Social Sciences, Political Sciences specialization and „Nicolăescu Ploșor” Research Institute, Craiova, Phone: 0040723613039, E-mail: miha_barbieru@yahoo.com.

The political diplomacy of Romania and Yugoslavia in the international context...

1) The European south-east in the political-diplomatic relations between 1918 and 1939

The existing social-economical and political conditions from the south-east of Europe between 1919 and 1939 left their mark on the diplomacy from Romania and Yugoslavia, the two countries being interested in maintaining the status quo created after the Versailles System, and the military relations between the two sovereign states influenced the political factor, directing their positions against the ascendant evolution of the revisionism, the violent manifestations of fascism, Nazism and communism.

Romania and Yugoslavia promoted, in the decades between the two World Wars, an external policy programme in which the traditional continuity elements mingled with the necessity of that era. The elaborated programme, according to the new geopolitical and geostrategic realities of that time, encompassed modern principles and objectives specific for the inter-states relations: the observing of national sovereignty and independence, the juridical equality between states, cooperation and the abolition of war from the international life. In the new political geography, the both states aimed for the defence of their national and state unity, along with the territorial integrity. Becoming evident on the world political stage, both Romania and Yugoslavia contributed to the development of the international law and international relations, initiating and sustaining through their own actions the instauration of the regional and general security, the solving of the disputes and crises among them in a political-diplomatic way, the equality of treatment in the relations with the larger, but also smaller states, the solidarity and the collaboration for prosperity and peace (Scurtu, 2003: 58-65; Lache, 2007: 11).

The problems regarding the organization of Europe constituted the main objective of the Paris Peace Conference from 1919-1920. Attending this high decisional forum, Romania and Yugoslavia worked for the international confirmation of the decisions adopted in 1918 by the Romanians, Serbians, Croatians, Slovenians, Bosnians and the people from Montenegro. In Paris, there was established the international juridical position of the new territorial and political statute of the two states, by the recognition of the national self-determination, through the observation of the legitimate rights on the national territory.

The dissolution of Austria-Hungary, the revolution from the Russian Empire, the collapse of the Ottoman Empire and the defeat of Germany, in the Central and Eastern Europe, led to the emerging of a new political map of Europe, stated by the Paris Peace Treaties, being shaped under a new organization, through the materialization of states as: Czechoslovakia, Poland, Baltic states (Lithuania, Latvia and Estonia), Finland, certain states were reunited, as in the case of Romania and the Kingdom of Serbians Croatians and Slovenes. Austria and Hungary became independent and free-standing. After World War I, in Europe, there were 30 independent states, republics and constitutional monarchies, along with small states as: Monaco, Andorra, San Marino (Berstein & Milza, 1998: 10; Ciachir, 1997: 217, 220, 222). The League of Nations was created to replace the force by law, with the purpose to make the international relations democratic. The small and medium sized states obtained the possibility to voice, in front of the international organizations, their own interests in the name of equality, regardless the size, economic and military power, geopolitical position etc. (Buzatu & Cîrstea, 2007: 16).

The Paris Peace Conference concerned the world, the participants being divided

in four categories, with different statuses: the winning powers, former belligerent (France, Great Britain, USA, Italy and Japan), considered participants with general and unlimited interests, having the right to attend all the meetings during the Conference; the belligerent states (Belgium, Czechoslovakia, Greece, Finland, Poland, Portugal, Romania, Serbia, Brazil, China, Cuba, India, the English dominions), considered states with special, limited interests, having the right to attend only the works of the Conference that regarded subjects on their interests; neutral states and forming states that only wrote wishes and attended the meetings regarding their problems directly (Vlad, 2006: 55). The discussions were carried on only among the allies, the defeated countries having the right simply to write down observations, after the notification of the established conditions. The decisions were taken by the “Big Four” (Dobrinescu, 2003: 43). Romania attended the Paris Peace Conference as a country who participated to the World War to liberate its national territory. The Conference was supposed to offer the juridical statute to the new territorial and political ones, by recognising the national self-determination principle, and not to offer Romania and Yugoslavia an unjustified present. Considering that Romania infringed the treaty with Entente, it was not accepted among the belligerent. Romania and Yugoslavia, along with the other small and medium sized states, faced many difficulties, imposed by the former allies, regarding the recognition of their historical and legitimate rights. The changes that appeared after the World War I constituted subjects for the analysis of the Romanian and Yugoslavian military experts and, in the period 1918 and 1919, there were no contacts between the two General Staffs because of the “Banat issue”. Yet, there are reports of the military Romanian attaché from Belgrade that confirm the connections between him and the superior officers from the Serbian army.

Through the peace treaties system from Paris, there was created a new status-quo that lasted for two decades. The states were divided in winners and losers, the first being forced to handle the success and the resentments altogether. Reaching the end of the tether, after harsh years of war, both the winners and the defeated faced the problems of the new territories, populations and electors. The new states tried to solve “the national question” and the Great Powers to impose their domination on Europe and the entire world too. Consequently, the treaties from 1919-1920 led to a radical change of the map in the centre and south-east of Europe. Based on the principle of nationalities, the new formed states had to consider the interests of the great powers and the necessity to establish borders capable to assure a minimum of economic viability and security. The new political map of Europe responded to many demands for the recognition of identities, but also created huge discontentment. Many national minorities hardly accepted to integrate in the states that were born after the dissolution of the central Empires. That was the case of the students from Czechoslovakia or the Croatians, who were hostile to the Serbian domination from Yugoslavia. These dissatisfactions fuelled the revisionism that would quickly become aggressive and would radically influence the evolution of the international relations. Thus, the contemporary period began with a long unsecure period, of economic and political instability, a permanent climate of crisis, all culminating eventually with the World War II (1939-1945). According to the opinion on the Romanian and Yugoslavian military experts and the political figures from the two states, the necessity of several bilateral treaties and military conventions with the great powers and their neighbours, of zonal organizations, constituted a priority of the diplomacy.

Until 1924, the international political climate, especially the European one, was

The political diplomacy of Romania and Yugoslavia in the international context...

rather disturbed, due to the tightening of the relations between France and Germany, in the same period also emerging the Soviet Russia and, for the normality of the relations between Germany and Russia, was concluded in 1922, the Treaty of Rapallo, the Soviets establishing diplomatic relations with several states of the world. In 1925, there was signed the Pact of Locarno and, in 1926, Germany was accepted in the Society of Nations. Under these circumstances, until 1932, a relatively short period of tranquillity was ruling in Europe. Both when debating the problem of reparations and during the Conference of Locarno, the tendency of the great powers to ignore the interests of the small and medium sized states, former allies, was obvious. There were states, among which Romania and Yugoslavia, which received a small amount from the quantum of reparations, and, at Locarno, the great powers did not adopt any measures on addressing the guarantee of the Poland's and Czechoslovakia's borders.

The behaviour of the great powers encouraged states as Germany, Hungary and Bulgaria in their tendency to revision the borders established at the Paris Conference. Feeling menaced, the national states constituted at the end of World War I, militated for the creation of a collective security system. Within it, an important part was played by the bilateral and regional alliances. Therefore, Romania, Yugoslavia and Czechoslovakia, wishing for a peaceful climate in the centre and south-east of Europe and for the defence of their borders, constituted in 1921, the Little Entente – a defensive alliance. Each of them and all of them militated inside the Society of Nations for reaching an agreement on disarmament and collective security. As concerning the collective security, a first successful step was after the signing in 1928 of the Briand-Kellogg Pact, stipulating that the signing countries should not resort to war in their relations. Until 1934, it was signed by 63 states, among which Romania and Yugoslavia. Because there were not stipulated concrete measures for avoiding the wars, the efficiency of the pact was very low. In 1929, there was signed at Moscow a protocol, and in 1933, at London, another one, by several states, among which Romania and Yugoslavia too. According to those documents, the war was banned and the aggressing state had to face the international retort. The economic crisis, the come into power of Hitler in Germany, the ascension of the revisionist demanding of Hungary, Bulgaria and USSR, determined a new tensioned climate in the international relations, making the concluded treaties worthless, along with the activity of some international organizations, like the League of Nations. The states from the South-East of Europe were concerned with the new political climate that appeared from 1933. On Romania's initiative, there was signed, in Athens, on the 9th of February 1934, the Balkan Pact between Turkey, Greece, Yugoslavia and Romania. The four states guaranteed each other the security of the borders. The Pact played a positive role in assuring the regional security. Its capacity was yet diminished because Bulgaria and Albania did not participate, first because it promoted a revisionist policy, and the second because it revolved round Italy's policy (Popișteanu, 1968: 123).

Immediately after he seized the power, Hitler's regime sought to ignore the military and political stipulations of the Versailles Treaty, after they had annulled the economical stipulations, by undetermined postponing of the war reparations payment. On the 16th of March 1935, Germany reintroduced the compulsory national service. The occidental powers reacted feebly to this initiative, by organizing the Stresa Conference (in the north of Italy), in April 1935. The three states – England, France, Italy – only condemned “the method of the unilateral cancellation” of the treaties, used by Germany without initiating any concrete measures. From the 5th of November 1937, Hitler

announced his collaborators that the moment for conquering the centre and the south-east of Europe to create “The Great Germany” arrived. The first step was the Anschluss (the joining), representing the invasion of Austria in 1938 (11th-12th of March). The next step of that aggressive policy was the dismemberment of Czechoslovakia. With all the protestations of the Czechoslovakian government and without the participation of the Czechoslovakian representatives, on 29th-30th of September 1938, the Munich Conference of the government leaders from England, Germany, France and Italy took place. The representatives of the four powers decided that the Sudetenland to be ceded to Germany. The Munich Agreement, far from stopping the ambitions of Germany, as France and England had thought, encouraged Hitler even more. On the 2nd of November 1938, through the First Vienna Award, there were pulled out from Czechoslovakia parts of Slovenia and Ruthenia, in favour of the Horthyst Hungary. In March 1939, Czechoslovakia was entirely occupied by Germany and Hungary. The Munich Agreement had severe consequences on the entire international relations system instituted after the World War I. On one side, the Little Entente disappeared and the system of alliance of France with the east of Europe was fading. On the other side, the small states from the Centre and South-East of Europe, among which Romania and Yugoslavia that supported the policy of the occidental powers, completely lost their trust in their force and commitment and found themselves at the mercy of Germany.

On the 23rd of August 1939, the USSR government concluded with that of Germany a “non-aggression pact”, named Ribbentrop-Molotov Pact, after the names of the external affairs ministers of the two states from that time. This pact assured Germany by the USSR neutrality, encouraging it to unleash the aggression upon Poland. It encompassed the divided territories into sphere of influence between the two states, in which it was also included the secret annexation by the USSR of the Baltic states, Bessarabia and Northern Bukovina, and by Germany of Poland. The consequence of the “non-aggression pact” was the beginning of the World War II.

2) The Banat issue in the new geopolitical context from the central and south-east Europe

The first decade after the war was a confusing period in Yugoslavia’s history. As regarding the internal affairs, the parliamentary system did not succeed to reach a consensus between the different interests of the political groups. The Serbian parties dominated the political scene, but they did not manage to govern without the involved collaboration of the Slovenian, Muslim and Croatian politicians, who regularly joined the opposition Serbian groups. As for the external situation, similar to Romania’s case, the objective was to assure the borders and to obtain the eternal support. The new state had to assume some unsolved eternal policy issues of Serbia. Belgrade wished, from the beginning of the 20th century, for a great Serbia and later a great Yugoslavia. The Italian pretensions were inconsistent with the Serbian interests. The Great Powers had different points of view and were disunited in their opinions. Closer to Serbia’s interests was Russia that, nevertheless, in August 1914 was prepared to give Italy a dominant position in the Adriatic Sea, along with the requests of the Italians (Trentino, Trieste and Vlore in Albania), in exchange of the military help.

On addressing the diplomacy of Romania and the Kingdom of Serbians, Croats and Slovenians, there appeared a delicate issue at the end of World War I, the Banat one, following the fact that the both states faced territorial contestations from their

The political diplomacy of Romania and Yugoslavia in the international context...

neighbours. A significant part of Banat was occupied by the Yugoslavian army, as an advanced detachment of the French troops, after the collapse of the Balkan front, crossing the Danube for “conquering the Banat, with the pretext of acting only to free the people who had already freed themselves” (Rămneanțu, 2006: 12). Due to the lack of sufficient troops and efficient administrative departments to take over the province and the need for viable programmes for the territorial integration in the new founded kingdom, the Serbians resorted only to the military control and the settlement of their barracks in the urban area, “having the possession” over Banat in a rather symbolic than effective way (DJANT, fund Constantin Baran, file 1: f. 18-19). The behaviour of the Yugoslavian troops in Banat attracted significant discontentment from the dwellers of that province, the occupation army stopping the Romanian delegates from numerous communes to participate to the National Assembly from the 1st of December 1918. Many Romanians were accused repeatedly of espionage for Romania (Rămneanțu, 2006: 28). In lots of localities, there were arrested, investigated, deported and interned in Serbia or Timișoara, teachers or priests, as those from Foeni, Banloc, Birda, Seceani, Secusigiu, Cebza etc. (Rămneanțu, 2006: 28).

In the Military Romanian Archives, there are numerous documents that attest the abuses of the occupying army in Banat, abuses that ended in beatings and tortures of women and children too. In the report of captain Tocineanu to general Panaitescu, it was shown that lieutenant Bojincă, the chief of the transit department from Timișoara, “was insulted in the middle of the street, on the 23rd of May 1919, by a Serbian sergeant”, that deputy lieutenant Lucopol was “admonished in the train station from Timișoara by a Serbian officer, who asked him, patting his shoulder, to explain the reason of his presence there”, that major Sompronius Luca, “who was passing through Timișoara, returning from the National Council from Vienna, and wanting to book a hotel room, was approached by a Serbian agent, accompanied by an officer, who impolitely and in front of the present people asked for his papers, mentioning that in case he did not arrive the next day to the Market Department, he would be arrested”, that corporal Costea from the 3rd regiment of Crișana, after he had led the Italian prisoners to the “commandant’s office”, “he wanted to return to Arad, but in the train station he was stopped by three Serbian soldiers who asked for his passing permission that they tore, spat on it and stepped on it, tearing out his three-coloured cockade rosette and throwing it on the ground” (AMR, fund 5417, file 2023: f. 67). The situation from Banat on the entire Yugoslavian occupational period was under the supervision of the military and political Romanian authorities. The Romanians from the three departments (shires) of Banat – Caraș-Severin, Timiș and Torontal – sent to general Berthelot a memory describing “the abuses committed by the Serbian occupational troops against the Romanian population from Banat” (AMR, fund 5417, file 2023: f. 19). In the mentioned document, there was evidenced the fact that from a million people who were living in Banat, the Romanians represented 860 thousand, while the Serbians were 260-280 thousand. Then, the mentioned document informed about the suppression “of all the national liberties attributions”, including any “manifestation of the Romanian national conscience, regarded as a sin against the Great Serbia, punished with beating, prison and deportation in Serbia” (AMR, fund 5417, file 2023: f. 20).

In the first period of 1919, the Romanian authorities took the necessary measures near the allies, without receiving their support. In the second part of the year, the French military authorities supported the Romanians in evacuating the Banat, the Romanian political authorities sustaining the retreat of the Yugoslavian troops from

Banat and their replace by the French ones. The Romanian government accepted the solution of replacing the Yugoslavian troops with the French ones, considering it necessary for avoiding the incidents among the Yugoslavians and Romanians. After the request for postponing the retreat, come from the Yugoslavians, until there would have been decided the faith of Banat at Paris, general Henry, the commander of the Orient French army, noticed the fact “that the replacement of the Yugoslavian troops with the French ones, will not affect the pretensions of Belgrade concerning this province” (Rămneanțu, 2006: 15).

Romania with the support of France, managed to obtain, from the Peace Conference Council, the eviction of the Kingdom of Serbians Croatsians and Slovenes' military and administrative authorities from Banat. For the retreat of the military forces from the region, there was also constituted a French-Romanian-Yugoslavian commission under the leadership of general Tournade, beginning its works on the 18th of July 1919 (Demian, 1993: 17-18). The solving of the Banat issue constituted one of the difficult problems that the French diplomacy faced, the disputes between Romanians and Serbians, being able to cause an unpleasant situation within the Balkans. The French politicians proposed the allied arbitration concerning the province and considering that the Bucharest's interests must not be ignored. To the attitude of the French diplomacy regarding Romania, the unpredictable stopping at Belgrade of Ion I.C. Brătianu, on his way to Paris, contributed to a great extent. The Romanian Prime Minister had a meeting with the regent Alexander I, where he brought forward the situation of Banat, underlining that “the Danube is the only border capable to avoid the future conflicts between our country and the Yugoslavian, as it is the situation from Dobrogea, with the Bulgarians” (Brătianu, 1939: 35-36). Alexander I, sustaining the Yugoslavian cause, presented his wish that the Belgrade to be “not so close to the Romanian frontier”. He considered that the Yugoslavian population from Banat could not be abandoned, especially if “there is considered the major contribution to the national development of Serbia”. Invoking the principle of the nationalities, the chief of the Kingdom of Serbians Croatsians and Slovenes also mentioned the fact that “half of it should revert to Belgrade”. Manifesting the hope for the sympathy on addressing the Banat, the Regent mentioned the idea of a plebiscite to decide the faith of the province (Rămneanțu, 2006: 15). On this opportunity, the Romanian Prime Minister took knowledge of the agreement between Nicola Pašić and Take Ionescu, in which the occidental part of Banat was about to be a part of the Kingdom of Serbians Croatsians and Slovenes (Brătianu, 1939: 36). The intransigence of Ion I.C. Brătianu, in the discussions with the Yugoslavian authorities, provoked deception among them, fact noticed by the representative of France in the Yugoslavian capital city.

The Yugoslavian part was in favour of the natural frontiers between the two countries, frontiers that were supposed to assure the national security and the free economic and commercial development. The Yugoslavian leader, N. Pašić, mentioned “the common interest and the friendship between the Yugoslavian and Romanian people” when he announced a solution “for the frontier with Banat that will satisfy the both peoples” (Popi, 1984: 35). This request was argued by the fact that between 1849 and 1860, Banat belonged to the Yugoslavian voivodate, the province being the granary of Serbia and an important defending area in front of Belgrade. Moreover, there was also used the ethnic argument, acknowledging the fact that in that area the majority of the population was German. The Romanian Prime Minister, answering to the Yugoslavian wishes, mentioned that the treaty from 1916 was discussed with Russia, representing, at

The political diplomacy of Romania and Yugoslavia in the international context...

that moment, the Yugoslavian interests. Brătianu continued showing that, for 100 years, Banat had constituted a political and geographical province, and the Kingdom of Serbians Croats and Slovenes did not need the grains from Banat, because they had, near Tisa and in Macedonia, rich agricultural regions (Rămneanțu, 2006: 18). The Kingdom of Serbians Croats and Slovenes' delegation considered the accepting of the frontiers on Danube and Tisa a permanent danger and a menace towards Yugoslavia and that if the entire Banat had returned to Romania, Belgrade would have been obliged to renounce to its conational people, fact that would have represented a national humiliation for the Yugoslavian people (Demian, 1993: 11). Furthermore, Belgrade also claimed Timișoara, the important economic and commercial centre that could not be separated from the rest of the territory, although the Yugoslavian population was not the majority.

Romania, responding positively to these arguments, sustained its interests, being especially supported by the provisions of the Alliance Treaty with the Entente, from the 4th of August 1916. The Romanian government showed its availability for taking the control on the Society of Nations, many obligations and, according to the opinion from Bucharest, the Danube as a frontier line, would have created a political balance that, along with observing the autonomy of the minorities, would have generated good-neighbourhood relations between the two countries. Wishing to maintain the good relations, Bucharest, through Prezan, proposed an exchange of population, the Romanian state assuming the responsibility to pay compensations to the Yugoslavians. Yet, they received this proposal with mistrust.

From the juridical point of view, the Romanian-Yugoslavian frontier was established, through the Treaty of Sèvres, the two parts deciding the organization of a mixed commission, which later established, on the field, the frontier line (Romania and the Paris Peace Conference, 1983: 399-400). On the 4th of January 1922, it was elaborated a protocol through which both Bucharest and Belgrade expressed their wish to establish their frontiers on the field "on their own and without any intervention" (Romania and the Paris Peace Conference, 1983: 401). After 2 years and 5 months, in June 1924, there was the ratifications exchange of the Protocol that established the frontier between the two states, at Belgrade. Though this document, Romania ceased to the Kingdom of Serbians, Croats and Slovenians the communes Pardan, Modoș, Șurian, Crivobara and Gaiu Mare, and the Kingdom of Serbians, Croats and Slovenians ceased to Romania Beba Veche, Pusta, Kerestul, Jimbolia, Ciortea and Iam (Official Gazette 18th of June 1924). The historian Silviu Dragomir asserted on this opportunity that "the frontier cut in two both the ethnic Romanian block and the spread Yugoslavian communes on a wide territory, without the possibility to constitute a homogenous structure anywhere" (Rămneanțu, 2006: 23). The officials from Belgrade and Bucharest considered that the tracing of the frontier was made on political reasons, with the purpose to evidence, "under any circumstances", "the disturbing of the secular friendship" that had connected the two neighbour friends (Popi, 1984: 35). During this entire period, the consultations between the Romanian and Yugoslavian officers hardly existed, the contact between the two General Staffs being kept though the military attaches in the two capitals, the reports of the two superior officers constituting landmarks in the negotiations between the two countries. Once solved the Banat issue, the closing between the two states had no impediment anymore, the independence and the territorial integrity representing the liaison of a good understanding and collaboration in a Europe where the revisionism and the totalitarianism started to become present.

3) The Kingdom of Serbians, Croats and Slovenians and Romania, founding members of the League of Nations

The problems of Europe organization constituted the main objective of the Paris Peace Conference from 1919-1920. Attending this high decisional forum, Romania and Yugoslavia worked for the international confirmation of the decisions adopted during 1918 by the Romanians, Serbians, Slovenians, people from Bosnia and Montenegro. At Paris, there was internationally recognized, from the juridical point of view, the new territorial and political position of the two states, through the acknowledgment of the national principle of self-determination.

In the high conciliation forum from Paris, there was put a substantial effort for the creation of a collective system of security and for the peace organization. These efforts took the shape in the adopting of a pact that, according to the American leaders, played the part in the creation of a body named League or Society of Nations. The League of Nations wanted to be the main instrument for realizing and maintaining the collective security. The Pact that contained 26 articles and an annex with the list of the 23 founding states, among which Romania and the Kingdom of Serbians, Croats and Slovenians, and 13 states invited to adhere to it, defined the purpose and the way of functioning for the League of Nations. Mainly, the document was referring to the development of cooperation between nations, the guarantee of peace and security and the eradication of war (Vianu & Bușe & Zamfir & Bădescu, 1974: 17-25). Meanwhile, unfortunately, the provisions of the Pact proved to be only declarations of principles, and the Society of Nations was a successor of the Conference of Versailles, thorough which the winning powers were preparing the diverse and controversial dispositions of the Peace Treaties (Iacobescu, 1988: 39-56).

The new created international authority had to take over many problems that had remained unsolved on the desk of the Conference and to find solutions (the administration of the Saar territory, the protection of the free city of Danzig, the tracing of the frontier line between Germany and Poland in the Upper Silesia etc.). In the first years after the war, the League was involved in solving and unsolving of numerous political and military conflicts: the dispute between Finland and Sweden for the island of Aaland, the invasion by Poland of Lithuania's capital, Vilna, in 1920 the annexation by Italy of the Greek island of Corfu and the free city Fiume, the military conflicts between Poland and Czechoslovakia, Bulgaria and Greece, Turkey and Greece, Greece and Albania. The united Romania and the new state from the south-east of Europe, Yugoslavia, carried on an activity that many times proved to be common inside the League of Nations, considering this international organization one of the main means that offered them the possibility to defend their national interests. Generally, the cooperation between states, especially among the European countries, viewed as an inseparable side of the new international order, was repeatedly powerfully argued by the Romanian and Yugoslavian politicians and diplomats. The two states were among the voices that sustained the idea of European solidarity along their internal life, founded on the right to sovereignty of all the forms of cooperation and harmony amongst the associated states that wished for the principle of the equitable reciprocity to be observed.

The danger of revisionism, communism, fascism and Nazism, along with the need of the states that recreated their national unity to obtain the international recognition of their frontiers, determined their integration in the international and zonal "associations" that promoted the peaceful collaboration, the observing of sovereignty

The political diplomacy of Romania and Yugoslavia in the international context...

and national dignity. There was therefore imminent the adopting of a flexible strategy in their eternal policy, in order to maintain the status quo created after the peace treaties of the Versailles System.

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ORIGINAL PAPER

John Ruskin-Between Art and Social Justice

Victor Olaru*

Abstract

In the context of the English and European culture, John Ruskin holds a definite, if not unique place, as the leading English art critic of the Victorian period, watercolourist, prominent social thinker and philanthropist. This man, who supported with an unusual, persuasive force, almost imaginary theses in arts, morals, politics and political economy, had become some sort of “manager of consciousness” in the most conservative and practical European country of the 19th century. As regards art, in 1843 Ruskin published the first volume of *Modern Painters* a book that would eventually consist of five volumes and occupy him for the next 17 years. His first purpose was to insist on the “truth” of the depiction of Nature in Turner’s landscape paintings. After 1860, this aesthetically-based form of humanism makes way to some more concrete social preoccupations, in other words, a genuine search for social justice. Thackeray publishes in *Cornhill Magazine* some of his vehemently anti-bourgeois articles of political economy (1860), further continued by other writings which testifies a clear-cut, although rather confusing socialist orientation. In 1871 he writes a series of extremely violent pamphlets, subsequently gathered in the volume *Fors Clavigera*. He speaks about the kibbutz-organization of labourers, about state support for artistic creation, publishes the volume *Unto the Last* and becomes a member of the Paris Commune helping committee. In 1871 he writes a series of extremely violent pamphlets, subsequently gathered in the volume *Fors Clavigera*. Thus the paper has in view an analysis of Ruskin’s intellectual preoccupations, split between art and social justice and, consequently, his creative evolution from art to social writings, from *Modern Painters* to *Fors Clavigera*.

Keywords: John Ruskin, art and social writings, *Modern Painters*, *Unto This Last*, *Fors Clavigera*.

* * Professor, PhD, University of Craiova, Faculty of Letters, Phone: 0040720001909, E-mail: victorolaru05@yahoo.com.

John Ruskin-Between Art and Social Justice

In the context of the English and European culture, John Ruskin holds a definite, if not unique, place. This man, who supported with an unusual, persuasive force, almost imaginary theses in arts, morals and economy, had become some sort of “manager of consciousness” in the most conservative and practical European country of the 19th century. Thus, as Sorin Alexandrescu puts it : ”Ruskin’s destiny seems to enroll under a special sign of the zodiac, that of tempting the impossible” (Alexandrescu: 5). Excessively warm-blooded at intellectual level, like no other of his fellow islanders of his century, excepting perhaps Thomas Carlyle, Ruskin dedicated all his strength, risking total physical and nervous exhaustion, to an ideal of civilization and culture openly anti-Victorian, accessible not by a logical evolution of common British structures, but by means of a revival of medieval mentality. ”Tempting the impossible” meant for Ruskin the annulment of time, a return of history to a mythical gold epoch, the Gothic; moreover, it meant the wish to restructure human thinking and spirituality, perverted within (and by) the modern world.

Characterized by a genuine passion for intellectual discoveries and aesthetic purity, included in a sui generis human typology, the British aesthete belongs, perhaps, spiritually, to the svelte, immaterial world of Fra Angelico, (Hilton,1985: 54) which he exalted in his writings. Ruskin is an art historian and theoretician, but at a deeper level, he is only a man who speaks about himself, a poet disguised in scholar, the seer of some utopist visions born in the inner world of the perfect non-contemporary. This is the reason for which Ruskin’s life is the purest of his works, in front of which any serious criticism bows low (Hewison: 215).

Born in 1819, when Byron started publishing *Don Juan*, a year before the appearance of Shelley’s *Prometheus Unbound*, and Scott’s *Ivanhoe*, Ruskin is one of the late representatives of English Romanticism, both by situating him in time, and by some directions of his aesthetical thinking. He thus continues a certain orientation towards some characteristics of the English Romantics: the transcendent mystery, their social utopia (Coleridge dreamt of founding a Communist republic in America, Shelley of a return to the Golden Age), the almost mystical identification with nature and the “*universal soul*”, as well as the interest for the British space and the legendary Middle Ages. Whatever had renewed English poetry, even from the “Lake poets” becomes aesthetic theory with Ruskin (O’Gorman, 2001: 88). This is how can be explained his call for the Gothic and, generally speaking, for the primitive, “*initial*”, spontaneous forms of creation, in relation with the abhorring of classicism, in which he distinguishes only mannerism and academism. The biographical circumstances and the socio-cultural context in which Ruskin comes into his own (his first successful book, *Modern Painters*, vol. I, appears in 1843) favours the expansion of his Romantic latencies.

The “*Prophet*”, as was subsequently called by his contemporaries, (Hilton,2000: 96) was born on 8 February 1819, at 54 Hunter Street, Brunswick Square, London (demolished 1969), south of St Pancras railway station, the only child of John James Ruskin, a Scottish sherry merchant resident in London, and Margaret Cox, his wife. His parents were cousins, and his mother entered the Ruskin family as companion-housekeeper to John James's father. His grandfather, although successful in his grocery business in Edinburgh, was a strange kind of person, who enjoyed leading an extravagant city life; after a time, he came back home, to Bowerswell, near Perth, where he went mad and eventually committed suicide in 1817. Under such circumstances, Margaret Cox and John James, who had been paying off his father's debts, were free to

get married, after nine years of waiting, and the child was born when she was thirty-eight.

His father was a Scottish sherry merchant resident in London, Puritan, incorruptible and rigid, just like his mother, deeply religious in a narrow Sectarian manner, so that young John's education was based on some austere principles that will profoundly hallmark his character: Bible reading has always been a ritual (the child used to learn soon long passages by heart), the family morals, by extension the social one as well, means a whole body of interdictions and limitations, fleshly love causes anxiety, but it may even be suppressed in the name of a spiritual love, relationships with other people remain at a formal distance, even if the child has a liking for them, traditional correctness being the supreme moral and civic virtue. His mother, Margaret Fox, was thirty-eight when her son was born, and, like Hannah, devoted the child to God. She was deeply religious in a narrow Sectarian manner, and Ruskin's early life was dominated by Bible readings and by the swelling, minatory cadences of low-church sermons. In his fragment of autobiography, *Praeterita*, he describes the narrowness and austerity of his upbringing: " Luckily for me, my mother, under these distinct impressions of her own duty, and with such latent hopes of my future eminence, took me very early to church, where, in spite of my quiet habits, and my mother's golden vinaigrette, always indulged to me there, and there only, with its lid unclasped that I might see the wreathed open pattern above the sponge, I found the bottom of the pew so extremely dull a place to keep quiet in, (my best story-books being also taken away from me in the morning,) that... the horror of Sunday used even to cast its prescient gloom as far back in the week as Friday - and all the glory of Monday, with church seven days removed again, was no equivalent for it...Notwithstanding, I arrived at some abstract in my own mind of the Rev. Mr. Howell's sermons; and occasionally, in imitation of him, preached a sermon at home over the red sofa cushions; this performance being always called for by my mother's dearest friends, as the great accomplishment of my childhood. The sermon was, I believe, some eleven words long; very exemplary, it seems to me, in that respect - and I still think must have been the purest gospel, for I know it began with, 'People, be good.' " (Works 35:58).

In the imprisonment of his parents' house could be raised but an introverted child, surrounded by a ceremonial affection, but with a non-existent childhood, a child that is born a teenager, tormented by the first revelations of love, art and turbid complexity of life: "No toys of any kind were at first allowed; - and the pity of my Croydon aunt for my monastic poverty in this respect was boundless. On one of my birthdays, thinking to overcome my mother's resolution by splendour of temptation, she bought the most radiant Punch and Judy she could find in all the Soho bazaar - as big as a real Punch and Judy, all dressed in scarlet and gold, and that would dance, tied to the leg of a chair. I must have been greatly impressed, for I remember well the look of the two figures, as my aunt herself exhibited their virtues. My mother was obliged to accept them; but afterwards quietly told me it was not right that I should have them; and I never saw them again... I had a bunch of keys to play with, as long as I was capable only of pleasure in what glittered and jingled; as I grew older, I had a cart, and a ball; and when I was five or six years old, two boxes of well-cut wooden bricks. With these modest, but, I still think, entirely sufficient possessions, and being always summarily whipped if I cried, did not do as I was bid, or tumbled on the stairs, I soon attained serene and secure methods of life and motion; and could pass my days contentedly in tracing the squares and comparing the colours of my carpet; - examining the knots in the wood of the floor,

John Ruskin-Between Art and Social Justice

or counting the bricks in the opposite houses; with rapturous intervals of excitement during the filling of the water-cart, through its leathern pipe, from the dripping iron post at the pavement edge; or the still more admirable proceedings of the turncock, when he turned and turned till a fountain sprang up in the middle of the street. But the carpet, and what patterns I could find in bed-covers, dresses, or wall-papers to be examined, were my chief resources, and my attention to the particulars in these was soon so accurate, that when at three and a half I was taken to have my portrait painted by Mr. Northcote, I had not been ten minutes alone with him before I asked him why there were holes in his carpet.” (Works 35: 64).

Since eight years of age, he starts writing fiction, verse, then plays, learns drawing and enthusiastically copies the engravings of Samuel Proust, actually a mediocre painter, but who charms him by his foreign or English medieval landscapes. At thirteen he has the revelation of Turner, under the form of the latter’s illustrations to *Italia*, a volume of the poet Rogers, received by Ruskin as a gift that has actually decided his future (O’Gorman, 1999: 145), as he himself confesses in *Fors Clavigera*, this volume, as well as *Praeterita* (1885-1889), including precious autobiographical information.

As a result of these precocious artistic feelings, shared also by his father, actually an old admirer of the Flemish, in 1883 the whole family leaves on a long trip on the continent through Flanders, the Rhine valley, the Alps, Switzerland and Italy. The child does drawings on a daily basis after monuments, like Proust, and in the evening he writes his impressions in verse form. Ruskin’s life seems to have taken a course. The coming years will include new voyages and artistic discoveries (out of which, in 1835 at Rouen, the Gothic, later in Italy, the primitive masters), bursts of enthusiasm materialized in articles and art books, that will definitely keep the juvenile fervor of his first poems, as well as their facile rhythm, through which Ruskin’s total creation will finally sum up, eventually, 80 volumes.

Love will always remain under the sign of romantic dramas. During the years 1836 to 1839, his peace of mind was shattered by his love for Adele Domecq, the eldest daughter of his father's Spanish partner, who, although the subject of his fiery verse, rewards the bookish young man only with ironic laughter (Batchelor: 21). He describes the torment experienced on this occasion in his autobiography: “The entirely inscrutable thing to me, looking back on myself, is my total want of all reason, will, or design in the business: I had neither the resolution to win Adele, the courage to do without her, the sense to consider what was at last to come of it all, or the grace to think how disagreeable I was making myself at the time to everybody about me. There was really no more capacity nor intelligence in me than in a just fledged owl, or just open-eyed puppy, disconsolate at the existence of the moon.” (Works 35: 210)

The young man hesitated in proposing marriage, which actually would have been impossible as the young lady was a Catholic, but, anyway, this episode was thought to have affected his health, as Ruskin reacts at Adele’s marriage with a phthisis crisis and embarks rapidly for Italy. As a matter of fact, in the course of his life Ruskin is often subject to periods of physical exhaustion, followed by escapes in the Alps or on the Mediterranean coasts. For the time being, love affairs looking rather unfavourable, merchant Ruskin’s son gets married to Effie Gray, daughter of family friends (1848), but a few years later passion will burst out again in the quiet conjugal home, and Mrs. Ruskin will elope with a friend of her husband’s, the Pre-Raphaelite painter Millais. Ruskin will never speak about what had happened, although it seems to have behaved with extreme generosity on the circumstances, but he will never get married again and

Victor OLARU

will live on his own, among paintings and books, developing an immense public activity, among supporters and allies, but among few friends, to the end of his life.

From his bourgeois family he inherited religiosity, austerity, as well as plastic passion, but, fortunately, not their social and aesthetic conceptions. Ruskin's interest for the Gothic phenomenon cools the fecund friendship of his father, and his subsequent anti-bourgeois campaign will sadden the latter so much that Ruskin was obliged to interrupt it in order not to embitter his father's last year of life (1864), but the fact has a larger significance. Like many other writers, Thomas Mann or Samuel Butler, to quote only these two, Ruskin defines himself through opposition to the Victorian spirit, and the maturity of his thinking will mean the positioning in a system of values different from his father's (that is of Victorian bourgeoisie), even if this one had a perfect aesthetic and historical justification (Flemish painting and, for the Italians, cinquecento, in the case of Ruskin's father). His non-conformist attitude will be also confirmed by his giving up the ecclesiastical career (health reasons had also been a reason) to which the family had destined the young Oxford undergraduate, as he himself confesses in *Preterita* " My mother had, as she afterwards told me, solemnly 'devoted me to God' before I was born; in imitation of Hannah. ... 'Devoting me to God,' meant, as far as my mother knew herself what she meant, that she would try to send me to college, and make a clergyman of me: and I was accordingly bred for 'the Church.' My father, who - rest be to his soul - had the exceedingly bad habit of yielding to my mother in large things and taking his own way in little ones, allowed me, without saying a word, to be thus withdrawn from the sherry trade as an unclean thing; not without some pardonable participation in my mother's ultimate views for me. For, many and many a year afterwards, I remember, while he was speaking to one of our artist friends, who admired Raphael, and greatly regretted my endeavours to interfere with that popular taste, - while my father and he were condoling with each other on my having been impudent enough to think I could tell the public about Turner and Raphael - instead of contenting myself, as I ought, with explaining the way of their souls' salvation to them -and what an amiable clergyman was lost in me, - 'Yes,' said my father, with tears in his eyes - (true and tender tears, as ever father shed) 'he would have been a Bishop.' (Works 35: 157). Although the Oxford years (1837-1841) did not mean a fecund period in Ruskin's creation, they are still important for his contact with the contemporary cultural movement, after the time spent with the trip to Italy and the studies directed by his parents which meant mostly contacts with classical values.

By 1830, English romanticism was practically exhausted. In 1837 *Pickwick* is published, followed by a new wave of realistic novels, mostly concentrated on the acute social problems of the apparently prosperous Victorianism. The leading figure in poetry was Tennyson, but a more direct descendent of English Romanticism is considered to be Robert Browning. As a result of some kind of prosperity, the scientific and philosophical thought heads towards a utilitarian rationalism, gradually extending in the humanistic fields: Darwin's and Auguste Comte's research results. John Stuart Mill, Herbert Spenser, Leslie Stephen enjoy large popularity, facing simultaneously Carlyle's anti-rationalistic reactions (Dearden: 159). Then, a series of renewing tendencies in morals and religion (Newman's Catholicism, the Oxford Movement), followed by the Chartism movement and Owen's utopist socialism, led Ruskin and Carlyle to derive their own social action, at the same time with the organized movement of trade unions.

John Ruskin-Between Art and Social Justice

The second quarter of the century is thus characterized by diverse tendencies, out of which Ruskin manages to create a synthesis, very much his own, but of an enormous prestige, and his starting point lies in the visual arts.

The 18th century had given English painting some great artists, like Joshua Reynolds in portraiture. Landscape painting, influenced by the Flemish art, is represented by Richard Wilson, but becomes dominant by the creation of the great painters of the 19th century, Turner, Constable and Bonington, who mark not only the apogee of British art, but also the foundation of the ‘*English School*’. Broadly speaking, the English Romantic spirit in the first half of the century, as well as Turner’s discoveries deeply influence art and the theory of painting, although, excepting Ruskin, they are not very well understood by Victorians. (O’Gorman, 2001:139). Therefore, the polemic intercessions led by Ruskin will have not only the significance of an act of artistic justice, but also of reevaluating art principles in general.

Ruskin’s activity starts with correct poems, objectified next to didacticism, published in periodicals, latter in a volume (1850), but unsuccessful, poetry and painting remaining secondary preoccupations, mostly for recreating purposes, but their real substance will pass, intensified, in the brilliant lyrical commentaries of the critic.

The year 1836 marks Ruskin’s first intervention (at 17 years of age) in favour of Turner, severely attacked in the Scottish periodical *Blackwood’s Magazine*, but the article remains unpublished. In 1841, Ruskin makes Turner’s acquaintance, gets a notebook of sketches from him, studies it and rapidly understands the necessity of clarifying his own aesthetical conceptions. Thus in 1843 appears his first volume of *Modern Painters*, a long commentary on Turner’s work and on the endless beauty of nature, a book that brings him fame in his mid-twenties, although his philosophical and aesthetic knowledge is rather confusing. (Hewison:167) The next volumes will appear at considerable periods of time (vol. II, 1846; vol.III and IV, 1856; vol. V, 1860), thus marking the evolution of his aesthetic thinking. His second fundamental work, *The Stones of Venice*, appears in the period 1851-1853 as a result of some travels in Italy and records a change of preoccupations for painting and architecture, which will remain permanent for the rest of his creative life, with short excursions into sculpture, with few literary allusions, and, curiously enough, with a complete ignorance of music. Here are a few of his most important volumes: *The Seven Lamps of Architecture* (1849), *Lectures on Architecture and Painting* (Edinburgh, 1853) (1854), *Academy Notes* (Annual Reviews of the June Royal Academy Exhibitions) (1855–1859, 1875), *The Harbours of England* (1856), *The Elements of Drawing*, in *Three Letters to Beginners* (1857), *A Joy Forever* and *Its Price in the Market: being the substance (with additions) of two lectures on The Political Economy of Art* (1857, 1880), *The Two Paths: being Lectures on Art, and Its Application to Decoration and Manufacture, Delivered in 1858–9* (1859), *The Elements of Perspective*, Arranged for the Use of Schools and Intended to be Read in Connection with the First Three Books of Euclid (1859), *Val d’Arno* (1874), *Mornings in Florence* (1875-1877), *St Mark’s Rest* (1877–84), *The Bible of Amiens* (the first part of *Our Fathers Have Told Us*) (1880–85), *The Art of England: Lectures Given in Oxford, During his Second Tenure of the Slade Professorship* (delivered 1883, book 1884), *The Storm-Cloud of the Nineteenth Century: Two Lectures Delivered at the London Institution, February 4 and 11 1884* (1884).

As the titles indicate, some of the volumes are conference collections destined to a large audience or descriptive presentations of some Italian art monuments. The “integrated” framework often lowers the text to the level of popularization, the editing is

done in a hurry and the analysis seems superficial, which accounts for frequent repetitions and contradictions. It is obvious that in Ruskin's conception, the lecture becomes an autonomous scientific and essay genre, built after the principles of an ethical and cultural rhetoric, an aesthetic sermon dedicated not only to the popularization of some unfairly ignored art masterpieces, but especially to the awakening of the public's artistic consciousness, to man's moral regeneration in a sensitive manner (Batchelor: 87). Hence, frequent lyrical outbursts or specifying notions in a completely new, profound and innovatory spirit. Actually Ruskin's public career is prodigious; numerous articles, conferences, volumes, concrete actions are in full swing and he refuses to give up in front of attacks, ironies and failures, as he himself avows: " We don't live in a time when we may be contemplating clouds or dreaming over quiet waters. We must work for something more serious. Our epoch is made more for energy rather than for meditation and for hope rather than for happiness." (Works 35: 262)

The year of Turner's death, 1851, happens to coincide with the beginning of a new Ruskin aesthetic campaign, now in favour of the Pre-Raphaelites. In 1848, in full European revolutionary movement, with profound disorders in England as well, a group of English young men , among which the painters Dante Gabriel Rossetti (also a poet), Holman Hunt and John Millais, ecstatically contemplate the frescoes in Pisa, and, convinced by the value of the Italian primitive painters, altered by Raphael and by the academism of his followers (Hilton,2000:23), decide that the salvation of contemporary art lies in the return to naïve realism of the primitives and found a cultural group called "The Pre-Raphaelite Brotherhood".

Their movement has antecedents. In the thirties John Lewis and W. Mulready were interested in the exact, photographic evocation of reality, and after 1840, W. Dyce is preoccupied by religious topics. At the beginning of the century, a few German painters, led by Johann Friedrich Overbeck found the "Nazarene movement" and settle in Rome in order to create a naïve and exact art, just in the spirit of the Italian Pre-Raphaelites. The young English painters start soon exhibiting, but the public does not appreciate them, and Dickens, Macaulay and others hold them up to ridicule (O'Gorman, 2001: 214). But in 1851, unexpectedly interferes Ruskin, situated at that time on similar theoretical positions as demonstrated in *The Stones of Venice*, who addresses a protesting letter to the Times, the newspaper having published an injurious account addressed to the Pre-Raphaelites. Other letters, his ample study *The Pre-Raphaelites* (1851), as well as the yearly chronicles dedicated to the Salons, turns Ruskin into the defender and theoretician of the group, as he had once been for Turner; consequently, his prestige largely triggers the success and relative persistence of the "Brotherhood".

Another victory of Ruskin's aesthetics is represented by the building in the Gothic style of the Oxford Museum (1859), after which, during the works, he kept instructing the builders to abandon themselves to their own spontaneous decorative fancy, beyond whatever canons. Starting with 1854, Ruskin is seriously involved in the artistic training of workers within a Working Men's College, founded by him and his friend Thomas Carlyle, by means of conferences, lectures or even travelling impressions from Italy. Actually, during all this time, the friendship and the solidarity of principles with Carlyle is constantly growing. After 1860, an aesthetically-based form of humanism makes way to some more concrete social preoccupations. Thackeray publishes in *Cornhill Magazine* some of his vehemently anti-bourgeois articles of political economy (1860), further continued by other writings which testify a clear-cut, although rather confusing, socialist orientation.

John Ruskin-Between Art and Social Justice

He speaks about the kibbutz-organization of labourers, about state support for artistic creation, publishes the volume *Unto the Last*, becomes a member of the Paris Commune helping committee. In 1871 he writes a series of extremely violent pamphlets, subsequently gathered in the volume *Fors Clavigera* where we can read such statements: “The first reason for all wars, and for the necessity of national defences, is that the majority of persons, high and low, in all European nations, are Thieves, and, in their hearts, greedy of their neighbours’ goods, land, and fame. But besides being Thieves, they are also fools, and have never yet been able to understand [...] that the prosperity of their neighbours is, in the end, their own also; and the poverty of their neighbours, by the communism of God, becomes also in the end their own. ‘Invidia,’ jealousy of your neighbour’s good, has been, since dust was first made flesh, the curse of man; and ‘Charitas’, the desire to do your neighbor grace, the one source of all human glory, power, and material Blessing. [...] But occult theft, - theft which hides itself even from itself, and is legal, respectable, and cowardly, - corrupts the body and soul of man, to the last fibre of them. And the guilty Thieves of Europe, the real sources of all deadly war in it, are the Capitalists – that is to say, people who live by percentages on the labour of others; instead of by fair wages for their own.” (Works 27:138).

The going into the melting pot of his opinions takes the shape of a social, typically British sort of dynamism, by means of which the aesthetician- revolutionist becomes a businessman interested to constructively guide the labourers’ energies. Therefore, he finances the building in London of lodgings and a tea-shop for workers in order to put an end to speculating subcontractors, also a printing shop and a special bookshop, some sort of exhibition-museum, a painting school at Sheffield and, finally, a Utopist community, George’s Guild in Paddington, that was to function according to his own economic principles, based on physical work of people, especially farming, the latter’s participation to benefits, as well as the artistic artisan initiative.

In this way, Ruskin remains halfway between Utopist socialism and philanthropic humanitarianism (Alexandrescu: 11). The criticism of the bourgeoisie, of machinist domination, and the labourer’s moral mutilation correspond to an obvious reality, but their correction is seen by means of an odd return to Middle Ages values, of the founding of economic communities where man should have a direct contact with nature, and artistic creation should be developed in the Gothic spirit. Thus, Ruskin’s well-meaning, good faith and passionate generosity is dissolved in the old dreams of the aesthetician by means of an attempt to put into practice what was destined to remain free contemplation.

After 1875, the failure of George’s Guild is precisely taking shape, his physical and nervous sufferings increase, with frequent darkening of reason. Ruskin takes refuge in his Brantwood mansion, and his didactic, publishing and social activity are gradually diminished. These are the years of his decline, of losing contact with actuality (the promoter of Turner’s art engages in a regretful polemic with Whistler), of striking the balance of his life by the writing of *Praeterita*, his autobiography. He dies in the last year of his century, on the 20th of January 1900, maybe symbolically, without fully merging into the days of the new century.

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ORIGINAL PAPER

Values and Academia: a Sociological-Empirical Approach

Ali Pajaziti*

Abstract

Values can be defined as general standards, as measures of goodness or desirability, as higher order norms (Carrow et.al., 1998). Social values are moral goals to which we commit ourselves. Sociological theories and those about collective deviation today speak about the risk society, moral panic (Thompson), moral breakdown, etc. Some analyzers of the social context of our time use terms such as “the time of evil”, “of the wicked”... Various authors tells us about a corrupted world, about a state in which both the people and elites have lost the elementary ethical standards. (Eigen, 2003: 171). "Corruption (lat. *corruptio, corrumpere*, i.e., to distort, pervert) is the most controversial problem of the world", stated Cobus de Swardt, managing director at Transparency International. It is a social disease that cruises the body of the society; it is one of the most negative phenomena of the era in which we live; it is an infection that attacks almost all societies, even countries with a high level of well-being. Academia or universities are social instances that build our cosmos and structure of society (Frank & Gabier 2006). 21st century universities are in a crisis that is moral among other things. By this research, our intention was to tackle the mechanism behind the various forms of abuse of power in universities in Republic of Macedonia.

The empirical part of this research, done in the period 2012-2013, is based on semi-structured interviews (21 basic questions) with 25 alumni of different private and state universities in Macedonia, a survey (a sample of 998 university students), a focus group (master students), a questionnaire on the Universities' Code of Ethics (5 universities, SEEU, SUT, FON, Balkan University, SS Cyril and Methodius) and a round table (university professors, media, NGO representatives, analysts etc.). From the whole research findings, we conclude that students did not seem to have a very pleasant university experience, that corruption is present in academic circles, that there is a lack of trust in academia. Survey results show that more than ¼ of the students use friends very often to pass the exam, that 24 % use bribe as a tool for passing an exam and that professors sell their books to students using their power.

Keywords: values, academia, university, moral crisis, corruption, Macedonia.

* Associate Professor, South-East European University, Skopje, Republic of Macedonia.

Values and Society

Every individual and society has their own values upon which they construct their viewpoints and ideas, their vital environment and their way of living. Values are principles that allow us to guide our behavior to fulfill ourselves as individuals in different contexts. They are fundamental beliefs that help us prefer, accept and choose one thing over another or a behavior over another throughout our life. They are also a source of satisfaction and fulfillment. Values guide our behaviors; they are part of our identity as individuals, and guide our behaviors at home, at work, or any other area of our life, at times of satisfaction or crisis. They show us how to behave and how not to behave when we are faced with desires or impulses, whether we are alone or with others. They are like a compass that helps us behave consistently, regardless of the situation. For example, when using public transportation, some people give their seat to a pregnant woman, and others do not. The former believe in the value of courtesy and consideration towards others, whether they are strangers or not. Among those who do not give up their seat we commonly find children (who have not yet acquired that value), or elderly people who give a greater value to their own need to be seated (correctly so), or people who just attach a greater value to their own comfort. Thus, values are the foundation of our behaviors, and make us feel well about our own decisions (significanceofvalues.com). Values are particularly important: they entail what people deeply believe and are ready to take action for (Kluckhohn, 1958). They are a powerful motivator of action - at times even so powerful that it can overcome the threat of repression (Welzel & Deutsch 2012).

The value represents an achieved psychological provision to act or aim at a given target in line with the subjective comprehension of the good (Cakirpaloglu, 2004: 385, in 2008: 114). It is a good formed within the process of the individual's social interaction, a good that motivates, that sets objectives for the future and based on them regulates both the individual and collective action. Social values, which are formed within a society, are accepted as collective-like; they represent criteria that reflect ways of implementing certain ideas and regulations. In general, values are based on agreement, ethics and trust. Values show which behaviors are good and which ones are bad. They can be heteronymous, i.e. derive from a superhuman instance, and autonomous, formed within a historical timeline. The human being takes certain values for granted in the society where he is born. Some other values are later acquired because of personal reasons. J. Trusted, calls moral values as *social values* (Carrow, 1998:16); this means that he draws a sign of equality between the former and the latter.

The following are the characteristics of social values:

- Since they are accepted by individuals and groups, they strengthen social solidarity.
- They determine the directions of thoughts and actions; thanks to them, people know how to behave in certain circumstances.
- They serve as guidelines for the choice and implementation of the social role.
- They determine social status.
- They can create social pressure and control people's behavior.
- They help build people's social identity. (mebk12.meb.gov.tr)

In the sociological aspect, the concept of value determines the weight of a thing, a phenomenon, an individual or a group in the society. The same thing could have a different significance in two different societies. For instance, in an enslaved society, freedom presents the highest and most precious value; however, in another society there

Values and Academia: a Sociological-Empirical Approach

could be something else of superior value, which could be totally irrelevant for the first. Material and spiritual values are often embedded in one another. For example, a pocket watch inherited by one's grandfather could have both material and spiritual value. The same happens with historical deeds. A person, who helps a youngster financially, being unable to get educated, has actually committed a good deed in both aspects. Values represent the ideals of a society such as brotherhood, tolerance, equality, family, fatherland, respect, sincerity, etc. Sometimes, societies can turn into values things which indeed represent their antipode, such as racism (in the period of fascism), xenophobia (in today's Europe), hooliganism (as a youth "value"), "big brother" culture, etc. Social, national and universal values represent values, which are accepted by the majority, which are supposed to promote well-being and prosperity of society; they are ideal collective criteria. These values do not tolerate the tendencies and behaviors that spoil unity and solidarity among the members of a society, whereas they urge for behaviors that meet social needs.

The culture of changes causes the emergence of other values, besides the existing ones. Democracy, liberalism, human rights, individualism, nation state, efficiency, total quality, entrepreneurship, information society, competitiveness, etc., represent values that have emerged as a result of latest changes and developments. All of these values have almost become universal. Speaking of universal values, we refer to rights and freedoms that a human being has from his birth; these are the conceptual value, moral and social judgments, which guarantee life within given criteria. Apart from universal values, there are national or particular values that interconnect with cultural relativism. National or particular values have to do with the sense, thoughts and convictions of a certain community, for instance, the "legendary" Albanian trust (*besa*), or love towards the country and the flag in Turkish people. There are, of course, differences between values of a Cambodian and a German; between an Arabian and an Argentinean; between a citizen and a peasant; between values embedded by an old person and those accepted by an adolescent, etc.

The human being as a social creature has to take into account values, beliefs, attitudes and matrices of social behavior. The adaptation to social life is a life-long process. It helps people become social beings and facilitates social continuity. Common values are the main factors that generate and keep social solidarity. They are crucial for the social structure and order. Institutions such as family, law, education, economy, free time, politics, etc., are shaped under the impact of social values, which are transferred from one generation to another.

We should point out that philosophers, theologians and ethicists deal with unchanged absolute values. Earlier we said that values represent a variable category. Values from the era of agrarian society cannot be the same as those of the industrial or post-industrial eras. Social solidarity in the 1920 city of Skopje and that of 2014 do vary a lot; individualism has done its job and today's inhabitants of Skopje are much more individualists compared to a century earlier. Urban society alienates the values of traditional society. In an informal discussion, after the termination of the FOCIC Summer School (21 – 25 May 2014), there was a question by a participant from the Preshevo Valley, addressed to Prof. Ferhat Kentel asking how it was possible for the Turks both to prosper economically and maintain their traditional values at the same time. The professor in question responded by saying that such a conclusion is not true, by making an interesting portrayal between the skyscrapers in Erzurum and former Turkish values, emphasizing that life in apartments suffocates traditional authentic

value, since the Turks are gradually becoming a part of the capitalist cavalcade at the account of their own cultural ego.

The following are the basic peculiarities of values:

- Social values are recognized, liked and respected by the majority of the society
- They have specific strength in maintaining social structure and order. Some laws get their power from social values
- Social values regulate social relations. Accepting social action as positive depends on its compliance with social values
- Part of social values is approved by many societies or nations, i.e. they are universal such as those mentioned in the “Universal Declaration of Human Rights” from 1948 adopted by the General Assembly of the United Nations. (mebk12.meb.gov.tr)

Rokeach has made a typology of values as follows:

Table 1. Typology of values

Nelson	Spranger	Rokeach	Schwartz
Individual values	Scientific values	Objective values	Individual values
Group values	Economic values	Tool values	Cultural values
Social values	Aesthetic values		
	Social values		
	Political values		

Religious values

Source: Esbl, 16

Basic values allow the members of an organization or social group to interact harmoniously. Values affect their formation and development as individuals, and make it easier to reach goals that would be impossible to achieve individually. For the well-being of a community, it is necessary to have shared rules that guide the behavior of its members; otherwise, the community will not function satisfactorily for the majority.

Value crisis in transition societies

“The second half of the 20th century saw an almost unbelievable shift in the cultural values of the Western World. Today, television and movies screen themes of sex, violence and vulgarity that were unthinkable and impermissible only 35 years ago. News reports routinely discuss incredibly brutal and senseless crimes and topics that have been historically taboo—homosexual marriage, "gays" parading openly, and radical feminists shouting that traditional marriage is a tool for male oppression of women and abuse of children. Educators now describe to children as normal, behaviors that have been traditionally regarded (and still are by many) as perversions. Today lying

Values and Academia: a Sociological-Empirical Approach

is socially acceptable if it serves a purpose. For some, rape has become a form of recreation. Angry youth feel that murder is something to do if you are bored, upset or just want to make a statement!” (Winnail, 2000).

Two researchers at the National Research University’s Higher School of Economics in St. Petersburg have given Russia a disturbing diagnosis: extremely high rates of *anomie*, or indifference and lack of social norms (Worldcrunch, 2013). Other European media publish headlines such as “Europe facing ‘social and moral crises’”. In social networks we can see notes like “We are living at a time when father kills his own son... is there anything worse than this?”

More than two decades have passed since the collapse of the Berlin Wall in 1989, and the period since then has been one of profound upheaval for most people in the region. Political and economic systems of most countries have been transformed, to a greater or lesser extent and the region as a whole has become integrated into the global economy to a degree that was unimaginable 20 years ago. The effects of the transition on economic variables such as gross domestic product (GDP) growth, unemployment, investment and exports have been well documented. What is less well understood is how transition has affected people’s attitudes and values (EBRD, 2011: 19).

According to some research carried out by EBRD with respondents from 29 countries in transition, only 43% of citizens are satisfied with their lives and 34% trust other people (op. cit. 88). The crisis of countries in transition is indeed a value crisis. We can see this from the media, social networks and even neighborhood. The Serbian newspaper *Blic* dated 19 April 2014 talks about a medical case whereupon the doctor had asked for a bribe by a certain family for the treatment of an old lady, and when they had given him some 400 Euros, his reaction was, “*Just this?*” In a Croatian medium, we noted the following: “Wherever you dig, on the surface or deeper, the only thing you can find is nepotism, corruption, political arrogance. The question is who is going to get rid of this carcinoma? Why I am asking? Because in Croatia, a part of political, financial, media and PR mafia instead of dealing with what they do as corrupted, they keep saying ‘get the thief’” (HF, 2010). Another study on perceptions reveals that in the above-mentioned country the primary value is money followed by success as second, children as seventh and family as eighth. It is interesting to note that altruism has been positioned as eighteenth, empathy nineteenth and self-education twentieth (Rogic, 1 June 2014). In Bulgaria, the problem of values is also present. The xenophobic party ATAKA (meaning Attack), as well as other nationalistic movements (existing or newly-created) have exploited the nationalist discourse, posing a threat to ethnic peace, fostering xenophobia and violence against minorities, migrants and asylum seekers. According to European Values Study (EVS, 2008) more than 80% of the citizens have no trust at the other (Nikolov, 2013).

A portal published that in the contemporary consummatory society, the benefit is a moving force of almost all processes; willingness appears as a criterion of human values, whereas image is more important than personal qualities. The degradation of the system of values in its most extreme way is reflected in the increasingly frequent violence. Expensive cars, clothing, money and luxury life – this is what is being offered as a model, not only in TV soap operas, but also in the real life of the Estrada. “In such a partitocratic society, seized by financial tribal lobbying, the youth is surrounded by a degraded system of values in which the only criterion of success is money against knowledge and connections against merit”. (studenti.rs)

At another portal we read that Bosnia's today young do not take as role models scientists, but rather sportsmen and businessmen, aware of the fact that the society in which they live has lost all of its basic systems of values which comprise the stepping-stone of an auspicious society. This situation has been prevailing from the beginning of the 1990s and the motto children are actually led by is the consummatory system. (nezavisne.com). The degradation or value decadence is also present in the Albanian society all over the Balkans, especially in the extremely liberalized Albania, where one can see extreme cases of violation of values, from traditional values to Alb-Colombian isles and drug transportation airplanes (the scandal of May 10, 2014). There is a similar situation in Macedonia as well. A university professor says that the current living trends in Macedonia are characterized by running after wealth, fame, domination in order to satisfy one's unscrupulous lust and destroy the fundamental spiritual values and everything else that builds the fundamental attributes of human dignity. In his opinion, deceit and self-deceit have become part of people's lives, whereas superficiality, piggishness, narcissism and egoism have become distinctive marks of almost every turbo-successful person. "In the absence of a well-established system of values and in the presence of an evident axiological anarchy, in the struggle to reach a better social status, power and personal affirmation, no means are chosen..." Skillfulness, servility, hypocrisy, and mischief are the basic principles upon which this mode of organization of social life functions (Печџарески, 2009). This whole picture of Balkan societies speaks about a value crisis, a degradation of values, the need for changing the course of public policies and rebuilding a more ethical individual that would generate a better living environment and a more qualitative life.

The Academia and the Value Crisis: Higher Education in Macedonia on Focus

When we speak about the academia, we indeed speak about universities. The academia is a community of students and scholars engaged in higher education and research. University (Latin: "universitas", "a whole") is an institution of higher education and research which grants academic degrees in a variety of subjects and provides both undergraduate education and postgraduate education. The word "university" is derived from the Latin *universitas magistrorum et scholarium*, which roughly means "community of teachers and scholars. Recently we are witnesses of discussions about a crisis in the academia and universities (universityincrisis.wordpress.com). The "university crisis" is a society crisis and vice versa (Kapo, 2013). Recently, higher education and academia in the Balkans have considerably deteriorated. The number of universities and published strategic documents on reformation is huge, whereas the standstill and decadence are more than evident. Certain public universities tend to maintain the old *ex cathedra* system, teacher-centered classes, whereas some private universities have banalized the attainment of degrees or diplomas.

In relation to the rapid growth of the number of universities in the Balkans, the Director of the Research Center for Southeast Europe, Florian Bieber says, "Having in consideration limited resources, both in the aspect of tuition fees and professional teaching staff, the number of universities in the Balkans is surprisingly high!" Content analysis, empirical data and new jokes speak about the real situation of the academia all over the Balkans.

Values and Academia: a Sociological-Empirical Approach

In certain Serbian media we can find articles referring to “social and university crisis” (Z. Golubović), “destruction of universities” and “tension, crisis and chaos” (Stošić, 2008) etc. Similar articles can be found about the reality in Bosnia and Herzegovina (Weber, 2007), where one of the main figures is that of the “professor politician” (Kapo, 2013), in Montenegro (“A never-ending university crisis”) where universities fail to avoid political influence and other impacts that endanger public interest (Kaluderović, 2013). There is a crisis in the Croatian reality too as a consequence of the pressure that comes from politics, market, projects, interests, etc. (Vrček, 2013).

Samir Ćumurović, a 20-year-old student from Konjic in Bosnia managed to do something that no one else had done before – he failed the exam in “Introduction to Communication” at the private faculty of Business Communication, by earning only three points by filling in the space for the name and surname and the date of the exam. This is a piece of satire taken from a web portal (satiranje.com) that indirectly depicts perception about the academic reality in the Balkans. In Albania, higher education is also struggling with the transition fever, causing serious tremors, protests, public debates, etc. In a student protest organized in Tirana, among other banners, the following were revealed: “Universities to academicians, not traders!”, “Students – not clients!”, “Knowledge is not material!”, “Reformation – not deformation!”, “Public universities: A late!” (“Reforms in education”, *Opinion*, TV Klan, June 4, 2014).

Meanwhile, analysts were talking about massovization without funding, about the idea of “making some money today, regardless of the fact that we graduate as ignorant tomorrow”, as well as many other negative tendencies. The Prime Minister, Edi Rama on an occasion said that the situation in higher requires urgent intervention. In July 2014 the final report on the reformation of higher education and scientific research was published, thanks to an elite group of academicians.

Some months ago, there was a scandal in Kosovo involving the former rector of the University in Prishtina who had published an article that did not have anything to do with his professional field (history); it was in the field of mineralogy and was published in a fake journal, which caused riots and protests by students. They made him resign from his position as rector. Among the banners students were holding were: “All Kosovo Prof. Mr. Dr. (i.e. Professor, Master, Ph.D.)”, “I am also Prof. Mr. Dr.”, “Express/instant PhDs in three minutes”, “Discount: we publish articles for 59.99 Euros in exotic India!”, etc. In addition, the students removed four letters from the name of the university on the wall at the front, thus qualifying it as a spoilt university (*Universiteti i Prisht...inës – “I prisht, I prishur” in Albanian means rotten, spoilt, degraded, etc.*).

In 2006 the Ministry of Education of Republic of Macedonia prepared a *National program for the development of education 2005 – 2015*, which among other things, promotes values such as knowledge, democracy, justice, tolerance etc. – an architecture of values that would have to satisfy the requirements of development processes and international cooperation and provide equal education opportunities for everyone, decentralization of education, improve the level of literacy among the community members, promote some new trends such as universal and permanent access to education in order to acquire more skills in a society in which knowledge is crucial; these skills include working foreign languages, information technology, entrepreneurship, social skills and implementation of the Bologna Declaration principles. The following were the expectations from this strategy in the higher education area in Macedonia:

Ali PAJAZITI

- Improvement of efficiency in studies
- Staff and student mobility
- Better quality of the teaching/learning process
- Active participation of students in quality assurance processes
- Better employment opportunities for graduated cadres in the domestic and international labor market
- Better scientific – research activities
- Competitiveness, compatibility with the European and global academic market (*Национална програма...*, 2006: 19, 265).

The government measures for the reformation of the higher education brought massiveness, greater percentage of enrolment of high school students in universities (more than 90%), dispersion of higher education facilities even in towns which could not provide the basic conditions for the existence of such institutions (known as “village universities”) and many other problems this education level is facing. Despite the marketing and promises by authorities, higher education in Macedonia is undergoing a serious crisis nowadays, with poor academic results and values.

Press in Macedonia time after time reports cases like the arrestment of a 59-year-old professor from Philology Faculty of Ss Cyril and Methodius University, suspected for having demanded bribe from a third year student in order to pass the English exam. (*Вечер*, 2009)

Some forged university diplomas from a public state university in Macedonia had been sold at large to some Italian citizens. In November 2013, the Ministry of the Interior found a mini-workshop in a house in one of the villages where these diplomas had been produced. Most of the diplomas had had the logo of the Faculty of Medicine (BIRN, 2013). In a TV program, a university professor tells about a case of communication with a taxi driver, whose son had been at university. This is what he told him, “At elementary school he was very poor, he hardly passed from one year to another, with so many unsatisfactory grades. Now, he is doing just fine, and has very good grades, thanks God!” (A. Mustafa, MRT2).

Another professor, in an informal discussion was speaking about certain private universities where, upon enrolment, they would ask their students’ parents what GPA they would like their kids to have upon completion of their studies!

In a prestigious Albanian newspaper, the title of an article was “It is easier to earn a Master’s or PhD title than becoming a hairdresser”, whereupon the author says, “In the last 20 years there was a rapid increase in the number of intellectuals with titles, which under normal circumstances, it would have been considered a national asset. We have learnt that they have graduated from universities and have gained their titles such as Master’s and PhDs but we do not know where they had finished their primary and secondary schools.” (Halimi, 2014: 31).

The “Xhumkar” company from Struga, “Vezë Sharri” from Tetovo and EVN complain about poor cadres that graduate from universities.

“Students are not prepared at all even though there are departments at universities whose students are needed in our facilities. Perhaps they haven’t been adequately trained during their studies and need to get re-trained further, which may be very costly,” say from Xhumkar.

“Unfortunately, the university graduates are poorly prepared. Even though there are not faculties for every position we need, we still need certain well-educated

Values and Academia: a Sociological-Empirical Approach

university profiles but cannot find such, unfortunately. Sending them for further professional development takes time and costs money,” say from “Vezë Sharri”.

At EVN they say that there are students who graduate from prestigious universities in Macedonia, but still fail at interviews.

“All of those who apply and who meet the application criteria are called for further procedures. However, most of them, regardless of the fact they meet the criteria in paper, do not make it when they are interviewed, since they show no skillfulness at all,” says Vlera Gjakova, from EVN.

On the other hand, students complain that the results of their failure in finding a job should be sought in professors and poor academic staff that lead universities. (Portalb, 25/06/2014)

The data speak about a crisis in which universities and the academia are situated in Macedonia. This includes negative phenomena that have seized even higher education institutions which are supposed to produce bright minds, future leaders, well-educated cadres that would reflect values and features and become role models in their social lives. The empirical part of this research,^{*} done in the period 2012-2013, is based on semi-structured interviews (21 basic questions) with 25 alumni of different private and state universities in Macedonia, a survey (a sample of 1000 university students), a focus group (master students), a questionnaire on the Universities’ Code of Ethics (5 universities, SEEU, SUT, FON, Balkan University, SS Cyril and Methodius) and a round table (university professors, media, NGO representatives, analysts etc.). From the interviews with alumni from different Macedonian universities we conclude that most prevalent forms of corruption are:

- Buying books from professors as authors , sometimes conditional upon exam pass and/or higher grades
- Favoritism: with various forms occurring in all departments
- Ethnic affiliation is meaningful variable e.g. in Macedonian universities, ethnic Macedonians perceived to use more relations and gifts , Albanians bribing with cash or payment in kind
- Using Family relations of professors to get unfair help
- Students acting as intermediates for bribing
- Sexual services
- Offering private courses, sometimes compulsory.

Another important instrument of this research was the questionnaire with 130 questions structured in accordance with Lickert scale, in which 1000 randomly selected students from different departments from seven universities in Macedonia took part. There were 4 state universities and 3 private ones.

^{**} This research was prepared in the framework of the regional project *Education Specific Corruption in the Western Balkans (Escoweb)* supported by the Regional Research Promotion Programme in the Western Balkans (RRPP), which is run by the University of Fribourg upon a mandate of the Swiss Agency for Development and Cooperation, SDC, Federal Department of Foreign Affairs. The views expressed in this paper are those of the authors and do not necessarily represent opinions of the SDC and the University of Fribourg.

Table 2. Respondent population according to universities

State/Public Universities	number of students/respondents	Private Universities	number of students/respondents
“Goce Delchev”, Shtip	120	European University	80
“St Clement of Ohrid”, Bitola	100	SEEU	200
Tetovo State University	150	American College	80
Ss Cyril and Methodius	270	FON	refused to participate

As we can see from the graph below, namely responses to Question J3 (**Based on your perception, how common are the following in your school: bribery?**) we can conclude that 24% of students consider that bribery is a common thing, implying violation of academic values. Only 11% of students said that students are not likely to get involved in bribery activities concerning their teachers.

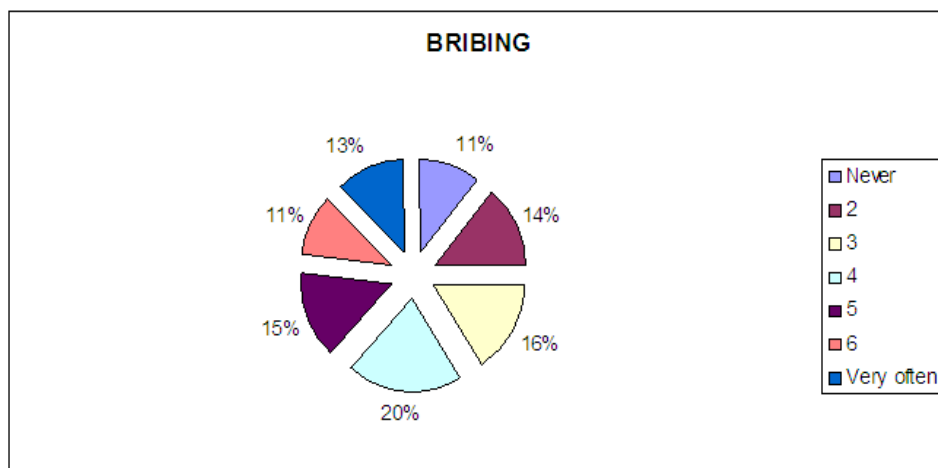


Illustration 1. Frequency of bribery at university

With regard to purchasing books we can say that this is an even more frequent appearance within th academic circles; 1/3 of students are forced in one way or another to buy the books by their professors (see Illustration 2). This means that professors abuse their position and do business with their books, thus becoming booksellers. This can be proved by the fact that certain professors check if students have bought and brought the books with them in the exams; there have been even more extreme cases when the student got the book from a brother or sister that took the exam earlier, and was not allowed to enter the exam just because s/he hadn’t bought a new copy of the book. For certain, so called “professors”, it is form that matters, not content; it is money that matters, not knowledge.

Values and Academia: a Sociological-Empirical Approach

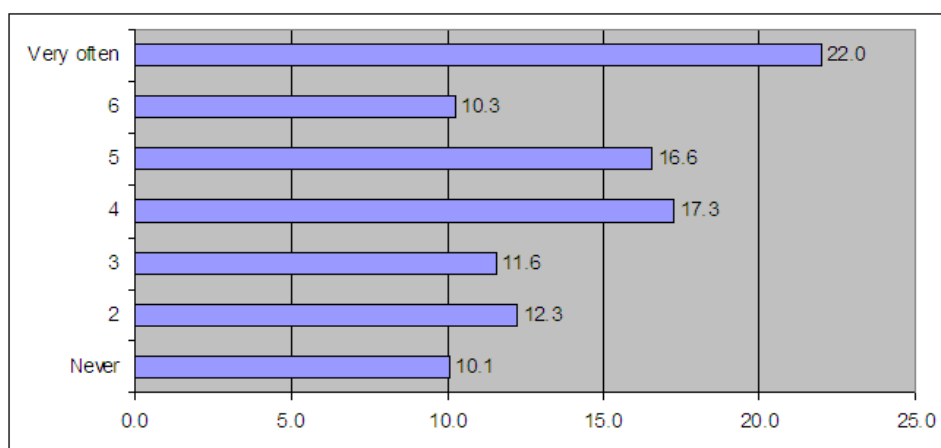


Illustration 2. Book purchasing as an obligation for students

As regards the most corrupted instance within the academy, among four give categories – assistants, professors, secretariats and Dean’s offices, the findings show that the second group is in the alert zone. This means that students consider that professors are the most corrupted category at universities.

Table 3. Which university instance is the most corrupted?

	01. The assistants?	02. The professors?	03. The secretaries?	04. Dean's office (dean and vice deans)?
Valid	998	998	994	993
Missing	4	4	8	9
Mean	4.03	4.48	3.74	4.30
Median	4.00	5.00	4.00	4.00
Mode	4	5	4	4
Sum	4017	4476	372	4272
			1	

An important sintagma that speaks about spoilt interpersonal relations is abusing with the power, meaning “The act of using one’s position of power in an abusive way”. Data from our research show that 1/3 of lecturers abuse their positions or the power they enjoy as a higher stratum compared to students. This means they see themselves in the mirror of grandiosity, placing students in an uncomfortable position, though the Bologna trends aim at equilibrating relations between teachers and students and even creating student-centered environments at universities.

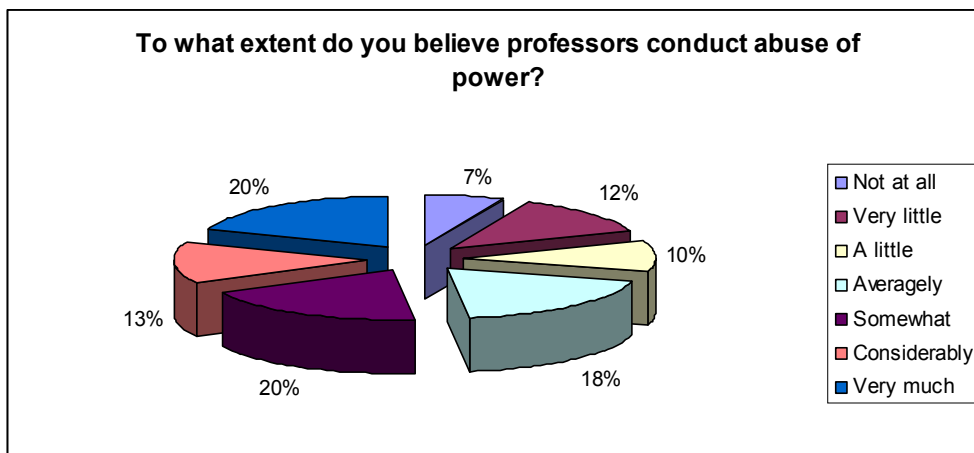


Illustration 3. To what extent do you believe the following levels of the university conduct abuse of power?

One of the most important reasons for abusing with power/position at faculties, according to students at universities in Macedonia, is the irresponsibility of institutions to monitor the quality of teaching and grading and the lack of student awareness about their rights. Based on these numbers, we can conclude that universities have to work harder in terms of monitoring the academia through teaching observation procedures, student grading modes, continuous assessment throughout the whole academic year, etc.

Table 4. According to you, what are the main reasons of abuse of power in your faculty?

	N1. The negligence of the students to study.	N2. The economic living conditions of teaching staff.	N3. Student's unawareness of their rights.	N4. Institutions' irresponsibility in monitoring the quality of the lecturing and grading	N5. Lack of regulations.	N6. Difficulties to get the grade by merit.
Valid	1000	999	994	999	996	963
Missing	2	3	8	3	6	39
Mean	3.95	3.95	4.40	4.45	4.23	4.24
Median	4.00	4.00	4.00	4.00	4.00	4.00
Mode	4	4	4	7	4	7
Sum	3949	3949	4370	4441	4216	4080

As we can see from the following illustration, the most important criterion for finding a job in Macedonia is the applicant’s political affiliation or personal or family ties – a very disappointing element for younger generations, very interestingly explained by a youngster who said, “The more you get educated elsewhere in the world, the more opportunities are given to you. In Macedonia, it is the opposite. (Orhan Bey Osmani)

Values and Academia: a Sociological-Empirical Approach

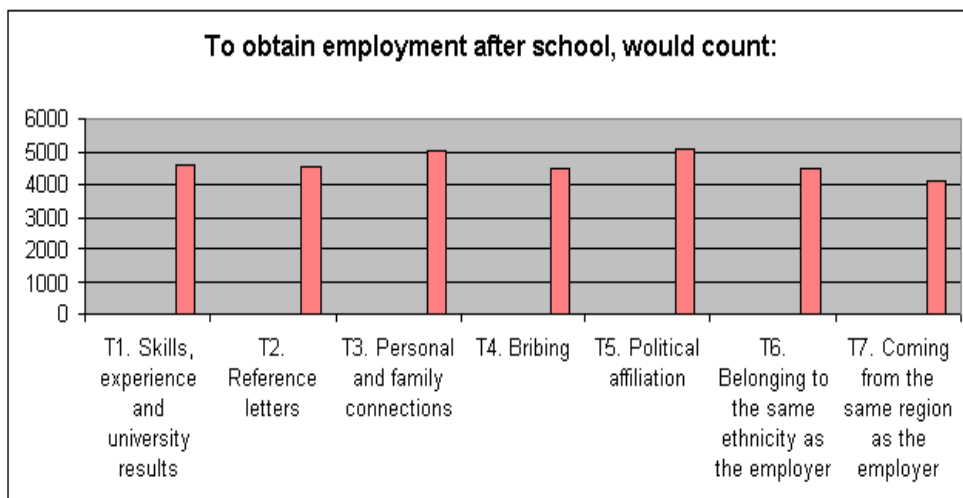


Illustration 4. Indicators of employment

The following responses were generated from the question *How much do you think it helps students to get better grades by:*

- 24.4 % believe that cheating helps in getting a good grade
- 34.6 % said being related to someone important helps in getting a good grade
- 35.7 % claim that getting a good grade means having connections to the professor
- Gifts and meals have less impact in getting a good grade compared to bribery
- 29.4 % of students believe that the grade is also influenced by the vote given to the professor's favorite political party
- 31.7 % of students think that owning an important family name can help you in getting a better grade.

Based on the results from focus groups realized on November 30, 2013 at the Faculty of Political Sciences and Public Administration at SEEU, with Master students, with the assistance of Prof. M. Mehmeti and the young political scientist, Muhamed Jashari, we came to the conclusion that they consider corruption a violation of the law, unequal position of students against their professors, thievery, unfair game and undeserved profit. They also referred to both parties and the mediator, links, connections, forceful purchases of books, sexual harassment in the academia, etc. As regards the forceful purchase of books, there were two different approaches: the first group considered it just a corruptive action, whereas the second did not, since they claimed that it is necessary to acquire the information of the course, though it could be considered as a corruptive action if it asked only when taking the exam, especially at make-up sessions. "It could be considered corruption if two or more members of the same family are asked to buy the book". They mentioned forged diplomas and bought diplomas, undeserved high grades that influence student's (un)just reasoning and degrades the professor's image as well as spoils relations among the students themselves. This focus group also said that corruption means illegitimate benefit of

financial means by the professor (a student mentioned an AUDI A4 as a passing instrument, followed by lunches and dinners at restaurants, etc.). Some students had reported corruptive activities at the anti-corruption agency, but hadn't got any response for more than two years, being told their matter was in the process of review. Finally, they said that corruption is a negative, destructive phenomenon, a social cancer and can be recorded almost everywhere in the world.

As for results from the interviews with the professors of the 5 universities on the ethical code and issues, we concluded that there is no special structure for the coordination of the students and teaching staff relations at state universities. The ethical code is in use in two private universities, at the web page of SEE University in three languages, where also the yearly practice of putting at the all university buildings a box for ethical issues is applied. There are no complaints from the students, meaning that they are afraid to do so. There are also surveys with students to assess their feedback about quality of services by the professors, faculty/university (a kind of self-evaluation that is for internal use). At FON University neutral evaluation from businessmen is applied.

There was a round table organized at SEEU on December 24 2013 about a very interesting matter, i.e. the relation between two social parameters – one with constructive aims – higher education, and the other with destructive aims – corruption. Representatives of the academia, NGOs, media and students took part. The debate developed based on the scientific report on the biannual RRPP project, sponsored by the University of Fribourg (Switzerland), realized by four regional institutions: Tirana University, American University in Kosovo, NGO “Bono Modo” (Podgorica) and SEEU – a project with comparative aims among these four Western Balkan countries. In the discussion part, among other things, corruption as a global problem was mentioned (the most recent cases in Kosovo and Croatia); the need for raising the awareness among all involved parties was mentioned, along with the importance of the legal system and the media in the struggle against multi-layer corruption (J. Zejneli); the corruptive reality verified by experience; the lack of political will to eliminate this phenomenon; superficial reforms in education in these 23 years of transition; the misbalance between public and private education (A. Gashi); the need for recognizing one's responsibility and ethical conscience (Q. Nesimi); employment at universities through political affiliation; the need for staff re-evaluation; research performance *vis-à-vis* teaching performance (A. Qose).

One of the participants in this debate mentioned the need for research placing professors, i.e. the academic staff before the responsibility (B. Sulejmani); another one tackled the issue of transparency and privacy (revelation of the grade and humiliation of students by giving them poor marks) (M. Hamiti), etc.

Conclusions

It is a fact that the Republic of Macedonia is undergoing a deep value crisis in general and a crisis of academic-educational values in particular. In certain circles, universities are considered as business tools, whereas the clients see them as a destination for getting a diploma rather than as institutions where one can acquire some kind of knowledge. In this context, there are cases when a secondary school teacher is much more prepared compared to a university professor. In a newspaper in Skopje there was a phrase saying, “Corruption keeps blooming” (*Shenja*, 15-17), which is proven by

Values and Academia: a Sociological-Empirical Approach

our research too. Based on the research carried out on the perception of the relation between universities and values, we came up with the following conclusions:

- There is a lack of trust in institutions of higher education
- Students and alumni: would not report cases of abusive behavior
- ¼ of the students use bribery or friends very often to pass the exam
- Professors sell their books to students using their power
- Professors and their friends are used to arrange contacts with the course professors
- Students complain for use of power in their faculties (15.8%)
- More channels of communications with students are needed
- Universities in Macedonia should approve ethical codes or codes of conduct..
- Students do not trust institutions that are supposed to monitor and sanction abusive activities at higher education institutions.

In the end, we recommend an overall social mobilization to fight against anti-values in the academia, especially corruption, which is destroying the branch we are all leaning on and which threatens our collective future, since it deforms values and replaces them with anti-values; this makes the youths see no perspective and as a consequence suffer brain drain towards countries where it is not important at all who you are or which political party you belong to, but rather what you can offer the institution you work for or the community in general. We should also strengthen our awareness about procedures, the increase of the number of channels of communication with students, about the introduction of a greater set of courses in the field of ethics, which would improve the consciousness and awareness of all parties involved. State authorities should be more vigilant in monitoring and observing the work of higher education institutions since they are nests where social decision-making actors are cultivated, people who are all universes in themselves, well-educated personalities that do not refer only to credentials but also aim at permanent personal and professional development as well as the advancement of local and global society.

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ORIGINAL PAPER

**The occupational structure of the labour power
in the South-West Oltenia Region**

Mihaela Ceană*

Abstract

In the South-West Oltenia Region, the evolution of the labour power was generally influenced by those factors that affected the entire Romanian society. From the statistical point of view, the evolution of the labour power presented an ascendant rhythm in 2010-2011, as confronted to the previous period. Our analysis portrays the necessity of some staged priorities regarding both the distribution and the improvement of the qualitative and quantitative level of the labour power. Moreover, the correlation of the consumption fund with the investment fund represent a necessity, and the development of industry, agriculture, tourism, services etc., represents a major priority in the economic development of the country.

Keywords: labour power, occupational structure, market economy, employed population, region.

* Ph.D candidate, Faculty of Economics and Business Administration, University of Craiova, Phone: 0040727392953, E-mail: mihaela_ceana@yahoo.com.

The South-West Oltenia Region corresponds to the historical province of Oltenia (the counties Dolj, Gorj, Vâlcea, Mehedinți and Olt-Romanați), a part of the Romanian historical territory. As a political, administrative and economic structure, nowadays, it presents a relatively homogenous characteristic, due to the inheritance from the different stages that belonged to the development of the modern Romania, and also some delays in the economy and social structure. The Governmental project of Administrative-Territorial Reorganization of the country, from 2009-2010, stipulates the passing towards the internal division into regions of the territory, Oltenia, representing today such a unit. The South-West Oltenia Region expresses a spiritual and economic geographical institution, an area with a political strategy on addressing the labour power and the creation of sale markets and, to a certain extent, a unitary linguistic area. The management policies of the human resources defined the political and economic achievements of the applied or going to be applied reforms. Democracy needs trained citizens, with an efficient functioning of the labour power, essential factors for the individual freedom and the viability of the state's policies (Dobrotă, 1998: 67; Crețoiu, 2003: 102).

The common economic feature of these aspects, related to the human resources, is represented by the direct connection with the work productivity, and, in consequence, with the economic growth. Our integration in the European Union implies the rapid and sustained progress in fighting against poverty, a result that depends on the promotion of the strategies regarding the use "of the most important wealth of the poor – their labour power" (Barr, 2010:9) and the insurance of the social services for the society. The basic medical assistance, family planning, alimentation and the primary education are essential for the development of the labour power markets and, naturally, for the economic and social progress. The neglecting of the human resources by the governors led, is still leading and will continue to lead to significant costs. Not paying a particular attention to the diminishing of poverty, constitutes a false economy and, moreover, a pressure on the development of the labour power in its integrity (Samuelson, 1982: 76).

The fiscal crises, the perturbations regarding the state's role in the society, have a great influence on the social policies, the budget equilibrium and, furthermore, on the public and private activities. Presently, there is a consistent bibliography that debates different technical arguments concerning the economic theories, the criteria on the good functioning of the labour power markets, their malfunction in the relation with the governmental activity (Pîrvu, 2011:236-240; Pîrvu, 2012: 98-113). Starting from an analysis of the occupational structure in the South-West Oltenia Region, it is necessary to mention the fact that the present Romanian economy resulted from the communist era, presenting distinct particularities, as confronted to the democratic occident (Ciucur, 2001: 78). In the transition period, in the entire country, the change of the communist property structure was necessary, which was, to a great extent, favourable for the state, the change of the production structure that was oriented towards the heavy industry and agriculture and, obviously, of the commerce structure that was distorted because of the excessive specialization and structural imbalances.

The reforms applied in Romania follow a fundamental change, both in responsibilities of the state and of the individual. In a market economy, each economic organization becomes responsible for the efficiency of the production and for the realization of the profit. The wages and the employment are therefore determined "by the forces of the market for the interest of the efficiency" (Barr, 2010:10). A special influence is presently represented by the income redistribution system, implying a

The occupational structure of the labour power in the South-West Oltenia Region

continuous attention for the protection of the individuals and their families against poverty. The line that separates the state, the market and the human resources constitutes the central problem in the process of the economic reforms (Galbraith, 1982 : 37). The short term policies must be concentrated on the survival, both fiscally and politically, of the prosperous economy, the force that generates labour power (Stancu, 1997: 85). The unemployment, the fiscal crisis, the irrational transfers of the income constrain and diminish the normal development of the labour power. According to the data provided by The National Institute for Statistics, on the 1st of July 2011, the South-West Oltenia Region had a population of 2 225 108 dwellers, representing 10.42 % of the total population number in Romania, the 7th place from the 8 regions of the country.

Table 1. The population number in 2011, on regions and counties

Territorial unit	Population in 2011	% from the population total on regions
Dolj	697.813	31,36%
Gorj	375.147	16,86%
Mehedinti	288.775	12,98%
Olt	458.380	20,60%
Valcea	404.993	18,20%
Total Region	2.225.108	

Source of data: Romanian Statistical Yearbook 2012a

The urban population of 1.068.281, concentrated in the 40 towns, situates the region on the last place in the national context, while the rural population, of 1.156.827, situates the region on the 5th place on the national level.

Table 2. The population of the 40 cities from the region, evolution 2010-2011

	County	The number of the dwellers	
		2010	2011
Municipality of Craiova	Dolj	298.740	297.510
Municipality of Băilești		19.536	19.413
Municipality of Calafat		17.707	17.382
Bechet Town		3.873	3.850
Dăbuleni Town		12.692	12.485
Filiași Town		18.650	18.463
Segarcea Town		8.122	8.080
Municipality of Târgu – Jiu	Gorj	96.396	96.737
Municipality of Motru		22.170	22.134

Mihaela CEANĂ

Bumbești – Jiu Town		10.423	10.360
Novaci Town		5.986	5.943
Rovinari Town		13.375	13.384
Târgu Cărbunești Town		8.947	8.856
Țicleni Town		5.200	5.148
Tismana Town		7.724	7.699
Turcenii Town		8.180	8.142
Municipality of Drobeta - Turnu Severin	Mehedinți	105.739	105.232
Municipality of Orșova		12.616	12.373
Baia de Aramă Town		5.763	5.701
Strehaia Town		11.496	11.438
Vânju Mare Town		6.225	6.145
Municipality of Slatina	Olt	77.108	76.736
Municipality of Caracal		34.730	34.431
Balș Town		20.845	20.632
Corabia Town		19.647	18.956
Drăgănești - Olt Town		12.277	12.027
Piatra – Olt Town		6.121	6.109
Potcoava Town		5.863	5.862
Scornicești Town		12.358	12.228
Municipality of Râmnicu Vâlcea	Vâlcea	110.731	110.697
Municipality of Drăgășani		20.245	19.988
Băile Govora		2.885	2.882
Băile Olănești		4.551	4.553
Bălcești Town		5.539	5.503
Brezoi Town		6.945	6.907
Călimănești Town		8.769	8.704
Horezu Town		6.701	6.661
Ocnele Mari Town		3.521	3.505
Băbeni Town		9.752	9.877
Berbești Town		5.580	5.548

Source of data: Romanian Statistical Yearbook 2012a

Craiova Municipality registered the highest population decrease, with 1.230 people from 2010 to 2011. Tg. Jiu Municipality registered the highest population increase, with 341 people.

The occupational structure of the labour power in the South-West Oltenia Region

Table 3. Structure of the population according to the ethnicity

Counties	Stable population TOTAL	From which, according to the ethnicity					
		Romanian	Hungarian	Roma	German	Ukrainian	Turkish
Dolj	618.335	587.549	218	28.911	92	21	53
Gorj	334.238	326.873	161	6.815	24	24	10
Mehedinti	254.570	241.501	153	10.956	156	13	38
Olt	415.530	405.393	246	9.601	11	5	31
Valcea	355.320	348.344	198	6.384	63	13	38

Source of data: Romanian Statistical Yearbook 2012a

Table 4. Roma population – 2012

	Romanian	Roma
Dolj	95,02%	4,68%
Gorj	97,80%	2,04
Mehedinti	94,87%	4,30
Olt	97,56%	2,31
Valcea	98,04%	1,80

Source of data: Romanian Statistical Yearbook 2012a

Table 5. The evolution of the population on ethnicity, on counties, from 2002-2012

	Year	Stable population	From which, according to the ethnicity				
			Romanian	Hungarian	Roma	Ukrainian	German
Dolj	2012	618.335	587.549	218	28.911	21	92
	2002	368.410	359.588	203	7.796	36	131
Gorj	2012	334.238	326.873	161	6.815	24	24
	2002	162.743	159.719	164	2.760	5	32
Mehedinti	2012	254.570	241.501	153	10.956	13	156
	2002	141.956	139.669	155	1.509	11	169
Olt	2012	415.530	405.393	246	9.601	5	11
	2002	186.542	183.141	63	3.204	3	20
Valcea	2012	355.320	348.344	198	6.384	13	63
	2002	161.836	160.360	279	983	11	84

Source of data: Romanian Statistical Yearbook 2012a

In 2011, the occupational structure of the Roma people continues to demonstrate a low degree of integration on the labour market. There is a high share of the insecure occupations that do not offer permanence and stability. The degree of employment among the Roma population is of 35.5%, 36% would like to have a job and 28% are inactive. This is a low level of employment, as comparing to the national one.

As regarding the general population from Romania, the employment rate was of 58% in 2011, and the rate of unemployment of 7.6%. The share of the Roma people who do not have a steadfast job is significantly lower: only 10% of the interviewed have worked permanently in the last two years, and 51.5% of the sample declared that they have not worked for the last two years.

The low share of the permanently employed population proves an elevated vulnerability and a high risk of poverty and social exclusion, through the consequences created by the lack of social and health insurances, and also the shortcomings of the material means. The analysis of the gender structure among the employed population, indicated significant differences, favouring the men who carry on economic activities in a higher share (44.3%, as confronted to 27.4%).

The degree of employment of the Roma population from Romania is inferior to the national rate. The employing structure of the Roma people is one specific to their ethnicity, being characterized by traditional or low skilled professions, with a reduced degree of social security (Băbeanu & Băbeanu, 1998: 45). The women represent a highly vulnerable category, from the employment point of view, most of them being housekeepers, not having any qualification and therefore with low chances to be integrated on the labour market. The women who declared they are employed have reduced skills, most of them being unskilled workers. The young people also represent a group with reduced chances on the labour market, having low educational level and skills.

Table 6. The natural displacement of the population on counties in 2011

Absolute data (number)							
	Born alive	Deceased	Natural growth	Marriages	Divorces	Born dead	Deceased under one year old
South - West of Oltenia	17.823	28.272	-10.449	9.886	2.357	48	166
Dolj	6.045	9.567	-3.522	3.100	380	1	49
Gorj	2.923	4.118	-1.195	1.914	400	13	29
Mehedinți	2.481	4.044	-1.563	1.382	498	12	40
Olt	3.356	6.254	-2.898	1.897	583	10	22
Vâlcea	3.018	4.289	-1.271	1.593	496	12	26

Source of data: Romanian Statistical Yearbook 2012a

The occupational structure of the labour power in the South-West Oltenia Region

Table 7. The natural displacement of the population in urban areas – 2011

Absolute data (number)							
	Born alive	Deceased	Natural growth	Marriages	Divorces	Born dead	Deceased under one year old
South – West of Oltenia	9.141	9.261	-120	6.099	1.503	20	64
Dolj	3.309	3.474	-165	2.109	231	1	24
Gorj	1.452	1.362	90	1.040	216	8	12
Mehedinți	1.208	1.290	-82	859	384	2	12
Olt	1.644	1.596	48	1.086	330	6	4
Vâlcea	1.528	1.539	-11	1.005	342	3	12

Source of data: Romanian Statistical Yearbook 2012a

Table 8. The natural displacement of the population in rural areas – 2011

Absolute data (number)							
	Born alive	Deceased	Natural growth	Marriages	Divorces	Born dead	Deceased under one year old
South - West of Oltenia	8.682	19.011	-10.329	3.787	854	28	102
Dolj	2.736	6.093	-3.357	991	149	0	25
Gorj	1.471	2.756	-1.285	874	184	5	17
Mehedinți	1.273	2.754	-1.481	523	114	10	28
Olt	1.712	4.658	-2.946	811	253	4	18
Vâlcea	1.490	2.750	-1.260	588	154	9	14

Source of data: Romanian Statistical Yearbook 2012a

Table 9. Indicators for natural movement of the population by region, 2011

Region	Rate of Birth	Rate of Mortality	Natural growth	Born dead in 1000 born children	Deceased under one year old in 1000 children born alive
North West	9,6	11,5	-1,9	4,9	8,7
Center	10,0	10,9	-0,9	3,7	10,1
North East	9,8	11,1	-1,3	3,7	10,1
South East	8,5	11,8	-3,3	4,0	11,3
South Muntenia	8,6	13,1	-4,5	5,2	10,3
Bucharest	10,2	11,1	-0,9	2,4	5,7
South - West of Oltenia	8,0	12,7	-4,7	2,7	9,3
Dolj	8,7	13,7	-5,0	0,2	8,1
Gorj	7,7	10,9	-3,2	4,4	9,9
Mehedinti	8,6	13,9	-5,3	4,8	16,1
Olt	7,3	13,5	-6,2	3,0	6,6
Valcea	7,4	10,5	-3,1	4,0	8,6
West	8,5	12,2	-3,7	6,7	8,9

Source of data: Romanian Statistical Yearbook 2012

Table 10. Variation of birth (born alive) in the South Western region of Oltenia

County	1990	2011	Variation 1990/2011
Dolj	9.779	6.045	3.734
Gorj	5.805	2.923	2.882
Olt	7.018	2.481	4.537
Mehedinti	4.551	3.356	1.195
Valcea	6.287	3.018	3.269

Source of data: Romanian Statistical Yearbook 2012a

Table 11. The fertility rate of women on areas and age groups in the South-West OLTENIA Region, 2010-2011

	2010			2011		
	Total	Urban Area	Rural Area	Total	Urban Area	Rural Area
TOTAL (15 - 49 years old)	33,9	32,0	36,3	32,3	29,9	35,4
15 - 19 years old	40,7	26,7	53,7	38,8	26,3	49,7

The occupational structure of the labour power in the South-West Oltenia Region

20 – 24 years old	64,6	50,2	82,8	62,9	47,4	82,0
25 – 29 years old	68,2	71,8	63,1	63,4	65,1	60,9
30 – 34 years old	43,7	52,0	33,4	42,1	47,8	34,8
35 – 39 years old	14,8	17,3	11,9	16,8	18,6	14,8
40 – 44 years old	3,3	2,8	4,0	2,7	2,4	3,1
45 – 49 years old	0,1	0,1	0,1	0,2	0,2	0,2

Source of data: Romanian Statistical Yearbook 2012a

Table 12. The evolution of the fertility rates on counties in the period 2005-2011

	2006	2007	2008	2009	2010	2011
Dolj	35,1	35,9	36,7	37,2	35,9	35,3
Gorj	32,5	33,2	32,4	32,1	31,2	29,5
Mehedinți	33,3	32,7	35,7	40,4	35,9	35,0
Olt	34,2	32,2	33,8	34,8	32,1	30,2
Vâlcea	35,6	34,6	34,1	34,7	33,7	30,4
SW of Oltenia	34,3	34	34,8	35,8	33,9	32,3

Source of data: Romanian Statistical Yearbook 2012a

Table 13. The mortality rate on counties in the period 2005-2011

	2006	2007	2008	2009	2010	2011
Dolj	13,9	13,7	13,8	14,0	14,3	13,7
Gorj	10,8	10,5	10,5	11,0	11,3	10,9
Mehedinți	13,7	13,9	14,0	13,8	14,3	13,9
Olt	13,6	13,5	14,1	13,9	13,9	13,5
Vâlcea	12,2	11,4	11,4	11,4	11,5	10,5
SV Oltenia	13	12,7	12,9	13	13,2	12,7

Source of data: Romanian Statistical Yearbook 2012a

As comparing to 2010, the population of this region decreased with 13 535 people. This diminishing was mainly determined by the manifestation of a negative natural growth of 10 449 people. The same evolution is also noticed on the national level, where after a growth registered between 2005 and 2008, the population has continuously decreased, every year, the accent being seen especially among the employed population (The National Institute of Statistics, 2012: 9; Department of Statistics, 2013: 19). The distribution on areas of the population evidenced, in 2011, the preponderance of the rural population (52.0%), which was regressing, as confronted to 2010 (52.1%). The age structure of the population is characterized by a demographic aging process. It can be noticed, in the South-West Oltenia Development Region, the reduction of the young population share (0-14 years old), in the total number of the population, from 14.3% in 2010, to 14.1% in 2011, while the older population samples (60 years old and over) grew larger from 22.2% to 22.5%. To sum up, the share of

demographic dependency was modified from 57.5% in 2010, to 57.6%, in 2011 (Department of Statistics Dolj, 2013: 20).

At the national level it is noticed, along the studied period, the reduction of the young population share (15.25, in 2011, and 14.9% in 2013) and the growth of the older people share (from 19.5% in 2011, to 20.9% in 2013) (The National Institute of Statistics, 2012: 10).

The structure of the employed population on sectors of activity in the national economy, to a closer analysis, indicates the slight reduction in the number of employed people in the agricultural sector (-6% at national level) and industry and constructions (-6% at national level), concomitantly with the growth of the people employed in services sector (+2.2%). At national level, the active population (women and men) was, in 2010, made of 9 965 thousand people, in 2011 of 9 868 thousand people, and in 2012 of 9 912 thousand people. After a continuous growth registered between 2005 and 2008, starting with 2009, the employed population started to decrease, up to the lowest number, registered in 2013 – 9.016 thousand people. The greatest part of the employed population, at national level, lives in the urban areas (55.6% in 2012), being predominant, among the employed people, the wage earners (The National Institute of Statistics, 2012: 11-12).

The evolution of the labour power in the South-West Oltenia Development Region has been lately influenced, generally, by those factors that have affected the entire economic and social life of our country:

- the adopting of a new structure of economic relations based on the free and competition market system;
- the reorganization of the large and medium sized enterprises that used to produce essential damages to the economy
- the decrease of the training and skills level of the employees
- the decrease of the birth rate that has been affecting the structure of the able to work young people – an effect of the living standard diminishing and of the insecurity of tomorrow;
- the difficult integration of the socio-professional categories that were laid off

An important factor is also represented by the migration of the active population towards advantageous jobs in the countries of the European Union (especially Spain and Italy) (Barr, 2010:15-20). The share of activity among the able to work population at the national level (15-64 years old) was in 2011 of 65.2%, bigger for men (73.0%, as confronted to 57.2% for women) and for the rural areas (70.1%, as confronted to 60.7% for the urban areas) (The National Institute of Statistics, 2012: 18).

In the same period, the employed population from the South-West Oltenia Development Region was of 1 024 thousand people. Among these, the men represented 54.5%, and the share of the people living in the urban areas was of 44.3% (Department of Statistics Dolj, 2011-2012: 18). The share of employment of the able to work population (15-64 years old) reached in 2011, in the South-West Oltenia Development Region, the level of 60.3% (as confronted to 59.2% in the previous year). The employment rate of the able to work people was higher for men (66.5%), than for women (54.1%) and in the rural areas (66.3%), than in the urban areas (54.9%).

The distribution of the employed population according to the level of education, in 2011, evidences the fact that the majority (49.4%) graduated high-school (including the first step) and a vocational school. Among the employed male people, most of them graduated high-school and vocational schools, while, among the females, a significant

The occupational structure of the labour power in the South-West Oltenia Region

share (57.5%) was constituted by those who graduated high-school (including the first step) and the secondary school. In the total number of the employed population, the people who graduated a university had a share of 14.7%, and the people who attended post-graduate courses or a foreman school represented 4.7%.

The people with a low level of education (secondary, primary or no school education) represented 31.2% from the total number of the employed people; among these, 94.1% were living in the rural areas and 56.1% were women. After analysing the structure of the employed population, according to the professional status, in 2011, it results that the wage earners continued to have the highest share (50.6%). The freelancers and the unpaid family workers represented 48.7% of the employed population. The average number of the employees from the South-West Oltenia Development Region was, in 2011, of 361 744 people, with 2 064 less people than in 2010. Most of the employees were in: industry (32.1%), wholesale and retail trade; cars and motorbikes repairing (15.4%), education (9.9%), health and social assistance (9.0%), constructions (7.75), public administration and defence; the public system of social insurances (5.5%), transportation and storage (5.1%).

As regarding the economic activities from the primary and secondary sectors, it can be evidenced, unlike the previous year, the growth of the average number of the employees with 2 584 people in industry, with 1 436 in the administrative services and support services, with 572 people in professional, scientific and technical activities, with 399 people in the real-estate sector, with 111 people in agriculture, sylviculture and fishing. The number of the unemployed people at the end of 2011 was 69 252 people (as confronted to 84 595 people in 2010), representing 7.7% of the active civil population. The number of the unemployed people at the end of 2011 was 69 252 people (as confronted to 84 595 people in 2010), representing 7.7% of the active civil population. From the total number of registered unemployed people, at the end of 2011, 43.5% were females (41.8% in 2010). At the end of 2011, 35.7% of the unemployed people had a redundancy payment (48.1% in 2010). The unpaid unemployed were representing 64.3% of the unemployed total number (51.9% in 2010).

Among the unemployed, registered on categories of staff and level of training, at the end of 2011, 68.1% were people who had graduated a primary, secondary or vocational school (67.9% in 2010), 24.2% had graduated the high-school and postgraduate courses (23.9% in 2010) and 7.7% had graduated a university (8.2% in 2010). The rate of the unemployment registered in 2011 was of 7.7% (7.1% for women), and 9.2% (8.4% for women) in 2010.

In 2011, the rate of the vacant jobs was of 0.435, superior levels registering in the branches: real estate (4.21%), public administration and defence; public social insurances (1.135), cultural and entertaining activities (0.97%), transportation and storage (0.82%), health and social assistance (0.75%) (Department of Statistics Dolj, 2011-2012: 21-23; Statistical Yearbook Dolj, 2013: 21-23).

From the statistic point of view, the active population represent the part of the population that is encompassed in the legal limits of age and health, who can be potentially employed at a certain point in time. In the South-West Oltenia Development Region, the economically active population had a negative evolution in the interval 2006 – 2011, permanently decreasing after 2008, when it was registered a slight increase, reaching, in 2011, to only 1 100 thousand people (11.3% from the national level), as confronted to 1 118 people in 2006 (11.33% from the national level). In 2011, in the South-West Region, there were 1 110 active people, representing a reduction with 18

Mihaela CEANĂ

thousand people, as confronted to 2006, as a consequence of the demographic dwindling. This fluctuation and diminishing of the population can be noticed for the both genders. From the total number of the active population in 2011, the females represented 44% and the males 56% (Department of Statistics Dolj, 2011-2012:21-23; Statistical Yearbook Dolj, 2013: 24-25).

Table 14. The evolution of the active population and rate of activity between 2006 and 2011 on ages, genders and residential areas

INDICATORS	2006	2007	2008	2009	2010	2011
TOTAL						
Total (thousand of people)	1.118	1.103	1.112	1.107	1.100	1.100
Rate of activity (%)						
15 - 64 years old	65,1	64,1	64,6	64,7	64,5	65,2
15 - 24 years old	27,8	28	30,0	31,5	31,0	29,1
25- 34 years old	78,9	77,2	76,7	75,5	76,4	79
35 - 44 years old	84,1	83,5	82,3	82,0	84,4	84,4
45 - 54 years old	78,8	77,5	77,8	77,2	75,1	76,1
55 - 64 years old	54,9	52,3	54,3	54,9	51,3	51,7
MALE						
Total (thousand of people)	612	611	617	613	611	609
Rate of activity (%)						
15 - 64 years old	71,9	71,6	72,3	72,4	72,5	73
15 - 24 years old	31,5	32,7	34,8	37	37,6	33,9
25- 34 years old	88,9	86,8	85,1	84,5	85,6	88,6
35 - 44 years old	91,6	91,8	92,8	92,8	93,6	93
45 - 54 years old	86	86	85,7	84,3	83,7	85
55 - 64 years old	59,6	57,9	60,3	59,8	55,9	57,9
FEMALE						
Total (thousand of people)	506	492	495	494	489	491
Rate of activity (%)						
15 - 64 years old	58,2	56,5	56,8	56,8	56,5	57,2
15 - 24 years old	24	23,1	25,1	25,7	24,0	24,1
25- 34 years old	68,4	67,1	67,8	66,0	66,7	68,9
35 - 44 years old	76,4	74,9	71,4	70,7	74,8	75,4
45 - 54 years old	71,5	69	69,8	70,1	66,3	67,1
55 - 64 years old	50,8	47,2	48,9	50,4	47,2	46,2
URBAN AREA						
Total (thousand of people)	513	503	499	488	488	502
Activity rate (%)						

The occupational structure of the labour power in the South-West Oltenia Region

15 - 64 years old	60,9	59,7	59,6	58,7	58,9	60,8
15 - 24 years old	18,4	19,3	20,8	20,5	18,2	18,2
25- 34 years old	78,5	77,1	75,8	74,7	76,5	79,3
35 – 44 years old	84,7	84	82,2	81,4	84,3	84,2
45 - 54 years old	76,7	74,6	74,8	72,8	71,2	73,9
55 - 64 years old	38	32,9	34,2	33,3	31,9	35,6
RURAL AREA						
	605	600	613	619	612	598
Rate of activity (%)						
15 - 64 years old	69,8	69,1	70,2	71,4	70,8	70,1
15 - 24 years old	39,3	38,4	40,6	43,7	44,6	40,4
25- 34 years old	79,3	77,4	77,8	76,4	76,3	78,7
35 - 44 years old	83,5	83	82,5	82,6	84,5	84,6
45 - 54 years old	81,6	81,5	81,8	83,0	80,2	78,9
55 - 64 years old	66,8	66,5	69,8	72,4	68,3	66,6

Source of data: Romanian Statistical Yearbook data series 2005-2012

The employed population is the indicator that measures only that part of the active population who effectively works in the economy. This analysis reflects the level of the South-West Region in 2011, the existence of 1 024 employed people, signifying a higher value, as confronted to 2005, with 19 thousand people. The lowest value of the employed population number was registered in 2010 – 1 017 thousand people.

Table 15. The employed population in the South-West Oltenia Region in 2005-2011

S-W of Oltenia	2005	2006	2007	2008	2009	2010	2011
Total- Thousand of people	1.043	1.039	1.028	1.040	1.032	1.017	1.024

Source of data: Labor Balance 2011b

Table 16. The structure of the employed population on sectors of activity (2005- 2012) (%)

Indicator/ Year	The South-West Region						
	2005	2006	2007	2008	2009	2010	2011
Total (thousand of people)	1.043	1.039	1.028	1.040	1.031	1.017	1.024
Agriculture, silviculture and fishing	49	46	44	45	47	47	48
Extractive industry	3	3	3	3	3	3	3
Manufacturing industry	14	14	15	14	12	11	11

Mihaela CEANĂ

Production and supplying of electrical and thermal energy, gases, hot water and air conditioning	3	3	3	3	3	3	3
Water supplying; public health, waste disposal management, decontamination activities				*	1	1	1
Constructions	4	4	4	5	4	4	4
Wholesale and retail trade; cars and motorbikes repairing	8	8	9	10	10	10	9
Transport and storage				3	3	3	4
Transport and storage and communications	4	4	4				
Hotels and restaurants	1	7	1	1	1	1	1
Information and communications				1	*	*	1
Brokerage and insurances	1	1	*	1	1	1	1
Real estate	2	2	2	*	*	*	*
Professional, scientific and technical activities				1	1	1	1
Administrative services and support services activities				1	1	1	1
Public administration and defence; public social insurances	5	5	5	5	5	4	4
Education	4	4	4	4	3	3	3
Health and social assistance	3	3	3	3	3	3	4
Entertaining and cultural show activities				*	*	*	*
Other activities of the national economy	1	2	2	1	*	1	1

Source of data: Statistical yearbooks 2005-2012

In the analysed period, it can be noticed the maintaining of an almost constant evolution for all the analysed sectors. A developed economy implies a preponderance of the employed population in services, a smaller proportion of the employed population in the secondary sector (industry and construction) and a very small proportion of the employed population in agriculture, in the South-West Oltenia Region being registered an inverse situation of the percents, the highest number of people still performing activities in the subsistence farming.

The occupational structure of the labour power in the South-West Oltenia Region

Table 17. Unemployed people registered at regional level – people

	2006	2007	2008	2009	2010	2011
People with redundancy payment	21.317	15.256	20.442	52.280	40.696	24.702
Unpaid unemployed people	42.968	32.051	44.098	45.243	43.899	44.550
Registered unemployed people - TOTAL	64.285	47.307	64.540	97.523	84.595	69.252

Source of data: National Agency for Employment 2012a

Table 18. The evolution of the unemployment and the unemployment rate on counties and genders, 2007-2011

Region / County	2009		2010		2011	
	No. of unemployed registered people	The rate of unemployment %	No. of unemployed registered people	The rate of unemployment %	No. of unemployed registered people	The rate of unemployment %
South - West of Oltenia	97,523	10.4	84,595	9.2	69252	7.7
Women	40,452	9.3	35,321	8.4	30100	7.1
Dolj	33,643	11.2	29,167	9.8	25396	8,9
Women	14,089	10.2	12,209	8.8	10937	8,0
Gorj	16,464	10.9	14,821	10.1	11306	7,8
Women	7,324	10.8	6,629	10.2	5176	7,8
Mehedinți	17,363	14.1	12,219	10.5	11373	9,7
Women	7,126	12.5	4,830	8.7	4723	8,4
Olt	15,694	8.8	14,467	8.2	11993	9,9
Women	5,709	6.8	5,502	6.6	5022	5,8
Vâlcea	14,359	8.1	13,921	7.7	9185	5,2
Women	6,204	7.7	6,151	7.6	4242	5,3

Source of data: Romanian Statistical Yearbook 2012c

If we compare the rates of unemployment among young people at the development regions level in Romania, the fact that the South-West Oltenia Region is situated below the national average number and also considerable under regions as the Centre, South Muntenia and South-East, in which there have been registered unemployment rates among the young people up to the value of 30% in the last years. The lowest unemployment rates of the young people were registered in the North-East region, in 2011 reaching a value of 11.9%, the lowest from the national level, in the analysed period of time.

Mihaela CEANĂ

As confronted to 2000, we can notice the fact that in all the regions (excepting the North-East one), there were registered increases of the unemployment rates among the young people, in the South-West Oltenia Region this raise being of 3.1%.

On addressing the evolution in the number of the unemployed from the counties that represent the South-West Oltenia Region, Dolj County registers the highest number of unemployed, on the entire analysed period of time. The existence of a high demand for labour power represents an advantage for attracting potential investors in this county.

We can notice the necessity of staged priorities coming from the reported facts. Once with the integration in the European Union, the structure of the activities is going to change in the same time with the diminishing of the role played by the state and with the global effort for “surviving”, from the fiscal and political point of view (Constantinescu, 1998: 93). Confronted with a continuously growing inflation and unemployment, the short term public policies, in the labour power area, have to focus on the control over the inherited legal restrictions that limit the flexibility of the labour power. The investment in the human capital has become essential for the economic prosperity.

Along with the fiscal income relaxation, the income redistribution will have to assume other function besides the amelioration of poverty. Furthermore, we consider that it is necessary to consolidate the relation between the tax payers and the benefits, and the intervention over the pensions, education, health etc. The action has to include the support for the emerging of private tax payers. The political and legislative plans, because they take time, must be initiated in advance, and the improvement of the administrative capacity must develop into a priority. The governors have to become aware of the fact that the diminishing of production illustrates the compromise between the actual living standard and the future. Consequently, the political problem is that to find a merging point between the pressure regarding the increase of the living standard and the need to have more resources for the development of the labour power and in the interest of the economy (Barr, 2010: 29-59; Pîrvu, 2012: 63-72).

The governments cannot avoid the option between the consumption and investments fund, and cannot ignore anymore the fact that the options are both economical and political.

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The occupational structure of the labour power in the South-West Oltenia Region

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ORIGINAL PAPER

The evolution of Romanian agriculture in the post-communist period

Costela Iordache *, Cristiana Vilcea **

Abstract

Romanian agriculture has undergone continuous transformation, following the economy as a whole, several periods of transition from one stage to another. After 1989, Romanian agriculture transition takes place in the coordinates of transition from command economy to market economy.

Decollectivization and privatization, together with the creation of new farms based on private property, are processes that have resulted in changes in both the types and forms of property size and in their place and role in agricultural development.

The study aims to present the evolution of the Romanian agriculture during the transition period. The objectives of the author consists in the presentation and analysis of the evolution and contribution of agriculture to achieve GDP, the mutations occurred in the share of the population working in agriculture, land use changes, in the material and technical basis as a prerequisite for the development of agriculture, the mutations in plant and animal productions, as well as the agricultural regionalization of Romania. In this respect, statistical data from the Romanian Statistical Yearbook in 1991, 1994, 2003 and 2013 were used, as well as statistical data taken from Tempo-Online data basis of the National Institute of Statistics. The data referring to active population occupied in agriculture are also included the persons occupied in forestry and pisciculture, thou they are not the subject of the present study, but the data are not detailed on all three domains. The period analyzed was 1990-(2011)2012, using three reference years. The author used mathematic and statistical methods, graphics, analysis, comparison and synthesis. We can conclude that the agriculture remains an important sector of national economy and that in almost two and half decades it felt back from many points of view and its needs qualitative and quantitative improvements in order to become competitive at the European level.

Keywords: agriculture, transition, total land fund, agricultural holdings, Romania.

* Associate Professor, PhD, University of Craiova, Faculty of Mathematics and Natural Sciences, Geography Department, E-mail: costelaiordache@yahoo.com.

** Lecturer, PhD, University of Craiova, Faculty of Mathematics and Natural Sciences, Geography Department, E-mail: cristiana_oana@yahoo.com

The evolution of Romanian agriculture in the post-communist period

In Romania, agriculture is a very important sector of the national economy, due to its contribution to the development of the economy, and for the society, because of its vital social role.

The Romanian agriculture benefits of a great geo-ecological potential. The geomorphological support varies proportionally, which makes the agricultural surfaces to be quasi-equal distributed on the major landforms. The agricultural land fund totalizes about 14.6 million hectares, about 0.68 ha for each inhabitant. The arable lands represent 39.4% of the national territory and 64.3% of the total agricultural lands. The surfaces covered by pastures represent 33%, while those covered with vineyards and fruit trees 2.7%.

We should also mention the existence of certain restrictive factors that limit the agricultural productions and which considered some productivity improvement practices. The hydric and thermal deficit, torrents and landslides, soil salinization impose land reclamation works, the use of anti-erosional technologies, fertilizers etc. to improve soil productivity.

The change of the political regime in 1989 determined for Romania, in the following period, the transition from command economy to market economy. This fact caused the change of one agricultural system with another, namely a new set of norms and institutions to regulate the existence and manage the agriculture. This transition means that the new agricultural system is different from the one before (based on public and collective ownership, with large agricultural holdings), that was capable to sustain the long term development of agriculture, having as a result the participation of agriculture to the progress of the national economy and improving the life standard of the population.

The first and the main process that happened in the Romanian agriculture after 1989, was *decollectivization and privatization of the agriculture*, representing the essential conditions in order to change the types and forms of property, the organization of agricultural production and of the entire agricultural system (Popescu, 2001: 46).

The fact that the land was given back to the rightful owners contributed to the creation of individual agricultural farms and associative farms (legal agricultural companies and family owned associations). Individual agricultural farms have 70% of the total agricultural surface and are predominant in all regions, but are more frequent in hilly and mountainous areas. Associative farms are organized in plain areas with extensive lands, the highest density being in the Romanian Plain and in the South Dobruja Plateau (Iordache, 2009:15).

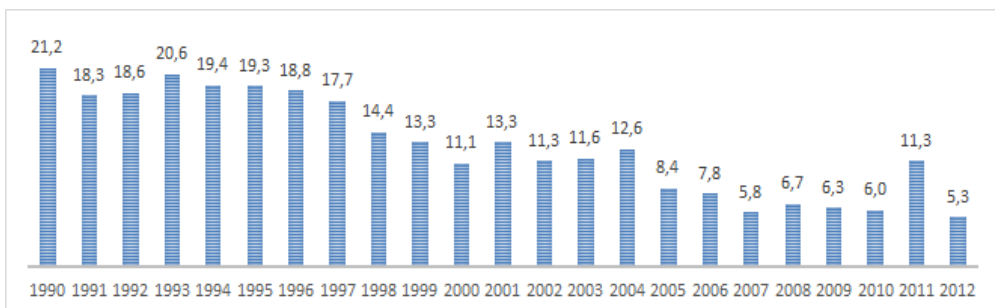
The legal background that marked the Romanian agriculture during the last decades consists of many laws, ordinances and methodological norms, from which we mention: Law no 15 regarding the transformation of agricultural state units into trading companies and autonomous administrations (august 1990); Land law no 18/1991 (grants the property right to 10 ha/ household); Law no 58/1991 regarding the general privatization; Law no 83/1993 regulating the granting of credits with grant-aided interest; Law no 169/1997 to modify and complete the Law no 18/1991 (regulating the property right to 50 ha/ person that was deprived of land); Law no 1/2000 regulating the reconstitution of the right to property for lands and forests; Law no 138/2004 regarding the land reclamations; law no 231/2005 regarding the stimulation of the investments in agriculture, food industry, forestry, pisciculture fish breeding, as well as non-agricultural activities; Law no 131/2010 to modify and complete the Beekeeping law no 89/1998; Law no 283/2010 regulating the Chambers of Agriculture, Forestry and Rural

Development; Law no 214/2011 regulating the organization, administration and exploitation of grass lands.

Traditionally, agriculture is a main sector of the national economic, as proved by its participation to GDP and the large share of the population working in this branch.

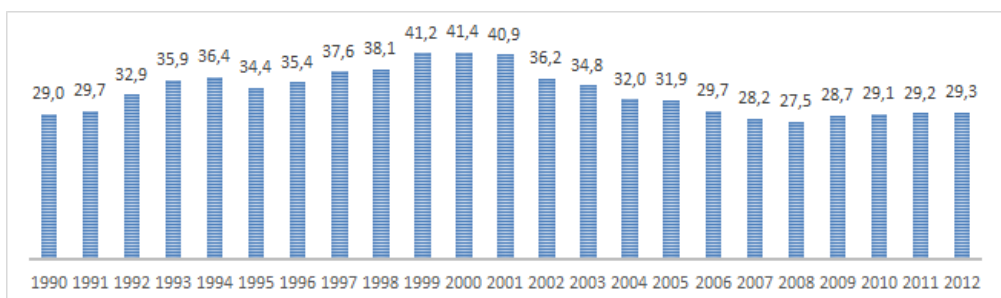
The share of agriculture to GDP decreased from 21.2% in 1990 to only 11.3% in 2000 and to 5.8% in 2007, in order to increase to 11.3% in 2011, because of the economic recession (Figure 1). From this point of view, the situation can be compared to the one in Bulgaria and Croatia, the European extremities of this indicator being represented by Albania (19%) and Moldavia (15%), respectively Belgium, Denmark, Germany, Ireland and Great Britain where the contribution of agriculture to the GDP of these countries is represented by only 1%.

Figure 1 The dynamics of the share of agriculture in GDP between 1990-2012 (%)
Source: Anghelache & Dumitrescu (2013:89)



Regarding the share of the active population occupied in agricultural activities, after the decrease during the communist period, it had oscillatory values: 29.0% in 1990, 32.9% in 1992, 34.4% in 1995, 41.4% in 2000, 36.2% in 2002, 29.2% in 2011 and 29.3% in 2012(Figure 2). Thou, there is a continuous decrease, the share of the active population occupied in agricultural activities is still oversized compared to the EU statistic (under 2% in Luxembourg, Great Britain, Belgium, Germany, Sweden or over 12% in Poland and Greece).

Figure 2 The dynamics of the population occupied in agriculture between 1990-2012(%)



The evolution of Romanian agriculture in the post-communist period

The changes occurred within the structure of land property, the material and technical basis and in the relational system of agriculture within the national economy, determined the evolutionary features of the agricultural productions.

The structure of the land use changed according to the social-political and economic context of our country. During 1990-2012, the structure of the land fund registered regressions of the main categories like forests and forested surfaces decreasing with 2.3% and for agricultural land which decreased by 1%. The share of constructions, roads and railroads, water surfaces, as well as other surface categories increased with 13%, as a result of real estate boom from the last decade. The most important changes were registered by the orchards and vineyards, which decreased with 37.2%, respectively 24.1% (Table 1).

Table 1. The dynamics of the land use in 1990, 2000, 2012

Category of land use	1990		2000		2012		1990/2012	
	mii ha	%	mii ha	%	mii ha	%	mii ha	%
Agricultural surface	14.769,0	62,0	14.856,8	62,3	14.615,1	61,3	- 153,9	-1,0
Arable	9.450,4	64,0	9.381,1	63,2	9.392,3	64,3	- 58,1	-0,6
Pastures	3.262,5	22,1	3.441,7	23,2	3.270,6	22,4	+ 8,1	+0,2
Meadows	1.465,3	9,9	1.507,1	10,1	1.544,9	10,6	+ 79,6	+5,4
Vineyards	277,4	1,9	272,3	1,8	210,5	1,4	- 66,9	-24,1
Fruit trees	313,4	2,1	254,6	1,7	196,8	1,3	- 116,6	-37,2
Forest	6.685,4	28,0	6.457,3	27,1	6.529,0	27,3	-156,4	-2,3
Other surfaces	2.384,6	10,0	2.525,0	10,6	2.695,0	11,4	+310,4	+13,0
Total	23.839,1	100	23.839,1	100	23.839,1	100	23.839,1	100

Source: Romanian Statistical Yearbook, 1991: 320, 2003: 382, 2013: 449, processed data, I. N. S., Bucharest

The analysis of financial means per inhabitant during the transition shows progresses for all indicators. Thus, the agricultural land/ inhabitant increased from 0.64 ha/inhab. to 0,68 ha/ inhab; the cultivated land/ inhabitant from 0.41 ha/ inhab. to 0,44 ha/ inhab.; the agricultural surface/ inhabitant in the rural area increased from 1.39 ha/ inhab. to 1.52 ha/ inhab., while the cultivated land increased from 0.89 ha/inhab. to 0.98 ha/ inhab.

The economic and technological factors that contribute to the increase of the agricultural production, respectively mechanization, fertilization and irrigations registered major changes starting with 1990.

Thus, the farm machinery park registered a positive evolution of tractor ploughs and mechanical seeders doubled, while smaller increases were registered for the tractors and mechanical scufflers. This fact explains the reduction with over one third of cultivated land for one tractor, from 74 ha in 1990 to 51 ha in 2012. The excessive

fragmentation of the land and the financial difficulty in purchasing machineries, lead to the reduction in number for certain agricultural machineries (especially those used to harvest fodder plants) and to decrease considerably (Table 2). Presently, there are large cultivated surfaces that do not benefit from a correct and in time use of technical means for agricultural works, often being used the animal traction for the works.

During the last reference year, the machinery park registered 184,446 tractors, out of which 98.8% were in private property. At the county level, Timiș and Bihor had the highest number, over 10,000 pieces each. Counties like Teleorman, Dolj, Arad, Olt, Satu Mare, Mureș, Caraș-Severin registered about 6,000 pieces. This favorable situation is mainly explained by the extensive agricultural lands, most part of these counties being located in plain areas.

Table 2. Evolution of the main farm machinery park in 1990, 2000, 2012

Years/ Farm machinery type (pcs.)	1990	2000	2012	2012/ 1990
Tractors	127.065	160.053	184.446	+ 45,2%
Tractor ploughs	73.159	123.192	147.471	+ 101,6%
Mechanical scufflers	27.339	26.212	29.173	+ 6,7%
Mechanical seeders	35.778	57.709	73.519	+ 105,5%
Self-propelled machineries to spread chemical fertilizers	10.810	8.635	5.459	-
Self-propelled mechanical sprayers and powders	14.991	7.371		-
Self-propelled harvesters	40.695	28.084	25.626	- 37,0%
Self-propelled harvesters for fodder plants	5.569	1.655	752	- 86,5%
Self-propelled windrowers for soilage	4.981	1.780	1.817	- 63,5%
Balers for straw and hay	21.706	6.753	9.087	- 58,1%
Cultivated land distributed for one tractor (ha)	74	59	51	- 31%

Source: Romanian Statistical Yearbook, 1994: 446/447, 2007:530/531, 2013: 473, I. N. S., Bucharest

The quantity and quality of agricultural products are also determined by the use of chemical and natural fertilizers. After a period of intense fertilization, the consumption of commercial fertilizers decreased rapidly, especially during the first decade of transition. Subsequently, a reversal was registered, but without compensating the losses from the previous period, so the losses in this area ranged between 46% for natural fertilizers and 74% for potassic fertilizers (Table 3).

The evolution of Romanian agriculture in the post-communist period

Table 3. The evolution regarding the consume of chemical and natural fertilizers in 1990, 2000, 2012

Years/ Fertilizer type (thousands tons)	1990	2000	2012	2012/1990 (%)
Chemical fertilizers– Total	1103, 1	342, 0	438	-60, 3%
Nitrogenous	656, 1	239, 0	290	-55, 8
Phosphate	313, 1	88, 0	113	-63, 9
Potassic	133, 9	15, 0	35	-73, 9
Natural fertilizers	24. 790, 9	15. 813, 0	13. 293, 0	-46, 4

Source: Romanian Statistical Yearbook, 1994: 446/447, 2007:530/531, 2013: 473,
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During the last two decades, the consume of chemical fertilizers expressed in the average quantity of active substance used on cultivated lands decreased 3.3 times and 2.7 times in case of agricultural surfaces. There can be noticed that between the two agricultural censuses, the consumption of manure increased with 21%, registering in 2010 a consumption of 23.0 kg/ha, an extremely low value compared to Holland (116.4 kg/ha) or Poland (89.6 kg/ha).

The use of herbicides, fungicides, insecticides and pesticides are linked to the administration of fertilizers. In this case, the decrease is considerable, the average consume of plant protection products per hectare being reduced from 2.1 kg/ha in 1990 to 0.9 kg/ha in 2012.

This is mainly explained by the decrease of chemical fertilizers, the termination of contracts between industrial and agricultural units, the liberalization of prices for fertilizers, the abandonment of financial stimulation granted by the state (Văcărel&Bulgaru&Ionescu&Ivan-Ungureanu, 2004: 140).

The same regressive situation is to be found in the irrigation infrastructure of the lands. According to Iordan&Velcea (1984:323), lands that need irrigations cover a surface of 5.3 million ha (36% of the agricultural surface of our country) and they are located in: the Romanian Plain, the Danube meadow, the Banato-Crișană Plain, the Dubrodja Piedmont, Moldavian Piedmont, Transylvanian Piedmont etc.

The irrigated surfaces that provide the necessary amount of water needed decreased drastically from 3.2 million ha in 1990 to only 165.4 thousand ha in 2012, meaning an almost entirely destruction of this agricultural asset (Table 4).

Table 4. The dynamic of surfaces with irrigations in 1990, 2000, 2012

Years/ Surfaces organized for irrigations (ha)	1990	2002	2012
Total	3.202.800	488.100	165.400
Agricultural land	3.101.700	488.100*	165.400
Arable land	2.925.500	474.200*	164.500

* effectively irrigated

Source: Romanian Statistical Yearbook, 1994:467, 2007: 515, 2013: 450,
I. N. S. Bucharest

The result of de-collectivization and privatization corroborated with new agricultural exploitations based on private property, materialized in changes both in the dimensions of the type and forms of property, as well as in their role and place in the development of agriculture.

Thus, the share of private property in lands increased from 12.6% in 1990 to 70.3% in the following year, to 77.8% in 2000 and to 93.8% in 2012. The private sector of lands evolved from 8.2% in 1990 to 79.8% in 1992 to 86.2% in 2000 and to 95.4% in 2012. The pastures and meadows in private property represented 21.3% from the total in 1990, 52.1% in 1991, 61.2% in 2000 and 92.5% in 2012 (the share of private pastures representing 97.5%). The private vineyards and vineyards nurseries increased from 66.7% in the first two years of the analyzed period, to 76.9% in 2000 and to 95.6% in 2012.

In respect to the technical and material basis, the share of private property for the farm machinery and tractors knew a slower trend, an important role being played by the privatization of AGROMECA units. During the four years of reference, the share of private property increased from 4.7% to 26.5%, then to 87.8% up to 98.8% for tractors and from 0.01% to 1.6%, respectively to 87.95 up to 99.0%. Remarkably is the fact that, despite the high level of technical basis of the private sector, there is still a high quantitative and qualitative discrepancy regarding the need to practice a modern, efficient and competitive agriculture.

As a form of organization of the agricultural production, the land registered changes in terms of legal, numeric, property and productivity matter. Until Romania adhered to EU, there were two categories of lands: individual (4.3 millions) and legal units (11.3 thousands, represented by companies/ agricultural associations, trading companies mainly with private capital, state trading companies, public administration units, cooperative units, other types).

At the General Agricultural Census in 2010, there were registered 3.9 million agricultural exploitations out of which 99.2% had no legal personality (including individual agricultural exploitations, authorized natural persons, individual companies, family associations) and 30.7 thousands (0.8%) with legal status. Remarkable is the persistence of a strong fragmentation of the land, a fact reflected by the reduced economic performances.

The evolution of Romanian agriculture in the post-communist period

The spraying of cultivated lands is also evidenced by the fact that 54.2% of the lands are distributed in properties under 1 ha. The classes ranging between 1-5 ha represent 38.6%, the ones of 5-10 ha represent 4.9%, while those sizing between 10-20 ha represent 1.2%. There were registered 7.6 thousands exploitations (0.2%) with a surface ranging between 50 and 100 ha, and 13.7 thousands (0.4%) agricultural exploitations exceeded 100 ha.

Regarding the evolution of the agricultural exploitations between the last two censuses, we notice the reduction of the lands with 14% and 4.5% of the agricultural land used, as in the same time the average size the agricultural exploitation increased from 3.1 ha to 3.5 ha. According to Luca (2012:35) most of the agriculture in Romanian is characterized by an extremely fragmented structure of the lands and its subsistence feature.

Between the moment when Romanian was included into the EU and the last general agricultural census (2010), there were transformations regarding the agricultural lands in the sense that, in average, the lands range between 14.8% for those with no legal status and 49.3% for those belonging to companies. The trend was different for public administrative units, where the average agricultural surface used for exploitation increased from 448.21 ha to 520.45 ha, which represent an increase with 16.1%.

Divergent evolutions are also noted within the structure of the land uses and size classes. Therefore, permanent cultures decreased by 1.4%, family gardens by 7.6%, pastures and grasslands by 10.7%, arable land by 12.7%, the most notable regressions (27%) being registered by the arable lands with a surface between 2-5 ha. In return, the agricultural lands those were not cultivated anymore increased by 110.6%. We should also mention the gradual increase of the lands over 30 ha for all land uses.

Depending on the economic profile, the agricultural exploitations had the following trends: individual farms with agricultural lands and animals decreased by 17%, while the number of trading companies increased by 58.1%; the lands exclusively agricultural increased spectacularly over 70%, in general, and by 262.7% in case of trading companies; the farms only with husbandry registered increases between 69.1% (individual farms) and by 95% (in case of trading companies).

The number of agricultural exploitations having the main cultures in agricultural lands had a regressive trend, especially in case of sugar beet (-75.3%), beans (70%), sun flower (-52.5%), potatoes (39.9%), the only positive trend being registered by the rape cultures (31.6%).

The average size of an agricultural exploitation in Romania is 3.45 ha; the value decreasing to 1.95 ha in case of those that do not have legal personality and to 1.87 ha for individual agricultural exploitations, but it raises to 190.78 ha for those with legal personality. This situation generates a series of difficulties in the efficient exploitation of the agricultural potential.

According to the statistical data registered at the last agricultural census (2010), the structure of the lands according to property was the following: 60.4% from the total were in patrimony, 32% in concession, 27.4% in lease, 1.4% in parts, 2.9% free patrimony and 4.7% other situations.

Out of the three elements that characterize the agricultural production (plant and animal production and agricultural services), the plant production has the largest share. Analyzing the statistical data from the studied period, the plant production was dominant, ranging from a minimum value of 53% in 1990 and a maximum value of 68.9% in 2004. We should also mention the connection between climate and agriculture,

relevant though the fact that the variations of the plant productions correspond to the years that registered a hydric deficit or water surplus.

The post-communist period is characterized by important changes in the structure of cultivated land and within the plant production. The evolution of the cultivated land strongly decreased, by the end of the analyzed period registering a loss over 1.3 million hectares (Table 5). This reality was determined by the modest economic status of the new land owners, the uncertainty regarding the land property, the lack of material and financial means needed for the agricultural works, the difficulty in capitalizing products, lack of financial stimulations granted by the state.

Table 5. The dynamics of cultivated surfaces in 1990, 2000, 2012 (thousands ha)

	1990	2000	2012	2012/1990(ha)
Arable	9450,4	9381,1	9392,3	-58,1
Surface cultivated with:	9402,1	8499,8	8058,3	-1343,8
cereals	5704,0	5655,2	5440,3	-263,7
leguminous plants for beans	129,5	41,3	44,7	-84,8
technical plants	908,0	1137,5	1255,1	+347,1
Potatoes, legumes, water melons	539,2	562,9	482,4	-56,8
Fodder plants	1962,1	1083,3	818,1	-1144
Other cultures	159,3	19,6	17,7	-141,6

Source: Romanian Statistical Yearbook, 1994:448/449, 2007:530/531, 2013:473, I. N. S. Bucharest

The cereals represent 2/3 from the entire cultivated surface and had a constant decreasing trend, thus during the last reference year this type of culture was reduced with over 263 thousand ha compared to the beginning of the period analyzed. The surfaces cultivated with corn represent the biggest share, 47.6% from the total cereal cultures, followed by wheat with 38.7%. Because the lower production costs and various uses, the wheat registered an extension over 122 ha during the analyzed interval.

The surfaces covered with leguminous plants cultivated for beans reduced with over 65% due to high costs, during the last decade, the cultivated surface varying between 40- 50 thousand ha.

The technical plants increased their surface with approximate 350 thousand ha, but with divergent structural evolutions. The surfaces cultivated with beet reduced significantly from 162.7 thousand ha in 1990 to 48.4 thousand ha in 2000 and to 18.8 thousand ha in 2012. This is explained by high production costs, the closing of most of the sugar factories, cheaper imported products, insufficient support from the state etc. Based on a sinuous dynamic, the surface cultivated with technical plants reduced almost 15 times because of the competition with synthetic fibers and imports. The dynamic of oleaginous plants was slightly oscillatory, but with a positive trend. The culture of sun flower increased significantly, reaching a maximum extension over 1,016 thousand ha in 2012, as a result of higher demands. Also, the rape cultures extended starting with 2006, reaching to 527 thousand ha in 2010, due to its use in producing biofuel.

A regressive trend is also registered by the potatoes cultures, legumes and fodder plants, influenced by cheaper imports, and respectively by the closing of many animal farms. In respect to the evolution of the production, most cultures registered a regressive trend, except for the sun-flower and legumes. The analysis of statistical data

The evolution of Romanian agriculture in the post-communist period

in reference years show two aspects: on one hand the decrease with 75.7% of sugar beet, with 24.7% for the cereals, with 12.9% for potatoes and with 5.5% for wheat, and on the other hand the increase of sun flower production with 84.9% and 34.4% for legumes.

Grape and fruit growing have a great potential due to favorable conditions. These cultures registered significant changes in the dimension and structure of the production. By reducing the surface covered with great-borne and domestic vines, the quality and quantity of grapes decreased, the regress of the production representing 7.8%. Eliminating the vineyards and intensive and super-intensive breeding nurseries, the fruit production decreased with 22.2%. These losses are explained by the changes in the forms of property, the retrocession of these lands to former owners or to their heirs meant almost in all cases the deforestation or the abandonment of these cultures, especially because of financial reasons.

The decrease of the total and average production for the main cultures are not caused only by the reduction of the cultivated surfaces, but also to technological regression. Animal breeding emphasizes the level of development in agriculture and the provision of a superior qualitative food supply for the population (Popescu, 2001:131). The share of animal breeding in the structure of agricultural production registered a sinuously, but decreasing trend. From 47.0% during the first reference year, it drops suddenly to 34.1% during the following year, in order to register higher values by the end of the 9th decade of the last century; in 2012, the share was 36.7%, showing the significant reduction of the livestock.

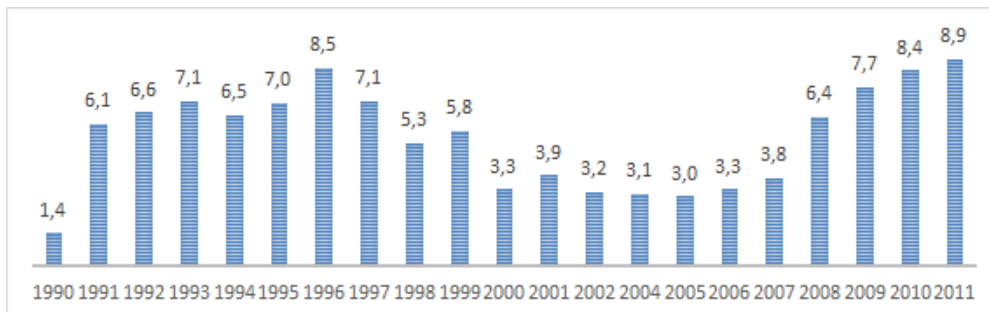
In respect to the livestock dynamic during the analyzed period, we notice a strong decline, in number and production value. Thus, compared to the first year of transition, in 2012, the number of cattle decreased by 71%, swine by 55.2%, sheep and goats by 39.2%, horses by 13.3%, poultries by 29.5%, and the bee families by 37.2%. The decline of the livestock is also reflected in the animal production as follows: by 53.4% for beef meat production, by 47.3% for pork meat, by 37.8% for sheep and goat meat and by 16% for poultry. The wool production reduced with 48.4%, while the egg production decreased with 20.8%. Increases were registered only in the production of milk (9.3%) and honey (90.2%). The dynamics of plants and animal production also reflected in the trend of human food consumption and exports. During the last decade, the average human food consumption for the main plant productions decreased for all categories, except for the legumes and leguminous products, the equivalent of fresh legumes.

The analysis of statistical data referring to the annual average consume for the main food and beverage products per inhabitant, in 1990 and 2012, shows the ascendant trend for the following products of plant and animal origin: potatoes (75.9%), milk and diary (6.8%), vegetables and legumes (39.4%), fruits and products made out of fruits (19.3%), wine and wine products (14.1%). The population reduced the consume of animal fats (35.3%) and vegetables (26%), sugar and sugar products (19.4%), fish and fish products (17.6%), meat and derivative products (3.8%), cereals and other bean cereals (2.6%) and eggs (0.4%). The daily average consume, expressed by calories and nutritive factors, per inhabitant, increased from 3,080 calories to 3,283 calories, meaning an increase by 8%. This food consume has an unbalanced structure, because the calories taken from products of animal origin have a reduced share (maximum 25.6% in the last year taken into consideration). The share of Romanian garden stuff exports oscillated, but increased with a minimum value of 1.4% in 1990 and a maximum value of 8.9% in 2011. According to the combined nomenclature (CN) the Romanian exports from the

analyzed domain include: life stocks and animal products (life animals, meat and organs, milk and dairy products; eggs; honey; food of animal origin), plant products (fruits, cereals), animal or plant fats and oils, beverages and Tabaco (meat and fish products, alcoholic and non-alcoholic beverages; vinegars).

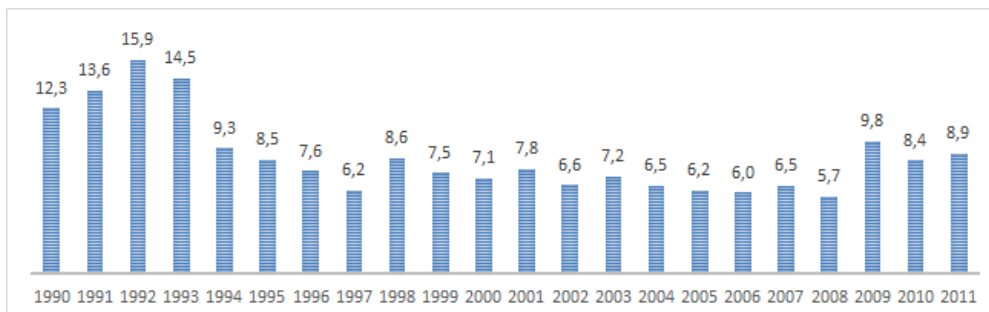
The share of imported garden stuffs was higher during the first four years of the transition, after that it followed a decreasing trend (Figure 3 a&b).

Figure 3a. The dynamics of the share of the Romanian garden stuffs exported between 1990-2011 (%)



Data source: Tempo-Online data basis, NIS, 2013

Figure 3b. The dynamics of the share of imported garden stuffs within the Romanian trading balance between 1990-2011 (%)



Data source: Tempo-Online data basis, NIS, 2013

The adhesion of Romania to the EU intensified the preoccupations regarding the practice of an ecological agriculture. This fact is emphasized by the evolution of the following indicators (in 2007 and 2012): the number of operators registered increased from 3,8 thousands to 15.5 thousands; the surfaces of cultures on arable land extended from 65.1 thousands ha to over 174.6 thousands ha; the pastures increased from 57.6 thousands ha to 105.8 thousands ha; the vineyards and orchards cultivated in ecological systems increased from 954 ha to 7.8 thousands ha; the collections from the natural flora raised from 58.7 thousands ha to approximate 1,082.2 thousands ha.

Due to an economic, structural and social conjuncture, Romania has an important potential for ecological agriculture. The deficiencies of the Romanian agriculture (reduced fertilization, uncultivated lands and the increased number of

The evolution of Romanian agriculture in the post-communist period

subsistence farms) may transform a competitive disadvantage turn for some areas into an advantage (Brânzan, 2006:31).

From the point of view of agricultural regionalization, the post-communist period is characterized by a strong stability, regarding the maintenance of the hierarchy of agricultural land shares, the cultivated surfaces and productions at the microregional and regional level, insignificant transformations being registered also at the county level for the last two indicators. In this respect, we noted the 2nd and 3rd microregions with the South-East and South Muntenia regions, which represented 32.4% from the total agricultural potential of Romania. Dolj, Constanța, Teleorman, Olt, Brăila and Ialomița counties have high agricultural lands, predominantly cultivated with cereals and legumes, having the highest productions and owing the biggest number of live stock.

Conclusions

From the presented situation, we can conclude that during the post-communist period, agriculture remained an important sector of the national economy, both through its contribution to the economic development and to society as a whole. The adopted legislation caused fundamental structural changes in the Romanian agriculture.

Changing the type of property for the lands generated transformations in the structure of the land use. On the whole, the agricultural land had a relative stability (Voian & Susanu, 2012:19). The most significant transformations were registered by the orchards and vineyards, their surfaces being reduced by 37.2%, respectively by 24.1%, due to the lack of financial means to support the fruit and wine cultures.

The organization and the state support did not produced results, at least comparable with those achieved during the former period. On the contrary, the excessive fragmentation of lands, the reduced technical equipment determined regressions in the plant and animal productions, which cause the increase level of garden stuff products. Therefore, in order to become more competitive, at the European level, the Romanian agriculture needs quantitative and qualitative improvements.

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ORIGINAL PAPER

Training the Educator for Methodological Alternatives and Paradigm Changes in Education

Alexandrina Mihaela Popescu*, Mihaela Aurelia Ștefan**

Abstract

The paradigm of alternatives in the methodology of education is essential for the training of the teacher because it meets the needs and expectations of the contemporary education. The teacher must be aware of several traditional and current models and then, on the basis of critical analyses of the real context, using his creativity, he must project and act specifically.

The paradigms proper to the science of education and those of the practice of education are two different categories; nevertheless, the paradigms of the science foster those of the practice, clarify the conceptual and scientific core, explain the theoretical and epistemological context and they become general ways of approach. On the other hand, the paradigms of the practice of education offer through inductive research a series of elements such as qualitative analyses of the facts and acts of formative intervention, of real contexts, emergent effects as well as the possibility to formulate hypotheses, interpretations, generalizations and even enrich theories and the pedagogical metatheory. This perspective on the relation between theory and practice in the initial training of the teacher represents the premise for the paradigm change: by commencing with the search for the efficiency of practice, with the critical analysis of the problems emerged when applying old paradigms, solutions can be verified and new models can be build.

Keywords: paradigm of education, methodology of education, changes in education.

* Senior Lecturer, Ph.D, University of Craiova, Department of Teachers Training, Phone: 0040251422567, Email: alexia_popescu@yahoo.com.

** Senior Lecturer, Ph.D, University of Craiova, Department of Teachers Training, Phone: 0040251422567, Email: stefan.mihaela25@yahoo.com.

Introduction

The research plan in the field of Education Sciences is being remarked, in recent decades, comparative analysis and synthesis on updating the training of teachers in relation to developments in and expectations of society and of the faculty.

The transition from modernity to postmodernity or upper modernity of governing educational institutions at the educational management, "it's not just an invention of the academic world; it not only refers to the change of terminology, of the concepts used in the social sciences" (Paunescu M., apud. Gheorghe V., 2010), but it means explanatory paradigms shift of reality (from the normative to the interpretative right from Existentialism to constructivism), changes with implications for resizing and substantial evaluation teaching professionalism.

The focus of teacher training is the training and development of professional applicable skills, innovative and relevant to the process of teaching-learning-evaluation, in the context of student-centered instruction.

Rethinking of teaching staff, especially under the practical aspect, the pedagogical skills they need to perform their roles effectively, it becomes a component of educational policy at European level. Training teachers, no longer to be regarded as an expense, but an investment that can produce a quality education for all, constituting a guarantee that the knowledge society is a society of inclusion. E. Joița (2010:12) considers that, although they are of different kinds, the actual paradigms of science education advocate of the practice, clarifies fundamental scientific, conceptual, theoretical, epistemological context explains and become the general ways of approach. As the practice of offering education through inductive research, qualitative analysis of the facts and the priority of the formative intervention, of situations and contexts, of the effects of the emerging possibility of formulating hypotheses, interpretations, generalizations, pending the completion of pedagogical theories and metatheories.

This insight into the relationship between theory and practice in the initial formation of the teacher, is a prerequisite of change of paradigm in the sense that the searching efficiency of practice, from critical analysis of issues arising in the implementation of the old paradigms, you can check the solution, you can build new models. Paradigm methodology in education alternatives is essential in the training of the teacher because it corresponds to the needs and expectations of contemporary education. The teacher must know more traditional models and current and then in critical analyses of concrete context, manifesting the creativity to design and to act in a specific way.

A society with a culture and civilization recognized is formed and develops through a healthy education. A quality education is, however, realized by good teachers, well prepared for such a profession.

It is the reason why we believe that among the essential directions of reform of the educational system in our country must be at least two in the foreground:

- (re) valuing of teacher in relation to its social importance;
- improving training (initial and continuing) of teachers in relation to certain standards of training.

I.A.I. Dumitru (2008: 15-20) believes that the professionalization of teaching involves reporting to several types of standards:

Training the Educator for Methodological Alternatives ...

- institutional standards, referring to the ability institutions to form teaching staff, how to be established, managed and led the initial and continuous training of teachers;
- curricular standards of nature which, in turn, refers to the objectives of the programs of training of teachers (standards objectives), the content of these programmes (content standards), the time required to initial training of teaching staff (standard time or credit standards);
- instructional standards, targeting the forms and ways of organizing and conducting theoretical and practical training of teachers, strategies, methods and techniques used in training programs and teachers, leading to the formation of the powers necessary for the exercise of the profession;
- standards of assessment and certification of the competence of teachers and its level ,which refers to the quality of teaching, at the progress in the academic career, certifying them.

The solution for improving the professionalism of teachers and to ensure quality training consists, first, in reconsidering the status of Department of Teachers Training, true laboratories for instruction and training of future professionals for his academic career.

E. Paun (2002:17) considers that the professionalization of teaching is ' a process of formation of a set of capacities and skills in a given domain, based on the assimilation of knowledge (theoretical and practical), process controlled by a deductive model of that profession ".

Dimensions of professionalism which derives from the definition given by E. Paun (2002:18) are as follows:

- professionalization involves the description (or development)of "professional identity so they can be generated at the end of a set of competencies defined and structured in a professional model (professional standards) which is assimilated to systematic and on scientific basis";
- professionalization requires an appropriate effort of legitimation of the teaching profession in the social professions and activities through the development of a model of the teaching profession.

Professionalization of desirable brings to the fore the issue of pedagogical skills, and training to reach skills must accept a pedagogy of competences.

The term competence, was used in the first instance in relation to the training of teachers in the USA, since the 60 's and 70 's and was subsequently in numerous European countries.

Originally defined as the ability to perform a specific task at the predetermined standards, and elaborate as a structured overview of knowledge, cognitive skills, emotional and psychosocial attitudinal necessary for attaining the required standards of the teaching profession-specific tasks, the notion of teaching competence has evolved.

In the field of psycho, the term competence was defined by the numerous correlations, for example, by comparing him with related terms: capacity, skill, knowledge, procedural knowledge strategic (Zada, 1999), through its settlement in parallel with the term pair: the default standards conforming to the performance (Lee, Parot, 1999) and, in relation to this, the ability to meet the requirements associated with a role (or professional), by reference to sets of underlying manifestation (Bocoş, 2006) or, on the contrary, by reference to the character of the event, showing what is the

function of the complex context in which jurisdiction is sought (Richelle apud Doron, Parot, 1999; Chiș, 2005).

Most definitions define the term "competence" by reference to "capacity" that involves, relied on. Jurisdiction appears therefore overall/internal capacities. Mastery of a skill involves the ability to report a specific situation in a class of cases, to integrate it and to interpret it as such (Ionescu, 2003).

According to the explanatory dictionary of the Romanian language, competence is defined as one's ability to rule on such a thing on the basis of a deep understanding of the problem under discussion (explanatory Dictionary of the Romanian language, 2000: 964)

Professional competence of educators in education (Jinga I. and Istrate E., 1998) has derived from the roles they perform in school organizations. Diaconu M. (2002) defines the professional competence of the teaching as "the capacities of the cognitive, affective, motivational capacities, who along with personality traits gives the teacher the necessary qualities of developing didactic activities that meets the objectives and has very good results. In a broad sense pedagogical competence is defined by "ability" to rule on a pedagogical issue, on the basis of in-depth knowledge of the legalities and educational phenomena determinations; narrow, it refers to a person's ability to perform at a certain level of performance, all the typical job duties specific to the teaching profession.

The notion of pedagogical competence has received lately and the acceptance of the minimum professional standard required to raise a person in pursuit of the main tasks of the teaching profession, so that society to be protected from the risk of exercise this crafts by people not sufficiently prepared.

Determination of basic pedagogical competence is an issue that emerged in the second half of the twentieth century, in the context of concerns for a reform of the ways of training teachers.

The concept of teacher training on core competency has penetrated and in practice. Initiation into the teaching profession began to make and through the development of professional skills with acquisition experience. J. L. Wolfs has developed a truly self-referential on jurisdiction. Starting from the different senses which have been granted ("set of knowledge and skills that allow for effective approach to a task or set of tasks"-Legendre, 1993; "enabling a whole organized knowledge, skills and attitudes that enable the achievement of pregnancy", the definition developed by the French community of Belgium, the Ministry of education, research and training, etc.), in his "Les méthodes de travail et stratégies d' apprentissage ', the author describes how the training, skills, goals, purpose, composition, possibilities for advancement of teaching competences (apud Wolfs Develay, 1994: 17-30).

In the definition of competences (Perrenoud, 2000, 2004) the emphasis needs to be placed on the ability to mobilize resources in an assembly similar cognitive (knowledge, skills). This, to make it relevant and effective in a number of instances of the same kind, by pragmatic transposition, in accordance with the peculiarities of context, when appropriate, may be assessed if it is accompanied by accountability, that stance, other dimensions of personality which justify a level orientation.

Equally important, says the same author are the categories of knowledge: declarative (descriptions of reality through deeds, laws, rules, findings), procedural (descriptions of procedures for obtaining results) and conditional (specifying the conditions for the validity of procedural knowledge).

Training the Educator for Methodological Alternatives ...

Bringing to the fore the teaching skills was determined by relative inefficiency, the utility of pedagogical knowledge, learning that there are related enough with practical life. Most definitions define the term "competence" by reference to "capacity" that involves, relied on. Jurisdiction appears therefore overall/internal capacities. Mastery of a skill involves the ability to report a specific situation in a class of cases, to integrate it and to interpret it as such (Ionescu, 2003).

The terms "skill" and "competence" intersect in all definitions. The skill is considered "appropriation to perform with ease, precision, finesse and efficient operations or intellectual/mental actions or practical/motor" (Ionescu, 2003).

Declarative knowledge mobilised by jurisdiction (which describe the reality), procedural (prescribing a way forward) and conditionals (which looks at what point to begin such action).

Skills training is more than a mere implementation of knowledge value, it involves anticipation, judgment, creation, approximation, synthesis, risk taking.

Practicing the skills emphasizes our abilities and especially our schemes of perception, thinking and knowledge mobilization, information which we've assimilated. (Perrenoud, 2006: 168). Synthesizing across multiple agreements granted the term, most theorists of the paradigm of disagree with the fundamental characteristics that can be associated with competence:

- competence is linked to a field in action;
- its components are indivisible (knowledge, skills, attitudes and its related integrated);
- skills evolve, changes in content and operationalized;
- skills requires a continuous process of learning and development;
- competences interconnect and they are specified according to the context in which they are used.

Competences are refined by integrating new knowledge and action experiences, the key of all efficient competences development programs being the identification of learning experiences to ensure continuous development of knowledges sets and associated skills competency. Academic competence is a complex-organizing alike at the intersection of verbs of knowing, knowing how to do, to know, to be, to know how to become a teaching career (Chiş, 2005) and including a potential activity-performance and dynamic, its effective manifestation as a function of similar experience. Professional skills development is a continuous process, due, on the one hand the evolution of sets of knowledge and skills of the individual and, on the other hand increased its ability to reorganize, recrystallized in the integrative ensembles of more complex purchases in light of experience gained.

This process of acquisitions and restructuring, and continue the accentual is really the process of professionalization for lecturing, an approach that starts at the initial training stage and continue throughout the profession, by integrating direct professional experience, but also through specific training approaches. The mobilization in a forming process and for involvement in a long and difficult project are major acts, and it's true that they result from a choice perfectly lucid and profound personal conscious decision. This means engaging in an activity requires strong incentives. Perrenoud (2001) considers the professionalization of teachers, through its emphasis on skills, as one of the anchor's ideas of initial training, where you give the professional activity, scientific, rational, creative. This is because future teachers to display mechanical data models, to act as specialists think methodologies, manuals, company structures. The future

Professor to learn the skills of a designer and executor, to identify problems and make them contextualizeze, to seek solutions and to check them, reflect critically on them during and after the action.

Made in relation to the requirements of the labour market, skills teaching involves selecting and delivering strategic and procedural knowledge in the process of teaching staff, so that future teachers to be enroled with the power to shape their students from the four categories of competences: savoir, savoir faire, savoir être, savoir vivre dans la communaute.

Addressing issues related to the role and functions of pedagogical practice in the initial training of teachers is based on the postulate that it represents a key element in the development of psycho-pedagogical skills of the future teacher. The idea has its source in the observation of the differences in competences of teachers for primary and secondary schools through pedagogical formats: pre-primary and the undergraduate school formed by short and long lasting. Between these programs there are no significant differences in terms of the disciplines and similar content. The difference can only be a consequence of pedagogical practice much more consistent, more diverse and better integrated with the theory, as was done in higher pedagogical education.

This article aims to provide some theoretical and practical suggestions to assist those involved in the initial and continuing training of teachers to move towards constructivist approach as an alternative to the dominant specific behavioral approach, yet, the Romanian education system.

Methodology

Why paradigm shifts in the initial training of pedagogical education and the increasing teacher training? Because it outlined the need to corelate, identifying education practice paradigms, in agreement with those of her science, of the methodology for interpreting and solving actual education.

The assumption is that we start reconsidering the relationship between theory and practice in the initial and continuing training of teachers, for the purpose of critical analysis of issues arising in the implementation of the old paradigms and new solutions, verification could lead to construction of new models for optimisation of initial and continuing training of teachers.

We are not considering a change of the current practices, it involves more than a change of emphasis.

The sample is consistent with the type of research as research-action: is homogeneous, in terms of theme, at the same level of initial training as future teachers (students enrolled at Department of Teachers Training , 3rd year of study); is heterogeneous in composition, after their option for psycho-pedagogical training and as individual peculiarities, as origin. The sample comprised 10 academics who coordinates the educational preparation of future teachers and 350 students students from three year study at educational training module.

Procedure and instruments

Data collection was carried out from October 2013-January 2014 the University of Craiova. We achieved a critical analysis of the educational Plan, from the perspective of training psycho-pedagogical disciplines and the opportunities provided for the

Training the Educator for Methodological Alternatives ...

formation of competence in the field of pedagogical practice. Students were asked to collaborate on a research which aims to improve their training in the field of psycho-and the opportunities for use of psycho-pedagogical skills in pedagogical practice.

The research methodology included: study of the documents, the free association test. statistical processing of the data.

Free association test was administered to a number of 120 subjects: 10 teachers involved in the training of teachers and 110 students enrolled at educational training module, 3rd year of study. The method chosen is one qualitative and one we describe below.

The method of free association-verbal form as terms inductors, two words "critical issues" and "ways of improvement". Subjects' task is to indicate the top five words that come to mind when you hear the term inductor.

Each subject was given a sheet with sample described above, training being to peruse sample requirement and to respond in the way that fits best with their beliefs, and there is no right or wrong answers. The subjects were asked to complete all five associations required.

The sample was administered individually, the time required for completion being between 3 and 5 minutes. Make clear that the subjects were not told until after the completion of the purpose of this sample, just the desire to reduce the appearance of extraneous variables.

Results

Amid a classical University education, teachers training in perspective of the possibilities of use of psycho-pedagogical skills in pedagogical practice, poses numerous problems, being necessary changes in the mindsets of both the involved teachers and students-the future teachers.

Because of this awareness to students who have opted for the formation of the educational resources provided by new paradigm in science education, becomes a target

The data obtained through the free association relationship have a great deal of variety, so it takes a categorizing them. Categories have been developed for each of the two inductors in the words criticizing the current possibilities and ways to improve the psycho-pedagogical training.

As a result of the inventory of all the responses to sample free association extracted words, expressions, the categories for significance with the highest frequency-over 30%-to highlight the focus of critical elements of representation and the ways of improvement. Words and phrases with a frequency of less than 5%, they could not be incorporated into categories of meaning, which is why were excluded from statistical processing.

Below we present the categories with a high degree of generality, corresponding to the responses obtained, as well as issues subsumed under each category separately.

Table 1. Categories of meaning, resulting in free association, starting from the term inductor "critical aspects of the initial training of the teacher"

Critical reported aspects	Students Percentage	Teachers Percentage
Insufficient pedagogical practice	65%	76%
The small number of hours in the fields of education psychology and pedagogy	56%	68%
The large number of skills to achieve	43%	76%
Marginal position of psycho-pedagogical disciplines	76%	90%
Working too large parties	45%	35%
Inappropriate lending system	68%	50%
Disequilibrium theory-practice	65%	85%

Table 2. Categories of meaning, resulting in free association, starting from the term inductor, "paths to improve the initial training of teachers opportunities"

Critical reported issues	Students Percentage	Teachers Percentage
Reconsidering teaching practice	60%	85%
Modernization of teaching methodology	45%	90%
Promoting exchanges of experiences	75%	50%
Providing advice in learning	65%	55%
Improving teacher-student communication	85%	30%
Changing students ' motivation	40%	95%
Reconsider computer assisted	75%	65%

Representation of critical issues and opportunities for improvement among students and teachers involved confirms that the current system of initial teacher training requires a reconsideration of the level of education, as well as the methodology used for the training of future teachers skills.

With regard to the methodology for assessment of training programmes, both teachers and students have expressed, in their great majority, total agreement over the role of evaluation as a landmark in self-assessment and towards that evaluation of training programs for pre-service teacher education curricula must target them. It also appreciates the role of evaluation samples both teachers for selection and recruitment, institutional assessment and intrinsic motivation for raising, remarking that the motivation and interest for training and personal and professional development are among the factors that influence the formation of initial appointees.

Training the Educator for Methodological Alternatives ...

Educational plan of the Department for the preparation of Teachers has been adjusted by the Ministry of education and research from the academic year 2008-2009, with the clear intent to differentiate training paths in the following categories of teachers: those who will teach in primary and secondary education (graduates of bachelor study program of education and psycho-pedagogic level I) and those who can teach in upper secondary and university education (graduates of the master's studies and program psycho-pedagogic studies Advanced, level II). The provision has raised concerns regarding the requirement to follow a training level I, as a prerequisite for future teachers to enroll in level II courses. Problems arise because items such as psycho-pedagogical and social educational levels specific for preparing teachers (middle school, high school, higher education) are not necessarily a relationship of continuity, non-consecutively. Another problem is created by the fact that certain subjects, which will constitute the future specialization of teachers, not taught at all educational levels, therefore any pedagogical practice will have no continuity between levels I and II of psycho-pedagogical studies. A legislative provision drawn up by the Ministry of education and research in June 2008, mentions that compulsory taking by students of the interview for admission into the program of psycho-pedagogical studies for acquiring teaching qualification. On the professional quality of the teaching staff, one of the desiderata of stringent quality assurance it is initial testing, the composition and the use of a selection tool of students opting for professional training in this field. It is necessary to assess the students ' motivation for his academic career, holding that a person's success is primarily a person with high motivation.

Discussions

The combination of theoretical and practical training of a teacher leads to increasing the efficiency for teaching career, amid European values, as a model for training together with the teaching of the subject (Zgaga P., 2007).

Reevaluation of pedagogical theory to be accepted and pedagogical practice, will result in the emergence of an open attitude to the professionalism of the teaching approach still in initial training, through methodological alternatives.

E Joița (2010: 42) considering the methodological alternative as a principle in law pre-service teacher training states that it requires a new alternation cognitive and practical competence, management-flexibility, based on rapid recognition of situations, contexts, strategies and approaches should be a alegareea to determine the outline of a project in action, methodology, based on success.

Cognitive flexibility is one of the pedagogical competences which can be made at the stage of initial training of teachers through learning in constructivist style. The experiment was a priority getting to know students-future teachers with various applicative problems of alternative education, both theoretical and practical. Considering the cognitive flexibility as one of the essential objectives in constructivism (Spiro, apud. Joița, 2006) was needed as the methodology used in working with students-future teachers to be based on the following principles:

- Capitalizing on past experience of students;
- The position of the future teacher practitioner who is facing various situations to the classroom and which require to be resolved efficiently;
- Cognitive Stimulation to resolve situations in variants;

- Formulation of personal reflections on the cognitive experience, both as students and as future teachers;
- Formulation of problem questions, hypotheses, solutions, alternative solutions;
- Encouragement of various modes of interpretation, presentation, organization;
- Processing theoretical and practical contents through graphic organizers;
- Formulation of flexible instruments, projects, in variants.

In the context of promoting methodological, procedural alternatives, Actional is necessary and possible in the initial training of teachers to encourage cognitive flexibility and Actional affirmation through the transition from theoretical knowledge, the basic structures to their mobilization training in teaching future situations (Perrenoud, 2001)

The professionalism sociology comes from old English, with ECHO and in France, as a way of upgrading and improvement of the social position of teachers, a symbol and a guarantee of quality work, a middle school modernization, a pedagogical way.

Bringing the concept of professionalization in the forefront of research in the field of education, both theoretical and practical was manifested with necessity in recent years and is motivated (Joița E, 2010:13):

- by the need for removal of empiricism, in educational-educational activity;
- by finding that some of the difficulties of educational reforms, based on new models of training, were due to imbalance, lack of professionalism in the work of the teachers, weak skills and training required to implement these reforms;
- by the need to overcome obstacles caused by the presentation and learning of knowledge education in teacher training, as there are still in reality that prejudices;
- by requiring new school practices, calling insistently professionalization, as a way of changing the roles of teachers and students, when training is centred on the student, when the teacher is involved in real life to the class of students,
- by adapting to the context and the differences between pupils, when seeking solutions to overcoming obstacles, when teachers are seeking alternatives, advises, facilitates, coordinates the construction of learning in the classroom;
- the teacher's right to free movement in the european educational space.

Conclusions

The formulation of professional standards for the teaching career must move the focus on the conduct of training, on learning of students, which will lead to the emergence of new roles for teachers: training, facilitation, organization, guidance, counseling, learning stimulation, so that students to participate, collaborate, to draw, to argue, to negotiate, to reflect and to assess. The professionalization of teaching by harnessing the methodological alternatives will bring to the fore the formative outcomes skills to meet the needs of a student-centered teaching.

Qualitative training of future teachers in need of reconsideration of pedagogical training: changes in the curriculum of the concept plan for the preparation of teachers are not enough, unless they are supported by and of adapting or creating detailed, brackets for use in the classroom. Future teachers students may no longer be prepared only by transmitting information pedagogical theoretical pedagogy, they must learn how to use

Training the Educator for Methodological Alternatives ...

them, how to apply them in the classroom. In this situation the teachers become experts in pedagogy, but problems will become experts in achieving specific curriculum, to their disciplines.

Future teachers are not interested in pure theoretical knowledge of pedagogy, as is found in the current curriculum of psycho-pedagogical training, but by knowing the applied, practical, tested, adjusted. Pedagogical training of the teacher need to be reconsidered in the light of practical realism of the profession and then of preparing teachers for a school of the future, which is characterized by transformation, change.

Teaching competencies are guide elements in design approach, the design and implementation of any programme initial training of teachers. Without consideration of these essential items, any formative approach for teaching risks becoming an exercise which may not fulfil the purpose. Although all educators recognize the importance of practising pedagogical skills and abilities in effective activities, the practice represents a ' Cinderella ' of postgraduate training programme. In the context of continue curricular reforms, to deal with current needs, in a changing and accelerating reconstruction, education systems must adapt, on the fly and to adopt/accept restructuring, sometimes major-often, perceived as crisis situations-to promote „the man of tomorrow ”.

The context for the modernization, restructuring, training teachers in the use of new technologies for teaching, learning and assessment should be a priority on the agenda of decision makers. In the OECD report entitled "Teachers for Tomorrow's Schools - Analysis of the World Education Indicators", performed at the World Indicators Programme, highlights since the early 2000s the idea that society is increasingly expecting more from teachers. Teachers need to be experts in their specialty discipline, subject, as a result of academic qualification and overcoming the unic specialization and continuously develop pedagogical competence focused on empowering the didactics of methodical increasingly applied.

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Is the family of the 21st century based exclusively on the marriage between a man and a woman?

Oana Ghiță^{*}, Roxana Gabriela Albăstroiu^{**}

Abstract

Family relationships have always been labeled to mark the development of norms with, in order to regulate such a field, which is culturally, socially, traditionally and religiously charged. The influence of all these factors on the development of family legislation has determined a series of modifications of the legal texts regarding family relationships, both from a formal and a material point of view. The winding evolution of these regulations at the international level and the traditions and customs involved have led to the impossibility of building a set of unitary norms at the level of the European Union, a “European Code of norms which regulate family relationships” as they were intended and as they were drafted in commercial law, for instance.

Starting from the definition given to the notion of “family”, we notice that tradition and religion are crucial in determining not only the way in which family relationships are initiated and maintained, but also in the development of a certain family typology.

Is the subject of family relationships regulated through prescriptive or descriptive norms? Is there a set type of family created by legal texts at the social level? Does the modern family show principles which contradict those imposed by the Church?

All these questions originate in recent controversies raised by the legal recognition of same-sex marriages in countries from Western Europe, and the intention of the Romanian Orthodox Church to revise art. 48 of the Constitution with a view to specifically defining family as marriage between *a man and a woman*.

Keywords: state, family life, Church, heterosexuals, right to sexual identity.

* Associate Professor, PhD, University of Craiova, Faculty of Law and Social Sciences, Law specialization, Phone: 0040729930099, E-mail: ghita.oana@gmail.com.

** Associate Assistant, PhD, University of Craiova, Faculty of Law and Social Sciences, Law specialization, Phone: 0040751146551, E-mail: roxana_albastroi@yahoo.com.

Introduction

Sociological, ethnological, religious and structuralist aspects arouse interest as they represent factors which defined linearity, but also the evolution in the regulation of family relationships. There is no institution of private law which could be considered both stable and flexible at the same time (Lévy, Castaldo, 2002: 46).

During a time when the State was being identified with the church, and the holy rules were highly regarded as laws, the institution of marriage relied exclusively on religious percepts and many of today's family practices and customs would have been considered immoral in the past. After the secularisation of the law, the church-imposed rules influenced family life only tangentially, remaining mainly at the level of general conscience in the form of traditions or moral rules, but without contradicting the rules of law. However, we cannot but admit that the tradition of family law based on the christian-orthodox religion has produced several patterns in our country, some of them becoming principles of family law (Ceterchi, 1980: 57).

In the same way, the influence of the Church in regulating family relationships in our country may be rendered, among others, by the existence of the family founded on marriage. Thus, we may notice, that even though at a practical level, things have evolved and the family is based on friendship and a certain degree of freedom of relationships, as a norm, marriage remains the sole form of settling a family (in accordance with the Romanian law), as other forms of sharing a living, such as cohabitation or the civil pact of solidarity are regulated neither in the family Code nor in the New Civil Code. In addition, even the only form of marital union recognized by our system of law is extremely well regulated regarding the condition that it has to be exclusively formed by a man and a woman. In this respect, what was tangentially stipulated in Article 1 of the Family Code, but was well known in the doctrine as a fundamental and *sine qua non* condition for a valid form of marriage, is currently stipulated in NCC and tends to take the shape of a constitutional principle, upon a request of the Romanian Orthodox Church.

Is the traditional family threatened by a possible increase in the number of homosexual couples? Is this tendency perceived at the level of today's Romanian society? Does promoting the rights of a sexual minority threaten family cohesion? Is the Orthodox church a decisive factor in the exclusive regulation of the marital union between a man and a woman?

1. The right to marry and found a family

A number of international norms regulate the right to marry and found a family, which are correlated within the same right. Thus, Art. 9 of the European Union Charter of Fundamental Rights provides that: "*The right to marry and the right to found a family shall be guaranteed in accordance with the national laws governing the exercise of these rights*"; Article 16 of the Universal Declaration of Human rights: "*Men and women of full age, without any limitation due to race, nationality or religion, have the right to marry and to found a family.*"; Article 23 § 2 of the International Covenant on Civil and Political Rights of 1966: "*The right of men and women of marriageable age to marry and to found a family is recognized*"; The European Commission and the European Court for Human Rights: "*Article 12, in fact, refers to the right to marry and found a family as*

Is the family of the 21st century based exclusively on the marriage ...

a single right. (...) [This] recognizes the right of men and women of full age to found a family and have children. The existence of a couple is fundamental”.

By corroborating these texts with the decisions made by the European Court in this domain we realize that a “cause-purpose” report is decisive, within which the cause is represented by the marriage and the purpose is represented by the foundation of the family. To separate the right “to marry” from the right “to found a family” would mean to transform the former one in a “theoretical and illusory” (*Airey v. Ireland*, 1979: § 24; *Scoppola v. Italia*, 2009: § 104) right, into a purpose in itself, which would mean its reduction to a simple symbol. Nobody can be told that he/she has the right to marry, but he/she does not have the right to found a family. “Marriage without the family as its end is nothing but a simple private relationship made public. The family, without its legal support, i.e. marriage, does not contribute to the common welfare of the society, it becomes a simple private good of the couple” (Popescu, 2013: 6).

Article 12 of the European Convention on Human Rights guarantees the right to marry and the right to found a family, within the same fundamental right, indicating: “*Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.*” In the same way, the European Court of Human Rights (ECHR) states clearly that “*the right to marry guaranteed by Article 12 refers to the traditional marriage between persons of opposite biological sex. This appears also from the wording of the Article which makes it clear that Article 12 is mainly concerned to protect marriage as the basis of the family*” (*Sheffield and Horsham v. Marea Britanie*, 1998: § 66).

However, a new vision regarding the interpretation of these texts seems to be opened through the case *Christine Goodwin v. UK* (*Christine Goodwin v. Marea Britanie*, 2002: § 98), with respect to allowing to a certain extent the possibility to include homosexual marriages in the scope of Article 12 of the Convention. Thus, for a transsexual to be able to complete a valid marriage, the right to marry was “divided” into two distinct and independent rights: marriage and procreation. In this respect it was shown that “*After a re-examination of the situation in 2002, the Court notices that Article 12 recognizes the fundamental right of men and women to marry and found a family. However, the second aspect is not a condition of the first, and the couple’s incapacity to conceive or raise a child cannot become a reason to deprive them of the right viewed by the first aspect in the matter*” (Renucci, 2009: 235).

Nonetheless, the Court’s jurisprudence regarding previous decisions and in the case *Schalk and Kopf v. Austria* mentions that Article 12 seems unable to underpin the idea of the right to homosexual marriage (Avram, 2013: 40), leaving the states to decide upon these aspects in accordance with the society’s necessity to regulate such relationships.

1.1. The notion of “family life” from the perspective of European norms for the protection of human rights and Romania’s Constitution

By establishing a person’s fundamental right to family life and its protection, numerous texts of law are making use of the notion of “family life” in international or EU documents: Art. 16 of The Universal Declaration of Human Rights, Art. 23 of the

International Covenant on civil and political rights, Art. 8 and Art. 12 of the Convention for the protection of human rights and fundamental freedoms.

According to Art. 8 of ECHR, everyone is entitled to respect for his private and family life, his home and his correspondence. No interference by a public authority is allowed with the exercise of this right except such as in accordance with the law and necessary in a democratic society, as a measure of national security, public safety or the economic welfare of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

As we can notice, the texts of European treaties and conventions state the right to marry and found a family, but, examining the social realities, we could easily distinguish the existence of the family environment without being in the presence of marriage. Thus, it is possible for the family to be founded on simple relationships, whereby children could be given birth. In fact, the foundation of a family can also be achieved through the adoption of a child by an unmarried person (Birsan, 2005: 856-857) or through medically-assisted human reproduction with a third donor.

It was considered that the right to found a family is not conditioned by the right to marry, but by the right to have children (Avram, 2013: 6). Following the jurisprudence of the Court, we can identify an extension of the notion of “family life” starting from the relationship between spouses, to which children are added, in order to be extended to a *de facto* relationships, when family bonds and feelings of love render the features of family life, even if this is not connected to a legal marriage. In the case X, Z, Y v. UK (X.Y.Z. v. UK, 1997: par. 36), the Court presented some of the elements which could be taken into consideration when analysing the existence of a family life. Thus, the cohabitation of members for an extended length of time, the existence of a child resulting from that relationship or who was adopted by the couple, the personal relationships between parents and children, represent such elements which “transform” a *de facto* family into a family whose status is in accordance with ECHR provisions.

Thus, the doctrine considered that for the European Court, it was not the family but the family life which has to make the object of all preoccupations, the two notions being currently different, family life being detached from family (Renucci, 2009: 262). In this respect, the close relation between the legal notion of *family* and the sociological notion becomes obvious.

Our Constitution, under Art. 20, states the prevalence of international regulations regarding fundamental rights and freedoms of people. For the purpose and following the aforementioned provisions, Article 26 of the Constitutions confers the protection of intimate, family and private life the rank of principle. In its completion, Article 48 (1) of the fundamental law states that the family is founded on the freely consented marriage between spouses, their equality and the parents’ duty to ensure the upbringing, education and training of their children.

In the context of recent public debates regarding the draft to modify the Constitutin of Romania, the Holy Synod maintains that the family is defined in the fundamental law as “the natural and fundamental element of the existence and development of society, which is founded on the freely consented marriage between a man and a woman, on their equality and their right and duty as parents to ensure the raise, education and training of children, with the support and guardianship of the state and society” (Holy Synod, 2014), thus emphasizing the fact that a family may be formed exlucssively by to persons of opposite sex.

Is the family of the 21st century based exclusively on the marriage ...

The proposal included by the Holy Synod in their priority agenda for 2014 has given rise to numerous controversies and contradictions regarding the violation of the right to sexual identity.

Legal representation of the promotion of rights for sexual minorities

In order to emphasise and analyse the rights of sexual minorities regarding marriage and the foundation of a family, we need to acknowledge the categories which comprise these minorities as well as the nature of this classification.

The difference between the categories with different causes is important in giving rights to a real or falsely constituted minority. Thus, we take into consideration the idea of differentiating between pathological, psychiatric or emotional causes and own choice.

It has been considered that “homosexuality is strongly connected to wrongly directed psychological impulses, to inappropriate behaviours and psycho-dynamic problems which reach personality depths. It is a disease, in the strict sense of the word”(Engel, 2011: 38) However, the American Psychiatric Association stated a few years ago that homosexuality does not represent a psychiatric or emotional issue, except the case in which the patient considers it as such. Thus, in the early 1970’s, the American Psychiatric Association decided to remove homosexuality from the list of mental disorders in the *Textbook for Diagnosis and Statistics* (O’Donohue, Caselles, 1993: 66). There were numerous voices claiming that this decision was not taken because a group of doctors changed their belief suddenly but because of a very aggressive and sustained campaign conducted by homosexuality activists (Weeks, 1996: 31-52).

The first state which legalised homosexual marriages between same sex partners was the Netherlands. Thus, on 1 April 2001, in Amsterdam, the first such ceremony was held. The civil partnership had been adopted more than ten years before that event. In 1989, Denmark legalised unions between same sex partners, but without allowing religious ceremonies for these couples. It was in 2012 when a law modified this aspect and the country recognises homosexual ceremonies. In 2003, Belgium became the second country in the world to allow same-sex marriages. A few weeks later, the Vatican launched an aggressive worldwide campaign against same-sex marriages. Two years later, Spain legalised same-sex marriages, despite a petition signed by 600,000 people and a series of street protests, organized by catholic groups. In 2009 and 2010, two other EU states – Sweden and Portugal – completed the list of countries where gay marriages are allowed. Since early February, France has become the seventh EU state which legalised same-sex marriage. In practice, the MP’s adopted with a majority of 249 votes “for” and 97 votes “against” the first article of the draft law initiated by president François Hollande (adev.ro/mlc7a1). This article is the most important, because it stipulates that “marriage is a contract between two persons who are either of the same sex or of different sex”. Also in February, the British MP’s have adopted the legalisation of homosexual marriages. The draft law passed with 400 votes “for” and 175 votes “against”. The debate in London had a surprising outcome: at the end of discussions, 10 MP’s admitted publicly that they were homosexuals or bisexuals (https://e-justice.europa.eu/content_family_matters-44-ro).

The issue of transsexualism is different from the one of same-sex marriages or unions. The situation of those persons whose sexuality is not sufficiently differentiated,

such as in the case of transsexualism or intersexualism, these being considered medical problems, raises questions when marriage is considered, under the condition of recognizing the gender difference. With the advancement of medical technologies and practices at the level of the society, the legislation had but to adapt to the new situations. Thus, Article 43 (i) of Law 119/1996 regarding marital status documents, republished, stipulates that in documents regarding birth, and, in need be, in those regarding marriage or death, mentions are made with regard to any modifications of the person's civil status, including the case of sex change, after the court's decision becomes permanent. We note that in our system of law, the legal effects of sex change through medical intervention are recognised. In this respect, an act of marriage concluded by a person who opted for such a medical intervention is considered valid, under the condition of the difference of sex, if that marriage is carried out with a person who has the initial sex of the former. Therefore, the difference of gender must be noted, based on documentary evidence by the civil servant at the moment of marriage. In the same case, *Christine Goodwin v. UK*, to which we referred earlier, the Court admitted that nowadays, the criterion of sex determination cannot be exclusively biological any more: "Since the enactment of the Convention, the institution of marriage has been strongly shattered by the evolution of the society, and scientific and medical innovations brought about radical changes in the domain of transsexuality (...). The court is thus carrying out research to find out if the British law, recording, for the purpose of marriage, the sex a person has at the moment of birth, represents in effect a limitation which infringes upon the substance of the right to marry. In this respect, the court considers as artificial to state that those persons who suffered a sex change operation are not deprived of the right to marry, as, in accordance with the law, they are allowed to marry a person who has the sex which is opposite from their previous one". The court also stated that, "as long as a state, in this case UK, authorizes medical treatments and interventions to a transsexual person, finances in full or partially these operations and permits artificial insemination of a woman who lives with a transsexual (...), it is thus illogical to deny recognition of legal implications of the outcome to which the treatment has conducted" (Hageanu, 2012: 27-28).

However, in the Romanian doctrine the obligation to communicate these circumstances to the future spouse was mentioned, without which the marriage being liable for dissolution due to fraud (Avram, 2013: 43; Florian, 2011: 36).

2. Regulating family relationships from the international law perspective

Even if the regulation of family relationships has witnessed an extremely winding trajectory, being subject to numerous modifications at the formal material level, we have to admit that the fundamental principles and norms have remained unaltered, with the State seeking to protect family cohesion through imperative norms, and the civil society striving to maintain untouched the traditional marital structure by conveying tethered morals and traditions.

Two categories of factors have left a mark on the mutations suffered by these norms, each of them claiming supremacy. On the one hand, the traditional factors, represented by religion, culture, education in the spirit of promoting time-honoured values, all these have militated in favour of the preservation of a family stereotype, the norms of law becoming exclusively the *description* of a reality manifested at the level of social consciousness. On the other hand, modern factors embodied by the wish to confer individuals a central status within the regulation of all family relationships, by the

Is the family of the 21st century based exclusively on the marriage ...

complexity of social interactions, the ever increasing specialization and diversification of norms to reflect even more complex and varied relationships and, last but not least, the necessity to adhere to European norms. The norms produced under the influence of these factors have known a prescriptive behaviour through of whose purpose was to determine a certain behaviour with regard to its beneficiaries: justiceables.

Perhaps, family relationships represent the subject having the most personal and moral implications, in which an intrusion of some precepts without a connection with the manifestation of will within a certain collectivity can only determine their rejection.

2.1. Sex difference - an *ad validitatem* condition for the completion of a marriage in our system of law

In the Family Code, the condition of sex difference at marriage was considered “so evident that the law did not provide for it intentionally” (Dogaru, Cercel, 2001: 20). Conversely, by collaborating and interpreting the legal texts, the doctrine had the role to emphasize it, making it directly connected to the purpose of marriage i.e. procreation. Indirectly, the condition of different sex was brought under scrutiny in the texts of laws where the modality of carrying out family relationships was established, thus Article 1 (4) C stipulates: “In the case of relationships between spouses, such as the exercise of rights towards children, the man and the woman have equal rights.”

The new Civil Code includes the first legal text of our legislation which defines the notion of *spouses*. In Article 258 (4), regarding the family, stipulates that “in the sense of the current code, by *spouses* we can understand the man and the woman who are united through marriage”. In addition, we have noticed the existence of a text of law [Article 259 (1) NCC] which defines marriage, intentionally providing for the persons between which it can be completed, and the purpose of this union is dependent on the presence within the family of two persons of different sex [Article 259 (2) NCC].

Apart from following European laws or defining marriage and the condition of sex difference, NCC provides for the prohibition of marriage between same-sex partners, in Article 277 (1). The regulation of this prohibition is possible due to states’ freedom, conferred in Article 12 of the Convention, to decide upon the application of the fundamental right to marry and to found a family, taking into account internal prerogatives. Thus we determine traditional marriage, completed between a man and a woman as the sole marital form regulated under our system of law. We must highlight that this is also the only accepted form as, in the same article 277 (2), NCC stipulates that the legal effects of same-sex marriages carried out abroad, both between Romanian citizens and between foreign citizens.

Incidentally, it is not possible to equate or recognize civil partnerships completed abroad, irrespective of the fact that they are carried out between same-sex or opposite sex partners. Following the examination of Article 277 NCC, we can notice the use of the notion of *civil partnership* besides the notion of *marriage*. This differentiation rises from the diversity in types of unions at the level of the European Union states. Thus, in France, for instance, same-sex marriage is currently allowed, even though, initially, these relationships were legalised only under the form of civil solidarity pacts (PACS). These PACS’s can be closed both between persons of the same sex or by persons of different sex, following the model of marriage, without being assimilated to it. Incidentally, we consider that the law-maker is taking into account other forms of state regulated free unions.

However, given the European jurisprudence and the steps taken in this direction by numerous states, it has been considered that, at the level of a part of the national doctrine, the regulation of the status of the same-sex couples is required, possibly under the form of a registered partnership (Avram, 2013: 40-41). We adhere to the point of view of the Romanian law-maker who, in agreement with the social, cultural and religious reality but also with a part of the doctrine (Baias, Chelaru, Constantinovici, Macovei, 2012: 281; Lupașcu, Crăciunescu, 2011: 63; Bacaci, Dumitrache, Hageanu, 2012: 26), has not recognised the legal effects of civil pacts closed between same-sex persons. We consider that our society is not currently ready for such a model, which represents, in fact a first step towards regulating same-sex marriages. Incidentally, Article 277 NCC is in perfect agreement with the other regulations in the matter of marriage and with its entire concept, in an absolutely unitary form.

2.2. Law and religion – guarantors of family cohesion at the level of the Romanian society (the Orthodox Church, promoter of traditional family principles)

The relation between law and religion is a very complex and mobile one; it changed throughout time, being molded on the conscience of the one to whom it addressed, especially for being able to leave its mark on daily realities.

The mutations felt at the level of EU states regarding the regulation of homosexual marriages or civil partnerships gave rise to controversies dividing the social and religious opinion, as well as the legal doctrine, into two sides: on the one hand, we have the supporters of the preservation of the principles of traditional family, who are active militants for the regulation of the fundamental condition of sex difference for marriage, or the reformulation of Article 48 of the Constitution in the sense of defining the family as founded on the marriage between a man and a woman. On the other hand, the promoters of the right to identity and sexual minorities, advocate, at least, the regulation of free partnerships between same-sex persons.

The Orthodox church condemns unreservedly all forms of sexual experiences which are against the clear and unaltered role given to sex by God's commandments and expressed through man's action as a law of nature (<http://www.homosexualitate.ro/declaratie.html>). "the Sacrament of Matrimony is a holy act, of Godly origin, in which, through the priest, the Holy Spirit is send to a man and a woman who freely unite through marriage, thus sanctifying and raising the natural bond of marriage to the dignity of the spiritual union between Jesus Christ and the Church" (Stăniloae, 1997: 118). In the same way it has been claimed that heterosexuality is the sign of distinction within unity, a hypostatic distinction, which contributes essentially to man's salvation from loneliness, as "it is not good for the man to be alone. I will make a helper suitable for him!" (Genesis 2:18), after God's example who is not solitary, but in the perfect intra trinitarian communion, thus, being able to say that "the stake of heterosexuality is communion and cohabitation, more than procreation ... communion within diversity, a type of union which is not fusional: not homosexual union of one with another who is the same, but of one with another who is different" (<http://www.crestinortodox.ro/drept-bisericesc/institutia-casatoriei-implicatiile-canonice-juridice-societatea-zilelor-noastre-69973.html>).

By supporting exclusively the family formed by two persons of different sex and which is performed through marriage, the Orthodox Church is strongly against any form

Is the family of the 21st century based exclusively on the marriage ...

of homosexual manifestation and even more so against any intention to weaken a legal status belonging to these minorities. Thus, over the course of time, the church texts and regulations converge to the same result: the opposition against liberal unions (no matter if they are between persons of the same sex or different sex) and against partnerships or marriages between persons of the same sex. "Homosexuality is against the divine revelation, the Holy Script and the Holy Tradition, entailing the danger of death: "Do not have sexual relations with a man as one does with a woman; that is detestable " (Leviticus 18:22), such a detestable act being amended with the capital punishment: "If a man has sexual relations with a man as one does with a woman, both of them have done what is detestable. They are to be put to death; their blood will be on their own heads " (Leviticus 20:13)".

Within the Catholic Church, the Pope's speech which invites to non-discrimination towards sexual minorities has provoked controversies, being considered by a part of the society as a form of acceptance of same-sex relations between persons. Later, in order to end these controversies, the discourse was clarified as being a way to oppose relations between persons of the same sex, the and the non-discrimination was referring to children who are resulted from such unions and who suffer the consequences. «The Roman-Catholic Church has never denied the fact that a homosexual couple is able to offer love and material support to a child, but the father and mother figures are fundamental and belong to the heterosexual marriage, and the child should not be deprived from his/her relationship with his father or mother, which is a person's fundamental relation. Therefore, marriage is based on sexual difference, which is an essential condition for expressing connubial communion, hence "marriage is an essentially heterosexual institution, meaning that it can only be contracted between two persons of opposite sex : a woman and a man " » (Spanish Episcopal Conference, 2005: 274). «The homosexual behaviour is always condemnable from the moral point of view, even if its culpability must be prudently judged, and "homosexual persons, as humans, have the same rights as other persons ... These rights belong to them as persons, and not in the light of their sexual orientation " » (Spanish Episcopal Conference, 2005: 274-277).

Therefore, the position of the Romano Catholic Church is the same as that of the Orthodox Church, both militating for the traditional family formed by a man and a woman united into marriage. Theologist Radu Popa states: "Nobody needs to go to prison for homosexuality. But from here to giving a legal and moral coverage to a form of life which, no matter what, contradicts the fundamental idea of a family is long way to go."

In 2001, Romania removed from the Penal Code the famous article 200 which condemned relations between people of the same sex. Today, homosexuals' public relations and events are accepted. Romania is one of the four Orthodox countries in the European Union. How does the situation look in the other countries where the Orthodox Church is dominant?

In Bulgaria, the homosexual relations have never been considered offences since 1966. Since then, the situation has never evolved, being the same as in Romania.

Cyprus has eliminated discriminations against gay people in 1998, and by the middle of last month the Internal Affairs Minister stated that the law for civil partnerships between same-sex is on its way.

Homosexual relations were decriminalised in Greece in 1951. The Civil Code does not establish the marriage between a man and a woman as an exclusive condition.

Speculating on this fact, the mayor of the town of Tilos performed two gay marriages in 2008, between two homosexual man and two and lesbians. Later, the marriages were deemed illegal. The couples made an appeal and the case is being judged at the Supreme Court of Justice. In 2011, the Greek government announced that the homosexual relations would be soon be regulated, in accordance with the EU tendencies.

Conclusions

Based on the analysis of the European norms regarding the regulation of the fundamental right to marry and found a family, we can notice a tendency to make provisions for general principles to which each state – depending on its realities and specificities – may intervene and take advantage of the opportunity to serve the interest of the individual. In our country there is a dominant opinion in favour of the traditional family, which is sustained by the regulations of NCC and the Orthodox Church. Nonetheless, we must not overlook the existence of the rights of sexual minorities, which aim at legalising partnerships between same-sex persons. This approach is also sustained by a part of the legal doctrine which claims that such legal provisions are necessary in order to line up with the legal or jurisprudential tendencies as enshrined by the European Convention of Human Rights.

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ORIGINAL PAPER

The status quo of regional social policy in the European Union

Cristina Ilie Goga *

Abstract

The European Union is the most advanced structure of regional integration and, in terms of social policy, the EU has made major progress in areas such as social redistribution, social regulation and social rights.

The harmonization of national social policies with the community acquis is a precondition for a country to be accepted into the EU and benefit from transfers of internal and regional market.

This article aims to analyze the status quo of regional social policies in areas like protection and social inclusion, education, labour market and unemployment, gender equality and health.

Keywords: *Regional social policies, European Union, Protection and Social inclusion.*

*Cristina Ilie, Assistant Professor, PhD, University of Craiova, Faculty of Law and Social Sciences, Sociology specialization, Phone: 0040766291455, E-mail: cristin_il@yahoo.com.

The status quo of regional social policy in the European Union

Introduction

The study of socio-economic processes and unequal distribution of wealth between regions represented for decades the concern of research and people who handled regional policies development. The concept of “regional development” is a complex one, surprising the spatial-temporal dynamics of regions, being inextricably linked to the study of concepts such as economics, welfare, economic growth theory, economic geography, etc. (Capello & Nijkamp, 2009:1).

In most states, now members of the European Union, we can talk about the beginning of regional policies since the 50's - 60's when industrialization produces a major economic growth, but also creates disparities between geographical regions of the same country. The regional policy of that historical period was based mainly on the intervention of the central power (national government) and the redistribution of income from developed regions to the most disadvantaged one, but also through major investments in the poorly developed regions.

In the 70's and early 80's the economic crises affected all European states and, in that period, regional policies focused on the redistribution of income and infrastructure development, but also reduction of unemployment. As in the previous period, they relied on state intervention, this time with a special focus primarily on policy intervention on firm / company activities (Organisation for Economic Co-operation and Development, 2010: 11-12).

In the late 80's and early 90's European countries policies were based on investments in infrastructure, the year 1988 representing the emergence of EU cohesion policy based on encouraging the integration of less developed regions in a single market. Initially, infrastructure development was supported. Unfortunately, this type of intervention has proved to be a failure, given mainly the successive periods of economic decline of European countries. Now appears a regional policy reform, thus widening the scope of action to various areas and taking into account this time the specific needs of each region. This is when decentralization trend occurs at regional level.

The Maastricht Treaty is the moment of official recognition of the cohesion policy as central element of EU policy promoting regional development.

The main objective of EU regional policy is to decrease the disparities between regions, by encouraging the integration of all regions in a single market, through actions that promote economic growth and create jobs. Thus, article 174 of the Treaty on the functioning of the European Union (TFEU) provides that, “in order to promote its overall harmonious development, the Union shall develop and pursue its actions leading to the strengthening of its economic, social and territorial cohesion. In particular, the Union shall aim at reducing disparities between the levels of development of the various regions and the backwardness of the least favoured regions. Among the regions concerned, particular attention shall be paid to rural areas, areas affected by industrial transition, and regions which suffer from severe and permanent natural or demographic handicaps such as the northernmost regions with very low population density and island, crossborder and mountain regions” (art. 174, The Treaty on the Functioning of the European Union).

Currently, regional policies have a central place in European states, being heavily promoted by the EU institutions. The importance had by the government, based on the intervention of central power, lost amplitude at the expense of multi-level governance,

that involves in the governance process, local, regional and national actors, but also volunteer actors such as non-governmental institutions (OECD, 2010: 12).

An analysis of European regional policy

In the Report "Regional Development Policies in OECD Countries", made in 2010 by the Organisation for Economic Co-operation and Development, it is shown that in today's regional development policies appears a change of paradigm that includes changes to the objectives, the general framework of policy, the instruments used and the actors (OECD, 2010: 12-13). Although in many states there can be observed the parallel implementation of both paradigms, the member States of the European Union adopted the new paradigm, still is encountering problems in its implementation.

With the Lisbon Strategy (2000 - 2010), the EU aims to become "*the most competitive and dynamic knowledge - based economy in the world, capable of sustainable economic growth, with more and better jobs and a stronger social cohesion*".

Although the Strategy was modified in 2005, by reorienting the emphasis towards actions in member states (National Reform Programmes - NRP), impregnating a new dimension of "environment" and, afterwards, creating the Lisbon Programme, the most common targets set by the Lisbon Strategy - an employment rate of 70% and a share of 3% of GDP in investments in research, development and innovation (RDI) were not met.

However, among the notable results, attributed directly or indirectly to the strategy, we recall: creating 18 million jobs, a less bureaucratic public system, a more dynamic business environment with fewer administrative tasks and a single market with more options for consumers. Since 1988, there have been four programming periods (1989-1993, 1994-1999, 2000-2006, 2007-2013) and a fifth is currently in progress (2014-2010).

The financial means allocated to achieve the primary objective of the European Union represented by strengthening economic, social and territorial cohesion by reducing development disparities between its regions, represented more than one third of the EU budget for 2007 - 2013. Thus there were allocated 347.4 billion euros over a period of seven years, aiming to stimulate economic growth in the new member states on an average of 6% and create about 2 million jobs (European Commission. Directorate General for Regional and Urban Policy, 2008:2).

In the past five years, EU cohesion policy has helped create more than 600,000 jobs, has co-financed the construction of more than 25,000 km of roads and 1800 km of railways, has invested in the professional training of over 15 million people each year, has provided drinking water for another 3 million people, has invested in 200,000 small and medium enterprises and in 61,000 research projects. These results are not the definitive ones because there more are implemented projects contracted in recent years, but which are still ongoing (European Commission, 2014d).

During 2007-2013 programming period the directions of EU cohesion policy were based on fulfilling the following objectives:

-Regional competitiveness and employment (reinforcing employment in all regions, and increasing attractiveness and competitiveness for all regions) - approximately 55 billion euros were allocated to this objective;

The status quo of regional social policy in the European Union

- *European territorial co-operation* (emphasis was placed on strengthening inter - regional, trans - national and cross - border cooperation) - approximately 8,7 billion euros were allocated to this objective;

- *Convergence* (promoting conditions to stimulate economic growth, that will lead to real convergence for the less developed regions and member states) - 82% of total funds focused on this objective.

EU regional policy is financed from three main funds, namely the European Regional Development Fund (ERDF), the European Social Fund (ESF) and the Cohesion Fund. These three funds belonging to the cohesion policy are supplemented by other two funds created for the European states: the European Agricultural Fund for Rural Development and the European Maritime Affairs and Fisheries Fund. All these five funds are known as structural funds and of European investment (ESI funds). To improve the coordination and harmonization of implementing the funds, common dispositions were issued through the European Parliament and Council Regulation no. 1303/2013 laying down common provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund, the European Agricultural Fund for Rural Development and the European Maritime and Fisheries Fund and laying down general provisions on the European Regional Development Fund, the European Social Fund, the Cohesion Fund and the European Maritime and Fisheries Fund and repealing Council Regulation (EC) No. 1083/2006 (EU Regulation no. 1303/2013 of the European Parliament and of the Council of December 17th 2013).

The new European strategy for the period 2014-2020 came on the background of the intensification of long-term challenges: *globalization, pressure on the use of resources, aging and economic and financial crisis* which annihilated substantially the benefits from the Lisbon Strategy.

The strategy was based on the European Commission Communication of March 3rd 2010, *Europe 2020 - A strategy for smart, sustainable and inclusive growth*, which defined three priorities for the EU in 2020:

1. Smart growth;
2. Sustainable growth;
3. Favourably inclusive growth (COM/2010/2020 final).

In order to achieve these priorities, the European Commission proposed 5 *sets of main objectives*:

1. an employment rate of population aged 20-64 years to 75%;
2. investments in research and development (both in the public and private sector), representing 3% of GDP;
3. achieving the “20/20/20” energy and climate change objective provided in the EU Energy - Climate Change Package:
 - 3.1 reducing greenhouse gas emissions by at least 20% compared to 1990 (or 30% if there are conditions favorable in this sense),
 - 3.2 increasing to 20% the share of renewable energy in the final energy consumption,
 - 3.3 increasing to 20% the energy efficiency.
4. a maximum level of 10% in the rate of early school leaving and a minimum level of 40% in the proportion of young graduates of higher education, of all young people aged between 30 and 34 years;
5. the number of people threatened by poverty must be reduced by 20 million European citizens (COM/2010/2020 final).

Cristina ILIE GOGA

The Cohesion policy achieves the objectives of Europe 2020. From the general budget of the European Union for the period 2014-2020 of 1.082 billion euros, a percentage of 32.5% , namely 351.8 billion euros is allocated to the cohesion policy. According to the report of the European Commission “A reformed cohesion policy for Europe. Main investment policy for economic growth and employment”, all EU regions benefit from funds as it follows:

- EUR 182 billion for the less developed regions (GDP is less than 75% of the EU 27 average);
- EUR 35 billion for the transition regions (GDP is between 75% and 90% of the EU 27 average);
- EUR 54 billion for the more developed regions (GDP is less than 90% of the EU 27 average) (European Commission, 2014a: 1).

The Cohesion Policy for 2014-2020 imposes the need for regions and Member States to allocate European Union investments on essential areas as:

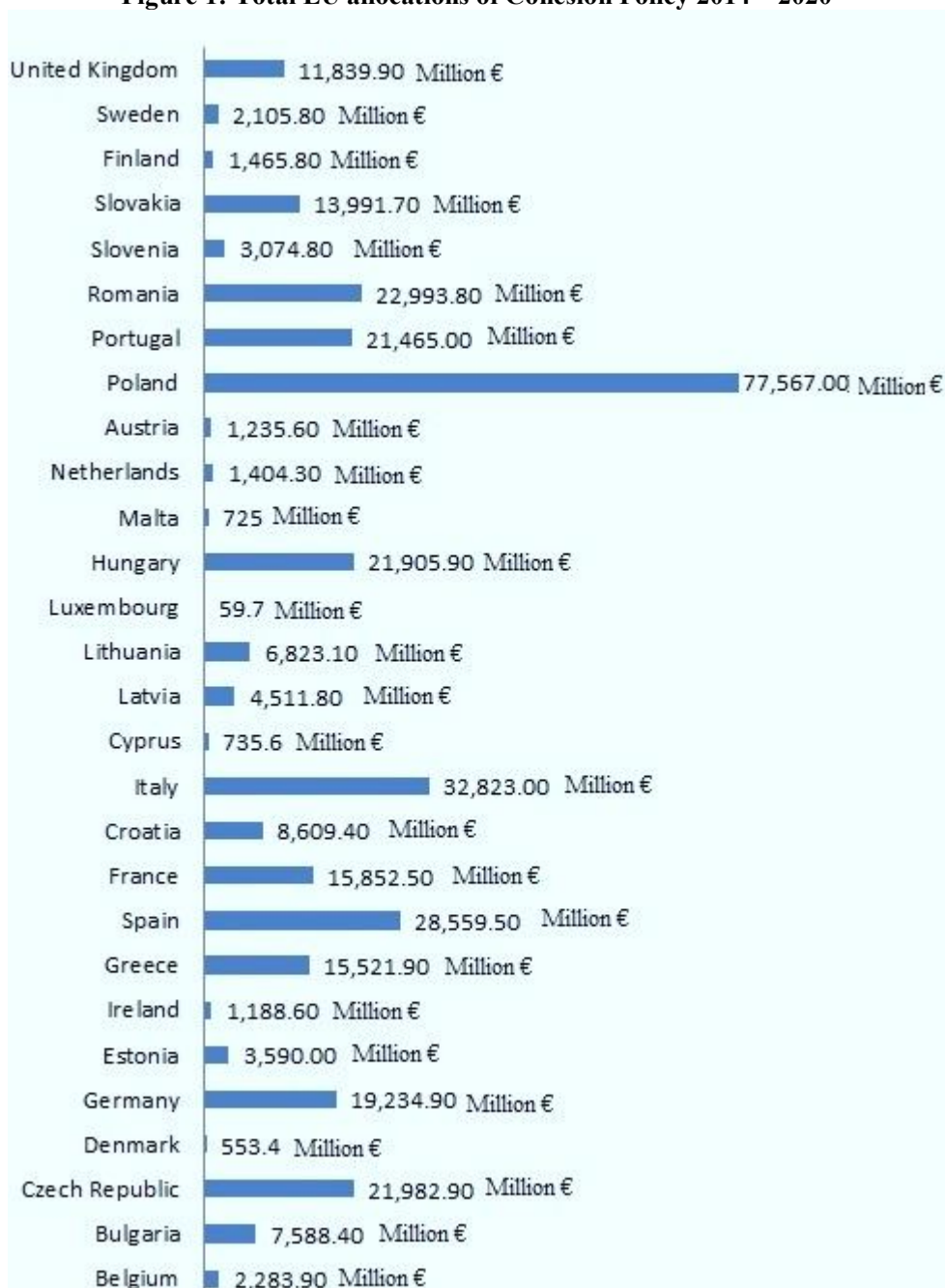
- Research and Innovation;
- Enhancing the competitiveness of small and medium - sized enterprises;
- Information and Communication Technologies;
- Supporting the shift towards a low-carbon economy
- Employment and mobility
- Better education
- Better public administration (European Commission, 2014b:1; (European Commission, 2014d).

Because we find a very different situation economically and socially in the 274 regions belonging to the European Union, the main aim of the reformed cohesion policy of the EU is to invest in all regions and reduce the currently existing gaps by promoting economic growth, stimulating job creation and competitiveness.

For the financial period 2014 - 2020, the amount reserved for financial allocation for cohesion policy is 351.8 billion euros. The division of this amount between the 28 member states and their regions, was carried out by the European Commission (Figure 1).

The status quo of regional social policy in the European Union

Figure 1: Total EU allocations of Cohesion Policy 2014 – 2020



Source: European Commission (2014c). *Cohesion Policy 2014-2020, Financial allocations 2014-2020*. Retrieved May, 2014, from http://ec.europa.eu/regional_policy/what/future/eligibility/index_en.cfm.

When talking about regional policies there should be taken into account the fact that the ultimate goal is “regional economic development”, and that means “the effort to support jobs, wealth, incomes and/or opportunities in a determined geographic area. Regional economic development subsumes the development efforts of industry, labor, infrastructure and other areas” (Luger & Maynard, 2008: 29).

Economic development can be regarded as being synonymous with a better level of life for citizens, which means financial security, a social and actively cultural environment, physical wellness, health and a sustainable environment. Measurable indicators are usually: created jobs and incomes, safety, attracting and maintaining population (Luger & Maynard, 2008: 29). Thus, we can see that regional social policies have a strong social impact.

We define regional social policies as “public strategies (actions, legislation, institutions, strategies, programs, projects) regionally developed, oriented towards social welfare, being used to generate economic growth, to correct territorial disparities in terms of level of development and meet explicit social objectives and needs” (Ilie, 2013: 102).

The quality of life of European citizens is directly linked to regional economic development policies and regional social policies that have represented and still do the strategy adopted by the European Union.

In the next part of the paper we will try to capture the most important aspects of today’s European regional social policies, analyzing elements such as labor market and unemployment, education, health, social protection and inclusion.

Labor market and unemployment

Creating decent jobs is the result of economic policies that favor employment. The European Union, through its regulations regarding the labor market and the development of regional funds, has promoted the creation of decent jobs in various regions. It is imperative for the European states, those that manage this area, to understand the link between economic and social policies and the fact that regional funds are designed to promote job creation in poorer areas that otherwise could not be supported by the national administrations (Deacon, Ortiz & Zelenev, 2007:8).

The biggest challenge that social policy currently has, is achieving the priority objective for a “*high degree of labor employment and quality of work*”.

Since 2005, following the intermediate review of the Lisbon Strategy, the guidelines for employment were consolidated under the “Integrated guidelines for growth and employment”, together with “General economic policy guidelines”.

The *2006-2010 Social Agenda* was adopted to accompany the revised Lisbon strategy and to *promote the social dimension of economic growth*. The agenda focused on two priority areas: orientation towards *quantity and quality improvement of jobs and achieving a more cohesive society*.

“At the *European Council* in 2008 it was launched the second cycle of the renewed *Lisbon Strategy*, valid for the period 2008-2010. There were identified seven priority areas, in which it was necessary to review the means of community action: children and youth, especially in terms of education and protection against the risk of poverty; promoting employment in a global international context; mobility; equal access to quality health services for the elderly population; fighting poverty and social

The status quo of regional social policy in the European Union

exclusion through active measures; fighting discrimination and promoting gender equality; defending the European values on the international scene (EurActiv).

There were taken packages of measures in the context of relaunching the *Lisbon Strategy* for growth and employment in order to provide greater consistency of EU funding in the area of employment. A Program for employment and social solidarity, named PROGRESS, was implemented in the period 2007-2013 to support the implementation of EU social objectives. PROGRESS regulated five areas of intervention: *employment; social inclusion and protection; the working conditions; fight against discrimination and gender equality*, with a total amount of 743.25 million euros for the indicated period (EurActiv).

Currently, the EU member states' policies are guided by the strategy for creating jobs and economic growth, known as *Europe 2020 Strategy*, which aims at further development of a competitive economy based on knowledge and better coordination of policy decisions between the supranational and national level, considering the distribution of powers; a solid and permanent education (obtaining a 40% of young people with higher or technical education and reducing the dropout rate below 10%); creating new jobs, in order to reach an occupancy rate of 75% of the population aged between 20 and 64; reducing social exclusion and poverty, etc.

Moreover, in 2010 it was adopted the document of the Reflection Group known as the "*Europe 2030 Project*", which takes into account the assuming, by the EU, of an active role in reshaping the world crisis, so that Europe can become a important actor of changing the global development model" (Bărbulescu, Iancu, Ion & Toderaş, 2010: 31).

The *European strategy on employment* aims to create more and better jobs across the European Union, being inspired by the Europe 2020 Strategy. The main initiatives within the scope of employment, social affairs and inclusion are: "Youth on the move", "An agenda for new skills and jobs", "European platform against poverty and social exclusion" (European Commission - Employment, Social Affairs and Inclusion).

The Employment Committee (created by a decision of the Council in 2000 and based on article 150 of the Treaty on the functioning of the European Union) plays an important role in the development of the European Employment Strategy. The Employment Committee submits to the Council each fall an employment package that comprises: the guidelines on employment, common report of employment and recommendations on the implementation of the plan for employment at national level.

The European Commission launched in April 2012 measures forming an employment package, which aims "to support *the creation of jobs*", "to restore *the dynamics of labor markets*" and "to strengthen *the governance in the area of employment policies*" (European Commission-Employment, Social Affairs and Inclusion).

"The Agenda for new skills and jobs" is a Commission initiative which aims to achieve the objective proposed in the 2020 Agenda towards employment. The Agenda proposed concrete measures such as:

- training the reforms aimed at improving the labor market flexicurity;
- acquiring by the citizens the skills that they need on the labor market;
- improving the quality of jobs and ensuring better working conditions;
- creating new jobs (European Commission-Employment, Social Affairs and Inclusion).

In the EU countries, public employment services are the authorities that connect job seekers with employers. Although they are structured differently in each country, these services help with information on the supply and demand on the market labor, placement and active support services to local, national and European level. There is also a European network of public employment services, chaired by the European Commission, covering all EU member states, plus Norway, Iceland, Liechtenstein and Switzerland. This network optimizes the involvement of members in the European Employment Strategy corresponding with national labor market policies and improves service delivery.

Education

Education and training are key elements in the economic and social cohesion. The policy on training and education can be linked to policies on social inclusion and employment, because through education there can be achieved the objectives of the latter policies. The main purpose of the education policy is to encourage lifelong learning in member countries and the emphasis is more at national than regional level, although there are multiple disparities in the level of education and the dropout rate in regions, both within the same country and between different states (European Commission. Directorate General for Regional Policy, 2010: 189).

Because the education costs have been greatly reduced in many states and especially in the developing ones, the direct consequence was to reduce the research capacity, and in this situation, regionalization has had a beneficial effect since through the creation of regional centers to carry out quality research related to local issues, not all countries need to undertake costly research (Deacon, Ortiz & Zelenev, 2007:10).

Education greatly influences people's lives and is an essential element of social progress, so that, in the current European context, is a priority and has become imperative to solve the identified problems in the educational system (Niță, 2013: 19).

EU member states have assumed certain objectives in order to increase the level of education and reduce school dropout by the year 2020:

- At least 15% of people aged between 25 and 64 years should participate in lifelong learning programs;
 - At least 95% of the children aged between four and six or seven years must participate in education forms organized for preschool;
 - Early school leavers should fall below 10%;
 - The percentage of people aged under 15 years who do not have adequate capacities in terms of reading, mathematics and science will have to be up to 15%;
 - At least 40% of the people aged between 30 and 34 years should have tertiary education (European Commission. Directorate General for Regional Policy, 2010: 189).
- At the same time, Lifelong Learning programs increase the opportunities for young people to obtain a high level of education.

Health

Health represents perhaps the most sensitive issue of social policy. Currently, European countries cooperate to support national health systems by developing health services available at reasonable prices and expanding the coverage of health insurance.

The status quo of regional social policy in the European Union

A major advantage of regional development is that cheaper drugs are produced regionally (Deacon, Ortiz & Zelenev, 2007: 9).

The Commission, identifying significant gaps in the health area between regions and countries, but also between social groups, has adopted the 2007-2013 health strategy that promoted the improvement of health and aimed at reducing health inequalities, improving accessibility to medical services, increasing healthy life duration and supporting innovation in healthcare technology. At the same time, it was adopted a European health information system, which includes 30 information indicators to monitor the development occurred in the area of health (European Commission, Directorate General for Regional Policy, 2010: 190). UE member states allocated over five billion euro on health infrastructure in the period 2007 to 2013 (European Commission, 2013:19).

The present EU health strategy “Together for Health” supports the Europe 2020 Strategy objective, namely to turn the EU into an inclusive and sustainable economy that promotes the welfare of citizens by ensuring the essential condition to maintain good health of the population.

The health and social work sector (which includes human health, residential care and non-residential social work) has been in the last years the largest contributor to employment, counting today approximately 10% of employment (European Commission, 2013:16).

For the period 2014 - 2020 Cohesion and Structural Funds will co-finance investments in health and the Commission created a new Health Programme, with following objectives:

- To support the good health of the population;
- To prevent diseases through action on risk factors;
- To increase the access of European citizens to better healthcare services;
- To support innovative and sustainable health systems;
- To protect citizens from cross - border threats regarding health (European Commission, 2013:19).

Social inclusion and social protection

The European policy that focuses on social protection and inclusion is based on the European Union values, such as the right to live in dignity and in a fair society.

Social protection instruments are priorities for reducing the degree of poverty, and if they are well designed, they are extremely useful and could be important in increasing incomes (Deacon, Ortiz & Zelenev, 2007:10). The message of professor emeritus Richard Wilkinson from Nottingham University, which comes from the book “The Spirit Level: Why Equality is Better for Everyone” written with Kate Pickett, is that equality is better for social structure and social growth (Wilkinson & Pickett, 2009). Thus, societies with fewer social gaps are those that support measures of social protection and inclusion, having at the same time a bigger economic growth.

”The European platform against poverty and social exclusion”, created in 2010, is one of the major initiatives of the Strategy “Europe 2020” to lower exclusion and poverty and will remain active until 2020.

Since the end of 2012, within the second “Annual Convention of the European Platform against Poverty and Social Exclusion” that took place in Brussels, José Manuel Barroso, the European Commission President, emphasized “the need for an economic

reform and of the social protection system in the EU”, highlighting that “states with strong social protection systems are among those with the strongest economic structures” (European Commission, 2012:4).

One of the main objectives assumed by the Strategy “Europe 2020” is “to take at least 20 million people from the risk of exclusion and poverty” and “increase the employment degree of people aged between 20 and 64 years to a rate of 75 %”. In order to achieve these objectives there were drafted various objectives such as the “Europe 2020 Platform against Poverty and Social Exclusion” and “the Agenda for New Skills and Jobs”.

The European Commission has created a “Social Investment Package”, which provides guidance to member states to increase investments in the social protection system. This package joins other initiatives like:

- the White Paper on Pensions, presents a strategy for ensuring adequate and safe pensions,
- the Youth Employment Package, deals especially with the youth situation,
- the Employment Package, establishes the strategies that must be followed to create jobs (European Commission - Social Protection and Inclusion).

The non - discriminatory EU strategy is based on equality of chances. It is promoted the action to improve opportunities in education and employment for people belonging to disadvantaged and vulnerable groups. Social inclusion policies in the European Union tend to focus on certain groups of vulnerable people (e.g. people with disabilities, single - parent families, elderly people living alone, ethnic minorities, migration, etc.).

In the European Union, social protection and inclusion provides a basis for cooperation in the legislation, pursuing common large goals, which form the central point of the Union’s social policy, because competence lies especially with the member states in this area (European Commission, 2010:187).

There is a direct connection between the area of residence of the person in the situation of poverty and social exclusion and the individual situation of the disadvantaged person. Effect of concentrating of a very large number of disadvantaged people in some areas (e.g. rural areas, poor neighborhoods in interior urban areas) is the reduction of private investment in those areas, limited access to jobs, an increased financial restriction in public services and, unfortunately, this phenomenon can be transmitted to future generations. Therefore, policies in this area should focus on local and regional circumstances (European Commission, 2010:187-188).

Gender equality

Gender equality is one of the fundamental values of the European Union.

Issues such as human rights and woman’s condition are typical for the second half of the twentieth century (Șerban & Olteanu, 2009: 38). Since the Treaty of Rome and till now there have been many progresses in this area in Europe through legislation, by integrating this component of gender equality in other policies and specific measures for the promotion of women. With all these efforts, today there is still gender discrimination, especially in the labor market (European Commission - Gender Equality).

In 2010, the percentage of women who actively participated in the labor market reached approximately 60% in the European Union, fulfilling the objective of Lisbon

The status quo of regional social policy in the European Union

2010, in the area of employment. The various programs and projects implemented at national and regional level that promote gender equality contributed to the economic and social cohesion in Europe (European Commission, 2010:189).

For the period 2010-2015, the European Commission has made the “Strategy for equality between women and men” which aimed to include equality of chances in all its policies, including the Europe 2020 Strategy, for the following directions:

- equal payment for work of equal value;
- promoting gender equality outside the European Union;
- integrity, dignity and the end of gender-based violence;
- equality in decision-making;
- equality towards economic independence between women and men;
- horizontal aspects (legislation, tools of governance, gender roles) (European Commission - Gender Equality).

There are policy elements of gender equality that can facilitate economic development through measures such as balancing the work and family life or by creating tax systems that lead to the active participation of women in the labor market. The member states of the European Union that promoted reconciliation policies between the work and family life were able to increase both the fertility rates among the population and the participation rate on the labor market of women (European Commission, 2010:190).

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The status quo of regional social policy in the European Union

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ORIGINAL PAPER

International Peace and Security Cause in UN Security Council Resolutions. A State of Art Analysis (2012-2014)

Anca Parmena Olimid*

Abstract

The analysis of official documents is not only interesting for the recognition of historical facts, but also for the preservation of future knowledge. The present paper focused on analyzing UN Security Council resolutions in the period 2012-2014 presents a particular allow to recognize document analysis for experience and knowledge purposes. The development of the United Nations system has created a complex and various set of documents. Along with many meetings and conferences, the official documents clearly state the international peace and security cause have attracted growing interest in the last years. Furthermore, the present paper analyzes and incorporates keywords resolutions content into “pattern themes”. A separate “rating theme coding” is used to notice the appearance of these themes.

Keywords: international peace, common security, collective security, international law, humanitarian law, security reform.

* Associate Professor, PhD, University of Craiova, Faculty of Law and Social Sciences, Political Sciences Specialization, Phone: 0040251418515, E-mail: parmena2002@yahoo.com.

International Peace and Security Cause in UN Security Council Resolutions

Methods and methodology

The state of art analysis is not only interesting for the recognition of historical facts, but also for the preservation of future knowledge indicating the solid position of the UN Security Council resolutions on the international scene. The present paper also presents a particular allow to recognize document analysis for experience and knowledge purposes. The development of the United Nations system has created a complex and various documents such as: resolutions, statements, reports, exchange letters etc. Along with many meetings and conferences, the official documents clearly state the international peace and security cause have attracted growing interest in the last years recalling the causal link between the security cause-international peace-collective security. The present paper analyzes and incorporates keywords content into “generic themes”. A separate rubric is used to emphasize the pattern theme as a source of document legitimacy. The concepts of “international peace” and “security cause”, while much discussed in both legal and political literature, and highly squared across different meanings and variations of understanding and implementation (Gherghe, 2012), offer a nexus link around which collective security theme might imply, particularly in light of the most recent challenges of the international scene.

In the descriptive and interpretative study explored in this article, we report a selection of six resolutions adopted by the Security Council in the period (January 2012-August 2014) as follows: Resolution 2175 (2014) Adopted by the Security Council at its 7256th meeting, on 29 August 2014 Security Council Resolution on the *Protection of civilians in armed conflict* (S/RES/2175 (29 August 2014); Resolution 2170 (2014) Adopted by the Security Council at its 7242nd meeting, on 15 August 2014 on the *Threats to international peace and security caused by terrorist acts*; Resolution 2086 (2013) Adopted by the Security Council at its 6903rd meeting, on 21 January 2013 on the *United Nations Peacekeeping Operations*; Resolution 2129 (2013) Adopted by the Security Council at its 7086th meeting, on 17 December 2013 on the *Threats to international peace and security caused by terrorist acts*; Resolution 2049 (2012) Adopted by the Security Council at its 6781st meeting, on 7 June 2012 on *Non-proliferation*; Resolution 2033 (2012) Adopted by the Security Council at its 6702nd meeting, on 12 January 2012 on the *Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security*.

The present paper analyzes and incorporates keywords and themes content into “generic themes”. For each case study, a table emphasizing a thematic analysis is a key summary instrument for assessing and comparing the international peace and security causes and conditions prevailing in the United Nations system (preliminary analysis starts and details the resolution (“data identification” column). A separate rubric is used to grade the appearance of the resolution keywords (a coherent and comprehensive analysis of how the themes contribute to the understanding of the mission and statement of the resolution-“checklist/ candidate keywords” column). The third column defines the keyword and captures what it means describing the results and choosing the most related pattern theme (“rating theme coding/ pattern themes column”).

The expansiveness in the international study of “international peace” and “security cause” is nowhere more relevant than in the study of diplomacy. Scholars in the field drawn to the study of “international peace” and “security cause” turned away from discussions as to whether and when “international security” achieved a

fundamental place in the analysis of international relations and theory of international organizations (Gowlland-Debbas: 2000).

Nevertheless, we can observe four general approaches in recent UN Security Council Resolutions: 1) a continuation of a mid-century trend from a close preoccupation of international relations with its newest and most influent institutions (Georgescu: 2014); 2) a growing interest in the analytic diversity “within” “security cause” or a variety of “peacemaking” initiatives within international peace interventions; 3) a growing concern in the “interactions” of principles and rules of international humanitarian law and the principles of complementary to national criminal jurisdictions; 4) and an interest in observing the protection of civilians and humanitarian personnel in the conflict areas.

The 2010’s UN Security Council Resolution saw new insights shaped by the qualitative research and methodology of social politics. At the same time, academics liberated from the traditional legacy started to observe “security cause” preoccupation and engender the interests of states, institutions or local communities. These developments entail a step forward away from all strict interpretation of the principles of “international security”, “international peace” and ”security cause”. The interest in “international humanitarian law” and the “protection of civilians”/ “protection of personnel” mixed with a complementary set of framework that concern the ”principle of complementary to national criminal jurisdictions”. Institutional evolution enables the socio-cultural perspective aspiring to a more descriptive political approach of the “international system” (Gîrleşteanu, 2012).

Furthermore, the study reports the literature deficit in exploring the following:

1) a checklist investigation of the keywords used in recent UN resolutions to “recall”, “reaffirm”, “”, “resolve”, “recognize”, “underline” and “emphasize” the support for peacemaking activities and maintenance of regional peace and security (in this direction, see also the Report of the Secretary-General on the *United Nations Stabilization Mission in Haiti* transmitted to the Security Council on 29 August 2014 recalling “to ensure sustained financial and political support in key peacebuilding areas”;

2) how the “mission themes” of “international peace” and “security cause” are formulated and defined in six main recent UN resolutions (see also the Report S/2014/603 of the Secretary-General on the *Restoration of and respect for constitutional order in Guinea-Bissau* transmitted to the Security Council on 18 August 2014);

3) how to postulate the generic appearance of the mentioned themes using the principle of logical consistency and subjective interpretation.

Case study 1. Resolution 2175 (2014) Adopted by the Security Council at its 7256th meeting on 29 August 2014 Security Council Resolution on the *Protection of civilians in armed conflict* (S/RES/2175 (29 August 2014))

The starting point for the research is the Resolution 2175 (2014) Adopted by the Security Council at its 7256th meeting, on 29 August 2014 Security Council Resolution on the *Protection of civilians in armed conflict* (S/RES/2175 (29 August 2014)). Protection of civilians in armed conflict is defined under the framework of the peacemaking operations and prevention of conflicts. The theoretical framework is grounded in the objective meaning of the actions and activities of the United Nations and its partners within “the mainstream protection mechanisms” “reaffirming the need for all

International Peace and Security Cause in UN Security Council Resolutions

parties involved in the armed conflict to respect the humanitarian principles of humanity, neutrality, impartiality and independence in order to ensure the provision of humanitarian assistance” (related resolutions: 1267 (1999), 1373 (2001), 1618 (2005), 1624 (2005), 1373 (2001), 2083 (2012) 2129 (2013), 2133 (2014), 2161 (2014), 2164 (2014)).

The study of “international peace” and “security cause” in recent UN Security Council Resolutions must deal with facts and keywords, a cluster whose importance and value polarizes views and visions. The analytical character of UN documents, noted in the context of various interfusion of self-interest, social activity, political challenge, security demands has not particularly concerned policy analysts who denote merely a recognizable set of insights which enable states, regions and communities to be tagged and their position reflected in accordance with “the obligation of all parties involved in an armed conflict to comply with international humanitarian law, in particular their obligations under the Geneva Conventions of 1949”.

The work of the United Nations appears more focused aspiring to a more identified understanding of security and peace causes. At the same time, there seems to be a growing interest in “requesting” and “reaffirming” the observations and respect “of the laws of the country in which they are operating” (see Resolution 2175 (2014) Adopted by the Security Council at its 7256th meeting: Security Council Resolution on the *Protection of civilians in armed conflict* (S/RES/2175 (29 August 2014)).

Rather a more discursive approach has evolved in noticing how security cause, for what, under which principles and rules, with what objectives and in relation to what situations. The recent adopted Resolution 2175 (2014) has also made us aware of how the principles and rules of the international humanitarian law are undertaken in the cases of conflicting positions and consistent tensions. Nevertheless, such documents describe “the need to promote and ensure the respect for the principles and rules of the humanitarian law”, “recalling” “the protection of civilians in armed conflict” and “the protection of United Nations personnel” in the recent challenging situations (Odello: 2005). This stems from a fundamental concern “at the growing number of acts of violence” in many regions of the world including “humanitarian supplies, facilities and transport”. As the international scene tends to recall for the “primary responsibility”, so the concepts of “international peace” and “security cause” can explore a multiplicity of interpretations within UN Resolutions of the interplay between the Geneva Conventions of 1949 and the Additional Protocols of 1977, the all significant General Assembly resolutions, here included:

the General Assembly Resolution on the *Safety of humanitarian personnel and protection of United Nations personnel* (Resolution 52/ 167 (1998) adopted by the General Assembly on the *Safety and security of humanitarian personnel*;

- *Resolution 53/ 87 (1999) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;*
- *Resolution 54/ 192 (2000) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;*
- *Resolution 55/ 175 (2001) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;*
- *Resolution 57/ 155 (2003) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;*
- *Resolution 58/ 122 (2003) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;*

- Resolution 59/ 211 (2004) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;
- Resolution 60/ 123 (2005) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel;
- Resolution 61/ 133 (2006) adopted by the General Assembly on the Safety and security of humanitarian personnel an protection of United Nations personnel.

Table 1. Resolution 2175 (2014) Adopted by the Security Council at its 7256th meeting, on 29 August 2014 Security Council Resolution on the *Protection of civilians in armed conflict* (S/RES/2175 (29 August 2014): thematic analysis

Resolution (data identification)	Checklist Candidate Keywords	Rating Theme Coding Pattern themes
Resolution 2175 (2014) Adopted by the Security Council at its 7256th meeting, on 29 August 2014 Security Council Resolution on the Protection of civilians in armed conflict (S/RES/2175 (29 August 2014))	“responsibility”/ “responsible”	“maintenance of international peace and security”/ “peacemaking”
	“respect”	“principles and rules of international humanitarian law”
	“armed conflict”	“protection of civilians ”
	“recognition”/ “recognizing” “access”	”principle of complementary to national criminal jurisdictions” “humanitarian personnel”

Case Study 2. Resolution 2170 (2014) Adopted by the Security Council at its 7242nd meeting on 15 August 2014 on the *Threats to international peace and security caused by terrorist acts*

There are still others UN Security Council Resolutions for whom the concepts “international peace” and “security cause” are no different than the “prevention and combat of terrorism”. In this direction, we can observe the Resolution 2170 (2014) Adopted by the Security Council at its 7242nd meeting on 15 August 2014 on the *Threats to international peace and security caused by terrorist acts*. The text of the Resolution 2170 (2014) is more convincing in the use of notions and concepts such as: “collective security”, “obligations under international law”, “peacemaking activities”, “self-defense”, “prevention or resolution of the conflicts”, “armed conflicts”, “disarmament, demobilization and reintegration”, “rule of law”, “recovery, reconstruction and development processes”, “responses to crisis”, “post-conflict situations”, “special political missions”, “security sector reform”, “transition”, “mediation efforts”, “strategic guidance”, “consultation process”, “financial and logistic areas”, “regional peace support”, “post-conflict stabilization” etc. All these concepts emphasize the efforts to persuade adherence to their specific approach of international peace or security cause (Nasu: 2013).

International Peace and Security Cause in UN Security Council Resolutions

Nevertheless, there seems to be a growing interest in exploring the improvement of collective security and peacemaking operations along with the obligations under the international law. Rather a more equilibrate discursive approach has emerged in reflexing how to develop “effective partnerships” between the United Nations and the regional organizations such as the African Union (AU). At the same time, the text of the Resolution 2170 (2014) reaffirms the primary responsibility for the maintenance of the central position of the United Nations and it recalls the respect of the purposes and principles of the Charter of the United Nations.

Certainly, there is more a tendency nowadays, than previously, to a “comprehensive review of United Nations peacekeeping activities” and “the efforts to influence the prevention or resolution of the conflicts”. This steams from a general recognition that the concept “prevention” is used together with “response to gender-based violence” and “security efforts” in order to justify peacemaking operations as UN reform tends to discover “a new foundation for a more secure world” (Slaughter, 2005: 619).

Table 2. Resolution 2170 (2014) Adopted by the Security Council at its 7242nd meeting on 15 August 2014 on the *Threats to international peace and security caused by terrorist acts*: thematic analysis

Resolution (data identification)	Checklist	Rating Theme Coding
Resolution 2170 (2014) Adopted by the Security Council at its 7242nd meeting, on 15 August 2014 on the Threats to international peace and security caused by terrorist acts	Candidate Keywords	Pattern themes
	”independence ” ”unity ” ” territorial integrity”	”purposes and principles of the Charter of the United Nations ” ”respect for the rule of law so as to effectively prevent and combat terrorism”
	”combat of terrorism ”	” sustainable and comprehensive approach” ”active participation and collaboration of all States”
	”use of new technology, communications and resources”	”the need for Member States to act cooperatively to prevent terrorists”
	” recruitment and incitement to commit terrorist acts”	” the primary responsibility of Member States to protect civilian Population... under international law”
	” threats to international peace and security caused by terrorist acts”	respect of the ” Charter of the United Nations” and “respect of human rights and fundamental freedoms in compliance with other obligations under international law”
	“systematic attacks directed against any civilian populations”	“prevention of violations and abuses” “coordination of efforts on national, subregional, regional and international levels”

Case study 3. Resolution 2086 (2013) Adopted by the Security Council at its 6903rd meeting on 21 January 2013 on the *United Nations Peacekeeping Operations*

To other resolutions, the blockbuster understandings of the concept “peacemaking operations” work along with the maintenance of international peace and security and the compliance with international norms. There are still other understanding principles for whom the “preventive diplomacy”, “strategic assistance” and “sustainable security sector” are not different than the understandings of the “vital role of the United Nations”. Nevertheless, the themes squaring the collective security are susceptible to the “cause of peace” and “strategic assistance” “upholding the purposes and principles of the Charter of the United Nations, including its commitment and respect to the principles of political independence, sovereign equality and territorial integrity of all States”. In this case, resolutions such as the Resolution 2086 (2013) work with the vision of peacemaking operations and building peace in post-conflict situations by framing the developing strategies and actions for security priorities or of the interplay between traditional peacemaking operations and the complex dimensional operations adding much to our appreciation of the importance of safety and security of United Nations peacekeepers. This is not a large step to consider moving from the peacebuilding tasks and obligations under the international law to the “effective functioning of the collective security”. In this direction, even while the primary responsibility under the principles and missions of the United Nations has firm boundaries, Resolution 2086 (2013) intensifies the work in the domain of effectiveness of the United Nations focusing on the respect for international peace and security cause and on the points of contact (and action) of post-conflict peacebuilding with the efforts of national governments in particular with the needs of the population. The trend appears to be following a security trajectory that is similar in many following resolutions “enhancing the effectiveness of the United Nations in addressing conflict at all stages from prevention to settlement to post-conflict” reconstruction.

International Peace and Security Cause in UN Security Council Resolutions

Table 3. Resolution 2086 (2013) Adopted by the Security Council at its 6903rd meeting on 21 January 2013 on the *United Nations Peacekeeping Operations: thematic analysis*

Resolution (data identification)	Checklist	Rating Theme Coding
	Candidate Keywords	Pattern themes
Resolution 2086 (2013) Adopted by the Security Council at its 6903rd meeting, on 21 January 2013 on the United Nations Peacekeeping Operations	”collective security”	“ the maintenance of international peace and security”
		“ the compliance with international norms”
	”preventive diplomacy”	“building peace in post-conflict situations”
	” vital role of the United Nations”	“ developing strategies for peacebuilding priorities”
	” cause of peace”	“ the importance of safety and security of United Nations peacekeepers ”
	” sustainable peace and development”	“ sustainable peace and development”
	” strategic assistance”	“ national security sector reform programmes”
“ sustainable security sector”	“ capacity building of military, police and other law enforcement institutions”	
“promotion and protection of human rights”	“ inclusion of women in decision-making roles in post-conflict governance institutions”	

Case study 4. Resolution 2129 (2013) Adopted by the Security Council at its 7086th meeting on 17 December 2013 on the *Threats to international peace and security caused by terrorist acts*

While the Resolution 2086 (2013) reveals a new insight at the sustainable security sector and the strategic assistance, increasingly, the law enforcement institutions with the consequences in various regions of the world express the determination to peaceful resolution of threats to international peace and security “stressing the need to ensure that counter-terrorism”. Among these, the over-reliance on the priorities on the international agenda and the over-emphasis on the obligations under the international humanitarian law are both granted.

Table 4. Resolution 2129 (2013) Adopted by the Security Council at its 7086th meeting on 17 December 2013 on the *Threats to international peace and security caused by terrorist acts*: thematic analysis

	Checklist	Rating Theme Coding
Resolution (data identification)	Candidate Keywords	Pattern themes
Resolution 2129 (2013) Adopted by the Security Council at its 7086th meeting, on 17 December 2013 on the Threats to international peace and security caused by terrorist acts	“terrorism”	“threat to international peace and security” “effectiveness of the overall effort to fight” “motivated by intolerance or extremism”
	“global stability and prosperity”	“priority on the international agenda”
	“law enforcement measures”	“to address the conditions conducive to the spread of terrorism” and “Pillar I of the United Nations Global Counter-Terrorism Strategy (A/RES/60/288)”
	“counter-terrorism”	““intelligence operations””
	“the need to promote the rule of law” and the “fundamental freedoms, good governance, tolerance”	“prevention and peaceful resolution of prolonged conflict”
	“dialogue and understanding among civilizations”	“to prevent the indiscriminate targeting of different religions and cultures”
	“global stability and prosperity”	“social and economic development of all States”
	“terrorism and transnational organized crime and illicit activities”	“to enhance coordination of efforts on national, subregional, regional and international levels”
	“the role of civil society and freedom of religion or belief”	“respect of the freedom of expression and association of individuals”

Viewing the obligations of Member States, even the implementation of relevant resolutions, in particular Security Council resolutions, in relation to “particular benefits derived from cross-regional collaboration and training” is not recognized without recognizing law enforcement and justice reform sector. In its first phase, such UN documents’ approach appears to be finding favor in countering terrorism and to a particular mission of counter-terrorism actions and peacemaking operations (Hultman: 2013). All of the candidate keywords the resolution identifies above reveal a common mission: promotion of the rule of law, fundamental freedoms, good governance and tolerance by preventing the “indiscriminate targeting of different religions and cultures” as a nexus of interrelationships between peace, security, law and politics, on one hand, and religion, civilization, national and group, on the other hand, rather than a consolidated institutional structure. If, in the text of the Resolution 2086 (2013) on the

International Peace and Security Cause in UN Security Council Resolutions

United Nations Peacekeeping Operations adopted at the beginning of 2013, the respect of human rights and fundamental freedoms is determinably related to the “compliance with the obligations under international law”, the Resolution 2129 (2013) impulses to reiterate “that sanctions are an important tool in countering terrorism” and it is needed to “acknowledge the important work on countering the financing of terrorism of the United Nations entities”.

Case study 5. Resolution 2049 (2012) Adopted by the Security Council at its 6781st meeting on 7 June 2012 on *Non-proliferation*

Many important methodological standards and sanctions monitoring mechanisms of the resolutions adopted by the Security Council are linked to the classic understandings of and fact-based assessments and recommendations in the field of the proliferation of weapons of mass destruction. Aggregating the opinion or the preference of the Panel of Experts appointed by the Secretary-General under the coordination of the Committee of the international community into collective security is quite similar recall to devising necessary administrative measures from the general issues of sanctions of the Informal Working Group of the Security Council. Despite the importance of the mandate of the Panel of Experts’ concerns about and measures in this specific area, the recommendations and reports often imply any “updates to its programme of work” by “determining that proliferation of weapons of mass destruction, as well as their means of delivery, continues to constitute a threat to international peace and security”. The overall structure of the Resolution 2049 (2012) represents numerous recalling and cohesiveness which are being addressed in current international agenda. Of the previous relevant resolutions such as resolution 1696 (2006) on *Non-proliferation* adopted on 31 July 2006 we can notice; resolution 1737 (2006) on *Non-proliferation* adopted on 23 December 2006, resolution 1747 (2007) on *Non-proliferation* adopted on 24 March 2007, resolution 1803 (2008) on *Non-proliferation* adopted on 31 July 2006; resolution 1835 (2008) on *Non-proliferation* adopted on 27 September 2008, resolution 1887 (2009) on the *Maintenance of international peace and security: Nuclear non-proliferation and nuclear disarmament* adopted on 24 September 2009; resolution 1929 (2010) on *Non-proliferation* adopted on 9 June 2010; resolution 1984 (2011) on *Non-proliferation* adopted on 9 June 2011, as well as the Statement of its President of 29 March 2006 on *Non-proliferation* (S/PRST/2006/15).

Table 5. Resolution 2049 (2012) Adopted by the Security Council at its 6781st meeting on 7 June 2012 on *Non-proliferation: thematic analysis*

	Checklist	Rating Theme Coding
Resolution (data identification)	Candidate Keywords	Pattern theme
Resolution 2049 (2012) Adopted by the Security Council at its 6781st meeting, on 7 June 2012 on Non-proliferation	“methodological standards for reports of sanctions monitoring mechanisms”	“Report of the Informal Working Group of the Security Council on General Issues of Sanctions (S/2006/997)”
	“independent assessments, analysis, and recommendations”	“the mandate of the Panel of Experts”
	“proliferation of weapons of mass destruction”	“a threat to international peace and security”
	“to review the mandate and take appropriate action”	“to take the necessary administrative measures to this effect”
	“a planned programme of work”	“the Panel of Experts”

Case study 6. Resolution 2033 (2012) Adopted by the Security Council at its 6702nd meeting on 12 January 2012 on the *Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security*

In this context, the idea of the cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security cannot be easily fit into existing security cause and international peace, universal or regional. One resolution has, instead, to think in concepts of the relevant statutes of regional and subregional organizations and the effective partnerships between the United Nations and regional organizations, and especially the protocols linked to the establishment of peace (Richmond: 2004). Starting from the assumption that the previous relevant resolutions and statements of the President of the Security Council underscore the role of partnerships and the primary responsibility for the maintenance of international peace and security, they undertake not only to understand the utility of developing efficient collaborations with regional and subregional organizations, but to position the causes of armed conflicts and the efforts to strengthen the vital role of the United Nations in these conflicts “encouraging continued mainstreaming of child protection into their advocacy, policies and programmes”. For instance, resolution 2033 (2012) provide in its content for an enforcement position of the United Nations, and most concretely acknowledging the progresses and mediation efforts made in the coordination and cooperation between the United Nations and the African Union. Resolution 2033 (2012) also maps the scope and content of the framework for mediation in Africa and for the post-conflict reconstruction and protection of civilians (Quénivet: 2006). The Resolution also contains provisions that explicitly require to support the African Union in the field of peacekeeping by developing policies and effective long-term strategies. The Resolution 2033 (2012) discusses the concept of “regional peace and security” in relation to the collective security challenges in Africa by supporting the

International Peace and Security Cause in UN Security Council Resolutions

concept's regional and subregional applicability and it explicitly refers to the collaboration between the good offices of the Secretary-General and the African Union. Further, the Resolution refers to the need of United Nations to support African Union and Regional Economic Communities and to continue to work to prevent conflicts on the African continent "stresses the need to enhance the predictability, sustainability and flexibility of financing regional organizations when they undertake peacekeeping under a United Nations mandate".

Table 6. Resolution 2033 (2012) Adopted by the Security Council at its 6702nd meeting on 12 January 2012 on the *Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security*: thematic analysis

	Checklist	Rating Theme Coding
Resolution (data identification)	Candidate Keywords	Pattern themes
Resolution 2033 (2012) Adopted by the Security Council at its 6702nd meeting, on 12 January 2012 on the Cooperation between the United Nations and regional and subregional organizations in maintaining international peace and security	"the importance of developing effective partnerships between the United Nations and regional organizations"	"maintenance of international peace and security"
	"armed conflicts"	"common collective security challenges" "strengthening the capacity of regional and subregional organizations"
	"framework for mediation"	"partnership more coherent when undertaking joint mediation efforts"
	"efforts to develop policy, guidance and training in ... Security Sector Reform"	"practical cooperation"
	"interaction between the United Nations Secretariat and the African Union Commission"	"United Nations-African Union joint task force on peace and security"

Conclusions

The case study analysis resulted in a broad range of resolutions and statements for how United Nations can improve in the international peace and security cause record. In conclusion, Security Council and its representatives in conflict areas can and do play an important role in helping the United Nations fulfill the vital mission of prevention and resolution of conflicts peace negotiations, peacebuilding and peacemaking operations integrated in the post-conflict reconstruction strategies. This state of art analysis focused on six main Security Council resolutions adopted in the period 2012-2014 highlights the improvement of collective security and the improvement of the mediation efforts in conflict regions including the preventive diplomacy, the "peaceful settlement of armed conflicts" and obligations under the international humanitarian law.

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International Peace and Security Cause in UN Security Council Resolutions

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ORIGINAL PAPER

Europeanization Imagology, Historical Institutionalism and Integration: Comparative Politics of Institutional Change in Governance

Cătălina Maria Georgescu*

Abstract

Comparative politics of institutional change in governance within the European integration context identifies the process and traces the effects of *Europeanization* at domestic level. The imagology associated to the *Europeanization* phenomenon depicts processes of „de-parliamentarisation” of the political system correlated to the strengthening of the national government or the opposing orientation towards the strategic reinforcement of national parliaments by raising their „veto rights” or negotiate their support to EU-driven legislation. This paper offers a comparative overview of the studies accomplished on the national responses to *Europeanization* issues bearing a (mostly neo-historical) institutionalist and path-dependent perspective according to which (pre-existing) institutions set the desired behaviour.

Keywords: Europeanization, historical institutionalism, European integration, governance, government, parliament.

*Lecturer, PhD, University of Craiova, Faculty of Law and Social Sciences, Political Sciences Specialization, Phone: 0040251418515, E-mail: cata.georgescu@yahoo.com.

Europeanization Imagology, Historical Institutionalism and Integration...

Introduction: theoretical background for discussions

Shifting from intergovernmentalism to a federalist or (neo-)functionalist point of view (Egeberg, 1999) in terms of European Union policy-making and implementation, this article discusses the imagological profiles attached to the national executive and legislative institutions within the European governance framework. Based on the literature, the paper discusses the paradoxes identified in the conceptualization of supranational-national relations conditioned by European integration. This logic assumes the re-configuration of principal-agent relations through the transfer of competencies from the national to the European sphere in the multi-level governance. Empirical studies have analysed the allocation of political competencies within the European multi-level structure arguing for „flexible integration” in the „federative” framework that assumes the diverging interests, sense of identity and traditional patterns between „old” and „new” Member States (Ahrens, Meurers and Renner, 2007).

The paper thus exposes the images associated to the patterns of European Union integration and *Europeanization* by assuming the hypothesis which claims a cross-country diversity of domestic processes of adaptation to EU-led forces.

The question of Europeanization emerged seriously into academic discussions in the 1990s, benefitting from serious attention in publications such as the *Journal of European Integration*, *Journal of European Public Policy*, *Public Administration*, *West European Politics*, *The Journal of Legislative Studies*, *European Law Journal*, *International Journal of the Sociology of Law*, *ARENA Working Papers*, *Living Reviews in European Governance*, *European Integration online Papers (EIoP)*, *Journal of Common Market Studies*, *Communist and Post-Communist Studies* etc. In fact, *The Journal of Legislative Studies* dedicated an entire issue (2005) to Europeanization and the results triggered for national parliaments. By now, the research agenda has increased and studies on the EU necessarily focus on at least one type of Europeanisation (Goetz and Meyer-Sahling 2008).

What is also interesting to note is the evolution of the empirical research from single case studies to cross-countries comparisons (the group of Germany, France, Ireland and the United Kingdom, the Netherlands, the group of Nordic states, the Balkan region, the Eastern former communist bloc, the Southern states Italy and Greece etc.). The comparative studies have been aimed at explaining changes in national legislatures and executives (Bulmer and Burch, 2005), citizens' interests and preferences that shaped the governance patterns and decision-making processes (Ahrens, Meurers and Renner, 2007), the roles and identities of administrative elites (Egeberg, 1999), the European Commission's cooperation with national governmental institutions (Egeberg, 2008), the “agencification” of public sector (Laegreid, Steinthorsson and Thorhallsson, 2004), competences allocation among the EU and Member States (Caporaso and Kim, 2009), the Europeanization mechanisms (Demetropoulou, 2002).

Europeanization and (neo-historical) institutionalism

Europeanization, sometimes styled “EU-ization” (Bulmer and Burch 2005) has been accounted as influencing national organizational structures, the behavior of political actors, political processes and policy-making. As Claudio Radaelli (2003) conceptualized the term, Europeanization denotes the internalization by member state structures of formal and informal rules, norms, practices, values and ideas developed firstly at European level. The development of the White Paper on European Governance

makes a good example in this sense. Through an ideational institutionalism Beate Kohler-Koch (2002) explains the discursive mechanisms behind gaining support from domestic actors with diverging policy goals.

Adjustment in organizational structures in the context of European integration was mainly conceptualised as formal and/or institutional (Spanou, 1998: 471), hence the new trend in theorising this process as a middle-range theory as (new) historical institutionalism (Bulmer, 1998). According to the (new) historical institutionalist logic, the evolution of institutions (both formal and less formal) within a political system accounts for the changes in governance and policy-making. It is argued that the (new) historical institutionalism (HI) is a methodology that analyses both the evolution of constitutional-legal elements and also the cultural aspect of political institutions and elements of political discourse to account for the changes in policy-making. Integration thus accounts for the fundamental reforms of constitutional norms (Gherghe, 2012: 401-407). Also, the (new) historical institutionalism explains political action and behaviour based on formal and informal institutions following a path-dependent approach in the analysis of former courses of action. Within our sphere of interest, this framework of analysis is used to include in the analysis aspects of „systemic change”, „governance structures”, „policy evolution” and „the role of values and norms” in governance (Bulmer, 1998: 371-376).

Europeanization imagology and integration: “a cause in search of its effect”?

As David J. Elkins and Richard E. B. Simeon (1979) argued in their classical paper “A Cause in Search of Its Effect, or What Does Political Culture Explain?” an innovative (and, we dare to state, seminal) method of exercise in the study of changes triggered by the European integration is to remove all doubts in the establishment of the variable to be explained in the process. The search for a dependent variable explained through the Europeanization imagology does not prove to be obsolete by re-orienting the study towards the actual elements that undergo changes at national level: formal and/or informal institutions, informal practices. However, studies raise awareness on the peril to consider that all changes in national governance are brought about by Europeanization. Instead, it is suggested to consider domestic reforms accomplished in the process of “adapting to Europe” that triggered changes in national legislatures and executives (Bulmer and Burch, 2005: 861-890).

The integration framework has suffered interpretations due to the challenges that had to be addressed for the last decade with the Union’s successive waves of enlargement towards the southern and eastern parts of the continent. It was suggested that the different political, national and societal interests and preferences that met under the umbrella of the enlarged Union actually shaped the governance patterns and decision-making processes (Ahrens, Meurers and Renner, 2007: 447-479).

As Klaus H. Goetz (2000) grouped the literature on Europeanization, scholars concentrated on the following directions of research: (1) „*linkage issues*”, understanding by that the organizational structures created to address EU policy implementation and to accomplish the connection between national executives and the supranational level, (2) „*implementation*” studies analysing whether the existing administrative traditions under EU practices, values and norms influence account for cross-countries convergence or diversity of implementation patterns, and (3) „*administrative ecology*” situating studies on „executive-society” relations and „executive-economy” relations, consequently on

Europeanization Imagology, Historical Institutionalism and Integration...

public-private initiatives, with a special interest in „policy networks, policy communities or public-private partnerships” (Goetz, 2000: 211-231).

Identifying separate categories of „positive integration”, „negative integration” and „*framing* integration” researchers aimed at identifying their impact at national level and configuring an explanation for the diversity in domestic adaptation patterns (Knill and Lehmkuhl 1999).

A well-documented study which accounts for the diversity in domestic responses to Europeanization was accomplished by Klaus H. Goetz and Jan-Hinrik Meyer-Sahling for the *Living Reviews in European Governance*. In the context of *Europeanization*, their reviewed research traces a set of three dichotomic situations for the cases under study: “de-parlamentarisation versus re-parlamentarisation”, “bureaucratisation versus politicisation” and “centralisation versus diffusion”. The issue of centralization was raised with the accession of new Member States, researchers aiming at solving the question whether “widening” the geographical area of the Union implies or makes impossible the “deepening” of European integration (Kelemen, Menon and Slapin, 2014: 647-663).

Europeanization imagology: between stereotypes and integration

Studies have shown the existence of a strong correlation between identity and integration. Identity was conceptualised as affinity to „the idea of a united Europe”, European values and norms; adherence to them renders legitimacy to the European construction and to the process of implementing EU law (Duina, 1997: 160). Socialization practices at European Union level set the drive for internalization. The roles and identities of administrative elites within the multi-level governance associated to decision-making processes was studied starting from organizational and institutionalist theories (Egeberg, 1999). Results show that there is a strong correlation between institutional (committee) affiliation, national and European sense of identity, and participation and/or loyalty.

Studies on the European Union challenge the “classical” image of “national and sub-national levels of government” aiming at highlighting the shift towards the supranational level of a central European government. This view was strengthened by considering the principles of the European Commission’s autonomy and independence of any (national) governmental unwarrantable interference; however, the literature state of the art reveals a new imagological profile of this supranational institution making manifest the need for a strong cooperation with national governmental institutions and agencies in order to both formulate and implement its projects (Egeberg, 2008: 235-257). This new image associated to the supranational-national levels relationships is in line with the “agencification” theories and models of public sector reforms (Laegreid, Steinthorsson and Thorhallsson, 2004: 347–369). This approach identified in some Member States of establishing “semi-independent” or “semi-detached” agencies and structures capable of operating in the new European governance framework is in line with the classical dichotomical view of the politics-administration relations and the New Public Management (Kjaer, 2010: 28, Egeberg, 2008: 238). Furthermore, students preoccupied with the configuration of these new principal-agent relations inquired on the accountability paradox determined by these lines of thought: firstly, the idea that public management reform principles require agency *discretion* in policy-implementation separated from political inhibitive or binding encroachment; secondly, the necessity of

establishing responsible, accountable democratic structures that operate in the citizens' interest. The literature seems to have settled this issue by claiming the orientation of agencies towards the integration in transnational policy networks (Egeberg, 2008: 238). Supported by empirical findings (Egeberg, 1999), this "transgovernmentalist" point of view balances administrative elites between national and supranational levels of governance. However, this idea launched further disputes as to identify the principal within this multi-level European administrative space: on the one hand, national agencies operating under the supranational supervision of the European Commission or of other European Union agencies, on the other hand, the case of agencies assisting government representatives in their work at Council reunions or with the Commission (Egeberg, 2008: 248).

Citizens' preferences, assumed identities and declared commitment to EU institutions were also considered in field analyses on designing models for competencies allocation (Ahrens, Meurers and Renner, 2007). The imagological profile for the integration of "old" and "new" Member States must also acknowledge the unequal distribution of centralization and decentralization options in policy-making.

European identity within European integration: creating an European public space?

European identity within European integration and public policy-making at EU level analyses has been conceptualised through a set of indicators. That assumes two directions of research: on the one hand, the concept of identity as „belonging to a group”, as students in European identity study have styled „subjective awareness”, and, on the other hand, building upon the institutional framework, functionality and competences allocation among various policy levels in the EU and Member States the concept of „identity as coherence” was designed to explain for the distribution of forces behind the European supranational construction (Caporaso and Kim, 2009: 19-42). The research findings show the occurrence of differences in citizens' preferences for the levels within the multi-layered governance framework best suited to address specific issues in policy areas. Based on *Eurobarometer* and statistical economic data, the study accomplished by James Caporaso and Min-hyung Kim (2009) accounts for the trends of cross-national convergence and for the changes in European citizens' preferences brought about by EU's policies and actions.

In the context of European governance researchers raised the issue of the "European collective identity" in correlation to the appearance of a "European public space" and struggled to solve the ambiguity behind mixing European identity to Euro-optimistic regime support (Kaina and Karolewski, (2013).

The Europeanization of the Balkan area received belated attention with studies centred on candidate countries (some of them receiving membership status afterwards) which aimed at explaining the Europeanization process in the region as a combination between "Europeanization mechanisms" – under the form of "coercion" (the "control" and/or "conditionality" mechanisms are discussed) and "mimetism" (coining the "contagion" and/or "consent" mechanisms) –, and the so-called "confining conditions" which the literature categorised as "structural", "transitional", "systemic", and "state-building/ nation-formation" (Demetropoulou, 2002: 89-90). The legal, institutional and structural problems facing former communist states are viewed as delaying the Europeanization process, though the same issues were firstly addressed through EU

Europeanization Imagology, Historical Institutionalism and Integration...

technical assistance programs and funding (Demetropoulou, 2002: 92). Making appeal to institutional-constitutionalism approaches at EU level, Europeanization and democracy-building theories, studies explained that countries seeking EU membership (the evolutions of Romania and of the Former Yugoslav Republic of Macedonia were discussed) have upgraded their institutions to meet the challenges of accession through concrete measures such as redressing their territorial structures for regional development, creating a set of institutions (administrative, financial, legislative etc.) and concluded on the “Europeanization capacity of the Balkans”, the “democratic character and effectiveness of imported models”, and on the “remote accession horizon and intermediate period” (Demetropoulou, 2002: 102-104). Still the national sovereignty issue hangs over decision-making within this geopolitical area marked by regime changes, violent civil clashes and nationalist stereotypes, but also seeking integration (Kentrotis, 2010: 56-69).

The Romanian case was characterised as seeking to integrate in the Western liberal pattern, though the discussion around citizenship and identity (national and European) is more complex due to ethnic relations and the frequency of nationalism (Dragoman, 2008). The issue of Europeanization of post-communist states is challenged by the manner in which national identity and the transfer of sovereignty are perceived. Constitution-building and the establishment of democratic politic institutions (Girleşteanu, 2012) must be correlated to the historical background starting with the process of nation-building, the rigorous nationalism during the communist period, corroborated to minorities and language issues can also explain the originality of the integration process, Romania’s membership to the EU being determined by the settlement of these challenges (Dragoman, 2008: 67-73).

Europeanization and executive politics: strengthening the power of national governments

The role of national governments in the European integration process has been dealt with in the literature of Europeanization. The policies of adaptation are long-term incremental processes of domestic changes, with adjustments being triggered beginning with the pre-accession period (Bulmer and Burch, 2005: 861–890).

The consequences of European Union membership for national executive politics have been dealt with in a narrow literature which seems to offer a picture of the diversity of models operating within the overall EU political system rather than a converging unitary model (Damgaard and Jensen 2005; Egeberg 2008; Fabbrini and Donà 2003; Fink-Hafner 2005; Fischer and Sciarini 2013; Goetz 2000; Goetz and Meyer-Sahling 2008; Laffan 2003; Laffan 2006; Laffan and O’Mahony 2007; Larsson and Trondal 2005; Trondal 2011). Studies have been usually built upon the dimensions of formal structures but also informal practices, actors and entities connected in the decision-making process (Bulmer and Burch 2005; Laffan and O’Mahony 2007).

Building upon the „fit/misfit” model outlined by Risse *et al.* (2001), Bulmer and Burch (2005) understand the effects of Europeanization over UK central government as „domestic adjustment” to the EU institutional logic by importing EU practices into „the pre-existing domestic logic of governance” (Bulmer and Burch, 2005: 866). This explanation also inserts the constraints of „path-dependency” by accentuating the pre-existing terrain of national institutional structures and governance processes. As such, the research could identify and acknowledge the institutional constraints under the shape of formal structures, but also informal, diffused currents such as political or

organizational culture (Bulmer and Burch, 2005: 867; Elkins and Simeon 1979) which hinder adaptation to the EU, and also the windows of opportunity opening throughout the process and the entities inclined and/or pro-active in the change process. Consequently, Europeanization research also aims at identifying the policies of adaptation of national executives to EU membership status – according to this logic studies shaped the formula of national executives as „key *translator devices* between the European and the domestic” (Laffan and O’Mahony, 2007: 168). The Irish case, with its incremental change process as discussed by the literature, provides arguments for the diversity in the patterns of national adaptation to the EU, studies insisting on the incremental nature of change; however, studies insist on the formalization of domestic structures responsible with EU policies triggered by occasional “critical junctures” (Laffan and O’Mahony, 2007: 186). What is interesting to note is that what the authors have styled as “critical junctures” were in fact the results of the referendum through which the Irish rejected the Treaty of Nice (2001).

Damgaard and Jensen (2005) insist that the Nordic case present differences due to peculiarities in settling executive-legislative relations in the context of European integration: following the accession under a supranational layer of governance through the transfer of competences it seems that the government gained power to deal with EU policy-implementation, while in this equation the national parliaments lost influence. The authors thus state that these relations triggered the “democratic deficit” (Damgaard and Jensen, 2005: 395). Equally interesting is linking the study on Europeanization to intra-party and/or inter-party politics and voters’ support (pessimism or optimism) towards EU policies. What the authors wanted to highlight was the mechanisms of parliamentary control over government some of them institutionalised for integration purposes (Damgaard and Jensen, 2005: 397-398). Some researchers claim, however, that neither party politics, nor national party systems were affected systemically by *Europeanization* (Mair, 2000: 27-51). A second opinion claims that, although having no quantitative effect on national parties and the political party system, from a rational-institutional approach, Europeanization indirectly triggers influences on party behaviour in as much as it shapes their discourse and identity in electoral campaigns (Ladrech, 2009).

The Italian case was covered by a research which aimed at highlighting the strengthening of the national government as regards EU policy-making, but also the recognition of national parliamentary control and influence in government establishment, membership and consistency, thus removing the „deparliamentarization” thesis in the *Europeanization* context through the analysis of the effects of introducing the *legge comunitaria* (Fabbrini and Donà, 2003).

The case of the former communist countries in the Eastern block is special due to the multiple challenges they had to face. Firstly, for post-communist political societies („polities”) the systemic change triggered following the fall of the totalitarian regime was characterised in terms of an „*import* of the rule of law as a democratic tradition in post-communist constitutional usage” (Olimid, 2014: 53-64). The process of political-institutional democratisation was also corroborated to a process of structural and institutional adaptation to the Western European “group” criteria. The Europeanization phenomenon is a serious factor in the equation of post-totalitarian states’ transformation in their path of “re-integrating into Europe”. For countries such as Slovenia and Estonia the adaptation process was additionally challenged by the establishment of institutions in independent states, dis-integrated from former

Europeanization Imagology, Historical Institutionalism and Integration...

multinational states (Fink-Hafner, 2005). Seeking EU membership, former totalitarian countries were thus exposed to multiple challenges and conditionalities during negotiation process, researchers perceiving the cases of Hungary, Slovenia and Estonia as „success stories” in terms of adaptation to the conditions imposed at supranational level, analyses being made according to the centrality/ decentralization/ federation dimensions, all three countries opting for a „gradualist mode of adaptation” of the executive institutional structures (Fink-Hafner, 2005).

Europeanization and national parliaments: national parliaments and integration costs

Researches on the new roles ascribed to national parliaments following the acquiring of EU membership status were directed towards demonstrating, on the one hand, the costs of institutional/parliamentary strength associated to integration, and on the other hand, the benefits triggered by Europeanization.

A first view, starting from the mandatory character and the supremacy of EU law towards national law which has to be implemented in all Member States, it has been argued that national parliaments were „deprived” of some competences in the integration process. In words such as „de-parliamentarisation” students have put the essence of their thesis on the loss of power by national parliaments as a consequence of the transfer of competences to the supranational level (Duina, Oliver, 2005: 173-195).

Secondly, the logic of institutional adjustment as a shape of Europeanization states that changes in formal or informal rules have also changed the „patterns of institutional interactions” in Member States to cope with multi-level governance challenges (Auel & Benz, 2005: 372-393). It has been argued that parliaments had to develop new strategies in order to pursue national interests in the European policy-making process. The conclusion drawn by Arthur Benz argue for the need to continue the series of systematic comparative studies aimed at identifying the reasons behind the relations between the members of national parliaments and members of government in European business and the former behaviour as “strategic veto-players” (Benz, 2005: 519).

Thirdly, the logic of the „dual legitimacy” accounts for changes in the role of national parliaments in the context of EU constitutional reforms, with the double representation of citizens: at national level by their elected representatives who have to back the policies of government members in the Council of the EU (Benz, 2004: 875-876). In adding the supranational layer and accomplishing the transfer of competences from the national level, researchers viewed a „democratic deficit” in producing legislation, since national governments currently participate in the decision-making process at EU level adopting legislation in the Council of the EU, „short-circuiting” the legislative procedures through national parliaments. This issues were also discussed in the context of a weak European Parliament already challenged by „legitimacy deficit”. The change triggered by the integration process in member states was incremental and path-dependent (Dimitrakopoulos, 2001a: 405-422).

Flipping the coin: national parliaments receiving benefits to integration

The view that national parliaments suffered a great deal due to integration was opposed by that orienting the analysis towards identifying the benefits to integration.

Inquiring on the existence of actual benefits to the membership to a structure conditioned by yielding or transfer of sovereignty, students have conceptualized these benefits under the form of „precedent setting” – building upon already established EU legislation –, and „policy transfer” – the spread of good practices and knowledge across Member States (Duina, Oliver, 2005: 173-195). Moreover, the establishment of these new relations conditioned by the integration framework was analysed through the open method of coordination. This „soft law” instrument is theorised as offering incentives to national members of parliament to participate in policy-making (Duina and Raunio, 2007: 489-506) by introducing guidelines, indicators, benchmarks, national targets, monitoring and peer-review (Kröger, 2009).

Katrin Auel and Arthur Benz (2005) analysed what they styled the “politics of *strategic* adaptation” through which national parliaments struggled to implement institutional change that would support their future involvement in European policy-making. Constructing their analytical model on the logic of adaptation, the authors analysed the interactions among the members of the opposition party, the members of the majority party in parliament and the government. Using the “principal-agent” framework for the analysis of legislative-executive relations the authors corroborated the agenda-setting mechanisms and the exercise of veto right by the legislative (Auel and Benz, 2005: 372-393). Associating a path-dependent approach, historical institutionalism usually regards governments as “agenda-setters” (Benz, 2004: 877) while parliaments were theorised as “gate-keepers” for the policies having a supranational source by casting their veto right (Raunio, 2011: 303-321). Discussing the cases of Denmark, Germany and Great Britain, opposition groups as „strategic veto players” is such a formula that addressed the legitimacy issue of the transfer of competences from the national to the supranational (Benz, 2004: 877). Researchers usually tend to acknowledge national parliaments’ strategic courses of action, interviewed MPs stating their positions for compromise, negotiation, cooperation with the government on specific policy areas or with European administrators or officials to raise on the European agenda specific issues determined by their party or electorate’s interests (Benz, 2004: 887-888).

Policy implementation and executive-legislative relations: consequences of Europeanization

However, policy formulation is not the sole indicator of the shift in executive-legislative relations as a consequence to Europeanization, authors (very few, though) also being interested in the policy implementation phase of the policy cycle. In order to implement EU law at national level, this phase consists in the transposition into national law and effective application at domestic level. Authors have not detected variations in the manner of implementation since the EU law requires only the observance of a deadline, and not the precise mode of action. „Timely, late or failed transposition” of the EU directives is therefore the possible result of the implementation process. Moreover, authors have identified variations in the „extent” of transposition, meaning the degree to which the resulted national law observes the details of EU law (definition of the legal terms, imposing the term of implementation of the national law, fields to which the law will apply etc.) (Duina, 1997: 156).

Implementation is thus correlated with European integration, specifically with domestic adaption to EU law. The term „goodness-of-fit” is used to describe the

Europeanization Imagology, Historical Institutionalism and Integration...

„compatibility” of domestic and supranational norms, standards and practices. The literature also coined the term „domestic institutional veto points” to describe the national opposition or discrepancy to EU policies and norms (Bailey, 2002: 791-811). What is interesting to mention in this respect are the cases of Germany and Great Britain where the literature surprised the paradoxes of implementing European directives, the two countries acting surprisingly to EU requirements: either by succeeding in legislating in fields registering dissimilarities between domestic traditions and EU norms, either by blocking legislation at national level („institutional veto”) to account for a inconvenient piece of legislation (Bailey, 2002: 791-811).

Fischer and Sciarini’s study “Europeanization and the inclusive strategies of executive actors” (2013) discusses the executives role in implementation by highlighting their informal initiatives to gain support for their actions through the instruments of collaboration, information, consultation and integration of other domestic or foreign/international actors into the process. The authors stress the “collaboration in policy networks” of national entities through an “actor-oriented” strategic model outlining the institutional pre-conditions that confine their space of manoeuvre (Fischer and Sciarini, 2013: 1495).

The transposition of European directives has also entered the theoretical matrix of sociological institutionalism. In order to explain the transposition delays researchers outlined the existence of procedural routinization and specialization of government departments in European affairs (Berglund, Gange and van Waarden, 2006: 692-716). Accounting for the Netherlands, Germany, the United Kingdom and Greece, in different policy areas, the authors showed that time is the dominant factor in the sense that each country developed specific procedures for transposition so that at present each deadline in the transposition of directives is respected Berglund, Gange and van Waarden, 2006: 709).

The argument for the interest in the transposition of EU law (decisions, regulations, directives) is that through this process the EU obtains the harmonization of all Member States legal systems in its efforts to „unite” all their political, economic and social arenas. However, it was argued that the similar approaches associated to transposition of EU law in Member States are not the result of convergence, but of institutional mechanisms of adaptation (Dimitrakopoulos, 2001b: 442-458).

Rational-choice and sociological institutionalism were employed to explain the transposition delays and/or failure to transpose EU directives in national legal systems (Dimitrova and Rhinard 2005). Results suggest that national legal systems’ compatibility to the European standards accounts for speedy and successful transposition of legislation.

Within the EU multi-level polity the struggle for legitimacy was determined by institutional establishments at domestic level that allow the expression of citizens’ interests and preferences through public deliberations and scrutiny. This institutional construction has a positive side-effect in the sense that it allows the strengthening of national parliaments’ influence over national governments by relying on citizens’ participation in policy-making (Benz, 2004: 878).

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