



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

Revista de Științe Politice.
Revue des Sciences Politiques
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EDITORS' NOTE

Rights and Freedoms Research in a Pandemic Context

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

Issue 67/2020

**Anca Parmena Olimid¹⁾,
Cătălina Maria Georgescu²⁾,
Cosmin Lucian Gherghe³⁾**

The current issue of the *Revista de Științe Politice. Revue des Sciences Politiques* launched in September 2020 during the coronavirus disease (COVID-19) pandemic challenges a new dimension of the social research by pinpointing the complex thematic of the rights and freedoms research in a pandemic context. The research is multidimensional and overtakes the most relevant subjects illustrative to the scientific pursuit.

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Editors' Note

The selected articles exhibit analyses of special interest in the following fields:

- the role of political leadership, internal factors, political rights and international community actions in reaching a diplomatic agreement
- the newspaper coverage of cultural heritage and cultural expression
- the rights of citizens to cultural and linguistic heritage and the redefinition of nation-states
- supporting students and teachers in their efforts towards education, information, teaching and learning
- exploring the “power-freedom relationship” by tackling the issue of individual freedom and its limits against state power
- comparing cross-generation perspectives on displaying an individual right to health by using digital and online tools for medical or health-related purposes
- presenting the perspectives for recognizing criminal liability within fiscal legislation
- comparing solutions for tracking and combating vulnerability by building resilience in marginalised regions
- analysing measures with impact over trade liberalisation and economic cooperation
- analysing passenger rights as settled in common European rules in the field of air transport
- analysing and measuring corporate reputation
- discussing the effects of monetary policy
- analysing the evolution of selected economic fields.

Analysing the role of political leadership in complex negotiations the article authored by Pajtim Thaçi, Jonuz Abdullai, *The Role of Political Leaders on the Prespa Agreement* observes the dynamics and uncertainties of transitions in specific political contexts highlighting the factors which led to the rise of crisis situations and the efforts that dissolved the disputes. The article employs a multifaceted approach to discuss the causes and effects of multi-sourced endeavours to reach a diplomatic agreement on a lasting dispute.

Employing a complex quantitative and qualitative media articles analyses, the article signed by Vesna Kalajžić, *Media presentation of dramatic arts from 1990 – 1995 - on the example of Narodni list in Zadar in the Republic of Croatia* traces the coverage of cultural heritage and cultural expression in relation to specific journalistic approaches. During the constraints and challenges raised by the Covid-19 pandemic as regards the rights and freedoms, the article signed by Costina Denisa Bărbuceanu, *Visual Teaching – Using Digitalised Material to Engage ESP Students* arrives timely and presents new, innovative opportunities and instruments to apply in the fields of education, teaching, conveying information. Facing the challenges raised by modern times are the foundation of the article signed by Vlad-Mihai Arjoca, *The relationship between linguistic pluralism and legal pluralism*, which puts forward the discussion on the issue of subsidiarity, language rights, equality, the protection of minorities and the right to identity. The article discusses several issues of multicultural societies triggered in the actual dynamic social and political arenas. A special manner of presenting social, political or economic challenges appears to be through cultural expression, abstraction and figurative representation. This is the topic of the article signed by Simber Atay, *Adrian Ghenie and Angelus Novus*, which explores the art and expressivity of the famous Romanian artist.

In this line of thought, freedom of expression and the perils of censorship in any type of society, regardless its degree of democracy is the focus of the article signed by Claudia Mădălina Burci, *Restricting the exercise of freedom of expression in a democratic society - communication or coercion?*. Modern approaches to communication bring forward different perspectives over the most suitable and eloquent sources for information. The article signed by Valentina Marinescu, *Digital Health and the Generation Gap in Romanian Context* subscribes to the present opportunities of using online tools in order to track information over different health-related aspects and the differences in perspectives shared by young or mature generations.

The exploration of legal rights and obligations under the penal law is the subject of the article signed by Tiberiu Horațiu Gorun, Cristi Spulbar, Ramona Birau, *General conditions for engaging the criminal liability of the legal persons based on penal laws and fiscal legislation: A case study for Romania*, an analysis of the legal conditions for engaging criminal liability of legal persons and an argument for sound and sustainable tax systems. Thus implementing a sustainable reform and investing in tracking and correcting system vulnerabilities appears as a prerequisite for dealing with inequalities mostly present in marginalised areas. The article signed by Andreea-Mihaela Niță, Mihaela Cristina Pârvu, *Vulnerability and resilience in marginalized rural communities. Case study: projects for reduction of risk exclusion in Dolj County* identifies the risks and vulnerabilities associated to marginalised rural areas and proposes means to build resilience and sustainable development. Defining a region's identity through economic means is discussed in the article signed by Agnieszka Kisztełńska-Węgrzyńska, *Economic tools for shaping order in Central Europe in Austria's foreign policy*, which synthesises the governmental measures and foreign policy towards economic cooperation and trade liberalization.

Following the stream of economic cooperation towards supranational community, the article signed by Cristina Stanciu, *On the legal regulation of the air transport contract for persons from Romanian law* reviews the legal provisions concerning passenger rights according to European regulations and the rulings of the Court of Justice of the European Union. The analysis and assessment of corporate reputation in the article signed by Dragoș Bălan, *Major Approaches to Measuring Corporate Reputation: An Extensive Literature Review*, evaluates the key categories of measurement instruments. The measurement of the effects of monetary instruments by central authorities in Central and Eastern Europe is the focus in the article signed by Monica-Ionelia Mărgărit, *A literature survey over the transmission of the monetary policy and its shocks*. The transmission of specific policies is of special interest as one can make future predictions as regards their evolution and effectiveness in time. The article signed by Andrzej Dubicki, *From a state-owned giant to a market enterprise? The evolution of selected enterprises in the aviation industry in Romania and Poland after 1989* contains a parallel over Romanian and Polish transformations in the air carrier industry using the common denominator of the post-communist transition as a starting point.

The methodology relies heavily on employing certain research instruments in order to reach key data and draw specific conclusions: mixing historic notes and political discourse analysis to literature review (Pajtim Thaçi, Jonuz Abdullai, *The Role of Political Leaders on the Prespa Agreement*), pinpointing media coverage of cultural issues within quantitative and qualitative content analyses (Vesna Kalajžić, *Media*

presentation of dramatic arts from 1990 – 1995 - on the example of Narodni list in Zadar in the Republic of Croatia), the application of digital tools in the field of information, learning and teaching (Costina Denisa Bărbuceanu, *Visual Teaching – Using Digitalised Material to Engage ESP Students*), employing legal analysis of constitutional texts, legal provisions, court decisions and treaty articles to argue for the complex picture deriving from the citizens' rights and responsibilities in relation to a multicultural context (Vlad-Mihai Arjoca, *The relationship between linguistic pluralism and legal pluralism*), using the descriptive method to explore different means of expression through historical and mass communication projections (Simber Atay, *Adrian Ghenie and Angelus Novus*), comparative review of the literature and legislative texts on fundamental rights and freedoms within democratic and non-democratic regimes (Claudia Mădălina Burci, *Restricting the exercise of freedom of expression in a democratic society - communication or coercion?*), conducting a cross-generations survey over health-related rights and information (Valentina Marinescu, *Digital Health and the Generation Gap in Romanian Context*), analysing the legal provisions in penal and fiscal legislation (Tiberiu Horațiu Gorun, Cristi Spulbar, Ramona Birau, *General conditions for engaging the criminal liability of the legal persons based on penal laws and fiscal legislation: A case study for Romania*), proposing and analysing solutions for building resilience and sustainable economic development (Andreea-Mihaela Niță, Mihaela Cristina Pârvu, *Vulnerability and resilience in marginalized rural communities. Case study: projects for reduction of risk exclusion in Dolj County*), employing a complex mix of historical institutionalism and statistical method (Agnieszka Kisztełińska-Węgrzyńska, *Economic tools for shaping order in Central Europe in Austria's foreign policy*), reviewing legal provisions on the rights in the field of air transport (Cristina Stanciu, *On the legal regulation of the air transport contract for persons from Romanian law*), reviewing the literature on innovative means to measure corporate reputation (Dragoș Bălan, *Major Approaches to Measuring Corporate Reputation: An Extensive Literature Review*), reviewing the literature on the effects of monetary policies (Monica-Ionelia Mărgărit, *A literature survey over the transmission of the monetary policy and its shocks*), conducting a historical depiction of the evolution of a specific economic field (Andrzej Dubicki, *From a state-owned giant to a market enterprise? The evolution of selected enterprises in the aviation industry in Romania and Poland after 1989*).

The current issue 67/2020 of the *Revista de Științe Politice. Revue des Sciences Politiques* thus invites its readers and contributors to evaluate, focus and develop a comprehensive set of extended analyses of the rights and freedoms applicable to various fields of activity for a futile understanding of current challenges and future evolutions.

Wishing you all the best,

The RSP Editors



ORIGINAL PAPER

The Role of Political Leaders on the Prespa Agreement

Pajtim Thaçi¹⁾, Jonuz Abdullai²⁾

Abstract

The relations between Macedonia and Greece have been very tense over the name dispute during the last 30 years. This political issue kept Macedonia outside the NATO alliance since 2008, when it first attempted to join, and was refused by Greece because of the name issue. The main problem consisted on the fact that Greece did not recognize Macedonia with its formal name instead, and that it should be called Former Yugoslavian Republic of Macedonia (FYROM). In this paper we will be analyzing the role of political leaders from both countries (Greece and Macedonia) during the Prespa Meetings and their efforts and obstacles in reaching the Agreement, which set a new page of diplomacy between Greece and Macedonia. By using different scientific methodologies such as literature review, analyses of the official text and document, as well as analyses of the media from the both countries, we are going to try to find the causes and consequences of these policies from both sides, and the impact that the international community had on the resolving the crisis. In order to reach the whole picture on the situation, we will analyze the result of the referendum regarding the name issue, the boycott of the referendum by the opposition VMRO-DPMNE, the use of nationalism for political gains and the voting on the name change on the parliament, as well as the role the Albanian community on the final outcome.

Keywords: *crisis, integration, name dispute, leaders, Macedonia.*

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The Prespa Agreement has been described by many diplomats as a diplomatic masterpiece that will go down in history because for the first time on a bilateral issue in the Balkans there was a political will to defeat nationalism on both sides. Through this agreement, Greece and North Macedonia decided to invest in friendship, cooperation and solidarity and set an example not only for the Balkans and Europe but for the whole world. But what were the reasons that made the two leaders to reach an agreement to the long lasting dispute, which created many harsh debates between politicians, academics, citizens, as well as leaders.

Based on the literature, leaders represent the most important factor in the development of a society. The development of a country's economy and society depends on their initiative and activity, their willingness and determination to move forward, even when their decisions sometimes seem to generate discontent, which can result with loss of support. Many of the problems in society today are partly the result of leadership unprepared to face the complexities of today's reality (Koleci, 2019). Modern ideas of leadership are usually based on military or previous political models. Usually a leader's skills are required in times of difficulty or when goals change or deepen. If nothing is changing, then supervision is required, and not leadership. For the last three decades, Balkan leaders have been building up their reputation among their supporters with nationalistic rhetoric, which most of the time created additional gaps between the opposite parts.

Since ancient times, political thinkers have been interested in the necessary qualities of a "good" political leader. These ideas have evolved from Plato's "philosophical kings" to Machiavelli's pragmatism (everything that comes into hand for acquiring and preserving power is acceptable), to modern theories of elite and competition developed by Italian sociologists, such as Vilfredo Pareto and Gaetano Mosca. The role of political leaders has been discussed many times in philosophy, at political science and historiography in different cultural contexts. Sociologist Max Weber, who has studied the subject in detail, is focusing in particular on the ethical dilemmas between "end-goal ethics" and "responsibility ethics" that political leaders occasionally face. The ethics of "end goals" refers to a political behavior that focuses exclusively on the ethical and moral position of the actors, without considering the consequences of political actions based on such behavior. Conversely, "responsibility ethics" considers a political decision also linked to ethical and moral consequences. Max Weber concludes that democratic political leaders should not be guided by "ethics of ultimate goals" but by ethics of responsibility. Responsive politics requires an instinct for power, a sense of responsibility and mass, but it also requires passionate dedication to self-imposed issues and personal interests, and requires charisma to be able to meet the emotional needs of supporters.

Politics is a strong and slow drilling of hard boards. It requires both passion and perspective. Of course, all historical experience confirms the truth - that mankind would not realize the possible if it did not seek the impossible. But to do so, one must be a leader, not just a leader, but a hero as well, in a maturing sense of the word. (Weber, 1919) Even those who are neither leaders nor heroes need to equip themselves with the patience of the heart, which can embolden even broken hopes. This is needed now or else people will not be able to achieve even what is possible today.

The Role of Political Leaders on the Prespa Agreement

Today, political leaders in countries in transition face continuous economic and social crises, security and political uncertainties, such as the case with Republic of North Macedonia. The political crisis has severely affected the country's economy, interethnic relation and international reputation. The stagnation of foreign direct investment is evident, since foreign investors are always looking for political stability, and insurance for their investment. One should not forget the rule of law, which according to some previous public opinion researches, is the most deserving for the situation and the complications created in the country's Euro-integration process. The judiciary in Republic of North Macedonia is seen as one of the weakest links in the country, creating disbelief and dissatisfaction among its citizens with lack of efficiency, never-ending trials and many controversial decisions, which were often seen as protective towards government officials and those in power. As a consequence, the young and educated professionals are leaving the country in a search for better salaries and security, due to lack of perspective and failure of the past governments to keep them in the country and offer them equal treatment.

The role of the international factor and their efforts to mitigate the political crisis should be also taken into account, since they play a significant role in the behavior of regional leaders, especially to the ones whose countries apply for euro-integration processes. In this context, the aim of the paper is it to identify key factors that played significant role in successfully achieving political deal between Republic of North Macedonia and Greece regarding the name issue, the further implications that came out as a result of this deal and future perspectives of the countries in the region.

Previous researches on the name issue dispute between the two Balkan countries has shown how foreign policies can change by time when there are bigger issues to deal with. In the case of Greece, different polls indicated that Greek public opinion has softened and that domestic preferences have changed. This is reflected by the fewer constraints in the government's foreign policy course in the dispute. The softening of public stance may also have to do with the emergence of other sources or events enhancing Greek national prestige, sense of distinction of feeling good and more secure. The firmly entrenched European Union course has poured in billions of Euros in subsidies enhancing overall quality of life and resolutely answering the once pressing existentialist public question of where Greece belonged culturally (Kotsouvilis, 2005). Also, the economic crisis that hit Greece during the past years has made many rightwing politicians to transit into moderate leaders, who are willing to keep their ties with countries helping Greece to overcome the negative balance figures. Their northern neighbours were also hit by several uncertainties and internal conflict, which undermined the country's efforts toward the stabilisation and economic prosperity. Finally, what seemed to be an impossible compromise between the nationalist leaders, crumbled in front of the new economic and political challenges that leaders of the both countries faced.

Chronologically, the name issue between Macedonia and Greece has undergone through several phases. The first phase persisted between 1991, when the modern Macedonian state was established, and 1995, when the Interim Accord was signed in the UN between the two states. The second phase lasted from 1995 to the 2008 NATO Summit in Bucharest that addressed the issue of NATO enlargement. Finally, the third phase is the last one which might be called the phase of denouement. (Frchkoski, 2009) In addition, it is named as a dispute over the ownership of cultural property in which each of two countries has attempted to place a trademark on what it considers to be its

name, its national emblems and its famous ancestors. Since a state's culture is as much its possession as its territory, the appropriation of this culture by another country has thus been construed as a threat to national integrity. The fundamental to agree on the very status of the contested name of the land and its people seems to be a product of the use of entirely different criteria in defining basic terms: for Greece, the word "Macedonia" and all that it symbolizes in racial and cultural continuity is the critical issue; the goal of FYROM is recognition of its ethno specificity. (Floudas, 2002)

Despite the name issue with Greece, Republic of North Macedonia faced several crises which seriously tested the foundations of the state in different dimensions. While the 2001 armed conflict appeared to be test of stability in terms of security and democratic fundamental values, the latest was a real test for the credibility of justice and the government. Publication of thousands illegal wiretapping materials linked with corruption, abuse of power and concealment of crimes by state officials, created a huge question mark on who is controlling who in the country. The opposition was determined in revealing these materials by presenting them to the media, without clearly explaining how they obtained the illegal wiretaps. In the other hand, the governing VMRO accused the opposition that was cooperating with external powers, who wanted the "patriotic" government gone.

The crisis in the country also took on a completely different dimension after the armed conflict in northern city of Kumanovo, where as a result of the operation undertaken by the Macedonian police, with the claim of carrying out an operation against an armed group which was preparing to attack several state institutions, eight policemen were killed and many others were injured, while ten members of the armed group were killed, while the rest were apprehended. Immediately after this event, several ministers, including Minister of Interior and the Director of Security and Intelligence Services resigned.

Moreover, protests in Macedonia became part of everyday life, where in Skopje for months almost every day there were protests ranging from those of students to those of the judiciary and other state employees. Two large protests took place in Skopje, with one of the opposition demanding the resignation of the government and the other supporting the government. As part of these protests, opposition supporters continued the protest for days by setting up camp in front of the government building, where in response to this, government supporters also set up camp in front of the Assembly building. This turbulent situation in the country caused the main political parties to make unexpected moves which often were seen with distrust by the citizens.

Following all these developments in Macedonia, the EU officials met with the country's political leaders to overcome the crisis, and get the government towards the EU path. The talks, mediated by the international community, were attended by the main party political leaders, who agreed to return to the parliament and not to publish wiretaps for public opinion. Moreover, they also reached agreement to appoint special prosecutors, who will investigate the officials linked with the illegal wiretapped materials, as well as to form an interim government that will take the country into early elections.

The crisis in the country resurfaced after the President, Gjorge Ivanov, using his constitutional right, decided to stop the legal proceedings initiated against the politicians in the country for resolving the political crisis in Macedonia. This decision created additional political tensions and citizens again gathered to protest Ivanov's decision, with citizens marching first to the prosecutor's office building where the investigation was

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taking place and then to the presidential office. These protests escalated and become violent, deepening the political crisis and damaging the international image of the country.

In this regard, members of the European Parliament reacted harshly to President Ivanov's decision, saying that the decision posed an additional risk to the country's stability and Euro-Atlantic integration, and called for the agreement to be respected and for elections to be held safely. Additionally, the US State Department in a statement said that the US has deep concerns about the decision taken by President Ivanov, which if implemented will protect politicians involved in crimes and will also be an obstacle to the justice that citizens of Macedonia deserve. Additionally, the statement said that this decision "will also further undermine Macedonian rule of law, the integrity of its judicial institutions, and the credibility of its leaders' commitment to the fundamental values of NATO and the European Union". (U.S. Department of State, 2016)

What seemed a steady majority for VMRO, a rightwing oriented party that was ruling the country since 2006, crumbled in front of the pressure imposed by EU and US officials, mainly because of its nationalistic and populist rhetoric, statements that were taking the country away from Euro-Atlantic integration and were provoking Greece, thus making the solution of the name dispute almost impossible. This transition was followed by the newly created Special Prosecution Office, backed by EU and US, whose main mission was to investigate the illegally obtained taped materials and bring in front of justice the involved government officials. As a result of these investigations, many VMRO officials were brought in front of the court, including the former Prime Minister of Macedonia Nikola Gruevski, who later escaped and still remains in exile.

On June 2017 Macedonia would get a new government, a government that was driven to end the name dispute with Greece and open Macedonia's path to NATO and EU integrations. The platform of the new government was a NATO and EU membership for Macedonia. The precondition for Macedonia's membership in NATO and the start of negotiations with the EU was resolving the name issue with Greece, which had been a problem that had followed the country since its independence in 1991. The new leadership of the country, determined to end this saga on behalf of the perspective of the country, agreed to a meeting between the two prime ministers of neighbouring countries for negotiating a final decision between Macedonia and Greece mediated by US special envoy Mathew Nimetz. With the help and promise of the international political factor for faster Euro-Atlantic integration of Macedonia, an agreement was reached between Greece and Macedonia, known as a Prespa Agreement. The Prespa agreement was signed on 17 June 2018 between the Prime Ministers of the two countries. As a result of this agreement, Republic of Macedonia changed its name to "Republic of North Macedonia". Upon reaching this agreement, a protocol for the country's NATO membership was initiated, which has been ratified by all member states' parliaments. On the other hand, France's blocking of the opening of EU accession negotiations restored another political crisis, since the Macedonian opposition camp now accuses the pro-reform government of current Prime Minister Zoran Zaev of being a traitor for giving up the name of the country and not fulfilling their given promises for starting accession negotiations with the EU.

If we take into account the fact that majority of the citizens in both countries were against reaching an agreement that would require compromise, the undertaken action from the both government heads was very courageous step. A poll organized by Macedonian Centre for International Cooperation and the Institute for Democracy

"Societas Civilis" Skopje (IDSCS) on 2018 showed that one in two citizens (47.1%) opposed any name change. The majority of ethnic Macedonians (59.6%) were in favor of no change, while the opinion of ethnic Albanians in the country was in favor of changing the name of the state, thus removing the only obstacle for the Euro-integration process to become reality in the country. The gap between ethnic Macedonians and ethnic Albanians in Republic of North Macedonia was evident and expected, since the ethnic Albanians are not emotionally linked to the name issue as are their Macedonian fellow citizens. Additionally, by analyzing the result of this conducted poll we could see that 41.7% of the citizens declared that they would not vote for the party that will resolve the name dispute, while only 36% declared that they would give support to that political force. (MCIC, 2018) If we take into consideration the results from the presented poll results, which were not so different from the other polls that took place over the years regarding the name issue, taking a step forward in solving this dispute was seen as political suicide for any politician that will dare to do so.

At the end of September 2018, the Macedonian government organized a referendum in which Macedonian citizens cast their votes on whether they are for joining Euro-Atlantic integration or against. The main Macedonian opposition party (VMRO DPMNE) as well as the President of Macedonia Gjorge Ivanov (who was elected as a VMRO candidate during the previous Presidential elections) called for boycott of the referendum. Also different anti Euro-Atlantic civil organizations with pro-Serbian and pro-Russian background organized marches against the name change.

The referendum was supported by the Prime Minister and his party (SDSM) as well by all ethnic Albanian parties in North Macedonia. Macedonian Prime Minister Zoran Zaev and the government coalition started an online campaign for a "Yes" vote in the referendum. The referendum by its nature was non-binding. The international community was also in support of the positive outcome of the Referendum, since the opposite will mean a huge blow to the Euro-Atlantic aspirations of the country and a step-back from the Prespa Agreement.

In support to the current Macedonian government, many high ranking political officials and diplomats visited the country and boosted pro-western politicians to continue towards the Euro-Atlantic integration road. Moreover, the President of Albania and the government leadership of the country urged ethnic Albanians in Macedonia to support the "Yes" vote in the upcoming referendum. This resulted with broad support of the "Yes" vote by all leaders of the ethnic Albanian in Macedonia, among which were the head of Democratic Union for Integration Ali Ahmeti and the leader of Democratic Party of Albanians Menduh Thaçi. Despite the fact that 94% of the voters voted in favor, the voter turnout was less than the 50 percent threshold required to validate the results. Both the opposition and government claimed victory, with the opposition claiming that the proposal had been rejected by virtue of the low turnout and the government argued that the result being non-binding meant the turnout requirement was irrelevant. Again, it played a huge role in determining the name change in which it showed that almost 60 percent of the population supported the name change, not including those that were outside of the country, as Macedonia has had a big problem with migration over the last couple of years.

Additionally, the Albanian political forces in North Macedonia played an essential role in taking forward the national interest of their country in all major developments. It should be noted that they were the driving force in North Macedonia that constantly asked the name issue with Greece to be solved. Maybe this was because

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they did not carry the burden of nationalism linked with the name of the country, but instead they repeatedly reflected the desire for joining Euro-Atlantic structures as their main political goal. Therefore, with a very high percentage of pro-Albanian vote in the last referendum and the historic vote in parliament for the Prespa Agreement, they made their contribution for making it possible for North Macedonia to join NATO and open negotiations with the European Union.

If we analyse the abovementioned developments, we have to give credit to the role of political leaders in reaching the Prespa agreement, which ended the 3 decade name dispute. They acted as visionary leaders, and took difficult decisions for the better future of their people, even though they were contested for the same by a large percentage of their citizens. Again, they cared less about their ratings, and took a huge step forward.

Considering this, in a recent publication regarding the negotiating process, the mediator Mathew Nimetz in his analysis said the following: “The success that was achieved in both countries, it should be acknowledged, was only possible because of effective political leadership and mobilization of support. In the opinion of many, these two young Balkan leaders set an example of long-term vision, difficult decision making under pressure, and courageous political leadership that not many global leaders seem able to achieve in our times.” (Nimetz, 2020) The agreement was hailed by world leaders as a major step for the region, noting that it was important to recognize that the Prespa Accord did not have widespread support in both countries and, as noted, barely won the required parliamentary votes and the votes of citizens in Greece and in its northern neighbour. Moreover, Members of the European Parliament nominated Prime Ministers of the both countries, Tsipras and Zaev, for the Nobel Peace Prize, stating that “The Agreement is a model for peaceful resolution of international disputes through dialogue and mutual compromise. Tsipras and Zaev showed political courage in their insistence on a dialogue despite the opposition of nationalists in both countries.”(EWB, 2019)

Resolving the name dispute with Greece and its northern neighbour has created an important new opportunity for more constructive relations and a safer Balkans. But, behind the success for closing this agreement, except for the courage of the leaders of the both countries, there are several more factors. The most relevant factor is certainly the role of the international community led by US and EU officials, followed by their shuttle diplomacy, who created an international pressure which earlier demonstrated its power and determination with the isolation and penalization of the previous government led by Gruevski, which resulted in Gruevski going to opposition even though it had won the election. The new elected government, which came to power because of the international community had to respect their opinion and acted accordingly.

Another strong reason behind this diplomatic success is the determination of the ethnic Albanian bloc behind the cause of European integration and their demand for an agreement which would pave the way for such a thing. At first glance, this does not seem to be relevant, but Albanian parties were the main factor that sent VMRO into opposition because they sided with the international community and refused to form a government with VMRO, which had won the parliamentary elections, but because it had lost international support thanks to its excessive and hostile nationalism towards Greece, it was left alone. That is why the new prime minister of North Macedonia would not jeopardize his relations with Albanian parties, as without their support he would not have been able to form a government. This is best described by the preliminary data

from the research of the mood of the citizens for the name change, which the Albanians convincingly supported it and gave wings to this idea.

The divisions of the EU member states were also reflected in its foreign policy, not giving a date for the start of talks with the Western Balkan states (Albania and North Macedonia), thus stimulating a political crisis again. In North Macedonia this will lead to the resignation of the reformist government and early elections which may result in a backward integration process.

In the end, we should not forget that the security issues, accompanied by economic and political troubles in Macedonia and Greece, made additional pressure towards the political leaders of the both countries, which resulted with closing a deal and leaving behind a long-lasting dispute that blocked opportunities, for a better and more prosperous future. Also, the nationalistic rhetoric, which gave power to populist leaders in the Balkans during the last three decades, crumbled in front of the courage and determination of the new era of political leaders, which are globally connected and oriented towards success driven formulas. Moreover, in the era of technology and information, political leaders are in the frontline of all political developments, and must act as problem-solver in order to create a better society for their citizens, a value that by time will give them the needed political support for their survivor.

Conclusions and Recommendations

Leaders represent the most important factor in the development of a society. The development of a country's economy and society depends on their initiative and activity, their willingness and determination to move forward, even when their decisions sometimes seem to generate discontent, which can result with loss of support. Many of the problems in society today are partly the result of leadership unprepared to face the complexities of today's reality.

The economic crisis that hit Greece during the past years has made many rightwing politicians to transit into moderate leaders, who are willing to keep their ties with countries helping Greece to overcome the negative balance figures. Their northern neighbours were also hit by several uncertainties and internal conflict, which undermined the country's efforts toward the stabilisation and economic prosperity.

The name dispute between the two Balkan countries has led to economic stagnation for North Macedonia, migration of educated young people and the escalation of political tensions. The Prespa Agreement has been described by many diplomats as a diplomatic masterpiece that will go down in history because for the first time on a bilateral issue in the Balkans there was a political will to defeat nationalism on both sides.

A poll organized by Macedonian Centre for International Cooperation and the Institute for Democracy "Societas Civilis" Skopje (IDSCS) presented that majority of the citizens opposed any name change. Additionally, by analyzing the result of this conducted poll we could see that 41.7% of the citizens declared that they would not vote for the party that will resolve the name dispute, while only 36% declared that they would give support to that political force.

The new reformist leadership of the Republic of North Macedonia was determined to end the name issue saga on behalf of the perspective of the country. This was reached with the help and promise of the international political factor for faster Euro-Atlantic integration of Macedonia. An agreement between Greece and Macedonia was reached, known as a Prespa Agreement. Resolving the name dispute with Greece

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and its northern neighbour has created an important new opportunity for more constructive relations and a safer Balkans.

The role of political leaders in reaching the Prespa agreement, which ended the 3 decade name dispute, has to be acknowledged. They acted as visionary leaders, and took difficult decisions for the better future of their people, even though they were contested for the same by a large percentage of their citizens. Again, they cared less about their ratings, and took a huge step forward.

But, behind the success for closing this agreement, except for the leaders of the both countries there are more factors. The most relevant factor is certainly the role of the international community led by US and EU officials, followed by their shuttle diplomacy

Albanian political forces in North Macedonia played an essential role in taking forward the national interest of their country in all major developments. It should be noted that they were the driving force in North Macedonia that constantly asked the name issue with Greece to be solved. Maybe this was because they did not carry the burden of nationalism linked with the name of the country, but instead they repeatedly reflected the desire for joining Euro-Atlantic structures as their main political goal. Therefore, with a very high percentage of pro-Albanian vote in the last referendum and the historic vote in parliament for the Prespa Agreement, they made their contribution for making it possible for North Macedonia to join NATO and open negotiations with the European Union.

The divisions of the EU member states were also reflected in its foreign policy, not giving a date for the start of talks with the Western Balkan states (Albania and North Macedonia), thus stimulating further political crisis. In North Macedonia this will lead to the resignation of the reformist government and early elections which may result in a backward integration process.

The security issues, accompanied by economic and political troubles in Macedonia and Greece, made additional pressure towards the political leaders of the both countries, which resulted with closing a deal and leaving behind a long-lasting dispute that blocked opportunities, for a better and more prosperous future. Also, the nationalistic rhetoric, which gave power to populist leaders in the Balkans during the last three decades, crumbled in front of the courage and determination of the new era of political leaders, which are globally connected and oriented towards success driven formulas. Moreover, in the era of technology and information, political leaders are in the frontline of all political developments, and must act as problem-solver in order to create a better society for their citizens, a value that by time will give them the needed political support for their survivor.

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ORIGINAL PAPER

Media presentation of dramatic arts from 1990 - 1995 - on the example of Narodni list in Zadar in the Republic of Croatia

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Abstract

At the beginning of the 1990s Croatia was affected by the Homeland War as the consequence of the desire for the creation of an independent and sovereign state, i.e. separation from the Socialist Federative Republic of Yugoslavia. In January 1990 the Constitution was adopted, in which it is stipulated that the Republic of Croatia is a “unitary and indivisible democratic and social state” Constitution of the Republic of Croatia (1990). The Homeland War brought a large number of human casualties and a significant part of cultural heritage was destroyed. Culture is an important segment of human life, but it is not high on the list of priorities during wartime circumstances, regarding the fight for survival, social and other problems. However, for maintaining spiritual stability in these difficult times culture has a prominent role. Dramatic arts, alongside literature, fine arts, music and performing arts, movies, the media, cultural heritage and other forms of cultural expression play an important role. This paper explores articles published in the weekly newspaper in Zadar, Narodni list, which covered dramatic arts during the pre-war and war times. It is just because of that reason why the purpose of the paper is to firstly analyse the themes of the articles in the field of dramatic arts, in order to create an image of the contents of newspaper articles, and after that journalist genres, as to acquire an insight into the manner of journalistic approach to the explored theme. The research corpus includes 143 articles published in the period from 1990 to 1995. The paper applies the method of quantitative and qualitative content analysis.

Keywords: *dramatic arts; media; war; culture; content analysis.*

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Introduction

Due to the social, cultural, and political events during its long history, but also a favourable geographical position, the Republic of Croatia is rich both in natural and cultural heritage. The above mentioned is also supported by the fact that on its territory, Croatia has a significant number of natural and cultural heritage which is on the UNESCO's protected heritage list (Croatia , 2020).

In the past, Zadar was an extremely fertile ground as regards to the newspapers' development and publication. The above mentioned is also supported by the fact that the oldest newspapers in the Croatian language were being published in Zadar, *Kraljski Dalmatin*, from 1806 until 1810, and they were published bilingually, both in Italian and in Croatian. (Il region Dalmata= *Kraljski dalmatin*, 2020) A large number of newspapers was active in the second half of the 19th century in Zadar. Among others, we can mention *Narodni list*, *Katolička Dalmacija*, *Smotra Dalmatinska* and other important newspapers (Vidaković, 2011:8,9).

The 1990s were a difficult time for the entire Croatia and Zadar as well. On the 17th August 1990, the Log Revolution started, blocking roads as a reaction to the changes after the first democratic elections in Croatia (Šprljan,1995:12). Pavaša Vežić points out that Zadar was being attacked from three sides, from the sea, the land and the air, so: "...many families were wounded, homes destroyed, residential and public buildings, economic and cultural values."(Vežić,1995:7). Two operations are particularly notable for Croatia, but especially for the Zadar region. In January 1993, the operation Maslenica was carried out, which liberated: "...the Zadar hinterland with Masleničko ždrilo, a part of Velebit and the area around the dam on Lake Peruča, near Sinj (The Croatian War of Independence, 2020). The Operation Storm was of particular importance: "...on 5th August Knin was liberated and by the 7th, when the operation ended, the entire area of the northern Dalmatia, eastern Lika, Kordun and Banovina that was occupied until then was also liberated." (The Croatian War of Independence, 2020) The peaceful reintegration of the Croatian Podunavlje region ended in 1998 (The Croatian War of Independence, 2020).

During the war when the population was faced with the struggle to survive and difficult situations caused by war, culture was definitely not a priority. However, maintaining a cultural life is important for the spiritual life, to preserve morale. Therefore, in this paper, we wanted to show the media image of one of the important parts of the culture, which is the dramatic arts.

The culture can be defined as: "A concept which usually designates a composite unit of institutions, values, notions and practices which constitute a part of a certain human group and are transferred and received by learning."(culture, 2020). The webpages of the Ministry of Culture of the Republic of Croatia state the following cultural activities: "Music and music and performing arts, dramatic arts, audio-visual activities, literature and publishing, library activity, archive activity, museum activity, the visual arts, innovative artistic and cultural practices, digitalization of the cultural heritage, programmes for the construction, reconstruction, renovation and furnishing the cultural infrastructure" (cultural activities, 2020).

The very concept of drama can be explained as "...a text intended for acting performance in front of an audience." (Drama, 2020). Considering that a part of the corpus refers to puppetry as well, it can be explained as: "The origin of the theatre where

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puppets perform instead of actors, often imitating human behaviour while their animator, the puppeteer, often stays hidden, although he is not obliged to do so.” (Puppetry, 2020).

Considering that this paper partly addresses the journalist genres, we will state a few examples of classifications and definitions. According to Josip Biškup journalist genres are divided into the monologue, dialogue, and polyphonic genres (Biškup,1981:87). Monologue genres include news, report, overview or note, commentary, review, society reporting, statements and retraction, survey, obituary and essay. Dialogue genres include the interview, conversation, press conference, round table, panel discussion and polemic. The polyphonic genres include reporting, photo reporting, sketch or opinion, feuilleton, caricature and he also states relate and some other genres (Biškup, 1981:207).

In the chapter “Applied literary forms of expression in the media” Srećko Lipovčan states two groups of text forms considering the dominant function “...forms with a dominant informative function and those with a dominant evaluating function.”(Lipovčan,2006:37). Biškup, inter alia, states that a piece of news is: “...the shortest and the most accessible journalist form to many recipients. The public is informed about everything it is interested in through the news...” (Biškup,1981:89). Regarding the news a report has its peculiarities: “It is a journalist species which introduces the public to the flow of an event or a phenomenon, while a piece of news only informs about the event.” (Biškup,1981:94,95). An interview is also a very often journalist genre. Regarding the interview, Biškup states: “An interview is direct. It creates a bridge between the recipients and the source of the information - politicians, actors, writers, athletes, etc. A journalist acts as an intermediary in an interview. He asks for the recipient.” (Biškup,1981:124). An article/topic also be frequently found in the newspapers. Stjepan Malović, in the context of explaining the article as a journalistic genre, inter alia, states that the author wishes to provide more information than the news to the readers: “...to explain the background of an event, to warn about trends, to analyse a phenomenon, to present the viewpoints of the experts and to provide a relevant conclusion.” (Malović,2005:325). According to Lipovčan a commentary is “...a type of applied form where the viewpoint and the opinion of the author about some (real) event/problem are in the forefront.”(Lipovčan,2006:46).

In the book “Theatre criticism or an inevitable companion to theatre criticism”, Sanja Nikčević, among other things, addresses the interpretation of the theatre criticism genres and states that more theoretical researches and work is needed in this regard. She offered a definition to discuss, which states that theatre criticism is: “...an article published recently, after the opening night, in the daily or weekly media for public communication (printed or electronic), judging the theatrical performance. Its text volume varies from two to four standard pages.”(Nikčević,2012:190). She also states that it consists of 4 elements: “1. the information about the performance; 2. a description of the performance; 3. the evaluation of the performance and 4. an explanation of the evaluation.”(Nikčević, 2012:190). Lada Muraj states that theatre criticism is created by: “...combining the literary criticism of the drama script and the evaluation of the theatrical performance...”(Muraj, 2020). She also states that it is related to two elements: “...the professionalisation of the theatre and the appearance of a daily and specialised press which shall cover those events.”(Muraj, 2020).

In addition, we must stress that the goal of the paper is not dealing with the issues and boundaries between the journalist genres. We used them in order to learn

more about the writing method used for writing about the dramatic arts, based on their essential characteristics.

In the context of the relations of the media and the culture Lipovčan proposes a research model in which he explains the four levels of the realisation of said relation: "...providing information, critical perception; media as the space for the realisation of cultural formations; the media - a mirror into the history of the Croatian culture." (Lipovčan,2003:909-925).

Methodology

The goal of the paper is to analyse the media image of the dramatic arts based on journalist texts in the Zadar weekly newspaper Narodni list during the period from 1st January 1990 until 31st December 1995. Narodni list is the oldest living newspaper in Croatia, dating back to 1862 when it was being published under the title Il Nazionale (S.R,2020). In the larger part of the research period, Narodni list was the only newspaper in Zadar. It was only at the end of 1993 that the newspaper Zadarski list started publishing in Zadar, first as a weekly newspaper, but shortly after that as a daily newspaper. In this paper, we focused ourselves on Narodni list which was published during the entire research period. The criterion for selecting the articles was the topic of the dramatic arts which has in this paper encompassed events and persons related to the drama theatre, the puppet theatre, theatrical amateurism, manifestations, festivals and other events related to the dramatic arts and the theatre in Zadar.

Main research variables are the topic and the journalist genre in order for us to gain an insight into the content of the published articles, as well as the journalistic approach to the topic of dramatic arts. This paper has analysed 143 articles. In order for us to gain an insight into a part of the corpus contents by qualitatively analysing the contents, we analysed the news and reports which were published in the period of the so-called Log Revolution from 17th August 1990, which is considered as the beginning of the wartime events in these areas until the Operation Maslenica from 22nd to 27th January 1993.

Research results

Table 1 The frequency of articles about the dramatic arts in Narodni list from 1990 to 1995

year	frequency	%
1990	19	13.29
1991	15	10.49
1992	15	10.49
1993	18	12.59
1994	35	24.48
1995	41	28.67
total	143	100.00

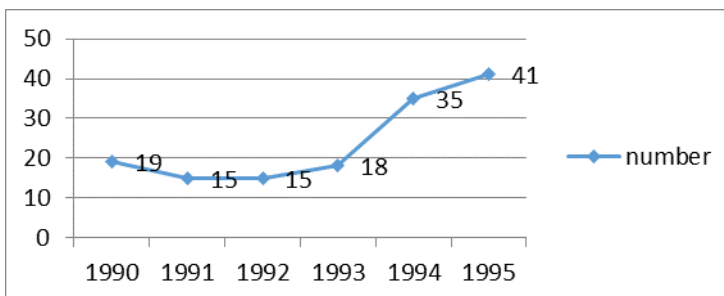
Source: Created and adapted from: (Kalajžić, 2011:111)

In the period from 1990 to 1995, Narodni list published 143 articles on the dramatic arts. In 1990, 19 articles were published, amounting to 13.29%. In 1991; in 1991, 15 articles, amounting to 10.49%; in 1992, 15 articles, amounting to 10.49%; in

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1993, 18 articles, amounting to 12.59%; in 1994, 35 articles, amounting to 24.48% of the articles and in 1995, 41 articles, amounting to 28.67%.

Graph 1 The total number of articles about the dramatic arts in Narodni list from 1990 to 1995.



Source: Processed by the author according to Table 1.

By comparing the total number of articles per year in the research period, it can be seen that compared to the first researched year, the number of articles decreased over the next two years, which can be explained by wartime events being more intense in this region, and consequently, a smaller number of events. Also, the increase in the number of articles since 1993 could be explained by war intensity being lesser, particularly after Operation Maslenica in January 1993.

Table 2 The frequency of articles about the dramatic arts in Narodni list from 1990 to 1995

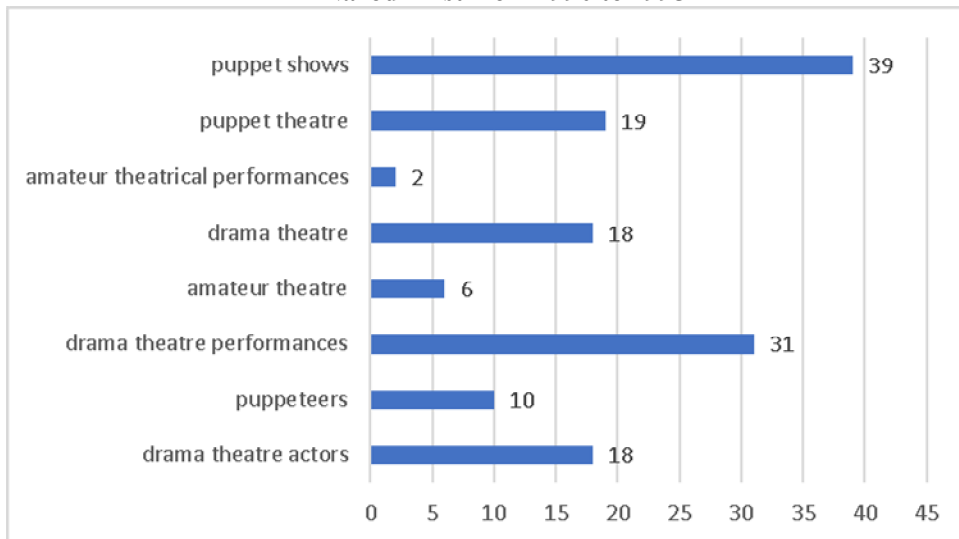
	1990	1991	1992	1993	1994	1995	total	%
drama theatre actors	3	2	2	1	3	7	18	12.59
puppeteers	1	1	3	2	3	0	10	6.99
drama theatre performances	3	0	4	5	8	11	31	21.68
amateur theatre	3	1	0	0	1	1	6	4.20
drama theatre	1	2	2	2	4	7	18	12.59
puppet theatre	0	1	1	4	6	7	19	13.29
puppet shows	7	8	2	4	10	8	39	27.27
amateur theatrical performances	1	0	1	0	0	0	2	1.40
total	19	15	15	18	35	41	143	100
%	13.29	10.49	10.49	12.59	24.48	28.66	100	

Source: Processed by the author

In the period from 1990 to 1995, as previously mentioned, Narodni list published 143 articles. 18 articles were published about drama theatre actors, amounting to 12.59% of the total research corpus. The most about actors were written in 1995, 7 articles, while the least was written in 1993, 1 article. 10 articles were published about

puppeteers, amounting to 6.99% of the total corpus. The most were published in 1992 and 1994, 3 articles in each year, while in 1995 no articles were published. 31 articles were published about drama theatre performances, amounting to 21.68% of the total corpus. The largest number of articles were published in 1995, 11 articles, while in 1991 no articles regarding this topic were published. 6 articles were published about amateur theatre, 4.20% of the total corpus. The largest number of articles were published in 1990, 3 articles, while in 1992 and 1993 no articles regarding this topic were published. In total, 18 articles were published about the drama theatre and their share in the corpus amounts to 12.59%. The most articles about the theatre were published in 1995, while the least amount was in the first researched year, 1 article. In total, 19 articles were published about the puppet theatre, amounting to 27.27% of the research corpus. The most about the puppet theatre was published in 1995, 7 articles, while in 1990 no articles regarding this topic were published. In the field of the dramatic arts in Narodni list during the research period, most articles were about puppet shows, amounting to 27.27% of the research corpus. The most about puppet shows was written in 1994, 10 articles, while the least was written in 1992, 2 articles. Two articles were published about the amateur theatre, one in 1990 and one in 1992.

Graph 2 The total number of articles about the topics of the dramatic arts in Narodni list from 1990 to 1995



Source: Processed by the author according to Table 2.

During the research period, in the field of the dramatic arts, Narodni list wrote the most about activities in the dramatic arts; puppet shows (39 articles), followed by theatrical performances (31 articles). These are followed by articles about the puppet theatre (19) and articles about the theatre (18). 18 articles were published about the actors in drama theatre and 10 articles were published about puppeteers. 8 articles were published about theatrical amateurism, two articles in general about amateur theatres and six articles about amateur theatrical performances.

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Table 3 Journalistic types according to the topic of the articles about the dramatic arts

	interviews	commentaries, reviews and overviews	articles/ topics	news/ reports	other
drama theatre actors	15	1	0	1	1
%	53.57	2.33	0,00	1.72	25.00
puppeteers	8	0	1	1	0
%	28.57	0.00	10,00	1.72	0.00
Amateur theatrical performances	0	2	0	4	0
%	0,00	4.65	0,00	6.9	0.00
drama theatre	1	6	4	6	1
%	3.57	13.95	40.00	10.34	25.00
amateur theatre	0	1	0	0	1
%	0	2.33	0,00	0	25.00
drama theatre performances	1	12	1	17	0
%	3.57	27.91	10,00	29.31	0.00
puppet theatre	2	8	2	6	1
%	7.14	18.60	20,00	10.34	25.00
puppet shows	1	13	2	23	0
%	3.57	30.23	20,00	39.66	0.00
total	28	43	10	58	4
%	19.58	30.07	6.99	40.56	2.80

As previously mentioned, during the research period 143 newspaper texts were published about the dramatic arts. In Table 3 we wanted to show the journalistic approach to the researched topic through journalistic types, genres. The results that we obtained are cumulatively shown in the mentioned table, for the entire research period. Our goal was not to address the boundaries in the comprehension of the genres, but rather to determine to what extent did the journalists approach the topic of the dramatic arts in an informative, analytical, and critical manner. The table shows that the journalists mostly informed the public about the dramatic arts through news and reports, in the amount of 40.56%. The largest amount of those texts was published about the topic of the puppet shows, in the amount of 39.66% and theatrical performances in the amount of 29.31%. Both the topic of the theatre and the puppet theatre in articles were published in the amount of 10.34%. 6.9% of articles were published about the amateur theatrical performances, 1.72% was published about the actors and puppeteers, while there were no published articles of this type about the amateur theatre. Journalist texts

which consisted of commentaries, reviews and overviews were represented with 30.07%. The largest amount represented the topic of the puppet shows, in the amount of 30.23% and theatrical performances in the amount of 27.91%. The topic of the puppet theatre had 18.60% of them, amateur theatrical performances had 4.65%, theatrical amateurism and the topic related to the actors each had 2.33%, while they were not found in the topic of the puppeteers.

Also, a significant number of interviews was published in the research corpus, amounting to 19.58%. More than half of the published interviews was with the drama theatre actors, in the amount of 53.57%, while 28.57% of the published texts was with the puppeteers. There were fewer interviews about other topics; 7.14% was about the topic of the puppet theatre, 3.57% was for each of the topics of the theatre, theatrical performances and puppet shows, while we have not found interviews published about the topic of the amateur theatre and amateur theatrical performances. The genre article/topic is represented in the amount of 6.99% in the research corpus. The largest amount of the articles were written about the topic of the theatre, in the amount of 40.00%, followed by the topics of the puppet theatre and puppet shows, each in the amount of 20.00% while theatrical performances and the puppeteers had 10.00% each. They were not recorded in the topics of the actors, amateurism of the theatrical performances and theatre amateurism. Other genres which numbered less than five were classified as “the rest”. Such genres were published in the amount of 25.00% in the topics of the actors, the theatre, theatre amateurism and the puppet theatre, while they were not found in other topics.

The qualitative content analysis

The qualitative content analysis encompassed news and reports from 17th August 1990 until 27th January 1993 about the field of the dramatic arts in Zadar in order to gain an insight about at least one part of the research corpus, the part where they were announced or which reported on the events.

In the culture column, at the end of September, a text about the events in the upcoming theatre season was published, which conveyed the notice of The People's Theatre advertiser about performances and concerts that one could watch at The Croatian National Theatre. A play “Run from Your Wife” by the Zagreb theatre “Komedijska” was announced. It was a work of Ray Cooper, directed by Vladimir Gerić. After that, the play Gloria by Ranko Marinković, directed by Zoran Mužić was also announced, performed by the Croatian National Theatre from Osijek. A guest performance by the Yugoslavian Drama Theatre was also announced, with a play by Georges Feydeau, directed by Dimitrij Jovanović, titled “Grand Auto-trouble”. The article also announced a guest performance by the Croatian National Theatre from Zagreb with a play by Milan Begović, directed by Petar Šarčević, titled “Without the Third One”. The last play that was announced was “Mr. Bartul's Dreams” by Eduardo de Filippo and directed by Vanča Kljaković. The text also announced events at the Youth Stage, the play “Secrets” by Niko Grafenauer, directed by Janez Pipan and performed by the Slovenian Youth Theatre and the comedy by Jovan Sterija Popović, directed by Izet Hajderhodžić, titled “Pokondirena tikva” and performed by the Academy for Theatre, Film and Television. The text also announced the organisation of a series of performances by musicians under the concert programme at The People's Theatre. (T.S.,1990a:8)

In October, a text was published about the opening night of the puppet show of Hemingway's novel “The Old Man and the Sea”, directed and dramatized by Jelena

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Sitar from Ljubljana to mark the thirtieth anniversary of the artistic work of a member of the puppet theatre, Karlo Šoletić who was a member of the theatre since its amateur times. (“The Old Man and the Sea” to Karlo Šoletić, 1990:11)

In November, a news report was published about the Philodramatic group from the University in Zadar and their stay in Istria and Rijeka where they performed the play “Mandragola” by Niccolo Machiavelli, directed by Živko Nižić. They performed the play in Italian in Labin, Pula and Vodnjan and in Croatian in Pazin. (T.S., 1990b:9)

At the beginning of March 1991, there was a text published about yet another upcoming performance. It was the play “The Master Cat” by Charles Perrault, dramatized and directed by Srećko Šestan who was also a member of the ensemble. (km, 1991a)

At the end of March of the same year, a text was published, titled “Dragojević, Hebrang and the Spiritual Music”, where it is possible to find out that the plays “Practicing Life” by the National Theatre Ivan Zajc from Rijeka and “Little One” by the theatre “Zvezdara” from Belgrade are cancelled due to financial reasons. However, the very same text announces for the beginning of April: “...a musical night of the most beautiful opera arias performed by: Marija Boga – soprano, Konstantin Ceprega – tenor, Ratimir Kliškić – baritone, Olga Račić – piano and others, while the programme shall consist of the works of: Mozart, Verdi, Puccini, Leoncavallo, Zajc, Strauss, Tijardović, Gotovac and others.”(T.S., 1991a:13) The same issue of the newspaper announced the news about Zadar being the host of the Croatian puppeteer and puppet theatre summit in April. It is possible to find out in the text that during the summit, there will be talks about the work of Marko Marulić, the opening night of the play Judita by Marko Marulić, performed by puppeteers from Zadar and directed by Marin Carić, and besides the puppet theatre from Zadar, puppet theatres from Zagreb, Osijek, Split and Rijeka shall also hold performances, there will be three exhibitions from the field of puppetry and performances by two foreign puppet ensembles from Slovenia and France. (km, 1991b:9) In the second half of April, a text was published titled “Zadar Marked by Puppeteers” which confirmed the events and the participants from the previous text; it also stated the exact hour and place of the Croatian puppeteer and puppet theatre summit. (Zadar marked by puppeteers, 1991:10)

In May, a news report was published about the awards from the puppet theatre summit that was held. Awards were won for the best play, direction, art creation, puppet creation, puppet, and costume realisation and for the best art and animation creation. Considering that this paper is focused on the city and the people related to the city, we shall point out that the text states that the puppeteers from Zadar won the most awards. (The most awards to Zadar, 1991:9)

At the beginning of June, the Zadar branch of Matica hrvatska organised a programme which commemorated the sixtieth anniversary of the educator and artist from Zadar, Šime Dunatov. This was one of the series of anniversaries that the branch of Matica hrvatska organised for its citizens. An exhibition was also organised in the context of the above-mentioned event: “...some seventy cubits of acknowledgements and photographic documentation materials by this prominent citizen of Zadar.” (T.S., 1991b:11)

In the text titled ““Kings and Squires” at Sv. Dominik and “Mandragola” at Dugi otok (Long island)” we find out that drama amateurs from the village Sali on Dugi otok near Zadar held a guest performance in Zadar with the play “Kings and Squires” by the author Miro Gavran, directed by Mauro Stipčević. It is also possible to find out that

on the next day, the Philodramatic group from the Faculty of Philosophy in Zadar held a guest performance in Sali with the play *Mandragola* by N. Machiavelli, translated by Ivo Frangeš and directed by Živko Nižić. (Dominis, 1991:13)

At the end of August, a news report was published that the puppeteers from Zadar did not perform at the international festival of puppet theatres in Zagreb due to security reasons in the ever more difficult wartime conditions. It was also highlighted that the Zadar puppeteers did not give up from their work and that they decided to contribute to Croatia with their creative work. We find out that they performed the play “*Judita*” by Marko Marulić and the proceeds from the play were intended for refugees in Zadar. It was also announced that the puppeteers, along with other activities, will perform the play “*The Little Sorceress*” three times for the children of the refugees. (km, 1991c)

At the end of 1991, the text titled “*Grand Performance by the Puppet Theatre*” announced the play “*The Little Sorceress*”, intended both for children and their parents. In the text, it is also possible to find out the conditions of the children’s education in Zadar during the war. Namely, the classes were mostly held as consultations. (T.S., 1991c:6)

In 1992, four texts were published in the field of the dramatic arts, in the genre category news/report. At the beginning of February, a news report was published about the activities of the Zadar puppeteers and their trip to France and Switzerland. It is possible to find out that the puppeteers went on a tour that will last a month and that the performance of the play “*The Little Sorceress*”, “*The Fisherman Palunko and His Wife*” and “*The Passion of Saint Margaret*” was planned in the French town of Romans and in Lyon where they will perform thirty-five plays in several towns and in Zurich with three plays as part of the “*Days of the Croatian Culture*”. Among other activities, photograph exhibitions about the devastated Zadar shall also be organised. (T.S, 1992a:2)

In the middle of February, the public was informed about the guest performance of the theatre “*Histrion*” from Zagreb with the play “*From Wiener Neustadt*”, directed by Zoran Mužić, at the public theatre in Zadar. (T.S; 1992b:10)

At the end of October 1992, a text was published informing the public about the drama programme and particularly about the circumstances in which it shall be performed: “*Despite the scars of war in Zadar, despite the financial crisis that we in Croatia find ourselves.*”(Stupin, 1992:9) Two plays were announced for October by the Zadar puppet theatre, “*The Passion of Saint Margaret*” by Wieslaw Hejno and “*The Steadfast Tin Soldier*” by Hans Christian Andersen. In November, a guest performance was expected by the theatre from Šibenik with the plays “*The Virtuous Julijana*” directed by Pero Mioč and “*The Executioner*” by Ivo Brešan, directed by Pero Mioč. In December, a guest performance was planned by the “*Marin Držić Theatre*” from Dubrovnik with the play “*Lord Lukša and Lord Posro – a Farce by Gvera*”, directed by Matko Sršen. (Stupin,1992:9) Within the music programme, Trio Orlando from Zagreb, the oratorio choir “*Ivan Matetić Ronjgov*” from Rijeka, the Rijeka Chamber Orchestra, the French baroque ensemble “*Ensemble les menus loisirs*”, the cellist David Gregorijan, the String Quartet from the Croatian National Theatre in Split, the Girls’ Choir of the Music School in Zadar, the Croatian Chamber Orchestra from Zagreb and the Dubrovnik Symphony Orchestra were announced. (Stupin,1992:9)

In December, a programme was organised by the Puppet theatre for the upcoming holidays with, among others, the play “*Three Frosty Snowmen*”. (T.S.,1992c:2)

Discussion and conclusion

In the last decade of the 20th century, the Republic of Croatia was going through a difficult period. In this tumultuous period of the Croatian history, a series of significant events occurred, firstly, severing the ties with the Socialist Federal Republic of Yugoslavia and the proclamation of the independent Republic of Croatia. However, the Croatian people went through their toughest days during the Croatian War of Independence. The City of Zadar and its surroundings suffered numerous devastations and the loss of people's lives. The culture, as an important part of human life, can contribute to the preservation of the human spirit. This was the very motive to explore dramatic arts as one part of the cultural life, on the pages of the newspapers both in the period before the war and during the war. The research has shown that the topic of the dramatic arts was represented in Zadar's Narodni list during the entire research period. In 1991 and 1992, a decrease was recorded in the number of articles by 21.05% compared to the previous year, while 1993 records an increase in the number of articles by 20% compared to the previous year. There will be continuous growth during the following research period.

In the research period, the following topics about the dramatic arts were represented in Narodni list: actors, puppeteers, theatrical performances, amateur theatrical performances, the theatre, the puppet theatre, puppet shows and the amateur theatre. Theatre and puppet theatre shows were things about which the most was written, and the least was written about the amateur theatre and their shows which we do not consider as negative, but rather as the proof that the amateur theatre carried on even in those tough years of war.

Considering the research of journalist genres, it can be concluded that Narodni list wrote the most about the dramatic arts in the form of news and reports, apart from informative genres.

It follows that, during the wartime events, the journalists of the oldest living Croatian newspaper were interested in following dramatic arts. Considering the characteristics of represented genres, commentaries interviews, news/reports, criticisms/reviews, articles/themes, we can conclude that they approached the dramatic arts in an informative, analytical, and critical manner. The diversity of the represented topic on the dramatic arts also tells us about the eventful drama life in Zadar, to which culture professionals also gave their contribution to the entire cultural life during the wartime days.

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ORIGINAL PAPER

Visual Teaching – Using Digitalised Material to Engage ESP Students

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Abstract

Since the beginning of our civilization human beings have communicated through visuals, either written on the cave walls or inside pyramids, visuals that formed a body of language with the help of graphic symbols and representations up to sophisticated digitalised Prezi presentations, today. The first examples of graphic symbols or infographics appeared 30,000 BC, in the Stone Age, when the first humans painted the cave walls with animals in order to communicate with one another; the Egyptians also used hieroglyphs, 3,000 BC, to tell story of their kings and queens, inside the pyramids; in 1510, Leonardo da Vinci combined written tuition with **illustrations** to produce an inclusive guide on human anatomy. In 1786, the Scottish engineer William Playfair initiated data visualisation through the use of graphs and charts and printed illustrations. Moreover, “Plants have been portrayed in print since the introduction of printing press in the 15th century. From early Renaissance herbals, through pictures of Baroque gardens, to increasingly naturalistic depictions of plants and flowers in the 17th and 18th centuries, printed illustrations of natural history had become fairly common and accepted.” (Playfair, 2005). In the mid 30’s, Otto Neurath developed a model of visual communication to clarify notions through the use of **icons** and **pictures** called **isotype**. Additionally, “In the Far East we see *one* language for writing, but a great number of languages for talking. We have made *one* international picture language (as a helping language) into which statements may be put from all the normal languages of the earth. We have given it the name *ISOTYPE*.” (Neurath, 1936). The brain is intended to pursue things that are diverse, so for it to be agile and function competently, its memory requires some empty space to maintain an ideal processing haste, thus the brain filters received data but discards 99% of all sensory data almost instantly after observing it, depending on whether the received info is diverse from what the brain is familiarised seeing. Information that is different or uncommon appeals to the brain, that is why Prezi presentations today deliver a chance of novelty or distinctiveness.

Keywords: *visual literacy; Prezi presentations; visual input; mnemonic; engage.*

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Visual Teaching – Using Digitalised Material to Engage ESP Students

Introduction

The concept of literacy usually emphasises the ability of humans to decipher reading and writing, but in the twenty-first century, literacy means the skill of understanding and interconnecting data through a diversity of media formats, using images, phone applications or apps, audio, video, and digital texts. Visual literacy is the skill of recognising, understanding and assessing visual messages, and the capacity to ponder and solve problems in the visual field, to decipher, read, produce, inquire, contest and assess texts that communicate with visual images rather than words. Visually literate people can read the intended meaning in a visual text such as an advertisement or a film shot, interpret the purpose and intended meaning, and evaluate the form, structure and features of the text. They can also use images in a creative and appropriate way to express meaning. Visual literacy augments both critical thinking in students who deal with problem solving, easily, empowering them to associate and evaluate, feelings/sentiments, positions, reminiscences and experiences and enables teachers to integrate the use of technology within the classroom to boost student learning by enabling students to view and produce visual images and messages. The first examples of graphic symbols or infographics appeared 30,000 BC, in the Stone Age, when the first humans painted the cave walls with animals in order to communicate with one another; the Egyptians also used hieroglyphs, 3,000 BC, to tell story of their kings and queens, inside the pyramids; in 1510, Leonardo da Vinci combined written tuition with illustrations to produce an inclusive guide on human anatomy. In 1786, the Scottish engineer William Playfair initiated data visualisation through the use of graphs and charts and printed illustrations. In the mid 30's, Otto Neurath developed a model of visual communication to clarify notions through the use of icons and pictures called isotype. Additionally, "In the Far East we see *one* language for writing, but a great number of languages for talking. We have made *one* international picture language (as a helping language) into which statements may be put from all the normal languages of the earth. We have given it the name *ISOTYPE*." (Neurath, 1936). Visual literacy chains comprehension by housing attention and charming students, triggering prior knowledge and developing students close viewing and reading skills. The brain is intended to pursue things that are diverse, so for it to be agile and function competently, its memory requires some empty space to maintain an ideal processing haste, thus the brain filters received data but discards 99% of all sensory data almost instantly after observing it, depending on whether the received info is diverse from what the brain is familiarised seeing. Moreover, "Though our auditory and kinaesthetic modes of sensing are complex and integrated with visual processing, the dominant mode is visual. Such dominance may seem a radical departure from the idea that we need to somehow balance instruction across multiple modalities. Yet the reality is that the human brain has evolved to become positively imbalanced toward visual imaging for information processing." (Costa, Kallick, 2008).

Objectives

The reputation and relevance of the visual aids as a valuable implement in ESP seminars is going to be tackled in the present paper. Firstly, we shall appraise the methods and procedures of using visuals during the seminars illustrating how these supports have progressed and helped both teachers and students to be engaged in the process of teaching and learning and the effect these digitalised aids have on the x generation. The second objective of this paper is to emphasise and present ways in

which visuals can be integrated through the high-tech devices available, cohesively to achieve the best results for students. The concluding goal tracked in this exploration is to validate that visuals integrated in the seminar rooms lesson incites the dynamics of a lesson. The prediction is that through the use of audio-visual aids the attention and motivation of students will be boosted measurably, multimedia presentations and video integration in slides will enormously improve comprehension, and a better memorizing of specific vocabulary.

Topic relevance - 90 percent of the information received by the brain is visual

A single image of a flower or a road can activate more than 30 million neurons in the visual cortex; the visual cortex creates about 20 percent of the cerebral cortex and it is positioned in the occipital lobe, being focussed in processing data about moving and still objects and plays a huge role in form recognition. The brain can see images that last for just 13 milliseconds (**0.013** seconds). Moreover, “Remarkably, unbelievably, the brain is capable of absorbing 36,000 visual images every hour. How can this imponderable ability be true? It is because the sophisticated visual capacity of our brain is beyond the conscious processing of our mind: research approximates that between 70 and 90 percent of the information received by the brain is through visual channels. Though our auditory and kinaesthetic modes of sensing are complex, the brain’s dominant and most efficient sensory filter for most information is our eyes.” (Hyerle, 2008). Research has pointed out that roughly 50% of our brain is dedicated (directly or indirectly) to visual purposes and scientists say that the brain processes visuals in 250 milliseconds, and 99% of all sensory data vanishes out of the brain instantly. Visual data is in the 1% that is remnant. Our brain records, through our eyes, 36,000 visual messages per hour and we perceive the sense of a visual scene in less than 1/10 of a second so it make clear that 90% of data conveyed to the brain is visual, thus studies have showed that visuals are processed 60,000X faster in the brain than in the text. Moreover, “Research conducted by the 3M Corporation found the brain processes visuals sixty thousand times faster than it processes text; visual aids in a classroom have been found to improve learning by up to 400 percent.” (Gangwer, 2009).

The effect of Audio -Visual Support and Digitalised Materials on ESP Students

The brain is intended to pursue things that are diverse, so for it to be agile and function competently, its memory requires some empty space to maintain an ideal processing haste, thus the brain filters received data but discards 99% of all sensory data almost instantly after observing it,- depending on whether the received info is diverse from what the brain is familiarised seeing. Information that is different or uncommon appeals to the brain, that is why **infographics** deliver a chance of novelty or distinctiveness. Additionally, “The first need for **teaching by pictures** is to give the teacher good teaching material. Teaching by the eye is much more dependent on good teaching material, and much less dependent on the powers of the teacher than other forms of teaching. Frequently it is very hard to say in words what is clear straight away to the eye. It is unnecessary to say in words what we are able to make clear by pictures. And on the other hand, it is frequently hard to make a picture of a simple statement. Education has to put the two together, and a system of education has to see which language is best for which purposes. There will be need in the education system of the future for a system of teaching by pictures.” (Neurath, 1936).

The benefits linked to the use of visual aids and computerize materials in ESP

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seminars have been a theme of sparkling discussion. Nobody can deny that today, our students, also called the X generation live in a media world, in which most of the data is delivered by visual input, through diverse high-tech devices, such as smart phones, tablets, phablets, iPhones and iPads, laptops. Taking all these into account, teachers ought to make real efforts into bringing the student's real world into the seminar room, so as to make the achievement of the language eloquent for them. Visual resources labour as a prevailing tool in this piece, because they give teachers the chance to display the values of the targeted language, the ways and the frame language that lie behind the linguistic connections, thus students comprehend that the practice of the target language has a resolution: the tangible purpose of real communication. The Audio-Visual Support and Digitalised materials are the computer -distributed mixture of a bulky variety of communication basics: animation, text, graphics, pictures, sound, video, photographs, essentially, everything that visual literacy comprises that can create a synchronisation between the students, the procedure and resources used.

Teachers are the recipients of technologies because it allows them to do things that were not conceivable in an old-style classroom location. The blackboard is a place where the teacher writes with chalk but one cannot put pictures or photos there to visible for the entire classroom, cannot attach sounds, colors, animation or interaction. By using digitalised materials that are possible in technology seminar rooms the teacher can start a teaching revolution that can alter the course progress, using instruction time more successfully and monitoring the labour load by increasing the quantity and quality of resources. The use of classroom technology definitely affects the x generation and provides more elasticity (both to students and teachers). One cannot deny the variety of learning styles existent in a seminar room, such as visual learners - who can profit mostly from the visual aids, kinaesthetic learners and touch learners - who appreciate working with physical objects, tablets, phones or flashcards. The sense of easiness and positivism that lowers anxiety for the students in the seminar room resided in this methodology helps them perform sound, and feel self-assured. The incorporation of technology in education offers equivalent chance to all students thus it is very significant for the worldwide human instruction to provide new perceptions for independent learners and not only, such as professional growth, the authority to participate. Nobody wants to hire workers who do not comprehend the internet and technologies.

The methodology which uses Prezi presentations with integrated videos, assist students in the acquisition of poise as they replicate and reproduce actual copies by means of the targeted language, consequently, students will be more driven. Additionally, "The purpose of teaching-pictures is to have an effect on the mind. The distribution of signs and colours over the plane of the picture has to be made in such a way that the attention is guided to certain points which have to be looked at first. That is like the selection of words in a discussion or in a book, like the weight put on words in talking or in reading. If a word is printed *w i d e r* you will give it more attention, as when one word is said louder than another." (Neurath, 1936). The lushness of the context provided in dynamic colourful slides packed with audio makes listening comprehension simplified and eased by visual provision. Clear widely displayed graphic images bring forth highly detailed responsiveness to the item, condition or interconnected text, helping the student to retain better and remember when outside the classroom, to work with more abstract judgments and reasonable construction. Processing the images requires a smaller amount of cognitive alterations if associated with clear objectives of teaching, building cause-and-effect psychological representations which are a sustenance of long life, profound learning. Additionally, "A

picture which makes good use of the system gives all the important facts in the statement it is picturing. At the first look you see the most important points, at the second, the less important points, at the third, the details, at the fourth, nothing more if you see more, the teaching-picture is bad. A good teacher is conscious that only a certain amount of knowledge will be kept in mind. So, he puts into his picture only what is necessary. He is of the opinion that a simple picture kept in the memory is better than any number of complex ones which have gone out of it.” (Neurath, 1936).

Another category of learners a teacher might encounter in the classroom and to whom visuals are of uttermost importance is represented by the mnemonic visuals. Mnemonic pictures contain organised retention mechanisms that enhance the students’ ability to remember any text or information provided it is presented visually. Furthermore, “The network of cells, **neurons** and fibers that hosts all this activity is truly expansive. Within the eye, the retina alone is made up of more than 150 million cells and is actually a physical extension of the brain. In addition, neurons that are responsible for visual activity take up a large portion of the brain real estate, representing approximately 30% of our total grey matter. To put this in perspective, neurons for touch and hearing make up only 8% and 3%, respectively.” (Smiciklas, 2012). Mnemonics has its roots in the antique method of gathering memories, based on the link between thoughts and a visual provision invested with gist, so mnemonics need to see in order to learn, understand, and remember. A visual mnemonic delivers a recovery signal, so the tag of the detail is related to its meaning of appearance. In order to operative, images should have a general application and they must have a meaning for the mnemonic learners.

Implementation

The method is entirely based on technology, on the use of various devices: wi - fi, projectors, Chromebooks, Laptops, tablets, phablets, and smart phones or any similar devices, during the seminar. Taking notes is provided by basic transcripts provided by the teacher or shared directly through WhatsApp class group covering the chapter’s construction with titles, a set of visuals and pictures, or prezi presentations that contain all the above mentioned and basically any supplementary multimedia-based teaching material. The content is distributed by talks using prezi or power point presentations as well as the option of augmenting the content by the students. Students are engaged in a collaborating manner during the seminar to deliver dynamic education with learning goals that are demarcated by means of an ability model and the assessment is done by developmental appraisal and frequently ability checks. The essential element of a ground-breaking method is the use of technology in mixture with an erudite system to take notes. The numerous technological devices have already, in western society, substituted paper/ chalkboard & pencil/ chalk and offer supplementary access to hypermedia-based materials or short videos during seminars, thus the students can fashion seamless files and their own well-structured education storage; this makes reproductions relaxed and ropes students’ education. The designated teaching scheme offers a basis for teachers (and mentors) to teach a class in the didactic framework, with the use of well-prepared teaching material for students and in the technical context.

The fundamentals of the technological instruction system are the use of Prezi or PowerPoint (and other appropriate products) presented by a projector together with the use of numerous devices by students to take notes, to understand and engage with

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hypermedia content instantly, to achieve the WhatsApp -based skills and checks and to access the internet. A 21st century class hosts an instruction atmosphere that uses WLAN- wireless local area network to access the internet for web Quests, dictionaries and to scout information. The digitalised materials for students, organised by chapters provide online and digitalised basic texts, visuals and additional collaborative or hypermedia-based material. Students have at their disposal learning platforms, Twitter, Facebook, providing all demonstrations to accomplish capability checks. The teacher’s methodology provides a student -centred approach, concentrating in dynamic education using skill based education results.

There are some requirements that teachers and students must fulfil in order to use the technique effectively and these requirements ask for the beneficiary of learning to provide Information Communication Technology or ICT skills. Examples of using basic ICT skills and technology to communicate means for a teacher or a student to be familiarised with the daily practise of digital technology that comprises the usage of a tablet or mobile phone, computer, sending an email, browsing the internet, or making a video call. Both teachers and students need skills in word processing and in distributing and receiving the material electronically (cloud-based storehouse or platforms). The students, can access through their own devices applications such as WhatsApp in order to access the link the teacher sends, the link containing the Prezi presentation which the can always access from the platform or application. Students track the presentations but are also involved in oral reflections, discussions, hands-on experiments, query rounds which are all student-centred activities.

Thanks to the above the head video projectors that exist nowadays in the seminar rooms, teachers can use diverse assets to support their clarifications, introduce new vocabulary or solve exercises. Teachers now have the possibility of learning programs that allows them to construct lesson plans that have effect on the surface and deep learning through pictures, videos, sounds, graphics and visual organizers. Prezi presentations are more dynamic than power point presentations, diminishing boredom and increasing vigilance through slides that have pictures and text inserted in, which improve the reading-to-learn process. Pictures have the ability to make the text more focussed, compressed/succinct, comprehensible, booster of motivation by focusing the students’ attention, profundity of processing elucidation of a text. Students engage with a variety of texts, Prezi presentations, power point slides, and gain gist from these texts when they get visual input through printed, multimedia texts and video materials, and respond with pertinent comments, questions, gestures, or actions. Additionally, “The order of signs seen by **the eye** has to be in relation to the best order for keeping in memory marks in the mind. That is what every decision in the invention of a teaching-picture is based on. At the same time every other picture which has been put before the public has to be kept in mind. All pictures together make one unit, and it is important for the reader not to be troubled in any way if he is conscious of all the marks which teaching- pictures have made on his memory.” (Neurath, 1936).

A consideration of how students assign their photographic attention when watching a Prezi presentation is highly significant for teachers when creating a slide with text. Such a consideration could have all the participants in the process of instruction comprehend the diversity of novelties, fluctuating from enhanced page layout, the amount of information on a slide, the centring of a photo, the overall design of the presentation construction and visual depictions of long pages. Teachers can

produce a model for forecasting where the visual attention of their students - who are daily browsing the internet and reading the web pages from their smartphones might rest. This is based on the verified eye-tracking information, meaning where on the slide the eye rests the most which is called the concept of fixation effect. Since an growing volume of data is being distributed in a digital format, it is imperative for teachers and educators to comprehend that young readers instinctively use diverse eye movement patterns when reading a text-based page rather than a slide in a digital format, projected on the white board. Because of the effects of digital assault, the majority of students in any specified seminar room are no longer aural or text-based learners, they have become graphic thinkers, thus they are a mixture of either visual or visual kinaesthetic learners. The new technologies are altering our children's brain, modifying their teaching behaviour, wiring them for multimedia.

The children of the digital or X generation have established "hyperlinked brains and ways of thinking. Their brains process data in an analogous or concurrent style. It was commonly supposed that around the age of three, our brains were steadied and didn't change much from then on, irrespective of any educational or socio-economic variables, nevertheless, new skimming technologies have demonstrated many of these long-lasting conventions to be entirely untrue. The brain is, actually, extremely plastic and flexible throughout one's life and the source of brain cells is regularly being restocked, our brains being continuously in a process of rearranging and acclimatizing themselves architecturally, based on two main features: firstly, the input or practice we partake, and secondly, the concentration and length of the practices.

A Prezi presentation

Additionally, "Well, Prezi redefines the presentation playing field by transforming your canvas from a sequential, linear sequence of slides to a flat canvas that zooms in and out. When you start a new Prezi, it's much like standing in front of a huge, blank wall on which you have the freedom to group your topics in clusters and plug-in images, links to websites, videos or voice messages to tell your story. The nature of the Prezi interface will likely compel you to integrate more rich media rather than fall back on the age-old text on a slide. For this reason, it's a compellingly different tool and it shouldn't be theorized simply as a replacement for a presentation tool." (Brock - Pacansky, 2012).

A Prezi presentation was used in the seminar room with the Sociology students to highlight a novel grammatical structure inserted in the lesson: the passive voice. In order to make the grammar content more appealing for the students the students were presented a news report about a bank robbery that took place the days before. This short video, of the tv presenter telling the news, full of passive voice structures and short interviews with the customers of the bank presented a catching real-life situation, that can happen to everyone, made the class atmosphere more entertaining and presented the teacher with a new possibility of explaining the novel structures with audio visual aids in order to achieve the desired results. After inspecting the video, which introduced passive voice structures, the teacher elicited data from the students, asking them plenty of questions, clarifying situations, using the passive voice, and the students answered according to the model they saw in the video- using passive voice, too, about what they saw the situation of the bank, that day. Students are presented next with a slide containing the transcript of the video they had just seen and are asked to underline the passive voice structures they find in the text, provided they had payed attention to the video. Then the teacher checked the answers with the students and began presenting the

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passive voice structures. After that, the students are asked to produce the new structures in exercises that require transform the passive voice sentences into active voice sentences and the other way around to get used to transforming quickly from active to passive voice. Another slide was brought forth containing gap filling sentences that could be checked on the spot, with the help of prezzi, the next slides popping and revealing the true answers written in colour. Another slide was presented as a visual support for role-playing activity: one student is the policeman who would ask questions in passive voice, another is the bank owner who would speak about the amount of money he was robbed, and the other two are the hurt bank customer and the employee who would tell their story, about everything that the robbers had done in the bank, from their own point of view. Students are requested to produce short interchanges and play the role of their characters and to name them. Additionally, “On the flip side, it’s important to think about all your students when teaching with Prezi. First, focus your content when using Prezi and be gentle with the motions you incorporate into the viewing experience.” (Brock -Pacansky, 2012).

Conclusions

The atmosphere of the seminar room changed when the Prezi presentation started to unfold and especially when the video was introduced. There was a substantial intensification in the number of students partaking in the conversation about the real-life situation of a bank robbery. During watching and reading the tape scripts students showed to be more involved and eager to contribute, the majority of the students tracked the discussion with consideration and they were relatively enthusiastic to take part, which made the seminar room a little noisy, by failing to respect turns. The students who were usually inactive and reluctant to participate in the post- video discussion reformed their position towards more energetic involvement. One detail that must be highlighted is that even if the novel introduced grammar structure was a little challenging for the ESP students, they perceived it rapidly and completed most of the task fairly well. The learning environment was inspiring, boosting the education process, and making teaching more extensively accessible to all types of learners thus creating novel solutions to the broadcasting of knowledge. Using projector digitalised-assisted learning- Prezi presentation on an above the head video projector, compared to old-style learning, where teachers would turn their back at the whole class, writing on the blackboard, resulted that students tend to absorb more and in less time. In both underling the new structures and the gap filling activity, most of the students felt self-assured in order perform the task accurately and individually or in pair and to share the replies with their partners. The level of engagement was fairly high, authorising a positive effect of the visuals in the ESP seminar room, demonstrating that the use of Prezi presentation together with video and images helped the students acquire self- confidence and autonomy, in English. Using visual supports in the ESP seminar rooms has heightened the language teaching, as well as students’ understanding of the new audio-video input, simplifying the gist of words and communication generally, helping in remembering new terminology, and in gaining students’ motivation and attention.

Using Prezi presentation, on a wide board, with vivid colours and sounds has eased the learning process, enhanced students’ education and smoothed teachers’ labour. The attitude towards the usage of Prezi or power point in the classroom has been a positive one and requested to happen again, since the majority of the students expressed their wish to have classes exclusively constructed on multimedia visuals. The clear

intensification of students' involvement, the engagement and easiness reflected in the students' attitude, the classroom dynamics, showed clearly that the level of self-confidence in speaking and interacting changed students' behaviour, as well. Visuals have facilitated them the learning of the new vocabulary and recognising the grammar with fewer explanations before presenting the new structures, thus education has converted more eloquent for them by bringing the real world to the seminar room with videos and presentations.

The technology enhanced method can be achieved effortlessly by the students and they perceive a benefit from using technology in ESP seminars thus from the students' point of view the teaching method is desired and classified as an appropriate way of teaching. The students reflect a high level of gratification, self efficacy and they feel reinforced in their learning process. The existing instructive system is using uniform tests to measure gradually nonstandardized brains, consequently we need to reflect how to reorganise the seminar room experience, the method we clarify, the way students absorb information, the effect the teacher has on students' visible learning and how that learning is evaluated. The future education trend cannot be separated from technology and the prediction is that in the future multiple devices are to be owned by the students and used during class or seminars. The use of a reliable and suitable agenda is essential for the fruitful instruction of teachers or coaches as well as for the learning achievement and outcome of the students.

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ORIGINAL PAPER

The relationship between linguistic pluralism and legal pluralism

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Abstract

In order to carry out a relevant analysis of the relationship between linguistic pluralism and legal pluralism, I consider that a clarification of the two notions is required. Legal pluralism has not and we can still say that there is still no unanimously accepted definition by legal experts. In 1982, StigJørgensen was one of the few philosophers in the legal field who used the term legal pluralism, while other philosophers in the legal field approached the subject in the context of describing legal relationships with ethics or philosophy, but without naming it as concrete. legal pluralism. The specialists in constitutional law used this concept in order to make the constitution of the confederation-type states understood. Thus, the name of the rule of law includes both elements related to the law of a sovereign state, but also the hierarchical systems of a confederation consisting of two or more states.

Keywords: *linguistic pluralism; legal pluralism; legal system; constitutional law.*

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In order to make a pertinent analysis of the relationship between linguistic pluralism and legal pluralism, we consider that a clarification of the two notions is necessary. Legal pluralism has not had and we can still say that there is still no unanimously accepted definition by legal specialists. In 1982, Stig Jørgensen was one of the few philosophers in the legal field who used the term legal pluralism, while other philosophers in the legal field approached the subject in the context of describing legal relations with ethics or philosophy, but without specifically naming it as legal pluralism (Jørgensen, 1982: 5–57). Specialists in constitutional law have used this concept in order to understand the constitution of confederation-type states (Williams, 1997: 339–55). Thus, the name of rule of law includes both elements relating to the law of a sovereign state, but also the hierarchical systems of a confederation composed of two or more states.

For example, Belgium is known for its federalism, and the Belgian federated entities do not have constitutive power, but Flanders and Wallonia had the initiative of a Charter to establish their own constitution. Wallonia quickly abandoned this idea, but in 2012 Flanders proposed a legislative document called the Charter for Flanders, as a draft constitutional law. The Flemish Parliament did not adopt this legislative proposal, but for specialists in constitutional law, this act of law was a controversial issue (Popelier, 2012: 36-58).

Another federal state, Switzerland, has the peculiarity that the constitutional autonomy of the cantons enjoys an explicit constitutional recognition. Section 4 - Federal guarantees, Article 51: Constitution of the cantons, paragraph 1, makes it very clear that each canton adopts a democratic constitution that requires the approval of citizens, and paragraph 2 states that this constitution must be guaranteed by the Confederation, but only with provided that it does not contravene federal law.

In 2001, the Austrian Constitutional Court repealed a provision in the constitution of the Austrian state of Vorarlberg that provided for certain popular legislation in the state. Consequently, if the initiative of the citizens of the Land was successful, but was not implemented by the Austrian Parliament, the referendum was mandatory. The result of the referendum would have forced the Austrian Parliament to implement the initiative by adopting a consensus law with the aim of the referendum. The instrument was never used in practice, which, however, was not relevant in the opinion of the Constitutional Court, because even the possibility of popular legislation becoming an instrument to compete with ordinary parliamentary law-making processes was rejected by the Constitutional Court. of Austria.

In Italy, as a result of a 2001 constitutional reform, triggered by pressure from the development of the UE and local actors, the distribution of powers between regions and the federal / national level has changed. The federal state has been credited with regulatory or administrative powers in respect of the 17 cross-cutting powers listed in Article 117 subsection 2 (Fabbrini, Brunazzo, 2003: 100-120). However, the federal state may depart from this classification of exclusive, concurrent and residual powers and may legislate, in regional issues, based on the principle of subsidiarity. Residual regional powers and concomitant competences involve administrative implementation by the regions. Adding to this division of legislative powers, Article 118 invokes the principle of subsidiarity and requires the exercise of administrative functions at the lowest possible level of government, regardless of legislative competence. The principle of subsidiarity thus expressed implies a preference for administrative actions at the level of municipalities (Tubertini, 2006: 35-44).

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Over time, the analysis of legal pluralism has balanced between an approach to and away from state law, with profound implications in the development of legal theories, legal studies based on the theory that the law has created and creates order. Therefore, based on Anglo-American legal doctrine that focused on jurisprudence and European legal doctrine that focused on the social side of law in the interaction of different legal systems, legal pluralism developed as an analytical tool, and now skepticism this concept has gradually diminished and global legal pluralism has been accepted, which has led to a revival of the role of the state in legal ensembles.

Legal pluralism has become one of the major themes that marked the socio-legal studies, but under this very broad name, one can identify many different trends that share the basic idea that the law is much more than state law. The many conceptions of legal pluralism contain some common fundamental premises regarding the nature of law, its function and its relationship with its cultural environment. This contribution seeks to critically address these premises and to suggest a particular feature of the issue of law, its pluralistic sources and the many practices that apply in relation to it.

Underlying modern constitutional thinking is the idea that the exercise of power is connected to the common good and the interests of citizens who constitute a jurisdiction. This idea reveals the complexity of institutions, constitutions, treaties, public entities and governments, but a pluralistic approach does not always lead to an objective interpretation aimed at harmonizing and supporting legislation at several levels.

A close link between the legality of a rule and its legitimacy is not enough in the context of linguistic pluralism. Concepts such as national sovereignty have become obsolete, and the essence of the democratic principle requires a recalibration from the perspective of legal pluralism.

The legal literature of constitutional pluralism, which theorizes the overlapping of states, is especially related to the vertical dimension of this broader concept of legitimacy. In this order of ideas, a discursive and interactive process of the constitutional argument builds legitimacy at a higher level (Sarmiento, 2012: 324-348).

In this context, it is important that those concepts that presupposed the existence of legal pluralism have been widely debated in academia and have not aroused controversy, even if they conveyed the same message about the plurality of the law. For the related concept of government, for example, it has been generally accepted that state institutions are not the only institutions that produce law. Thus, governance is essential for the study of the relationship between state and state legal institutions, because this link establishes the way of recognizing the existence of global legal pluralism.

We cannot fail to mention John Griffiths' article (Griffiths, 1986: 1–55) which analyzed the trajectories of legal pluralism and which provoked widespread criticism, being interpreted as a value judgment that positioned legal pluralism against the state. Griffiths' controversy was meant to show jurists that a state-centered view of the law diminishes the significance of other types of law used in social interactions.

The complexity of legal pluralism has manifested itself differently over time. At the beginning, there was a normative logic of the state, based on the diversity of constituent citizens from the point of view of normativity, gradually moving from the phrase "where there is a society, there is law" to the phrase "where there is state, there is law", which led to the establishment of nation-states and the emergence of ideologies that outlined the state-people relationship. In the nineteenth century these

ideologies and their different application made the implementation of legal pluralism difficult.

The colonial states recognized the importance of implementing legal pluralism, but this more as an administrative necessity. Thus, in the colonial empires, a distinction began to be made between the traditional law required to be universally applicable and the customs and traditions of the native populations, which were taken into account and thus, gradually, gradually ignored (Turner, 2017, 213–35).

We must not neglect the fact that the law is what people consider as law, nothing more than that, and the application of legal plurality is limited to those situations in which people are explicitly oriented towards laws and how to apply them. Therefore, it is very important to analyze the situations, mechanisms and processes by which people orient themselves towards the legal norms that they identify as pluralistic.

Transforming the constitutional issues of nation-states into a multilevel legal order, in which competencies and responsibilities are interspersed, can be achieved by promoting the principle of subsidiarity as one of the key components of a multilevel governance system. Subsidiarity is supposed to require the power to integrate minorities from a legal perspective, which involves the allocation and exercise of powers in order to adhere to the optimization of relative efficiency and democratic legitimacy. Therefore, we consider it important to create a legal conception of subsidiarity and to analyze how the principle of subsidiarity plays a key role in ensuring legitimacy, especially in a multi-level governance context. Subsidiarity can help determine the scope of subnational autonomous decisions, if it is based on the set of arguments regarding efficiency and democratic legitimacy that constitute subsidiarity.

Recognition and extension of the rights of citizens speaking a minority and / or regional language leads to a redefinition of nation-states on new cultural and linguistic grounds, in order to better promote the interests of citizens of minority-speaking states and / or especially in this age of globalization when the recognition of multiple linguistic identities is becoming more and more acute.

Assuming that minorities are differentiated and, at the same time, characterized by language, religion and / or culture, it is not surprising that issues of special relevance to minorities concern language rights (in many different fields, including education, media and how to communicate in public life).

Two fundamental themes concern the protection of minorities, namely: substantial, real or full equality (as opposed to mere formal equality) and the right to identity. Regarding the second topic, the right to identity, we can say that when we approach the protection of minorities, the right to identity refers to the different characteristics of the minority and, mainly, language and culture.

In this context, notions such as citizenship, nation-state, the relative status of languages spoken in a given territory, are causing more and more controversy because of the rights and responsibilities that arise for national citizens in this modern age and what is the role of states in redefining the demographic patterns marked by the rapid ethnic and linguistic diversification of national populations constituted by migration, especially in large urban areas. Another issue concerns the need or importance of granting distinct rights to minority groups in terms of the protection, recognition and / or support of their language in nation states, or it would be much easier for these groups to adhere to national rules of cultural assimilation; in exchange for granting citizenship. Therefore, it is noted that the issues of language recognition simultaneously with the recognition of

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national identity and citizenship are closely linked and difficult to frame in a single pattern that could be applied to any national state.

The social and political organization of nation-states is a recent historical phenomenon, derived from the rise of political nationalism in Europe from the middle of the last millennium to the present. However, a landmark in the establishment of the modern nation-state is the French Revolution of 1789, considered a form of superior political organization that led to the creation of a homogeneous linguistic field (Coulmas, 1998: 63–72). The period of empires that preceded the nation-state system was much more adapted to the population's linguistics (an eloquent example is the empires created by the Persians and Carthaginians, while the Roman Empire imposed Latin as a language spoken in the territories conquered by a pact that put in the forefront the economic life of the conquered territories considering that if they paid their taxes they could organize their own social life, so the use of Latin by the local elites for administrative purposes was required, but it did not forbid the local elites to preserve and develop own language).

The way in which these issues are approached with profound legal implications has an important impact on the development of language policy and on the language education system in nation states. In particular, these issues require nation states to address the balance between social cohesion and the recognition of cultural and linguistic pluralism. Therefore, it is crucial for nation states to build this balance by recognizing and adapting linguistic diversity as a support to maintaining national cohesion and social stability.

Will Kymlicka is one of the theorists who support public multiculturalism in the organization of the nation-state, marching on the importance and respect for individual rights, while developing an understanding of the importance of wider cultural and linguistic belonging to these rights. Kymlicka does not prove a community support for collective rights (Kymlicka, 2001), but rather argues for the need to introduce differentiated group rights, which are not necessarily collective rights, but which can be granted to individual members of a group or group as a whole or to a federal state / province. in which the group forms a majority (Kymlicka, 2007). Kymlicka's thesis is that collective rights do not impose the domination of communities over individuals, but converge on the idea that justice between groups requires that members of different groups be granted and recognized different rights.

This argument can also be applied to minority rights, as an external protection from the majority population, so that a minority group protects its distinct identity, especially the linguistic one.

Stephen May argues on the basis of the rights of the French-speaking population in Canada the right to use French in federal courts, which appears to be an individual right that can be exercised at any time by any citizen of French-speaking origin. In Canada, individual rights converge with international law, for example, the right of French-speaking citizens to educate their children in French middle schools in the province of Quebec. On the other hand, the rights of the people of Quebec to preserve and promote their distinct culture in the province of Quebec are recognized and respected, which argues for the need to maintain a minority language as a legitimate external protection.

We can say that it is necessary to extend democracy to multilingual principles in modern nation-states, because a state with a single language and culture can lead to discrimination against minority groups by manifesting a clear preference for some

citizens through spoken language. Thus, it can be considered that the citizens who speak the majority language are at an advantage within the civic culture of the nation-state, because a dominant language group controls the fields of administration, politics, education and economy and gives priority to those who master the language.

Linguistic pluralism has become a central element of the European dimension, although not specific to it, as the importance of language skills derives from the process of globalization that is taking place worldwide and from the new economic and political order. However, the European dimension offers a particular perspective on this issue: the UE, by protecting the cultural identity of different Member States, promotes linguistic pluralism and should respect and promote the use of different languages. Such an approach, which involves the use of different languages in the education system, must face the challenge of the widespread use of English as a foreign language, whose role has always been to gain new territories.

Each legal system in a pluralistic structure was considered to be integrated into a harmonious structure. In practice, there are many conflicts between pluralistic legal systems, which excludes conflicting coexistence in the whole phase of legal pluralism, which has been seen as an objective construction from the point of view of a third party, ie from an objective perspective.

UE law faces many challenges, but does not seek to further incorporate the basic principle of the legal system, due to the threats and disruptions posed by UE rules, which Member States are trying to resist by expressing a natural situation.

This resistance creates a problem for the functioning of UE law, as UE law consists largely of extremely open rules, which aim to stimulate Member States' reorientation towards openness, while allowing them to protect national interests and values. European linguistic pluralism is not the result of specific rules or decisions, but of an extremely widespread transformation, in which different values and principles, substantive and procedural, are fully integrated into the linguistic and legal systems of the Member States. When Member States and their courts react defensively to UE law, they hinder this process, preventing UE law from reaching its potential.

In the federal states, the issue of public recognition of minority languages is highly controversial, especially in education, as one of the barriers is the traditional organization of the nation state, along with its historical contingency and the related exclusion of minority languages from public life.

In the federal states, one of the most difficult problems facing public administration is choosing the official language or languages that civil servants should use in their dealings with citizens.

Within the federal states, sustained efforts are being made to adopt, in areas such as: education, legislation, government, those representative minority languages that ensure the legitimacy of the minority group itself without changing its relationship with the state. Resizing the language preferences of a federal state must be in line with those of civil society to more clearly reflect the diverse and legitimate interests of all minority groups, which may present new organizational challenges for non-national states embracing public promotion of diversity.

Rethinking the nation state and the federal state on the basis of linguistic and cultural pluralism is a challenge in the age of globalization for both states and international bodies in the legal field.

Legal pluralism is a state of affairs that exists in the EU, in most jurisdictions and leads to constitutional pluralism, as national and EU constitutions coexist in a

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somewhat ambiguous relationship, because both national and European courts claim precedence. for their own legal order. For example, the Court of Justice of the European Union (CJEU) and the national constitution take precedence in almost all Member States, while treaties rank second in the legal hierarchy, especially if the CJEU's claims to constitutional supremacy have not been accepted, because if a rule is constitutionalized, the ownership of this rule is considered to belong to the constitutional court (Davies, 2018: 358–375).

In recent years, the scope and impact of EU treaties are determined by their structure and content, and these in turn are determined by the CJEU. Thus, it was concluded that the EU suffers from a lack of legitimacy generated by the over-constitutionalization of the EU (for example, EU treaties have been constitutionalized by the CJEU and contain a number of provisions that would be related to national law. constitutionalization leads to de-politicization, because what has been regulated at the constitutional level can no longer be regulated by political decisions). Consequently, national parliaments are also restricted by constitutional decisions, which very rarely precludes policy interference in decision-making.

Case study: Legal pluralism - English Language Unity Act of 2017

The English Language Unity Act of 2017 of the Congress of the United States of America (USA) aims to declare English as the official language of the USA and in this sense to establish a uniform rule of law. use of English in the event of naturalization in order to avoid misinterpretation of the English texts of US law, in accordance with the powers of Congress to ensure the general welfare of the United States and to establish a uniform naturalization rule in accordance with Article I section 8 of the Constitution.

Relevant is the fact that this bill, in Chapter 6 - Official language, Section § 161 - Official language of the United States, establishes English as the official language.

What are the premises of this imposition of the official language?

To answer this question, we must not neglect the fact that, in the beginning, several languages were spoken in the United States, and at the time of independence (July 4, 1776), non-English European immigrants made up a quarter of the population, and In Pennsylvania, two-fifths of the population spoke German. In other territories, an American Indian dialect or even an African language was spoken, which leads us to conclude that more than a third of Americans spoke a language other than English. Before the end of the 19th century, with the expansion of the USA with new territories, French-speaking and Spanish-speaking citizens appeared, plus native citizens, which generated a linguistic diversity.

Instead of focusing on the preservation and development of minority and / or regional languages, the United States is concerned with what is mentioned in Chapter 6 - Official language, Section § 162 - Preserving and enhancing the role of the official language.

This section confirms that, although historically the USA has been characterized by a great linguistic diversity, especially against the background of intense immigration, on the other hand it has also been marked by the disappearance of minority languages, being replaced gradually and irreversibly. of English. We emphasize that if, from an ethnic point of view, it can be transmitted over several generations, the language of minorities is the most sensitive cultural aspect that disappears much earlier than ethnicity, but not because of an external interference and because of changes within socially, economically and even culturally (Crawford, 2003: 45–60).

A violation of the constitutional obligations of territorial authorities in a federal state has been approached differently, from the institution of federal intervention, as a mechanism for maintaining public order, to the extreme option of dissolving and dissolving territorial unity. Between these two options lies federalism conceived on the basis of German constitutionalism and integrated into the Spanish constitutional order.

The USA has included in its Constitution a form of federal intervention in Article IV.4, in case of public disorder and domestic violence. From a legal point of view, it must be the Legislature of the constituent state or its executive that must request such intervention, but in practice it is produced without the request of the affected state.

The bill stipulates that naturalization ceremonies and official functions of the US government, subject to exceptions, must be conducted in English.

In Chapter 6 - Official language, Section § 163 - The official functions of the government will be conducted in English - it is very clear in letter (A) that the official functions of the US government are conducted in English and in letter (B) Purpose - the term "US" and "official" are defined.

Letter (C) mentions the practical effect of this bill, which is in line with Calvin Veltman's statements (Veltman, 1983), which he has made since 1983, in which he concluded that in the absence of immigration, all minority languages will disappear. at a very fast pace.

Section § 165. Construction rules state very clearly that absolutely no paragraph in this section gives the right to interpretation and specifies from the first paragraph the prohibition of use in public life by members of Congress or by government officials and / or agents. federal, of any minority language other than the official language - English, on the grounds that the official functions are performed in English and the use of any other language is incompatible with the US Constitution.

What seems to contradict the principles of democracy is the mention of the Native American Language Act as a means of diminishing the preservation or use of Native, native, or Alaska dialects, and more, of discouraging anyone from learning or using another language, besides English - the official language of the USA.

The argument in favor of this bill is that a single official language ensures the continuity of a common civic language in the United States, but there is little evidence that the use of multiple languages affects the integration and cohesion of American society. On the contrary, the gradual disappearance of minority languages is a costly loss of valuable human, social and cultural capital, because in a global economy speaking several languages is an important skill.

From the analysis of this text of law we can conclude that in the federal states, if we take as an example the USA, in order to ensure the unitary knowledge and interpretation of the law, only one official language is legislated to be used in public life.

Since the beginning of the 21st century, some specialists have been against the development of the Spanish language (Weber, 1992), considering it as a threat to English that would diminish the chances of children to deepen the language of a larger culture, while other specialists campaigned for a bilingual education. which would ensure the promotion of the culture of national minorities.

We cannot say the same about Europe, where the use and development of minority and / or regional languages is encouraged, being considered an advantage and a multidimensional resource that must be preserved and cultivated, rather than a threat to cohesion and national identity.

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Conclusions

We have come to the conclusion that linguistic diversity is a form of diversity that must be analyzed in connection with the rights claims that connect with the liberal-democratic principles of freedom, justice and democracy, but also with issues of race, immigration, nationalism, indigenous peoples and religion. Therefore, the use of minority and / or regional languages in administrative processes involving public decisions is, in many countries, at the heart of the conflict between minority groups and the majority population in the region.

Thus, it must be emphasized that in pluralistic societies, the domination of the majority language and the marginalization of minority languages, on the basis of distinct cultural characteristics, have led to a serious concern for public life. Moreover, the adaptation of minority languages and the protection of the rights of national minorities are a major concern of governments and institutions, as an integral part of international protection of human rights and the nation-building process, the state and administrative reforms, as a multitude of factors I am impressing on the way this process is carried out, among them we list the capacity of the public administration, the establishment of institutions and administrative structures specific to minorities in their territories as a mechanism that can lead to the protection of linguistic rights of minorities and to facilitate obtaining services from public administration. .

Federal states, where there are national minorities and which face the possibility of pursuing integration or accommodation in their approach to minority rights, can be done either by encouraging the assimilation of minority groups with national culture or by allowing minority groups to retain distinctive character through separate administrative institutions. We consider that there are a multitude of possible legal solutions to the problem of efficient management of language communities, and the establishment of a territorial delimitation favorable to minorities is a precondition for effective coordination between local authorities and authorities responsible for managing minority language issues, subject to different institutional competences. involving all levels of government.

Promoting minority languages in public life is a challenge, as for the public administration the dominance of the ethnic majority and their language is a major issue that influences the rights of minorities in the process of meeting their administrative needs at national and local level. This problem is serious enough at the local level when an ethnic group enjoys absolute majority status at the national level, but lives as a minority at the local administrative level.

For the active involvement of minorities in public life, we believe that the development of organizational structures specific to minorities can lead to the creation of better protection of minorities, by creating a mechanism to identify territorial boundaries in which public bodies will operate and some adjustments will be introduced. of existing institutions in support of minorities.

Another conclusion is drawn from the two fundamental themes that refer to the protection of minorities, namely: substantial, real or full equality (as opposed to simple formal equality) and the right to identity. Regarding the second topic, the right to identity, we can say that when we approach the protection of minorities, the right to identity refers to the different characteristics of the minority and, mainly, language and culture. Therefore, notions such as citizenship, nation-state, the relative status of languages spoken in a given territory, are causing more and more controversy because of the rights and responsibilities that arise for national citizens in this modern age and what

is the role of nation states. in redefining the demographic patterns marked by the rapid ethnic and linguistic diversification of national populations constituted by migration, especially in large urban areas. Another issue concerns the need or importance of granting distinct rights to minority groups in terms of the protection, recognition and / or support of their language in nation states, or it would be much easier for these groups to adhere to national rules of cultural assimilation; in exchange for granting citizenship. Therefore, it is noted that the issues of language recognition simultaneously with the recognition of national identity and citizenship are closely linked and difficult to frame in a single pattern that could be applied to any national state.

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ORIGINAL PAPER

Adrian Ghenie and Angelus Novus

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Abstract

Adrian Ghenie (1977) is one of the most distinguished painters of Contemporary Art. He represented Romania at the 56th Venice Biennale (2015) with project titled “*Darwin’s Room*” curated by Mihai Pop. His paintings display a baroque grandeur. His style shows intertextual and transpictorial creative strategies. The facts of Modern History in anachronistic sense, post-communist era of Romania and personal memory records are intertwined within his works. Gheni’s approach to history is reminiscent of Walter Benjamin’s Angelus Novus. Moreover as an artist he reveals an ‘*Angelus Novus*’ performance. He use both historical and actual mass communication perspectives. He appropriates styles of Velasquez, Géricault, Van Gogh, Rothko, Pollock and Bacon. Ghenie is an expressionist painter in an abstract and figurative sense. Sometime, the intensive use of colour, brush and the other painting tools embody qualia that provide the materialization of the historical and cultural meaning of his painting beyond his technical style. In this study, the subject described above is analyzed using a descriptive method.

Keywords: *Adrian Ghenie; Darwin’s Room; Angelus Novus; Persian miniature; Appropriation; Qualia.*

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Introduction

Adrian Ghenie (1977) is one of the most distinguished painters of Contemporary Art. He was born in Baia Mare, Romania. He grew up there during Nicolae Ceaușescu's Communist Regime, the Romanian Revolution (1989) and then traumatic transition period from totalitarianism to democracy. However, he explains his artistic aim as follows: "I'm not trying to make my biography like I grew up in a communist dictatorship; I was just a kid, I didn't have any trauma... But what happened in Romania after '89' was very interesting... I saw how it is possible to manipulate a whole country. What is the truth? What is trauma? Do we just think we're humiliated, or are we really humiliated? In the end, wars and tragedies are all the same" (Battaglia, 2017a).

Ghenie studied at the University of Art and Design Cluj-Napoca (2001). Currently his paintings are exhibited in major galleries and museums around the world and they are included in important collections. He is eventually a star in contemporary international art market; his paintings are selling for millions of euros.

He has also gallery activities beyond his art activities and he is co-founder with Mihai Pop of Gallery Plan B in Cluj- Napoca, Gallery Plan B becomes a popular and international art institution in course of time, organized the exhibition of Romanian Pavilion at the 52nd Venice Biennale in 2007 and opened its branch in 2008 in Berlin.

Adrian Ghenie represented Romania at the 56th Venice Biennale in 2015 with the project titled "*Darwin's Room*" curated by Mihai Pop. Darwin's Room is exhibited in Romanian Pavilion, located in the Giardini. The project covers nineteen works of Ghenie and it's based on three sections: The Tempest, The Portrait Gallery and The Dissonances of History.

Okwui Enwezor was curator of 56th Venice Biennale and the Biennale concept was *All The World's Futures*.

Ghenie explains the significance of Darwin's Room as a concept in such a way: "From my point of view, Darwin is not a closed book, there was life before and after him, the paradigm he changed is much too large to have been fully digested. I have the feeling that everything which happened in the 20th century has its roots in him, from Marx to eugenics to modern racism" (Vasiliu, 2015a).

This participation verifies his great success because The Venice Biennale as the "great mother" of all the biennale activities is an exceptional art environment since its beginning in 1895 until today. Each Biennale is a decisive event for both Modern and Post- Modern Art History. Performance of each Biennale curator/curators and his/her/their concept formulated and developed for Biennale create new spaces/exhibitions where could be comprehensively realized contemporary cultural and esthetic conjunctures.

Darwin's Room (2015)

Darwin is an obsession-topic for Ghenie. There are exactly five paintings or visual variations about Darwin theme in the exhibition: *Darwin and the Satyr* (2014), *Charles Darwin at the Age of 40* (2014), *Charles Darwin as a Young Man* (2014), *Study for self-portrait as Charles Darwin* (2013, drawing), *Charles Darwin as a Young Man* (2013).

Romanian Pavilion has a colossal door. Thus, when it's approached to the entrance of the exhibition, in Giardini, what first comes to the sight is the picture of *Darwin and the Satyr* (2014). In this painting, Darwin accompanied by Satyr

contemplates the immense nature from his cave. Moreover, at the same time, with his Nike sneakers, Darwin is walking in an aquatic transparency, in the opposite direction of the stage. This universe is a fluid universe that constantly moves from one threshold to another and it transforms across water, soil, and air. That is an allegorical scene where Darwinism and Classical Mythology meet to represent the design of modern universal civilization.

Meantime Satyr as figure recalls also Saint Jerome's lion- wild guard of knowledge and wisdom- in iconographical way. Satyr is a basic instinct symbol related Dionysus sensibilities. At the same time he is a hybrid creature-semi human semi goat. He is embodiment of a continuous becoming from bestial to human, from instinct to consciousness or vice versa.

According to Nietzsche: "Greek saw in his satyr, and so he did not yet mistake him for an ape. Quite the contrary: the satyr was the primordial image of man, the expression of his highest and strongest emotions, as an inspired reveler, enraptured by the approach of the god, as a sympathetic companion, in whom the suffering of the god was repeated, as a messenger bringing wisdom from the deepest heart of nature, as a perceptible image of the sexual omnipotence of nature, which the Greek was accustomed to observing with reverent astonishment" (n .d.).

Actually, in this point, the title of Paul Gauguin's famous painting - Where Do We Come From? What Are We? Where Are We Going? (1897) is a summary of the existence and position of human being on earth.

Luciano Floridi explains as follows: "Science changes our understanding in two fundamental ways. One may be called extrovert, or about the world, and the other introvert, or about ourselves" (Floridi, 2014a:87) and he continues- focusing particularly on digital revolution- that there have been four major scientific revolutions so far. Those who made these revolutions are eventually Nicolaus Copernicus, Charles Darwin, Sigmund Freud and Alan Turing (Floridi, 2014b:88-90).

Thus, the fourth revolution initiated by Alan Turing puts an end to this range of universal paradigm and changes in question-of course for now!-: "Turing displaced us from our privileged and unique position in the realm of logical reasoning, information processing and smart behavior. We are no longer the undisputed masters of the infosphere... We have been forced to abandon once again a position that we thought was unique" (Floridi, 2014c:93). In other words, these revolutions, on the one hand, glorify by nature the human being, and on the other hand open the vanity of being human to discuss. Moreover, virtual reality as equivalent of actual reality impacts and shapes individually and globally the understanding of truth. Therefore, the solution of the problem is as problematic as the problem itself.

Slavoj Žižek also discusses this issue to criticize particularly modernist mentality. Turing is not included in his scientists list but cognitive effects of computers exist eventually within the text. According to him, Nicolaus Copernicus, Charles Darwin and Sigmund Freud represent humiliation of human being and their paradigms are three "narcissistic disorder". The common symptoms of these disorders are: megalomania as consciousness of self- wretchedness, establishing power of science and technology over nature, anti- humanism that reduces human being in an ordinary element of reality whereas raises transcendental subject and skeptical hermeneutics shared by Marx, Nietzsche and Freud. As for Darwinism, Darwin mocks "any adaptation of the mind to the world". Because natural selection is based on contradictions and incompatibilities (Žižek, 2014:163-165). Furthermore, the survival champion of natural selection is the

loser of history, because the historical adventure of mankind is usually composed of violence, repression, terror and death. Political ideals and utopian social projects have been defined by primitive instincts of human being.

Therefore, the parallax between evolution - as concept- and history- as truth- is defined in Darwin's Room focusing particularly on totalitarian ideologies of 20th Century.

Besides *Darwin and the Satyr* (2014), *Charles Darwin as a Young Man* (2013), *Charles Darwin as a Young Man* (2014) and *Charles Darwin at the Age of 40* (2014) are expressionistic portraits of the scientist. The picture of *Charles Darwin as a Young Man* (2013) is partly an example of a Darwin's photograph taken in 1854. The picture is dominated by brown-beige tones and has an almost monochromatic appearance. The photographic immobility does not exist here, painted Darwin is a dissolving figure on canvas but the other painting titled *Charles Darwin as a Young Man* (2014) is multicolored and multilayered; layers that make up the portrait give an impression of mobility in the form of a continuous decomposition and recombination.

Study for self-portrait as Charles Darwin (2013, drawing) reflects Adrian Ghenie's endless effort of becoming Darwin by overlapping indefinite and blur figures.

Ghenie's becoming effect, that desire is one of the great mechanisms of his style. Hence, he conceptualizes his own unique existence as evolution- man by portrait of Darwin. Those, Darwin as a Young Man paintings are exhibited side by side with *Untitled* (2012, the portrait of Hitler), *Self-portrait as Vincent Van Gogh* (2012), *Degenerate Art* (2014) and *Duchamp's Funeral II* (2009) in the same hall.

Charles Darwin at the age of 40 (2014) looks like technically *Charles Darwin as a Young Man* (2014). There is the same pseudo-analytical vision and this once the image reflects slightly plastination aesthetic but certainly by a non-perfectionist interpretation. Ghenie's problem is not a scientific analysis of nature but an aesthetic deconstruction: "I want a deconstruction of a portrait" (Battaglia, 2017b).

This painting and *Study for self-portrait as Charles Darwin* (2013, drawing) are exhibited side by side with *Turning Blue* (2008, the portrait of Lenin), two *Pie Fight Study* (2012) and *Pie Fight Study* (2012, drawing) in another hall.

Vincent Van Gogh

Van Gogh is another obsession-topic of Ghenie. Besides Van Gogh is exceptionally popular in today's art scene. Additionally, Van Gogh painted many self-portraits during his carrier Ghenie has also many self- portraits as Van Gogh.

Herein, *Self-portrait as Vincent Van Gogh* (2012) is also an image of transformation; from Ghenie himself into Van Gogh, from foreground to background, from sharpness to blur, from figurative to abstract, or vice versa. The element that provides this impression beyond figurative structure is the brushwork in blue-turquoise used by Ghenie that looks like the pointillist- almost-brushwork in blue of Van Gogh used in his *Self-Portrait* dated 1887.

Self-portrait is in a very privileged position in postmodern art and there are several esthetic strategies in this field. Herein Carla Gottlieb identified the significance of self-portrait at a very early date based on classical but mostly avant-garde origins and classified eleven self-portrait strategies. One of them is "In Disguise" self-portraiture; accordingly, Ghenie's becoming Van Gogh phenomenon can be regarded in this way: "If the artist has turned from identification with an admired predecessor to identification

with an admired masterpiece by the admired artist, then he has turned from a person to an object of art” (Gottlieb, 1981:277)

Degenerate Art (2014) is another Van Gogh portrait and it's at the same time a historical allegory, because the title denotes *Entartete Kunst* (Degenerated Art) event that's one of the greatest cultural disasters of the 20th century: “the Nazis removed more than 20,000 artworks from state-owned museums. In 1937, 740 modern works were exhibited in the defamatory show *Degenerate Art* in Munich in order to “educate” the public on the “art of decay.” The exhibition purported to demonstrate that modernist tendencies, such as abstraction, are the result of genetic inferiority and society's moral decline. Some of those works were later destroyed; others, officially declared “internationally marketable,” were sold through art dealers acting on behalf of the German government” (n.a., 2017) The Nazis established, among other social organizations of absolutist character, the Nazi Art. In fact *Degenerate Art* exhibition was a radical and hostile attempt to destroy art and artist. There were eventually expressionist painters- in *Degenerate Art* exhibition as for Van Gogh, he is a pioneer of Expressionism.

Gheni's literally deconstructive, violent, extremely naturalist in brief expressionist brush-work conceptualizes a kind of redemption after passion of Van Gogh, traumas of World War I and vandalism of Third Reich. If a parenthesis has to be opened in this point, Ghenie has another painting related *Degenerate Art* that was not included in the *Darwin's Room: The Sunflowers in 1937* (2014). This monumental appropriation work is a product of mnemonic activism of Ghenie like his *Degenerate Art* (2014) painting.

Marcel Duchamp

Duchamp takes part in the *Darwin's Room* after Van Gogh: *Duchamp's Funeral II* (2009). Thus, the circle starting with Hitler is completed with Duchamp or vice versa in the exhibition hall.

On the other side, if the self-portrait classification of Gottlieb is discussed again, she makes the following conclusion about the nature of the postmodernist self-portraiture: “The roots of this artistic revolution lie, I believe, in the work of Marcel Duchamp...The double-entendre self-portrait is probably the most significant contribution of postmodern art to the genre... It consists of a self-portrait that circumscribes personality by playing with verbal and pictorial puns, that is, with double entendre” and Marcel Duchamp as Rose Sélavy perfectly represents the double-entendre self-portrait by his famous work *Belle Haleine: Eau de Voilette* 1921 (Gottlieb, 1981 p.267-268).

Ghenie as a self- portrait master, performer of *becoming* and postmodern appropriator criticizes - even! - Duchamp's alfa & omega effect on modern and postmodern art.

Ghenie painted Duchamp in his coffin within a direct and concrete interpretation. Therefore, this great funeral scene is ironic because death is death. Besides, it could be interpreted also as Death of Artist! After Nietzsche and Barthes, it's Ghenie's turn!

Roland Barthes, in his famous text titled “The Death of the Author”, focusing automatic writing, underlines the subject as follows: “...surrealism doubtless could not accord language a sovereign place, since language is a system and since what the movement sought was, romantically, a direct subversion of all codes — an illusory subversion, moreover, for a code cannot be destroyed, it can only be “played with” (Barthes, n.d.:3).

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Herein, one more is added to Ghenie's adjectives mentioned above, he is also a code player. Hence, he chooses the glorious path of painting despite contemporary conceptual art authority- even hegemony!-. This anachronistic manner, this magnificent return to painting is a great postmodern surprise, after all these conceptual experiences. However, Ghenie conceptualizes power, surviving, judgment and challenge phenomena from universal and historical perspectives- indicating often parallax gap between ideas and truth- through immerse surfaces of his canvas.

Damnatio Memoriae

Untitled (2012) is the portrait of Hitler. Based on some visual elements such as the famous mustache, not the title of the work, it seems that the portrait belongs to him; it's painted with multiple visual strategies of modern art that Hitler intended to destroy by describing it as degenerate art. He has been to dissect by brush-work and he is consistently decomposing, dissolving, abstracting by modern visual dynamics.

Pie Fight Study

Pie Fight scenes have, at their origin, a setting unique to the American comedy cinema tradition and they have carnivalesque nature in Bakhtinian sense. Ghenie uses generally popular pie fight imagery in portrait format establishing an intertextual connection between cinema and painting.

According to Bahktin, carnival culture: "belongs to the boundary between art and life...the idea of carnival itself embraces all people...Carnival has a universal spirit... Carnival is the second life of the people organized on the basis of laughter... The carnival celebrates a temporary emancipation from sovereign truth and established order, underlining the suspension of all hierarchical ranks, privileges, norms and prohibitions. The carnival is the true feast of time...hostile to all that has been immortalized and completed." (Bahktin, 2005:33-36).

Hence, the naive, funny, absurd pie fight symbolizes just to be freed and to have fun beyond all imperatives - even if temporary-. However Ghenie's pie fight's paintings- or female pie fighters' portraits- are paradoxically serious images. Those frozen scenes describe the impossibility of carnival, carnivalesque lives or alternative lives in general sense in modern and postmodern totalitarian regimes.

Turning Blue (2008, the portrait of Lenin) takes place between these paintings. Turning Blue is a medical term that means cyanosis as a symptom of death. But style is different here, it's silent; Lenin has been painted relatively in a simple manner which indicates a minimalist variation for Genie's expressionism than portrait transformed into a still-life in blue. Moreover, blue color provides percept a cosmic sensibility (Deleuze&Guattari, 1996a:162) and in this context, Lenin has become a color, a blue color.

On the other side, Ghenie explains as follows: "Hitler and Lenin appear as ghosts in my paintings...It was a period in which I tried to depict their residual image in the collective unconscious, painting after such clichéd photographs like the ones with Lenin lying dead, an image familiar to millions of people" (Radu,2009).

There is an interesting coincidence during Biennale: "reading live *Das Kapital* of Karl Marx" in Arena designed by Ghanaian-British architect David Adjaye.; according to Okwui Enwezor: "*Capital* is the great drama of our age!" (Turner, 2015).

Aftermath

Muses are daughters of Mnemosyne. This classical design determines eternal mission of artist that's struggle against oblivion. In the New Darwinist context, natural selection is both a genetic and memetic issue. In the same way that genes disappear or survive in gene soup, accordingly memes/cultural genes disappear or survive in meme soup (Dawkins,2016:249).Therefore, the historical background, especially the crimes against humanity and their cultural consequences, must always be remembered.

According to Ghenie: "To be capable of burning books in public squares or putting on exhibitions of Degenerate Art, you have to be part of a whole web of people" (Vasilu, 2015b).

In fact, book burning was part of large Nazi organizations that took place across the whole Germany and only on the Berlin- Opernplatz, 25 000 books were burned (n.d.). University students and academicians -themselves- removed "un-German" books according to their own racist thoughts from universities libraries and burned in the capital and other cities as purge-rituals in presence of German people and German Media (Barbian, 2013: 1887).

Ghenie depicted this event of book-burning of Nazis happened in 10 May 1933, in his *Opernplatz* (2014) painting. As in *Darwin and the Satyr* (2014) painting, there is also here a similar aquatic transparency -as memetic environment of surviving cultural elements that exist in books- in the smoke rising to the sky from burning books.

In *Darwin's Room* exhibition, *Opernplatz* (2014) takes place together with *Carnivorous Flowers* (2014) and there is *Black Flag* (2015) on their opposite wall.

Carnivorous Flowers (2014) is an expressionist landscape about concentration camps of the Third Reich. In the midst of a wild and exotic South American nature- plenty of giant carnivorous flowers- a stranger who is Nazi doctor Josef Mengele alias Angel of Death of Auschwitz, is seen wearing winter clothes. Nazi atrocity, which did not exist at any stage and form of evolution and nature, was neither fully prosecuted nor convicted. Mengele is one of the many Nazis who fled to South America and lived there for many years without being captured under fake identities.

As for *Black Flag* (2015), a simple building is seen with tile roof where the black flag was hoisted that's situated in a far, deserted and snowy environment. This black flag is an ambiguous element but again in context of the exhibition, it can be speculated in such a way: In totalitarian regimes, totalitarian ideology seeps into every corner, every detail, and it is impossible to escape and get away with it. Hence, this painting is visualization of a totalitarian formatting method besides totalitarian events World War II.

Qualia

Persian miniature (2013) is unique among self-portraits and it's an Arcadian landscape as well. In the middle of a snow-white birch forest, Ghenie is seen with a wolf in perfect harmony. It continues to snow- with Pollock's dripping technique-. Whole scene is depicted eventually using sophisticated lines unique to miniature art. Then the silent communication between creatures in the depth of nature, timelessness and snow become palpable sensations overflowing the surface of the painting. For instance, a visitor/blogger named Jane McGehee (2015) tells her sensations in about Persian miniature while visited Romanian Pavillon: "A thick mist twists through the rows of birch trees; their silver bark glistens despite the sun's absence. The propelling wind stiffens my face, and my breath forms around me as my eyes move up the trees... Snow

Adrian Ghenie and Angelus Novus

flurries weave throughout the corridors of bark and branch and drop on the white canvas of the forest floor. Around my feet, the dried remnants of ferns and fallen leaves struggle to prop up the ivory snow...I discover that I am not alone”.

This is a subjective effect related painting that's beyond all possible expression and interpretation. In other words, this is visual *quale* (in plural form: *qualia*) that has been evoked by white, dominant color of painting.

Maurice Merleau-Ponty refers to two quotations in order to explain *quale* components. Firstly according to Cézanne “Color is where our brain meets the universe” (Merleau-Ponty, 2016a: 64) and secondly according to Klee- disciple of Cézanne-, modern artists of his generation are not satisfied with visible, they add the share of the invisible to the visible (Merleau-Ponty, 2016b:76).

Thence, contemplating “*Persian Miniature*” provides an intuitive experience created by whiteness *qualia*. Ghenie invented a snow affect for our visual culture. After that “*Persian Miniature*” has become a source for the idea of feeling to snow and its effects. “Artist is inventor of affects... He does not only creates them in his own work, he gives them to us and allows us to become with them” (Deleuze&Guattari, 1996b:157).

Adrian Ghenie as Angelus Novus

In regard to the exhibition choreography of Mihai Pop, the curator, on one side of *Darwin and the Satyr* (2014) there is *Burning Bush* (2014), on the other side *The Storm* (2015) takes place.

Burning Bush (2014)

Burning Bush is a religious theme in history of art. Moses and God encounter in a sacred space where there is a burning bush- but never consumed- and they talk about Exodus (Exodus 3:1-17). Ghenie depicts green leaves of the burning bush with a mannerist perfectionism. The rest is painted in abstract expressionist way. In Ghieni's interpretation, flames emerge from the trunk and roots of the bush and surround that sacred space/the earth beyond the usual iconographic composition of burning bush. As the flames intensify in the foreground, the aforementioned aquatic transparency begins to appear from the depths of the painting, fire and water mix together along the floating antennas. Moses disappears in the landscape of Ghieni, but he and his vocation become the invisible elements of the landscape. This becoming event or percept phenomenon or self-existence of art work and organizing all these by the painter are based on the formula of Cézanne: “there is no human but completely in the landscape” (Deleuze &Guattari,1996c:151).

Eventually, the concept of this divine spectacle is vocation. There are many masterpieces in art history that interpret the Burning Bush theme; one of them is Dierick Bouts' painting (1465). Antonio Genziani (2017) analyzes from religious and iconographic perspective the painting that depicts this Bible scene with its dramatic stages underlining: “Come per Mosè la vocazione è la risposta al grido degli Israeliti, così ogni vocazione è accolta e provata nei fatti, nella vita e nella storia” / “As for Moses, vocation is the answer to the cry of the Israelites, thus every vocation is accepted and tested in events, in life and in history” (p. 9).

The Storm (2015)

Paul Klee (1879-1940) is one of the painters who took part in the Degenerated Art exhibition in 1937. After the Nazis came to power in 1933, Klee was ridiculed by the crony press, the Gestapo raided his house, he lost his job at the academy and had to immigrate to Switzerland (Candil Erdoğan, 2019 p.63).

Before this difficult period, he also suffered the trauma of the World War I. He survived but lost his close friends - August Macke and Franz Marc-. He wrote the following lines in his diary: "...In that shattered world I remain only in memory, as one thinks back sometimes. Thus I am "abstract with memories" (Danchev, 2014a:372).

He is also an important modern art theorist. His saying "Art does not reproduce the visible; it makes visible" has become an aphorism used often in art circles.

According to Vallega, Klee developed a polyphonic style : "Klee has introduced a characteristic that distinguishes painting and other visual works, namely, the possibility of experiencing simultaneously various dimensions of life, history and ...time in its cosmological sense" (2013 465).

Meanwhile *Angelus Novus* (1920) of Klee became a universal and popular cultural code beyond modern art history, because Walter Benjamin owned it in 1921, after that the painting became his inspiration source. He transformed *Angelus Novus* in a modern allegory of history in Chapter IX of his "On the Concept of History" (1940).

In other respects, Benjamin's close friend Gershom Scholem wrote "Greetings from Angelus" (Paul Klee *Angelus Novus*) poem in 1921 for his 29th birthday (Danchev, 2014b:375). A part of this poem is epigraph of Chapter IX.

Benjamin's understanding of history has been represented by Angel but this Angel of History is Angel of Storm at the same time.

"There is a painting by Klee called *Angelus Novus*. An angel is depicted there who looks as though he were about to distance himself from something which he is staring at. His eyes are opened wide, his mouth stands open and his wings are outstretched. The Angel of History must look just so. His face is turned towards the past. Where *we* see the appearance of a chain of events, *he* sees one single catastrophe... He would like to pause for a moment... But a storm is blowing from paradise, it has caught itself up in his wings... The storm drives him irresistibly into the future, to which his back is turned, while the rubble-heap before him grows sky-high. That which we call progress, is *this* storm" (Benjamin, 2005, 1)

Kalinowski describes *The Storm* (2015) as:"...a maelstrom of imagery that has become so twisted and blown apart that any traces of an original "whole" have been destroyed. Ghenie is a history painter working at the end of history..." (Kalinowski, 2017). In this context, *The Storm* (2015) is abstract but a symbolic painting, its title is meaningful. Ghenie's vocation of being painter has been revealed throughout his intertemporal adventures/paintings, as evolution- time, as history-time, as historical progress, as actual time moreover evoking sensations of temporality and timelessness.

Thus, Ghenie displays in conceptual level a constant "*performance of Angelus Novus*". In other words, he is a postmodern *AngelusNovus*. However, although the phenomenon of the end of history is perceived as an ongoing entropy in our era as in

Kalinowski's comment, the 21th century profile needs fresh definitions. Hence, Ghenie's art could be a clue to describe features of this new profile.

Epilog

Our work includes only the *Darwin's Room* exhibition. However, we could briefly describe the style features of Adrian Ghenie:

-His painting has Baroque grandeur. Besides, he works generally in large scale.
-Velásquez, Géricault, Van Gogh, Rothko, Pollock, Bacon take place within his appropriation strategies. He said already frankly: "I steal from everybody" (!) (Tully, 2018).

-He is eventually an anachronist and wanderer through history of art, history of cinema, history of photojournalism and actual mass media activity.

-In his paintings, abstract and figurative elements melt, mix and form into each other displaying an endless flux by intensive use of paint, brush and the other painting tools.

- His multi-layered surfaces have also a mnemonic meaning "Do you know what's changed since the Eighties? Not just in Romania, everywhere. Textures have been replaced. A superficial, easy-clean world has appeared, mountains of laminate, polystyrene, double-glazing, plastic, we now use spray-on, ready-to-go things. Romania of the 1980s was a hard-to-clean world of textures, it gathered dust" (Vasiliu, 2015c).

-He is a mnemonic activist.

-Finally his paradigmatic poetics offer rich interdisciplinary research possibilities.

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ORIGINAL PAPER

Restricting the exercise of freedom of expression in a democratic society - communication or coercion?

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Abstract

In a democratic society, freedom is not subject to power. Power is only a means by which freedom is protected. This limit is exceeded when freedom is attacked in two directions: either power becomes an end in itself, when the attack on freedom is open, or power attacks the content of freedom, claiming to fight attacks on it, in fact, doing nothing but legitimizing his own attack on freedom. "Freedom is just as endangered if it is attacked in the name of anti-fascism or overt fascism." (Fromm, 1998: 12). In order to highlight the two possible attacks on freedom and to be able to compare them in order to demonstrate that both pose an equally serious threat to freedom, we will compare the attacked freedom in the name of open fascism - taking as a benchmark freedom of expression and the attacks to it from the communist period, but also the freedom attacked in the name of anti-fascism - censorship of freedom of expression in a democratic society, under the pretext of protecting the individual's freedom to be informed correctly, thus intervening to regulate the content of freedom. The ultimate goal is to demonstrate that regardless of the society in which we place freedom - democratic or totalitarian, it is essential that the environment in which the power-freedom relationship takes place be one of communication, not coercion, otherwise freedom will be subject to the same abuses by state power.

Keywords: *democratic society; freedom of expression; censorship; individual freedom; power-freedom relationship.*

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I. Freedom of the press during the communist period

During the communist period, freedom was subject to the power that gave rise to an environment of coercion in which rights and freedoms were theoretical and illusory. During this period, although there were not the same large number of normative acts adopted, the normative inflationary phenomenon (Burci, 2019: 39-46) was flourishing.

The normative inflationary phenomenon is reflected in the communist period by the tendency of the state to subject to regulation a sphere of social life in which it should be forbidden to intervene: the press. In addition to this trend materialized by law no. 3/1974 (IndacoLege[5]), a law that regulates in detail the aspects related to "freedom of expression of the press", the normative inflationary phenomenon becomes all the more evident when the regulation converts the nature of freedom understood as a barrier to state power, in the midst of coercion for that power. Thus, the regulation did not ensure the freedom of expression of the press, but on the contrary, the regulation became the strongest instrument of coercion of the press, so journalists were punished if they expressed opinions contrary to the socialist regime, freedom of expression of the press is no longer understood as a means of communication of information, but as a means of coercion used by the state power in order to satisfy its own interests.

Article 1 of the law no. 3/1974 states:

„In the Socialist Republic of Romania, the press fulfills a high socio-political mission, serving, through its entire activity, the cause of the people, the supreme interests of the socialist nation.”

„The press is meant to constantly militate for the translation into life of the policy of the Romanian Communist Party, of the high principles of socialist ethics and equity, to promote progress, ideas put forward in all areas of life and social activity.”
[...]

From this article we extract two main ideas: the purpose of the entire activity of the press is to achieve the supreme interests of the socialist nation and the information presented in the press must reflect the high principles of socialist ethics. The only directions to be followed by the press were clearly outlined, any deviation from the purpose or object of the information presented being censored. Therefore, the necessary conclusion is that without the fundamental right to pluralism, power will remain, regardless of the society in which it manifests itself, an environment of coercion and not one of communication. Censorship can also take place in a democratic society in which pluralism is enshrined as a supreme value at the constitutional level, therefore, any regulation that infringes the fundamental right to pluralism, regardless of the society in which it occurs, turns communication into coercion and freedom into oppression.

Article 3. *„Freedom of the press is a fundamental right enshrined in the Constitution. All citizens are guaranteed the right and are guaranteed the conditions to express their opinions in the press on issues of general interest and of a public nature, as well as to be informed about events in domestic and international life.”*

Also, freedom of the press was a fundamental right enshrined in the Constitution, as provided by article 3 of law no. 3/1974, an article which, if taken out of the context of this law, offers the illusion of a true democracy - freedom of the press is a fundamental right. To be a fundamental right means to be a real barrier to state intervention, to be protected from any attempt by the state to infringe this right and to be

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exercised freely, the state can affect its exercise only under the conditions of the article 53 of the Romanian Constitution.

However, the text of the law proves the opposite, being able to observe the state intervention even in the smallest aspects regarding the freedom of the press, such as: purpose and object of the information presented in the press, organization and development of the press activity, dissemination of the press, rights and obligations, relations between the media and citizens, defending the interests of society and individuals against the misuse of the right to express themselves through the press, etc.

Imperative regulation in a sphere that should be removed from the scope of any coercive regulation is tantamount to affecting the exercise of incidental rights in that sphere. Therefore, the freedom of expression of the press was a fundamental right only theoretically, its guarantee at the constitutional level not offering it the guarantees of protection against state intervention. Moreover, an excessive restriction on the exercise of a right amounts to the abolition of the right itself. From the text of the law we can observe that freedom of expression is only a set of rules established by state power, not a fundamental right of the individual.

The exercise of freedom of expression was carried out according to the indications provided by the state through the normative act, being established *a priori* all the aspects that govern this exercise, thus the notion of fundamental right was confused with the right whose exercise is organized in the smallest aspects by state power, more precisely, a right conferred by the state and not a right with which the individual is born.

II. Censorship in a democratic society

With a similar position of freedom of expression, we also faced in the post-communist period, in the case of the Party of Non-Communist and Ungureanu against Romania (the decision of February 3, 2005, final on July 6, 2005, IndacoLege[5]), in which a political party called the Party of Communists (Party of Communists who were not members of the Romanian Communist Party, PCN) and a citizen of the Romanian state, Mr. Gheorghe Ungureanu, notified the European Commission of Human Rights on 14 April 1997, pursuant to the former art. 25 of the Convention for the Protection of Human Rights and Fundamental Freedoms.

The applicants claim that the rejection of their application for registration of the PCN as a political party, by the Decision of the Bucharest Court of Appeal of 28 August 1996, infringed the right to free association, pursuant to art. 11 of the Convention. Considering the reasons retained by the courts for refusing registration, they are also considered victims of discrimination based on their political opinions, contrary to the provisions of art. 14 of the Convention.

The status and political agenda of the political party provided: "[The NCP] shall respect national sovereignty, the territorial integrity of the State, the rule of law and the principles of democracy. The statute prohibits all its members from defaming the country and the nation, incitement to war, national, racial, class or religious hatred, incitement to discrimination, territorial separatism or public violence, as well as obscene manifestations contrary to morals. [PCN] materializes the free association of citizens who militate for political pluralism, uphold the principles of the rule of democratic law, being the promoters of the option to assert their own interests, but not to deny others. "

The purpose of political formation: Communists (non-partisans) express, represent and defend the political interests of working people, regardless of ethnicity, sex, age, profession, beliefs and feelings. All those who earn their living through work

of any kind are people of work (...). In order to ensure the continuous increase of the living standard of those who work, the communists (non-partisans) act, within and with the legal means, admitted and allowed to all parties, to conquer political power, to guarantee the establishment of a democratic and human society.

Also, in order to remove any doubt, it was mentioned that: [PCN] is not a successor of the Romanian Communist Party with which it has no connection; it represents an extension of the anti-pecuniary resistance of before 1989. Initiated and formed by the communists who were not members of the Romanian Communist Party, [PCN] states that it does not deserve either the merits or the criticisms addressed to the Romanian Communist Party."(art.20)

Article 37, paragraph (2) of the Romanian Constitution provides: "*Parties or organizations that, through their purposes or activity, militate against political pluralism, the principles of the rule of law or the sovereignty, integrity or independence of Romania are unconstitutional.*"

Law no. 51/1991 regarding the national security of Romania also provides in article 3: „*The following constitute threats to Romania's national security: (...) h) initiating, organizing, committing or supporting in any way the totalitarian or extremist actions of communist, fascist (...), racist, anti-semitic, revisionist origin, separatists who may endanger in any form the unity and territorial integrity of Romania, as well as incitement to acts that may endanger the rule of law (...).*”

After examining the above texts, the European Court of Human Rights ruled: „*Analyzing the status and political agenda of the NCP, the Court notes that the texts insist on respect for national sovereignty, territorial integrity and the country's legal and constitutional order, as well as the principles of democracy, including political pluralism, universal suffrage and free participation in political life. It also notes that they do not contain any passage that could be considered a call to violence, revolt or any other form of rejection of democratic principles, which is an essential element to be taken into account, or to "dictatorship of the proletariat".*” (paragraph 54).

The Court notes that the political program and the statute of the NCP did contain passages criticizing both the abuses of the former Communist Party before 1989, from which it distances itself, including by its title, and the policy pursued after 1989 (paragraph 55). According to the Court, one of the main characteristics of democracy lie in the possibility it offers to debate through dialogue and without resorting to violence the issues raised by different political currents of opinion and this even if it bothers or worries. Indeed, democracy is based on freedom of expression.

In this regard, a political party that respects the fundamental principles of democracy cannot be concerned with the mere fact that it has criticized the country's constitutional and legal order and wants to debate it publicly on the political scene. In the present case, the national courts have not shown in any way why the program and the status of the NCP were contrary to the fundamental principles of democracy. Such a radical measure as rejecting the applicants' application for registration of the NCP as a political party, taken even before it began its activities, is disproportionate to the proposed purpose and, consequently, not necessary in a democratic society, being violated the article 11 related to freedom of expression.

We note how freedom of expression has been affected in a democratic society in which freedom should be understood in its two senses: freedom-autonomy and freedom-participation (Dănișor, 2018: 255-267). Taking into account only the status and the political agenda, although they were not contrary to the fundamental principles of

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democracy, the exercise of freedom of expression was restricted as a precaution. Such a restriction could take place after the party had been created, if the activities carried out had affected the fundamental principles of democracy.

This mode of operation in the sphere of freedom of expression is similar to the mode of operation specific to the communist regime, in which freedom of expression was restricted by establishing *a priori* all aspects governing its exercise, without existing, even to a small extent, issues that escape state intervention.

The proof of the similar way of acting can be found in article 69 of the law regulating the freedom of expression of the press during the communist period, which stated: „*Freedom of the press cannot be used for purposes contrary to the socialist order, the rule of law established by the Constitution and the other laws, rights and legitimate interests of natural and legal persons, socialist morality.*”

It follows that, as in the case of the Party of Communists and Ungureanu against Romania, the exercise of freedom of expression is restricted in a preventive manner, while also infringing on the fundamental right to pluralism. In the communist period, pluralism was an ideal difficult to achieve, there was no right to choice, only the unique option drawn by the state, but in the democratic period when the rights and freedoms of citizens and the fundamental right to pluralism are enshrined as supreme values, are allowed such interventions in the sphere of freedom of expression?

The transition from communism to democracy should mean leaving the environment of coercion in which power is manifested, and moving to an environment of communication, the main difference being that it eliminates the coercion that comes from the state and manifests on the individual, adopting horizontal communication, so that the relations of coercion between individuals and the state are reduced to a minimum, the rest of the normative space is intended for the communication environment in which the state is only an instrument that the individual uses to protect his rights and freedoms. The individual is the goal of any social system, says one of the principles of constitutional democracy (Dănişor, 2018: 27-34).

III. Case study. Freedom of expression of the press during the state of emergency in Romania

1. Freedom of expression of the press in democracy

Freedom of the press is protected in a democracy with a purpose other than that specific to the communist period. This time the press must not serve high principles established *a priori* by the state, but its purpose is related to the protection of the rights and freedoms of individuals, more precisely to the protection of the right to information. Thus, article 31 paragraph (1) of the Romanian Constitution stipulates that the right of the person to have access to any information of public interest cannot be restricted and paragraph (4) that the mass media, public and private, are obliged to ensure the correct information of the public opinion and that the public radio and television services are autonomous.

The consecration of the fundamental right to pluralism as the supreme value ensures not only political pluralism, but also pluralism that exists in all areas of social life, so that information received by individuals is not censored prior to public disclosure and is not conditioned by pressure from certain social and political groups. Therefore, one of the basic rules of categorical pluralism is that associations be independent of each other not only as a goal or objective, but also financially, even a relative financial

independence, when total financial independence is not possible (Dănișor, 2018: 262-264).

Therefore, the media's dependence on funding from social and political groups no longer guarantees the correctness and pluralism of the information presented, infringing the individual's right to information. Freedom of the press is protected in order to protect the right to information of the individual and whenever it is harmed, the main effect caused is the violation of the fundamental right to information belonging to the individual.

Correct information of public opinion is a constitutional obligation of journalists, the individual having the right to demand that the information provided by journalists be truthful in the case of news and honest in the case of opinions, without outside intervention from both public authorities and the sector private (Resolution 1003/1993 of the Parliamentary Assembly of the Council of Europe on journalistic ethics, paragraph 8 and paragraph 2). Implicitly, the journalist is obliged to be objective, impartial and this is done by bringing as many opinions as possible to the center of public debate, even in opposition, so that, by comparison, citizens can form their own beliefs, a manifestation of the fundamental right to pluralism in the sphere of information.

2. Freedom of expression and freedom of expression of the press – identity or gender-species difference

Article 30 of Romanian Constitution - Freedom of expression:

„(1) The freedom to express thoughts, opinions or beliefs and the freedom of creation of any kind, by word of mouth, writing, images, sounds or other means of communication in public, are inviolable.

(2) Censorship of any kind is prohibited.

(3) Freedom of the press also implies the freedom to set up publications.

(4) No publication may be deleted.”

We notice that at the level of terminology there is a difference between freedom of expression and freedom of the press. Thus, the freedom of expression of thoughts, beliefs is distinguished at the terminological level from the freedom of creations or the freedom of the press. The question is whether there is a gender-species relationship between freedom of expression and freedom of the press, or whether freedom of the press tends to be assimilated into the wider sphere of freedom of expression. We can clarify this aspect starting from the purpose of protecting the freedom of the press - the protection of the individual's right to information. The individual's right to information is ensured not only by the information coming from the press, as an official body, but given the way technology has evolved, most often the individual is informed using websites, reading articles published on various blogs or following the pros and cons expressed on the applications through which the communication is ensured.

Therefore, freedom of the press can no longer be limited to the press as an official body, but must be extended to all media used by the individual. The problem arises when we want to qualify a means of information as whether or not it is part of the press. What are the criteria we use: the number of followers, the nature of the information, the target audience? The right to information should be protected beyond these objective criteria, hence the freedom of the press.

Censorship will not be allowed under any circumstances, regardless of the means of information used. Even a single individual who wants to inform the public about a certain aspect can invoke the freedom of the press to do so. Therefore, although there is

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a terminology difference between freedom of expression and freedom of the press, nevertheless, freedom of the press tends to be assimilated to freedom of expression and to lose its specific character, by the fact that any individual, not only the official media, can become a means of information for those around.

3. Censorship of freedom of expression of the press during the state of emergency

In a democratic society, the state of emergency can become the perfect context in which the freedom of expression of the press is restricted. We must understand, first of all, that freedom of the press does not relate exclusively to the freedom of the official body - all the elements of the media that deal with the provision of news, such as newspapers, magazines, radio, television and the Internet, online publications and blogs (Wikipedia). Rights and freedoms belong only to the individual, the only one who can be a subject of law, the reason being that any right and any freedom is, first of all, inherent to the human nature, this inherence being the basis for future express legal consecration of rights and freedoms, in order to guarantee their legal protection.

Thus, freedom of expression cannot belong to the press as an official body, but belongs to those who express themselves through this official body and to those who have the right to information, respectively to the one who issues and to the one who receives the information. Freedom of the press is our freedom, of those who need to be heard and of those who need information. That is why by freedom of the press we must mean a two-sided freedom: the freedom to express ourselves through the official body of the press and the freedom to receive the information that is intended for us through the press.

This is also the reason why the press must be free, a freedom of speech that comes out of the influence of political and social groups, through financial and functional independence. Otherwise, it is as if our freedom is constrained, made dependent on social and political influences, unconstitutionally restricting our exercise, without respecting the conditions of article 53 of the Romanian Constitution. The same is the case where in the context of a state of emergency, freedom of the press may be restricted through censorship. It is true that in the context of a state of emergency a restriction on the exercise of certain rights or freedoms may be permitted, but this restriction may not exceed the limits of article 53 (Article 5 of the law 453/2004). Closing sites under the pretext of combating false information without a prior trial that an independent court decides on the closure of a site is a major intrusion into the sphere of freedom of expression.

During the state of emergency, the decision was made to close a series of sites in Romania on the grounds that they had published a series of articles, spreading false information about the coronavirus pandemic. The sites were closed by ANCOM, the National Authority for Administration and Regulation in Communications, an autonomous public authority, under the control of the Romanian Parliament, with the role of regulation and supervision in the field of electronic communications and postal services (ANCOM). The decision can be challenged in court, but *a posteriori*, after those sites have already been closed. In the following, we will examine the conditions imposed by the article 53 regarding the restriction of the exercise of freedom of expression of the press.

1. „*Restriction to be made only by law*”(Dănișor, 2018: 367-369). By law, it must be understood, exclusively, the normative act issued by the Parliament, the

Parliament being the one that, as a rule, exercises the legislative function, as the representative body of the Romanian people, which ensures the exercise of sovereignty belonging to the people. The presidential decree cannot restrict the exercise of certain rights or freedoms, as is the case of the Decree extending the state of emergency on the territory of Romania no. 240/2020, which provides in article 91, paragraph (3):

"Hosting providers and content providers are obliged, at the motivated decision of the National Authority for Administration and Regulation in Communications, to immediately interrupt, with informing users, the transmission in an electronic communications network or the storage of content, by eliminating it from the source, if that content promotes false news about the evolution of COVID-19 and protection and prevention measures. "

2. *"Restriction must be imposed"* (Dănișor, 2018: 369-372). Imposition is related to the nature of the situation that determines the taking of this measure. Thus, in the context of the state of emergency and the need to ensure the veracity of the information received, it was considered that the closure of these sites was necessary. It follows that, without the closure of these sites, the rights and freedoms of the individual, namely those of receiving real information, would have been seriously affected. Thus, the right to receive information is restricted in order to protect the right to receive real information.

But who judges the veracity or falsity of such information? Of course, when we are dealing with events, announcements, stories whose falsity is obvious and can be proven, because the opposite proves their falsity, taking certain measures is justified. This is the case of some sites that announced the fact that the supermarkets are closed from a mentioned date, which was proven to be false by proving the opposite. But in the case of sites that present information such as: *"The state of emergency and the pandemic are the pretext for abusive laws and the limitation of human rights"*, the information presented is subjective, related to the author's opinion, not some objectives that can be proven otherwise. Can a man be condemned for his opinion? Can his freedom of expression be suppressed (because it is about suppression, not restriction), just because he dared to question the measures taken by the state? Is it necessary to restrict in such a situation?

3. *"The restriction must be made in defense of the social values strictly listed in article 53"* (Dănișor, 2018: 369-372). In the context of the state of emergency underlying the covid pandemic 19, national security, public health and the protection of rights and freedoms are social values that may be incidental. But the protection of these strictly enumerated social values is not the purpose of the restriction, but only a means leading to the ultimate goal: the protection of the rights and freedoms of individuals. We protect public health not as the ultimate goal, because public health as a social value does not have a predetermined content, it is not a substantial social value, but only a procedure for the protection of the rights and freedoms of individuals.

The problem we face is that of identifying the rights and freedoms that need to be protected by restricting the freedom of expression of the press. As we have established, it is about the individual's right to real, truthful information. Therefore, the right to information is restricted for the purpose of the right to real information, for which purpose censorship is allowed. But what is more useful to the individual? To receive information censored by bodies with the role of determining what is true or not in matter of opinion, or to receive the necessary information that can pass through the filter of his own thinking, in order to decide for himself on their veracity? Such a

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restriction translates as follows: the right to pluralism of sources of information is restricted in order to provide the individual with a single source of information: the source considered real by national authorities. We thus return to the status that the press had in communism: to serve the purposes of the communist state and to present information that could only be in its favor, without being able to have a contrary opinion.

4. „*Restriction should be necessary in a democratic society*”(Dănișor, 2018: 383-387). In a democratic society, a restriction of the exercise of rights and freedoms is necessary only if it preserves, protects and develops the freedom to choose: the freedom to choose the information that you consider or not to be real, to have the opportunity to choose from several uncensored sources of information. Regardless of the sphere of social life in which it is incident, freedom of choice is closely linked to the fundamental right to pluralism and is one of the ideals of the 1989 Revolution, ideals that are imposed constitutionally as a vector of supreme values, in the sense that the fundamental right to pluralism must be understood in the spirit of them (Dănișor, 2018: 191-200).

Therefore, any attempt to define pluralism as a possibility to choose from a bunch of limited and censored information by the state is unconstitutional, because the 1989 revolution had as its ideal the freedom of the individual to decide for himself on: what is just, true, good, moral, without being able to impose on him preconceived notions about good, moral, just. For example, if the Romanian Orthodox Church cannot impose an official direction on what is moral in a society, considering that morality is a subjective concept and is under the protection of the fundamental right to pluralism, why an authority like ANCOM can decide on what is true or not as a political-legal opinion?

Also, in the case of Law no. 45 of April 3, 2020 on the compulsory sex education in schools, which amended article 46, paragraph 3, letter i of law no. 272/2004, the Romanian Orthodox Church, although taking a stand against the promulgation of this law, failed to impose its point of view, considering that its opinion is not beneficial for the promotion and development of children's rights. But who has the power to decide what is beneficial for the development and promotion of children's rights? The Romanian Parliament? Then where are the rights and freedoms of the individual and the fundamental right to pluralism? Do not the parents have the right to choose from several possibilities the most favorable option for the protection and development of the child's rights?

The Romanian Parliament does not introduce an option, but an obligation, coming to regulate in a field of social life in which it is forbidden to intervene, imperialistically tending to exercise its monopoly of coercion on parental authority. How did religion become an optional subject and sex education a compulsory subject? We are a secular state, but secular translates not only as non-religious, but also as the impossibility of declaring oneself an atheist state or a state with a certain religious or moral doctrine, regardless of whether it materializes in a religion or not. Sexualism can be considered a moral doctrine that cannot be imposed on everyone.

If religion has become an optional subject, motivating that the citizens of Romania are not obliged to acquire all the moral and religious values promoted by Orthodoxy, then why did they necessarily impose sex education with the values promoted by it? From this point of view, it is clear a struggle of the state in order to impose a new religion, a state religion, which decides what is good and evil, moral and immoral, truth and falsehood, this new religion being imposed on the individual. It turns out that we are not dealing with a secular state, an opinion also expressed by the

communitarian doctrine, the state not being deprived of moral or religious options (Dănișor, 2018: 55-62). Therefore, the measure of restriction is not necessary in a democratic society, producing no effect other than the suppression of the fundamental right to pluralism, so that the state manifests its imperialist tendency by imposing its own conception of just, good, truth.

5. „*The measure shall be proportionate to the situation that determined it*” (Dănișor, 2018: 387-388). Regarding the proportionality of the measure with the situation that determined it, we will refer to the following aspects: *the measure must be able a priori to achieve the aim pursued*, experiments with individual freedom being not allowed; „*the measure must represent minimal interference in the sphere of individual freedom*”, on the contrary, that of the existence of a milder interference, the measure being unconstitutional; „*the concrete result that was produced by the application of the measure to be proportional to the purpose pursued by the legislator at the time of ordering the measure*”.

Regarding the first aspect, the purpose pursued by the censorship of these sites was to protect the individual against false information. Was the measure of restriction the freedom of expression of the press able *a priori* to achieve this goal? Has been eliminated the possibility of presenting erroneous, false, information to individuals, by closing the sites? Of course not! The Internet is an inexhaustible source of information whose veracity cannot be controlled or censored, as it would infringe the right to privacy. Thus, there are various methods of communicating information in groups, with the help of certain applications, so no one will be able to stop the dispersion of information of any kind. By closing the sites, only the economic aspect regarding the amounts of money obtained by their administration was affected, however, the dispersion of false or real information was not prevented. Therefore, censorship violated the fundamental right to pluralism, affected the rights and freedoms of those who run those sites, violated freedom of expression but also the right to information from pluralistic sources, without being able to achieve the goal: the elimination of unreal information. With regard to the second aspect, the closure of the sites certainly did not represent the minimum interference in the sphere of individual freedom, but on the contrary, amid the state of emergency, the widest interference was resorted to. Thus, article 53 was violated in terms of proportionality, although the state of emergency does not imply that the restriction of the exercise of rights and freedoms may violate the disposition of this article. Moreover, we believe that the freedom of expression of the press has been suppressed by an excessive restriction - the closure of the site. By closing the site, the administrator is unable to present any information to his followers, the excessive restriction of freedom of expression leading to its suppression.

There were measures with milder interference in the area of individual freedom, such as an initial warning, the removal from the site of information proven to be false (not those subjectively considered by the authorities to be false), or financial penalties. In no case, the closure of the site is not the mildest interference, but the last one that could be used. Regarding the third aspect, that of the proportionality of the concrete result obtained, with the aim pursued by the legislator, we have already demonstrated that the protection of individuals against false information was not achieved by closing the sites, the concrete result produced being the violation of the right to pluralism and freedom of expression, all this due to the lack of an analysis of proportionality, *a priori* to the measure of restriction, reaching the result of the experiment made with freedom of

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expression, an experiment whose consequences have occurred and can no longer be removed for the past, but only for the future.

6. „*The restriction shall be applied in a non-discriminatory manner*” (Dănișor, 2018: 388-389). This condition does not imply that the measure is discriminatory on the basis, but that its application is discriminatory. Apparently, the measure of restriction the freedom of expression of the press applies to all official bodies considered to be part of the press. But were all sites that presented false information censored? The attention was directed against sites that presented certain information of a political or legal nature, trying to signal irregularities of the legal or political system. As I mentioned above, to say that the declaration of a state of emergency is a pretext for abusive laws and the limitation of human rights, is a political and legal opinion, which cannot be censored as the facts whose veracity can be proved by the contrary (x chain store will be closed starting tomorrow). Therefore, the measure is considered to be applied in a discriminatory way by the simple fact that it censors the freedom of expression of the administrators of some sites that express their political and legal opinions, although the restriction measure can be based only on false information, not on subjective political and legal opinions, that are contrary to those exposed by the state.

7. „*The measure must not affect the substance of the law*” (Dănișor, 2018: 389-391). The measure affect the substance of the law because: it lacks legal protection and excessively restricts the exercise of freedom of expression.

The restrictive measure lacks the freedom of expression of the press without legal protection, because the conditions of article 53 are violated, so that the strongest mechanism for protecting rights and freedoms (barriers imposed on state power represented by the conditions of article 53) is ignored. Also, the measure does not represent a simple restriction, because the freedom of expression of the respective press body is absolutely impeded, by closing the site. There is an excessive restriction, there is no possibility for those who manage the sites, not only to present certain public events, but also to express their opinions, thoughts, suspicions about them and in this way to sound the alarm for those who have the right to information.

IV. The relationship between individual freedom and state power-communication or coercion

The relationship between individual freedom and state power should take place in an environment of communication, not coercion. Thus, the freedom of expression of the press should have been restricted only after a prior communication report between this body with the role of informing civil society (the press) and the state authorities with the role of ensuring the correct information of the population.

The environment of coercion betrays a struggle between individual freedom and state power, being able to observe the mechanisms used by state power for the purpose of a broader intrusion into the sphere of individual freedom. The state wants to provide content to the notions of good, evil, moral, immoral, true or false, although these notions were not made to have a predetermined content, but to serve as a means of freedom of choice of the individual, an individual who always was endowed with free will.

The individual has no longer the possibility to choose, imposing more and more accentuated predetermined directives. He has no longer the right to choose about his own religious freedom, but must submit to the directives given by the state through which an intrusion is made in the individual consciousness, tending to change it according to their own conceptions of what may or may not be religious (see the

intrusions in the sphere of the right to manifest religious beliefs, during the state of emergency). Also, the individual is required to have a single moral option, the one that the state considers beneficial for good mental and physical development, without leaving the individual the right to choose. The state is neither secular or neutral. In his imperialist approach, he outlines his own religion and his own moral doctrines, which he tries to impose on the individual, in this sense, not differing at all from the totalitarian state. Democracy cannot be considered a simple form, it has a sap, an essence, a content. At the heart of democracy is freedom, the freedom that cannot be subjected to state power, but that imposes itself on any power or authority that would initiate an attack on it. Freedom cannot be eliminated, it can only be ignored. The freedom of the individual has always existed within his being, as God endowed him with free will. Democracy means recognizing (not attributing) to the individual, at the legal level, his freedom to choose and to eliminate any attempt aimed at imposing the unique, pre-established options, elaborated by the state entities.

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ORIGINAL PAPER

Digital Health and the Generation Gap in Romanian Context

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Abstract

The present paper examines a demanding topic and provides a framework for developing research on eHealth. The paper investigates the use of web-based technologies for health information seeking and personal health information management in the Romanian context. It starts from the premise that the debate about the health system offers a privileged perspective to address themes that are at the intersection of media discourse, public health policies, institutions and organizations in the field of medical and social issues. By analysing the answers obtained on two samples (one made of students – 169 respondents – and another made of their parents – 114 respondents) used in a 2015 survey the article tries to provide an answer to questions like: What sources do people consult first in search for health information? How do people select the websites from which they retrieve health information? How often do people use emails, online test results, or medical appointments? What are the differences between young generation and mature persons as regards the trust and use of the internet in health-related behaviour? The findings suggest that the Internet plays an important role in modelling healthy behaviours for both Romanian students and their parents. According to the survey results, despite the interest in the advancement of eHealth tools and the increasing access to online health information, there is a “generation gap” on the trust on eHealth – e.g. mature people still do not consider online health information to be as reliable and they do not use eHealth tools as the young generation.

Keywords: Internet; health literacy; health-related behaviour; generation gap.

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Introduction

In 2017, only 68.6% of Romanians had access to the Internet at home, 64.3% in urban areas (National Institute of Statistics, 2017a). According to the same data report, various factors (not only in Romania, but also worldwide) have influenced the likelihood of having digital devices and Internet access, notably occupation and household income (90.9% of employed citizens had access to the Internet, compared to 42.2% of retirees) (National Institute of Statistics, 2017b). Furthermore, seniors living with younger relatives were more likely to use the Internet than those living alone. Finally, Romanians' use of new information and communication technologies decreases as they age (National Institute of Statistics 2017c).

Analyses conducted so far reveal that mature people respond differently to mediated communication compared to young people (McMillan and Macias, 2008). Firstly, mature people engage in fewer online activities and have lower levels of digital literacy, including online health literacy (Campbell, 2009; McMillan and Macias, 2008). In addition, current studies indicate that there are major differences between the ways in which older and younger people use the Internet in particular and the benefits they associate with this new type of communication, namely computer-mediated communication (McMellon and Schiffman, 2002; Shapira, Barak & Gal, 2007; Gatto and Tak, 2008; Mellor, Firth & Moore, 2008; Karavidas, Lim & Katsikas, 2005).

A straightforward way to gain new perspectives on health literacy is assess the limits of the existing scientific literacy definitions on health literacy. Feinstein's (2011) definition of science literacy was based on research that: "tells us that people selectively integrate scientific ideas with other sources of meaning, connecting those ideas with their lived experience to draw conclusions and make decisions that are personally and socially meaningful" (Feinstein, 2011: 180). If we simply replace "scientific ideas" with "health information" in the above quote, Feinstein's idea can be easily applied to health literacy. Similarly, Feinstein's definition of scientifically literate people can be adapted to health literacy by simply replacing science and scientific with health: "people who have learned to recognise the moments when science has some bearing on their needs and interests and to interact with sources of scientific expertise in ways that help them achieve their own goals" (Feinstein, 2011: 180). So, health literate people are defined as those who have learned to recognise the moments when health has some bearing on their needs and interests and to interact with sources of health expertise in ways that help them achieve their own goals.

One problem with this definition is that a person's own goals may not necessarily fit with good health. They may seek expertise from a health professional and not take the advice given. For example, a person with a sore back may be advised to take painkillers and exercise, but choose only to take the painkillers. This is related to the ideas of motivation and empowerment, which are included more often in concepts of health literacy than scientific literacy. Thus, it is not simply having skills and/or knowledge but using them, as well as wanting to gain further skills and/or knowledge.

Nutbeam included motivation in his 1998 definition of health literacy: "Health literacy implies the achievement of a level of knowledge, personal skills and confidence to take action to improve personal and community health by changing personal lifestyles and living conditions. Thus, health literacy means more than being able to read pamphlets and make appointments. By improving people's access to information, and their capacity to use it effectively, health literacy is critical to empowerment." (Nutbeam, 1998: 357).

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Further to this, Peerson and Saunders (2009: 289) gave an example of how a person may not use health literacy in health promoting ways. They questioned how the health literacy of someone who knows and understand the health risks of binge drinking but decides to ignore them could be described.

There could be two types of health literate individuals. There are some who are always seeking out health information and activities. There are others who are perhaps classed as health literate but take notice of health information and activities only, or mostly, as they come into contact with them. These two types of individual can be called “actively health literate” or “passively health literate.” The passively health literate could be lacking motivation and empowerment. It would be important to provide opportunities and resources for those who are actively health literate, but, also, those who are passively health literate need to be empowered or motivated to actively seek out information, possibly by making the information personally relevant. The goal would be to have more actively health literate individuals.

Bernhardt, Brownfield and Parker (2005: 8) suggested that the motivation to receive and act on health information is related to a “perceived personal relevance of the information being presented.” This was excellently described in terms of health literacy by Schulz and Nakamoto (2005): “being health literate therefore is not equal with propositional knowledge; it’s not just declarative and it is even more than procedural; it is procedural as it relates to the person. It almost is the person in an existential sense. It’s not only “what to do” but what doing something specific means for me “in my world” (Schulz & Nakamoto, 2005, p.6).

On the basis of the existing literature this paper investigates the use of web-based technologies for health information seeking and personal health information management in the Romanian context. As the main research premise we have considered the common-sense assumption that the debate about the health system offers a privileged perspective to address themes that are at the intersection of media discourse, public health policies, institutions and organizations in the field of medical and social issues.

From here, the main questions of the present study are:

1. What sources do people consult first in search for health information?
2. How do people select the websites from which they retrieve health information?
3. How often do people use emails, online test results, or medical appointments?
4. What are the differences between young generation and mature persons as regards the trust and use of the internet in health-related behaviour?

The methodology

The present study was based on a quantitative methodology- namely a survey made on two separate samples: a sample of 169 students from the University of Bucharest and a sample of 114 respondents who were their (e.g. students’) parents.

The collection of data took place in March-June 2016 and the questionnaires were self-administered (e.g. the respondents filled themselves the answers at the questions from the questionnaires).

The hypotheses of the study were:

Hypothesis 1: It should be a small frequency (less than 50% both for the sample of students and for the parents’ sample) of the respondents who get health-related information from other sources than mass media (namely from the Internet).

Hypothesis 2: It should be measured a small frequency (less than 40% both for the sample of students and for the parents' sample) of the influence exercised by interpersonal communication on the disease prevention behaviours of the respondents.

Hypothesis 3: It should be a small frequency (less than 40% both for the sample of students and for the parents' sample) of the influence exercised by interpersonal communication on the respondents' own assessments of risk factors for health's management.

Hypothesis 4: It should be a small frequency (less than 40% both for the sample of students and for the parents' sample) of the influence exercised by interpersonal communication on the respondents' own management of their resources for health.

The data gathered were interpreted with the help of SPSS package. The present paper presents mainly the descriptive statistics.

The analysis of the results

The general set of data showed that 38.6% of students' parents had declared that they were not content with their daily lives, and only 31.5% of them assessed a certain degree of content in general. At the same time, around half of the total sample of students declared that they are content with their daily lives.

Table 1. Assessment of personal life

	Parents (%)	Students (%)
I am content with my daily life	31.5	52.7
I cannot say that I am content or I am not content with my daily life	29	34.3
I am not content with my life	18.8	3
I am very discontent with my life	19.8	3
I am very content with my daily life	0.9	7.1

The difference between students and their parents could also be noticed in the case of question regarding the self-assessment of one's place within the society as a whole. That is, in the case of students' parents, more than a half of the sample (68.7%) placed themselves on the levels 3 ("low") - 6 ("middle") of a hypothetic social ladder. At the same time, the students tend to assess their place at the ends ("lower" and "highest") - 42.6% of them placed themselves on levels 1-3 of the possible social ladder and only 24.9% assessed that their place was on the other end (levels 8-10 of this above-mentioned ladder).

Table 2. Self-assessment of social position on a social ladder (Ladder ranging from "1" - the lowest level - to "10" - the highest level)

	Parents (%)	Students (%)
Level 10	0.3	0.6
Level 9	0.2	3.6
Level 8	5.4	10.7
Level 7	8.5	14.2
Level 6	14	5.9

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Level 5	12.3	10.7
Level 4	19.6	7.1
Level 3	17.5	13.0
Level 2	11.4	20.1
Level 1	3.5	9.5

When we analyse the uses and consumption of media, our data showed that the parents of students relied on television as their main source of information – 62.3% - and 41.3% of them searched for the information on the Internet each day. Quite the contrary, the students' main source of daily information was the internet – 83% of them searching for information on the Internet each day – followed by television (66% of the respondents watching TV programs each day). Only 29% of them listen to the radio programs and 23.9% of students daily read newspapers.

Table 3. Type of media used on a daily basis

	Parents (%)	Students (%)
I am watching TV shows each day	62.3	35.5
I am searching the information on the Internet each day	41.3	92.3
I am reading newspapers on a daily basis	22.8	12.9
I listen to the radio programs on a daily basis	33.3	15.4

As regards the self-assessment of their health our data showed that more than half of the sample of students' parents (54.8%) had declared that their health is “very bad” and “bad”, and only 10.7% of them assessed their health as “very good” and “good”. As in the case of the above-mentioned questions (Tables 1 – 3) the students's self-assessments were the opposites to their parents: 28.2% of them declared that their health is “good”, one third of them (30.8%) considered that their health is “fair” – neither “good” nor “bad” and only 15.3% assessed it as “bad”.

Table 4. Self-assessment of personal health

	Parents (%)	Students (%)
Very bad	18.8	3.0
Bad	36.0	20.8
Fair	28.9	24.3
Good	6.7	30.1
Very good	3.5	20.7

What are the main sources of information regarding health? In the case of our study, 21.4% from the total sample of students get their health-related information from television, while 15.4% of them had declared that doctors or clinics are the main sources of health-related information. The same health-related sources of information were recorded also in the parents' case: 21.9% of them declared that their main source of information for health is television and 21.9% said that the doctor and medical staff are

the main sources for health-related information. The most important difference between the two samples was recorded in the case of the Internet: more than a third (37.8%) of the students' sample has declared that the main source for health-related information is the Internet while only 11.9% of their parents referred at it when asked the same question.

Table 5. The main source of health-related information

	Parents (%)	Students (%)
Television	21.9	7.9
Doctor or medical staff	21.9	5.4
Family	17.5	16.6
Internet	11.9	37.8
Friends	11.4	18.3
Radio	10.5	3.3
Books about health	10	3

Almost half of the parents 41.2% of them made one or two visits to the GP the last twelve months and 42.2% of them had visited their GPs more than three times in the same period of time. Once again one could notice a great difference in health-related behaviours of their children, since half of the students (50.3%) had declared that they did not visit it in the last year.

Table 6. Frequency of visit to the personal GP in the last twelve months

	Parents (%)	Students (%)
Over 6 times	15.5	6.5
3-5 times	26.7	10.7
1-2 times	41.2	31.4
I did not visit her/him not even once this year	21.6	50.3

As expected the majority (87.5%) of the respondents from parents' sample declared that they owned a health insurance, while only 57.3% of the total sample of students declared that they owned one. At the same time, 80.6% of students' parents had declared that they have a state/ public health insurance, and only 2.6% of them have a private one. The emerging market of the private insurance companies has as the main customers mainly the younger generation - 31.8% of the students declaring that they have a private health insurance.

Table 7. The type of health insurance owned

	Parents (%)	Students (%)
Both public and private health insurance	2.8	3
Private health insurance	2.6	31.8
State / Public health insurance	80.6	42.7

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When asked how easy is to find health-related information on the Internet only 34.1% in the case of students' parents had declared that this was "easy" and "very easy", while 63.7% of the students had declared the same. Understanding the information on food packaging was an easy and very easy task for less than a half (45.4%) of the students's parents and the percentage had risen to 71.6% for their children. The biggest difference recording the understanding of health-related information found on the Internet was recorded on the topic of judging how their housing conditions help them to stay healthy: around one third (29.6%) of the parents' sample assessed that this is an "easy" and "very easy" task and the percentage was double (70.4%) for the students.

Table 8. Self-assessment of the understanding of health-related information

For me it is	Parents (%)		Students (%)	
	Very easy	Easy	Very easy	Easy
Understand advice on health from family members or friends?	19.8	27.7	17.8	39.6
Find out about activities that are good for your mental well-being (meditation, exercise, walking, pilates etc.)?	18.9	26.8	24.3	45
Understand information on food packaging?	18.6	26.8	26.6	45
Understand information in the media (Internet, newspapers, magazines) on how to get healthier?	17.2	25.6	23.7	46.2
Understand information on how to keep your mind healthy?	17.2	21.6	27.2	44.4
Find information on how your neighbourhood could be more health-friendly (reducing noise and pollution, creating green spaces, leisure facilities)?	14.6	29.5	24.3	43.8
Make decisions to improve your health?	14.6	26	22.5	44.4
Judge which everyday behaviour (drinking and eating habits, exercise etc.) is related to your health?	13.7	19.5	24.9	46.7
Find information on healthy activities such as exercise, healthy food and nutrition?	11.6	22.5	23.7	45
Judge how where you live affects your health and well-being (your community, your neighbourhood)?	10.2	25.1	23.1	45.6
Find out about political changes that may affect health (legislation, new health screening programmes, changing of government,	9.3	24.2	18.3	32.5

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restructuring of health service)?				
Join a sports club or exercise class if you want to?	8.4	11.1	20.7	33.1
Find out about efforts to promote your health at work?	7.5	17.2	11.8	33.1
Judge how your housing conditions help you to stay healthy?	7.5	22.1	22.5	47.9
Take part in activities that improve health and well-being in your community?	4.8	11.5	16	29.6

When we were interested to identify the the impact Internet has on the healthy behaviour of Romanian students as compared with its impact on their parents only 20.7% of the students' parents find very easy the information on the symptoms of illnesses that concerned them (as compared with 39.6% of the students). In the case of personal judgement about the reliability of the illness' information in the media our data showed that only 6.7% of the students' parents have assessed that it was very easy to assess the reliability of information about illness in the media while the percentage have risen to 15.4% of the students for the same assessment. The importance of a second opinion from another doctor was assessed in different degrees by students and their parents: 53.3% of the students had declared that it is very easy and easy for them to judge when they might need to get it in comparison to 24.7% for their parents who declared the same thing (See table 8 from below).

Table 9. Self-assessments of the prevention behavior

For me it is	Parents (%)		Students (%)	
	Very easy	Easy	Very easy	Easy
Find information on the symptoms of illnesses that concern you?	20.7	22.1	39.6	43.2
Follow the instructions on medication?	17.7	24.7	25.4	46.7
Judge how information from your doctor applies to you?	17.3	27.4	22.5	47.3
Follow instructions from your doctor or pharmacist?	17.2	20.2	29	47.3
Understand what to do in a medical emergency?	16.7	24.4	20.1	46.7
Understand what your doctor says to you?	16.3	28.2	28.4	40.8
Understand your doctor's or pharmacist's instruction on how to take a prescribed medicine?	15.4	24.4	25.4	46.2
Judge the advantages and disadvantages of different treatment options?	14.3	22.5	15.4	40.8
Find out what to do in case of a medical emergency?	14.3	20.0	22.5	37.3
Find information on the treatments of illnesses that concern you?	13.7	27.7	21.9	44.4
Find out where to get professional help	13.3	23.3	21.3	41.4

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(doctor, pharmacist, psychologist) when you are ill?				
Understand the leaflets that come with your medicine?	13.3	28.6	22.5	46.2
Use information the doctor gives you to make decisions about your illness?	12.8	21.2	20.7	39.1
Judge when you may need to get a second opinion from another doctor?	5.8	18.9	8.3	45
Judge if the information about illness in the media (TV, Internet or other media) is reliable?	6.7	28.2	15.4	33.7

The analysis of empirical data showed an small ammpunt of the self-assessments related to the management of risk factors for health for the students' parents: 37.7%. The percentage almost doubled (71%) for their children who declared that they can understand very easy and easy the health warnings about behaviour such as smoking, low physical activity and drinking too much. Also, an important difference was recorded in the case of assessing the reliability of information on health risk from the media: only 30.6% of the parents has declared that it is easy and very easy for them to judge if the information on health risks in the media is reliable as compared with 58% of the students who assessed this fact. Another important difference between the two samples was related to the use of information from media in health protections: only 18.1% of the parents' sample gave assessed that it is easy and very easy to decide how they can protect themselves from illness based on information found in the media while more than half of the students' sample (53.2%) has assessed those riske factors in the same manner.

Table 10. Self-assessments of the management of risk factors

For me it is	Parents (%)		Students (%)	
	Very easy	Easy	Very easy	Easy
Understand why you need health screenings (breast exam, blood sugar test, blood pressure)?	19.8	22.7	20.1	36.7
Judge how reliable health warnings are, such as smoking, low physical activity and drinking too much?	18.9	23.5	26.6	38.5
Find information on how to manage mental health problems like stress or depression?	18.1	24.2	26.6	45.6
Understand why you need vaccinations?	16.3	27.5	25.4	42
Understand health warnings about behaviour such as smoking, low physical activity and drinking too much?	16	21.7	25.4	45.6
Find information on how to	15.4	26.5	17.8	42

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prevent or manage conditions like being overweight, high blood pressure or high cholesterol?				
Find information about how to manage unhealthy behaviour such as smoking, low physical activity and drinking too much?	13.3	26.6	34.3	44.4
Find information about vaccinations and health screenings (breast exam, blood sugar test, blood pressure) that you should have?	11.1	24.6	16.6	36.1
Judge when you need to go to a doctor for a check-up?	10.2	25.3	21.9	40.8
Judge if the information on health risks in the media (TV, Internet or other media) is reliable?	10.2	20.4	19.5	38.5
Judge which health screenings (breast exam, blood sugar test, blood pressure) you should have?	9.3	19.5	17.8	36.1
Decide how you can protect yourself from illness based on advice from family and friends?	8.4	22.4	17.2	40.8
Judge which vaccinations you may need?	6.7	22.5	13	41.4
Decide how you can protect yourself from illness based on information in the media (newspapers, leaflets, Internet or other media)?	4.8	13.3	13.6	39.6

Conclusions

Since the time of Hippocrates, doctors had a monopoly on health-related information, thereby ensuring their professional position and status. Currently, “the internet is now considered as one of the major sources of health-related information” (Alghamdi and Moussa, 2012). Most surfers report using the internet to look for information, with the most common tools used by the public for finding information being search engines, particularly Google (Reches, 2011).

In today's interconnected, multimedial, and Internet-reliant world, all data points to a steady consolidation and increase in the use of mobile and Internet technologies: at the start of 2019, 56% of the world's population was connected, with 67% mobile phone users, 57% Internet users and 45% social media users (Pew Internet, 2018). Most of these individuals are teenagers and young adults; in fact, it is estimated that in the U.S., 95% of the youth have a mobile phone and 45% of them are almost constantly online

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(idem). In Europe the state of affairs is similar, Eurostat data from 2016 showing that most mobile phone users with Internet access (91%) are young people aged between 16 and 24, and this trend has been increasing in recent years (Eurostat, 2019). In Romania, official data from 2018 showed that there were no students over 16 who had never accessed the Internet, and 99% had accessed it in the last three months (National Institute of Statistics, 2018). At the same time, only 13% of older adults knew how to use the Internet, while in the European Union, the percentage was 45% (Eurostat, 2019).

The choice of modern media, particularly the internet, to meet needs emanates from various internet characteristics. The internet's most obvious property is the quantity and variety of information it offers, which bridges the difficulty of acquiring information from traditional sources (Westerman, Spence, & Van Der Heide, 2014). Likewise, technology enables information to be frequently updated. Information is produced and transferred to the public by various groups of people, including professionals, suppliers, pharmaceutical companies, medical service providers, interest groups, and consumers themselves. Additionally, information is available on the internet in various formats, such as text, video, and audio files, allowing different people to use them in the way that suits users best (Jadad and Gagliardi, 1998).

Romania ranks last in the European Health Consumer Index, with a weaker medical system not only compared to Bulgaria, but also compared to Albania and former Yugoslav republics such as Macedonia or Montenegro. In fact, Romania ranks thirty-fourth out of as many European countries whose medical system was analyzed for the calculation of the aforementioned index for 2018 (Health Consumer Powerhouse, 2019). In addition, since 2007, when it joined the EU, Romania has lost over 45,000 doctors who have chosen to practice in Western Europe (Nistoroiu, 2019). Another shortcoming of the Romanian healthcare system is revealed by the fact that in 2018, 13.2% of Romanians (the highest proportion in the entire European Union) stated in 2018 that they could not afford long-term hospitalization (Health Consumer Powerhouse, 2019).

Under these conditions, making more alternative medical consultation systems, especially e-Health, available to various social groups could be desirable. It is obvious that Romanian society is attracted by these options, the 2018 European Consumer Health Index report indicating a significant increase in the accessibility of online appointments for Romanian patients (from a score of 2,750 in 2017 to a score of 1,857 a year later, 1 meaning widely available online appointments and 3 meaning none or almost none) (Health Consumer Powerhouse, 2019).

As our results have showed, the first hypothesis of this study (It should be a small frequency – less than 50% of the total sample – of the respondents who get health-related information from the Internet) was validated by empirical data both for the sample of students and their parents.

Also, from the analysis of the set of data we can conclude that the second hypothesis of this study (It should be a smaller frequency (less than 40% of the analyzed sample) of the influence exercised by the interpersonal communication on the disease prevention behaviours of the Romanians) was validated only for students's parents and not for the students (which, on the contrary, have based their decision mainly on the Internet information).

The third research hypothesis (It should be a small frequency – less than 40% of the total analyzed sample – of the influence exercised by the interpersonal communication on the respondents' own assessments of risk factors for health's

management) was confirmed by our data in the case of parent's sample. As in the case of the second hypothesis it was not confirmed for the students.

According to our data, the fourth research hypothesis (It should be a small frequency – less than 40% of the total analyzed sample – of the influence exercised by the interpersonal communication on the respondents' own management their resources for health) was also confirmed in the case of the sample made from students' parents. Once again, our data proved that this hypothesis was not confirmed in the case of students sample.

As the empirical data showed, one can identify the existence of a “generation gap” related to health-related information and the Internet and it is manifest in three main domains: the management of resources for health and well-being, the disease prevention and the management of risk factors for health. At the same time, as our results showed, the Internet is an important factor which influences the health-related behaviour mainly for younger generation, while for the older adults this influence was diminished.

Despite all the inherent limitations, the present study may inspire some promising lines of inquiry regarding the relationship between the Internet and health in the case of Romania. Given that 424 localities in Romania have no family doctor and 1,098 localities have an insufficient number (Neagu, 2019), further research could strive to identify the sources of the introduction and the development of telemedicine and mobile health (mHealth) in areas with a disadvantaged population, e.g. adult people or economically struggling individuals.

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ORIGINAL PAPER

General conditions for engaging the criminal liability of the legal persons based on penal laws and fiscal legislation: A case study for Romania

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Abstract

The main aim of this paper is to investigate general conditions for engaging the criminal liability of the legal persons based on penal laws and fiscal legislation. A legal person is an entity created by law that is not a natural person (physical person), such as a company or corporation created on the basis of legal status. A legal entity has a distinct identity, as well as legal rights and obligations exercised under the law. Legal persons, with the exception of the state, public authorities and public institutions that carry out an activity that cannot be the subject of the private domain, are criminally liable for crimes committed in reaching the object of activity or in the interest or on behalf of the legal person, if the act was committed with the form of guilt stipulated by the criminal law.

Keywords: *taxation; penal law; legal person; criminal liability; tax evasion; natural person; fiscal system.*

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1. Introduction

The profound socio-economic transformations that society has known in its evolution have marked, as was natural, the evolution of law directly. In this context, a constant trend in terms of the evolution of law has been and still is the emergence of new rules and institutions within the branches of law that form the legal system. Criminal law was determined in its evolution by the changes produced in the social reality subject to its own regulation. Taking into account the fact that through the norms, the criminal law protects in the most effective way the legal order, consequently, the social order, it is recognized that this branch of law represents within the unitary system the essential means of defending the most important social values (Botnaru et al., 2005). However, what is the law and how is this concept perceived by ordinary people (lay people, people without legal education)? Is it nothing more than a particular system of principles, rules and standards, adopted by a constituted authority, which governs people at a given time and place? On the street or on the way to work, people can think of the law as such, as a set of sovereign pronouncements without ethical direction. Or, like many practitioners of private law, they might think of the law as a random scheme of rules for efficient allocation and maximization of wealth.

From the date of entry into force of the provisions in criminal matters of Law no. 278/2006 there is, for the first time in our law, a real criminal liability of the legal person. Unlike other legal systems, in which the legislative consecration of the criminal liability of the legal person was preceded by extensive doctrinal debates on the opportunity, usefulness and compliance with the fundamental principles of criminal law of this institution, Romanian doctrine seemed less interested in this topic. Therefore, it is more difficult to say whether the legislative intervention that enshrines this responsibility intervenes on a doctrinal background favorable or hostile to the basic idea (Bică, 2016).

2. Theoretical considerations regarding the criminal liability of legal persons

Private legal entities acquire legal personality according to the specifics of each, they are usually classified into two broad categories: profit legal entities and non-profit legal entities. In the case of companies, cooperatives, agricultural companies, cooperative organizations, economic interest groups, European economic interest groups, national companies and autonomous utilities, legal personality is usually acquired, starting with the date of registration in the trade register (Bică, 2016).

Vinogradoff (1924) argued that in the case of corporate entities, the purpose is not established by agreement as in the case of companies, but is imposed on society by the will of a testator (a person who made a will) or a donor. This usually takes place in the establishment of charitable donations, when the action of an external factor will ensure the existence of an institution, so that it can have a charitable or educational purpose, for example, a college, a hospital, a shelter for homeless people or for the victims of domestic violence. The entity created by this external act goes beyond the ordinary framework of human life. In fact, it is meant to last a very long time. It is maintained by law for its intended purpose.

The legal person represents a collective subject of civil law that participates independently in the legal relations, having its own civil liability, a human community formed directly by natural persons or by the association of other legal persons as a subject of law, having an independent organization and a distinct patrimony, affected to

achieve a determined purpose in accordance with the public interest. A legal person is an organization that has its own assets and independent administration, which enjoys the ability to have rights and obligations. The legal person is also an institution or enterprise that is recognized by law as a subject with rights and obligations. Basically, a legal person represents an enterprise, institution, company, firm, etc. to whom the law grants rights and debts, being recognized as a subject of law.

According to the provisions of the new Civil Code (respectively, Law no. 287/2009), article 25 "The legal person is any form of organization which, meeting the conditions required by law, is the holder of civil rights and obligations." Also, in accordance with the provisions of the new Civil Code, Title IV Legal entity: "Any legal entity must have an independent organization and its own assets, affected by the achievement of a certain lawful and moral purpose, in accordance with the general interest" (art. 187), considering the fact that: "Legal entities are the entities provided by law, as well as any other legally established organizations which, although not declared legal persons by law, meet all the conditions provided in art. 187 "(art. 188).

On the other hand, in accordance with the provisions of Law no. 71 of June 3, 2011, article 31: "Any natural or legal person is the owner of a patrimony (estate) that includes all rights and debts that can be valued in money and belong to it. It may be divided or affected only in the cases and under the conditions provided by law. The affectation patrimonies are the fiduciary patrimonial masses, constituted according to the provisions of title IV of the third book, those assigned to the exercise of an authorized profession, as well as other patrimonies determined according to the law ". Also, in accordance with Article 885, paragraph 2: "Real rights shall be lost or extinguished only by their deletion from the land register, with the consent of the holder, given by a notarial deed. This consent shall not be required if the right is extinguished by the expiry of the time limit indicated in the registration or by the death or, as the case may be, by the termination of the legal existence of the holder, if he was a legal person. "

On the other hand, in accordance with the provisions of Law no. 227/2015 on the Fiscal Code, "the Romanian legal entity is represented by any legal entity that has been established and operates in accordance with Romanian law." A legal person established under European law may be any legal person established under the conditions and through the mechanisms provided by European regulations. Also, a foreign legal entity can be any legal entity that is not a Romanian legal entity and any legal entity established under European law that does not have its registered office in Romania. Moreover, the Romanian legal person, partner in an association with legal personality, registered in a foreign state, when establishing the fiscal result, according to the provisions of this law, will take into account the assigned revenues / expenses, respectively the profit distributions received, as the case, according to the contractual provisions.

In accordance with the provisions of the new Civil Code (respectively, Law no. 287/2009), the manner of carrying out the activities authorized by the Romanian legal entity is regulated, as follows:

- In the case of activities that must be authorized by the competent bodies, the right to perform such activities arises only from the moment of obtaining the respective authorization, unless otherwise provided by law.
- The acts and operations committed without the authorizations provided by law are struck by absolute nullity, and the persons who made them are liable indefinitely and

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jointly and severally for all damages caused, regardless of the application of other sanctions provided by law.

In addition, the new Civil Code of 2009 with subsequent amendments and completions regulates the liability of legal persons, as follows:

- The licit or illicit deeds committed by the bodies of the legal person oblige the legal person itself, but only if they are related to the attributions or to the purpose of the entrusted functions.

- Illicit deeds also attract the personal and solidary responsibility of those who committed them, both towards the legal person and towards third parties.

3. The criminal liability of legal entities

In Romania, the criminal liability of legal entities was regulated for the first time through the Criminal Code adopted by Law no. 301/2004, which was repealed by art. 446 para. (2) of the new Criminal Code adopted by Law no. 286/2007. By Law no. 278/2006 was introduced in the Criminal Code of 1968, the article 191 which regulates the conditions of criminal liability of legal entities, as an approach of French inspiration. It is noted that the new legal regulation treats public and private law persons differently, establishing that the latter are criminally liable in all cases, and in the first case, the rule is that they are not criminally liable, except for public institutions which carries out an activity that may be the subject of the private domain. In Romania, the concept of criminal liability, based on art. 135 of the Criminal Code, can be employed only in charge of a legal person, respectively of an entity whose civil law recognizes this personality according to art.194 Civil Code published in 2009 (Păvăleanu, 2013).

In accordance with the provisions of the new Civil Code, Title IV, legal persons are under public or private law. Legal persons under private law may be freely constituted in one of the forms provided by law. The legal person under public law includes the following main categories:

- paragraph (1) The legal persons in public law are established by law.

- paragraph (2) By exception from the provisions of para. (1), in the specific cases provided by law, the legal persons in public law may be established by acts of the central or local public administration authorities or by other ways provided by law.

Ulianovschi and Dogaru (2014) analyzed the scope of legal persons liable from a criminal point of view and suggested that in the doctrine and legislation of different states there is a consensus regarding the criminal liability of legal persons in private law, being addressed the issue of criminal liability of legal entities in public law, criminal liability of entities without legal personality, foreign legal entities and other legal entities.

Dogaru (2019) highlighted that the doctrine unanimously admits the acceptance of the quality of subject of criminal liability of private legal entities, with its main recipients, i.e companies (Bacigalupo, 1998), as well as in the case of non-profit legal entities, as regulated in the French Criminal Code and in the Belgian law on the establishment of criminal liability of legal persons, the freedom of association functioning only within the limits imposed by law (primarily by criminal law) and on the other hand the non-patrimonial purpose of the association is not sufficient to justify a solution of impunity in case of crimes (Streteanu and Chiriță, 2007).

According to Decision no. 156 of March 27, 2018 issued by the Constitutional Court of Romania, regarding legal persons "under public law" (state and administrative-territorial units), the dominant criminal doctrine considers that they can not be held

criminally liable, both for the fact that logically, it is unacceptable for the state, which has the right to punish, to declare itself a “criminal” and to submit to its own repression, as well as because, in these conditions, the state would no longer be able to fulfill its duties, and consequently its existence would no longer be justified.

The cases of criminal impunity must be, as in the case of natural persons, an absolutely necessary exception and, therefore, strictly regulated by criminal law, in full agreement with the principle of equality based on criminal law. Antagonistically compared to the situation of legal persons in private law, the criminal liability of legal persons under public law has been the subject of controversy in legal doctrine (Dogaru, 2019). On the other hand, Ilie (2013) suggests that there is a dominant current in the literature according to which it is considered appropriate to engage the criminal liability of legal persons in public law, because according to the constitutional principle of equality before the law is unfair as for the same act a legal person to be sanctioned or not, as it belongs to public or private law.

The legal person has its own will, and this collective will is capable of culpable acts just like the individual will. For this reason, the legislator gave up the principle of specialty enshrined in Law no. 301/2004 and established the principle of general liability of the legal person. It is important to mention that the institution of criminal liability of the legal person was relatively recently introduced in Romanian criminal law, and the new Criminal Code broadly takes over the principles established by the Criminal Code of 1969, but there are some significant developments (Ilie, 2011).

The legal person can be considered an active subject of the crime only if one of the following requirements is accomplished:

- the crime was committed on behalf of the legal person;
- the crime was committed in the interest of the legal person;
- the crime was committed in connection with the purpose of the legal person.

The liability of the natural person is also possible in the absence of the liability of the legal person if the natural actor can be considered, in his own person, perpetrator or accomplice of the imputed crime. However, regardless of the liability of the legal person, this part is not responsible if the constitutive elements of the crime cannot be personally attributed to him. In the absence of criminal liability of the legal person, the natural person remains liable. The liability of the legal person does not absorb that of the individuals. The meaning of this provision is that the criminal liability of legal persons should not hide the one of natural persons. Maintaining the personal responsibility of individuals appears opportune in order to avoid the situation that would allow them to remain unpunished behind a shield that would be the legal person.

4. The impact of taxation on corporate responsibility

Regarding the attribution to the legal person of the quality of subject of the crime, the opinions outlined two theses, one negative, according to which the legal person does not have its own existence, being a fiction of the law and therefore cannot be subject of the crime (Pop, 1924). The other thesis is affirmative, which supports the principle of criminal liability of the legal person, as this is an indisputable legal reality and, at the same time, it can be punished according to the specifics of the activity, consisting of fines (penalty), deprivation of the right to exercise a certain activity and liquidation, punishments that can change the conduct of its members (Grosu, 2001).

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The law no. 227/2015 on the Fiscal Code establishes certain definitions regarding a series of categories of legal persons, clarifying at legislative level the following terms and expressions that have the following meanings:

- the transferring company represents the legal person that transfers the assets and liabilities or that transfers all or one / more branches of activity;
- the beneficiary company is that category of legal person that receives the assets and liabilities or all or one / more branches of activity of the transferring company;
- acquired company - the legal person in which another legal person acquires a participation;
- acquiring company - the legal person that acquires a participation in the capital of another legal person.

Tax evasion is defined as the way in which economic subjects respond to the tax burden (which is the share of tax revenues levied by the government from legal taxpayers in the tax base, such as: income, wealth, sales, etc.), when it exceeds a certain threshold considered necessary for the initiation, maintenance and development of the business or any lucrative activity, as well as in connection with their current fortune or income (Dinga, 2008).

According to European Commission estimates, in Romania the proportion of the underground economy in 2013 accounted for 28.4% of GDP, reaching 40 billion euros generated by economic fraud and tax evasion. Romania is taking a step back in the fight against the underground economy: in 2014, tax evasion and economic fraud accounted for 29.6% of GDP.

- Number of tax evasion cases in 2011: 95.962;
- Number of tax evasion cases in 2012: 99.704;
- Number of tax evasion cases in 2013: 98.926.

Tax evasion represents a threat for the process of collecting budget revenues, and the amplitude of this phenomenon is becoming widespread because, in the absence of measures to prevent and combat tax evasion, it negatively affects economic stability. It should also be mentioned that reducing tax evasion can be achieved by educating taxpayers about the importance of paying tax debts, but also by developing systems and procedures that can detect this phenomenon in time and eliminate tax fraud (Pătrașc and Șerban Boiceanu, 2012).

The legal person will be liable according to the criminal law of the state whose nationality it holds for the crimes committed abroad based on the principle of the personality of the criminal law. A special situation occurs when the law conditions the incidence of the personality of the criminal law of double incrimination and refers only to the crime committed or involves the possibility of engaging the criminal liability of the legal person according to both laws, considering that the non-criminal liability of the legal person in the state where it was committed is equivalent to a cause of non-responsibility that makes double criminality inoperative (Streteanu and Chiriță, 2007).

On the other hand, cybercrime activity can be considered very profitable, because very high amounts of money are easily obtained through bank fraud or money laundering. For example, a "phishing" scam is an illegal activity that has the effect of misleading the customer to obtain illicit financial profits in a quick and easy way. Among the most well-known activities specific to cybercrime are the following: electronic fraud (cyber fraud), cyber espionage, malware attacks, identity theft, cyber harassment, spam attacks, copyright infringement, cyber terrorism and cyber viruses.

Online banking is a relatively new dimension of the banking system, very attractive, but also very vulnerable to cyber attacks. Spulbar and Birau (2019a) suggested that the digital age offers unlimited opportunities for the proliferation of cyber attacks based on highly sophisticated illicit tools. However, there are a series of relevant empirical studies in which we analyzed, among others, the vulnerabilities of the banking system, such as: Spulbar (2008), Spulbar and Nițoi (2012), Spulbar et al. (2012), Spulbar and Nițoi (2013), Spulbar and Birau (2019b; 2019 c).

There is no universally accepted definition of cybercrime in the literature. The criminal activity carried out in the online environment has multiple negative implications regarding the activity of the business environment, respectively of the legal persons. Understanding cybercrime is a major challenge, especially in the context of the global economy. The concept of cybercrime has diversified its consequences to global dimensions. Moreover, cybercrime is also known as computer crime. Cybercrime is a very profitable activity, given the large amount of money obtained using bank fraud or money laundering. For instance, a phishing scam is an illegal activity that seeks to deceive the user in order to obtain quick and easy financial gains. However, these IT activities are very difficult to track and punish by the competent authorities.

The digital age provides endless opportunities for the proliferation of cyber attacks based on highly sophisticated harmful tools. However, in the case of cybercrime, developing countries, such as Romania, are characterized by incoherent and insufficient legal regulations issued by government authorities. The effects of cybercrimes on the business sector are extremely harmful, but they are also propagated through innovative web-based technologies and internet communications. In addition, cybercrime is distinguished by various dimensions, such as: cyber terrorism, malware attacks, identity theft, cyber attacks like malware category, cyber espionage, spam attacks, copyright infringement, computer viruses. IT activity has reached a very high level in recent years, mostly in developing countries. Official statistics provide alarming data on cyber attacks, considering that protection systems are very often vulnerable to concerted cyber attacks.

The strategy for effectively combating the negative phenomenon of cybercrime is mainly based on a clear and predictable legal framework. Implementing rigorous cyber security standards is essential to reduce the effects of cybercrime. Malicious virtual applications are one of the most prolific forms of cybercrime. Moreover, an action of great financial importance for the clients of companies, especially legal entities, is the fight against bank fraud as an essential component of cybercrime that affects the business system. A cyber hacking attack is an illegal activity focused on obtaining financial benefits due to fraud and extortion of the trust of individuals, public institutions, companies, the business environment as a whole or financial institutions, such as banks.

The following figure reveals the distribution of the digitally active population (%) in 2019, and the results are very interesting:

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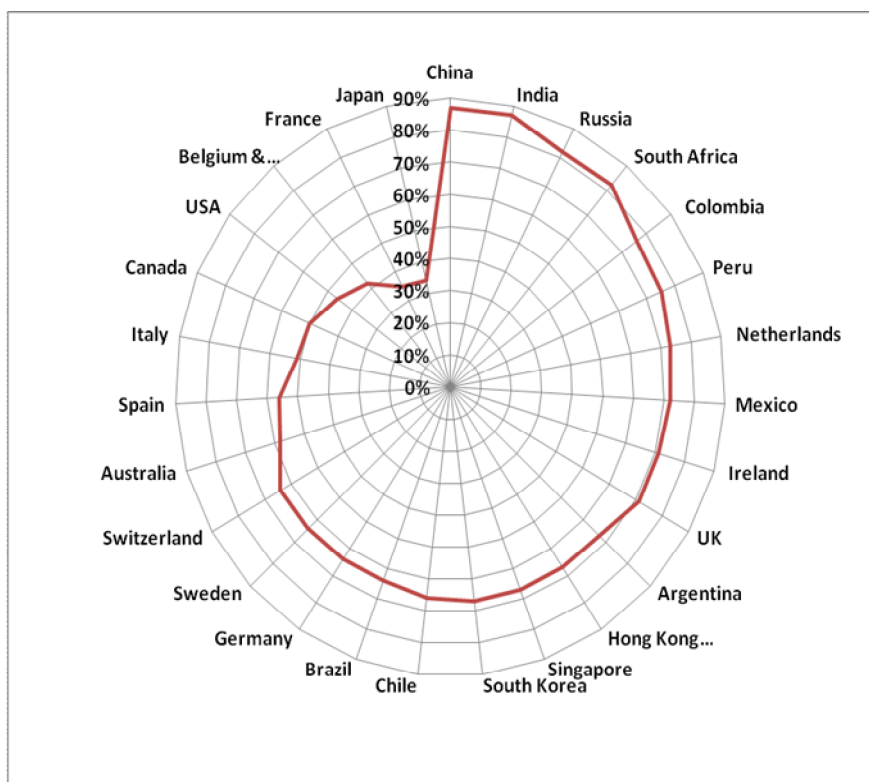


Figure 1 Graphical representation of the distribution of the digitally active population (%) at the level of 2019

Source: own graphical representation based on data provided by the Global FinTech Adoption Index 2019, Ernst & Young (EY)

The literature review includes numerous empirical studies which have been developed in order to analyze the disastrous impact of cybercrime on the activity of companies, and legal entities in general. Antonescu and Birau (2014) also highlighted the non-financial implications of cybercrime which include a number of extremely important issues, such as: loss of customer trust, negative publicity (image scandals, reputational damage), decreased productivity, disruption activity, loss of confidential customer or company data (information), unauthorized access to certain product innovations, loss of intellectual property and more.

The state, regardless of the form of organization, has carried out since ancient times activities to monitor how to achieve the financial obligations of the population to its institutions (Popeanga and Popeanga, 2004). Issues regarding the consolidation of sustainable tax systems are a topic of great current interest, in the context of the capacity of governments of different states to ensure public debt repayment, limited by weak economic growth and rejection by civil society of the idea of tax increases (Fugaru, 2017).

5. Conclusions

In order to be able to engage the criminal liability of the legal person, it is necessary that it does not belong to the category of those excluded, because not all legal persons are criminally liable. The state and public authorities are not criminally liable because they do not have criminal legal capacity, so they cannot enter into criminal liability relationships as passive subjects of those relationships. Also, public institutions are not criminally liable for crimes committed in the exercise of an activity that cannot be the subject of the private domain. The law does not distinguish or impose any limitation on crimes that may be committed by a legal person, which is interpreted by doctrinaires and not only that in principle, a legal person can commit any crime under the Criminal Code or special laws. However, we must keep in mind that the scope of crimes for which the criminal liability of the legal person is engaged is obviously narrower than in the case of natural persons, these having some elements strictly characteristic of the perpetrator, the natural person (Lascu, 2010). The legal person has a general criminal liability (for any crime in which he may participate as perpetrator, co-perpetrator, accomplice or instigator) directly, for his own deed and not for the deed of another person.

However, there are also crimes that cannot be committed, as perpetrator, by the legal person, due to some particularities of the material element or of the direct active subject of the crime (for example, killing or injuring the newborn by the mother, false testimony, repression injustice, abusive research, escape, bigamy, family abandonment, betrayal, etc.). This does not exclude the possibility of the criminal participation of the legal person in these factions as instigator or accomplice (for example, a legal person may be an instigator of the crime of perjury). According to Bică (2016), the criminal liability of the legal person is not always conditioned by the identification of the natural person who hired the legal person (for example, in the case of secret vote of the management structure) nor does it exclude the criminal liability of the natural person who contributed in any way to committing the same deed (art. 135, paragraph 3, Criminal Code). On the other hand, it is not necessary that the offense of which the legal person is accused be the same as the one for which the natural person is accused, who acted as a material perpetrator (for example, the natural person may be charged with murder committed indirectly, and the legal person of culpable homicide); likewise, in this case, it will not always be possible to retain the existence of a criminal participation, as there is a criminal liability of the natural person distinct from that of the legal person (Udroiu, 2014).

At the level of the European Union, several directions of action have been proposed in order to implement a sustainable reform of the fiscal system, namely:

- stimulating investment, innovation and entrepreneurial initiatives;
- shifting the tax burden from the workforce and focusing on the most reactive groups;
- correcting inequalities and promoting social mobility;
- strengthening public administration, eliminating bureaucratic gaps, adapting the legal framework and promoting a culture of voluntary fiscal compliance (European Commission, 2018).

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ORIGINAL PAPER

Vulnerability and resilience in marginalized rural communities. Case study: projects for reduction of risk exclusion in Dolj County

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Abstract

In the post revolutionary Romania, the number of socially assisted people sums up a quarter of the demographically declining population. At the beginning of this year, the National Statistics Institute registered 409.869 people benefitting from the minimum granted income, with allocated amounts totalizing almost 16 million lei. The 1st place in the national top is occupied by Dolj County, with more than 12.000 persons of a total population of ca. 690.000 persons. At the level of South-West Oltenia region, the social exclusion risk rate was of 45.3% in 2017, almost 10 percent higher than the national rate of 35.7%, the main indicators according to which they were included in the category of the marginalized groups being education, occupancy and housing. Given that poverty is almost three times more acute in the rural environment than in the urban one and the severe material deprivation rate is more accentuated in the small communities where life conditions are harder, as a consequence of the obvious cleavages (school abandon, subsistence agriculture, few or non-existent workplaces, accentuated migration, low life expectancy, lack of consumer goods etc.). Under these circumstances, there is a strong need for projects aiming at sustaining and developing resilience, the necessity of mapping these groups and communities at a national level being transposed, in 2016, in an atlas of marginalized areas, based on which solutions for diminishing the effects and fighting the causes of poverty were build up, by means of projects dedicated to the human capital. Our article presents the analysis of the conjunction of the rural communities in Dolj County Vârtopeș-Plenița, carried out for the justification of the financial allocation necessary for reducing the rural-urban disparities, increasing life expectancy through the improvement of the housing indicator, stimulating school continuation and the reduction of school abandon, investing in the qualification of those people who have no profession and stimulating occupancy by means of employment or job creation /development of the entrepreneurial segment.

Keywords: *risk; vulnerability; exclusion; marginalized groups; resilience; project management.*

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Introduction

This article intends to make an analysis of the present situation rural marginalization in Romania and of the measures that can be taken not only to prevent its decline, but to create sustainable development. We shall focus the investigation lens on a specific rural community in Dolj County, highlighting its social problems and certain solutions that can be implemented in order to address these problems, on a long term.

One cannot understand the true dimension of marginalization in Romania, without going back several decades on the history track. Communism imprinted Romania, a slowly developing European country, with a very strong delay, compared to other European states' progress in addressing challenging economic, political and social issues. The communist propaganda depicted an idyllic and almost perfect country that made a field like social work useless; there apparently existed no unemployment, no disability, no poverty or social exclusion. Social benefits were applied generally and there apparently were no differences among people, as the Party made sure that people facing chronic social problems remained well hidden.

The revolution in December 1989, despite the feeling of freedom that it fed to the people, shed a terrifying and shocking light on the cruel reality of Romania. Thousands of disabled children were found kept like prisoners in former "care institutions" and the images and testimonies collected by foreign journalists horrified the entire Europe. The state withdrew itself almost entirely from the role it had in supporting family and child care.

The transition to the market economy was hard to bear for millions of citizens that saw their income reduced by a half and their savings made during the communist years become worthless. Tens of thousands of workers were fired and unemployment reached very high peaks during the 90's. The former industrial towns, inhabited predominantly by workers in mines or chemical plants became ghost-towns. Several millions of people migrated abroad, searching for a work-place and a better life. The villages were inhabited mainly by elderly people, left behind by their children that had massively migrated to the city until 1989.

In 2007, Romania finally accessed the European Union. It was a dream come true, but "solving Romania's economic and social problems simply through the European integration also turned out to be a dream. Europe is more complex than it had been supposed. [...] We are starting to understand that part of the problems with which Romania is confronted at present are also due to the confused policy during the process of European integration." (Zamfir, 2017:5) 30 years after the revolution and 13 years after the EU-integration.

Romania has not many reasons to be proud, when it comes to social assistance, social inequities being visible to anyone. Authorities seem to remember the people living on the minimum granted income only before elections, when a package of groceries often "buys" a vote. The insufficient number of social workers are unable to cover all problems to be discovered and addressed. Romania is among the first countries in Europe according to poverty rate and migration. Social assistance is still underfinanced and social policies - though in line with the European ones, on paper - lack proper and timely implementation.

"The most problems of the current Romanian society appear as being related to the life of some rural communities that the previous governments could not solve. Numerous villages, other times vivid and prosperous, became, over time, suppliers of

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under-development, poverty, illiteracy, unemployment, demographic decline, through the progressive depopulation of some rural cores - because of the sudden decrease of natality, of the inhabitants' accentuated aging and the youth's exodus towards the cities or migration in other countries.”(Otovescu, C., Otovescu, D., 2019:9).

In this context, social projects for vulnerable groups proved to be a vital solution for the survival of marginalized communities, bringing significant change and hope for the rural population exposed to severe social risks.

Conceptual framework

When it comes to making a reliable analysis of the necessary intervention measures for supporting social development of disadvantaged communities, a few concepts need to be explained, especially because they are related and interdependent. Thus, the appearance of resilience depends on the levels of risk and vulnerability, vulnerability often triggers social exclusion and marginalization. At its turn, social work is more performant when it relies on efficient social projects aiming at addressing critical social problems.

Social work is “an ensemble of institutions, programs, measures, professional activities for the protection of persons, groups, communities with social problems, temporarily being submitted to difficulty, crisis and thus being vulnerable” (Zamfir, Vlăsceanu, 1998: 46). The Romanian law defines its objective as “the development of the individual, group or collective capacities in order to insure social needs, the increase of life quality and the promotion of the social inclusion and cohesion principles” (Romanian Parliament: 2011).

Social vulnerability is often defined in relation with natural or environmental risks, as “[...] the characteristics of a person or group and their situation that influence their capacity to anticipate, cope with, resist and recover from the impact of a natural hazard”(Wisner, Blaike, Cannon, Davis, 2004:11). But there also exist a multitude of other factors that are able to cause social vulnerability, like: poverty, race or ethnicity, religion, gender, age (e.g. elderly or children), disability, poor health, illiteracy, lack or limited access to information, knowledge or technology; lack or limited access to community services like transportation, power supply, water and sanitation etc.; lack of or limited social capital (Cutter, Boruff, Shirley, 2003: 242-261). The social capital “is a relational good, being placed within the inter-individual space, not in different individuals, despite the fact that the individuals are the ones creating it [...]. Social capital is, thus, a public good.”(Niță, 2009:88).

Some authors point out that a paradigm shift took place during the 90's, at European level, namely from “poverty” to “marginalization” - that relies on the antagonist concepts of *exclusion* and *inclusion*. Marginalization is a broad and multidimensional concept, based on the reports between individual groups within the society as a whole. (Engels, 2006: 109-117).

There is an intrinsic correlation and a proportional report between vulnerability and social exclusion; as it is acknowledged by official documents- all those groups, communities and individuals that are not able to participate in society in equal conditions with their peers, because of poverty and discrimination, are facing the risk of social exclusion.

As for the concept of resilience, borrowed by the specialists in the field of social and behavioural sciences from the field of physics and mechanics, it has become a valuable resource, that provides access to major social action topics, like community

development, cohesion and community building, in general. If psychologists operate with the concept of *individual* or *personal* resilience, sociologists are concerned about *group* or *collective* resilience: „collective resilience regards the capacity of resisting and recovery, revitalisation, rebirth of some groups/communities/societies, after the destabilizing or traumatizing action of certain natural and social factors, radical and explosive changes that concern the life of a human collectivity on the whole.” (Otovescu, C., Otovescu, A., Motoi, G., Otovescu, D., 2015:34). Researchers still have not agreed on an universal definition of resilience, applicable in all fields of interests, but, nevertheless, share a common opinion: it refers to a person, a group or a social system facing chronic adversity or a traumatizing event and proving a good coping ability; another key fact is that resilience is the result of an interaction between the subject and the living environment and can, therefore, be built and supported. Resilience “is a process linking a set of adaptive capacities to a positive trajectory of functioning and adaptation after a disturbance. [...] Community resilience emerges from four primary sets of adaptive capacities: Economic development, Social Capital, Information and Communication and Community Competence” (Norris, Stevens, Pfefferbaum, Wyche, 2008).

If vulnerability is a risk factor for resilience, there is need for a reliable protection factor, at community and society level, that counterbalances the effects of identifiable risks. That is the major role of community development, “first of all operated within the disadvantaged areas or within those sections of population affected by exclusion or by harsh living conditions and submitted to deal with oppression and inequity. [...] Despite the fact that it may be applicable for different population groups, community development usually aims at the level of the communities impacted by poverty, by unprivileged and discriminated individuals.” (Pârvu, Niță, 2020: 57). Community development empowers disadvantaged groups to become united in promoting services for their own interest and to trigger political action to their benefit.

Policies for the prevention and fighting of marginalization and social exclusion in Romania

In the following, we will try to sketch the legislative framework regarding social protection, prevention of marginalization and social exclusion, reminding several of the most relevant legislative acts in the field, as well as other significant strategies and programmes adopted at national level.

- The first *Law of Social Assistance* in Romania (Law no. 292/2011) was promulgated no sooner than 2011 and included provisions regarding the support for persons with difficulties. To be underlined that Romania manages to provide the largest number of social benefits in the EU: 34 - translated in allocations, complementary budgets, pensions and other welfares. The state allocates, annually, almost 10 billion lei, the most part being directed towards mothers and children.
- *Law no. 116/2002 regarding the prevention and fighting of social marginalization* has, as main, objective, “granting the effective access, especially of the youth, to elementary and fundamental rights, such as: the right to a work place, a home, to medical assistance, to education, as well as enforcing measures for the prevention and fighting of social marginalization and mobilizing the responsible institutions in the field”

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(Law no. 116/2002, Art. 2). According to this law, social marginalization is caused by the absence of minimal living conditions.

- *Law no. 272/2004 on the protection and promotion of children's Rights*, the most recent transposition of the *UN Convention on the rights of the child*, is based on the principle of the superior interest of the child and on the principle of ensuring equal chances and non-discrimination for all children.
- *Law no. 448/2006 on the protection and promotion of the rights of disabled persons*
- *The European Disability Strategy 2010-2020* (European Commission, 2010), based on the principles of the UN Convention on the Rights of Persons with Disabilities (UN, 2008), targets the following action fields: accessibility, participation, equality, labour force occupation, education, social protection and inclusion in society, health, external action
- *The National Strategy on Social Inclusion and Poverty Reduction for the period 2015-2020* (Ministry of Labour, Family, Social Protection and Elderly) highlights the objective of the Romanian Government, namely that all citizen benefit from equal opportunities of participation in the society, that they appreciated, that their dignity, rights and differences are respected.
- *The Strategic action plan for the period 2015-2020* (Ministry of Labour, Family, Social Protection and Elderly), adopted together with the above-mentioned strategy, establishes a set of specific objectives regarding the development of social services for vulnerable groups.
- *The National Package Against Poverty* was adopted by the Government of Romania in February 2016, including 47 measures for fighting poverty and targeting all age categories, but mainly on children, using functional good-practice models, already tested by non-governmental organizations.

Deficiencies and flaws in the enforcement of social inclusion policies in Romania

In Romania, the post-revolution period and the transition from communism to capitalism changed the structure of the economy and installed an institutional system, inspired by the developed states. Although the new frameworks that defined the economic and political systems were similar, the differences emerged within the social structure, where the system was completely different than the one in the established capitalist countries. (Zamfir, 2011:13).

The same author (Zamfir, 2019) points out the fact that Romania still does not have a *social development agenda* or a "Country Project". In his opinion, the Romanian State represented the interests of his people to a very small extent during the transition period, its functions remained at an unsatisfying level; the unwanted consequence of this behaviour was *social polarization*. If, at the beginning of the 90's, it seemed acceptable that 40% of the population were affected by poverty, it is not so easily understandable why the current national poverty rate is still close to 30%, 30 years after the revolution, no significant progress being made. During this whole period, social services, education, health and social assistance remained underfinanced, at a level far below that of other European countries.

Despite of the significant funds from the budget that the government allocates for financing social inclusion in Romania, the efficiency of these interventions is still low. Moreover, the providers of social economy initiatives tend to concentrate their activities in the more developed areas of Romania, meaning that the poorest localities benefit from a small range of social services, provided mainly by NGOs. Although the legislative framework that allows NGOs to apply for EU-funding in order to elaborate social assistance projects was implemented, this does not include stimulants or specific requirements that they target mainly disadvantaged areas.

Mapping of marginalized rural areas in Romania

In the framework of a project co-financed from the Sectorial Operational Programme for the Development of Human Resources 2007-2013, with the aim of preparing a National Strategy Project and of an Action Plan regarding social inclusion and poverty reduction for the period 2015-2020, a board of authors contracted by the the Human Development Unit of the World Bank drew up an *Atlas of the Marginalized Rural Areas and of the Local Human Development in Romania* (The World Bank, 2013). The Atlas represents the key initiative no. #6 from a package of 9 key initiatives that accompany the Strategy Project and the Action plan.

The Atlas provides a detailed spectrum on the following aspects: which are the marginalized areas in Romania; who lives in these areas; where are these areas located in Romania. It is also intended as “an instrument for targeting certain areas, monitoring and assessing the interventions for poverty reduction and promotion of social inclusion”, the authors pointing out that “a targeting instrument becomes effective only when followed by actions (a response under the form of policies)” (The World Bank, 2016: 8). Given that marginalization is not only defined using the low income criteria, but also considering the human capital, the Atlas can also be used in order to assess different social intervention programmes and projects for addressing risks and vulnerabilities like: school abandon, domestic violence, poor health care, ethnic discrimination etc.

The definition of the *marginalized rural areas* in Romania was based mainly on the data collected, at national level, through the population census in 2011, according to three criteria: human capital, labour force occupancy and housing. It resulted that, at the level of the communes in Romania, 2.244 of the 46.547 census sectors assessed in 2011, inhabited by over 564.000 people, fulfilled the criteria in order to be considered marginalized rural areas.

Characteristics of the marginalized rural areas in Romania

According to the study performed by the World Bank, at national level, 6.2% of the rural population, 5.3% of all households and 5.2% percent of all houses are in marginalized rural areas. The rural areas with the highest poverty rate at national level are organized in 2.861 communes (administrative units) that include 12.373 villages. (The World Bank, 2016:6). The findings concerning the main traits of the marginalized rural areas are included in the table below:

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Table 1: Comparison between marginalized and non-marginalized rural areas in Romania

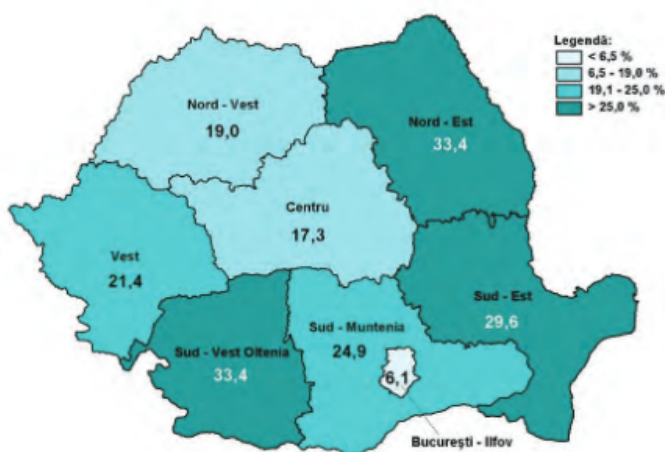
Main characteristics	Marginalized rural areas	Non-marginalized rural areas
Children (0-17 years) in total population	34%	22%
Elderly (over 65 years) in total population	13%	19%
Households with more than 5 members	25%	15%
Families with 3 children	16%	5%
Teenage mothers (13-17 years)	4.6%	1.3%
Adults that graduated from max. 8 classes	80%	45%
Youth (15-19) not employed and not enrolled in any form of education	51%	23%
Adults (20-64) not employed and not enrolled in any form of education or qualification	88% (*95% among roma women)	64%
Roma population in total population	42%	-

Source: The World Bank, 2016: 25-26.

Dimensions of social exclusion in Dolj County

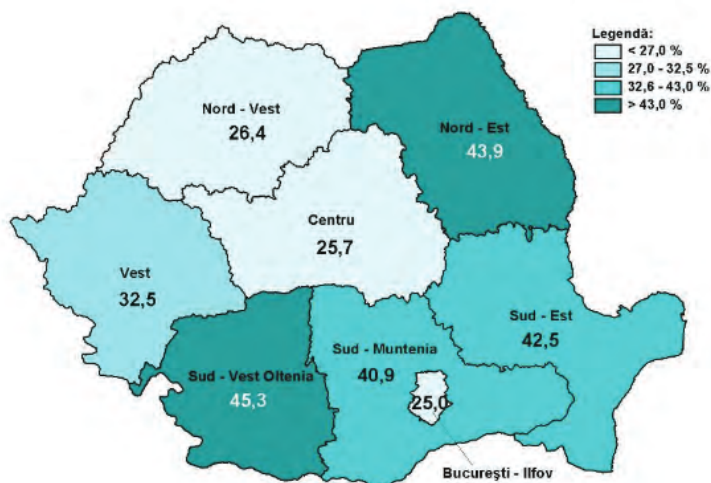
At the level of the year 2018, the Eurostat statistics for EU-27 estimated an at-risk-of-poverty rate of 23.5% for Romania, on the 3rd place in the EU after Serbia and Montenegro, almost 7 % higher than the average European rate of 16.8%. The figures below presents the distribution of the poverty rate and of the share of persons at risk of poverty or social exclusion in 2017, according to development regions.

Figure 1: Poverty rate in Romania, according to development regions (2017)



Source: National Institute of Statistics, 2018:15

Figure 2: People at risk of poverty or social exclusion according to development regions (2017)



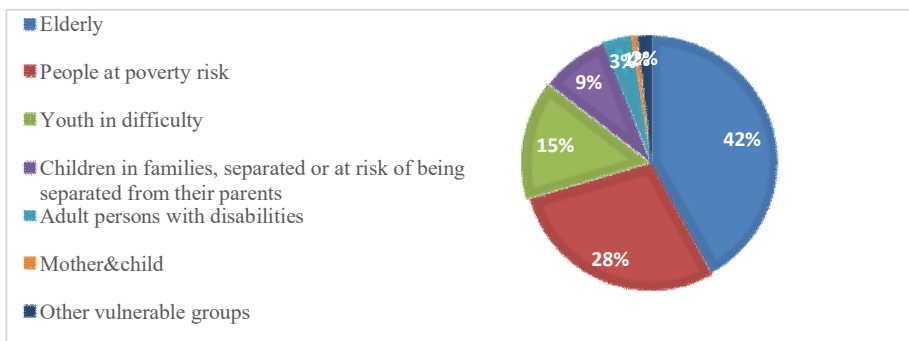
Source: National Institute of Statistics, 2018:38

Statistics concerning South-West Oltenia Region and Dolj County

As it can be noticed in the figures presented above, the South-West Oltenia region has a relative poverty rate of 33.4%, the highest in the country and equal with the North-East region, almost 10% higher than the national average poverty rate. It also has the highest rate of people at risk of poverty or social exclusion (45.3%) in the country.

The most vulnerable population groups identified in the South-West Oltenia region are:

Figure 3: The most vulnerable groups in the South-West Oltenia Region (%)



Source: Ministry of Labour and Social Justice, 2018:20

At the level of Dolj County, the social marginalization statistics reveal a troubling reality. For example, in January 2020, out of the total population of the

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country, of 689.410 persons, 11.168 were beneficiaries of the minimum granted income (a financial support provided for families or persons whose incomes are below the minimum granted income established by law, but also for homeless persons). The number of beneficiaries decreased, compared to the same month of the previous year (12.257), but maintains Dolj County on the first place in the country. (Romanian Government, 2020). According to a study performed during 2016-2018, Dolj County has the following characteristics:

Table 2: Characteristics of Dolj County

County	GDP/inhabitant (Euro)	Employees in total population (%)	Employees in working population (%)	Relative poverty rate (%)	Working poverty rate (%)
DOLJ	6628	17.00	50.64	26.7	21.4

Source: Ministry of Labour and Social Justice, 2018: 115

In January 2020, the number of unemployed population in Dolj County was of 18.067 persons, 15.837 of which were unpaid. The unemployment rate at county level was 6.79%, compared to the national unemployment rate of 2.98% (Ministry of Labour, 2020). The statistics for the year 2019 concerning the number of marginalized persons, according to counties, revealed that, in Dolj County, there were 13.439 marginalized persons (of 245.809 at national level) - 1st place in the country, of which: 896 persons without property or use of a home; 756 persons living in inadequate conditions; 6.479 persons with one or more children or being part of a family with several children; 355 elderly persons, without a legal caregiver; 317 disabled persons; 210 persons caring for a disabled person; 246 family members, aged up to 35 years, with children, confronted with marginalization etc. (Ministry of Labour and Social Protection, 2019, Annex 3: 2). In 2015, the flow of people from Dolj County that had migrated abroad for work was estimated at more than 6.000 people, being among the first 5 places in the country regarding the migration rate. (National Institute of Statistics, 2016: 7). At the beginning of 2018, according to the statistics of the General Directorate for Social Assistance and Child Protection, almost 2.000 children in Dolj County had one or both parents working abroad, thus being deprived of proper parental care.

After the 2011 population census, it resulted that 7.9 percent of the rural areas in Dolj County were marginalized areas; among these, 4.5% are roma communities, 1.2% are communities of mixed ethnicity and 2.4% are non-roma communities (The World Bank, 2016: 273). Out of a total of 104 communes mapped according to their marginalization rate, there are: 10 communes with an average marginalization rate (6.1 - <12%), 14 communes with a marginalization rate above average (12-<24%) and 13 communes with a severe marginalization rate, above 24% (Ibidem: 349-352).

Nevertheless, in 2019, according to Annex 1 of the statistic report of the Ministry of Labour concerning marginalization (summarizing the feedback from the territory regarding the measures adopted at local level for fighting marginalization), 110 out of 111 local councils in Dolj County transmitted that the locality has no marginalized persons - although the list also includes most of the communes recognized as severe marginalized or marginalized above the average, according to the *Atlas* of the World Bank! (Ministry of Labour and Social Protection, 2019, Annex 1: 134).

Case study: Analysis of the marginalized rural community Vârtop-Plenița in Dolj County

In 2016, a team of researchers and specialists in the fields of sociology and social work, with a broad experience in the field of specialized studies, performed an analysis of the marginalized rural community Vârtop-Plenița in Dolj County (Niță, Ilie, Diaconu & Buligă, 2016), in order to justify the application for a financial allocation necessary for reducing poverty and social exclusion for the two marginalized communes, through increasing life expectancy through the improvement of the housing indicator, stimulating school continuation and the reduction of school abandon, investing in the qualification of those people who have no profession and stimulating occupancy by means of employment or job creation /development of the entrepreneurial segment.

Both communes are mapped by the *Atlas of Marginalized Rural Areas and of Human Development in Romania* (The World Bank, 2016), in the framework of the agreement for the elaboration of a Project of National Strategy and of an Action Plan regarding social inclusion and poverty reduction (2014-2020).

The sociological study was based on a qualitative research combining several specific methods, such as the structured interview, the focus-group and observation, with the aim of proving the existence of the minimal requirements of the classification of the two rural areas as marginalized communities. Its main objectives were: 1. to identify the population groups at risk of poverty and social exclusion, based on the indicators regarding their occupational status, education level, abilities, housing conditions, access to public utilities and community relations in the communes Vârtop and Plenița; 2. to draw up the necessity analysis and to identify the problems of the marginalized communities; 3. to assess viable solutions and to identify development opportunities for the marginalized areas Vârtop and Plenița (Niță et al., 2016).

In performing the analysis, the researchers used the data provided by the *Atlas of Marginalized Rural Areas in Romania*, as well as statistical data provided by the population census in 2011 and by the reports of the public institutions (communal local councils, Directorate for Statistics of Dolj County, the General Directorate for Social Assistance and Child Protection Dolj etc.).

Thus, the main population characteristics of the two rural areas are, as follows:

- Plenița commune: 3.855 inhabitants, of which 257-418 are living in marginalized areas and over 20% roma population in marginalized areas;
- Vârtop commune: 1.658 inhabitants, of which 1-169 persons are living in marginalized areas and under 20% roma population in marginalized areas.

Based on the collected data, the authors of the study drew up a chart of the marginalized area Vârtop – Plenița that is summarized in the table below:

Table 3: Data chart of the marginalized area rural area Vârtop – Plenița

Criteria/ Dimension	Key-indicators
Human capital	Share of persons aged 15 -64 years that graduated from maximum 8 classes (secondary school): 55%→ 65% Vârtop and 45% Plenița
	Share of disabled persons, chronic illnesses or other conditions that limit their daily activities: 2,35%→ 1,7% Vârtop and 3% Plenița
	Share of children and youth (0-17 years) of the total population:31% → 21% Vârtop and 41% Plenița

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Labour force occupancy	Share of the persons aged 16-64 years that are not employed on the formal labour market (employees with a labour contract or officially self-employed, with or without employees - firm manager or administrator, authorized natural person, family association, individual enterprise, freelancer) and are not enrolled in any education form: 81%→ 88% Vârtop and 74% Plenița
Housing	Share of overcrowded homes (< 15,33 m ² per person): 31% →30% Vârtop and 32% Plenița
	Housing uncertainty: share of homes that are not owned as a personal property: 61%→ 80% Vârtop and 42% - Plenița

Source: Niță et al., 2016

The results and conclusions of the analysis of the marginalized rural community Vârtop-Plenița, as well as the solutions proposed by the specialists were structured according to intervention fields; we have summarized them in the table below:

Table 4: Results of the analysis and proposed solutions, according to intervention fields

Intervention field	Problems	Solutions
Education	<ul style="list-style-type: none"> • school abandon rate: 3.5% → low education level → unemployment → criminality → social marginalization • difficult access to school (long distances, lack of public transport) • simultaneous learning • lack of cooperation between family and school • lack of elementary goods (clothing, learning materials etc.) 	<ul style="list-style-type: none"> • after-school programmes and centres • counselling activities for children and parents • improvement of school infrastructure, better hygiene conditions • free transport • support for poor families
Labour force occupancy	<ul style="list-style-type: none"> • lack of economy diversification • major dependency on subsistence agriculture • major dependency on social benefits • high unemployment rates • lack of work places at local level • lack of skills and qualifications, due to illiteracy or insufficient skills and qualifications • immigration abroad 	<ul style="list-style-type: none"> • training and qualification activities • career counselling activities • entrepreneurial building • identification and implementation of specialized and specific economic activities (added value for the community) • identification of potential employers • subventions for potential employers • financial support for new

		businesses
Social/ medical/ socio- medical services	<ul style="list-style-type: none"> • 54 persons with physical/ mental disabilities not receiving optimal treatment • insufficient parental knowledge about the child's nutrition and health • high rate of children and youth smoking and drinking alcohol • insufficient knowledge about hygiene norms and healthy nutrition • only 1 medical emergency centre and 1 dispensary in the community, lacking specialized staff and materials • poor prevention education • high rate of transmittable diseases • lack of information on family planning and sexual education • children and women victims of domestic abuse 	<ul style="list-style-type: none"> • establishment of an Integrated Community Health Centre→ general access to medical services • counselling of citizen about the importance of regular health checks • counselling on family planning • counselling on substance abuse • rehabilitation of medical centres • parental counselling on the child's health • awareness raising campaigns on prevention
Housing	<ul style="list-style-type: none"> • more than 50% of the house owners do not have property documents • the houses are old and severely deteriorated • overcrowded homes • improvised homes • lack of proper furniture • heating on wood or gas stoves • poor hygiene conditions→ poor health • limited access to drinkable water • poor nutrition • only 13.9% of all homes have a bathroom • sewerage connection only in Plenita • 985 out of the total of 3260 homes have water supply 	<ul style="list-style-type: none"> • reparation of minimum 20 severely deteriorated homes • improvement of housing conditions • financial support for poor families

Source: Niță et al., 2016

Based on the results and conclusions of the analysis, the community Vârtoș-Plenița was validated as marginalized, as it simultaneously meets the three necessary

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conditions for validation: it has a low level of human capital; it has a low level of occupation in the labour sector; it has poor housing conditions.

The proposed solutions were forwarded as potential activities within the project for the combatting of social exclusion and marginalization of the investigated community.

Conclusions

Our article made an overview in the framework of the investigation area of the phenomenon of marginalization and social exclusion in Romania, starting with a presentation of the most relevant concepts that play a role in its understanding and exploration. We made a short presentation of the legal and strategic documents on the topic of social protection and the prevention of social exclusion in Romania, pointing out a few of the difficulties encountered in the implementation process of the specific policies and measures. We also presented the key-findings of the *Atlas of Marginalized Rural Areas and of Human Development in Romania* (The World Bank, 2016), one of the most important mapping instruments and data providers in planning appropriate actions, projects and measures for community development in the rural environment. Based on the data provided by the Atlas, but also on other public statistic data, we created an image on the marginalization level of Dolj County and of its rural areas, in comparison with the national marginalization status. Finally, we presented a case study consisting on a sociological analysis that we consider to be relevant and eloquent in assimilating the situation of a marginalized community in Dolj County (mapped in the Atlas and validated through the study) to the situation at national level, given that, as we have already shown, the marginalization indicators and conditions are similar for every concerned community in the country.

This analysis proves that marginalization can be fought by implementing reasonable and adapted initiatives and projects for building resilience in the rural community. It is obvious that risks and vulnerabilities trigger social exclusion, but the implementation of the right community building, social assistance and social protection measure triggers the resilience at the level of the community, by empowering its individuals to claim their rights, by educating them and raising awareness about their and their children's future. The analysis of the marginalized rural community Vârtop-Plenița turned out to be useful and reliable not only for the applicant of the project, but also for understanding and assessing the potential to stimulate and create resilience, human and community development, even at the level of the most marginalized, apparently hopeless rural communities in Romania. Financing is made available through official national and European programmes and it is time both for the competent governmental authorities and for the civil society to take more action, because change is a long process, and the lessons of the past should fuel a more engaged and responsible approach.

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ORIGINAL PAPER

Economic tools for shaping order in Central Europe in Austria's foreign policy

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Abstract

Austria's political and economic interest in the countries of Central Europe was diverse. Neighborhood policy was interpreted as "a small relaxation that without direct union with the USSR could have contributed to relaxation between East and West." In initiating economic cooperation, it was assumed that the economic stability of Eastern countries would be conducive to the implementation of the basic task of the SPÖ, which is maintaining full employment, would be an optimal expression of Austria's neutrality and would contribute to alleviating the effects of Austria's unilateral economic links with Western countries, in particular with Germany. The assumption adopted in Vienna concerned the consent to undertake economic cooperation where it was profitable, but also while respecting the principles typical of the free market. At the beginning it was assumed that industrialization concerns only East Germany and Czechoslovakia. Over time, this approach has changed. Analyzing the foreign policy of Austria, research tools characteristic of the historian and political scientist's workshop were used. The method of analysis and synthesis was adopted. Additionally, the conducted research was supplemented with the institutional method (legal acts regarding the competence to create foreign policy and state treaties). A statistical method was also used to show the scale of trade.

Keywords: *Modern Austria, Neighborhood Policy, Bruno Kreisky, Central Europe.*

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Economic tools for shaping order in Central Europe in Austria's foreign policy

Introduction

The political and economic interest of the powers in the countries of Central Europe varied in the course of the 19th and 20th centuries. Contemporary research on the economic cooperation of superpowers with the countries of Eastern and Southern Europe centers around two themes. The first is to determine the territorial scope of the *Mitteleuropa*, or Central Europe, its political and economic potential in the 19th and 20th centuries. The second is the issue of the impact of the so-called German element in this area, understood as a political and economic contribution to the development of Slavic areas. The participation of Austria and Germany in shaping policies related to the broadly understood eastern territories is in the first phase of shaping the concept of *Mitteleuropa*, i.e. in the second half of the nineteenth century common, as is the language culture that characterizes these countries (Koszel, 1999: 15). What differed them was the economic potential. According to researchers, economically backward Austria-Hungary could only be seen as an exporter of the best traditions of German culture.

Defining the political and cultural range of Central Europe was extremely difficult. As Weronika Parafianowicz-Vertun writes: "At the root of all sorts of problems and controversies related to the concept of Central Europe could lie its geographical origin. The conviction that the subject of Central European discussions is - the historical, political, cultural reality of this region, led to consternation when it turned out that the images created in the discussions do not correspond to the Central European realities (Parafianowicz-Vertun, 2016:17-18). The author examining the issue of the reception of Central Europe in post-war independent culture, or created in the so-called the second circulation proves that the search for a common identity by Central European countries flourished in the 1970s and 1980s. Referring to the work of Ludwik Krzywicki, the researcher points to the development of the "Central European idea" towards a practiced idea that gives scope for the development of ventures and activities. It was not just an intellectual concept, but measurable and planned activity related to seeking and determining a common identity.

The period of the Napoleonic Wars and their rise resulted in the political emancipation of Slavic states, which erupted several times after establishing a new order in Europe in 1815, forced Germany and Austria to revise their existing rules of coexistence with the countries of the East. The first mentions referring to the definition of *Mitteleuropa* as an area of interaction between Germany, Austria and Slavic countries were published by both philosophers, writers and economists: Johann Gottlieb Fichte, Ernst Moritz Arndt, Friedrich List, Paul Anton de Lagarde. Assessing the eastern lands as "devoid of spirit" they announced the expansion of civilization gains and assumed their voluntary acceptance in this area (Pajewski, 1959:14). Austrian politician Karl Ludwig von Bruck (Minister of Commerce and Finance Minister of Austria) saw the need to move overseas transport from the Hanseatic cities to the south and even partially seize Mediterranean ports (Trieste). New opportunities were also sought in the development of river trade and activation of cities along the Danube. They were timid attempts to compete with the British empire controlling trade in southern Europe. This concept was continued by the policy of the prime minister - Prince Felix Schwarzenberg, who worked to create an economic block controlled by Vienna, which lies on the Aachen-Budapest-Kiel-Trieste line. At that time, German and Austrian concepts for developing cooperation with the East corresponded with each other. Schwarzenberg

found the support of political scientist Constantin Frantz. According to Frantz, the future belonged to supranational structures based on common German culture. Poles and Southern Slavs were also to be attracted to them. At this time, however, there is no need on the side of the German political elite to create a Central European union, of which Vienna was to be an important part and Slavic states unspecified in its development.

The political idea provided scope for action and activity that had to be justified. After the reunification of Germany in 1871, *Mitteleuropa's* ideas changed. German capital expanded its influence in Romania, Serbia, Bulgaria and Turkey, pushing aside the Latin Catholic community of interests with the Habsburg court. The Great German idea left no room for Slavic partners, which is best seen in Poland. The maps of Central Europe, created spontaneously at the end of the 19th century, made to justify Germany's superpower policy, deviated significantly from earlier concepts. It should also be emphasized that they were both a response to Berlin's political demand and Russia's European policy. This idea developed visually under the influence of geopolitical situation and the development of relations in the region.

Political and economic difficulties that survived after 1918 both Germany and Austria pushed back the concept created by ideologists operating and creating in pre-war powers. In public discourse, Slavic states are presented as weaker and provocative international conflicts. Only years of the Great Depression encouraged both Berlin and Vienna to look for markets in the East. Operating at the German Office for Foreign Affairs - Economic Congress (*Mitteleuropaiche Wirtschafts*) planned customs unions and consolidation of trade in Romania, Yugoslavia, Bulgaria, Hungary, Finland, Lithuania, Latvia, Estonia, the Netherlands, Belgium and Luxembourg. Poland was not included in these solutions. The plans of preferential duties were unsuccessful, which proved that Germany had no political potential in this area. However, the Czech or Hungarian counterproposals without Germany's participation and support were also unsubstantiated at the time (Pajewski, 1995:14). The period of the great economic crisis strengthened the neighboring countries of Germany in the belief that their positive development depends on economic decisions taken in Berlin. The internal stabilization that followed the introduction of favorable agreements, the modernization of the financial system and agrarian reforms encouraged the countries of Central Europe to cooperate more closely with Germany (Koszel, 1992:293-304).

Mitteleuropa found an important place in the economic concepts of the Third Reich (Kozieński, 1970:91-107). From 1934, through the active policy of Reichsbank and the introduction of the clearing system until the outbreak of World War II, Germany managed to economically master Central Europe. In the face of the Reich's commercial expansion, the Slavic states were helpless. They did not even try to create a counterweight to defend their economic independence. Robbery economic policy that entered Central Europe together with Hitler's conquests after 1939 strengthened the eastern states in the belief that they were only an area of exploitation. "The long-term abuse of the concept of *Mitteleuropa* for the hegemonic goals of Germany and the devastation of culture and culture in Europe in the name of the alleged unity of the race have caused that this best known concept of Central European organization has become a discredited concept, a synonym of territorial revisionism, evoking the most negative political associations"(Koszel, 1999:38). This does not mean that this area did not seek its own paths of integration or political self-determination.

The thread of cooperation with Central Europe after the Second World War in the new political conditions was an important element of the foreign policy of both

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Germany and Austria. Both countries had to express their attitude towards communist countries, recognizing Moscow's political primacy over this part of Europe (Kozieński 1970:337-367). The necessity of especially economic cooperation with this area forced to prepare even ad hoc solutions in this respect (Recepcja, 2004:9-15). Konrad Adenauer, as a Christian Democrats chancellor focused on building ties with Western countries, saw no opportunity, at this first stage of constituting the German state, to actively cooperate with Central and Eastern Europe. The Austrian government had a much easier task, which developed the practice of reconciling the interests of the powers during the occupation of the state and developed its own methods of cooperation with the communist bloc. However, during the ten-year occupation during the work on the treaty, he was obliged to this cooperation.

At that time, Central Europe was characterized by Austrians as a political and historical demand, or an idea evolving from nostalgic beliefs about a shared heritage towards specific actions, practices and political solutions. This evolution resulted from the opportunities that existed in the countries themselves included in the Eastern or Southern Europe. Weronika Parafianowicz-Vertun wrote both about the development of the "Central Europe project" and the cultural background of the changes taking place in the self-determination of nations as Central European. In the research carried out by the author, the theme of co-creation of Central European identity has repeatedly appeared, read thanks to post-war cultural texts from the so-called second circuit (Parafianowicz, 2016:17-19). The concept of Central Europe as a "common" area with specific political characteristics was as eagerly promoted as it was denied (Maier, 1993:8-19). Polemical texts were also published in large numbers, claiming that there was no analyzed alternative concept, but only a myth that was easily referenced due to the repetition of messages about Central European reality.

Analyzing Polish research on the concept of Central Europe and Central and Eastern Europe, it should be stated that they relate to various areas of its functioning and impact, are extremely rich and interesting. In fact, these studies are experiencing a kind of renaissance when German-language research works herald the death of this idea. Not only the pool of texts constituting thinking about this area in terms of "community" is associated with specifying the significance of postulates related to the operation and internal impact of states in Central Europe. It is also the weight of individual messages, categories of authors, interactions with the environment, literary and journalistic genres shaping both the information and aesthetic layers. According to Weronika Parafianowicz-Vertun, the idea of Central Europe was primarily created by its inhabitants. Narratives regarding joint achievements and experiences were based on literary traditions adopted and established in a given area. The dominant texts whose message we read in the works of intellectuals, historians, and journalists were the publications of Oskar Halecki and František Dvornik (Halecki, Lublin 2000). Essays were the dominant literary genre, although equally important during conferences or formal meetings: letters, laudations, lectures, speeches, papers and polemics. The form of the essay was very expressive in its substantive and aesthetic content. Essays were a form of exchange of thoughts between intellectuals. The effect of this kind of exchange was the "Lesson of Central Europe", as Susan Sontag said. It was a kind of work done by Central European countries to emancipate the societies of this region (Parafianowicz-Vertun, 2016:61). At the end of the Cold War, an important conference on Central Europe was held in Lisbon. Outstanding speakers arrived: Czesław Miłosz, Susan Sontag, István Bibó, František Dvornik, Salman Rushdie and argued about how

literature perceived or defined the area of Central Europe. There was then a spontaneous exchange of views with delegates from the Soviet Union. Virtually all participants agreed that they had an inalienable right to their own interpretation of the Central European identity.

The question of whether and to what extent Central European countries defined their common identity is an important question in the context of Austrian diplomacy because it relates to a joint response to the policy proposed by the Austrian Ministry of Foreign Affairs towards this region (Kisztełińska-Węgrzyńska, 2018:180-184). The question also concerns whether this concept was a response to social processes that were observed, or rather the spark that initiated these processes. It should be taken into account that not only the needs and opportunities undertaken at the state level were observed, but the social and cultural needs arising in the East were suggested (Kurczewsk&Kamiński, 2014:81-106). Activation of intellectual environments, support for culture, as well as joint investments raising the social level of average citizens, were solutions that Vienna was interested in as well as representing Austria's interests in this area.

Research on the genesis of Eastern Austria's policy was undertaken in the mid-1990p. As Peter Ruggenthaler and Maximilian Graf wrote: "For many years, the subject of Vienna's eastern policy has only been described on the occasion of other foreign policy threads. In this case it is difficult to talk about cross-sectional studies relating to the entire area of Central Europe and the long post-war period. Several publications have undertaken solid studies on the bilateral relations of Austria of the USSR and the GDR, but they mainly concern the 1960s."(Kisztełińska-Węgrzyńska a., 2016:32-33). The following work is intended to show two phenomena related to the topic of shaping economic order in Central Europe. The first is the formulation of the objectives of economic cooperation by Austria towards eastern countries. The second is the economic and social value of trade in this area.

Investment policy goals in Central Europe

The most important rule adopted in Austria while working on the State Treaty was that cooperation with the East was not rejected. Since then, the independent Austrian Ministry of Foreign Affairs- Bruno Kreisky has defined the legal framework for cooperation with neighboring countries. The wording East was avoided, this area of activity was not associated with *Ostpolitik* as defined in German historiography, nor was it formulated about cooperation with the block. *Nachbarschaftspolitik* is a broadly understood policy with neighboring countries. With their participation, the economy of post-war Austria could develop freely.

Eastern policy implemented initially mainly in the economic dimension was interpreted as "a small relaxation that without direct union with the USSR could have contributed to relaxation between East and West." Initiatives regarding industrial cooperation and economic cooperation were implemented on the assumption that the economic stability of eastern countries was to support the implementation of the basic task of social democrats, which was to maintain full employment, was also an optical expression of Austria's neutrality and contributed to alleviating the effects of Austria's unilateral economic relations with Western countries, especially from Germany" (Röhrlich, 2009:247).The assumptions adopted in Vienna and Berlin concerned the consent to undertake economic cooperation where it was profitable, but also while respecting the principles typical of the free market.

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As regards the goals formulated for future economic cooperation, the Austrians were mainly interested in infrastructure development. The focus was on the resuscitation of the old communication artery: 'If it were possible to expand the Danube to the communication route connected with the Rhine and further with the North Sea and the Oder and the Baltic Sea, this would open the door for communication and transport of goods by sea not only for Austria, but for the whole Central and Eastern Europe. Thanks to this, all countries on the Danube could experience a revolutionary change' (Röhrlich, 2009:250). In the concepts of Eastern and Central Europe, the Danube occupied a special place, which resulted both from its economic significance and the strength it symbolized. The states on the Danube combine a unique sense of neighborhood and a common location in Europe's main thoroughfare. Attention was drawn to clear differences between individual national minorities in the Danube Basin. National movements existed there despite Soviet rule. Historical common features were also cited: "in the old Danube monarchy" and the fact that Austrians know well the differences between individual national minorities in this area. "We must be aware that we Austrians can only act creatively in Central Europe." The privileged position was rather sought in the geographical position of Austria: "we want in this part of the continent where we have been passive for a long time, henceforth be a guarantor of stability" (Kreisky, 1982:108).

At the turn of the 1950s and 1960s, the concept of cooperation within good neighborly relations was formulated with all countries surrounding Austria, especially eastern countries. This was done with a sense of care for the interests of Vienna and a certain need for responsibility for the development of other countries with which Austrian fate has been associated for centuries. They were both neighbors in a literal and figurative sense, to which Poland belonged (Jarzabek, 2011:396-413). The neighborhood policy during several dozen years had different dynamics and priorities, it is worth writing about it to pay attention to Poland's place against the background of broadly understood Austrian policy towards neighboring countries - *Nachbarschaftspolitik*.

In the 1960s, Austria implemented a neighborhood policy based on visits to eastern countries during which economic agreements were signed. Thanks to these meetings, Western politicians became acquainted with the political realities in which their neighbors live, with the possibilities that leaders of communist countries had, or with the conditions for economic cooperation (Rathkolb, 195:129-149). According to Austrian researchers, the policy of state visits - *Besuchsdiplomatie*, was the basis for the development of correct bilateral relations (Madajczyk, 2010:584-654). Visits were much less frequent. It depended not only on the attitude of Eastern countries, but on the political conditions in which they were at that time (Rathkolb, 1998:87-105).

According to the Austrians, the challenge of the times was to transform "seller's markets" into "buyer's markets". The effect of the changes was the creation of multilateral relations based on payment and customs facilitation, and thus the creation of joint organizations of these countries (Höll, 1998:105-117) Economic integration in the form of the EEC assumed the creation of a "supranational community". Austria did not join the Commonwealth of Western countries although it had over 50% of trade turnover to this area. It was the price she decided to bear while maintaining her neutrality. As an alternative, the EFTA agreement was chosen, with countries whose turnover reached 13%. According to the Austrian minister, the discussion on the future of Austria's integration with the EEC and EFTA was not over and posed a significant international problem (Kisztełńska-Węgrzyńska b., 2016:33-55)

The economic value of cooperation with eastern countries

The eastern area - *Oststaaten* was more attractive to Austrians in the interwar period. 28-35% of production was shipped there. After 1945, exchange rates with the East began to fall to 9% in 1988. This decline was associated with greater interest in EFTA markets - by 1950 46% of production was directed there, as well as the EC area - 64% of production in 1988. It was similar with imports. In the years 1950-1992, imports from Eastern countries accounted for 13-6% of all products imported into Austria. Vienna was seen by the Central European states as an important economic partner (Franaszek, 2006). In assessing the foreign policy of Austrian socialists, attention was drawn in Central Europe to the opening of the Second Republic to international problems and "unconventional" solutions (Stiftung[StBKA], 1961:8). In the late 1960s, Eastern countries intensified efforts to sign trade agreements that could either supplement the deficit of goods or provide access to new technologies. The USSR was not able to provide economic support to all satellite countries, or often treated the distribution of goods or raw materials as payment for political submission on the international forum. An additional obstacle to economic reality and decision-making at the central level was the Comecon activity. This structure imposed restrictions on taking independent economic decisions, for example by imposing obligations on individual countries under multiannual plans (Skobelski, 2007:49-90).

Austria's investment policy was based on creating political and legal conditions for building appropriate infrastructure ensuring development and mutual benefits. The membership of GATT (General Agreement on Tariffs and Trade) obtained by Poland in 1967 enabled the introduction of the most-favored-nation clause in the exchange of goods between Austria and Poland to the text of the 1968 agreement. Membership conditions were not easy for Poland. The signed commitments indicated a systematic year-on-year increase in the export of goods from the GATT country, while the difficulty was the lack of foreign currency and restrictions on the export of Polish products.

The first talks on trade liberalization and product specifications from Central Europe were launched in the 1960p. In the next decade talks were also started about loan agreements. Poland was to receive them for the development of the mining and chemical industry infrastructure. On the one hand, Austrian loans were associated with the need to raise funds from several sources and look for the most advantageous solutions, and on the other, to introduce the principles of a new credit policy in Poland (Gajdek, 2002:661). One year later, one of the most important trade agreements after World War II was signed - Agreement on the supply of electricity from Poland to Austria and on the import of investment goods and equipment to Poland on credit terms (StBKA, 1974).

Austria's loans were divided into several basic groups. The most important of them were used to finance investments. Subsequent sums were allocated to the purchase of raw materials and semi-finished products. The third group were loans for consumer goods (Archiwum [AMSZ] Dep. IV, 1978). By the end of 1978, with a total loan amount of 23.5 billion shillings, 3 billion were allocated for the purchase of capital goods in Austria, 4.7 billion for the purchase of steel products, 4.3 billion for licenses and cooperation under cooperation with Austrian enterprises, 1, 1 billion for the purchase of chemical raw materials, 6.5 billion for the purchase under the 5-year plan, 360 million for agri-food products. At that time, Bank Handlowy had the amount of 1.6 billion schillings at its disposal (Archiwum [AMSZ] Dep. IV, 1978).

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One of the first major investments in Poland was cooperation in 1973 with the Steyr-Daimler concern regarding the production of construction machinery, dump trucks and tractor units. Two years later, cooperation was developed by an additional agreement with the company "Polmot" (Wieczorkiewicz, 1980:126-127). It was about building trucks with a capacity of 18 to 32 tons, equipped with 450 hp engines. At that time, the Austrian bank granted a loan to implement this agreement. In 1975, an important agreement regarding cooperation on third markets was also signed. The Polish company "Polimex-Cekop" and the Austrian "Voest Alpine" decided to build a melamine factory by cooperating with the Linz AG concern. This encouraged other Polish enterprises to sign similar contracts in the following years (Archiwum [AMSZ] Dep. IV, 1978).

Poland's potential as compared to other Central European countries was highly rated and it was expected that changes in other brother countries would be similar (StBKA, 1975). The Austrian authorities also drew attention to the frequent visits of Polish leaders to France and Sweden, which resulted in economic privileges that Western countries received and loans to Poland (StBKA, 1976). Unfortunately, such active policy towards the West was not positively evaluated by the Moscow authorities. The first signs of "overinvesting" the Polish economy were already felt in 1976. The management board in Warsaw planned to raise food prices, which Leonid Brezhnev warned against in person, threatening to freeze some supplies of raw materials and grain. It occurred in the following years.

Austria sought to increase imports of Polish energy and raw materials, and discussed the emerging infrastructure and additional projects. In the minutes of talks between Prime Minister Jaroszewicz and Chancellor Kreisky of September 16, 1977, four future investors were mentioned and additional plans planned: Voest Alpine (7 projects), Klin Union (2 projects), Verenigte Metallwerke (1 project), Waagner Brio (1 project). The document prepared for the needs of working groups reads that among the eastern countries, the USSR and Poland deserved special attention. These countries have systematically produced more energy since the early 1970s than they could use (StBKA, 1970). According to experts, apart from the production itself, which was systematically growing, attention should be paid to rich deposits. Eastern countries did not look for an alternative in obtaining energy, they also used nuclear energy to a small extent. At that time, however, the Soviet side was clearly opposed to Polish projects based on raw materials from the Soviet Union. It should also be added that their price increased significantly during this time.

Without knowing the details of the implementation of this change, the Austrian authorities tried to identify trends for the coming years. Investments carried out in Poland did not contribute to the improvement of the situation, as they encountered an underinvested economy. Disproportions in the development of individual industries, or the inability to export attractive goods, for which Poland could receive the currency needed to pay off debts, accelerated the crisis. New loans were taken out to meet credit requirements, often under pressure from investors who, under threat of withdrawing from contracts, demanded incurring more liabilities. The consequence of the great investment wave of the first half of the decade was not so much an increase in export production as import restrictions in the second five-year period. These restrictions were carried out after 1976 at the expense of the quality of products manufactured for export and the extension of the investment process (Ząbkowicz, 1992:35). The distribution of funds for modernization consistently omitted the branches producing and providing

services to the population (trade, agriculture, municipal and housing management), which caused social unrest.

At the end of the 1970s, the authorities of the Polish People's Republic tried to pay off all debts, gaining the opinion of a reliable debtor. The reforms did not bring significant systemic changes in the economy, in particular in foreign trade and banking services for foreign transactions. No change was typical for the entire Soviet bloc during this period, it was considered politically dangerous. The exception was Hungary, which since the mid-1970s had an active policy to facilitate investment on the Danube (Gémes, 2009:333) In the light of some assessments, one-third of foreign debt arose as a result of incompetent license purchases. Excessive import of technical solutions had a negative impact on the work of national research and implementation centers (Rapacki, 1989: 4-8).

1978 ended a period of relative economic prosperity. Research conducted by Leszek Jasiński shows that a large part of foreign exchange funds was spent unjustifiably. This was due to many neglects, lack of knowledge and possibilities, dishonesty and lack of planning. It is difficult to determine the scale of fraud today due to the numerous censorship activities in the area that involved trade with both Western countries and the Comecon (Jasiński, 2011:274). Due to economic forecasts regarding economic exchange resulting from the analysis of the efficiency of the Polish energy sector, the Austrian side was thinking about looking for an alternative (Strzyżewski, 1977:31-39). The situation in which Poland would cease to fulfill its obligations regarding energy exports was dangerous for Austria, hence the search for additional safeguards. First, attempts were made to help pay off the debts Warsaw had incurred in recent years. From 6 to 11 November 1979, a mixed commission was convened in Vienna for economic, industrial, and scientific and technical cooperation. The main task set for her was to improve the exchange of goods During the meeting, a conversation took place between Minister Olszewski and Chancellor Kreisky. The Polish minister was received by the Chancellor on November 7. Kreisky suggested the possibility of cooperation on an extensive energy acquisition project. Ambassador Andrzej Jedynek reported to the Ministry of Foreign Affairs about the conversation, asking for immediate reaction. The Austrians proposed building a nuclear power plant in Poland. Investment financing was to come from Austria and Germany. The transit was to take place through Czechoslovakia or Hungary. The chancellor justified his project with the need to develop East-West energy cooperation. At the same time, attempts were made to avoid social attacks in connection with the construction of this type of facility in Austria (AMSZ, 1979).

Conclusions

By calling the overall relations with Eastern European countries, the neighborhood policy has created new conditions and new values in these relations and has been transferred to partnership. Austrian politicians were not only aware of some changes related to defining the identity of Central Europe. This clarification was the process of emancipation of the societies of the region, which regained their voice and increasingly clearly promoted their own narrative regarding common history and politics (Parafianowicz-Vertun, 2016:61).

Both the Austrian government represented by Minister Kreisky and Willy Brandt were controlled by the administration of Richard Nixon, and especially Secretary of State - Henry Kissinger, so that in their cooperation with the countries behind the Iron

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Certain they would not go too far. Writing about Eastern policy, Polish researchers point out the foundations that Chancellor Adenauer or Kurt Georg Kissinger created for these relations (Koszel, 1997: 93-116). The effect of the changes was the creation of multilateral relations based on payment and customs facilitation, and thus the creation of joint organizations of these countries. Economic integration in the form of the EEC assumed the creation of a "supranational community". Austria did not join the Commonwealth of Western countries although it had over 50% of trade turnover to this area. It was the price she decided to bear while maintaining her neutrality. As an alternative, the EFTA agreement was chosen, with turnover reaching 13%.

In 1979, Austrian investments and support for the machinery and automotive industries resulted in 800% increase in imports from Austria compared to the values from 1970 (Austria, 1972:76). The value of exports grew slowly but steadily to 400% compared to 1970 and concerned mainly energy resources (Franaszek, 2006:192). If we compare these indicators with the breakdown of all Austrian exports, the share of Eastern countries, although very small, allowed the visible development of this part of Europe. The most industrialized countries: Czechoslovakia and Hungary used only 1% of goods sent from Austria, the share of our country was even smaller. The monetary value of Austrian imports in 1971 was \$ 66 million. It is worth noting, however, that Austria was one of the many countries that invested in communist countries at the time. By giving rise to new production branches, Austria supported changes in the economic structure of Poland and other Central European countries (Austria, 2013).

The quota system was abolished and mutual trade in goods was liberalized. Most-favored-nation treatment in accordance with Article I GATT was confirmed. The conditions of free movement of goods and finances were determined (Sikorski, 1973:104-113). The basis of lively economic cooperation were long-term trade agreements. In the years 1972–1976, settlements in convertible currency were introduced instead of the existing clearing system of mutual settlements. The quota system was abolished and mutual trade in goods was liberalized. Most-favored-nation treatment in accordance with Article I GATT was confirmed. The conditions of free movement of goods and finances were determined. The Payment Agreement of 1954 and the Trade Agreement of 1967 were canceled. The contract was to be in force until December 31, 1976. It was equipped with an Additional Protocol supplementing the indicators of mutual exchange of goods. The Austrian government foresaw the need for strong cooperation with eastern countries in the context of the growing energy crisis (StBKA, 1979).

Comments on the most important legal regulations related to trade indicate the key role of the issue of loans granted to Poland. They were mainly the subject of arduous negotiations and as the crisis progressed and the nervous situation in Poland's relations with the West. The investment acceleration announced in the 1970s was not due to the reconstruction and modernization of existing production plants, but to the production of new ones. New phenomena in the world economy were interpreted as favorable to Poland. The inflation of currencies, and above all the depreciation of the US dollar (two devaluations from December 1971 and February 1973) encouraged the Polish authorities to adopt a "philosophy of debt". As the oil crisis escalated, the international monetary system was fed with a huge number of "petrodollars". They were not worried about the terms and conditions of the loans they were signing when financial institutions were looking for money for bank deposits (Długosz 1995:43). According to the chairman of the Planning Commission to the Council of Ministers Mieczysław Jagielski, inflation in

Western countries has led to a reduction in the cost of foreign loans. This was a wrong assumption because accelerated inflation growth and multidirectional changes in exchange rates and interest rates in individual countries passed the risk associated with inflation increase on the borrower.

Incorrectness in calculations also resulted from the settlement of balance of payments at current prices. There was a situation in which already in 1975 the ratios generally recognized as the permissible current debt limit were exceeded: 1. exceeding 20% of the export rate of foreign credit servicing; 2. The value of debt in capitalist countries was almost twice as high as the annual foreign exchange inflows for exports to these countries, and should not exceed 1: 1. These adverse phenomena intensified in the second half of the 1970s.

Poland entered the 1970s with almost no debts, while the oil crises of 1973 and 1979 did not affect Austria, but because of the specific relations with Arab states they strengthened (AMSZ, 1980). Western countries based on the experience of overcoming inflation with monetarism, i.e. at the cost of a temporary downturn and rising unemployment, eagerly collected funds earned by fuel exporters in banks. In order to earn interest on large amounts of unexpected deposits, they extended loans massively, hoping that the economic situation will improve and inflation favorable to debtors will be constant (StBKA 1979). As a result of the deepening of monetarism in the early 1980s, the currencies in which debtors were in debt ceased to undergo further depreciation and even began to strengthen. In this situation, debts became unpayable. At that time, Poland belonged to a group of countries which, with a multi-billion dollar debt, exported capital to rich countries, fueling the so-called debt crisis (Morawski, 2009:28).

Problems with foreign debt servicing appeared as early as 1980, when the possibilities of obtaining new loans shrank significantly. This year, USD 8.67 billion in loans were obtained from the US, which was fully used to pay installments and interest. The following year, USD 5 billion came in, while debt servicing had to be spent USD 9.4 billion, with export revenues of USD 4.9 billion and import expenses of USD 5.8 billion. That is why in April 1981 the first contract with the Paris Club was postponed, the next year a similar contract was signed with the London Club. This cut Poland off from new loans. Some debtors began to organize and jointly demand a reduction in interest rates (the so-called Cartagena Group of 1984). However, Poland did not conduct such activity. She did not belong to the International Monetary Fund, as a communist country she was treated on different terms, and after the imposition of martial law she fell into complete isolation. From among Central European countries, Romania had a similar situation (Bachmaier, 2009:487-508).

It is worth emphasizing that when writing about the economic exchange of Austria with eastern countries, the term *Ostpolitik* was consistently avoided in relation to these countries, nor was it formulated about cooperation with the bloc (Jarząbek, 2014:305). Weronika Parafianowicz-Vertun points out that the term East, eastern states, had a bad connotation in German-language public discourse. By calling the overall relations with Eastern European countries, the neighborhood policy has created new conditions and new values in these relations and has been transferred to partnership (Rathkolb, 1994:211). Bruno Kreisky was not only aware of some common political and cultural reference points that Austria, Poland, Czechoslovakia, Hungary and Romania had (Schriff, 2012) He was also aware of the changes associated with defining the identity of Central Europe. In addition, in the history of diplomacy, the term *Ostpolitik* is

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clearly associated with Eastern policy defined and implemented by the Minister of Foreign Affairs and later German Chancellor Willy Brandt since 1966 (Historia, 2010:662-692).

By 1965, Vienna had set the most important goals of the neighborhood policy and strengthened its position in the region. He pointed to the need to extend trade agreements with the East, as well as to strengthen cultural cooperation, which was to be a new indicator of the development of Central Europe. It can be said that in this way he outpaced *Ostpolitik* in his relations with eastern states, which was implemented in the following years by German Chancellor Willy Brandt. Throughout the development of the neighborhood policy, Austria has consistently avoided calling the neighborhood policy Eastern policy. It was believed that the concept of *Ostpolitik* was synonymous with German diplomacy and was strongly cut off from it. This was not done because of the need to negate German actions, but to set own goals and standards for actions with communist countries. It was emphasized that these countries should not be called the Eastern Bloc, nor should they be treated as a monolith, because Moscow is doing a favor then. It was also believed that the term *Ostpolitik* emphasizes the eastern, worse character of this region, which was in line with how German historiography referred to the history of Central Europe. On the other hand, the concept of neighborhood policy was to emphasize common points in the past, politics and culture of the countries associated with Vienna and determine its partnership character. Although Kreisky had been friends with Willy Brandt since the time of emigration in Sweden and valued his achievements in foreign policy, he emphasized the role of Austria's active international policy in the process of shaping the new national identity. An important debate about the future was going on in Austria at the time. Not only the possibilities of economic integration within the EEC were considered, but also new directions for the development of a neutral republic were sought, highlighting its separateness from Germany.

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ORIGINAL PAPER

On the legal regulation of the air transport contract for persons from Romanian law

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Abstract

Air transport has as legal regulation O.G. no. 29/1997 regarding the Air Code. This regulation contains legal norms on general aspects regarding the national airspace and its legal regime, thus creating a legal general framework for air transport. The regulated aspects concern more public law than private ones. However, if we refer to the private law and the law applicable to air transport contracts, the subject matter is represented by the Convention for the unification of certain rules regarding international air transport, adopted in Montreal on May 28, 1999, a convention that applies to international passenger transport, luggage or cargo, carried by an aircraft, against payment, and also free transport by aircraft by an air carrier. This Convention has been ratified by Romania through O.G. no. 107/2000 and approved by Law no. 14/2001. Also, passengers make use of their rights recognized at European level based on Regulation no. 261/2004 of the European Parliament and of the Council of 11 February 2004 setting common rules regarding compensation and assistance of passengers in the event of refusal to board or cancel or delayed flights.

Keywords: *air transport contract for persons; passenger; luggage; flight.*

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Taken as a whole, the legal regulation in the matter of air transport of persons, and of the air transport contract for persons, is a regulation that is configured from several laws in force, namely Government Ordinance no. 29/1997 on the Air Code; The Convention for the Unification of Certain Rules for International Carriage by Air, adopted in Montreal on 28 May 1999; Regulation (EC) no. 261/2004 of the European Parliament and of the Council of February 11th, 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights.

These special regulations concern both the air transport of goods and transport of persons, and, insofar as they are incomplete, the general regulation of the Civil Code on the transport of persons and luggage is used.

If we conduct a critical analysis of these regulations, we notice that, in the absence of a special law dedicated exclusively to the air contract for persons, the effort to identify legal rules that apply to certain legal situations is more extensive for legal practitioners. On the issues concerning the substantive regulation of certain legal issues concerning the air transport contract, certain legal issues are noted, especially in determining the content of certain terms and notions used in these regulations. Therefore, an analysis of existing regulations in this area highlights a number of issues that need to be reassessed or improved.

Government Ordinance no. 29/1997 on the Air Code. This regulation includes legal rules that provide the general legal framework for the development of air transport in Romania, with its rules comprising mainly aspects of public law, rather than private law. Thus, the subject of these regulations aim at aspects such as: civil aviation administration in Romania, defining the notion of national airspace and use of national airspace, air navigation services, legal relations on board civil aircraft, nationality and rights over civil aircraft, civil airfields, civil aeronautical personnel (Government Ordinance no. 29/1997, art. 32, art. 33), civil air operations (Government Ordinance no. 29/1997, art. 44), public air transport operations, environmental protection and flight safety issues, search and rescue of civil aircraft and technical investigation of aviation incidents and accidents.

The private law rule with impact on the air transport contract for persons is the one referring to the public air transport operations, namely Section II, Chapter VII, Civil air operations from Government Ordinance no. 29/1997 on the Air Code. The air carrier is a professional and it can be a natural or legal person, authorized to carry out domestic or international transport of persons or goods, in public interest or in its own interest, with means of transport owned, rented or leased.

The legal status of the carrier, in general, is ensured by the rules of the Civil Code and of the Government Ordinance no. 19/1997. According to them, the transports performed by legal or natural persons, in non-discriminatory access conditions for third parties, based on a transport contract, for a fee, are transports in public interest, and the transport contract in public interest is concluded between the carrier and the beneficiary, under the terms of the Civil Code. Natural or legal persons carrying out transports of goods and persons, other than those in personal interest, shall be authorized by the Ministry of Transport and Infrastructure (Government Ordinance no. 19/1997, art. 20-22).

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Therefore, it follows from the legal regulations that a transport contract, for a fee or free of charge, can be entered into only by a carrier operating in the public interest, and the capacity as a carrier may belong to a natural or legal person authorized for this purpose by the Ministry of Transport and Infrastructure.

The public air transport operations are, according to art. 45 of Government Ordinance no. 29/1997, the transport of passengers, luggage, cargo or mail, carried out on a commercial basis, by regular or irregular flights, by air carriers.

The article invoked above refers to the relevant international regulations, in the sense that public air transport conducted in the national airspace is subject to the international treaties to which Romania is a party.

The regulation also stipulates that public air transport is conducted on the basis of a transport contract concluded between the air carrier and the beneficiary of the transport; and by the air transport contract, the air carrier undertakes to take the passenger to the destination, in exchange for a price to be paid by the beneficiary of that transport.

Government Ordinance no. 29/1997 on the Air Code sorts into classes civil air operations through its regulations. Thus, the civil air operations that can be performed on the Romanian territory are classified in: public air transport operations, general aviation operations and air work operations.

Public air transport operations may be scheduled transport and irregular transport. Schedules transport, namely public air transport performed by regular flights, is air transport performed according to published schedules and predetermined routes, intended to ensure the connection between two or more airports and where the vacant commercial capacity is made available to the public for a fee. Public air transport, other than regular flights, is operated by scheduled flights. Public air transport by irregular flights also includes flights which do not involve the carriage of passengers between two or more airfields, carried out on a commercial basis, with one or more passengers on board.

General aviation operations are classified in: air transport for personal interest, flights for personal interest, private flights and school flights.

Air transport for personal interest consists in general aviation operations performed by a legal entity, without charging a fee or its equivalent in goods or services, using their own or rented civil aircraft, which is the accessory of another economic activity performed by the beneficiary of transport. Flights for personal interest are those general aviation operations, other than transports for personal interest, performed by natural or legal persons, with their own or rented civil aircraft, to support the needs of their own activities, without charging tariffs. Flights for personal interest include, for instance, flights performed exclusively for sports purposes. Private flights are general aviation operations performed by owners of civil aircraft, individuals, exclusively for non-commercial purposes, and school flights are civil air operations organized by individuals or legal persons for the purpose of training navigating civil aviation personnel.

Air operations, as civil air operations, are civil air operations performed for the needs of industry, agriculture, forestry, public health and environmental protection, search and rescue, scientific research, photography, monitoring, advertising, and for other purposes by air operators certified by the Ministry of Transport, Construction and Tourism.

The liability regime of the air carrier is different: for international public air transport, the regulation is applied in accordance with the international treaties in which Romania is a party, and for domestic public air transport, the provisions of the common law apply, unless otherwise established by a special law or by an international treaty to which Romania is a party.

Therefore, the liability regime of the air carrier is granted for domestic air transport by the provisions of the Civil Code regarding the contract of transport of persons and luggage (Romanian Civil Code, art. 2002-2008), if there is no special rule in this matter, and the liability of the air carrier in the international transport contract for persons is governed by the conventions and agreements in which Romania is a party.

As per art. 47 of Government Ordinance no. 29/1997 on the Air Code, the air carrier is liable for any damage resulting in the death or injury of passengers' health or damage or loss of luggage.

Regarding the legal liability regime of the carrier, the Civil Code stipulates that it is responsible for: the passenger's death, bodily injury or damage to the passenger's health, non-execution of transport, its execution in conditions other than those established, delayed execution of transport. The carrier's liability is contractual and, according to the legal regulation, any clause by which the carrier's liability is removed or restricted for the damages provided in the general law is considered unwritten. At the same time, the carrier is liable for the damage caused by the means of transport used, its state of health and the state of health of its employees. Art. 2004 para. 4 of the Civil Code provides for the situations in which the exoneration from liability of the carrier operates. Thus, it is not liable in the following situations: if it proves that the damage was caused by the passenger, intentionally or through gross negligence; if it proves that the damage was caused by the passenger's state of health; if it proves that the damage was caused by the act of a third party for which it is not liable; if it proves that the damage was caused by force majeure (Atanasiu, Dimitriu, Dobre, 2011: 737).

The doctrine (Piperea, 2013: 199-200) notes that, if we benchmark the liability of the air carrier with that of the carrier provided for in the Civil Code, it is noteworthy that the two types of liability *contradict each other* and that, from this point of view, the liability of the air carrier in domestic transport may be regarded as an *unlimited* liability. In other words, it is a matter of the principle of air carrier liability for any damage caused to the passenger versus the principle of limited liability of the carrier under common law. Government Ordinance no. 29/1997 is the special rule in relation to the Civil Code which is the general rule and it shall apply as a matter of priority to the air carrier and it shall govern its liability.

Romanian air carriers (Government Ordinance no. 29/1997, art. 50) may perform public air transport on domestic or international routes, by regular or irregular flights, only provided that they hold a valid air operator certificate and an operating license, issued by the Ministry of Transport and Infrastructure in accordance with the provisions of EC Regulation no. 1008/2008 of the European Parliament and of the Council of September 24th, 2008 on common rules for the operation of air services in the Community. The exceptions to these legal provisions are established by the Ministry of Transport, Construction and Tourism through specific regulations.

Also, foreign air carriers can perform public air transport in the Romanian airspace, but only in accordance with the traffic rights granted by the Ministry of Transport, Construction and Tourism or under the terms established by the international treaties to which Romania is a party.

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Therefore, the regulations of Government Ordinance no. 29/1997 on the Air Code directly on the air transport contract for persons is characterized by a high degree of generality, in the sense that it establishes only in general terms the coordinates of this contract by: defining public air transport and establishing the types of transport specific to this type of transport, indicating the air transport contract as the mandatory legal instrument through which the transport of persons is performed and defining it by reference to its essential elements - movement of the person and payment of the price by the beneficiary in exchange of the service provided; establishing the liability of the carrier and indicating the regulations governing the liability regime of the air carrier.

The Convention for the Unification of Certain Rules for International Carriage by Air, adopted in Montreal on May 28th, 1999. This Convention applies to all international transport of persons, luggage or goods performed by an aircraft for a fee and to free transport by an aircraft performed by an air transport company, as well.

The Convention for the Unification of Certain Rules for International Carriage by Air, also known as the “Montreal Convention” was signed in Montreal on May 28th, 1999. The European Union is a contracting party to the Convention and some of its provisions have been transposed into Union law by EC Regulation no. 2027/97, as amended by EC Regulation no. 889/2002. These rules are part of a set of measures aimed at protecting the rights of air passengers in the European Union, together with EC Regulation no. 261/2004.

The Member States signatory to the Convention for the Unification of Certain Rules for International Carriage by Air, adopted in Montreal have shown the positive effects of the Convention for the Unification of Certain Rules for International Carriage by Air, signed in Warsaw on October 12th, 1929, to the harmonization of private international aviation law and through this new Convention sought to modernize and continue the beneficial effects of the Warsaw Convention regulations, with the aim of: ensuring full protection of consumer interests in the international air transport, a sustainable development of international air transport operations and the flow of passengers, luggage and goods, a harmonization of certain rules governing international air transport.

At the same time, the provisions of this Convention concerning passengers, luggage and goods alike are in accordance with the principles and objectives of the Convention on International Civil Aviation signed at Chicago on December 7th, 1944.

Article 1 of the Convention clearly sets out its scope, namely the international carriage of persons, luggage or goods by an aircraft, for reward and the concept of international carriage. Thus, for the purposes of the Convention, the expression international carriage means any carriage in which, according to the agreement between the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a transshipment, are situated either within the territories of two States Parties, or within the territory of a single State Party if there is an agreed stopping place within the territory of another State, even if that State is not a State Party. It should also be noted that carriage between two points within the territory of a single State Party without an agreed stopping place within the territory of another State is not international carriage.

The regulation of the Convention also clarifies in this first article the situation of the successive carriage, in the sense that such a carriage to be performed by several successive carriers is deemed to be one undivided carriage if it has been regarded by the

parties as a single operation, whether it has been agreed upon under the form of a single contract or of a series of contracts, and it does not lose its international character merely because one contract or a series of contracts is to be performed entirely within the territory of the same State. As a result, the will of the parties to consider the carriage operation as undivided and not the number of contracts, respectively carriage documents that incorporate this will, prevails.

Depending on the type of means of transport used, the transports can be: transports performed with a single type of means of transport, i.e. successive, and transports in combined traffic. Successive transport is the one performed by two or more successive carriers using the same means of transport, and combined transport is one in which the same carrier or the same successive carriers use different means of transport.

Also in the general rule, respectively the Civil Code, art. 2006 regulates the liability in successive or combined transport. According to it, in the case of successive or combined transport, the carrier on the transport of which the death, damage to the bodily integrity or health of the passenger, loss or damage of luggage or other goods of the passenger occurred is liable for the damage thus caused (Baiaș, Chelaru, Constantinovici, Macovei, 2012: 2013-2014).

Chapter II of the Montreal Convention, regarding the documents and duties of the parties regarding the transport of passengers, luggage and goods, totals a number of 14 articles, with only one being reserved for passengers and luggage, namely art. 3.

The contract for the international carriage of passengers by air is the contract whereby a party, called the carrier, undertakes, principally, to carry the passenger on time, unharmed and safely (Pop, Popa, Vidu, 2012:33-34), with an aircraft, from one place to another, according to the agreement between the Parties, provided that the point of departure and the point of destination, whether or not there is an interruption of transport or a transshipment, are located either in the territory of two States Parties or in the territory of a single State Party, but in this case there must be a stopover established on the territory of another state; with the transport being executed for a service that the passenger undertakes to pay in return for the carrier's performance.

The freedom to conclude such a contract is, in accordance with the provisions of the Convention, a significant one, in the sense that no provision of the Convention prevents the carrier from refusing to conclude a contract of carriage or from establishing conditions which are not contrary to the provisions of this Convention. However, clauses which exonerate the carrier from liability or set a lower limit than the one laid down by the provisions of the Convention are void, but the nullity of such a clause does not imply the nullity of the entire contract.

With regard to the transport document, the Montreal Convention stipulates that for the transport of persons, an individual transport document or a collective transport document shall be issued, which shall contain: specification of points of departure and destination and whether these points of departure and destination are located in the territory of a single State Party and if one or more stopovers are located in the territory of another State, indicating at least one of these stopovers. At the same time, the carrier must provide passengers with an identification tag for each piece of checked baggage.

According to the Convention, it is also possible to use any other means by which information is recorded on the specification of points of departure and destination which may replace the issue of the transport document. The condition is that, if such a means is used, the carrier shall issue to the passenger a written declaration of the information so recorded.

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The rules governing matters relating to the transport document are instruments, such as the rules governing the form of the contract in common law, non-compliance with their provisions not affecting the existence or validity of the transport contract which will continue to be subject to the rules of the Convention.

With regard to the liability of the air carrier, the Convention provides that the carrier shall be liable for damage sustained in case of death or bodily injury of a passenger upon condition only that the accident which caused the death or injury took place on board the aircraft or in the course of any of the operations of embarking or disembarking.

The obligation to carry persons includes, in addition to travel operations, embarking or disembarking operations. As a result, the carrier is liable for both the damage suffered by passengers and their luggage during transport and during embarking or disembarking operations. Liability is contractual in nature, and the doctrine warns of the correct interpretation of this situation: the carrier has the obligation to arrange and use the infrastructure of each means of transport and to ensure safe access to the means of transport and disembarking of the passenger under the same safety conditions. However, these operations should not be mistaken for the passenger's own actions when boarding and getting off the means of transport, performed through their own actions and for which there is a personal liability (Cotuțiu, 2015: 204-205).

Also according to the Convention, namely art. 17, the carrier is also liable for damage caused by the destruction, loss or damage of checked luggage, provided that the event that caused the destruction, loss or damage occurred on board the aircraft or during the period when the carrier was entrusted with the checked luggage. The carrier is not liable if the damage that occurred due to a defect in the luggage, its quality or faults.

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

The legal provisions on liability in the air transport contract for persons under the Montreal Convention and Regulation (EC) No. 261/2004 of the European Parliament and of the Council of February 11th, 2004 are compatible and complementary.

Thus, as regards the requirements to provide compensation for late arrival and assistance in case of late departure, the Court of Justice of the European Union has considered that the loss of time inherent to a delay in flight is an "inconvenience" rather than a "prejudice", as the Montreal Convention calls it. The Court notes that too long a delay causes an almost identical inconvenience to all passengers, and the Regulation provides for standardized and immediate compensation, while the Montreal Convention provides for remedies requiring a case-by-case assessment of the extent of the damage caused and it may only be the subject of subsequent compensation on an individual basis. Therefore, the application of the Regulation takes precedence over the application of the provisions of the Montreal Convention. In other words, the obligation to compensate passengers whose flights are delayed under the Regulation does not fall

within the scope of the Convention but remains additional to the compensation system provided for therein.

With regard to the interpretation of the articles on delay in the Montreal Convention, the Court of Justice of the European Union has held that an air carrier can be held liable under the Convention by an employer if the damage resulted from a delay in flights in which its employees were passengers. Therefore, the provisions of the Convention should be interpreted as applying not only to the damage caused to the passengers themselves, but also to the damage suffered by an employer with whom a transaction has been concluded for the international carriage of a passenger. In its judgment, the Court added that air carriers are, however, guaranteed that their liability cannot be incurred beyond the limit applicable to each passenger, as established by the Convention, multiplied by the number of employees in question.

Regarding the luggage, the liability of the carrier in the case of destruction, loss, damage or delay is limited to 1000 Special Drawing Rights for each passenger unless the passenger has made, at the time when the checked luggage was handed over to the carrier, a special declaration of interest in delivery at destination and has paid an additional amount. In that latter case, the carrier will be liable to pay an amount not exceeding the declared amount, unless it proves that the amount is higher than the passenger's actual interest in delivery at destination.

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

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

The liability of the air carrier shall not be incurred if it is proved that the damage occurred as a result of an action or omission of the carrier, its agents or assignees, made with intent to cause damage or recklessly, and knowingly that it may result in damage, provided that in the case of such actions or omissions of the agents or assignees it is proved that they acted in the performance of their duties.

The receipt without complaint by the consignee of the checked luggage is equivalent to the proof that it has been handed over in good condition and in accordance with the transport document, in the sense that the relative presumption arises that it has been received in the same condition as it was handed over for transport. In the event of

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damage, the passenger must lodge a complaint with the carrier immediately after the damage is discovered and no later than seven days after the date the checked luggage has been received. In case of delay, the complaint must be made no later than 21 days from the date on which the luggage is in its possession. The complaint must be made in writing.

Regulation (EC) no. 261/2004 of the European Parliament and of the Council of February 11th, 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights. This Regulation entered into force on February 17th, 2005 and is binding on all Member States of the European Union. Its purpose is to ensure a high level of passenger protection, denied boarding and long-term cancellation or delay of flights which are a nuisance and a frequent occurrence for passengers. The purpose of this Regulation is also to establish common rules on the system of compensation for denied boarding.

Adoption was possible based on the Treaty establishing the European Community, and Article 80 para. 2 respectively. The provisions of the Regulation to which we refer focus on the following aspects: the situation in which passengers are denied boarding against their will, flight cancellation and flight delay; establishing the conditions under which passengers may exercise their minimum rights in this regard.

Regulation no. 261/2004 of the European Parliament is further explained by the *Interpretative Guidelines on Regulation (EC) No 261/2004 of the European Parliament and of the Council establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights and on Council Regulation (EC) No 2027/97 on air carrier liability in the event of accidents as amended by Regulation (EC) No 889/2002 of the European Parliament and of the Council.*

Following the application of the provisions of the Montreal Convention and Regulation (EC) No. 261/2004 of the European Parliament and of the Council of February 11th, 2004 at European Union level found that certain provisions were often interpreted differently, either because they were insufficiently explained or incompletely regulated. This has led to uneven legal practice between member countries. Moreover, it has been seen that it is sometimes difficult for passengers to claim certain rights.

As I have already mentioned, the case-law has had a decisive impact on the need to clarify certain provisions of the Regulation. The Court of Justice of the European Union has in many cases been referred to national courts to determine the exact meaning of certain legal provisions, sometimes even on essential legal aspects of the Regulation. The Court's interpretative judgments reflect the current state of EU law, and the evaluations carried out in 2010 and 2012 highlighted an abundance of judgments adopted by the Court to clarify the meaning of these regulations. Thus, for a uniform understanding and proper application of the Regulation throughout the EU, to clarify the rights and obligations of the parties, for a better application of the provisions of the Regulation by air carriers and its implementation by domestic law enforcement bodies, the Commission presented a proposal to amend the Regulation. In fact, through these interpretative guidelines, the Commission has set out to explain more clearly the provisions of the Regulation, in line with the vision of the Court of Justice of the European Union, so that the current rules can be implemented in an efficient and uniform manner.

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With regard to denied boarding, the Regulation stipulates that, when an operating air carrier reasonably expects to deny boarding on a flight, it shall first call for volunteers to surrender their reservations in exchange for benefits under conditions to be agreed between the passenger concerned and the operating air carrier. The volunteer is a person who shows up for boarding and who agrees, upon the request of the air carrier, to give up their reservation in exchange for an allowance. If an insufficient number of volunteers come forward to allow the remaining passengers to board the flight, the air carrier may then deny boarding to passengers against their will.

If passengers are denied boarding against their will, a right to compensation is created in the passenger's favour and, at the same time, the air carrier must provide assistance.

The right to compensation implies that passengers will receive compensation amounting to: EUR 250 for all flights of 1500 kilometres or less, EUR 400 for all intra-Community flights of more than 1500 kilometres, and for all other flights between 1500 and 3500 kilometres, EUR 600 for all other flights. In determining the distance, the basis shall be the last destination at which the denial of boarding or cancellation will delay the passenger's arrival after the scheduled time

The right to assistance implies reimbursement or re-routing and the right to service. The right to a refund or re-routing means that passengers are given the opportunity to choose between: reimbursement within seven days of the full cost of the ticket, at the purchase price for the part or parts of the journey not performed and for the part or parts already performed, and if the flight becomes useless in relation to the passenger's initial travel plan, together with, if applicable, a return flight to the initial point of departure as soon as possible. They can also choose between: re-routing, under comparable transport conditions to the final destination as soon as possible or re-routing under comparable transport conditions to the final destination at a later date, at the passenger's choice, subject to availability of seats.

The right to service means that passengers are offered free of charge: meals and soft drinks, proportional to the waiting time; hotel accommodation; transport between the airport and the place of accommodation; two free telephone calls and to send free telex, fax or e-mail messages (Regulation No 261/2004 of the European Parliament and of the Council of February 11th, 2004, Art. 7-9).

The interpretation of the notion of "denied boarding" is that it does not cover the situation where there are good reasons for refusing to carry passengers on a particular flight, even though they showed up on time for the flight. Examples of this are: health status, safety or security requirements, and inappropriate travel documents.

If a passenger holding a reservation including a return flight is not allowed to board the return flight because they have not boarded for the departure flight, this does not constitute a denial to board. The same situation is when a passenger holding a reservation that includes consecutive flights is not allowed to board a flight because they have not made the previous trip. These two situations are usually based on the terms and conditions of the ticket purchased. However, such a practice could be prohibited by national law. Likewise, when the initial flight of a passenger with a confirmed reservation is delayed and the passenger is re-routed to another flight, this is not considered denied boarding (Stănescu, 2019: 52-56).

The passenger travelling with a pet is not able to board as they do not have the necessary documentation for the trip with a pet and this cannot be considered as denied

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boarding. However, if passengers are denied boarding as a result of an error by ground staff when verifying their travel documents, including visas, this shall be deemed as denied boarding.

Denied boarding against the will of the passenger gives the right to "compensation", the right to choose between refund, re-routing or a new reservation at a later time and the right to service.

Regarding flight cancellation, passengers must: be offered the right to a refund or re-routing. Also, passengers must be provided with the following free of charge: meals and soft drinks in proportion to the waiting time and two free telephone calls and to send free messages by telex, fax or e-mail; and in the event of a re-routing, if the early departure time of a new flight is at least one day after the scheduled departure for the cancelled flight: free hotel accommodation and free transport between the airport and the place of accommodation.

Also regarding the cancellation of the flight, passengers must be offered the right to compensation. The right to compensation does not operate if: passengers were informed of the cancellation at least two weeks before the scheduled departure time; passengers were informed of the cancellation between two weeks and seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than two hours before the scheduled time of departure and to reach their final destination less than four hours after the scheduled time of arrival; passengers were informed of the cancellation less than seven days before the scheduled time of departure and are offered re-routing, allowing them to depart no more than one hour before the scheduled time of departure and to reach their final destination less than two hours after the scheduled time of arrival.

The air carrier shall not be bound to pay compensation, if it can prove that the cancellation is caused by extraordinary circumstances which could not have been avoided even if all reasonable measures had been taken.

The cancellation is defined in the Regulation as representing the non-performance of a previously planned flight for which at least one seat has been reserved. It usually takes place when the planning of the initial flight is abandoned and the passengers of that flight join the passengers on a flight that was also scheduled, but independent of the initial flight. However, the Regulation does not provide that there must be an express decision of cancellation by the carrier.

The Court of Justice of the European Union has ruled that, in principle, it cannot be concluded that there was a flight delay or cancellation on the basis of a delay or cancellation on the airport departure panels or their announcement by the carrier's staff. Also, the fact that passengers recover their luggage or obtain new boarding passes is not usually a decisive factor in determining that the flight has been cancelled. These circumstances are not related to the objective features of the flight as such and may be caused by various factors. The Court has highlighted specific cases in which the announcement of a flight as "delayed" or "cancelled" may be attributed "to errors of qualification or factors prevailing at the airport concerned or may be imposed in view of the waiting time and the need for targeted passengers to spend the night at the hotel."

The notion of "cancellation" also covers the case of an aircraft taking off, but for some reason is subsequently bound to return to the airport of departure, where the passengers of that aircraft are transferred on other flights. The fact that the take-off took place, but the aircraft subsequently returned to the airport of departure without having

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reached the destination provided in the itinerary, has the effect that the flight, as originally scheduled, cannot be considered performed.

At the same time, a diverted flight on which a passenger eventually arrives at an airport which does not correspond to the airport indicated as the final destination in accordance with the passenger's initial travel plan must be treated in the same way as a cancellation, unless: the passenger shall be offered by the airline a re-routing as soon as possible under comparable conditions of transport, to the airport of initial destination or to any destination agreed with the passenger, in which case the flight could eventually be considered delayed or the airport of arrival and the airport of final destination serve the same city or the same region, case in which the flight could eventually be considered as delayed.

The cancellation of a flight gives the right to reimbursement, re-routing or return, the right to service, the right to compensation. Compensation must be paid if the passenger has not been informed of the cancellation sufficiently in advance.

If an air carrier anticipates a flight delay beyond the scheduled departure time, as follows: for two hours or more in the case of flights of 1500 kilometres or less; for three hours or more in the case of all intra-Community flights of more than 1500 kilometres and of all other flights between 1500 and 3500 kilometres; for four hours or more, on all other flights, the carrier is required to provide passengers with meals and refreshments in proportion to the waiting time and two free telephone calls and to send free telex, fax or e-mail messages. If the expected departure time is at least one day after the initially announced departure time, free hotel accommodation and free transport between the airport and the place of accommodation. If the delay is at least five hours, passengers are given the opportunity to choose between: reimbursement, within seven days, of the full cost of the ticket, at the purchase price for the part or parts of the journey not performed and for the part or parts already performed, if the flight becomes unnecessary in relation to the passenger's initial travel plan, together with, if applicable or a return flight to the initial point of departure as soon as possible.

The delay can take place on departure or arrival. If the departure of a flight is delayed, passengers affected by that delay shall be entitled to service, as well as reimbursement and a return flight. The basic principle is that the rights depend on the duration of the delay and the flight distance. In this respect, it should be recalled that the right to re-routing is not taken into account because it can be considered that the air carrier is primarily trying to solve the problem that caused the delay in order to minimize the inconvenience caused to passengers.

The Court of Justice of the European Union has ruled that a delay in arrival of at least three hours confers the same rights on compensation as cancellation. It also considered that the notion of "arrival time", used to determine the duration of the delay suffered by passengers in a flight if arrival is delayed, corresponds to the moment when at least one of the aircraft's doors opens, assuming that at that time of arrival, passengers are allowed to leave the aircraft.

The air carrier (Regulation No. 261/2004 of the European Parliament and of the Council of February 11th, 2004, art. 14) has the obligation to inform passengers of their rights, which consists in ensuring that, in the passenger registration area, a readable ad is displayed, consisting of the following text printed in clear and visible characters: "If you are denied boarding or if your flight is cancelled or delayed for at least two hours, ask at the check-in counter or boarding gate for the text stating your rights, particularly with

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regard to compensation and assistance".

At the same time, the air carrier that denies boarding or cancels a flight has the obligation to hand over to each passenger concerned a written communication specifying the compensation rules to be provided. It shall also provide each passenger affected by a delay of at least two hours with a written notice.

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

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ORIGINAL PAPER

Major Approaches to Measuring Corporate Reputation: An Extensive Literature Review

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Abstract

The purpose of this research article is to provide an in-depth examination of the theoretical and practical approaches related to the measurement of corporate reputation. The paper has investigated the various methods used to quantify corporate reputation and seeks to offer an integrated framework to deepen the understanding of the research models developed with the scope of evaluating this concept of great complexity. Drawing upon the existing body of literature, the article has identified and reviewed six categories of measurement instruments: (1) reputation measurement based on social expectations, (2) measurement based on corporate character attributes, (3) measurement based on the concept of trust, (4) measurement taking into consideration both antecedents and consequences of corporate reputation, (5) measurement using a mix of conceptual approaches that already existed in the literature but integrated into a different perspective, and (6) customer-based corporate reputation measurement.

Keywords: *customer-based reputation; social expectations; trust; personality; reputation measurement.*

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Introduction

Corporate reputation is an important topic on the business agenda of the international management community. In a broad approach, reputation can be interpreted as an intangible asset that contributes significantly to the success of any organization (Roberts and Dowling, 2002; Walker, 2010), whether commercial or non-profit. In a competitive business environment, the ability of a company to be recognized and favourably remembered by different groups of stakeholders represents an essential prerequisite of its long-term success.

Although the positive influence of being held in high regards is widely appreciated and discussed in the existing reputation literature, there is currently no consensus on the best approach by which it can be managed (Burlea-Schiopoiu and Idowu, 2016). Moreover, the challenges faced by both the academic and business community in grasping the complex significance of this concept to properly and accurately guide the corporate decision-making process have led to a fragmentation of the research efforts over time (Walker, 2010; Smith, Smith and Wang, 2010; Lange, Lee and Dai, 2011). Consequently, several theoretical approaches and perspectives have been developed in order to provide a method to evaluate the reputation of companies, but most of the time, these measurement tools lack practical applicability in interpreting the results (Bromley, 2002).

The purpose of this research article is to provide an in-depth examination of the theoretical and practical approaches related to the measurement of corporate reputation. The paper has investigated the various methods used to quantify corporate reputation and seeks to offer an integrated framework to deepen the understanding of the research models developed with the scope of evaluating this concept of great complexity. Drawing upon the existing body of literature, the article has identified and reviewed six categories of measurement instruments: (1) reputation measurement based on social expectations, (2) measurement based on corporate character attributes, (3) measurement based on the concept of trust, (4) measurement taking into consideration both antecedents and consequences of corporate reputation, (5) measurement using a mix of conceptual approaches that already existed in the literature but integrated into a different perspective, and (6) customer-based corporate reputation measurement.

Reputation measurement based on social expectations

The study conducted by Berens and van Riel (2004) has revealed that the evaluation of a company's perceived reputation based on social expectations is the most frequently adopted approach in the existing body of literature. According to this theoretical perspective, companies meeting the expectations of different groups of stakeholders are also better positioned to maintain and strengthen productive business relationships and gain sympathy in the marketplace.

An in-depth analysis of studies measuring corporate reputation based on social expectations highlighted that individuals tend to summarize the activity of companies referring mainly to two dimensions: achieving economic performance and showing a responsible behaviour towards society (Brown and Dacin, 1997; Burlea-Schiopoiu, 2019). The first category of associations refers to the company's ability to produce goods or services of quality that would allow it to obtain a stable financial positioning. The second group of associations includes the concern regarding the society common wellbeing and the environmental protection. Social responsibility echoes a commitment of organizations to contribute to improving the living standard of the society through

discretionary business practices and maximizing the positive impact by adopting responsible business practices in making use of the available resources, and ultimately, minimizing or even removing the harmful effects (Mohr, Webb and Harris, 2001; Burlea-Schiopoiu, 2013).

Although Berens and van Riel (2004) noted that WMAC Index developed by the Fortune journal was one of the most popular and frequently used tools for measuring corporate reputation, the measurement scale has received a series of criticism and many academic scholars have argued that it did not provide an objective assessment of the company's performance. The main limitation points were focused on (1) the representativeness of the study – being heavily biased toward evaluating the perception of one category of audience, namely the experts (Fombrun, Gardberg and Sever, 2000; Davies et al., 2003; Schwaiger, 2004; Schwaiger, Raithel and Schloderer, 2009; Sarstedt and Wilczynski, 2009; Burlea-Schiopoiu and Remme, 2017), (2) the research sample includes for-profit organizations only, not meeting the representativeness criteria for the overall business landscape (Davies et al., 2004), (3) the focus on financial performance, and less on other reputational components (Hall, 1992; Fryxell and Wang, 1994; Brown and Perry, 1994; Caruana, 1997; Roberts and Dowling, 2002), (4) the research methodology used, with reputational attributes not being accurately defined and capturing the past performance of the company rather than the actual results (Fombrun and Shanley, 1990; Fryxell and Wang, 1994), and (5) the predictive value of the reputational model appears to be limited by the use of a set of attributes constructed in a one-dimensional approach (Diamantopoulos et al., 2012).

Fombrun, Gardberg and Sever (2000) underlined the methodological limitations of the existing studies, including the Fortune survey, noting that it provides a hierarchy of companies in terms of reputation without benefiting from a good conceptualization and operationalization of the reputation concept. To address this gap, the authors have proposed a multi-dimensional approach to measure corporate reputation – Reputation Quotient, which consists of 20 attributes grouped into 6 major components: *Products and Services*, *Workplace Environment*, *Social and Environmental Responsibility*, *Financial Performance*, *Vision and Leadership*, and *Emotional Appeal*. Unlike the Fortune index, the RQ scale captures the affective reputational component, allowing participants to the survey to assess both the perceived financial performance and the intensity of the emotional connection with the company (Davies et al., 2004). Despite the inclusion of the affective factor in the evaluation process, Schwaiger (2004) and later, Schwaiger, Raithel and Schloderer (2009) argued that RQ model heavily relies on the cognitive side of corporate reputation. Chun (2005) followed the same thinking line and underlined that the rational dimension was investigated using 17 attributes (summarized in 5 dimensions), while the emotional component was assessed by means of 3 attributes only (grouped in one dimension). Another limitation of the measurement model mentioned in the literature referred to the reliability and validity level shown by RQ reputation score. In this sense, Bromley (2002) noted that a company's score is obtained by calculating the arithmetic mean of the evaluation of all attributes. These averaged ratings (scores) are then used to differentiate companies, depending on the performance obtained.

Starting from the criticisms regarding the theoretical robustness of RQ scale, a new measuring instrument, named RepTrack, was developed by the Reputation Institute (Ponzi, Fombrun and Garberg, 2011). The main difference compared to the original RQ tool consisted in the removal of the affective dimension in order to create a separate

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measure of the emotional attachment toward an organization. In the simplified version of the measurement model, the authors suggested that reputation can be assessed using three statements aiming at capturing the emotional relationship with the organization, complemented by a fourth item that invites respondents to assess the overall reputation. The 3 statements investigated in the RepTrack model are the following: *Company feeling*, *Admire and respect*, and *Company confidence* (Ponzi, Fombrun and Garberg, 2011: 23).

A distinct model featured by the existing literature on corporate reputation measurement tools is the approach proposed by Schwaiger in 2004. The author emphasized on the complex nature of corporate reputation which has a perceptual nature rather than relying on tangible information held by different groups of stakeholders about an organization and argued this is the main factor causing multiple issues to the executive team in their attempt to develop a coherent management strategy. To address these management challenges, Schwaiger (2004: 64) reshaped the definition of corporate reputation and described it as a form of attitude by suggesting the need to be conceptualized in a multi-dimensional approach, with a structure in two components: *Sympathy* and *Competence*, each dimension being operationalized by means of 3 reputational attributes.

Reputation measurement based on corporate character attributes

The second relevant category of corporate measurement tools is represented by those scales depicting the company with the help of personality traits (Berens and van Riel, 2004). The use of personality attributes in measuring corporate reputation has its starting point in the hypothesis according to which individuals have the tendency to personify the objects by attributing them human features (Aaker, 1997). There is nothing uncommon for individuals to view organizations as holding their own identity or image and therefore to regard them the same way as they would regard a person (Spector, 1961; Slaughter et al., 2004; Verčič and Verčič, 2007). Following this idea, Balmer (2001) interprets the personality of a company as the one that gives it uniqueness, eventually becoming an extension of the concept of corporate culture / identity (Davies et al., 2001). Congruent with this thinking, Bromley (2001: 316) noted that personality can be defined as ‘what the person is’; thus, corporate personality is ‘what the organization really is’, while Love and Kraatz (2009: 316) underlined that “people tend to anthropomorphize organizations” and “they view organizations as coherent and purposive social entities (i.e., as conscious actors or *wholes*) rather than mere social aggregates or collectives”. The most popular reputation measurement tool within this category is the Corporate Character Scale, proposed by Davies et al. (2003; 2004). The model allows the evaluation of a company's reputation, both internally (in terms of identity) and externally (in terms of image) and thus, measuring the gaps between the views of different stakeholder groups (employees and customers). The Corporate Character Scale is a multi-dimensional construct, consisting of 49 attributes describing 16 facets of the company which can be grouped into 7 main dimensions (Davies et al., 2004: 136): *Agreeableness*, *Enterprise*, *Competence*, *Chic*, *Ruthlessness*, *Informality*, and *Machismo*.

According to Davies and colleagues (2004), the character of an organization should be understood in a multi-dimensional approach. The Corporate Character Scale cannot represent a direct measure of reputation, but rather a projective technique or an indirect method for image evaluation (Berens and van Riel, 2004; Davies, 2013). Berens

and van Riel (2004: 171) stressed that, unlike tools based on social expectations (which address issues such as the quality of products and/or services, economic performance or socially responsible behaviour), scales that are based on personality traits do not always incorporate an evaluative feature. The authors argued that the extent to which a personality trait is perceived as either positive or negative is determined by the degree to which it matches the character of the individual that makes the evaluation. Social expectations, on the other hand, reflect what individuals believe it should be the behaviour of an organization. Thus, meeting an expectation is generally viewed as a positive aspect for the company, while the opposite is seen as a negative element (Burlea-Schiopoiu, 2008). Davies (2013) commented that being evaluative – *always good / always bad* cannot always be interpreted as a differentiator element. In this regard, the author pointed out the importance of considering the various ways in which the stakeholder groups react to different corporate traits. For example, a company's customers and its employees may understand the same organizational feature in a different manner (Burlea-Schiopoiu, 2007). It is possible that innovation to be perceived positively by one group of stakeholders and negatively by others (Chun and Davies, 2006). Under this perspective, measurement scales that rely on personality traits are always considered to be evaluative because the respondents are asked to rate each trait on Likert-type scale, but in the absence of further research, they cannot point to the specific actions that must be implemented in order to improve the various organizational areas included in the overall evaluation (Davies, 2013). The main observation that derives from this statement is that they do not offer the management team the possibility to translate the results of a research into actions with practical applicability in the competitive market environment.

Reputation measurement based corporate trust

The third approach identified by Berens and van Riel (2004) is based on the concept of trust. An important component of corporate reputation is the credibility of the company (Caruana, 1997). Corporate associations centred on the concept of trust can be identified in the body of literature that explores inter-organizational relationships. According to this theoretical approach, trust represents the likelihood that one company adopt a certain market behaviour voluntarily (Nooteboom, Berger and Noorderhaven, 1997). In this interpretation, trust is interrelated with the expectations of different target groups about company's future behaviour (Duck and Ickes, 2000, cited in MacMillan et al., 2005). The company's level of credibility is determined by the perception of different stakeholder groups regarding its level of security and expertise. In other words, corporate credibility reflects the general belief that the intentions of a company as well as what it communicates at a given time are true and honest (Goldsmith, Lafferty and Newell, 2000). Following this perspective, Newell and Goldsmith (2001: 238) described corporate credibility through the perceived expertise, security, trust, and truthfulness of information transmitted by organizations in the market context. The authors defined corporate credibility as a two-dimension construct in which company's expertise, along with the trust it displays in the business environment, defines how it is perceived by different stakeholder groups.

Measurement based on antecedents and consequences of corporate reputation

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By combining antecedents and consequences of corporate reputation led to the creation of a distinct category of measurement instruments. MacMillan and colleagues (2005) suggested that the mechanism by which reputation influences the organization is represented by the overall business relationships they develop with different key categories of audience. In other words, the authors stressed that how a company is perceived by the key stakeholders can turn into a predictor for its future performance. Building upon the relationship marketing model proposed by Morgan and Hunt (1994), MacMillan, Money and Downing (2000) developed a reputation measurement tool aimed at deepening the understanding of how companies create and maintain business relationships. In their model, MacMillan et al. (2000) have identified seven major categories of experiences shaping the business relationships. Thus, the reputation model provided by the authors depicts an instrument to assess the reputational impact by means of trust and commitment level held by various stakeholders toward the organization.

Reputation measurement using a combination of various theoretical approaches

Dowling (2004) developed a tool for measuring corporate reputation from the perspective of journalists, consisting of four indicators. These variables represent a combination of attributes belonging to the theory of personality traits and attitudinal elements selected from models based on social expectations. According to Dowling (2004: 199), corporate reputation can be defined using four attributes: *Admiration*, *Respect*, *Trust*, and *Confidence*. The author conducted in-depth interviews with 25 leading Australian journalists to select those attributes that best describe the company. In total, 33 reputation attributes were to form a set of 5 main dimensions (*Social accountability*, *Corporate capability*, *Media relations*, *Market presence*, and *Personality*) which were further described using 25 reputational items.

Customer-based corporate reputation measurement

The research study conducted by Walsh and Beatty (2007) represents the first attempt to build an appropriate tool for measuring corporate reputation from the perspective of customers. Exploring corporate reputation exclusively from the perspective of customers answered the new line of thinking according to which reputation is a stakeholder-specific evaluation and one company may hold as many reputations as the number of stakeholder groups that gravitates around it (Mahon, 2002; Wartick, 2002; Walker, 2010; Puncheva-Michelotti and Michelotti, 2010). Moreover, the work of Walsh and Beatty (2007) built upon one of the key questions needed to be taken into consideration when measuring reputation, namely “Reputation according to whom” (Lewellyn, 2020: 451).

Although the approach of Walsh and Beatty (2007), as opposed to the reputation scale built by Fombrun, Gardberg and Sever (2000), aims to assess reputation only from the perspective of end-users, the authors use the Reputation Quotient (RQ) as a starting point in developing the customer-based reputation (CBR) model. After refining and validating the measurement scale, Walsh and Beatty (2007) have identified a structure consisting of 5 dimensions and 28 attributes that describes the concept of reputation of a service provider. A close review of the dimensions included in the measuring instrument proposed reveals a high degree of similarity with the Reputation Quotient (Fombrun, Gardberg and Sever, 2000). In this sense, all but one dimension – *Customer Orientation*, included into CBR scale have a high level of similarity with RQ

scale. Moreover, out of the 28 attributes that are captured in the measurement scale of Walsh and Beatty (2007), 15 can also be identified in the RQ instrument. The common dimensions and dissimilarities between the reputation measurement scales are presented in Table 1 below.

Table 1. RQ and CBR scales – comparative analysis

Reputation Scale/ Dimensions	Reputation Quotient (RQ)	Customer-Based Reputation (CBR)
1	Products and Services	Product and Service Quality
2	Workplace Environment	Good Employer
3	Social and Environmental Responsibility	Social and Environmental Responsibility
4	Financial Performance	Reliable and Financially Strong Company
5	Vision and Leadership	
6	Emotional Appeal	-
7	-	Customer Orientation

Source: Adapted after Fombrun, Gardberg and Sever (2000: 253), Walsh and Beatty (2007:135)

Another important observation that emerged from the comparative analysis of the two reputation measurement models is that the emotional dimension from RQ scale has not been captured in the CBR instrument. This leads to the conclusion that the emotional bond between organizations and clients was proved to be a less relevant evaluation criterion for customers in the German market. However, the qualitative results obtained by Walsh and Wiedmann (2004) in a similar market context (also in Germany) indicated a relatively high level of stability for RQ measurement scale about its dimensionality which argues against the research decision made by Walsh and Beatty of not capturing the affective dimension in the evaluation model.

Other research practitioners have identified a series of limitations of CBR model. For example, Boshoff (2009: 41) noted that “the results reported by Walsh and Beatty (2007) in developing an instrument to measure the customer-based corporate reputation of a service firm are a cause for concern. After what appears to be an exhaustive scale purification process, fit indices that are less than impressive were reported (e.g. RMSEA of 0.08). When they attempted cross-validate the instrument, the fit indices appear to have been even worse, and a further three items had to be removed to attain what can at best be described as a reasonable fit (RMSEA of 0.08)”. On the same front of criticism, Boshoff (2009) evaluated the inclusion of attributes such as innovation (the company develops innovative services) in the *Product and Service Quality* dimension as not appropriate and argued that this item can hardly be associated with a quality measure. This observation calls into question the content validity aspect of the scale (Boshoff, 2009: 42). At the same, a review of the existing literature reveals that the action of grouping the attribute *Is a strong, reliable company* in *Product and service quality* dimension appears to be in contradiction from a content validity standpoint with

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the results stated by previous studies. Therefore, this attribute should have been categorized under the dimension depicting the reliability and sound financial positioning of the company. In addition to the observations noted above, another element worth highlighting is the use of several attributes with rather similar meaning in explaining the reputation notion. Thus, a critical evaluation of the CBR scale revealed that many attributes, describing similar reputational facets are grouped within the same dimension. An example depicting this situation can be noted for *Customer Orientation* variable which incorporates the following two items describing comparable preoccupation of employees regarding the clients: *'Has employees who are concerned about customer needs'* and *'Is concerned about its customers'* (Walsh and Beatty, 2007: 135).

Radomir (2015) engaged in a research effort that aimed to test the validity features of the CBR scale. Following the study conducted in the Romanian market context, the author concluded that only 25 attributes are relevant for the banking services sector (compared to 28 attributes in the initial CBR model), while the telecommunications service sector was described through 24 attributes only (compared to 28 attributes). Radomir (2015: 43) failed to confirm the stability of the dimensional structure of CBR scale from customers' perspective and concluded on the lack of discriminant validity of the measuring instrument.

Despite the criticism received by CBR, the scale developed by Walsh and Beatty (2007) represented the starting point in exploring reputation from a customer perspective and fostered the interest of other researchers in the development of alternative measurement models. In this regard, a relevant research effort is the work of Walsh, Beatty and Shiu (2009) which resulted in a shortened version of original CBR scale, capturing the reputational facets of a company using the same 5 major dimensions, but encompassing 15 attributes only (compared to the original 28-item instrument).

Wepener and Boshoff (2015: 170) also started from the limits shown by the CBR scale and proposed an alternative measure of reputation. The authors conducted a study among customers of large service organizations and after three waves of research they concluded that corporate reputation can be described by means of 19 attributes, grouped into five main reputational facets (e.g. *Emotional appeal*, *Social engagement*, *Corporate performance*, *Good employer*, and *Service points*). It can be noted that the measuring instrument developed by Wepener and Boshoff (2015) includes a series of dimensions that can be also found in the CBR and CBR-reduced scales. The common elements consider the social component of the company's activity, the image of a good employer in the market, while the economic component is described through the capability of the management team to drive the financial performance of the organization. The dissimilarities between the two measurement tools consist in the fact that Wepener and Boshoff (2015) captured the emotional element in the description of reputation, but also in the inclusion of the dimension called *Service points*. The authors noted that, unlike the dimensions previously considered in other studies, such as product and service quality, products and services, product quality or quality, the *service points* refer to the functionality of systems by which are provided online services, respectively ease of use. The authors justified the need to include this dimension in the measurement scale by arguing that "unlike previously considered dimensions such as quality of products and services, products and services, product quality, quality of products, quality or product and service quality [...] service points refer almost exclusively to the functionality of an organization's online service delivery its user-friendliness. It may be that in large service organizations, quality of service, in shaping reputation, has become

a hygiene factor and that how it is delivered is more influential than what is delivered” (Wepener and Boshoff, 2015: 171).

Bălan and Burlea-Schiopoiu (2017) proposed a corporate reputation model from the perspective of customers in the context of Romanian service industry. The corporate reputation measurement scale indicated that in order to be successful in a modern market environment described by a growing importance in how they are perceived, companies need to adopt a strategy based on a few key fundamentals. In this sense, corporate reputation can be assessed using 25 attributes, grouped into 7 key dimensions: *Customer centricity and empathy*, *Competence and expertise*, *Market leadership*, *Products and services*, *Corporate attractiveness*, *Emotional bond*, and *Social and environmental responsibility*. The most important element of novelty of this measurement scale is represented by “the need to enhance the customer experience and to make customers feel respected and important when interacting with the company” (Bălan and Burlea-Schiopoiu, 2017: 603). The authors suggested that in a purchasing-driven context, the company is required to adopt corporate strategies centred on ensuring a good customer experience which should go beyond corporate competence and benevolence and to integrate the concept of corporate empathy.

Conclusion

The scope of this article was to review the various theoretical and practical approaches providing a framework to measure corporate reputation. The analysis proposed in the present paper aims at reflecting the latest state of efforts related to the development of reputational measurement tools. Without pretending to be an exhaustive list, the research has identified six major corporate reputation models. The first approach, which was also the most frequently cited by practitioners, is based on the social expectations (Fombrun, Gardberg and Sever, 2000; Schwaiger, 2004; Ponzi, Fombrun and Garberg, 2011) that different groups of stakeholders use to describe the behaviour of a company in the marketplace. Measurement models based on social expectations are usually employed when the researchers aim to compare an organization's performance with the results obtained by its peers.

The second group of reputation measures was represented by those models describing organizations with the help of personality traits (Davies et al., 2004). The use of personality attributes in assessing how a company is perceived in the market place draws upon people’s tendency to personify the objects around them by attributing human features (Spector, 1961; Aaker, 1997).

The third approach was based on the concept of trust and corresponds to the theoretical perspective according to which reputation is often associated with the perceived level of credibility shown by the organization in the competitive environment (Newell and Goldmish, 2001). Under this understanding, trust reflects the probability degree that individuals attribute to a company to adopt a certain, consistent market behaviour in a voluntarily way (Nooteboom, Berger and Noorderhaven, 1997).

The fourth group of measuring instruments is depicted by those models based on reputational antecedents and consequences alike. MacMillan and colleagues (2005) suggested that the mechanism by which reputation influences the success of the organization is represented by the overall business relationships it develops with different key categories of audience. In other words, the authors stressed that how a company is perceived by its key stakeholders can turn into a predictor for its future performance.

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Another method to measure corporate reputation consisted in the use of a mix of conceptual approaches already existing in the literature and integrate them under a different perspective. An example is represented by the tool developed by Dowling (2004) who combined the theory of corporate personality with the specific elements of the social expectations approach to provide an alternative reputation measurement scale.

The social expectations-based approach has also broadened the area of corporate reputation research tools (Burlea-Schiopoiu, Idowu and Vertigas, 2017). This research paradigm has led to the development of a new focus of the reputation measurement, namely investigating reputation from the point of view of a single stakeholder group, different from investors or financial analysts, but equally relevant to the company's long-term success. Examples of reputation assessment scales from the solely perspective of customers are represented by the research work proposed by Walsh and Beatty (2007), Walsh, Beatty and Shiu (2009), Wepener and Boshoff (2015) or Bălan and Burlea-Schiopoiu (2017).

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ORIGINAL PAPER

A literature survey over the transmission of the monetary policy and its shocks

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Abstract

This paper aims to conduct a survey over the literature related to the transmission mechanism of monetary policy and the monetary policy shocks, as well as to update the state of knowledge of the aforementioned subjects in the academic literature. The first part of the paper focuses on identifying the main models used to analyze the process of monetary policy transmission, while the second part focuses on the models used in order to analyze the transmission of the monetary policy shocks. At first, the paper is highlighting the main models used worldwide, then it continues with a literature analysis regarding the Central and East European countries and it ends with the main models used for the Romanian economy.

Keywords: *monetary policy; central bank; transmission mechanism; monetary policy shocks.*

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Introduction

Monetary policy refers to the decisions taken by the monetary authorities in order to ensure the objectives of central banks, by using different monetary policy instruments. Unlike monetary policy, the monetary policy transmission mechanism addresses the effects that these decisions have on the economic activity and inflation, by using a series of transmission channels.

The wide range of monetary and prudential policy instruments influences the economy and the financial system through a wide range of transmission mechanisms characterized by variable and uncertain time intervals. Changes in economic and financial conditions also lead to changes in target-variables policies in terms of price developments or economic stability.

Ireland, P.N. (2005) described the monetary policy transmission mechanism as “how policy-induced changes in the nominal money stock or the short-term nominal interest rate impact real variables such as aggregate output and employment”. Schasfoort J. et. al. (2017) considers that the monetary policy transmission mechanism describes how the monetary policy interest rate used by central banks influences inflation, output and employment.

The European Central Bank considers that “the transmission mechanism is characterized by long, variable and uncertain time lags. Thus, it is difficult to predict the precise effect of monetary policy actions on the economy and price level”.

According to Beyer, A., et. al. (2017) “underlying the transmission process is the financial market infrastructure that connects the central bank with credit institutions for the settlement of central bank liquidity and securities, namely TARGET2 and T2S, which are integral to safe and efficient transactions. Moreover, financial market infrastructures interlink market participants and thus allow them to exchange financial assets in a harmonised, safe and efficient manner.”

In view of the above, we can say that the transmission mechanism of monetary policy consists in a series of channels, which are not mutually exclusive, through which the evolution of monetary policy decisions affects the behavior of other economic variables. This mechanism is the one that aims at the effects that certain decisions have on the economic activity and inflation, through the transmission channels used.

Early studies on the monetary policy transmission were often based on the Autoregressive Vector (VAR) and it continues to be widely used, especially in empirical studies involving a modeling of the monetary policy transmission.

The autoregressive vector is a type of econometric analysis of multivariate time series in which all variables are treated symmetrically. In this way, the current values of each variable, as well as the past ones, can affect the time sequence of all the other variables, creating feedback loops between the variables as each time series evolves. This model highlights the interdependence of dynamic variables, without requiring an exact knowledge of how the included variables interact, only that, theoretically, they should affect each other. VAR analyzes can provide a coherent approach for elucidating interactions between variables over a linear time frame and they can be reliably used for forecasting, structural inference, and policy analysis.

In recent years, the DSGE model (dynamic stochastic general equilibrium) has come to play an increasingly important role in central bank analyzes as a support in monetary policy formulation (and increasingly after the global financial crisis of 2007-2008, in order to maintain financial stability). Today, more and more central banks are actively involved in the construction of DSEG models. These models, compared to

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other widespread econometric models, are less theoretical and with reliable macro-foundations based on the optimized behavior of rational economic agents. In addition to being "structural", these models play a key role in determining the expectations and, as a general equilibrium, they can help the decision-maker by explicitly designing macroeconomic scenarios in response to the various policy outcomes envisaged.

Literature review of the monetary policy transmission and the transmission of monetary policy shocks

Early studies on monetary policy transmission were mostly based on the use of Autoregressive Vector (VAR). This model, introduced in the early 1980s by Sims, C.A. (1980), continues to be widely used. However, according to Spulbăr, C. and Nițoi, M. (2012), this methodology is known for its structural rigidity and the absence of theoretical foundations.

As mentioned, the autoregressive vector is a type of econometric analysis of multivariate time series in which all variables are treated symmetrically. In this way, the current values of each variable, as well as the past ones, can affect the time sequence of all the other variables, creating feedback loops between the variables as each time series evolves. This model highlights the interdependence of dynamic variables, without requiring an exact knowledge of how the included variables interact, only that, theoretically, they should affect each other. VAR analyzes can provide a coherent approach for elucidating interactions between variables over a linear time frame and they can be reliably used for forecasting, structural inference, and policy analysis.

Since the introduction of this model in the early 1980s, the analysis of multivariate data in the context of autoregressive vector models has evolved as a standard tool in econometrics. Given that statistical tests are frequently used in order to determine the interdependencies and dynamic relationships between variables, this methodology was immediately enriched by including a priori non-statistical information. VAR models explain endogenous variables only by their history. However, structural vector models (SVAR) allow explicit modeling of contemporary interdependence between left variables. Therefore, this type of model tries to overcome the shortcomings of VAR models.

Following Sims' approach, Bernanke, B.S. and Blinder, A. (1992) conducted a model of the Autoregressive Vector in order to study the transmission mechanism of monetary policy in the United States of America. This VAR model included: the unemployment rate, loans (deposits), the interest rate and the CPI logarithm. Another study conducted four years later by Christiano, L., Eichenbaum, M. and Evans, M. (1996), also on the US economy, used the VAR model to identify the effects that monetary policy shocks have on the various financial variables. The model used by Christiano, L. et. al. used the following data: GDP deflator, gross domestic product in real prices, commodity prices, total reserves, non-borrowed reserves, net funds and interest rates. The difference between these two studies was that the first study used monthly data, while quarterly data were used for the second one. To overcome the problem of rigidity, Leeper, E.M. et. al. (1996) proposed a multi-variable Bayesian approach to the autoregressive vector to analyze US monetary policy.

In the first half of the twentieth century, studies on the mechanism of monetary policy transmission were limited to developed economies. In recent years there has been a significant increase in empirical studies on the mechanism of monetary policy transmission for Central and Eastern European (CEE) countries, most of which are

motivated by their accession to the European Monetary Union. Even if the number of studies is increasing, their volume is far smaller than the studies conducted on developed countries. To date, more than half of the countries that have joined the European Union since 2004 have joined the European Monetary Union (EMU). However, the other half of these states, which have not met the necessary conditions in order to become members of EMU, will sooner or later have to adopt the single European currency and, in this context, a good knowledge of the monetary policy transmission mechanism of these countries is particularly important.

These types of studies, conducted on developing economies, offer interesting perspectives on the monetary policy used in different environments. According to Simic, V. and Malesevic-Perovic, L. (2012), most often, the results of developed economies show that monetary policy affects the real economy over a period of two to three years and that monetary policy can be basically used in order to counteract shocks. In contrast, the results of developing economies show a much greater diversity, which makes it difficult to draw conclusions about the impact of monetary policy. Creel, J. and Levasseur, S. (2005), by using a structural VAR model with short-term restrictions, studied the relative importance of interest rates, exchange rates and credit channels in the monetary policy transmission in Poland, Czech Republic and Hungary. Following the analysis, they concluded that, for these three countries, a positive shock to the interest rate would cause prices to rise instead of fall, as a result of the immediate depreciation of the exchange rate. In their study, Creel and Levasseur believe that none of the monetary policy transmission channels identified in the three countries have high importance, but for Poland, the exchange rate and interest rate channels are beginning to play an increasingly important role compared to Hungary and Czech Republic.

Among the first researchers to study the issue of monetary policy transmission in Romania were Antohi, D. et. al. (2003). They analyzed the relationship between the financial sector and the real economy, as well as the transmission of monetary policy impulses on financial variables, through an empirical assessment that was based on the vector error correction methodology. The study was not conclusive because the data series available at that time were very small. However, the result shows that, at that time, the Romanian central bank was directly influencing the deposits interest rates, but not the loans interest rates.

Oroş C. and Romocea-Turcu, C. (2009) addressed, through a SVAR model, the monetary policy transmission channels in six Central and Eastern European countries, namely Poland, Czech Republic, Slovakia, Slovenia, Hungary and Romania. According to them, the distinguishing feature of Hungary and Poland was the presence of the price puzzle effect, combined with a high exchange rate influence, which acted both as a transmission mechanism for monetary policy as well as a demand and supply buffer. In Slovakia, Slovenia, Czech Republic and partly in Romania, the biggest influence was the interest rate channel, which made this group of countries more suitable to join the European Monetary Union.

In 2011, Spulbăr, C., Stanciu, C. and Niţoi, M. used a Bayesian VAR model to provide an analysis of the transmission mechanism of Romanian monetary policy. In this regard, the authors used a number of variables that accentuate the evolution of industrial production, namely, inflation, M2 monetary aggregate, exchange rate, real estate price and interest rate. The main conclusion of the study was that the exchange rate continues to be an important mechanism that significantly influences the variables of the real economy and the interest rate channel tends to become more and more consistent.

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Using a SVAR model with four variables, Pelinescu, E. (2012) analyzed the transmission mechanism of monetary policy in Romania. Following the study, it was possible to emphasize the importance of the interest rate channel, the complex impact that the foreign exchange channel has, as well as the key role that demand plays and its stimulation through the appropriate economic measures.

In order to evaluate the efficiency of the monetary policy mechanism in Romania, through the interest rate channel, Cocriș, V. and Nucu, A.E. (2013), starting from the VAR approach and taking into account the number of collaborative relationships resulting from the VECM methodology, used a model for correcting vector errors and analyzing impulse responses in order to study the impact of a positive monetary policy shock on macroeconomic variables. Following the analysis, they concluded that in Romania there is an improvement in the efficiency of the transmission of monetary policy impulses through the interest rate channel.

Spulbăr, C. and Nițoi, M. (2013) highlighted through a BVAR model with a Koko Minnesota / Litterman prior, the mechanism of monetary policy transmission and how the main economic and monetary variables in Romania react to various shocks. The model used six variables (monetary aggregate M2, gross domestic product, inflation rate, interest rate, wage index and unemployment rate) from 2001 to 2012. The two authors identified that the effectiveness of the interest rate channel in Romania is high, and the relationship between the inflation rate and the unemployment rate is in line with the Phillips curve.

Cioran, Z. (2015) used a VAR model in order to capture the influence of monetary policy rate and unemployment rate on inflation. Following a system analysis, the author tried to capture the connection between macroeconomic variables. The results show that, under the impact of a positive monetary policy shock promoted by the National Bank of Romania through the interest rate, macroeconomic variables have moved in the desired direction, the unemployment rate reacts moderately and inflation has a slightly downward direction.

The prospect of integration into the European Monetary Union raises the issue for a proper analysis of the impact that the monetary shocks from this area have on the Central and Eastern Europe countries' economies. According to Caraiani, P. (2009), in order to correctly estimate the impact of monetary policy shocks and to compare their impact with the domestic shocks, it is necessary to estimate a dynamic stochastic general equilibrium (DSGE) model.

DSGE models, compared to other widespread econometric models, are less theoretical and with reliable macro-foundations based on the optimized behavior of rational economic agents. Apart from being "structural", these models play an important role in expectations and, by having a general equilibrium nature, they can help the decision-maker by explicitly designing macroeconomic scenarios in response to the different policy outcomes envisaged. In addition, they can be implemented in a very efficient and meaningful way. Spulbăr, C. and Nițoi, M. (2012) believe that DSGE models are tools that can facilitate the identification of sources which are generating variations, it can bring explanations on structural changes, can predict the effects of monetary policy changes and can perform counterfactual tests.

A DSGE model has stochastic implications that can be compared to empirical counterparts. Next will be described briefly, alternative techniques that can serve this purpose. It should be noted, however, that the boundary line between these techniques is

very blurred, as the calibration elements appear in the estimation exercises and vice versa.

Calibration assumes that most of the models' parameters values are chosen from the considerations of other applied fields of economics. The few remaining parameters are selected in order to obtain as close correspondences as possible between the predicted moments of the model and those in the sample data. The matching moment consists in the informal judgment of the second moments approach involved by the calibration model to the analog sampling moments. No formal probability-based metric system is used in this assessment. The motivation for this approach is based on the fact that any model is likely to be rejected by formal statistical inference, given a sufficient amount of data.

The classical estimation of DSGE model parameters involves the deduction of parameter values as a result of minimizing a given objective function, which involves some sample statistics as well as model-based statistics. The estimation, compared to simple calibration, allows the researcher to rely on his inference, on well-defined statistical measures. The most commonly used technique for estimating DSGE models is a Maximum Likelihood Estimation (MLE). MLE is calculated in order to maximize the probability of the observed data of the DSGE model by choosing the appropriate model parameters.

A promising technique is offered by the Bayesian approach. This approach can be seen as taking together some aspects of the calibration tradition with more rigorous estimation techniques. The Bayesian model involves specifying previous data so that the parameters can be estimated. Such prior information could come, for example, from the same sources used in the calibration exercises. The degree of confidence in this is measured by a statistical distribution of the questioned parameter. Then, it is weighted according to the probability of the samples, considering the DSGE model.

A disadvantage of using a DSGE model can be highlighted the limited computational power of the model, which requires a number of trade-offs (for example: the adoption of numerical algorithms that consume plenty of time in order to find the equilibrium of the nonlinear model). A second disadvantage is that DSGE models often suffer from poor identification of the underlying parameters.

More and more central banks have begun to use these neo-Keynesian DSGE models (US Federal Reserve, Bank of Canada, Bank of England, European Central Bank, etc.). DSGE models were built on the neoclassical growth model, with stochastic ingredients added from real business cycle models and real / nominal frictions, such as the cost of capital adjustment, nominal wage and price rigidity, or monopolistic competition. According to Dou, W.W. et. al. (2020), a common approach used by central banks is to start from a reference model and then incorporate additional elements such as: financial market frictions, including, frictions based on moral hazard, collateral restrictions, friction based on information or limited commitment; exogenous shocks, including global shocks, marginal efficiency shocks, preference shocks, etc.; financially constrained intermediaries (see Christiano, L. et. al, 2010, and He, Z. and Krishnamurthy, A., 2013); international trade (see Lombardo, G. and Ravenna, F., 2014, and Leibovici, F. and Santacreu, A.M., 2015); agent heterogeneity and the effects of monetary policy redistribution (see Gornemann, M. et. al, 2012, and Auclert, A., 2016).

The use of shadow policy rates has become increasingly popular when it comes to summarizing the position that monetary policy has on the correlation it maintains with macroeconomic variables. Claus, E. et. al. (2014) believe that in the USA, a shadow rate

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is a reasonable approximation of both conventional monetary policy shocks and unconventional shocks. Also, Francis, N. et. al. (2014) found that in the United States, when using a data set spanning both pre-ZLB (zero lower bound) and ZLB periods, this type of rate can serve as a good substitute for monetary policy.

In 2019, Mouabbi, S. and Sahuc, J.G. integrated a set of shadow policy rates into a dynamic model of general stochastic equilibrium, to reveal the macroeconomic effects of unconventional measures implemented by the European Central Bank. The analysis concluded that, if the ECB had not resorted to use unconventional monetary policies, the Eurozone would have suffered a substantial decline in output and deflated from mid-2015 to the beginning of 2017. However, the most important aspect highlighted by this paper is that the standard DSEG models can still be used (even when negative interest rates are recorded), as long as we use a monetary policy replacement which is not constrained, such as monetary policy shadow rates.

Out of the thirteen states that joined the European Union in 2004-2013, more than half of them have already joined the European Monetary Union. Among the states that have not yet joined the EMU are: Czech Republic, Poland, Croatia, Hungary, Romania and Bulgaria. Two of these states, the largest ones (Romania and Poland), even though they have registered considerable economic growth in the recent years, they are facing strong economic difficulties, as well as serious demographic and population migration problems. From a monetary point of view, Bulgaria and Croatia have decided to stay close to the policies promoted by the European Central Bank, giving up all or a part of their monetary independence and adopting either a monetary council or crawling peg exchange rates. Hungary also chose the crawling peg exchange rate regime, but with a wider range of variation, while Poland, Czech Republic and Romania have chosen the inflation targeting strategy. It should be noted that the integration into the Monetary Union should not become a leitmotif for these countries, but the adoption of the single European currency should be seen as a transitional stage, part of the growth process.

The successful integration of Central and Eastern Europe (CEE) into Western Europe within the European Union has led to a significant increase in outsourcing between regions. This interaction was generally beneficial for both sides but also it increased the vulnerability of each region to the shocks of the other region.

Strong growth bonds complicate macroeconomic ECB policy-making due to the fact that non-euro area economies affected by distant shocks are more likely to respond less efficiently to traditional monetary policy instruments. An example of this situation is the financial crisis which occurred in the United States of America in 2007. The United States Federal Reserve and the European Central Bank have adopted a series of policies in order to ease economic tensions, but their effect has been rather limited. The crises impact on Western European banks was quickly felt by the Central and Eastern European countries, quickly turning into a loop of negative reactions to the financial and real sectors of the European economy.

European Monetary Union countries cannot set their own monetary policy adjustments. This meant that member countries and even other European Union Member states (which have not joined the Monetary Union yet), had to adopt the global monetary adjustment policies set used by the European Central Bank and integrate them with their own fiscal policies, generating a wide range of policy mixes, even for Euro Area countries.

Adjusting interest rates in the European Monetary Union should also have an effect on the economies outside the Union. In the case of non-euro area countries,

adjusting interest rates also means adjusting the cost of external borrowing, which determines the domestic interest rates and their factors related to trading decisions, such as financing trade credit to support imports and exports.

Strong financial and trade ties between EU and CEE countries are the channels through which monetary policy shocks from the euro area are transferred to small economies, open economies and the economies of CEE countries. Studying this transmission (how fast it works and to what extent) is of great relevance to the CEE countries in the light of their European agreements and for their accession to the European Monetary Union. In addition, it is important to determine whether the transmission of monetary policy works differently in CEE countries, given that there is a gap in the development of the financial sector between regions and that the ECB is homogeneous by nature, leading to very different effects in each region which puts the Bank in difficulty.

Japan was the first state to use unconventional monetary policy strategies by launching a policy of quantitative easing in 2001. This type of monetary policy became more and more popular after the recent global financial crisis (2007-2008), when conventional monetary policies could no longer cope and the large industrialized states were forced to resort to unconventional monetary policies. In order to assess the effects and effectiveness of unconventional monetary policies, several approaches have been identified which we will be presented below.

A first approach is based on the use of the VAR model with restrictions on the simultaneous relationships that are established between the variables, and the effects of the policy and transmission mechanisms are evaluated on the basis of the impulse response analysis.

Using a DSGE model for calibration, in order to examine the separate effects of short and long-term interest rates on the real economy, is the second approach. Structural analyzes using such structural models depend entirely on the specified structure, which must be examined very carefully.

A third approach is the plug-in approach, which uses estimations of the impact of unconventional monetary policy measures on asset prices in order to connect them with the standard macroeconomic models. This type of approach uses estimations of financial market reactions as a monetary policy shock associated with unconventional policy actions.

In 2007, Anzuini, A. and Levy, A. provided empirical evidence on the effects of monetary policy shocks in three of the EU Member States, which are not part of the European Monetary Union (Poland, Czech Republic and Hungary). Using a VAR analysis, they discover that, despite the low financial development of these states, the composition of macroeconomic variables, conditioned by a monetary policy shock, is similar for these three states, but differs substantially from the situation in advanced European countries.

Jannsen, N. and Klein, M. (2011) analyzed the effects of the transmission of monetary policy shocks from the Eurozone to a number of Western European countries (Sweden, Denmark, Norway, the United Kingdom and Switzerland). Using a structural VAR model for the Eurozone and increasing it consecutively through foreign interest variables, they identified that a monetary policy shock in the Monetary Union leads to a somewhat similar change in interest rates and gross domestic product in Western European countries which are not part of the Union.

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Kimura, T. and Nakajima, J. (2013), using the TVP-VAR techniques and the latent threshold model (LTM), proposed an estimation framework for identifying monetary policy shocks for both conventional and unconventional policy strategies. The study was conducted on the monetary policies promoted by the Bank of Japan, and its results suggest that the impact of unconventional shocks on the real economy and inflation has been positive but slow, due to inflationary volatility and output shocks which have significantly increase after the crisis and made it difficult to accurately quantify the transmission of these changing effects in terms of financial conditions on the real economy and inflation.

A very interesting study is the one conducted by Andrade, P. and Ferroni, F. (2018). They studied the shocks of Delphic and Odyssey monetary policy over the Eurozone. Through their study, the two authors propose an approach for the separate identification of shocks and measure the impact that they have on macroeconomic aggregates in the studied area. The Delphic shock corresponds to a situation in which the central bank provides a prediction on a macroeconomic perspective, while an Odyssey shock corresponds to a situation in which the central bank commits itself to the interest rate plan announced and is following it. The survey made by Andrade and Ferroni is based on the study of the United States by D'Amico, S. and King, T.B. (2015), which considered a VAR model with slow-moving quarterly variables and survey data on interest rate, inflation and output expectations. In order to identify the Dolphic and Odyssean shocks, the two authors impose different signal restrictions, on one hand, on the model of short-term and long-term rates and, on the other hand, on inflation and gross domestic product expected.

Benecka, S. et. al. (2018), in their paper entitled Spillovers from Euro Area monetary policy: A focus on emerging Europe, analyzed the international effects of Eurozone monetary policy shocks on Central, Eastern and South-Eastern Europe (CESEE). The model used was a global autoregressive vector model (GVAR) with shadow rates for monetary policy in times of ZBL, and the results show that in most Eurozone and CESEE countries, prices are adjusting and production tends to fall as a response to the monetary policy tightening promoted in the Eurozone, but with a substantial degree of heterogeneity.

Conclusions

As a result of the analysis we made on the literature, we can say that, in general, studies on the transmission of monetary policy are often based on the use of the Autoregressive Vector, while for the analysis of the impact that monetary policy shocks have on the main macroeconomic variables, the general equilibrium stochastic dynamic model is used. The autoregressive vector is a type of econometric analysis of multivariate time series in which all variables are treated symmetrically. DSGE models, compared to other widespread econometric models, are less theoretical and with reliable macro-foundations based on the optimized behavior of rational economic agents.

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From a state-owned giant to a market enterprise? The evolution of selected enterprises in the aviation industry in Romania and Poland after 1989

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Abstract

Year 1989 was an important turning point, not only in the political history of Poland and Romania, but also for the transport sector of both countries. Political events allowed for a thorough reconstruction of the air transport sector in both countries. Both airfleets entered the new political reality as state-owned enterprises, though with different traditions. Both countries have begun transforming their own aviation market in a similar place, with a rather outdated air fleet, with some few modern aircraft. Nevertheless, the further development of respective aviation markets took place in different ways, as long as no native competitor for LOT appeared in Poland for various reasons, the situation is somewhat different in Romania and TAROM now experiences serious competition from the low-cost carrier BlueAir. Both state-owned enterprises had to take advantage of public aid, LOT in 2012, while TAROM in 2020. Time will show whether the Romanian national carrier will be able to repeat the success of the Polish one, which after a period of recession is now able to expand on the European market. The aim of the article is to show and compare the development of the Polish and Roumanian air markets and to try to find common points of the situation created after 1989. There will be used various sources, including monographs, analysis and articles of this specific topic.

Keywords: *Poland; Romania; air transport; PLL LOT; TAROM.*

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Year 1989 is an important turning point, not only in the political history of Poland and Romania, but also for the transport sector of both countries. Political events allowed for a thorough reconstruction of the air transport sector in both countries.

Both air fleets entered the new political reality as state-owned enterprises, though with different traditions. LOT was founded in 1928, but continued the traditions of previous airlines, including Aero, providing connections between Polish cities and abroad since 1921. After the suspension of the airline's operations during World War II, which was related, among others, also with the internment of Polish aircraft in Romania, PLL LOT resumed operations in 1945 as a state-owned enterprise. From the beginning of its activity, it was based primarily on foreign provenance aircraft; before the war there were used: Junkers, Fokker, Douglas DC-2 as well as Lockheed *Electra* and *SuperElectra* planes, which were planned to start flying across the Atlantic in 1940, albeit with a slightly different route than used today. That time, due to the limited range of aircraft, the proposed route led, among others through Senegal and Brazil, which meant flying over the Atlantic in its narrowest place. Interestingly, Polish built planes were also tested - among others, PWS-24. A similar situation took place after the war with testing Polish built MD12 plane. None of the machines used by the line before the war returned to service at LOT Polish Airlines.

After the end of World War II, LOT resumed international flights relatively quickly, using DC3 aircraft and its Li-2 variant built in the USSR. French SNCASE SN-161 *Languedoc* aircraft were also used for a short time. Unfortunately, for unknown reasons, when buying them, the advice of French pilots was not taken into account and there was purchased version using French engines, while even Air France used American ones. After several incidents and forced landings, the planes were scrapped, while the originators of their purchase were accused of sabotage and imprisoned (Ziółkowski, 1989: 98-99).

Initially, Berlin (May 1946), Paris and Stockholm (July 1946) and Prague (August 1947) were served. However, due to specific restrictions imposed as a result of entering the Eastern Bloc, it was mainly in this period that Budapest, Belgrade, Bucharest and Sofia were flown. As far as possible, the connections with the West were also inaugurated [1948 - Copenhagen, 1949 - Brussels and 1955 Vienna]. After the turn of 1956 and the acquisition of newer aircraft - Il-14, the network was also developed to the south - in 1956: Athens and Tirana appeared in the offer, in 1958 with the acquisition of *Convair*, London and Zurich, Amsterdam in 1959 and Rome in 1960.

These aircraft formed the basis of the fleet until the early 1960s, when attempts were made to put into service western built: Vickers *Viscount* and Convair 240. They were purchased due to the certain opening of Poland to the world and opening of LOT's service for connections to Western Europe. The problem was the reluctance of Western authorities to accept products of the Soviet aviation industry, including Il-14, at their airports. In addition, the restrictions of the aforementioned type (only 14-26 passengers) questioned the profitability of using this structure on medium-haul flights. For this reason, the Convair 240 was purchased, which could be used by 40 passengers, what was important, the aircraft offered a much higher cruising speed compared to Il-14 (450 km/h versus 300 km/h), so flights could be quite attractive. Later faster Vickers *Viscount* were purchased, allowing 75 passengers to fly. Despite a certain period of use of these constructions, it was finally decided to purchase more Soviet built Il-14 and Il-18, which offered setsto 90-100 passengers in the standard version. The situation was certainly not improved by two catastrophes suffered by British planes. The situation was worsened by

the fact that LOT purchased second hand machines and with limited equipment (Ziółkowski, 1989: 249). It is worth mentioning that neither LOT nor TAROM were given the opportunity to use the first Soviet jet passenger aircraft - Tu -104, and their Tu-124 derivative. From Eastern Bloc countries, only Czechoslovakian ČSA operated these aircraft. From 1968, after the withdrawal of the last Convairs (at that time quite obsolete, because typemade its maiden flight in 1948), LOT operated only planes of Soviet origin, which were already accepted at Western airports, and Il-18 received even an award at an exhibition in Brussels. It certainly helped to obtain permission for this type landing in the West (Oprisz, 2014: 82). With the withdrawal of the Convair, the first jet aircraft - Tu-134 were introduced in their place. Later new types of aircraft were gradually purchased, in the early 70s the long-distance Il-62, which finally allowed to open routes to Canada (1972) and then to the USA (1973), and a network of Far East connections was also developed.

In 1977, about 33% of international traffic served by PLL LOT was carried on transatlantic routes. Even larger percentage of travelers (40%) used Western European destinations, while the service in the Eastern Bloc was relatively poor due to unfavorable tariff regulations (quite low prices, shaped according to the EAPT tariff) (Gilas, 1975: 20), which resulted in the lack of profitability of transport in this direction due to this, network served only the necessary minimum here (Filipczyk, Fuchs, 1998: 9).

Unfortunately, along with the fatal accidents of Soviet aircrafts, the search for alternative suppliers began. It is known that McDonnell Douglas was considered as the supplier of DC-9 and DC-10 at the end of the 1970s, but ultimately the purchase was not finalized for various reasons. According to the testimony of the Polish super spy operating at the end of the 70s in the USA, Marian Zacharski, Poland did not buy those planes because of accidents which this aircraft suffered in 1978-1979 (Zacharski, 2009: 202). The purchase of American aircraft has to be a bundled transaction. The Americans were to buy Polish machine tools, also copper and coal, in addition, they were to accept PLL LOT to land at the Chicago airport, which actually determined the profitability of connections due to the large Polish community in this American city.

Simultaneously with the McDonnell Douglas'es, the possibility of purchasing aircraft from the competitors, i.e. Boeing, was considered - models 707 and 727 were taken into account, which clearly indicates the search for successors/additions for Soviet jet planes - Il-62 and Tu-134. The potential choice of the 707 model would be quite rational because, for example, Romanian airlines TAROM had this model and probably LOT could get additional know-how about the operation of this model. It was already an aged construction, 20 years old, actually coming out of civil production (the last civil aircraft was delivered in 1983). Ultimately, PLL LOT bought the Soviet Il-62M and Tu-154 aircraft in the early 1980s, which were the backbone of the passenger fleet until the political breakthrough. It was not until the next crash of the Il-62M aircraft in 1988 in Kabaty near Warsaw and the subsequent temporary grounding of this type that gave the right reason and excuse to purchase in the West. The decision to buy outside the USSR was taken despite Soviet pressure offering further constructions of Iliuszyn (albeit with changed technical specifications) to Il-86 and Il-96, which, unlike its predecessor, Il-62, enjoyed rather good reputation. As LOT needed machines with a fast delivery time, only Soviet Il-86 could be considered in the case of Soviet machines, as its successor was still in the testing phase. As in the long term it was expected to acquire the aforementioned Il-96 (Gołęgiowski, 2008: https://www.altair.com.pl/magazines/article?article_id=1955), it can be assumed that it was planned to copy Romanian solutions with American built

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planes used at transatlantic routes, and Soviet constructions on Far-eastern routes. The choice of the Soviet plane would be justified because parts for this aircraft were still made in Poland at the PZL plant (about 20% of the airframe). Despite this, was not decided on this purchase and it was suggested to look for a potential partner in the West. Initially, the possibility of buying new or second handed aircraft. Boeing 707, 747, 767; McDonnell Douglas DC 8 and DC 10, Airbus A310 were considered. Finally, it was decided to obtain the 767 model. The first one arrived in Poland before the elections in 1989 - April 21, 1989. This opened a new era in Polish civil aviation.

LOT remained a monopolist on the Polish aviation market until the entry into force of the Business Activity Act of December 23, 1988, which enabled other entities to obtain permission to operate in the aviation sector (Filipczyk, Fuchs: 1998: 9). The first voices about the need to privatize the Polish national air carrier appeared in the late 1980s, but the relevant law creating the legal framework for such action appeared only in 1991 (June 16). On November 16, 1992, LOT was transformed into a sole shareholder company of the Treasury - PLL LOT SA. According to the original assumptions, the airline was to be privatized until the end of 1994, but later this period was extended to 1996, which gave the company time to further prepare for the transformation of the ownership structure (Filipczyk, Fuchs: 1998: 10). Ultimately, privatization took place in 1999, and some of the company's shares were sold to a Swiss investor, the SAirGroup holding company. Competitive offers came from Lufthansa and British Airways, but were rejected because the Polish government did not like the role that these companies anticipated for the Polish carrier in its strategy. Simultaneously with the Swiss purchase, LOT entered the The Qualiflyer Group alliance, in which it remained until 2002, i.e. until the collapse of its mother line – Swissair (Gutowski 2011: 164).

After the end of World War II, the Romanian airline LARES, was transformed into a company type Sovrom - TARS, it was re-romanized in 1954 when it adopted the current name: TAROM. Originally managed by civilians, it was slowly militarized from 1965, and finally handed over to the Ministry of Defense in 1972.

The unique position of Romanian airlines at the turn of the 60s and 70s was shaped primarily by the maintenance of flights to Israel, and operations on quite exotic destinations such as: Lebanon, Egypt and Algeria. The air fleet initially included, as in the case of PLL LOT, aircraft of the Soviet provenance Li-2, An-2, An-24, Il-14 or Il-18, but with the apparent opening of Romania to the world after the seizing of power by Nicolae Ceaușescu (1965) negotiations with foreign suppliers were started looking primarily for jet aircraft, which the USSR was just beginning to export to satellite countries. Moreover, the latest design of the Tu-134 did not yet have certificates necessary for landing in Western countries, the first versions of this aircraft also did not have thrust reversals, which increased landing strip length requirements and required relatively frequent reviews, which in a clear manner increased operating costs (Oprîș, 2010: 226). Unlike LOT, Romanians also had slightly worse experience with the use of Il-18, because it happened that they were grounded due to technical faults related to refueling with the wrong fuel (Oprîș, 2014: 83).

Another bid was also made by the French offering the Sud Aviation *Caravelle* model, but this offer was rejected as less economical for the Romanian carrier. It is known that the possibility of buying the latest Boeing 727 design was also probed (in 1964), but this was not possible, mainly due to the skeptical approach to such a transaction by the American authorities (Oprîș, 2014: 87). For this reason, BAC 1-11 was finally purchased, an additional aspect were the favorable financial conditions of the

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transaction, as the British agreed to offset solutions (Romania a new market: 8). The British manufacturer also received settlement on small Islander BN-2 passenger aircraft assembled in Romania from parts delivered from Great Britain. The Soviet side was still satisfied to some extent by purchasing MiG 21 combat aircraft.

Romanians, for their part, expected a return on investment thanks to the possibility of selling licensed BAC 1-11 (ROMBAC) aircraft, but out of the expected 80 units, only 9 were produced, this was due to ageing of the aircraft construction, which in the late 1980s ceased to meet the standards, especially regarding noise, which made it difficult to find customers for an obsolete structure whose production at the parent plant ended in 1982.

Romanian airlines TAROM bought their three Boeing 707 in 1973, with delivery in 1974 (Simmons, 2017: 301), for a total of \$ 45 million (Romania a new market: 8). The purchase of a competitive construction - Lockheed *Tristar* - was also considered, but the contract was eventually won by the company from Seattle. The reason for the purchase was the desire to open the Bucharest-New York connection, which was undoubtedly easier if the airline had American produced planes. As the financial terms of the purchase were favorable (Romanians had to pay in cash only 10% of the aircraft value, the rest in supplies of various goods), American analysts expected further purchases from TAROM in the following years, even that this time Boeing 727 planes were to be the focus of interest, intended rather for short- and medium-distance traffic, as support for already owned (since 1968) British BAC 1-11. At the same time, it was also expected to conclude offset agreements, assuming the production of parts for the model 727 in Romania. It is known that in the end Romanians did not continue buying overseas, in return obtaining a license for a British plane and producing about 10 copies. TAROM in the mid-70s was quite highly reviewed by CIA analysts along the Czechoslovakian CSA and East German Interflug (Romania a new market: 8).

In 1972, Romanian airlines carried over a million passengers. Almost simultaneously with the purchase of the Boeing 707, three Il-62 aircraft were also acquired from the USSR, with the intention of using them primarily to connect to Beijing. Using its long-haul fleet and a good perception of Romania in the western world, TAROM also developed intercontinental connections. In 1975 and 1976, second-hand Boeing 707 planes in the Cargo version were also acquired, which were used for two purposes: mutton exports to Arab countries and car exports to the West. In March 1979, Romanians purchased another 707 aircraft, used as a backup for the presidential plane. It is worth mentioning, however, that Ceaușescu during his visits to the USSR rather did not use American planes, using one of Il-62 belonging to TAROM, however while visiting Poland and other countries of the *bloc*, the Romanian leader used an American plane.

Romania as one of the few countries of the Eastern Bloc had more airline companies active on the communication market. In addition to TAROM, from the mid-70s (September 8, 1975), there was also the company LAR (Linile Aeriene Române), which dealt with charter flights, and also flew to Arab countries, prohibiting flights to the national carrier of Romania due to maintaining routes to Israel (infoazi.ro). In 1991 it was restructured and registered in the register of companies, already as a line independent from TAROM. It was a peculiar phenomenon, because the other Eastern Bloc countries maintained only one state carrier.

In addition to operating on the domestic market of at least two airlines associated with the government to a greater or lesser extent, the situation on the

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Romanian aviation market was also distinguished by another situation related to renting part of its own fleet (especially the outdated one, BAC 1-11 or Boeing 707, which in Europe it was more and more difficult due to the noise regulations of the Pakistani carrier *Aero Asia*.

The political breakthrough of 1989 also marked the beginning of major changes for the civil aviation in both countries. First of all, the purchase of Soviet aircraft was discontinued, although the last deliveries of these aircraft arrived to Poland in 1991, these were Tu 154 aircraft, which after a short period of service were sold to the East, but two of them purchased the Polish Army for VIP transport, one of these aircraft crashed April 10, 2010 in Smolensk.

The social and demographic cross-section of people using PLL Lot services in the 1990s was very interesting, i.e. before the release of the aviation market under the open sky principle. At that time, the main group using air connections were travelers: with higher education, over 50, working in the so-called freelancers, from a senior management level and from a broadly understood business, with relatively high income and living in large cities, over 200,000 residents (Filipczyk, Fuchs, 1998: 20).

In the mid-90s (1997), LOT's flight network comprised 42 cities in 30 countries (36 in Europe, 1 in the Middle East, 3 in North America and 2 in Asia). 28 aircraft were used, primarily 5 Boeing 767s, 15 Boeings 737 in different versions and 8 ATR 72 (Filipczyk, Fuchs 1998: 21).

The liberalization of the aviation market in Eastern Europe occurred relatively late, especially when compared with similar processes noticeable in Western Europe. Such processes began in 1956, with the signing by the countries of Western Europe of a multilateral agreement on commercial rights for non-scheduled air transport in Europe. Initially, they freed the charter transport market, then also regular transport. Nevertheless, until 1987, transport liberalization was based on bilateral agreements between the countries concerned, and as such did not fully reflect the principles of competitiveness (Rucińska, 2001: 135). Real liberalization of the aviation market did not start until 1988. Poland had to start adapting its own aviation law to EU requirements together with a declaration of willingness to join the European Union. The actual works began in 1992 with the signing of the Poland-EU Association Agreement. Generally, the preparation of the Polish air services market should be completed by December 31, 2002. In 2003 a transitional model was in force, with limited access for low-cost carriers to the Polish market, while on January 1, 2004, there was full liberalization of transport (Rucińska, 2001: 139).

LOT's share of Polish air traffic, understood as generated by Polish airports, still exceeded 55% in 2000, while major changes in this respect occurred with Poland's accession to the European Union after Poland accepted obligations related to the need to open airspace for other carriers and expansion on the Polish market of low-cost carriers, in particular Ryanair and Wizz Air. By 2015, PLL LOT's share had dropped to 21% on the domestic and international connections market (NIK, 2015: 6).

After the turn of 1989, the process of freeing the aviation market began in both countries. One of the first Polish airlines was the company owned by Ireneusz Sekuła - PolNippon Cargo, two Il-18D aircraft were obtained for it from former East German Interflug. The range of these planes allowed direct flights to Africa, which greatly facilitated the business. Officially in this version, Il-18 could fly without stopover to Kabul or Mogadishu.

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Nevertheless, officially the company never made a profit and did not pay back the loan for its planes, which resulted in bankruptcy and transfer of these aircraft to African and Asian partners. According to the present state of knowledge, this company mainly dealt on weapons market. According to its chairman, planes were to appear in the arena of conflicts in Africa and Central Asia. The specific reception of the situation was not helped by the fact that Sekuła himself soon received the job of the head of the Central Customs Office, and finally committed suicide in quite controversial circumstances (Obczyzna 2004). After the termination of operations by PolNippon Cargo, the company's aircraft were transferred to another airline operating in 1996-1999 - Polonia Airways, which quite often carried out either cargo-type activities or charters ordered by PLL LOT.

Another airline that tried to appear on the Polish airline market was the White Eagle Aviation belonging to Polish businessman Zbigniew Niemczycki, however, this airline focused mainly on flights of charter and freight nature, eventually disappeared from the market in 2010.

Regular transport

The first airline in Poland trying to break through the market after adopting the low-budget carrier model was Air Polonia, operating since 2001, but providing transport since 2003. In a short time, taking advantage of the absence on the Polish market of low-budget foreign carriers, it achieved considerable popularity and a very high level fill their own aircraft, which reached 90%. Interestingly, the line achieved its greatest successes even before Poland's accession to the European Union serving the most popular tourist and business destinations among Poles. The line suddenly collapsed in December 2004, that is when, at least theoretically, after joining the EU the line should develop even more. However, as it turned out later, the collapse of the line was caused by various unclear actions of its owners and disputes among the major investors, which ultimately prevented the company from being recapitalized and, as a result, its further operations. The situation was not improved by the connections of the majority of its shareholders with various political parties, which further complicated the situation (Grochal, Kondzińska, Kuźmicz, 2004). Nevertheless, Air Polonia is worth mentioning because it was actually the precursor of low-budget solutions on the Polish market, it can be said that to some extent its activity has opened and popularized the low-budget model successfully implemented in Poland since 2004 by Wizzair and since 2005 by Ryanair .

Mentioning various initiatives related to attempts to appear in the Polish sky is impossible not to mention the company/airline associated with one of the largest Polish political scandals of the 21st century with Amber Gold - the airline OLT Express. The operations of this airline were related to the activities of its parent company, the aforementioned Amber Gold, constituting the so-called a financial pyramid with unclear to this day the roots and business connections, especially with prominent representatives of the Civic Platform remaining at the time. In air transport, this company was established in 2011 after taking over shares in the previously operating lines: Yes Airways, Jet Air and Ostfriesische Lufttransport. In the first year of operations, the company focused primarily on servicing charter connections, while with the introduction of the summer timetable, expansion in 2012 began on domestic lines. The assumed plan was quite ambitious and assumed the operation of 127 domestic and foreign routes with the help of 13 aircraft. Unfortunately, after disclosing the problems of the parent company, at the end of July 2012 the company suspended all its air connections and was

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closed the following year. You can indicate at least two reasons for the fall - direct or links with at least the questionable company Amber Gold and the second - probably too ambitious program for the development of air connections, especially on domestic airlines. Admittedly, according to official declarations, the level of occupancy of planes on domestic lines was 70%, nevertheless it was the result of the use of promotional prices for flights - the cheapest ticket in domestic transport cost PLN 99 one way, but it did not provide adequate revenues to the company that after being deprived of funding from the parent company, the mother had to suspend operations (ŁR, 2012)

Currently, the second carrier on the Polish market is the EnterAir line, which focuses primarily on the charter model, however, enabling the individual tourist to purchase seats on their planes serving popular tourist destinations. Importantly, EnterAir does not focus solely on Polish customer service, trying, so far, to successfully appear also on the European transport market. This airline was established in 2009, based on experience and certificates obtained by the Slovakian airline Seagle Air (FORBES 5/2017). The position of the second airline in Poland was reached relatively quickly, perhaps due to the focus on the charter model, without entering the regular transport model. In 2015, the airline entered the Warsaw Stock Exchange, thereby gaining another capital that was used to purchase more aircraft. Currently, EnterAir is conducting further offensive on the aviation market, trying to create further subsidiaries that can allow for further expansion of the company's business volume. This action was served by taking over a controlling stake in the Swiss Germania line in 2019 and changing its name to Chair (Walków, 2019).

Analyzing recent actions on the aviation market, in this case EnterAir can be considered a precursor of activities related to the takeover of other airlines, similar action though PLL LOT performed on a much larger scale when they took over the German airline Condor in January 2020. The acquisition itself was associated with the collapse of the line and the Thomas Cook travel agency, which owns Condor. The very takeover of the carrier, which is not in a very good financial condition and has quite old aircraft, began to raise questions about the sense of this investment by the Polish carrier. In this case, apart from arguments of extra-territorial nature (national pride, reversal of trends regarding the purchase of Polish national property, etc.) (Bogdanowicz, 2020), first of all attention was paid to Condor having attractive time slots at the most important world airports, which may seriously facilitate further expansion of PLL LOT in the future. Owning a fleet of 120 aircraft will certainly strengthen the company's position vis-à-vis manufacturers of aviation equipment (Domański, 2020). this transaction is in question because of coronavirus outbreak, and significant changes on the aviation market connected with the suspension of nearly all air operations. Finally, as was announced on 13th April 2020, Polish side have renounced this transaction (Derewienko, 2020).

In addition, despite assurances about the continuation of operations of both airlines under the current names in view of the global crisis on the market of medium-haul aircraft (problems with B737 MAX) and long-haul aircraft (problems with B787 Dreamliner engines), the acquisition of a carrier with a fairly large fleet may facilitate LOT's more flexible management of owned aircraft and limiting the need to lease them from external entities. In the context of comparisons of the situation between Polish and Romanian companies, one should also mention the business contacts between LOT and Romanian Blue Air, where the Polish airline relatively often uses the possibility of renting or buying aircraft previously used by the Romanian airline. The aircraft were

leased e.g. in 2018, while in 2019 the LOT fleet was powered by Boeing 737-700 previously used by BlueAir (Liwiński, 2020: 19).

The opening of the airspace over both Poland and Romania resulted in the appearance of several interesting phenomena. First of all, the structure of air traffic changed in both countries, as airports appeared which were not served for various reasons by the national carrier at all (Łódź, Krajowa).

There have also been attempts to create our own low-cost lines in various business models. In the case of Poland, such initiatives appeared with the accession to the European Union and the opening of the local labour market for Poles. This guaranteed adequate westward movement. The first Polish carrier that attempted to compete on international lines with PLL LOT was Air Polonia, which focused on connections to London and other cities in the British Isles (2003-2004). Also, LOT tried to enter the low-cost transport market, but with a modest result, and the created Centralwings brand (operating in 2004-2009) did not reach the customers' awareness.

The situation on the Romanian market looks a bit different, here it was possible to create real internal competition for TAROM - among several Romanian airlines, Blue Air was successfully placed on the international and domestic routes. Ryanair also offers domestic flights. In this case, this is due to the specific geographical conditions of Romania, in which, for example, travel from Timisoara to Bucharest takes by rail or car over 9 hours, which makes air travel competitive to land transport. Added to this is the TAROM pricing policy, in which local flights are relatively expensive.

It is worth mentioning that in Poland low-cost carriers do not actually operate on internal lines, the exception is Ryanair², this structure of air transport is primarily derived from geographical and geopolitical conditions. Due to the development and modernization of rail connections enabling travel, e.g. between Warsaw and Krakow or Gdansk, i.e. centers generating potentially the largest volume of air traffic, air transport is not competitive in less than 3 hours, especially since these routes often had problems with punctuality. Therefore, these connections, except maybe the Warsaw-Szczecin route, are used as an arrival at the LOT hub in Warsaw.

Comparing the current situation of both carriers, which entered the same period of the air market liberation, in the same position, it is necessary to pay attention to the much weaker position of the Romanian carrier, which recorded its last operating profit in 2007. Similarity to the situation of LOT is also noticeable in so far, that the Romanian carrier also referred to the need to obtain public aid from its own government, which is to enable it to maintain liquidity. The results of TAROM are inevitably burdened by a fairly old fleet, generating significant operating costs, another element is the lack of long-distance connections, which were abandoned in the years 2002-2003 due to the lack of interest of passengers. Currently, the Romanian airline does not have the appropriate aircraft to make such connections, the last Airbus A310s were withdrawn in 2016 (ch-aviation, 2016). It is true that in 2017 a technical dialogue was started with potential entities that could lease appropriate aircraft to Romanians, but no final decision has been taken so far (Szymajda, 2017).

Another element quite seriously affecting the results of TAROM is one of the lower aircraft filling rates oscillating around 75%, resulting from unattractive prices for

² The Irish carrier's offer currently includes the following routes: Wrocław-Gdańsk (3 times a week); Szczecin-Kraków (twice a week), Gdańsk-Kraków (three times a week); i.e. routes that take over 5 hours to cover), according to the offer of February 2, 2020.

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connections to served destinations (Urbaniak, 2019). Analyzing the not-so-good situation of the airline, it is also worth paying attention to the relatively large increase in employment at the airline, which seriously burdens the company's finances and hinders its restructuring.

Both countries began the transformation of their own aviation market in a similar place, with a rather outdated air fleet, with some few modern aircraft. Nevertheless, the further development of both aviation markets took place in different ways, as long as no native competitor for LOT appeared in Poland for various reasons, the situation is somewhat different in Romania and TAROM experiences serious competition from the low-cost carrier BlueAir. Both state-owned enterprises had to take advantage of public aid, LOT in 2012 (PLN 527 million), while TAROM in 2020 (EUR 37 million) (ch-aviation, 2020), time will show whether the Romanian national carrier will be able to repeat the success of the Polish carrier, which after the recession is now able to expand on the European market.

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CEPOS NEW CALL FOR PAPERS 2021
11TH INTERNATIONAL CONFERENCE
AFTER COMMUNISM. EAST AND WEST UNDER SCRUTINY

Craiova (Romania), University House,
19-20 March 2021

Dear Colleagues,

We are delighted to invite you to participate in the 11th International Conference AFTER COMMUNISM. EAST AND WEST UNDER SCRUTINY in Craiova, Romania, 19-20 March 2021.

More than three decades after, an event is both history and present. The annual conference organized by CEPOS involves both the perspectives of the researches in the field of Communism and Post-Communism: research experiences and scientific knowledge.

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Best regards,

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- Communism, transition, democracy;
- Post-communism and collective memory;
- Social changes, political history and collective memory;
- Politics, ideologies and social action in transition;
- Revolution and political history;
- Political culture and citizen participation;
- Law, legal studies and justice reform;
- Law, transitional justice, democratization;
- Constitution(s), legality & political reforms;
- Legal and constitutional patterns of the democratization process;
- Political culture, rights and civil society;
- Political culture, civil society and citizen participation;
- Political parties, electoral systems and electoral campaigns;
- Security and diplomacy in national and Euro-Atlantic environment;
- Security, social movements and citizenship;
- Rights, identities, policies & participation;
- Education, media & social communication;
- Education, social inclusion and regional policies;
- Administrative history and governance within South-Eastern Europe during transition;
- Political leadership, democratization and regional security;
- Comparative policies, sustainable growth and urban planning;
- Knowledge transfer and competitiveness in regional economies;
- Comparative policies, financial reforms and competitiveness;
- Security, foreign policy, social movements and citizenship;
- Economics, financial law and policy mechanisms;
- Administration, social inclusion and urban planning;
- Global environment and cultural heritage;
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- More information about the Conference venue can be found at the following address: http://www.ucv.ro/campus/puncte_de_atractie/casa_universitarilor/prezentare.php

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The Conference Registration Desk will be opened from Friday, 19th of March 2021 (from 08.00 a.m. to 14.00 p.m.) until Saturday 20th of March 2021 (from 08.00 a.m. until 10.00 a.m.), for registration and delivery of conference bag with documents to participants. The Conference Registration Desk is located in the lobby of the University House Club, 1st Floor.

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CEPOS CONFERENCE 2021 Registration fees will be paid exclusively ONLINE by Wednesday, March 10, 2021.

90 euros / first paper and 20 euros/ second paper (same author(s)) can be paid directly via bank transfer on CEPOS Bank account as follows:

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The registration WILL NOT be confirmed until the payment of the Registration fees is received.

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MEALS AND OTHER ORGANIZING DETAILS

The registration fee covers:

- * Conference attendance to all common sessions, individual and special panels
- * Conference materials (including a printed version of the Book of Abstracts of the Conference)
- * Conference special bag - 1 for every single fee paid, no matter the number of authors/paper
- * Coffee Breaks-March 19, 2021 – March 20, 2021. During the two days conference, 3 coffee breaks are offered
- * Welcoming reception (March 19, 2021)
- * Lunch (March 19, 2021) offered in the University House Gala Room
- * A Festive Gala Dinner and Cocktail (March 20, 2021) offered in the University House Gala Room
- * A Free Cocktail Buffet will be served from 19:00 p.m. to 21.00 p.m.
- * Lunch (March 20, 2021)
- * Certificate of attendance (offered at the end of the conference March 20, 2021)
- * Publication of the Conference Papers in the International Indexed Journal Revista de Stiinte Politice. Revue des Sciences Politiques (previous publication of the 2012-2020 Conference papers is available at <http://cis01.central.ucv.ro/revistadestiintepolitice/acces.php>)
- * One original volume of the International Indexed Journal Revista de Stiinte Politice. Revue des Sciences Politiques (where the personal conference paper was published) will be delivered to the authors (an additional fee of 10 euros is required for the mailing facilities)
- * Computer & Internet Facilities. There is available videoprojector and connection to Internet services.
- * Language. The official language of the Conference will be English. The Organizing Committee does not provide simultaneous translation.

NEW! FREE SOCIAL AND CULTURAL PROGRAMME OF THE CEPOS CONFERENCE 2021

* Participants in CEPOS CONFERENCE 2021 have free acces to the Social and Cultural Program of the Tenth Edition of the International Conference After Communism. East and West under Scrutiny, Craiova, 19-20 March 2021: including free guided tours of the:

Craiova Old City Tour and CEPOS Headquarters

Museum of Arts Craiova, <http://www.muzeuldeartacraiova.ro/>

Oltenia Museum (all sections included):

<http://www.muzeulolteniei.ro/index.php?view=content&c=26>

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Casa Baniei <http://www.muzeulolteniei.ro/index.php?view=content&c=26>

CERTIFICATES OF ATTENDANCE

Certificates of attendance will be offered at the end of the conference on Saturday, March 20, 2021

INTERNATIONAL INDEXING OF REVISTA DE STIINTE POLITICE. REVUE DES SCIENCES POLITIQUES

Revista de Stiinte Politice. Revue des Sciences Politiques is an International Indexed Journal by:

ERIH PLUS

ProQuest Political Sciences

EBSCO

CEEOL

KVK

Gale Cengage Learning

Index Copernicus

Georgetown University Library

Elektronische Zeitschriftenbibliothek EZB

Journal Seek

Latest international indexing updates 2020 (April 2020) of the *Revista de Științe Politice. Revue des Sciences Politiques* (selective list 2019-2020)

The Royal Library and Copenhagen University Library Service

[https://e-tidsskrifter.kb.dk/resolve?umlaut.locale=da&url_ver=Z39.88-](https://e-tidsskrifter.kb.dk/resolve?umlaut.locale=da&url_ver=Z39.88-2004&url_ctx_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Actx&ctx_ver=Z39.88-2004&ctx_tim=2020-04-11T21%3A23%3A41%2B02%3A00&ctx_id=&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft.issn=1584-224X&rft.search_val=1584-224X&rft_val_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Ajournal&rft_id=info%3Asid%2Fsfxit.com%3Acitation)

[2004&url_ctx_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Actx&ctx_ver=Z39.88-](https://e-tidsskrifter.kb.dk/resolve?umlaut.locale=da&url_ver=Z39.88-2004&url_ctx_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Actx&ctx_ver=Z39.88-2004&ctx_tim=2020-04-11T21%3A23%3A41%2B02%3A00&ctx_id=&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft.issn=1584-224X&rft.search_val=1584-224X&rft_val_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Ajournal&rft_id=info%3Asid%2Fsfxit.com%3Acitation)

[2004&url_ctx_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Actx&ctx_ver=Z39.88-](https://e-tidsskrifter.kb.dk/resolve?umlaut.locale=da&url_ver=Z39.88-2004&url_ctx_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Actx&ctx_ver=Z39.88-2004&ctx_tim=2020-04-11T21%3A23%3A41%2B02%3A00&ctx_id=&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft.issn=1584-224X&rft.search_val=1584-224X&rft_val_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Ajournal&rft_id=info%3Asid%2Fsfxit.com%3Acitation)

[11T21%3A23%3A41%2B02%3A00&ctx_id=&ctx_enc=info%3Aofi%2Fenc%3AUTF-](https://e-tidsskrifter.kb.dk/resolve?umlaut.locale=da&url_ver=Z39.88-2004&url_ctx_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Actx&ctx_ver=Z39.88-2004&ctx_tim=2020-04-11T21%3A23%3A41%2B02%3A00&ctx_id=&ctx_enc=info%3Aofi%2Fenc%3AUTF-8&rft.issn=1584-224X&rft.search_val=1584-224X&rft_val_fmt=info%3Aofi%2Ffmt%3Akev%3Amtx%3Ajournal&rft_id=info%3Asid%2Fsfxit.com%3Acitation)

Glasgow Caledonian University

[https://discover.gcu.ac.uk/discovery/openurl?institution=44GL](https://discover.gcu.ac.uk/discovery/openurl?institution=44GLCU_INST&vid=44GLCU_INST:44GLCU_VU2&?u.ignore_date_cover)

[CU_INST&vid=44GLCU_INST:44GLCU_VU2&?u.ignore_date_cover](https://discover.gcu.ac.uk/discovery/openurl?institution=44GLCU_INST&vid=44GLCU_INST:44GLCU_VU2&?u.ignore_date_cover)

[age=true&rft.mms_id=991002471123103836](https://discover.gcu.ac.uk/discovery/openurl?institution=44GLCU_INST&vid=44GLCU_INST:44GLCU_VU2&?u.ignore_date_cover)

Open University Library Malaysia

<http://library.oum.edu.my/oumlib/content/catalog/778733>

Stanford University Libraries, Stanford, United States

<https://searchworks.stanford.edu/?q=469823489>

Cornell University Library, Ithaca, United States

[https://newcatalog.library.cornell.edu/catalog?search_field=publisher+number%2Fother](https://newcatalog.library.cornell.edu/catalog?search_field=publisher+number%2Fother+identifier&q=469823489)

University of Michigan Library,

<https://search.lib.umich.edu/catalog?&library=All+libraries&query=isbn%3A469823489>

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Pepperdine Libraries, Malibu, United States

https://pepperdine.worldcat.org/search?qt=wc_org_pepperdine&q=no:469823489

University of Victoria Libraries , Victoria, Canada

<http://uvic.summon.serialssolutions.com/#!/search?ho=t&fvf=ContentType,Journal%20Article,f&l=en&q=1584-224X>

Academic Journals database

<http://journaldatabase.info/journal/issn1584-224X>

University of Zurich Database

<https://www.jdb.uzh.ch/id/eprint/21535/>

California Institute of Technology - Caltech Library

<https://www.library.caltech.edu/eds/detail?db=poh&an=98646324&isbn=1584224X>

Staatsbibliothek zu Berlin

http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=STABI_BERLIN&url=http%3A%2F%2Fstabikat.de%2FDB%3D1%2FCHARSET%3DISO-8859-1%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FSID%3D8dda05f3-1%2FSET%3D1%2FSHW%3FFRST%3D1&signature=eBtSKEx2BuW-HASpUsCT39FB3vQpIm6cGAajCH-kz44&showCoverImg=1

Union Catalogue of Belgian Libraries

http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=VERBUND_BELGIEN&url=http%3A%2F%2Fwww.unicat.be%2FuniCat%3Ffunc%3Dsearch%26query%3Dsysid%3A7330250&signature=DxcVFWjMO1W4HpEAWW_ERyKR4oiGWXLGFinWk8fNU&showCoverImg=1

The National Library of Israel

http://merhav.nli.org.il/primo-explore/fulldisplay?vid=ULI&docid=NNL-Journals003477656&context=L&lang=en_US

Verbundkatalog GBV

http://kvk.bibliothek.kit.edu/view-title/index.php?katalog=GBV&url=http%3A%2F%2Fgso.gbv.de%2FDB%3D2.1%2FCHARSET%3DUTF-8%2FIMPLAND%3DY%2FLNG%3DDU%2FSRT%3DYOP%2FTTL%3D1%2FCOOKIE%3DD2.1%2CE900d94f2-d%2CIO%2CB9000%2B%2B%2B%2B%2B%2B%2B%2CSY%2CA%2CH6-11%2C%2C16-17%2C%2C21%2C%2C30%2C%2C50%2C%2C60-61%2C%2C73-75%2C%2C77%2C%2C88-90%2CNKVK%2BWEBZUGANG%2CR129.13.130.211%2CFN%2FSET%3D1%2FPPNSET%3FPPN%3D590280090&signature=Omwa_NLtwvdaOmmyeo7SUOCEYuDRGtoZqGXIK-vTY1o&showCoverImg=1

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ACPN Catalogo Italiano dei Periodici, Universita di Bologna

<https://acnpsearch.unibo.it/journal/2601620>

Bibliothèque Nationale de Luxembourg

[https://a-z.lu/primo-](https://a-z.lu/primo-explore/fulldisplay?vid=BIBNET&docid=SFX_LOCAL100000000726583&context=L)

[explore/fulldisplay?vid=BIBNET&docid=SFX_LOCAL100000000726583&context=L](https://a-z.lu/primo-explore/fulldisplay?vid=BIBNET&docid=SFX_LOCAL100000000726583&context=L)

National Library of Sweden

<http://libris.kb.se/bib/11702473>

Harold B. Lee Library, Brigham Young University

[http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-](http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=100000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes)

[2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-](http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=100000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes)

[8&ctx_ver=Z39.88-](http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=100000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes)

[2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=1000](http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=100000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes)

[000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes](http://sfx.lib.byu.edu/sfxlcl3?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=100000000726583&rft.object_portfolio_id=&svc.holdings=yes&svc.fulltext=yes)

Catalogue of Hamburg Libraries

[https://beluga.sub.uni-](https://beluga.sub.uni-hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV_ILN_22&lookfor=1584-224x)

[hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV_ILN_22&lookfor=15](https://beluga.sub.uni-hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV_ILN_22&lookfor=1584-224x)

[84-224x](https://beluga.sub.uni-hamburg.de/vufind/Search/Results?submit=Suchen&library=GBV_ILN_22&lookfor=1584-224x)

Edith Cowan Australia

<https://ecu.on.worldcat.org/search?databaseList=&queryString=1584-224X>

University College Cork, Ireland

[https://ucc.summon.serialssolutions.com/?q=1584-](https://ucc.summon.serialssolutions.com/?q=1584-224X#!/search?ho=t&jt=Revista%20de%20Stiinte%20Politice&l=en-UK&q=)

[224X#!/search?ho=t&jt=Revista%20de%20Stiinte%20Politice&l=en-UK&q=](https://ucc.summon.serialssolutions.com/?q=1584-224X#!/search?ho=t&jt=Revista%20de%20Stiinte%20Politice&l=en-UK&q=)

York University Library, Toronto, Ontario, Canada

<https://www.library.yorku.ca/find/Record/muler82857>

The University of Chicago, USA

https://catalog.lib.uchicago.edu/vufind/Record/sfx_100000000726583

The University of Kansas KUMC Libraries Catalogue

<http://voyagercatalog.kumc.edu/Search/Results?lookfor=1584-224X&type=AllFields>

Journal Seek

[http://journalseek.net/cgi-bin/journalseek/journalsearch.cgi?field=issn&query=1584-](http://journalseek.net/cgi-bin/journalseek/journalsearch.cgi?field=issn&query=1584-224X)

[224X](http://journalseek.net/cgi-bin/journalseek/journalsearch.cgi?field=issn&query=1584-224X)

State Library New South Wales, Sidney, Australia,

[http://library.sl.nsw.gov.au/search~S1/?searchtype=i&searcharg=1584-](http://library.sl.nsw.gov.au/search~S1/?searchtype=i&searcharg=1584-224X&searchscope=1&SORT=D&extended=0&SUBMIT=Search&searchlimits=&searchorigarg=i1583-9583)

[224X&searchscope=1&SORT=D&extended=0&SUBMIT=Search&searchlimits=&searchorigarg=i1583-9583](http://library.sl.nsw.gov.au/search~S1/?searchtype=i&searcharg=1584-224X&searchscope=1&SORT=D&extended=0&SUBMIT=Search&searchlimits=&searchorigarg=i1583-9583)

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Electronic Journal Library

https://opac.giga-hamburg.de/ezb/detail.phtml?bibid=GIGA&colors=7&lang=en&flavour=classic&jour_id=111736

Open University Malaysia

<http://library.oum.edu.my/oumlib/content/catalog/778733>

Wayne State University Libraries

<http://elibrary.wayne.edu/record=4203588>

Kun Shan University Library

http://muse.lib.ksu.edu.tw:8080/1cate/?rft_val_fmt=publisher&pubid=ucvpress

Western Theological Seminar

https://col-westernsem.primo.exlibrisgroup.com/discovery/fulldisplay?docid=alma991001225541104770&context=L&vid=01COL_WTS:WTS&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&facet=rtype,include,journals&mode=Basic&offset=0

Swansea University Prifysgol Abertawe

http://whel-primo.hosted.exlibrisgroup.com/primo_library/libweb/action/search.do?vid=44WHELF_SWA_VU1&reset_config=true#.VSU9SPmsVSk

Vanderbilt Library

https://catalog.library.vanderbilt.edu/discovery/fulldisplay?docid=alma991043322926803276&context=L&vid=01VAN_INST:vanui&lang=en&search_scope=MyInst_and_CI&adaptor=Local%20Search%20Engine&tab=Everything&query=any,contains,1584-224X&offset=0

Wissenschaftszentrum Berlin für Sozial

https://www.wzb.eu/en/literature-data/search-find/e-journals?page=searchres.phtml&bibid=WZB&lang=en&jq_type1=IS&jq_term1=1584-224X&jq_bool2=AND&jq_type2=KS&jq_term2=&jq_bool3=AND&jq_type3=PU&jq_term3=&offset=-1&hits_per_page=50&Notations%5B%5D=all&selected_colors%5B%5D=1&selected_colors%5B%5D=2

Radboud University Nijmegen

<https://zaandam.hosting.ru.nl/oamarket-acc/score?OpenAccess=&InstitutionalDiscounts=&Title=&Issn=1584-224&Publisher=>

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http://rzblx1.uni-regensburg.de/ezeit/detail.phtml?bibid=AAAAA&colors=7&lang=de&jour_id=111736

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Metropolitan University Prague, Czech Republic

<https://s-knihovna.mup.cz/katalog/eng/l.dll?h~=&DD=1&H1=&V1=o&P1=2&H2=&V2=o&P2=3&H3=&V3=z&P3=4&H4=1584-224x&V4=o&P4=33&H5=&V5=z&P5=25>

University of the West Library

<https://uwest.on.worldcat.org/search?queryString=1584-224x&clusterResults=off&stickyFacetsChecked=on#/oclc/875039367>

Elektron ische Zeitschriften der Universität zu Köln

https://www.ub.uni-koeln.de/IPS?SERVICE=METASEARCH&SUBSERVICE=INITSEARCH&VIEW=USB:Simple&LOCATION=USB&SID=IPS3:2d1c5acebc65a3cdc057a9d6c64ce76e&SETCOOKIE=TRUE&COUNT=15&GWTIMEOUT=30&HIGHLIGHTING=on&HISTORY=SESSION&START=1&STREAMING=on&URLENCODING=TRUE&QUERY_aIAL=1584-224x&SERVICEGROUP1.SERVICE.SEARCH_EDS=on&SERVICEGROUP1.SERVICE.SEARCH_KUGJSON=on&SERVICEGROUP1.SERVICE.SEARCH_KUGUSBWEB=on&SERVICEGROUP1.SERVICEGROUP.USB:Default=on

EKP Publications

https://ekp-invenio.physik.uni-karlsruhe.de/search?ln=en&sc=1&p=1584-224X&f=&action_search=Search&c=Experiments&c=Authorities

Valley City State University

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Impact Factor Poland

<http://impactfactor.pl/czasopisma/21722-revista-de-stiinte-politice-revue-des-sciences-politiques>

Universite Laval

http://sfx.bibl.ulaval.ca:9003/sfx_local?url_ver=Z39.88-2004&url_ctx_fmt=info:ofi/fmt:kev:mtx:ctx&ctx_enc=info:ofi/enc:UTF-8&ctx_ver=Z39.88-2004&rft_id=info:sid/sfxit.com:azlist&sfx.ignore_date_threshold=1&rft.object_id=100000000726583&rft.object_portfolio_id=&svc.fulltext=yes

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Universität Passau

<https://infoguide.ub.uni-passau.de/InfoGuideClient.upasis/start.do?Query=10%3d%22BV035261002%22>

BSB Bayerische Staatsbibliothek

<https://opacplus.bsb-muenchen.de/metaopac/search?View=default&oclcno=502495838>

Deutsches Museum

<https://opac.deutsches-museum.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=dmm&Language=de>

Technische Hochschule Ingolstadt

[https://opac.ku.de/TouchPoint/start.do?Branch=3&Language=de&View=thi&Query=35=%22502495838%22+IN+\[2\]](https://opac.ku.de/TouchPoint/start.do?Branch=3&Language=de&View=thi&Query=35=%22502495838%22+IN+[2])

Hochschule Augsburg, Bibliothek

<https://infoguide.hs-augsburg.de/InfoGuideClient.fhasis/start.do?Query=10%3d%22BV035261002%22>

Hochschule Weihenstephan-Triesdorf, Zentralbibliothek

Freising, Germany

<https://ffwtp20.bib-bvb.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ffw&Language=de>

OTH- Ostbayerische Technische Hochschule Regensburg, Hochschulbibliothek

OTHBR, Regensburg, Germany

<https://www.regensburger-katalog.de/TouchPoint/start.do?Query=1035%3d%22BV035261002%22IN%5b2%5d&View=ubr&Language=de>

Staatliche Bibliothek Neuburg/Donau, SBND,

Neuburg/Donau, Germany

<https://opac.sbnd.de/InfoGuideClient.sndsis/start.do?Query=10%3d%22BV035261002%22>

Universitätsbibliothek Eichstätt-Ingolstadt, Eichstätt, Germany

[https://opac.ku.de/TouchPoint/start.do?Branch=0&Language=de&View=uei&Query=35=%22502495838%22+IN+\[2\]](https://opac.ku.de/TouchPoint/start.do?Branch=0&Language=de&View=uei&Query=35=%22502495838%22+IN+[2])

Bibliothek der Humboldt-Universität Berlin, Universitätsbibliothek der Humboldt-Universität zu Berlin

Berlin, Germany

https://hu-berlin.hosted.exlibrisgroup.com/primo-explore/search?institution=HUB_UB&vid=hub_ub&search_scope=default_scope&tab=default_tab&query=issn,exact,1584-224X

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Hochschulbibliothek Ansbach, Ansbach, Germany

<https://fanoz3.bib->

[bvb.de/InfoGuideClient.fansis/start.do?Query=10%3d%22BV035261002%22](https://fanoz3.bib-bvb.de/InfoGuideClient.fansis/start.do?Query=10%3d%22BV035261002%22)

Bibliothek der Europa-Universität Viadrina, Frankfurt (Oder)

Frankfurt/Oder, Germany

<https://opac.europa->

[uni.de/InfoGuideClient.euvsis/start.do?Query=10%3d%22BV035261002%22](https://opac.europa-uni.de/InfoGuideClient.euvsis/start.do?Query=10%3d%22BV035261002%22)

University of California Library Catalog

<https://catalog.library.ucla.edu/vwebv/search?searchCode1=GKEY&searchType=2&searchArg1=ucoclc469823489>

For more details about the past issues and international abstracting and indexing, please visit the journal website at the following address:

<http://cis01.central.ucv.ro/revistadestiintepolitice/acces.php>.

CONFERENCE INTERNATIONAL INDEXING OF THE PAST EDITIONS (2014-2020)

CEPOS Conference 2020

The Tenth International Conference After Communism. East and West under Scrutiny (27-28 March 2020) was evaluated and accepted for indexing in 7 international databases, catalogues and NGO's databases:

Scichemistry

<http://scichemistry.org/ConferenceInfosByConferenceTopicId?conferenceTopicId=57>

Oxford Journals

[https://academic.oup.com/jcs/advance-articlepdf/](https://academic.oup.com/jcs/advance-articlepdf)

[doi/10.1093/jcs/csz078/30096829/csz078.pdf](https://academic.oup.com/jcs/advance-articlepdf/doi/10.1093/jcs/csz078/30096829/csz078.pdf)

Conference alerts

<https://conferencealerts.com/show-event?id=215370>

<https://www.sciencedz.net/en/conference/57625-10thinternational-conference-after-communism-east-and-west-underscrutiny>

Intraders

<https://www-intradersorg>.

[cdn.ampproject.org/v/s/www.intraders.org/news/romania/10](https://www-intradersorg)

[th-international-conference-after-communism-east-and-westunderscrutiny/](https://www-intradersorg)

[amp/?amp_js_v=a2&_gsa=1&usqp=mq331AQCKAE%3D#a](https://www-intradersorg)

[oh=15737604302246&referrer=https%3A%2F%2Fwww.google.co](https://www-intradersorg)

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m&_tf=De%20pe%20%251%24s&share=https%3A%2F%2Fwww.intraders.org%2Fnews%2Ffromania%2F10th-internationalconference-after-communism-east-and-west-under-scrutiny%2F

10 times

<https://10times.com/after-communism-east-and-west-under-scrutiny>

The conference alerts

<https://theconferencealerts.com/event/46428/10th-internationalconference-after-communism-east-and-west-under-scrutiny>

Scirea

<https://www.scirea.org/ConferenceInfosByConferenceCountryId?conferenceCountryId=75>

CEPOS Conference 2019

The Ninth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 29-30 March 2019) was evaluated and accepted for indexing in 6 international databases, catalogues and NGO's databases:

Oxford Academic Journal of Church & State <https://academic.oup.com/jcs/article-abstract/60/4/784/5106417?redirectedFrom=PDF>

10 Times

<https://10times.com/after-communism-east-and-west-under-scrutiny>

Conference Alerts

<https://conferencealerts.com/show-event?id=205682>

Researchgate

https://www.researchgate.net/publication/327905733_CEPOS_9TH_INTERNATIONAL_CONFERENCE_AFTER_COMMUNISM_EAST_AND_WEST_UNDER_SCRUTINY_2019?_iepl%5BviewId%5D=sjcOJrVCO8PTLapcfVciZQsb&_iepl%5Bcontexts%5D%5B0%5D=publicationCreationEOT&_iepl%5BtargetEntityId%5D=PB%3A327905733&_iepl%5BinteractionType%5D=publicationCTA

The Free Library

<https://www.thefreelibrary.com/9th+INTERNATIONAL+CONFERENCE+AFTE R+COMMUNISM.+EAST+AND+WEST+UNDER...-a0542803701>

Science Dz.net

<https://www.sciencedz.net/conference/42812-9th-international-conference-after-communism-east-and-west-under-scrutiny>

CEPOS Conference 2018

The Eighth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 23-24 March 2018) was evaluated and accepted for indexing in 15 international databases, catalogues and NGO's databases:

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Conference Alerts, <https://conferencealerts.com/show-event?id=186626>

Sciencesdz, <http://www.sciencedz.net/conference/29484-8th-international-conference-after-communism-east-and-west-under-scrutiny>

ManuscriptLink, <https://manuscriptlink.com/cfp/detail?cfpId=AYAXKVAR46277063&type=event>

Maspolitiques, <http://www.maspolitiques.com/ar/index.php/en/1154-8th-international-conference-after-communism-east-and-west-under-scrutiny>

Aconf, https://www.aconf.org/conf_112399.html

Call4paper, <https://call4paper.com/listByCity?type=event&city=3025&count=count>

Eventegg, <https://eventegg.com/cepos/>

10 times, <https://10times.com/after-communism-east-and-west-under-scrutiny>

Biblioteca de Sociologie, <http://bibliotecadesociologie.ro/cfp-cepos-after-communism-east-and-west-under-scrutiny-craiova-2018/>

Science Research Association
<http://www.scirea.org/topiclisting?conferenceTopicId=5>

ResearcherBook <http://researcherbook.com/country/Romania>

Conference Search Net, <http://conferencesearch.net/en/29484-8th-international-conference-after-communism-east-and-west-under-scrutiny>

SchoolandCollegeListings,
<https://www.schoolandcollegelistings.com/RO/Craiova/485957361454074/Center-of-Post-Communist-Political-Studies-CEPOS>

Vepub conference, <http://www.vepub.com/conferences-view/8th-International-Conference-After-Communism.-East-and-West-under-Scrutiny/bC9aUE5rcHN0ZmpkYU9nTHJzUkRmdz09/>

Geopolitika Hungary, <http://www.geopolitika.hu/event/8th-international-conference-after-communism-east-and-west-under-scrutiny/>

CEPOS Conference 2017

The Seventh International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 24-25 March 2017) was evaluated and accepted for indexing in 10 international databases, catalogues and NGO's databases: Ethic & International Affairs (Carnegie Council), Cambridge University Press-<https://www.ethicsandinternationalaffairs.org/2016/upcoming-conferences-interest-2016-2017/>

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ELSEVIER GLOBAL EVENTS
LIST <http://www.globaleventslist.elsevier.com/events/2017/03/7th-international-conference-after-communism-east-and-west-under-scrutiny>
CONFERENCE ALERTS-<http://www.conferencealerts.com/show-event?id=171792>
10TIMES.COM-<http://10times.com/after-communism-east-and-west-under-scrutiny>
Hiway Conference Discovery System-
<http://www.hicds.cn/meeting/detail/45826124>
Geopolitika (Hungary)-<http://www.geopolitika.hu/event/7th-international-conference-after-communism-east-and-west-under-scrutiny/>
Academic.net-<http://www.academic.net/show-24-4103-1.html>
World University Directory-
<http://www.worlduniversitydirectory.com/conferencedetail.php?AgentID=2001769>
Science Research Association-
<http://www.scirea.org/conferenceinfo?conferenceId=35290>
Science Social Community-<https://www.science-community.org/ru/node/174892>

CEPOS Conference 2016

The Sixth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 8-9 April 2016) was evaluated and accepted for indexing in the following international databases, catalogues and NGO's databases:

ELSEVIER GLOBAL EVENTS-
<http://www.globaleventslist.elsevier.com/events/2016/04/6th-international-conference-after-communism-east-and-west-under-scrutiny/>
Oxford Journals – Oxford Journal of Church & State-
<http://jcs.oxfordjournals.org/content/early/2016/02/06/jcs.csv121.extract>
Conference Alerts-<http://www.conferencealerts.com/country-listing?country=Romania>
Conferences-In - <http://conferences-in.com/conference/romania/2016/economics/6th-international-conference-after-communism-east-and-west-under-scrutiny/>
Socmag.net - <http://www.socmag.net/?p=1562>
African Journal of Political Sciences-
http://www.maspolitiques.com/mas/index.php?option=com_content&view=article&id=450:-securitee-&catid=2:2010-12-09-22-47-00&Itemid=4#.VjUI5PnhCUk
Researchgate-
https://www.researchgate.net/publication/283151988_Call_for_Papers_6TH_International_Conference_After_Communism_East_and_West_under_Scrutiny_8-9_April_2016_Craiova_Romania
World Conference Alerts-
<http://www.worldconferencealerts.com/ConferenceDetail.php?EVENT=WLD1442>
Edu events-<http://eduevents.eu/listings/6th-international-conference-after-communism-east-and-west-under-scrutiny/>
Esocsci.org-<http://www.esocsci.org.nz/events/list/>
Sciencedz.net-<http://www.sciencedz.net/index.php?topic=events&page=53>

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Science-community.org-http://www.science-community.org/ru/node/164404/?did=070216

CEPOS Conference 2015

The Fifth International Conference After Communism. East and West under Scrutiny (Craiova, House of the University, 24-25 April 2015) was evaluated and accepted for indexing in 15 international databases, catalogues and NGO's databases:

THE ATLANTIC COUNCIL OF CANADA, CANADA-
<http://natocouncil.ca/events/international-conferences/>
ELSEVIER GLOBAL EVENTS LIST-
<http://www.globaleventslist.elsevier.com/events/2015/04/fifth-international-conf>
GCONFERENCE.NET-
http://www.gconference.net/eng/conference_view.html?no=47485&catalog=1&ata=018&co_kind=&co_type=&pageno=1&conf_cata=01
CONFERENCE BIOXBIO-<http://conference.bioxbio.com/location/romania>
10 TIMES-<http://10times.com/romania>
CONFERENCE ALERTS-<http://www.conferencealerts.com/country-listing?country=Romania>
<http://www.iem.ro/orizont2020/wp-content/uploads/2014/12/lista-3-conferinte-internationale.pdf>
<http://sdil.ac.ir/index.aspx?pid=99&articleid=62893>
NATIONAL SYMPOSIUM-
<http://www.nationalsymposium.com/communism.php>
SCIENCE DZ-<http://www.sciencedz.net/conference/6443-fifth-international-conference-after-communism-east-and-west-under-scrutiny>
ARCHIVE COM-http://archive-com.com/com/c/conferencealerts.com/2014-12-01_5014609_70/Rome_15th_International_Academic_Conference_The_IISES/
CONFERENCE WORLD-<http://conferencesworld.com/higher-education/>
KNOW A CONFERENCE KNOW A CONFERENCE-
<http://knowaconference.com/social-work/>
International Journal on New Trends in Education and Their Implications (IJONTE) Turkey <http://www.ijonte.org/?pnum=15&>
Journal of Research in Education and Teaching Turkey-
<http://www.jret.org/?pnum=13&pt=Kongre+ve+Sempozyum>
CEPOS CONFERENCE 2015 is part of a "consolidated list of all international and Canadian conferences taking place pertaining to international relations, politics, trade, energy and sustainable development". For more details see <http://natocouncil.ca/events/international-conferences/>

CEPOS Conference 2014

The Fourth International Conference After Communism. East and West under Scrutiny, Craiova, 4-5 April 2014 was very well received by the national media and successfully indexed in more than 9 international databases, catalogues and NGO's databases such as:

American Political Science Association, USA-
<http://www.apsanet.org/conferences.cfm>;
Journal of Church and State, Oxford-

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<http://jcs.oxfordjournals.org/content/early/2014/01/23/jcs.cst141.full.pdf+html>;
NATO Council of Canada (section events/ international conferences), Canada,
<http://atlantic-council.ca/events/international-conferences/>
International Society of Political Psychology, Columbus, USA-
http://www.ispp.org/uploads/attachments/April_2014.pdf
Academic Biographical Sketch,
<http://academicprofile.org/SeminarConference.aspx>;
Conference alerts, <http://www.conferencealerts.com/show-event?id=121380>;
Gesis Sowiport, Koln, Germany, <http://sowiport.gesis.org/>; Osteuropa-Netzwerk,
Universität Kassel, Germany, http://its-vm508.its.uni-kassel.de/mediawiki/index.php/After_communism:_East_and_West_under_scrutiny:_Fourth_International_Conference
Ilustre Colegio Nacional de Doctores y Licenciados en Ciencias Políticas y Sociología, futuro Consejo Nacional de Colegios Profesionales, Madrid,
<http://colpolsocmadrid.org/agenda/>.



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References:

The references cited in the Article are listed at the end of the paper in alphabetical order of authors' names.

References of the same author are listed chronologically.

For books

Olimid, A. P. (2009a). *Viața politică și spirituală în România modernă. Un model românesc al relațiilor dintre Stat și Biserică*, Craiova: Aius Publishing.

Olimid, A. P. (2009b). *Politica românească după 1989*, Craiova: Aius Publishing.

For chapters in edited books

Goodin, R. E. (2011). The State of the Discipline, the Discipline of the State. In Goodin, R. E. (editor), *The Oxford Handbook of Political Science*, Oxford: Oxford University Press, pp. 19-39.

For journal Articles

Georgescu, C. M. (2013a). Qualitative Analysis on the Institutionalisation of the Ethics and Integrity Standard within the Romanian Public Administration. *Revista de Științe Politice. Revue des Sciences Politiques*, 37, 320-326.

Georgescu, C. M. (2013b). Patterns of Local Self-Government and Governance: A Comparative Analysis Regarding the Democratic Organization of Thirteen Central and Eastern European Administrations (I). *Revista de Științe Politice. Revue des Științe Politice*, 39, 49-58.

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Tables and figures are introduced in the text. The title appears above each table.

E.g.: Table 1. The results of the parliamentary elections (May 2014)

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All submissions will be double-blind reviewed by at least two reviewers.