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Invest in People

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# **RESEARCH ARTICLES**



# **Philosophical Reflections**





# Consciousness

Nicholas Rescher

**Abstract:** Consciousness is sometimes viewed as a particular parametric factor in the analogy of blood pressure or electric charge. The paper argues that this is an erroneous conception because becoming conscious involves a varied assortment of different phenomena that have no single unified commonality. And so even as 'abnormal psychology' has to be a disjointed assembly of diverse specialties so will 'consciousness studies' have to be.

**Keywords:** consciousness, alteration, mental capacities, brain activity, neuroscience

## 1. What Is Consciousness? The Basic Issue

Think of a door contrived to open automatically when a sensor detects an approaching person. We have here an effectively functional stimulus-response system. But there is no consciousness. The sensor detects but does not feel; the device responds appropriately but does not realize it. The system can be said to obtain information (a person's approach) and to initiate appropriate action in response (in arranging for the door's opening), but something crucial is absent.

So just what is missing? There is one thing that clearly is – the intervention of a functioning mind. Only mind-endowed beings can be conscious.<sup>1</sup>

Even denying that consciousness ever exists would comment one to having to specify what consciousness is – i.e. just what it would be if it actually did exist. Before inquiry about where consciousness is present and how it works, one ought really to begin by asking just exactly what consciousness actually is. And here it is helpful first to spell out a few things that consciousness is not, and what consciousness clearly is not includes such features as being:

- a substance (like air)
- a property of things (like their weight)
- a state of things (like liquidity)

Instead, consciousness is a capacity, a facility for having the awareness needed for a neutral grasp on things. It is a condition of mind through which creatures are open to a wide range of experience seeing that mental activity is (as least) tripartite in relation to the endorsement of beliefs affective pro/con evaluation, and the inauguration of actions. For the mind not only processes

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<sup>1</sup> Some philosophically sophisticated discussions regarding consciousness that are relevant to the contextualizing of this paper are given in the References listed at the end.

information, it processes affectivity as well, seeing that we have pro- or con-reactions to many acknowledged facts. (We not only accept that snake in the corner, but are horrified about it.) And moreover the mind can initiate action – as in situations of pre-planning.

Consciousness is a mental-response capacity for developed beings. It is part of a dual reactivity. Stuck with a pin your body will react by withdrawal, your mind will react by feeling pain. This capacity is a gift of evolution. Like arithmetical computation or linguistic communication – or indeed intelligence itself – consciousness is something that emerges at a certain stage of complexity and sophistication in the course of organic evolutionary development. It is present only well up on the natter of evolutionary development. In this regard it is in the same boat as various other higher-level mental components, such as intelligence, reason, and evaluative effectivity and (very possibly) free will.

Self-consciousness is a particularly sophisticated version of consciousness, a reflexive version that encompasses the functioning of self-awareness. This is a facility that has certainly evolved in humans but presumably not in lower animals. When you toss them bread crumbs you surely come to realize that sparrows can be aware of environmental developments. However, as best we can tell, there is no self-consciousness here. (You would find it hard to embarrass or insult them.)

Conscious reactions can be *evoked* by physical stimuli but they are not *constituted* by them. Physical developments may be prominent in their causation but mental developments are paramount for their constitution.

In humans factual knowledge (informative knowledge that in contrast to performative how-to knowledge) is always verbalized. But consciousness can outrun verbalization, and is thereby broader than factual cognition. The information that our consciousness places at our disposal is too extensive, complex, and convoluted for verbalization. There is no prospect of setting it out in linguistically explicit completeness. Conceivably, any individual item that figures in our consciousness can be verbalized in some way, but neither time nor space is available to deal with the entire lot. (Think here of the game of musical chairs: any one participant is in principle seatable, but one can never seat the whole lot.)

## 2. Consciousness as a Capacity

“I shall now count slowly to ten, and when I reach seven I shall wiggle the fingers of my left hand.”

Here there is consciousness of myself as cogent, as well as awareness of certain performatory resources at my command (finger motion) and of my power of agency (of acting under pre-set considerations). These capabilities and capacities are not aspects of my physical make-up or physical nature – they relate not to how I am constituted but to what I can do.

Without the brain the mind cannot operate, but without the mind the brain is functionally helpless. In providing the brain/mind complex nature has, through evolution, created a collaborative partnership. Consciousness is an evolved capacity of mind-endowed creatures to become aware of the aspects of their setting. Its most developed form is self-awareness – explicit awareness of oneself with no self-conception can in principle be conscious of things.

Consciousness is a *disjunctive* conception. To be conscious is to be able to perform any one of a long inventory of consciousness-indicative things. A wide variety of performances are inherently conscious-indicative: one can do them only when (fully) conscious:

- recognize a friend
- categorize something as instance of a type
- understand a verbal communication
- answer a question
- describe a feeling
- ‘get’ a joke
- solve a puzzle.

A person can be said to be actively or occurrently conscious when engaged in any one of many and varied consciousness-indicative operations. And it doesn't seem as though this list can ever actually be completed.

It is one thing to have consciousness – to be *capable* of its exercise, and quite another to be actively engaged therein. (Conscious beings can sleep!) And consciousness-involving performances are interconnected – not invariably but at least statistically: when one can do one of them one also can so various others. To be a conscious being one must be able to perform some of them. But the range of the consciousness-indicating operations at the disposal of a consciousness capable being can be larger or lesser, varying both with the individuals and with the species. Both dogs and humans can function consciously, but humans can tell jokes while dogs cannot. Consciousness is clearly present whenever the mind does any of a considerable variety of things.

But at this point a big question arises: Is consciousness some one particular sort of common factor or feature (except consciousness itself) that is present throughout the whole range of its occurrences? Or is consciousness something like combustibility – a feature possessed alike by wood, kerosene, oxygen, rubber, etc. which lack any other fact of unifying commonality. Is there some pervasive linking factor such that consciousness is the effect of its presence or is consciousness itself the unifier of its occurrences?

By all available indications there is no unified consciousness producer: consciousness is a matter of the uniformity of product and not of any uniformity

of production. To all visible appearances, consciousness represents a uniformity of product rather than a uniformity of production. The unity of consciousness is not collective but distributive – a unity not of resulting but of result. The prospect of providing a set of necessary and sufficient indications for the presence of consciousness – apart from the circularity redundant indications of consciousness itself – is a hopeless proposition.

What has to be going on for someone to be conscious of something? There just is no *particular* answer here – the appropriate response is simply: Any one of a considerable variety of things. There is no uniform route to consciousness: its presence is nowise a uniformity of productive process but merely a uniformity of result. Our initial question is like asking: What has to go on for someone to be wealthy. Once we get beyond tautology – respectively “he has to be aware of something,” “he has to have a lot of money” – there is nowhere else to go. There are just too many different ways to get there from here. The condition at issue – call it *X* – is such that there just is no uniform *X*-making factor or feature. The quest for any single definitive ‘basis of consciousness’ is quixotic and – to put it bluntly – pointless.

With respect to its nature as a conception, *mental consciousness* is thus rather akin to *mental illness*. There are many and highly varied ways of being mentally ill and they can have very little to do with one another – indeed they all fail to fit any generally common features apart from qualifying as mental illnesses. And the same goes for consciousness. There just is no single uniform mental process that qualified as ‘being conscious.’

### 3. Consciousness: Not a Process of Procedure

Our conscious-awareness functions sequentially, now this, now that. The result is the conception of a ‘stream of consciousness.’ This expression however, suggests a problematic continuity. What is actually at issue seems more like a set of discrete steps or links than a continuous stream.

There are many things a conscious-capable being can do only when activity conscious. To be sure, breathing and perspiring are not among them, but remembering and joking certainly are.

Like feeling, being conscious of something just happens – without pre-planning or pre-arrangement. One can no more write an instruction book about feeling than one can about being aware of something.

The question “How do I know that I am aware that there is a cup on the table?” is a lot like the question “How do I know that I feel cold?” or “How do I know that I don’t believe in the Tooth Fairy?” There simply is no “How I go about securing such knowledge,” no procedure for verifying that these things are so. I “just realize” these things, and the end of it. There is no definite process I use to acquire such knowledge, no procedure I follow for its realization. Awareness of things is not something I *acquire* by doing something, it is something that I *have*

in the circumstances. It comes to me automatically as a free gift of my capacities as an intelligent being.

#### 4. Consciousness Requires Correlative Brain Activity

There is no question but that consciousness of something is the (invariable) accompaniment of correlative brain activity by doing something. But this does not mean that consciousness reduces to brain activity from a causal and productive standpoint.

The coordinate consciousness with brain activity and to have it that these cannot be conscious without suitable brain activity is not to say that consciousness is the causal result of brain processes. Coordination is not causality. People are coordinated with those finger prints: different prints different people. But that does not mean that the finger prints cause persons to be the individuals they are.

Consider a group of ball-bearings spread out on a stretched rubber sheet. You now have a clearly correlative system – move the ball bearings and the shape of the sheet changes; alter the shape of the sheet and the ball bearings will move accordingly. To all visible appearances mind and the brain are coordinated in this way. Processual inaguring is a two-way street: sometimes as the mind functions the brain responds correspondingly; sometimes as the brain functions, the mind responds. There is always coordinative agreement, but sometimes the one potency is in control of change and sometimes the other. Brain activity often controls the mind's thought, but thought sometimes inaugurates brain responses.

Brain activity and thought proceedings are interrelated in a complex relationship that exhibits the following features:

1. Every thought process has a corresponding counterpart in brain-activity: there are no 'spooky' (brain independent) thought processes.
2. Some brain-activities have no corresponding counterparts at the level of thought at all – neither in conscious or unconscious thought.
3. Not every brain-activity has a corresponding counterpart at the level of *conscious* thought. There is such a thing as an unconscious thinking. Moreover,
4. Some brain activities cause thought responses (thought activities) that would not exist without them. Here brain-activity is the causal inaugurator of thought.
5. Some thought activities cause brain responses: here thought is the causal inaugurator of brain-activity.

In the operating of the brain/mind complex, the brain is the invariable participant in the overall processuality of what goes on. It is thus the senior partner of the enterprise. But it is not the invariable *inaugurator* of what goes on: the direction of initiative is left open. And this will work sometimes in the one direction and sometimes in the other. (The two factors are interlinked but which

is the free and which the dependent variable will be a matter of case-by-case determination.)

The relation of brain/mind in relation to activity is like the situation of plane/pilot in relation to location. The pilot's location is always coordinate with the plane: he does not go his separate way. But while their location change is generally managed by the plane itself (via its autopilot) it is occasionally managed by the pilot when he happens to take control. The initiative can work both way. Analogously, it is sometimes mind rather than brain that is the change-initiating operative.

## 5. Mistakes in Awareness

There are certainly abnormal states of consciousness – in dreaming, say, or under the influence of drugs. One can certainly have the mistaken impression of being aware of things in the ordinary way. Unconsciousness is not the only alternative to consciousness, there is sub-consciousness and mis-consciousness (i.e., faux consciousness) as well. But only for beings capable of authentic consciousness can consciousness possibly malfunction.

As a more or less typical experience consider a pin-prick and its associated withdrawal response. Unless numbed by anesthetic or otherwise lapsed into an “abnormal” condition we are certainly aware of such a development. Presumably it can be counter indicated by extra-ordinary intervention (such as posthypnotic suggestion), so that what ordinarily would be a normal response is evoked in abnormal circumstances. But even an abnormally produced pinprick sensation is still a perfectly real sensation, however extra-ordinary the mechanics by which it is evoked. And – be it authentic or inauthentic – it could certainly not be evoked in a being incapable of feeling, of mental experience, of consciousness.

There is nothing automatically veridical about consciousness. Misimpressions can exist. We can take ourselves to be aware of a cat on the mat when it is actually a puppy. I can mistake one person as another. That tree we take ourselves to see may be a thing of smoke and mirrors. What we think of the things we are experiencing may fail to reflect their reality.

But even being mistaken is a version of mental acuity: even misunderstanding is a mode of understanding and even thinking mistakenly is still thinking.

Ordinarily cat sightings are produced by cats, pin-pricks by pins, shivers by cold. And such responses standardly occur via consciously apprehensible eventuations like cat-encounters or pin pricks. It is perfectly possible, however, that certain putatively cognitive experiences could be produced in a matter that is unwarrantedly and systematically inappropriate – that, for example, in a phantom limb situation someone feels as though he was receiving the handshake of a muscular friend. This sort of ‘sensory malfunction’ is certainly conceivable in various sorts of unusual circumstances. But that should prevail systematically – always, unavoidably, and with everyone – is effectively inconceivable given the

way in which human capacities evolve. Sense experience is our ground to action in this world, and if it were to mislead us standardly and systematically we would not be here to tell the tale.

The question, “Can awareness be mistaken?” calls for drawing a crucial distinction.

In ascribing to someone awareness of a particular state of affairs, we automatically concede correctness.

Thus when I say that “Smith realizes that the cat is on the mat” or “Smith is aware of the cat’s being on the mat” I commit myself to the fact that the cat is on the mat. To put this factual commitment into suspension I would have to say that “Smith thinks (or believes) that the cat is on the mat” or “Smith is under the impression that the cat is on the mat.” These ways of facilitating the matter are commitment neutral regarding the declarer’s own position. And in this regard they differ from the negative extreme: “Smith mistakenly thinks there is a cat on the mat” or “Smith hallucinates a cat on the mat.”

And the same sort of thing holds in one’s own case. The statement “I am aware of the tiger in the room” stakes the dual claim: “There indeed is a tiger in the room and I realize that this is so.” To be epistemically more cautious about it would require saying something like “I am aware that there is a large creature in the room and I take it to be a tiger” or even more indefinitely “Something is going on in the room which I construe as the shape of a large tiger.” However, unqualified awareness contentions carry verticality-claims in their wake. And we must thus distinguish between

- the fact of awareness

and

- the awareness of fact.

When I take myself to be aware of a cat on the mat, I cannot be mistaken about the fact of awareness itself – about my belief that there is a cat on the mat. It makes no sense to say “I believe there is a cat on the mat but might be wrong in thinking that I believe it.” I might be wrong in thinking what I believe, but cannot be wrong in thinking that I believe it. Of course that belief itself may very well be wrong: I could well mistake a small dog for a cat and a towel for a mat. The fact I claim to be aware of may be all wrong. But the fact of my having this awareness remains untouched by its error.

The language works in such a way that certain experiences are self-certifying. “I am conscious of its raining outside” might well be wrong – that pitter-patter could be a scrabbling squirrel. But “I am conscious of a strong odor” is something else again. Subjectivity stands on secure ground. When I am under the impression that there is a cat on the mat, I can be mistaken about the cat (and indeed the mat as well), but I cannot be mistaken about the impression.

What I am under the impression of may well be amiss, but my being under this impression stands secure, wholly unaffected by this mistake.

## 6. Evidentiating Consciousness

There is no public access-way to an individual's subjectivity. Feelings and impressions are private property. The individual agent himself is the only one able to observe what is transpiring on the stage of his conscious awareness: anyone else knows this only through inference or by second-hand reportage. Second-party observations is impracticable. *Brain activity* can be monitored by observers, but *awareness content* cannot.

This observational inaccessibility of a large section of cognition is an awkward roadblock to 'cognitive science.' The easy out for its practitioners is thus simply a 'fox and grapes'-reminiscent course of denying that it exists. It is, however, simply a 'fact of life.'

One cannot be conscious without being conscious *of* something any more than one can be afloat without floating *on* something. Feeling pain – one's own pain, a pinprick for example – is a quintessential mode of awareness. This is not just a matter of an aversion/evasion response: that response does not *constitute* my pain experience, but rather *evidentiates* it for all to see.

How can I tell what *you* are aware of? I cannot of course appropriate your experience: experience as such is not interpersonally transferrable. But you will have little difficulty in finding out a great deal about what I am aware of. For not only can I tell you a great deal about it, but often actions speak louder than words. When one voices an insult about me and I react angrily, you can be pretty sure my being aware of what was said. And when you tell a joke and I laugh you can be pretty sure I was aware of the utterance and 'got the point.'

Consciousness is in many respects like gravity. We experience it alright but one certainly doesn't *observe* it. What we observe is its effects and what one can know of it has to be inferred therefrom. As far as we are concerned gravity is what it does. And this of course does not automatically make us well-informed regarding either its nature or its origins. And consciousness is much like this. It manifests itself through its effects: primarily awareness and lived experience.

Lives there a man with soul so dead who never to himself has said "I am aware that there is a cat on the mat over there?" And there is just no getting around this. The *truth* of the claim at issue rests on two facts. (1) That there is a cat on yonder mat, and (2) that the agent realizes that this is so. Of course if that cat turns out to be an error (it was a dog that was on the mat) or even an illusion (say a strange shadow) the agent will have to change his tune: "I mistakenly took something over there to be a cat." But he need retract neither the awareness (of something going on) nor his impression (that he took this to be a cat).



## 7. Why Consciousness Seems Problematic/ Mysterious

Many things are visible; many things are combustible. But they are not so through any across-the-board possession of some shared feature or fact constitutive of visibility or combustibility. There just is no initial condition of constitutes this condition, no visibility-producing or combustibility-engendering constituent. The only commonality among all visible (or combustible) things just the fact of this visibility itself. The only commonality there is is ex post facto and retrospective. And just this is the case with consciousness as well. The only thing common to all items that figure is our consciousness in that very fact of consciousness-involvement itself.

Consciousness is not some type of stuff (like metal) not even a certain state of things (like magnetic attraction). It is, rather, a broad and diverse range of phenomena of different and diverse sorts – variable things gather together under a common instance of communicative convenience.

And so, just as there is not and cannot be any uniformly focused science of mental illness, there cannot be any uniformly focused science of consciousness. Even as ‘abnormal psychology’ has to be a disjointed assemblage of diverse specialties, so will ‘consciousness studies’ have to be. Neither constitutes a unified science. The manifold sort of conscious activity are certainly open to fruitful scientific study in their distinctive particularity. But consciousness itself is not, seeing that what is at issue with this idea lacks the integrity of thematic focus requisite for such an integrated enterprise.

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# *Conversio ad phantasmata. Gouvernement, sécurité et imagination*<sup>1</sup>

Val Codrin Tăut

**Abstract:** This article investigates the technical rationalities of modern forms of government. Conceived in a Foucauldian vein, the paper argues for an interpretation of security dispositifs which sustain the structures of modern government. The main argument developed in the article is that there is a difference between two securities diagrams: the preventive and the anticipatory. The first one is using rational devices like the actuarial table while the second is aiming to instrumentalise the imagination.

**Keywords:** governmentality, imagination, precaution, risk, security

## **Du gouvernement**

Toute théorie du gouvernement et de ses manières spécifiques de se déployer se confronte, dès le début, avec une double difficulté. D'une part, cette notion apparaît et fonctionne à la limite du vocabulaire politique communément admis. Paradoxalement, l'action de gouverner s'inscrit en tout droit dans la sphère politique (gouverner signifie exercer le pouvoir d'une certaine manière) et en même temps cette action déborde ou dépasse les relations traditionnellement reconnues comme politiques. On peut reconnaître, d'abord, ce paradoxe dans les formulations antiques de cette pratique. Les historiens (Senellart 1995) ont montré qu'à l'origine (grecque et romaine) l'acte de gouverner s'opposait aux régimes tyranniques. Mais, ce versant explicitement politique s'avère trop étroit, car gouverner signifiait, plutôt, piloter ou diriger une communauté vers une fin, ensemble d'actions qui débordent les cadres étroits de la gestion du pouvoir dans la *Politeia* ou *Res Publica*.

Cette ambivalence entre l'inscription dans l'espace politique et son dépassement s'est conservée, tout en englobant des variations et altérations historiques, jusqu'à l'époque contemporaine. C'est ainsi que la question du gouvernement est interprétée comme une affaire publique, elle nous concerne tous (versant explicitement politique) et, en même temps, selon l'idéologie managérielle dominante, le bon gouvernement est au-delà de la politique et du

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politique. Tandis que l'espace politique reste marqué par une permanente instabilité, le bon gouvernement trouve la voie pragmatique à ranger les choses.

Au-delà de ce jeu ambivalent d'une simultanée invocation-révocation de la politique, il existe une seconde difficulté, liée cette fois à la pluralité des interprétations de l'acte de gouverner. Ainsi on pourrait distinguer trois voies analytiques. Tout d'abord, il y a les théories classiques qui découpent les différents types du gouvernement (étatique, local, régional, global etc.) et les institutions impliquées (instances publiques, acteurs privés) et leurs rapports (subordination, corrélation etc.). Les théories de la gouvernance représentent le deuxième type d'approche. Généralement elles fonctionnent à la fois dans le plan descriptif, identifiant les manières effectives selon lesquelles sont gérées les communautés humaines, ainsi que dans le plan normatif, critiquant la réputée inefficience étatique et proposant des procédures de *management* plus adéquates. Une troisième ligne interprétative est constituée par ce qu'on a appelé « les études de gouvernementalité ». Il ne s'agit pas dans ce cas d'une théorie proprement dite, mais plutôt d'un programme de recherche inauguré par Michel Foucault dans deux de ses cours au Collège de France : *Sécurité, territoire, population* 1978 (Foucault 2004a) et *Naissance de la biopolitique* 1979 (Foucault 2004b) et prolongé ensuite dans l'espace anglophone (Burchell; Gordon; Miller 1991). Selon les adeptes de cette version analytique, l'acte de gouverner définit les moyens spécifiques de gestion de la vie quotidienne. Dans cette optique, gouverner signifie faire fonctionner, d'une certaine manière, une pluralité d'institutions et de sphères d'activité.

Cette double série des difficultés – position oscillante par rapport au champ politique, pluralité d'interprétations – nous oblige, pour outrepasser ces obstacles, d'interroger les conditions de possibilité de l'acte de gouverner. Une première question à laquelle nous devons répondre regarde le terrain spécifique de l'enquête concernant la question du gouvernement.

En général, les approches classiques encrent leurs démarches soit dans le sol des institutions, soit dans celui des idéologies ou des représentations. Sans doute, ces deux éléments ont leur importance, mais il faut aller plus loin. La thèse que nous proposons ici, thèse largement inspirée par les travaux de Michel Foucault ainsi que par les « études de gouvernementalité » est que la structure de base du gouvernement est repérable dans la sphère de ses techniques. Par le terme « technique » on comprend certains instruments qui ouvrent le monde opaque des choses et des êtres. On pourrait énumérer ici, sans prétention d'exhaustivité, les instruments de notation et d'enregistrement des faits, les instruments de stockage et transfert des données, ou bien les dispositifs de filtrage et de hiérarchisation des informations.

Un exemple est nécessaire pour éclaircir notre raisonnement. Prenons donc le cas du gouvernement local. Dans les approches classiques, celui-ci est interprété soit comme le résultat d'une certaine architecture institutionnelle, soit comme le corrélat d'une certaine idéologie démocratique qui valorise

l'autonomie contre les penchants autoritaristes de l'État. Mais, à un examen approfondi, on va constater que la possibilité de l'autonomie locale est liée aux techniques de l'audit. Dans son sens restreint, l'audit représente un ensemble de techniques de contrôle financier, utilisées par les banques et les compagnies privées. Selon Michael Power (1999), cette technologie de vérification s'est généralisée en englobant aussi le domaine de l'administration publique. Cet élargissement des champs de l'audit a entraîné une transformation dans la sémantique du terme : auditer ne signifie plus seulement contrôle financier, mais aussi examen de l'efficacité des actions, des personnes ou des institutions. Mais, examiner l'efficacité de quelque chose présuppose la mobilisation d'un ensemble de techniques d'observation visant à calculer les objectifs, le découpage des actions dans des unités sérielles, des manières de surveillance de chaque série, un mécanisme pour distribuer les tâches et ainsi de suite. Toutes ces techniques constituent le cadre de possibilité de ce qu'on appelle le gouvernement local. L'interprétation proposée par la narration légaliste ou par l'idéologie démocratique n'est pas tout à fait fautive, mais seulement partielle. Cet exemple illustre notre plaidoyer pour une lecture et une analyse des techniques du gouvernement. Il faut donc approfondir cette direction. Schématiquement on pourrait ranger ces techniques dans deux catégories :

- a) des techniques de configuration qui aménagent un espace pour qu'il devienne gouvernable (constitution des sujets tels : le malade, le travailleur, le délinquant ; constitutions des objets : la criminalité, l'économie, les épidémies);
- b) des techniques d'intervention (techniques disciplinaires, de surveillance, d'incitation) qui modifient les comportements.

Ces instruments sont hétérogènes les uns par rapport aux autres, mais cette hétérogénéité ne signifie pas qu'ils ne peuvent pas former des ensembles cohérents et fonctionnels. C'est le cas de certaines unités historiques de la gouvernementalité décrites par Foucault, comme par exemple : *la Pastorale*, *la raison d'Etat* ou *La police*.

Cette analyse abstraite concernant les possibilités techniques de l'acte de gouverner nous conduit devant une question cardinale : est-ce qu'il existe une certaine configuration qui pourrait élucider la manière contemporaine de gouverner? À une première lecture, les ressources théoriques dont nous disposons (les diverses approches du gouvernement, de la gouvernance ou de la gouvernementalité) articulent une réponse négative à cette question: les formes de gouverner se déclinent au pluriel, elles sont multiples, hétérogènes, parfois contradictoires. Sans nier cette dispersion fondamentale, notre argumentation prendra une autre voie. La pluralité des formes du gouvernement ne contredit pas l'existence d'une certaine tendance générale qui structure le champ des techniques diverses. En suivant une intuition de Michel Foucault, nous croyons que cette tendance générale c'est la sécurité. Donc, notre thèse est que la forme

de gouvernement spécifiquement moderne est une forme de gouvernement sécuritaire.

### **Gouvernement et sécurité I. La prévention**

D'un point de vue général, la sécurité se définit comme un état ou «une situation dans laquelle quelqu'un, quelque chose n'est exposé à aucun danger, à aucun risque, en particulier d'agression physique, d'accidents, de vol, de détérioration » (Larousse). Historiquement, la racine sémantique latine : *securitas* nous envoie aux pratiques stoïques de la sagesse. Dans ce contexte particulier, la sécurité est un état d'âme propre au philosophe qui affronte en toute sérénité les tempêtes de l'existence humaine (Gros 2012, 15-51). Articulée avec d'autres notions-clés du vocabulaire stoïque (tels : *ataraxia* ou *tranquillitas*), pour Sénèque, la sécurité s'avère un élément constitutif du bonheur : « Qu'est-ce que le bonheur ? C'est une sécurité et une tranquillité continues (*securitas* et *perpetua tranquillitas*), conquises par une grandeur d'âme » (*apud* Gros 2012, 16). Du point de vue politique la sécurité évoque, dans une tonalité hobbesienne, une stabilité générale sans laquelle la coexistence humaine serait impossible. La sécurité devient dans ce contexte un attribut de l'État qui doit assurer la protection physique de ses citoyens. Être en état de sureté c'est la condition pour l'exercice des droits civils.

No one can fully enjoy any right that is supposedly protected by society if someone can credibly threaten him or her with murder, rape, beating, etc., when he or she tries to enjoy the alleged right. Such threats to physical security are among the most serious and – in much of the world – the most widespread hindrances to the enjoyment of any right. If any right is to be exercised except at great risk, physical security must be protected (Shue 1996, 21).

Malgré cette détermination matérielle qui établit une équivalence entre sécurité et sûreté physique, on est loin d'une définition univoque du concept et des pratiques qui lui sont attachées. Car, même filtrés par la matérialité du corps de l'individu, les menaces, les périls et les risques sont voués à une prolifération indéfinie. À cette impossibilité de tracer une fois pour toutes une carte complète des dangers correspond une généralisation de la notion de sécurité. Celle-ci n'est plus seulement le résultat de la pratique de la souveraineté de l'État (affronter par voie militaire l'ennemi extérieur, aménager et produire la sûreté publique), mais prend la forme d'un impératif global. C'est ainsi que la sécurité devient sécurité humaine ou biosécurité, c'est-à-dire un ensemble de techniques et pratiques visant à protéger la vie des collectivités et à assurer les cadres du développement durable des sociétés. Dans ce nouvel assemblage se dessinent des lignes communication entre des domaines hétérogènes: lutte contre la menace terroriste, prévention des épidémies, la question des équilibres écologiques, l'urbanisme, la lutte globale contre la pauvreté, l'architecture de l'économie mondiale, la prévention des désastres naturels et des catastrophes humanitaires. Mais, quand même, cette forme holiste qui entoure le

fonctionnement contemporain de la sécurité fait invisible son caractère sélectif. On pourrait même parler d'un certain paradoxe qui préside cette extension du domaine : d'un part, il s'agit d'un horizon du catastrophisme généralisé : il y a une prolifération presque infinie des menaces (pollution, terrorisme, paupérisme, migration, criminalité, pandémies), mais, d'autre part, non pas tout problème est codifié comme une question de sécurité.

Cette omniprésence sélective de la sécurité a donné naissance à deux directions importantes de recherche. La première a été articulée par les théoriciens de l'école de Copenhague qui analysent la sécurité en tant que procédure performative. Ce qui importe ici ce n'est pas la sécurité comme telle, mais les diverses pratiques de sécurisation. Transformer un objet ou un événement quelconque dans une affaire sécuritaire signifie, pour les adeptes de l'école de Copenhague, les soustraire au traitement politique habituel tout en les inscrivant dans l'espace des procédures exceptionnelles: "Security is the move that takes politics beyond the established rules of the game and frames the issue either as a special kind of politics or as above politics" (Wæver 1995, 51).

Si l'école de Copenhague se propose d'investiguer les procédures performatives de fabrication de la sécurité, Didier Bigo (2008) oriente son analyse dans la direction du fonctionnement des métiers de sécurité. Selon cet auteur, analyser la sécurité signifie observer les interactions ou les conflits entre les divers professionnels tels les policiers ou les employés des agences de sécurité publiques ou privées. Sans nier l'importance théorique de ces deux directions, il faut aller plus loin pour saisir les cadres de cette technologie politique. Comme on l'a déjà affirmé, c'est Michel Foucault qui, dans son enseignement au Collège de France, a esquissé un cadre analytique satisfaisant de la sécurité. Selon cet auteur, trois éléments constituent la spécificité des mécanismes sécuritaires.

Tout d'abord, elles n'opèrent pas avec des objets ou des phénomènes prédéterminés, mais avec des séries ouvertes des probabilités. Cela veut dire que les mécanismes de sécurité procèdent à un élargissement du champ. Prenons l'exemple du crime. Tandis que pour la raison juridique, le crime représente un acte de violation de la loi individualisable, pour le raisonnement sécuritaire, l'individu coupable n'est qu'un élément parmi les autres. Ce qui compte ce n'est pas seulement l'individu mais aussi les instances qu'on pourrait lui associer : son milieu familial, son statut social, son métier, son éducation, la région où il habite etc. Avec cet élargissement de champ apparaissent des nouvelles corrélations: l'acte criminel est lié à certaines circonstances sociales. Mais comme on l'a déjà dit, les rapports de corrélation ne sont pas des rapports de causalité linéaire mais plutôt des probabilités. Dans ce cas, on ne parlera pas d'un déterminisme causal (l'élément x produira l'effet y) mais des relations discrètes et mobiles d'influence.

Deuxièmement, les éventuelles interventions visant ces objets ou phénomènes seront toujours accompagnées par des calculs de coût, qui doivent

déterminer l'utilité et l'efficacité de ces mesures. La lutte contre l'infraction, pour reprendre notre exemple, devient un objectif filtré stratégiquement. Par opposition avec le champ juridique qui veut punir d'une manière automatique tout ce qui est hors la loi, pour le diagramme sécuritaire sanctionner ou non un acte représente une question qui se négocie pour chaque contexte particulier.

Enfin, et encore une fois en opposition avec la raison juridique qui travaille avec le partage permis/interdit ou légal/illégal, les dispositifs de sécurité opèrent avec deux séries : une série normale qui réunit les phénomènes considérés comme acceptables et une série qui reflète les déviances. S'il existe un calcul de coût pour chaque intervention, cela signifiera qu'il existe un jugement en contexte concernant l'anormalité ou la déviance.

Historiquement, les dispositifs de sécurité s'originent dans une pluralité de discours et de pratiques. Un premier espace du fonctionnement de la technique sécuritaire c'est l'économie politique, dans formulation initiale, celle des physiocrates (Demetrescu & Tăut 2014). Cette discipline a découvert les rythmes et les lois naturelles de la productivité et de la circulation de la richesse. Un autre foyer important est représenté par les différents efforts d'appliquer le calcul des probabilités aux affaires sociales (Ewald 1986), tandis que le troisième noyau est constitué par les pratiques policières visant à combattre la déviance (Neocleous 2000).

Selon cette brève description on pourrait conclure que la sécurité est une technique qui ne se propose pas de transformer radicalement la réalité, mais seulement de la rééquilibrer, en usant ses caractéristiques spécifiques.

(...) la sécurité, à la différence de la loi qui travaille dans l'imaginaire et de la discipline qui travaille dans le complémentaire de la réalité, va essayer de travailler dans la réalité, en faisant jouer, grâce à et à travers toute une série d'analyses et de dispositions spécifiques, les éléments de la réalité les uns par rapport aux autres (Foucault 2004, 49).

Ce rapport à la réalité nous donne la possibilité de nous retourner à la question du gouvernement. Dans la première modernité, les théories du gouvernement sont marquées par l'idée d'un ordre immuable, à la fois naturel et divin. C'est pour cela que l'acte de gouverner, regardé dans sa pluralité constitutive (gouverner un territoire, une famille ou se gouverner soi-même) implique la duplication d'un ordre initial. Nous pouvons vérifier cette assertion en nous rapportant à la définition canonique pour cette époque, celle de Guillaume de la Perrière : «Gouvernement est droite disposition des choses, desquelles on prend charge pour les conduire jusqu'à fin convenable» (*apud* Foucault 2004, 101). « La juste disposition des choses », ou « la fin convenable », les expressions qui apparaissent dans cette définition sont des opérateurs logiques qui nous indiquent la dépendance du gouvernement de l'ordre transcendant. Avec l'émergence des techniques sécuritaires ce paysage se transforme radicalement : la transcendance est remplacée par un nouveau type d'ordre immanent. L'interlocuteur du gouvernement sécuritaire n'est plus



l'ordre codifié théologiquement, mais la configuration qui peut être déduite de l'existence même des choses et des êtres. Comme le dit Frédéric Gros à la fin de son enquête concernant le concept de sécurité : celui-ci, « dans son sens le plus général, désigne une conformité des choses à elles-mêmes » (Gros 2012, 219).

Pour la première modernité cette « conformité des choses à elles-mêmes » s'est exprimée par le concept de naturalité. Mais il serait tout à fait erroné de lire cette histoire seulement comme une affaire de sécularisation, donc comme une transition d'un ordre divin à une organisation positive du monde. L'élément le plus important pour notre analyse est que le nouveau concept d'ordre ne se formule pas dans le langage déterministe : la nature des choses et des êtres n'est plus inscrite dans un cadre ontologique fixe. Pour le gouvernement sécuritaire, l'affirmation de la nature est en même temps l'affirmation de la régularité ou de la sérialité des phénomènes. Il va de soi que cette régularité ou sérialité des phénomènes n'implique pas la répétition d'une unique essence, mais la variation de celle-ci.

Jusqu'ici nous avons réuni les éléments minimaux qui nous permettent de définir le gouvernement sécuritaire. En premier lieu, regardant les instruments de connaissance mobilisés, la sécurité s'appuie sur la statistique et la probabilité. Comme nous avons essayé de mettre en exergue, il s'agit de repérer les régularités et les relations entre plusieurs variables. Deuxièmement, du point de vue de la finalité, le gouvernement sécuritaire se propose d'assurer les équilibres généraux de la société. L'accomplissement de cet objectif passe par la mobilisation des techniques de prévention du risque.

En Europe, ce style de gouvernement a connu une institutionnalisation progressive vers la fin du XIXe siècle, avec les réformes sociales de Napoléon III et de Bismarck, pour devenir au XXe siècle, sous le nom d'*État providence*, la manière courante de gestion sociale. Depuis les années '70, une abondante littérature annonce la fin de ce modèle. Tandis que, en général, ces interprétations critiques se concentrent sur la crise fiscale, dans les pages qui suivent, on va essayer d'analyser la crise de l'État providence en tant que crise du mécanisme sécuritaire de prévention.

## **Gouvernement et sécurité II. L'anticipation**

Depuis trois décennies, la crise du modèle sécuritaire de prévention est décrite comme une sorte de transformation des risques dans des catastrophes. Cette ligne interprétative prolonge la longue tradition intellectuelle de la critique de la raison technique inaugurée par Martin Heidegger. Pour l'homme de la première modernité, la catastrophe restait encore un événement destructif qui lui rappelait que la nature est une force qu'on ne peut pas apprivoiser. C'est pour cela que les manifestations catastrophiques étaient filtrées par toute une série de réflexions morales qui problématisaient la fragilité de l'individu ou la présence du mal dans le monde (Dupuy 2005). Avec l'émergence de la modernité technicisée, ce rapport aux catastrophes change: les désastres ne sont plus

seulement l'expression des caprices de la nature, mais aussi des événements manufacturés. Pour la première fois dans leur histoire, constate Hannah Arendt (1958) en se référant à l'armement nucléaire, les hommes possèdent les moyennes techniques d'une destruction totale et irréversible de la terre. La force atomique est pure négativité, ajoute Günther Anders (2013), elle se soustrait à tout effort de traduction ou de représentation.

Ces réflexions philosophiques ont été reprises par la sociologie moderne, notamment par les travaux d'Ulrich Beck consacrés à la « Société du risque » (1992). À une première vue, la théorie d'Ulrich Beck n'est rien d'autre qu'une systématisation de la critique de la technique et de la société industrielle : dans les sociétés occidentales les plus avancées, la production de la richesse, du bien-être et du confort est accompagnée par la production d'une nouvelle gamme des risques (pollution, accidents atomiques, risques génétiques et médicaux) qui ne peuvent plus être gérés par les anciens mécanismes de la prévention. Ces nouveaux risques se distinguent par deux traits importants. Premièrement, ils se soustraient à l'interprétation probabiliste, ils sont caractérisés par une faible fréquence, ils ne forment pas de séries, dans un mot leur émergence et leur évolution n'est plus celle des régularités mais de l'aléatoire. Deuxièmement, ces risques à faible fréquence ont un immense pouvoir de destruction : leur manifestation est toujours catastrophique. Dans le raisonnement d'Ulrich Beck, le parallélisme entre le progrès technoscientifique et l'émergence des catastrophes manufacturées ne représente qu'un premier versant de l'argument. Car, comme le montre l'auteur allemand, les risques catastrophiques ne sont pas seulement des événements réels, mais aussi des schémas d'interprétation et d'anticipation.

Risks such as those produced in the late modernity (...) are based on causal interpretations, and thus initially only exist in terms of the (scientific or anti-scientific) knowledge about them. They can thus be changed, magnified, dramatized or minimized within knowledge, and to that extent, they are particularly open to social definition and construction. Hence the mass media and the scientific and legal in charge of defining risks become key social and political positions (Beck 1992, 23).

La théorie d'Ulrich Beck ne doit pas être confondue avec un réalisme naïf qui se contente de recenser les événements catastrophiques récents pour rejouer le procès de la raison instrumentale. Par contre, l'argument le plus important de Beck est que les nouveaux risques changent leur emplacement. Leur « lieu d'origine » est situé dans une zone d'indistinction entre réalité et interprétation. Inutile donc de monter des discours critiques contre le caractère fictif de certains risques ou de dénoncer la diffusion d'un faux tone apocalyptique: « because risks are risks in knowledge, perceptions of risk and risks are not different thing, but one and the same » (Beck 1992, 55).

L'émergence des risques catastrophiques est dépendante du fonctionnement des mécanismes d'anticipation, mécanismes qui sont tournés

vers le futur. C'est ici qu'on pourra mieux saisir ce qui individualise les nouvelles formes du risque. Pour l'époque du gouvernement sécuritaire de prévention, la gestion des risques passait, en premier lieu, par des procédures d'accumulation de données, de hiérarchisation et de corrélation. Sans doute, cet ensemble des techniques de gouvernement n'était pas dépourvu d'un minimum d'orientation anticipative : prévenir signifie en premier lieu prévoir l'évolution d'un certain enchaînement d'événements. Mais, ces techniques d'anticipation étaient soutenues par des processus d'addition: la hiérarchisation correcte des événements passés est le garant d'une anticipation plus efficace. Dans la nouvelle configuration des risques, le passé perd sa position hégémonique :

In the risk society, the past loses the power to determine the present. Its place is taken by the future, thus, something non-existent, invented, fictive as the 'cause' of current experience and action. We became active today in order to prevent alleviate or take precautions against the problems and crises of tomorrow and the day after tomorrow -or not to do so (Beck 1992, 34.)

La crise de ce modèle gouvernemental n'annonce pas une époque dominée par l'anarchie des risques qui se soustrairaient aux mécanismes de gestion, mais tout au contraire, la configuration d'un nouveau style de gouvernement orienté vers l'anticipation qui inscrit l'imagination parmi ses instruments techniques. L'un des exemples les plus évidents du fonctionnement du gouvernement anticipatif et de l'instrumentalisation de l'imagination est représenté par le principe de précaution.

Le principe de précaution doit son origine aux débats écologiques de la fin du XX siècle. L'une des premières formulations se retrouve dans la fameuse déclaration de Rio qui stipule dans un de ces points que : « en cas de risque de dommages graves ou irréversibles, l'absence de certitude scientifique absolue ne doit pas servir de prétexte pour remettre à plus tard l'adoption de mesures effectives visant à prévenir la dégradation de l'environnement ». Après la déclaration de Rio les occurrences juridiques de la précaution se sont multipliés. Par exemple, en France la nouvelle loi concernant la protection de l'environnement, de 1995, établit que « l'absence de certitudes, compte tenu des connaissances scientifiques et techniques du moment, ne doit pas retarder l'adoption de mesures effectives et proportionnées visant à prévenir un risque de dommages graves et irréversibles à l'environnement à un coût économiquement acceptable ». Selon l'article 174 du Traité d'Amsterdam, le principal objectif de la politique de l'Union Européenne est de promouvoir le développement durable fondé sur le principe de précaution et d'action préventive.

L'un des exemples d'application de ce principe, largement médiatisé, est lié au contexte de la crise sanitaire lie à la transmission de l'encéphalopathie spongiforme bovine (connue sous le nom de maladie de la vache folle). En 1996, plusieurs pays de l'Union Européenne ont imposé un embargo sur tous les bovins et leurs produits dérivés provenant de la Grande-Bretagne. Avec le

marché de la viande bovine en chute libre, la Grande-Bretagne s'est adressée à la Cour européenne de justice pour trancher le litige. Les représentants du Royaume Uni ont essayé de démontrer que les risques épidémiologiques étaient insignifiants, que le rapport causal entre la propagation de l'encéphalopathie spongiforme bovine et sa variante humaine, la maladie mortelle de Creutzfeldt-Jakob était incertaine et que, par voie de conséquence, l'interdiction de l'export était abusive. Malgré ces arguments, les juristes de l'Union Européenne ont décidé de maintenir l'embargo en affirmant que : « lorsque des incertitudes subsistent quant à l'existence ou à la portée des risques pour la santé des personnes, les institutions peuvent prendre des mesures sans avoir à attendre que la réalité et la gravité de ces risques soient pleinement démontrées » (CEJ 1998).

Dans un mouvement parallèle à son instrumentalisation, le principe de précaution est devenu l'objet des critiques acerbes. Les adversaires les plus véhéments ont dénoncé les complications bureaucratiques qui perturbent la spontanéité des rapports économiques ou l'idéologie écologiste qui menace le progrès technoscientifique. Les modérés se sont limités à interroger la fonctionnalité de ce principe et la possibilité de contenir par voie juridique les menaces qui atteignent aux équilibres environnementaux et à la vie humaine. Justifiés ou non, ces critiques interprètent la précaution d'une manière unilatérale, comme une sorte d'hyperbole de la volonté de réglementer. Mais une analyse des exemples invoqués jusqu'ici nous montre une architecture plus complexe de ce principe. Rapportée aux techniques du gouvernement, la précaution inaugure un régime de doute systématique et permanent. Là où la science reste lacunaire, là où il n'existe pas une réponse définitive, sans controverse, la précaution convoque le pouvoir de l'imagination.

The precautionary principle invites one to consider the worst hypothesis in any business decision. The precautionary principle requires an active use of doubt, in the sense Descartes made canonical in his *Meditations on First Philosophy*. Before any action, I must not only ask myself what I need to know and what I need to master, but also what I do not know, what I dread or suspect. I must, out of precaution, imagine the worst possible, the consequence that an infinitely deceptive malicious demon could have slipped into the folds of an apparently innocent enterprise (Ewald 2002, 286).

Le rapport entre l'incertitude et la mobilisation de l'imagination n'est pas seulement une affaire de spéculation philosophique. Par contre, ce rapport préoccupe les hauts fonctionnaires de l'État et les bureaucrates des appareils de sécurité. Souvenons-nous de la fameuse théorisation du secrétaire américain de la Défense, Donald Rumsfeld, concernant les choses dont on ne sait pas qu'on ne connaît pas.

(...) there are things we know we know. We also know there are known unknowns; that is to say we know there are some things we do not know. But there are also unknown unknowns -- the ones we don't know we don't know (Rumsfeld 2002).

Les choses dont on ignore qu'on ne connaît pas ne signalent pas une fissure dans la connaissance, mais un déficit d'imagination. Il faut le dire encore une fois, il ne s'agit pas ici d'une considération philosophique. Le diagnostic concernant le mauvais usage de l'imagination représente la principale conclusion du rapport concernant les attaques terroristes de l'11 septembre 2001: « The most important failure was one of imagination ».

À l'origine, la mobilisation de l'imagination se retrouve dans le domaine de la défense civile, durant la deuxième Guerre mondiale. Comme il était impossible de calculer à partir des données existantes l'impacte destructif d'un bombardement allemand, les responsables civils et militaires ont dû imaginer des scénarios catastrophiques. L'industrie des scénarios catastrophiques a connu un grand essor durant la guerre froide : les conséquences d'un conflit nucléaire avec l'Union Soviétique étant impossible à déterminer, cette lacune a été suppléentée par des techniques de simulation. En général, ces exercices stratégiques ont été interprétés comme une sorte d'application de la théorie mathématique des jeux ou de la théorie de la « rational choice ». Mais comme le montre Herman Kahn, l'un des plus importants théoriciens des scénarios, les structures rationnelles ne représentent qu'un versant du problème: « Imagination has always been one of the principal means for dealing in various ways with the future, and the scenario is simply one of the many devices useful in stimulating and disciplining the imagination » (Kahn 1962, 145).

### **Conclusions: les régimes de l'imagination**

La multiplication des contextes dans lesquels l'imagination est convoquée comme technique du gouvernement de l'incertitude peut aisément conduire à la dissolution de cette notion. Pour éviter une telle dérive sémantique il est nécessaire de trouver un principe d'ordination capable de maîtriser ce polymorphisme. C'est pour cela que nous proposons, comme une conclusion de notre enquête, une décomposition du concept à partir de trois foyers de sens.

En premier lieu, l'imagination se configure comme une technique de production des images et des représentations. Il s'agit de donner une forme intelligible aux phénomènes incertains : terrorisme, catastrophes écologiques, crises financières. Dans cette catégorie se rangent les scénarios et les jeux de simulation dont on a déjà parlé. Après la guerre froide ces techniques ne fonctionnent pas exclusivement comme moyens pour déterminer le profil de l'événement inconnu et dangereux, mais aussi comme de tests ou de vérifications de la capacité de réagir de certaines institutions.

The hope was that such a role-playing scenario would reveal weaknesses in the public emergency system that could later be corrected (Garrett 1995, 593).

L'imagination en tant que technique de représentation est mobilisée aussi par les dispositifs de surveillance du trafic aéroportuaire. Comme le montre Louise Amoore (2009 ; 2011), les compagnies qui assurent la sécurité aérienne aux

États Unis ou en Grande-Bretagne, n'utilisent seulement des algorithmes de filtrage des passagères basées sur des profils classiques de risque (par exemple: passager de nationalité afghane = possible terroriste ou passager vénézuélien = possible trafiquant de drogues), mais aussi des intersections entre des données aléatoires (par exemple le moyen de paiement du ticket d'avion ou le menu choisi par le passager). C'est notable que ces techniques informatiques ont leur origine dans les études visant à systématiser le comportement erratique des consommateurs.

As in contemporary profiling of consumers in the marketplace – where the as-yet-unencountered unknown consumer is the holy grail sought via fragments of data on their conduct and behaviour – so in today's homeland security practice, the unknown terrorist is rendered knowable through the fractured bits and bytes of a way of life (Amoore 2009, 19).

Deuxièmement, l'emploi de l'imagination conduit à la constitution d'un certain imaginaire collectif à travers l'industrie du divertissement. On pourrait citer ici le succès considérable du catastrophisme hollywoodien avec des pellicules comme: *The Road*, *2012*, *The Book of Eli*, *Watchmen*, *The Day After Tomorrow* ou *Children of Men* ou bien des shows comme *Earth 2100* produit et diffusé en Amérique par ABC TV Channel.

Enfin, on retrouve le rôle de l'imagination dans la structuration des nouvelles espaces d'expérience. C'est le but assumé des différents exercices de préparation dispensés pour le grand public. Par exemple, sous les noms des anciennes déités, Argus, Osiris, Kali, Demeter, la police de Londres organise périodiquement des exercices qui permettent aux individus dont le métier n'a rien à voir avec les services de sécurité de faire l'expérience des différents scénarios catastrophiques (Aradau & van Munster 2012 ; 2011).

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# **Explorations in Humanities**



# On Diffident and Dissident Practices: a Picture of Romania at the End of the 19<sup>th</sup> Century<sup>1</sup>

Roxana Patraş

**Abstract:** The present paper explores diffident and dissident practices reflected by the political talk at the end of the 19<sup>th</sup>-century in Romania. Relying on Jacques Rancière's theories on the 'aesthetic regime of politics,' the introduction sketches a historical frame and proposes a focus change: the relation between 'politics' and 'aesthetics' does not stand on a set of literary cases, but on political scripts as such. Thus, the hypotheses investigated by the next three parts can be formulated as follows: 1. though determined by an ideological direction (Conservative or Liberal), the political speech still preserves his tendency towards aesthetic autonomy. 2. oratorical merits (hinting at aesthetic autonomy) can turn into practices of political autonomy, diffidence and, then, dissidence. Methodologically, two types of aesthetic practices organize the chosen materials; both *the diffident script* and the *theatre of dissidence* help us to perceive how the philosophical and moral meaning of these practices could change into an ideology of dissidence. The formalization of diffident practices, their conversion to outspoken dissidence, also corresponds to the symmetrical symptom of unlimited authority; when old-time politicians warned on 'Caesarism,' 'Vizierate,' 'Despotism,' 'Omnipotence' or 'Tyranny,' the Romanian society had already been training for a long experience of 'dictatorship.'

**Keywords:** diffident practices, dissidence, historical party, dictatorship, political speech

## I. An Introduction to the Context and a Pair of Hypotheses

The political oratory delivered within the Romanian Parliament and its premises (political clubs, electoral meetings) in the second half of the 19<sup>th</sup> century can be organized thematically into several polemical nuclei, which reflect not only the process of modernization underwent by state institutions, but also a particular transition from political thinking to political talk. In order to get an idea of the great problems that convulsed the public sphere, one has to ponder on the followings issues: *the legal admission of minorities, the assimilation and exceptional allowances of foreign dynasty, the reformation of education, the independence of justice, the efficiency of state administration, the regulation of*

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*private and public property, the national issue* (that went along with the Danube's issue and with the ideal to reunite all Romanian provinces), and *the limits of individual freedoms* (freedom of press, freedom of gatherings). Alongside with the process of modernization, the reader of such vast material may also notice the speakers' growth into adulthood and a refinement of both political thinking and political talk: while at the beginning of Carol I's reign, statesmen were concerned only with drawing the general frames and principles of debate, coming close to the end of the century, the debates gain in focalization and specialization. Paradoxically, doctrines and ideological affiliations are articulated only at the end of the century, when both the Romanian Liberals and Conservatives rally in two so-called 'historical' parties. Correlated with the atmosphere in the Conservative Party and not with that in the Liberal camp, individualism and freedom extended to the limits of sheer anarchy (Bulei 1987, 19). However, they actually describe the whole political life of modern Romania, a country that now discovers its all-consuming passion for politics.

Nevertheless, anarchy, fragmentation, individualism and dissidence should not be considered at once as pernicious phenomena. They help the older ideological trends of '48 Revolution (nationalism, republicanism, libertarianism) to develop into finer approaches of social realities. For instance, the issue of minorities turned into theoretical speeches that would strive to surpass racial hatred and to define the typical Jew, who is now acknowledged as belonging to an ancient and praiseworthy civilization. Then, the struggle to impose an autonomous justice resulted into more specialized arguments, like those incited by the text of the Romanian Constitution (adopted in 1866, and changed twice during the 19<sup>th</sup> century, in 1879, and respectively, in 1884) and by the immovability issue, upheld by the Conservatives. The propriety issue breached into three claims that concerned the peasants and their rights to own lands, the Orthodox Church and its real estate properties (the monasteries' wealth), the King's domains, the State's assets and properties and its right to sell or lease them (the 'Stroussberg' issue, the Agricultural Credit/Bank). In the administrative sector, the politicians demand the decrease of state bureaucracy and the regulation of those situations concerning the conflict of interests. The most relevant point of debate (for a more general ideological picture) alludes to the growing politicization of all public and private sectors. Quite experienced now in what may be called *tribune torpedoes*, politicians accuse each other to have lost the sense of 'simple morality' and to have skidded to language grossness and mind sophistry. Moreover, beyond its concurrent aesthetic foundation, the blame of 'decadence' and 'corruption' is eventually thrown upon the entire society, which is now styled as a larger space of conspiracy (Donskis 2013, 47). Consequently, the Parliament witnesses harsh indictments and slaughtering on topics such as *political loyalty*, *party-switching* and *dissidence*, a symptomatology of what Leonidas Donskis calls, in a still wider frame, the social

conspiracy theory, which actually assists the emergence of totalitarian ideologies.

Even though our material comes exclusively from the political sphere, the political talk practiced in 19<sup>th</sup> century Romania does not have a self-limiting ideological aim. On the contrary. As it has been already proven for literature, the two definitions of 'aesthetics' and 'politics' have merged (Jameson, 1981/reprinted 2010, Rancière 2006). What happens when one exchanges the literary case-studies with texts that were not intended as literature and, thus, do not have an overt aesthetic aim? In order to answer this, the present paper sketches two research hypotheses: 1. While determined, that is, captive to an ideological direction (be it Conservative or Liberal), the political speech still preserves his tendency towards aesthetic autonomy 2. Oratorical merits – that is, legitimized aesthetic autonomy – can turn into practices of political autonomy, diffidence and, then, dissidence.

## II. Stage and Script

While literary products are subjected to a political negotiation of meaning (through their lack of determination), there is also, says Jacques Rancière, "an 'aesthetics' at the core of politics that has nothing to do with Benjamin's discussion on the 'aestheticization of politics' specific to the 'age of the masses'" (Rancière 2006, 13). It is enough to consider, in the case of political speeches, the *a priori* theatricality, the fictionalization of identities and facts, the rhythmical interventions of the public opinion. The 'aesthetic regime of politics', which can be reduced to a set of 'aesthetic practices' (the theatre, the page, the chorus) in the political sphere, is quite identical with the 'regime of democracy', adds Rancière. Even before totalitarian ideologies burst out, which stirred Benjamin's reflections on the masses, we can detect in the core of emergent South-Eastern European democracies (The Kingdom of Romania, for instance) the warning on the danger of tyranny and dictatorship. In order to determine which aesthetic practices pop up from the period's political scripts and the way they make themselves 'visible', one has to go back thus at the intricate roots of such democracies.

More than what is 'visible' at the surface – theatricality, script/page, and rhythm of audience ingressions, the political talk also preserves a literary latency that belongs to each orator's style of legitimation. The styles of legitimation may resort either to pure eloquence (Al. Lahovary, Take Ionescu) or to informed political talk, that is, speeches infused with historical dates (M. Kogălniceanu, B. P. Hasdeu), logical arguments (P. P. Carp, Titu Maiorescu) or factual information (I.C. Brătianu). As I have already shown on other occasions, personalities such as Barbu Ștefănescu Delavrancea, Titu Maiorescu, Vasile Alecsandri, Take Ionescu, P. P. Carp, Petre Grădișteanu, Alexandru Djuvara, G. Panu, Alexandru Lahovary, Nicolae Filipescu, V. G. Morțun and suchlike are recruited from the literary world, which, in the second half of the 19<sup>th</sup> century, goes through a process of

institutionalization and professionalization. Therefore, one can easily infer that literary effects and figures survive from previous aesthetic experiences, and are being extended to the new forms of public action (parliamentary speeches or political speeches in general). Examining the number of former, underlying or active literati enrolled as MPs, one can assume that the democratization of Romania was a process fired up by... literature. The displacement of literature from its consecrated premises (literary circles) to the political sphere (political clubs), then its cunning disguise into the strictest protocols of parliamentary life may look like a sabotage strategy, which converts great ideological bulks into small drifting units, also defined by Fredric Jameson as 'ideologemes' (Jameson 2010, 61). For the Romanian politics at the end of the 19<sup>th</sup> century, not only the literary text has a 'political unconscious', but also the political text (the script) builds on a sort of 'literary preconscious' (Freud's *das Vorbewusste*), that can be brought to the foreground and turned into full awareness through attentional focalization. Within the political speeches that served me as material for inquiry, literary isles (stylistic tropes, rhetorical figures, quotations, anecdotes, exempla and so on) lay on the sill of political awareness, which means that the masters of Romanian eloquence counted on their manipulative power but did not quite imagine how far could that go. This is why, reverting to the conservative tradition of thought, theoreticians as Russell Kirk and Leonidas Donskis consider that particular social ideas and contextual events have always projected their outlines on the screen of 'moral imagination' (Kirk, 1981; Donskis, 2013), which is the most authoritative instance of them all.

My research is built on two axes of 'visibility' discernible into Romanian political talk at the end of the 19<sup>th</sup> century. The diffident script and the theatre of dissidence serve us to perceive how the philosophical and moral meaning of these practices (indulged by a young democracy) could change so soon into the ideological frame of dissidence. The formalization of diffident practices and their conversion to outspoken dissidence should be considered, symmetrically, as a symptom of unlimited authority. As a matter of fact, when the politicians of the 19<sup>th</sup> century warned on 'Caesarism,' 'Vizierate,' 'Despotism,' 'Omnipotence' or 'Tyranny,' I believe that the Romanian society had already been training for a long experience of 'dictatorship.'

### III. Diffident Scripts. Dissident Movements

Let us begin by discriminating between the meanings of 'diffident'/'diffidence' and 'dissent'/'dissidence.' While the former appears to pertain with democratic societies that do not interdict individuals to assume a diffident hypostasis, the second has been coined chiefly in relation to totalitarian regimes from South-Eastern and Central Europe. Hannah Arendt's reflection on the need to take personal responsibility under dictatorship engendered several books that documented the notion of dissidence within the Communist block: Leonidas Donskis' *Loyalty, Dissent, and Betrayal: Modern Lithuania and East-Central*

*European Moral Imagination* (2005), Barbara J. Falk's *The Dilemmas of Dissidence in East Central Europe* (2003), Aviezer Tucker's *Philosophy and Politics of Czech Dissidence from Patočka to Havel* (2000) etc. Over the last two decades, the word 'dissidence' has also assumed new meanings for democratic pluralist societies, mainly in phrases such as 'sexual dissidence.' For the moment, I shall stick to a possible discrimination – yet not the only one – between the ideological meaning of 'dissent'/'dissidence' and the moral meaning of 'diffident'/'diffidence,' both of them justified etymologically.

For the Kingdom of Romania, the period that crystallizes the better the polemical nuclei aforementioned is the age when the national state reaches the maximum stability, guaranteed after the Independence War from 1877. But the brand new territorial autonomy and the ostensible foundation of all state institutions (dynastic monarchy, Parliament, independent Justice, ranks of state administration) does not mirror in the stability of political life. On the contrary, one might notice that the fresh blood injected into both the Liberal and the Conservative Parties manifests as a virus, infecting the old structures with a discourse of the 'heart.' Once entered on the political scene, the new leagues of party members – either newly-anointed Liberals such as Take Ionescu, N. Fleva, C. C. Arion, Haralambie and Octav Lecca, Al. Djuvara, or untamed Conservatives such as B. Șt. Delavrancea, P. P. Carp, Titu Maiorescu, Al. Marghiloman, Nicolae Filipescu – start to destabilize the old doctrinarian loyalties, formed during the '48 Revolution and a little while after. Nevertheless, Romania had already gone through conspiracies of various consequences: the Monstrous Coalition (C. A. Rosetti, Ion Ghica, and Lascăr Catargi) that forced Al. I. Cuza to abdicate, the so-called Revolution of Ploiești upheld by I.C. Brătianu and C. A. Rosetti, who tried to chase out Carol I from the throne of Romania and proclaim the Republic, the quasi-secret meetings at Mazar Pacha's house, the dissensions between the white and the red Liberals, the several breaks of Moldavian Conservatives, such as the 'Junimea' circle and the Liberal-Conservatives, with the Conservative party (Bulei 1987, 11-75, Stoenescu 2010).

The entire public life grows more and more absorbed into political disputes (Bacalbașa 1935, 17, qtd. in Bulei 1987). In their turn, parliamentary debates exchange the discussions on practical things with moral and theoretical themes: corruption, the lack of ideological programs, decay of personal loyalty, and poor political cohesion. Nevertheless, all rhetorical efforts applied exclusively to doctrinarian legitimation, were founded mainly on the formal argument of the 'historical party.' At the turn of the century, both the Liberals and Conservatives could take pride in their doctrinarian 'dowry,' so that C. Rădulescu-Motru could say that the 'historical parties' had not been issued from general social claims (chiefly nationalism), but from an abstract, textual frame such as the Constitution of 1866 (Rădulescu-Motru, qtd. in Bulei 1987, 11). Afterwards, a score of new political leaders tracked down the ideological traits pinpointed by the conservative thinker; after 1900, the Conservatives' principles

appear to be the main concern of Al. Marghiloman (Marghiloman 1914; Marghiloman 1923) and Mihail G. Cantacuzino (Cantacuzino 1905; Cantacuzino 1907).

Before 1900 instead, the parties' 'historicity' is one of the most troubling concerns of both ideological camps. First, it meant drawing a history of achievements and triumphs. On the one hand, the Liberals boast with the great reforms that pushed forward the Romanian society. Consequently, I.C. Brătianu's name is convoked and praised on every context that refers to the Principalities' Union, to the establishment of the Constitution, to Independence or to the Proclamation of the kingdom; on the other, Lascăr Catargiu's name epitomizes political balance, mind simplicity, kindness of heart and even unsullied morality (Ionescu 1903, 648). He is the inspired supporter of the first Romanian Constitution, he is the providential savior of monarchy after the Palace insurgency in 1870, he is also the patient 'mason' that mends the wrong architecture edified by Liberals (Filipescu 1912, 151-157). Second, the parties' 'historicity' meant that freshmen had been called to a sort of re-enactment of glorious past, which resulted, in some of their speeches, in expanded sequences of allegiance and in visible efforts to internalize the meaning of each party's history. Not always with success. Vice versa, when they failed to express allegiance and internalize, within their personal biographies, the moments of party history, these new generations slipped to various diffident practices and, finally, to outspoken dissidence.

From the stands of the turbulent Opposition, Al. Lahovary used to attack the unreformed creeds of '48 Revolution and to show that I.C. Brătianu's government (extending from 1876 to 1888, in spite of violent contestation) had mystified the merits of the Independence War, which had been assumed exclusively by the bourgeoisie (Lahovary 1905, 17-26). Then, in his speech entitled *Regele Carol și Dorobanțul/ King Carol and the Romanian Soldier*, P. P. Carp reiterated the Conservatives' claim to be considered as an active part in the process of state modernization, even though, under the prime minister's coat of arms, had been stocked all the significant moments of recent history. The famous speech comes here to a sort of turning point, hereby crowned through a cunning doctrinarian syllogism. By accepting Brătianu's talents and then dismissing him completely from the frame of debate, Carp argues that the modernization of Romania had not been granted by the masses, but by their personification: the highest and lowest social extremes, that is, by the king Carol and by the generic Romanian soldier, who imperiled and sacrificed their lives in the battles with the Ottoman Empire. Twenty years after, G. Vernescu would develop the same topic with the very same arguments, a sure sign of how much the Conservatives had been frustrated by the Liberals' adjudication of past glory: not only Brătianu's supporters had been shedding blood in the War of Independence, and not only Brătianu's party had crowned Carol I as the King of Romania (Bulei 1987, 26 infra).



However, once with the complete absorption of the dynastic idea (1881), the public opinion compels all political actors to import or to invent pieces of glorious, legitimizing past. When the kingdom is finally proclaimed, Vasile Boerescu assures the Senate audience that the new denomination and status will not erase the previous accomplishments (Boerescu 1910, 1249-1256). Hereditary monarchy represents a necessary 'tribute to authority', he adds. And the same goes with the official history of political parties, spoken at the Parliament tribunes: it is a source of authority (the leader's authority), intended to push back the dissident movements.

Beginning with 1881 – when Titu Maiorescu is letting himself lured into the liberal lair, his speeches appeal to political pacification and to the restraint of political skirmishes. The establishment of monarchy should bring the freeze of all fights so as to ensure administrative stability (Maiorescu 2006, 753-769). However, by 'stability,' Maiorescu understands the Conservatives' settlement on key positions during the liberal government. Eventually, it was an obvious barter, edified on the diffident attitude toward the political world, taken as a whole, without doctrinarian differences. His project for response to the Royal Address shows that the movement of 1848 – associated with the liberal leaders – was determined by passion (the patriotic impulse) and not by clear ideas. The principalities' unification and the independence result from the gathered efforts of both parties, and it is just lucky that the Liberals were on the button. It was high time the Conservatives had come with a rational platform of 'inner edification,' with a politics of reason. Maiorescu, as well as others from his league surreptitiously hint that the politics of reason should chase away the politics of heart, that is, the liberal taste for adventure, perpetual change and reformation. Examples are not chosen anymore from local history (and its revered achievements), but from foreign democracies such as England (chiefly), France, Poland, USA.

Bringing instances of political civility in England and Poland, the 'Junimea' leader has a second intervention on the 'points of unification' (Maiorescu 2006, 780-800), which now emphasizes not on the transitory political power or allegiances, but on the power of abstraction in the realm of ideas (Maiorescu 2006, 793). It is a way of suggesting that the party history cannot be assumed to the bitter end. Indeed, the speaker's abstracted, philosophical attitude – Delavrancea ironized Maiorescu's pose as 'not-at-all-passionate by politics' – had caused Kogălniceanu's interruption on a few historical inaccuracies trafficked by Maiorescu's speech. The first reaction to his own blunders is to draw back and to change for a minute the politician's frock with the philosopher's rags. Unfortunately, the latter hypostasis does not last for a long time; now that his inability to internalize the Conservatives' history has been revealed, Maiorescu swerves from unionist and pacifist premises, mentioning the poor quality of liberal eloquence, shooting in all directions with animal allegories. To emphasize the true intention of his argument, the tribune man gives a smart definition of

dictatorship. Alluding to the elder Brătianu, Maiorescu concludes that even though the dictators are chosen amongst the worthiest, they behave as such because they are invested with 'too much trust' by their communities. A reaction against such a dictator is 'to take back the unlimited trust.' That is, to rest diffident.

It is noteworthy that, as early as 1881, Romania had been already haunted by the ugly phantasms of dictatorship. The word was not completely unknown to the Romanian politicians, since A.C. Cuza (the United Principalities first sovereign) used to be labelled the same on the model of Napoleon III (Filipescu 1912, 154). Anyway, during the last two decades of the 19<sup>th</sup> century, an awful lot of political speeches (published chiefly in pamphlet form) warn the public opinion on the danger of dictatorship on both sides: Nicolae Fleva's *Autocratic Regime* (1893), *Right of Free Meeting and Delegation to the King* (1893), *The Oculist Government* (1898); Barbu Ștefănescu Delavrancea's *Personal Regime* (1894), Nicolae Filipescu's *Dominant Party* (1896); Take Ionescu's *Personal Government* (1890) and so forth.

Five years later, Titu Maiorescu himself would not blame the anarchic movements inside the Liberal Party and the violent gestures committed by the United Opposition. They are natural effects of Brătianu's 'Caesarism,' of the so-called 'Vizierate.' But the same as in his past interventions, the young Conservative does not lead the anti-liberal offensive until the last consequences, and affirms that even though the liberal leader may be seriously contested, he has already gained his portion of historical 'imperishability.' Thus the hero's imperishability is faced against the eternity of ideas. Harsh criticism against the Liberals (but not against liberalism!) is covered in a series of cautious remarks where Maiorescu styles himself, again, as a dispassionate stoic philosopher (Maiorescu 2006, 966-983). Moreover, he claims that the group self-entitled *The Dissidence* – formed by young Liberals such as Take Ionescu, C. C. Arion, Nicolae Fleva, Al. Djuvara – is in its right to rebel against the central authority on grounds of intelligence and culture (Maiorescu 2006, 975). Acknowledging the fiasco of his appeal to political pacification, Maiorescu pursues now a unification of unhistorical elites, in spite of doctrinarian differences; the assembling of a new, intellectual 'Caesarism,' this time under his own scepter.

What the Conservatives of Iași imposed was a style of methodical diffidence and doubt, justified in a philosophical manner, according to Socrates' example. Perhaps the best example of such diffident practices is provided by P. P. Carp in his discussion on the 7<sup>th</sup> Article of the Romanian Constitution, which was put under revision in 1879, in order to grant citizenship and rights to minorities. His coming to the tribune is acclaimed as a necessary moment of balance within the turmoil of racial debates. Yet, even if the conservative orator promises to be objective and to rise 'as a peak over the mountain outline,' he does not bring conciliation. On the contrary, he slides to a completely divergent topic: the issue of politician-ism (Carp 2000, 88-99). Beyond and far from a strict definition of

the typical Jew – which had been promised from the very beginning – the diagnosis put to the whole Romanian society is one of corruption caused uncontrollable liberties: the wider the circle of individual liberties, the greater the number of Jews that assume the social roles left vacant by the Romanians. That P. P. Carp was almost indifferent to the current debates and, in a sense, completely absent from his own speech is proven by his final vote. In the end of the day, he would vote neither for the admission of Jews nor for their ostracism. P. P. Carp would resolve to abstain from making a clear decision. After all, his interest directed sideways, to the higher realm of speculative ideas, towards the reformation of the political class and towards the re-evaluation of morality in politics.

Another type of diffident practices comes from Brătianu's headquarters. Attending a great reunion at the Conservative Club in 1896, Nicolae Filipescu notices the following: while the Liberals could be educated to observe the leader's authority – subsequently, the authority of the party's history, the Conservatives have not got any sense of discipline (Filipescu 1912, 202). Ion Bulei considers that the Conservatives' individualism, lack of organization, and even anarchy can be explained through their financial independence, which actually encouraged their shifting political moods:

[The Liberal Party] was the party of mercantile people, which opposed to the aesthetic conceptions advanced by the Conservatives [my translation] (Bulei 1987, 20-21).

Bulei's distinction between the categories of aestheticized and mercantile politics is worth further development. Nevertheless, one should discard the old cultural dichotomy between the dispassionate and moral Conservatism (Junimism) and the passionate and immoral Liberalism; actually, the entire political world was driven by the mechanics of interest, while still keeping open to 'historicizing,' 'philosophizing,' 'ideologizing,' and other practices that could aestheticize its interests. And truth is that not only the boyars' party experienced dissension and acute conflicts. Within the 'disciplined' lines of the Liberals one can still count a few black sheep.

In 1883, one of the most troubled personalities of the Romanian public scene is elected, on the Liberals' account, for the second time in the Lower Chamber of Parliament. Inflamed with hearty patriotism, stuffed with historical proofs and occasionally tamed by sophisms, which is actually illustrative for the rhetoric before 1859, B. P. Hasdeu's speech at Craiova illustrates a personal story, apt to legitimise a Bessarabian's candidature in a county located in the South of Romania. Unlike Maiorescu, his steadfast enemy proves a thorough and exact knowledge of his party's history. Nevertheless, not factuality, maneuvered fancifully, should arrest our attention, but the attempt at importing a larger historical narrative into the frame of Hasdeu's own biography. For now, I shall retain the speaker's ostentation in using the first person singular and the

melodramatic notes of his discourse, altogether with his pose as pacificator of 'divergent opinions' – if any – inside the Liberal Party (Hasdeu 2007, 1523).

Political 'earnestness' turned into tribune confession and autobiography does not belong only to B. P. Hasdeu. Mihail Kogălniceanu is the hailed master of such discursive fashion if one recalls his famous speech of Reception to the Romanian Academy (1891). One can just infer that the politics of heart, the discourse in the first person singular, and the public dissemination of personal past belong mainly to liberal orators. But that would preserve the cultural dichotomy aforementioned. For the two hypotheses of the present paper, it is perhaps more profitable to see the correlation between the personal and party histories. While both the Liberals and Conservatives strive to legitimize through a historical narrative, particular members try really hard to come with a structured image of their own political past and, in doing that, they put to work their own biographies and family lines. Just that sometimes biographies would not fit in the doctrinarian frame and bring out one's unhealed skepticism and diffident practices.

The most astounding case is, by far, Barbu Ștefănescu Delavrancea's. At the moment of his 'maiden speech' (the first one delivered within the Romanian Parliament), he has neither name nor family pedigree. On the contrary, everybody attacks him on grounds of mystification because he used to consecrate himself as politician with his *nom de plume* (Delavrancea). Old boys from both parties found it difficult to accept a fictionalized identity, that is, a name without a documented, factual past. In December the 9<sup>th</sup> 1894, the liberal Deputy decides to put an end to this mischievous situation, and – counting on a different type of political earnestness – succeeds in battering down the Conservatives' block (Săulescu, Filipescu, Măiorescu, Arion, Rosetti-Tețcanu and Carp). Delavrancea explains that he did not introduce himself through his family name (Ștefănescu) because, being derived from his father's first name (Ștefan), it is as fortuitous and insignificant as his pen name. Yet, the orator shows that having a pseudonym is probably as immoral as parading a false name or a false title, which was actually the established fashion in families with a certain wealth and reputation (Sturdza 2004).

Going against the stream, what Delavrancea is actually doing is to present himself as a man without a historical past (Delavrancea 1977, 58), therefore apt to embrace just any party history. His own personal history has been poured into the amphora of his fictional and moral works. Above constitutionalism, party doctrine, and party history, the eloquent speaker believes, lies a greater authority: the 'moral law' and the 'moral order' (Delavrancea 1977, 47-52). Obviously, this is a polemical reply to several speeches by P. P Carp such as *The Social Order* (1881), *The New Era* (1884), *The Political and the Moral Judgment* (1889), where the Conservative leader insists on the necessity of practicing a politics of reason, which, on a higher scale, should be raised to the commandments of moral thinking. Compared to the mercantilism of liberals,

either one of the two Conservative political postures – be it Maiorescu’s towering disengaged attitude or Carp’s refined play with abstract ideas – is coined as a means of higher corruption (Delavrancea 1977, 67).

Delavrancea’s own political shifts (first, he is the editor of a conservative newspaper, then a liberal deputy), as well as his 1894 mordant speeches (on his blank historical past) have turned my attention toward the effects of conservative ‘rationality’ and ‘aestheticism’ within the sphere of 19<sup>th</sup> century political life. P. P. Carp himself admits that Titu Maiorescu, his colleague from Junimea circle, celebrates the rituals of a ‘consummated art, whose purpose is to decompose ideas’ (Carp 2000, 88-89). Thus, Delavrancea is in his right to perplex one of his adversaries with the following question: “Are you a Conservative or what?” (Delavrancea 1977, 60). In spite of their efforts to coagulate an authoritative doctrine, the ‘historical parties’ of this period could not stop incessant fractioning and decay. Literature and arts, in their turn, are seriously tested by the corroding forces of Decadence (Mitchievici 2011, 2011). Thus, Take Ionescu is perhaps the spokesman of general disorientation:

From the very beginning, they would try, by playing upon the words such as ‘Conservatives,’ ‘Liberal-Conservatives,’ ‘The Great Conservative Family,’ ‘Conservative Elements’ ... ‘Conservative concentration,’ ‘New Conservatives’ and so on and so forth, to pass as parties, as definite formations, what had been nothing else but transitory and mismatched marriages; to hide under the same word both the government and the opposition, eventually to create such a confusion that, unable to find its place in the midst of all these confusions, the public opinion ended by not understanding anything at all (Ionescu 1899, 365)

#### **IV. A Theatre of Dissidents: On Heart’s Autonomy and ‘Hearty’ Party-Switching**

After the proclamation of the kingdom, Titu Maiorescu delivers a speech on the necessity of political union, perchance of political crossbreeding, under the primate of abstract ideas (Maiorescu 2006, 768). Ideological thinking – that is, the intellectualization of political talk – was meant to replace old-school politics, grounded on particular judgments, contextual negotiations and, last but not least, on the argument of ‘historicity.’ But the use of abstract conceptions and the appeal to political philosophy, John Rawls believes, is set in motion by ‘break-downs,’ by unacknowledged political conflicts:

the deeper the conflict, the higher the level of abstraction to which we must ascend to get a clear and uncluttered view of its roots (Rawls 1996, 44-46).

Such appeals to reunite the whole political class under the sign of ideology eventually failed, and what had been only mere discontent turned into real brawls and shooting: the windows of the king’s palace are broken; the Parliament is under the siege of mobs; Nicolae Fleva and Nicolae Filipescu – both of them MPs – are arrested and suspected of murder; Brătianu has a narrow escape from an assassination attempt; politicians step down from the

parliamentary tribunes and decide that only the duel can set straight political things.

In 1882, the Conservative Club hosts a meeting where Alexandru Lahovary speaks on behalf of the United Opposition. For an old standard-bearer such as he is, his own doctrinarian definition is rather ambiguous:

when I speak of Conservatism, I understand a wise liberalism that respects rights and wishes the regulate progress (Lahovary 1905, 17-26).

Later on, in 1888, the Conservative spokesman reacts on the Liberals' accusations of them being 'aristocrats, reactionaries, climbers, and ghosts;' modernity, thinks Lahovary, does not stand aristocracy anymore (in the original meaning of the term), but it encourages the 'double aristocracy of science and morals' (Lahovary 1905, 120-121). As early as 1879, a harsher conservative such as P. P. Carp was admitting that Romania had 'a Liberal Constitution,' yet still needed 'a Conservative social organization' (Carp 2000, 95). Similarly, Vasile Boerescu was emphasizing on the need of conciliation, in politics, between the two essential drives, that is, the 'heart's impulsion' and the 'voice of reason' (Boerescu 1910, 1254). In 1884, when he is forced to resign his Deputy mandate, Hasdeu presents himself as politically involved and autonomous at the same time, as a 'man of science ... liberal and independent' (Hasdeu 2007, 1529). In the same year, P. P. Carp proves that the differences between the historical parties are only 'psychological' and that ideological labels are only pure casualties:

the labels have been already taken by the freshmen: one called himself a Conservative, one, a National-Liberal, one, a Sincere-Liberal, a third declared himself free and independent (Laughter), and, when I'm picking my brains, well, under what sign I should introduce myself, I just find that all paths have been already taken by individualities more or less grouped around our consecrated politicians (Great Laughter). Even the public is in great query, and, driven by despair, named us 'Junimists', which can weigh rather much for certain people. For instance, for Mr. Epurescu the 'Junimists' are the purports of cosmopolitism and I do not know what else; in Mr Nacu's eyes instead, it represents a Conservative machination. Yet, within the political terminology, the word 'Junimism' does not stand for anything at all [my translation] (Carp 2000, 185).

From Titu Maiorescu's ironies, we are informed that, even though publicly known to have plotted against the king and to have had a Republican agenda, the Liberals legitimize themselves throughout 'monarchism and dynasty-cism' (Maiorescu 2006, 978).

Within the context of ideological bafflement, the group self-entitled 'The Dissidence,' branded by Take Ionescu in his speech on December the 6<sup>th</sup> 1886, actually substantiates the generalized diffident practices. After the Free and Independent Fraction (lead by old Nicolae Ionescu) and the Sincere Liberal Party (lead by George D. Vernescu) had severed from the core Liberal Party, it was young Ionescu's turn to create such parliamentary group, supported by N. Fleva,

C. C. Arion, the Lecca brothers, and Al. Djuvara. All of them had been perceived as potential reformers of Romanian liberalism, as born leaders and perhaps as continuators of I. C. Brătianu's authoritative style. Take Ionescu's position stands on both P. P. Carp's remarks from *The New Era* (1884) and C. Dissescu's ideas from *The Parties in a Constitutional State* (1884). It is important that the young dissident draws his arguments from two concurrent ideologues who meet in their theories on the reformation of the Romanian political class. The two quotations are excerpted, coincidence or not, from speeches delivered in the same year, which is also the year of Take Ionescu's entrance in politics. Still, in spite of their conceptualized air, they are not considered 'ideologues,' but 'practical politicians' (Ionescu 1897, 97). Speaking of individual values that weigh more than party discipline, the fresh 'dissident' seems to revolve back to the liberal politics of heart. However, his stylistic accents – the repetition of the words 'heart' and 'party' – lead us to some other interpretation. As a matter of fact, the 'heart,' which is the location of one's individuality, stays in open antithesis with 'party' and 'politics:'

Whoever wants to make politics has to be enrolled into a party; but it is also true that to be a part of a party means a sacrifice, the sacrifice of one's own individuality, and that nobody can possibly make this sacrifice when principles are not at stake (Ionescu 1897, 96).

Constantin Dissescu, also the authority source mentioned by Take Ionescu, interrupts the speaker's avalanche and is warning that the new dissidents will be the sure victims of a 'perpetual political rambling' (Ionescu 1897, 95). Nevertheless, Take Ionescu is shooting back by saying that, still standing by the flag of liberalism, he would not take 'fidelity to ideas' for 'fidelity to persons' (Ionescu 1897, 99). Eventually, the legitimation of his own dissidence pertains to a practical view of individual liberties:

Liberties are not those written on paper; liberties are those that are put into practice (Ionescu 1897, 100).

Drawing near to a practical, even contextual, concept of freedom, Take Ionescu introduces his reflections on political autonomy: even though party members are united by the same 'ideal' and observe the same 'discipline,' they should behave as an assembly of 'independent people' (Ionescu 1897, 357). Already a well-versed tribune man and now Minister of Public Instruction, the 'dissident' gives, in 1892, a memorable definition of politics:

In politics, there are not problems of philosophy, but problems of mechanics; politics, if resembled to anything, is more like mechanics; like mechanics, it has to calculate with precision the available social forces; to see of how much energy these social forces are able; to look for the '*contre-poids*' and, out of all these, to find the formula that can push further society (Ionescu 1902, 117).

Developing previous dissident practices into overt party-switching, we discover both Take Ionescu and Barbu Ștefănescu Delavrancea justifying their

political volatility and lack of loyalty through the figure of 'divorce' (grounded on incompatible character /cardinal humor). The former has now changed into a Conservative, whereas the latter has just been converted – not for long, though – into a Liberal. Beyond the pleas *pro domo sua*, one has to notice that both of them try to drag politics off the domain of literature. Sure thing is that dissidents refuse the comparison with literary heroes such as Cervantes' (Ionescu 1897, 96). From the literate Delavrancea, the Conservatives had expected a 'literary' approach of politics and a 'rhetoric tournament', while he would rather assign it with a logical, austere definition (Delavrancea 1977, 53-54). From the ex-literate Take Ionescu, the Liberals had expected a 'philosophy,' that is, a sort of structured literature, while the endowed policy-maker would rather come with a mechanical, technical definition. They deal their literary talents as weak points, therefore literary memories and techniques are banished to pre-conscious activity.

Anyway, their literary habits will take revenge because both orators used to quote extensively and to authorize political ideas through massive citation of sources. In all respects, their political shows preserve the neatness of the written page and an obvious tendency toward aesthetic autonomy. I can assume that both Take Ionescu and Barbu Ștefănescu Delavrancea realized they could not incorporate the greater narratives of party histories, so that their political speeches relied on other forms of legitimation. References and extensive quotations (from worshipped 'masters' of tribune) replace the appeal to historical dates and facts. Very sensitive to our traditions of eloquence, the two examples assent to re-stage former speeches and to refer to individual models (and to their favorite rhetoric tropes) and not to party doctrine. To a certain extent, intellectual biography overwhelms national history. Even though they banish literature out of their premises, the technique of citation pertains, as such, to their literary past.

The author of *Hagi Tudose* believed that, when it is not driven by material interest or personal vanity, the 'political inconsequence' can and must be embraced because it does not harm the public morals (Delavrancea 1977, 91). On the other hand, Take Ionescu comes with a full load of precedents, both from local and foreign politics: Dimitrie Ghica, Vasile Boerescu, Gh. Păucescu, Dimitrie A. Sturdza, Charles Fox, William Pitt the Younger (who, even though a Tory, used to call himself 'an independent Whig'), Benjamin Disraeli, William Gladstone, and Joseph Chamberlain. Thus, the immediate effect of dissidence (party-switching) and its justification stand on a broad base of precedents. While they are gradually forgetting the party history, the most eloquent speakers concede their political movements with a presumption of pure gratuity, according to the model of aesthetic gratuity. At the end of the 19<sup>th</sup> century, all diffident attitudes, systematic rioting, and dissidence resulted in party-switching, which soon turned into a stylistic feature of Romanian politics. After the model of skeptical literature relieved by Rancière, it seems that political talk also internalizes its



own negation: the historical and abstract authority of the party coexists with the party member's dispersed biography and autonomy.

Nevertheless, the meaning of my research here lies elsewhere. I still wonder if certain forms of dissidence during Communism preserved the stylistic features of the Romanian politics practiced a century ago, and if they have anything in common with the professionalized maneuvers of party-switching executed nowadays by the Romanian intellectuals.

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# **Inquiries in Political Theory**



# Difficulties of Democratic Transition in Ukraine and the Republic of Moldova<sup>1</sup>

Silviu-Petru Grecu

**Abstract:** This article analyses, in a comparative manner, the situation of democratization in Ukraine and the Republic of Moldova. The analysis is based on nine variables/ criteria: the effective number of political parties, the electoral system, institutional corruption, the legal background, the political freedom and civil rights, civil society, economic freedom, economic growth and the quality of democracy. The study shows that the two countries have a fragile democracy, emphasizing the main factor affecting their democratic consolidation: the fact that their Soviet past determines in the collective psychology the recurrence of communist values and practices. Democratic fragility is, therefore, both the product of a common communist history and of a civic model of the parish type, dominated by authoritarianism, political apathy and lack of 'rule of law.'

**Keywords:** Ukraine, the Republic of Moldova, democratic transition, communist nostalgia, rule of law, democracy

## Introduction

This article provides a comparative analysis of the situation of democracy in Ukraine and the Republic of Moldova, trying to highlight the particularities of democratic transition in these two ex-Soviet states. The main question to which I propose an answer below is: what are the variables that decisively influenced the democratic transition in Ukraine and Moldova? In response to this question, I argue the following (which is, at the same time, the hypothesis I have started the research from): the democratic transition of the two states is hampered in particular by the fact that the Soviet past of the two states determined recurrence at the level of collective psychology, communist values and practices.

The situation of democracy in Ukraine and Moldova is compared in this article by analyzing the degree to which the two former Soviet states satisfy the following five conditions: i) a stable political class, elected by electoral vote after the competition between at least two individual or collective actors; ii) active civil society, representing the binder between private interests and public space;

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iii) coherent institutional design based on transparency and bureaucratic efficiency; iv) legislative framework based on respect for civil rights and political freedom; v) market economy. These five conditions are, to my knowledge, the main criteria of democratic consolidation defended in the literature devoted to transitology. This paper starts from the premise that these conditions are *sine qua non* conditions of democratic consolidation. A state cannot be described as a consolidated democracy unless it meets these five conditions. Only when a country meets these conditions, one can rightfully say that democracy has become ‘the only game in town’ (Linz, Stepan 2004, 51).

The five conditions of democratic consolidation are analysed in this article in terms of nine variables within the sphere of political elites, civil society, civic culture and entrepreneurial freedom. The nine variables, their nature in this study and the scale of measurement, are summarised in the table below:

Variable	Measure Scale	Data Source
X1 Effective Number of Political Parties	Lijphart Index of Political Parties Actual Number	European Electoral Database
	$N_2 = \frac{1}{\sum (s_i)^2}$	
X2 Voting System	[1; 7], 1- Democratic Systems 7- Dictatorial Systems	Freedom House Nations in Transit Report
X3 Institutional Corruption	[1; 7], 1- Democratic Systems 7- Dictatorial Systems	Freedom House Nations in Transit Report
X4 Legal Framework	[1; 7], 1- Democratic Systems 7- Dictatorial Systems	Freedom House Nations in Transit Report
X5 Political Liberties and Civil Rights	[1; 7], 1- Democratic Systems 7- Dictatorial Systems	Freedom House Nations in Transit Report
X6 Civil Society	[1; 7], 1- Democratic Systems 7- Dictatorial Systems	Freedom House Nations in Transit Report
X7 Economic Freedom	[0;100] 0-30- Centralized Systems 30-50- Partially Centralized Systems 50-80- Partially Free Systems 80-100- Free Systems	Heritage Foundation Economic Freedom
X8 Economic Growth	PIB \$/ per Inhabitant	World Bank
X9 Quality of Democracy	[1; 10]	The Economist Democratic Index

**Table 1:** Measurement of the Research Variables



## Measures of Democratic Consolidation in Ukraine and the Republic of Moldova

The tables below summarize the main measures of democratic consolidation in Ukraine and Moldova. The data concerns the period from 2002 to 2014. As one can notice, in terms of statistical distributions the two analyzed states are quasi-identical, both being characterized by 'democratic deficit,' unstable political actors, electoral systems with disproportional effects and ambiguous constitutional framework with strong residues of the previous period of time under the Soviet regime. In this section, I am showing the quantitative results of descriptive statistics and a summary of the model based on regression equations:

	Party	Electoral System	Corruption	Judicial Framework	Political Freedom	Civil Society	Economic Freedom	Economic Growth	Democratic Index
Mean	4.60846	4.115385	5.846154	5.0384615	4.25	2.9615	49.876923	2.5384615	4.59384615
Std. Error of Mean	0.41292	0.140442	0.0451	0.1895638	0.21926	0.1162	0.9324048	1.7269188	0.07648981
Median	4.08	4	5.75	4.75	4	2.75	49.3	2	4.61
Mode	4.08	4	5.75	4.75	3.5	2.75	45.8	2	4.25
Std. Deviation	1.48882	0.50637	0.162611	0.6834818	0.79057	0.4189	3.3618333	6.2264943	0.27578792
Variance	2.21658	0.25641	0.026442	0.4671474	0.625	0.1755	11.301923	38.769231	0.07605897
Skewness	0.39945	0.385852	1.57553	0.7063383	0.85956	1.2895	0.3839749	-1.753724	-0.12923221
Kurtosis	-1.3283	-0.975028	1.801052	-0.8494804	-0.916	0.185	-1.042287	5.6133628	-1.73926928
Range	3.84	1.5	0.5	2	2	1.25	10	27	0.72

**Table 2:** Descriptive Statistics: Ukraine

Model		Unstandardized Coefficients B	Std. Error	Standardized Coefficients Beta	T	Sig.
1	(Constant)	0.424874155	1.232039		0.345	0.748
	Effective Party Number	0.043713332	0.043827	0.235982858	0.997	0.375
	Electoral System	-0.0025163	0.056	-0.004620138	-0.045	0.966
	Institutional Corruption	0.162729541	0.185092	0.095949086	0.879	0.429
	Judicial Framework	0.366536287	0.074914	0.908382437	4.893	0.008
	Political Freedom	0.153628773	0.087481	0.440389888	1.756	0.154
	Civil Society	0.152467517	0.119477	0.231588431	1.276	0.271
	Economic Freedom	0.001480929	0.010002	0.018052407	0.148	0.889
	Economic Growth	0.000563547	0.002659	0.012723259	0.212	0.842

**Table 3:** Regression Model: Ukraine

	Party	Electoral System	Corruption	Judicial Framework	Political Freedom	Civil Society	Economic Freedom	Economic Growth	Democratic Index
Mean	3.52	3.9038	6.057692	4.5192	5.15385	3.7115	56.769231	5.32307	4.90923077
Std. Error of Mean	0.052	0.0532	0.05027	0.0526	0.10415	0.0842	0.5027341	1.17190	0.04666385
Median	3.48	4	6	4.5	5	3.75	57.3	6.9	4.96
Mode	3.3	4	6	4.5	5	4	57.4	6.9	4.96
Std. Deviation	0.189	0.1919	0.181253	0.1898	0.37553	0.3036	1.8126337	4.22535	0.1682489
Variance	0.035	0.0368	0.032853	0.0360	0.14103	0.0921	3.285641	17.8539	0.02830769
Skewness	0.039	-0.4555	-0.39452	-1.4841	0.26099	-0.648	-0.117278	-1.97511	-1.14894464
Kurtosis	-1.769	0.5174	-0.75507	4.6831	-0.5015	-1.122	-0.561323	3.66806	1.91458296
Range	0.44	0.75	0.5	0.75	1.25	0.75	6.3	14.8	0.64

**Table 4:** Descriptive Statistics: The Republic of Moldova

Model		Unstandardized Coefficients B	Std. Error	Standardized Coefficients Beta	T	Sig.
1	(Constant)	5.021465933	1.581529		3.175	0.034
	Effective Party Number	-0.467929948	0.201543	-0.525780318	-2.322	0.081
	Electoral System	0.008335802	0.304195	0.009511889	0.027	0.979
	Institutional Corruption	0.092294297	0.138946	0.099427672	0.664	0.543
	Judicial Framework	0.487250822	0.225485	0.549919743	2.161	0.097
	Political Freedom	0.201274088	0.055909	0.449246472	3.6	0.023
	Civil Society	-0.066000011	0.120001	-0.118914727	-0.55	0.612
	Economic Freedom	-0.036128908	0.018316	-0.389235693	-1.973	0.12
	Economic Growth	0.000185281	0.003495	0.004653099	0.053	0.96

**Table 5:** Regression Model: The Republic of Moldova

Based on the above statistical estimates, one can see that specific indicators mark the quality of democracy, the average values being estimated somewhere in between [4.5; 4.9]. Their statistical distribution is relatively symmetrical, with a statistical error from the average of 0.27 in the case of Ukraine to 0.16 in the case of Moldova. In relation to the Freedom House measuring scale, the two political systems fit within post-authoritarian political regimes. Specific values of authoritarian systems can be found in the institutional corruption (5.84 for Ukraine and 6.04 for the Republic of Moldova), the legal framework (5.03 for Ukraine and 4.51 for the Republic of Moldova) and civil and political freedoms (4.25 for Ukraine and 5.15 for Moldova). Average statistical errors for these indicators are 0.54 in the political system in Ukraine and 0.24 in Moldova (see Tables no. 2 and 4). This summary of the quantitative analysis

reflects the image of political systems in the early stages of transition, which is reflected in the multiple elements of post-authoritarianism and an extremely fragile democratic order.

The second analytical level aimed the quantitative association of these variables to identify the most significant factors of democratic fragility. The statistical procedure was based on a linear regression model between the independent variables and the explanatory variable of the study, represented by the quality of democracy. To avoid multicollinearity effects, the research variables were associated in a nonparametric way and rescaled to the range of [0; 100]. In the case of Ukraine, the variables with the highest impact on the quality of democracy are: legal framework (B = 0.36) and institutional corruption (B = 0.16) (see Table no. 3). Similarly, in the case of Moldova, we can see that the explanatory variable of democratic fragility is represented by the legal framework (B = 0.48) and civil and political freedoms (B = 0.20) (see Table 5).

Both the elements of descriptive statistics and those specific to the quantitative model highlight the impact of post-Soviet order on the current democratic development. Based on these observations, we will detail below the impact of the communist past nostalgia, of the electoral disproportionality, of the single-party ideology and of the constitutional framework on the development of democratic transition in Ukraine and Moldova.

### **The Nostalgia for the Previous Communist Regime**

The first issue that one can relate to as being an important proof of the impact of Soviet-style communism is the nostalgia of interventionist type of economic policies. The old communist structure seems more economically stable than transition economy. In the early 1990s, more than half of the citizens of the former communist systems were nostalgic for the economic situation existing before the collapse of the communist bloc. Citizens of Ukraine and Moldova are no exception. The situation is not surprising, since, as noted:

The economy with the strongest financial deterioration of individual households in Eastern Europe is the Ukraine: at the beginning of economic transformation in 1992, 80 per cent of all Ukrainian households indicated that their standard of living was better in the Soviet Union (Haerpfen 2002, 8).

Also, according to statistics, over 70% of the citizens of Moldova have, because of similar reasons, the same nostalgia-driven economy as in Moscow (Aslund 2010, 40).

A second difficulty of transition is the nostalgia for the centralized authoritarian governments. The single party and the single-party government find followers in most of central Europe, but above average values are found in the Hungarian and Ukrainian political spaces. From Eastern Europe,

Ukraine is the post-Communist country with the highest level of nostalgia for the former Communist political system in comparison with all eleven other countries. In 1992, the absolute majority of 55 per cent of the Ukrainian electorate showed positive evaluations of the one-party government of the late Soviet Union. This high figure went up during the process of political transformation in a steady way and reached its peak in 1998, when 82 per cent of all Ukrainian post-Communist citizens said that they think positively about the former Communist regime (Haerfen 2002, 14).

These ratings, these evaluations reflect our subjective image of an extremely fragile democracy, at which the risk of recurrence of undemocratic practices is extremely high.

Political emotions determined by past policies are based on economic stability images generated by statism, the nostalgia of collective stability and security offered by the single party system and the behavioural mechanisms generated by the communist ideology. In the case of Ukraine, this kind of political behaviour cannot be understood outside the nationalist relationship it has with the Russian Federation (Motyl 1993, 4-5).

If the Russian Federation has undergone a radical economic reform and democratization attempts, the Baltic States began the sustainable democratic construction since the mid-1990s, the Caucasus zone and the post-Soviet South zone was divided by war and by authoritarian leaderships, in Ukraine and Moldova, Soviet nostalgia was transferred to a nationalist framework. As Aslund has pointed out:

Communists remained in power as the nationalists did. The situation in Ukraine and Moldova was relatively similar. Both were pretty strong nationalist popular fronts, but were not able to earn enough democratic majorities, and their eastern parts were less nationalistic. Agile communist leaders have embraced ideas of national independence when they realised that in Moscow, the Communists were on the verge of losing power (Aslund 2010, 40, my translation).

Post-communism was hypostasized in state nationalism. Both Ukraine and Moldova have promoted political leaders who have continued the Marxist-Leninist ideological line:

Despite the proliferation of political parties in Ukraine, the size of their membership remained small, bordering on insignificance. The existence of these parties did alter the political debate in Ukraine, but these parties could neither alone nor collectively challenge the communist elite's monopoly of power (Prizel 1997, 342).

The election criteria of choosing political leaders in the Republic of Moldova and Ukraine are not compliant with the enhanced democracy principles. As Parrott used to highlight:

In this discussion, consolidation denotes the condition of a political system in which all major political actors and social groups expect that government leaders will be chosen through competitive elections and regard representative

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institutions and procedures as their main channel for pressing claims on the state (Parrott 1997, 6).

Elections in Ukraine and Moldova deviate from this minimum requirements of democracy. In Ukraine, *hyper-partidism* and the transient electoral system are the two variables that explain the absence of electoral competitiveness. These dysfunctions can be completed by the image of dominant single-partidism in Moldova, with a constant electorate that has nostalgia for the single party system.

The Stalinist political experiences, the ideological repression and censorship, the extreme nationalism and populism of economic policies were at the base of the State construction of Ukraine and Moldova. Also, state construction of the two countries has been hampered by the presence in their territory of a multitude of social identities associated with a civil society characterized by an “amalgam of fractured and alienated parts” (Kuzio 1998, 162). After two decades of independence, the disintegration of the current Ukraine came from the radical nationalism and the desire to merge with the Russian Federation. In addition to transforming political privileges in economic privileges, problems such as identity, nationalism and xenophobia have expanded in most of the CIS. Overcoming these identity and value issues is the first step in the direction of a right transition. Democratic transition should be based on a cultural civic model capable of generating democratic institutions and politics (Inglehart and Welzel 2005, 157). This cultural model should underpin the entire construction of identity and collective psychology. In Ukraine and Moldova, there is a collective mentality, strongly marked by transition, suffering “a collective and individual paranoia.” This psychosis is the product of “enclosed nationalism, which is quite natural in a social system suffering from post-partum depression syndrome” (Tismaneanu 2007, 254-255).

### **Transition Constraints: Political Parties and Electoral Systems**

The transition process in Ukraine and Moldova faces numerous institutional, party or electoral type constraints, affecting the natural course of transition. Although individuals became autonomous in the public space, democratic principles and specific values are relatively absent. Unfortunately, Dawisha was not wrong when he observed that:

Clearly, democratic consolidation is still a goal in almost all of the postcommunist countries, yet significant strides have been made. Autonomous societal action has largely replaced communist dictatorship in most countries, and the notions of choice, competition, and tolerance are increasingly salient. (Dawisha 1997, 44).

One initial aspect that we may integrate in the category of transition constraints is represented by the structure of the parties' framework. In case of the partisan system of Ukraine, in the temporal series analyzed, one can identify

the presence of a non-homogeneous partisan system distributed during time, with a very low level of equilibrium and electoral volatility. The parties' framework is unbalanced, with a very high number of parties entering the electoral competition. One can observe a number of 30 political parties<sup>2</sup> registered in the election campaign in the years 2002 and 2006 out of which, on average, about 4 and 7 political parties managed to build the structure of representation. Between 2002 and 2006, the most significant ratios were registered in the Bloc of Victor Yushchenko "Our Ukraine" (23.57%), Communist Party of Ukraine (19.98%) and Election Bloc of Political Parties "For One Ukraine!" (11.77%). In 2006, those parties are joined by the Party of Regions (32.14%) and by the Election Bloc of Political Parties or "Juliy Tymoshenko Election Bloc" (22.29%).

The main change of the partisan framework appeared in September 2007, amid the dissolution of the parliamentary structure. Even if the elections were resumed on 30 September 2007, the Party of Regions (32.14%) and the Election Bloc of Political Parties "Juliy Tymoshenko Bloc Election" (22.29%) preserved their electoral groups. The party imbalance moment occurs in the 2012, when we identify a number of 2.75 parliamentary political parties represented by Party of Regions (30%), All-Ukrainian Association "Fatherland" (25.55%), Ukrainian Democratic Alliance for Reform (13.97%) and the Communist Party of Ukraine (13.18%).<sup>3</sup> Summarising the quantitative electoral data, we may conclude that the first constraint of the transition process is given by an inefficient party system, with elements of hyper-partidism and an extremely weak tendency of aggregation of individual preferences.

Regarding the situation of political parties in Moldova, we see the same pattern of political failure. In the statistical distribution, we highlight a platocurtic trend, symmetrical on both sides of the average of 3.52 of parties and  $\sigma = 0,18$ . From 2001 until 2010, the Moldovan partisan area is dominated by the Party of Communists of Moldova. The entire longitudinal series indicates the consistency of electoral distribution in the aggregation of the parliamentary structure with the actual number between 3.48 and 3.74 political parties. In 2001 the parliamentary majority is owned by Party of Communists of Moldova (50.07) and the political opposition consists of the Election Bloc "Braghis Alliance" (13.36%) and the People's Christian Democratic Party (8.24%). Elections of 2005 called into leadership the Party of Communists of Moldova and in the opposition "Our Moldova" Alliance (28.53%).<sup>4</sup> In 2009, amid political crisis, at the elections of April 5 and July 29 we witness the birth of an opposition party: the Democratic Liberal Party of Moldova. Although elections were

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<sup>2</sup> [www.cuk.gov.ua/pls/vd2002/webproc0e](http://www.cuk.gov.ua/pls/vd2002/webproc0e) și [www.osce.org/odihr/elections/ukraine/19595?download=true](http://www.osce.org/odihr/elections/ukraine/19595?download=true).

<sup>3</sup> [www.electionresources.org/ua/](http://www.electionresources.org/ua/).

<sup>4</sup> [www.e-democracy.md/electionsparliamentary/2001/results](http://www.e-democracy.md/electionsparliamentary/2001/results).

resumed in July, Party of Communists of Moldova has preserved the status quo in the parliamentary structure.<sup>5</sup>

Signs of success of democratic practices can be identified from the parliamentary elections of 28 November 2010, when one can notice a decrease of 6% of the vote for the Party of Communists of Moldova and an improvement in the trend of voting for the Democratic Liberal Party of Moldova (29.42%) and of the Democratic Party of Moldova (12.70%). Basically, the legislative elections in 2010 are those corresponding partially with the requirements of the democratic order by symmetric distribution of parliamentary terms among power and political opposition. Summarising, we can appreciate that the main constraint of party order of the transition in Moldova is the existence of a policy framework crystallised around a dominant political force that polarise more than 50% of the electorate. We may speak of a political party monolithic appearance: the Party of Communists of Moldova, with a constant electorate from 2002 to 2014.

The second type of constraint of the transition process is the electoral disproportionality. Due to the mixture of majoritarianism and proportionalism, the electoral system in Ukraine caused a substantial decline of independent candidates in different rounds (Meleshevich 2007, 46). Since the 2004 changes, Ukraine's voting system has been characterized by an inefficient political pluralism, with relatively high margins of electoral disproportionality. To prove this assertion, we have estimated the electoral balance and the Douglas-Rae disproportionality indicator:

Election	$N_0$ (Actual Number of Parties) $N = \frac{1}{\sum si^2}$	Douglas-Rae Disproportionality Index $I = \frac{1}{n} \sum (vi - si)$	Parties Balance $\beta = \frac{\log N_0}{\log N_\infty},$ $\beta \in [0; 1]$
2002-2006	6,59	16,7%	0,7135
2006-2007	4,65	60,12%	0,7894
2007-2012	4,08	72,29%	0,7806
2012-2014	2,75	60,38%	0,7461

Table 6: Voting Analysis: Ukraine

The analysis of statistical data evidences a quite fragile balance of electoral space, where about 70% of the electorate is represented as political preference in the political parliamentary parties. (See Table 6) These values should be correlated with a quite high index of disproportionality, with an average of values of 52.38%. In electoral terms, the main transitional constraint is given by the high trend of producing disproportions, a mixed electoral system, partially

<sup>5</sup> [www.e-democracy.md/electionsparliamentary/2009/results](http://www.e-democracy.md/electionsparliamentary/2009/results).

functional, with a competitive mechanism extremely fragile, without a valid electoral filter in the selection of political representatives.

Regarding the electoral situation in Moldova, we see an improvement in electoral practices through the presence of a proportional electoral system for the distribution of parliamentary terms. From a formal standpoint, the electoral system of the Republic of Moldova is well structured, but this D'Hont regulation only favours large political parties, which explains the constant presence of the Communist Party of Moldova in the legislative structure. In terms of statistical distribution, we are witnessing an electoral system with minimal effects of disproportion, but the background remains strictly connected to the communist ideological monopoly.

Election Cycle	$N_0$ (Actual Number of Parties) $N = \frac{1}{\sum si^2}$	Douglas-Rae Disproportionality Index $I = \frac{1}{n} \sum (vi - si)$	Parties Balance $\beta = \frac{\log N_0}{\log N_{\infty}},$ $\beta \in [0; 1]$
2001-2005	3,48	5,86%	0,88
2005-2009	3,3	1,80%	0,86
2009-2010	3,49	4,04%	0,88
2010-2014	3,74	2,39%	0,81

Table 7: Election Analysis: Republic of Moldova

Unlike the Ukrainian one, the Moldavian electoral system has due to the proportional electoral system type and the dispersion of parliamentary terms in the power-opposition report. If Moldova formally qualifies for a democratic electoral system, transition constraints derive from constant preference for choosing the communist ideology among both the legislative structure and the executive or monocratic functions.

### **The Constitutional Reform and the Construction of the Rule of Law**

The detachment of Ukraine and of Moldova from USSR did not produce the political consensus relating to the state organization model or of the adoption of Western-style constitutional model. This is particularly because,

The passage to independence in 1991 was not accompanied by an underlying consensus on what kind of state Ukraine should become, nor in what ways it should draw from the Ukrainian pre-communist and Soviet traditions, as well as foreign constitutional models. As had been only too evident in 1991, the members of the ex-nomenklatura, who remained in charge of the state, lacked a vision and commitment to embark on key constitutional reforms. (Volczuk 2001, 129).



The dominant question, with the detachment from the USSR, was related to the Moldovan and Ukrainian state architecture. In both cases, parliamentary and presidential elections have not led to an elitist model to facilitate the reform of public institutions. The parliamentary elections brought in the political organisation plan a mix between the old nomenclature and the new leading politicians, characterized by ideological ambiguity and lack of programmatic coherence in policy-making. Both political systems are characterized by the presence of Russian nationalism in the domestic policy approach. The justification for such a nationalist approach has its origins in the nineteenth century – the background of the Crimean War – and the collectivization attempts from the early twentieth century (Procyk 1995, 165-166). The communist inheritance and the pro-Russian nationalist spirit are the elements that make transition to democracy quite difficult. The nationalist spirit must be correlated with the presence of the extremist groups that advocate for Russian nationalism and for politics closer to Moscow's. Although, statistically, ultra nationalist parties did not obtain significant values in the elections in Ukraine and Moldova, there are still elements of the Soviet subculture in the collective consciousness, which generate more likely a shared social identity than a party or institutional affiliation (Mudd 2005, 250).

Continuity of ex-communist elite leadership produced an insufficient constitutional reform. The Ukrainian 1994 Legislative Reform has generated a disproportionate Parliament, whose majority election model favoured the continuity in leadership of the Ukrainian Communist Party and of the Socialist Party of Ukraine. The entire 1994-1998 election cycle indicates the prevalence of left values in the construction of the political elite. From the structural point of view, the Ukrainian Soviet is the one that continued the pretty well-articulated Unique Party approach, which remained for a decade and a half the main political force:

In terms of the institutional framework of the state, the rejuvenated leftist bloc in the new parliament upheld the traditional Soviet-era motto of all power to the Soviets' and aimed to reincarnate the Soviet system of narodovladia embedded in a hierarchy of people's Soviets (radas). The communists fervently advocated a classic Soviet model, according to which radas combined the functions of state power and local selfgovernment, with the Supreme Council at the pinnacle of the institutional framework. (Volczuk 2001, 141).

Although we are witnessing an independent state in 1991, we see an ambivalent vision about the relationship between unitary and federal systems. Although in the constitutional debates, the formula agreed was that of the uniform system, the acceptance of the Crimean autonomy can be perceived as a limitation of the model of independence and national unity and a nationalism gap and an affinity for the Russian Federation. Ukraine's territorial integrity was a priority of the political agenda since 1992, and since 1998 the Crimean peninsula received, by the constitution, a much wider autonomy.

However, the relations with Kiev were quite tense (Otfinoski 2005, 34).

The variable on the legal framework highlights, in both countries analyzed an increased democratic fragility. In Ukraine, as assessed by the Freedom House,<sup>6</sup> the average distribution records the value of 5.71, placing the legal and constitutional background in the category of dictatorial political systems. Along with the constitutional framework, we may insert variables such as civil and political liberties or the role of the civil society. Civil society is stiffened with an extremely low degree of reactivity with respect to governmental decisions.

In the Republic of Moldova, we find a legal framework partially functional, rigid, rather specific to political systems at the onset of transition. In association with civil liberties, we see the lack of personal opinion right, as attested by the political events of 2009, when the replacement of the Communist with a Liberal Party with pro-European visions was intended. If civil society is absent in Ukraine, in Moldova we notice a functional societal model, semi-consolidated, visible in the protests and civil movements of 2009 and 2010.

In both transitional political systems, the hypothesis of institutional dysfunctions generated by the absence of a coherent legal framework that is based on the rule of law is confirmed. One can notice the recurrence of variables related to political rights and freedoms legal framework in explaining the transition process. A sustainable reform of the Constitution, associated with the construction of a transparent institutional structure could lead to increased quality of democracy in the two analyzed countries. Constitutional limits within Ukraine are contained in a low index of institutional potentiality generated just by the mixture of political powers specific to democratic and authoritarian regimes. Basically, the constitutional text of Ukraine is dominated by post-Soviet patterns that interfere with elements specific to consolidated democracies. The solution of state reconstruction consists in the establishment at the constitutional framework level of the freedom of choice and of political equality in setting the public agenda of priority issues (McLaren 2008, 3-4).

In the Ukrainian Constitution, ratified on 28 June 1996 and amended in 2004 and 2010, we can observe a mixture of presidential and parliamentary structure. At denominative level, the old post-Soviet names are preserved, the Ukrainian Parliament (Verkhovna Rada) having the features of the old Soviet communism. In the state structure, we can notice the mixture between presidential regimes features and a series of extensive powers granted to the President (Article 102-106). The extended role of the Ukrainian President transpires from Article 106, which allocates a total of 31 prerogatives to the presidential institution. Presidential prerogatives cover both the right to invest the governmental structure and responsibilities within the decentralised public institutions. Under Articles 113 -116, the appointment of the Prime Minister is done directly by the presidential institution, with validation by the Verkhovna Rada. In the Different political practices both for the Administration of Kiev and

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<sup>6</sup> <https://www.freedomhouse.org/report-types/nations-transit#.VKuwd9KsUqN>.

Sevastopol are provided in the Constitution. The mixture of political regimes, excess of presidential powers, the absence of a genuine decentralization of the state and the two-head application of the constitutional background in the territory of Ukraine and Sevastopol are some of the elements suggesting the post-authoritarian constitutional structure.

In the case of The Republic of Moldova, once can notice a number of discrepancies between the normative dimension of the Constitution and the current political practices. In this regard, Article 5 (2), is illustrative. This article states that no political ideology can be treated as state ideology. At the level of political practice, communist ideology polarizes more than 50% of the electorate. Moreover, formally, we can sense an almost inflationary approach of political rights and freedoms (Articles 24-55), which corresponds rather to a communist approach, where the state justifies its existence and legitimizes its power by maximally guaranteeing the political rights and freedoms. In the practice of authoritarian regimes, we could observe that, formally, there is an excess of rights and freedoms, which never were guaranteed in everyday political practices. In theory, the form of government of the Republic of Moldova is parliamentary. In practice, given the significant duties of the President – in relation to the Parliament (Article 85) – and the procedure for appointing the Prime Minister (who is appointed directly by the President), Moldova is rather a semi-presidential regime.

In conclusion, both political systems analyzed in this research paper possess a fragile constitutional structure, where the confusion between the parliamentary and presidential regime, as well as the procedure of control and dismissal of public authorities often produce political and constitutional crises. The clarification of the duties of public authorities and the rules of the institutional game should be the priorities of the constitutional reform and the early stages of democratic architecture.

## Conclusions

The transition to democracy in Ukraine and the Republic of Moldova is hampered by factors such as the lack of real electoral competition, the absence of a proper distribution system of parliamentary seats [and the ambiguity of the legislative and executive powers. They derive from social post-communist psychology and from the institutional and electoral arrangements. The quantitative analysis applied to the two political systems confirms the hypothesis of the post-Soviet regimes, legitimized by the apathetic citizen against the democratic political values and by a political configuration in which the communist parties have the monopole. The numerical data correlated with the democracy index reflects the image of two companies without transparency in the decision, without a well defined electoral mechanism, without a non reactive civil society and without a decentralized and free economic sector.

Combined, these variables explain the fragility of democracy and lack of policy coherence in building the rule of law.

This article has highlighted the statistical correlation between the partisan and the electoral law or legal framework with the quality of democracy. Hyper-partidism specific to Ukraine, together with the monopoly of the Moldovan Communist Party is a first threat to the development and security of democracy. Another such threat is the lack of electoral competition, associated to mixed systems, which produces disproportion in the distribution of parliamentary seats. Both the election laws and those relating to the occurrence and competition of political parties are the product of a constitutional unbalanced framework, characterized by the mixture of principles of Soviet organisation with those specific to the semi-presidential regimes. The ambiguity of both political practices and of the organizational form of power is strongly correlated with the absence of decentralization and of liberalization of the public sectors.

Inefficient centralism is translated into incremental public institutions, lack of transparency in the decision making process and lack of protection of the civil rights and political freedoms. Summarizing the quantitative evaluations, we could say that the Ukrainian transitional process so far has led to a hybrid political system with multiple elements of authoritarianism, incompatible with the democratic order. In the case of the Republic of Moldova, we can observe a relatively stable institutional framework, but a weak constitutional system, associated with censorship, lack of real political freedoms and economic centralism, with negative effects on citizens' welfare.

For developing and securing the democracy, both Ukraine and Moldova would require reforming the electoral systems and the constitutional framework and a model of electoral competition based on democratic civil values. Since the mixed electoral systems produce high disproportions, maybe a possible solution would be a proportional electoral system, based on the Hare method, facilitating the representation of all political parties in the legislative assemblies of the two states. In my view, the constitutional framework reform should be based on clarifying the political system and form of government, the introduction of democratic mechanisms to reduce the credentials of the presidential institution and the mechanisms to maximize the representation, both locally and centrally. Democratic consolidation is impossible without a participatory political culture. Neither Ukraine, nor Moldova has taken until now measures to ensure such a political culture.

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# **Social Science Investigations**





# « Articuler » vie familiale et vie professionnelle : un objectif européen dans les politiques roumaines de l'égalité des chances ?<sup>1</sup>

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**Abstract:** This article intends to show the distance between work-life balance as a political and social issue at the EU and Romanian level, through the lens of the local gender equality policies following the process of EU accession. The article provides, in its first part, a brief presentation of the main theoretical axes structuring the available literature, followed up by the analysis of the occurrence of the work-life balance issue at the European level. Then the study examines the normative dimension of work-life balance in post-communist Romania, seeking to understand to what extent work-life balance policies have been designed and implemented in the last 25 years.

**Keywords:** work-life balance, gender equality, Romania, equal opportunities policies

L'articulation travail/ famille est de nos jours un « défi urgent, universel et légitime » (Nicole-Drancourt 2009, 13) censé faire face à tout un ensemble de risques collectifs enregistrés dans la plupart des pays européens, concernant le vieillissement de la population et la chute de la natalité, la « pauvreté », ou le faible taux d'emploi féminin sur le marché du travail. Mais la question de la « réconciliation » est, avant tout, liée à la problématique de l'égalité de genre (Răducu 2011, 86-89). À partir des années 1970, le travail domestique des femmes occupe une place centrale dans la littérature féministe, ce qui favorise l'émergence d'un certain intérêt politique porté au travail féminin (Dauphin et Marc 2008, 122). Presqu'une décennie plus tard, au début des années 1990, la « réconciliation » de la vie familiale/vie professionnelle apparaît, à côté de l'« individualisation des droits sociaux », comme l'un des moyens permettant de mettre en œuvre le droit fondamental<sup>2</sup> de l'égalité de traitement entre les

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<sup>2</sup> Letablier et Lanquetin rappellent que, selon la Cour de justice des Communautés européennes (CJCE) l'égalité de traitement entre hommes et femmes est un droit fondamental de valeur constitutionnelle qui fait partie des principes généraux du droit communautaire :

femmes et les hommes (Letablier et Lanquetin 2003, 9). Néanmoins, à la fin des années 1990, l'analyse des textes communautaires révèle une véritable redéfinition des politiques de la réconciliation dans le sens d'un passage des objectifs politiques centrés sur la question de l'égalité de genre, à des objectifs ciblés sur les problèmes du marché du travail, notamment sur la flexibilisation du temps professionnel (Stratigaki 2004). Dans le contexte de l'« européanisation » (Forest et Lombardo 2012), de la migration massive et du développement du marché européen, les directives et recommandations européennes demeurent un cadre de référence pour les réformes nationales récentes concernant la (re)structuration des économies nationales et la mise en œuvre du principe de l'égalité de sexe. L'Union Européenne plaide ainsi pour la promotion des familles à deux revenus professionnels – « dual-breadwinner » model (Lewis 1992, 159) – les arguments les plus invoqués étant liés à la nécessité d'augmenter les taux du travail (stipulée dans la Stratégie de Lisbonne de 2000), le besoin de redéfinir et mettre à jour les systèmes de protection sociale des États membres, et, enfin, au nom du principe de l'égalité de genre.

Dans les pays de l'Europe Centrale et Orientale, la question sociale et politique de l'articulation travail/famille est encore plus complexe étant donné, d'un côté, le processus récent de démocratisation des systèmes de protection sociale hérités de la période communiste, et de l'autre côté, le fait que l'égalité de genre demeure (encore) très problématique à l'Est de l'Europe, quoi que le modèle de la famille à deux revenus y soit la norme de référence (Saxonberg 2011). En Roumanie, le système de services publics connaît des transformations majeures après 1990. Dans le contexte de la libéralisation du marché du travail, de nouveaux services de garde des enfants en bas âge se développent - des crèches privées, des services offerts par des nounous (Kovács 2014), etc., mais leur coût dépasse largement les possibilités financières des catégories sociales moyennes. De surcroît, la littérature autochtone souligne que les dix dernières années les taux du travail féminin demeurent assez élevés comparés à la moyenne européenne (I. Băluță 2014, 234) en dépit de la baisse des revenus et de l'offre d'emploi destinés aux femmes. Dans ce contexte, l'absence d'une stratégie politique de conciliation travail/famille contribue à la vulnérabilisation des femmes sur le marché du travail (O. Băluță 2007a), cette situation étant révélatrice pour les incohérences liées à la mise en œuvre du principe de l'égalité de genre (O. Băluță 2007b).

Comment se présente, concrètement, l'articulation vie familiale/vie professionnelle en Roumanie après l'adhésion à l'Union Européenne ? Quelle est la dynamique de cette question au niveau communautaire et quel est le rapport entre les normes européennes et les politiques autochtones en matière

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« Un droit fondamental présente un certain nombre de trait spécifiques par rapport aux autres droits : il se distingue par sa généralité et son caractère hiérarchiquement supérieur ». La terminologie « droits fondamentaux » est adoptée dans les Constitutions des différents pays de l'Union Européenne, dont l'Allemagne, l'Italie, l'Espagne et la Roumanie aussi.

d'articulation vie familiale/ vie professionnelle ? Cet article se penche sur la distance entre la façon dont est défini l'objectif européen en matière d'articulation travail/famille et les spécificités autochtones concernant l'articulation, analysées au prisme des politiques de l'égalité de genre formulées après l'entrée de la Roumanie dans l'UE. Une brève présentation des principaux axes théoriques structurant la littérature de spécialité est nécessaire afin de comprendre et d'analyser l'émergence de la question sociale et politique de l'articulation travail/famille et les politiques afférentes au niveau communautaire. Enfin, plusieurs catégories de sources (la législation concernant l'égalité de genre, les programmes de gouvernement et les stratégies nationales de l'égalité parus autour de 2007) seront étudiées afin de déceler la dimension normative de l'articulation, tel qu'elle se présente au niveau global du pays. Cette analyse se propose aussi de saisir dans quelle mesure peut-on actuellement parler des « politiques » de la réconciliation travail/famille en Roumanie.

### **1. L'articulation vie familiale/vie professionnelle : quelques aspects épistémologiques**

« Réconciliation », « conciliation », « articulation », « work – family policies », et d'autres, ce sont quelques exemples d'une palette très diverse et variée d'expressions ou concepts qui ont en commun le souci de se pencher sur deux dimensions majeures du rapport *travail/vie personnelle*. Premièrement, ce rapport renvoie aux *enjeux temporels* liés à la gestion du temps personnel, de même qu'à l'arbitrage social entre obligations familiales et responsabilités professionnelles. Deuxièmement, il s'agit des *enjeux institutionnels* qui sous-tendent les différentes manières dont la question de l'articulation est formulée par les politiques publiques régissant le marché du travail, par les politiques de l'égalité de genre et par les droits civils et sociaux liés aux relations familiales des personnes. Par exemple, Crompton considère que « l'articulation travail/famille » est une question sociale liée à l'ensemble du cycle de vie (et non pas uniquement à la période critique de la parentalité), qui englobe les tensions et les pressions sociales qui apparaissent dans l'essai de trouver un équilibre entre la vie personnelle et la vie professionnelle (Crompton 2006). Le rapport entre travail/vie personnelle n'est jamais figé, il présente une dynamique le long de la vie, étant influencé par toute une multitude d'acteurs sociaux et politiques : entourage familial, milieu professionnel, pouvoirs publics, société civile (associations, etc.).

Quel que soit l'axe théorique choisi, il est communément admis que le genre est une dimension transversale incontournable dans l'analyse de la question de l'articulation. Cette dimension est reprise dans la plupart des travaux de référence sur le rapport vie professionnelle/vie personnelle, qu'il s'agisse des travaux privilégiant une perspective *macro* ou bien une perspective *micro* sur l'emploi des femmes, sur les systèmes de protection sociale et sur les préférences personnelles relatives au travail et à la vie familiale.

D'une part, les approches *macro*<sup>3</sup> (y compris « welfare state theories ») privilégient souvent le calcul du rapport entre coûts et bénéfices pour expliquer les choix des acteurs publiques (institutions, politiques publiques, etc.) et également ceux des acteurs sociaux qui sous-tendent la recherche de l'équilibre entre vie familiale et vie professionnelle. Selon cette perspective, les politiques de l'articulation sont censées impulser l'emploi féminin et par cela accroître la situation économique globale et, par conséquent, mettre en œuvre le principe de l'égalité de genre. Cependant on constate que, malgré le développement de l'infrastructure favorisant une meilleure articulation vie familiale/vie professionnelle, les inégalités de genre continuent à persister au niveau de l'espace social. Ainsi, la diversité des situations européennes ne peut-elle pas être réduite à un retard de certains pays en matière de protection sociale, mais, pour l'analyser, il est indispensable d'examiner les manières dont s'articulent les différents « régimes de conciliation » et les « conventions de genre » dans chaque pays (Letablier 2009a, 77). Par exemple, Letablier souligne que « les politiques dites de 'conciliation' ne sont plus vues comme relevant essentiellement de l'acteur public mais sont élargies à divers acteurs privés, soulevant par-là même de nouvelles interrogations sur les interactions entre ces divers acteurs et sur leurs modes de coordination et de gouvernance » (Letablier 2009a, 77) afin d'examiner l'articulation entre « régimes d'ajustement » et « conventions de genre » (Letablier 2009b). Ces dernières représentent « des systèmes de normes et de représentations collectives des rapports sociaux entre hommes et femmes. Ces normes se retrouvent dans les politiques mises en œuvre pour soutenir les parents qui élèvent des enfants tout en étant engagés dans une activité professionnelle, dans les instruments de ces politiques, dans leur mise en œuvre et dans la manière dont s'en saisissent les ayants droit » (Letablier 2009a, 78).

D'autre part, les approches *micro* privilégient la « perspective culturelle » selon laquelle l'explication du comportement professionnel et familial des femmes ne peut pas être réduite à la seule analyse des effets des politiques sociales en matière d'articulation. Cependant, Kremer souligne que ces approches ne suffisent non plus pour expliquer la grande variété des situations concernant le rapport travail/famille au niveau européen. Par conséquent, l'auteure se propose de combiner l'approche culturelle construite autour du genre et l'analyse des politiques sociales afin d'expliquer, par l'intermédiaire du concept « ideal of care », la façon dont se construisent les stratégies concrètes au niveau de l'espace social :

'Ideals of care' représentent des pratiques existantes, mais ils en sont plus que cela : ils englobent une légitimation normative spécifique, une logique de pertinence. Care ideals' sont genrés, ils sont partie d'une culture de genre : leur

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<sup>3</sup> Il s'agit des travaux « classiques » de Jane Lewis, Gøsta Esping-Andersen, Brigit Pfau-Effinger, Marie-Thérèse Letablier, Bruno Palier, et d'autres : même si ces auteurs ne sont pas toujours en accord les uns aux autres, leurs travaux privilégient plutôt une perspective *macro* sur les systèmes de protection sociale, le genre et la vie familiale.

légitimation est cadrée pour savoir s'ils sont mieux, pire, ou tout simplement différents du 'mother care' ; la maternité en est un cadre de référence essentiel. 'Ideals of care' ne sont pas de règles morales rigides : ils peuvent être négociés, ils sont diffus, et ils impliquent une certaine forme de négociation et de changement. 'Ideals of care' ne sont ni hégémoniques, ni mutuellement exclusifs. Le problème de la dichotomie travail/'care' est susceptible d'être résolu grâce à un bric-à-brac de stratégies, il est une boîte à outils permettant un bricolage culturel d'idéaux. En même temps, il est difficile de rendre les idéaux compatibles à d'autres. Alors que les pays ne sont pas culturellement cohérents, certains idéaux sont plus dominants que d'autres (Kremer 2007, 71).<sup>4</sup>

Au total, quel que soit l'angle théorique choisi, pour mieux comprendre les enjeux politiques et sociaux qui régissent les politiques de l'articulation et leur rapport intrinsèque aux politiques sociales et aux politiques de l'égalité de genre au niveau européen il est nécessaire de se pencher sur les points tournants dans la dynamique des normes européennes en matière d'égalité et de vie familiale et professionnelle.

## **2. L'émergence et la dynamique des normes européennes en matière d'égalité de genre et d'articulation vie familiale/vie professionnelle : des politiques imbriquées**

À partir des travaux de Peter Hall sur les politiques publiques, Sophie Jacquot analyse de la dynamique de la politique communautaire de l'égalité entre les femmes et les hommes (Jacquot 2006) au prisme d'une grille d'analyse fondée sur le séquençage du processus politique (Jacquot 2009, 248). En effet, il serait réducteur, sinon trop simpliste même de réduire les politiques publiques à l'existence des réglementations et des normes juridiques et politiques en direction de la vie sociale. Tout au contraire, l'analyse des « séquences » du processus politique (Palier et Surel 2005) permet de remarquer trois dimensions principales de l'action publique. Premièrement, les *diagnostics* bien formulés permettent d'appréhender les problèmes publics et d'en formuler des

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<sup>4</sup> La traduction de ce passage est faite par moi-même:

Care ideals are existing practices, but they are more than that: they contain a specific normative legitimation, a logic of appropriateness. Care ideals are highly gendered, they are part of a gender culture: their legitimation is framed in terms of whether they are better, worse, or just different from mother care; motherhood is a vital frame of reference. Ideals of care are not rigid moral rules: they can be negotiated, are diffuse, and imply some form of negotiation and change. Ideals of care are not hegemonic or mutually exclusive. The moral predicament of work versus care is likely to be solved through a pick-n-mix strategy, it's a cultural toolkit allowing for a bricolage of ideals. At the same time, it is hard to make some ideals compatible with others. While countries are not culturally coherent, some ideals are more dominant than others (Kremer 2007, 71).

*objectifs* appropriés, censés traiter ces problèmes, sinon les résoudre entièrement. Les différentes façons de poser des diagnostics et de définir des objectifs peuvent changer l'orientation et les priorités des politiques publiques. Deuxièmement, Jacquot souligne le fait que les *instruments* des politiques publiques ne sont pas de simples « outils » permettant d'atteindre des objectifs assignés à une politique, ils n'en sont pas uniquement des « révélateurs » mais aussi des « vecteurs de changement à part entière ». Et troisièmement, les *acteurs* politiques sont ceux qui génèrent l'élaboration des diagnostics des problèmes publics et ensuite des solutions à ces problèmes sous forme d'instruments. Enfin, on pourrait ajouter l'idée de la nécessité d'évaluer l'impact et les résultats des politiques publiques, cela permettant d'aboutir à une éventuelle réévaluation des diagnostics initialement formulés.

Outre cette approche du séquençage du processus politique, l'analyse de Jacquot est particulièrement utile dans la compréhension de la façon dont s'articulent au niveau communautaire les politiques de l'égalité des chances, celles concernant l'articulation vie familiale/vie professionnelle et les politiques sociales. L'analyse des enjeux politiques et sociaux de la question sociale de l'articulation renvoie implicitement aux rapports imbriqués qui existent entre l'intervention publique en direction de la vie familiale et professionnelle, la dynamique de l'égalité de genre et la régulation du marché du travail :

Il est très difficile de parvenir à des conclusions fermes sur les trajectoires politiques dans aucun de ces domaines. [...] L'UE ne est pas un acteur unitaire et chaque domaine politique est susceptible d'être contesté. Étant donné le degré d'imbrication des politiques de l'égalité des chances, de la réconciliation travail/famille et des politiques sociales, il est logique d'explorer les changements dans ces domaines les uns par rapport aux autres [...] (Lewis 2006, 422).<sup>5</sup>

Les politiques communautaires de l'égalité entre les femmes et les hommes procèdent au départ du seul article 119 du traité de Rome de 1957 qui stipule l'égalité de rémunération entre travailleurs féminins et masculins. Pratiquement, de 1957 à 1997 cet article représente le fondement juridique unique de la politique communautaire de lutte contre les inégalités entre les femmes et les hommes (Jacquot 2009, 249). D'un côté, l'article 119 dévoile le caractère essentiellement économique de l'égalité entre les femmes et les hommes, qui, à l'époque, est légitime uniquement dans les limites de la

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<sup>5</sup> La traduction de ce passage est faite par moi-même :

It is very difficult to come to firm conclusions about policy trajectories in any of these fields. [...] The EU is not a unitary actor and each policy area is likely to be contested. Given the extent to which equal opportunities policies, work/family reconciliation and social policy have been 'nested' together, it makes sense to explore the changes in these policy fields in relation to one another [...] (Lewis 2006, 422).

philosophie libérale qui accompagne l'instauration du marché commun. De l'autre côté, grâce à cet article la Commission européenne dispose de la légitimité juridique et politique nécessaire afin de formuler des propositions et de bâtir les fondements d'une action publique concernant l'égalité entre les femmes et les hommes.

Tout au long des années 1970 et 1980 la lutte contre les ségrégations horizontale et verticale dont sont victimes les femmes se cristallise dans un véritable passage de l'article 119 du traité de Rome au développement d'une action publique structurée (Mazey 1995), destinée aux femmes. Celle-ci englobe des directives concernant l'égalité de rémunération, des instruments de nature budgétaire et aussi des structures institutionnelles au sein des instances communautaires (Jacquot 2009, 251-252). En fait, à la fin des années 1980 la politique communautaire de l'égalité est « l'un des champs réglementaires les plus étendus de la politique sociale européenne » (Jacquot 2009, 251) qui vise la mise en œuvre de l'égalité du traitement en ce qui concerne la rémunération, l'emploi, la sécurité sociale, la formation professionnelle, etc., dans la plupart des États communautaires (Hantrais 2007). Par ailleurs, dans les années 1970-80 le développement des politiques communautaires de l'égalité entre les femmes et les hommes est dicté par une « logique de l'exception », selon laquelle les inégalités des sexes seraient hiérarchiquement supérieures aux autres types d'inégalités (ethniques, sociales, etc.). Néanmoins, cette approche substantialiste qui présume l'existence d'une différence universelle des sexes permet la légitimation et l'émergence des *actions positives* et implicitement la reconnaissance de la *discrimination directe*, malgré la conception individualiste du droit qui est à la base des réglementations communautaires.

En dépit des directives européennes ciblées, les inégalités entre les hommes et les femmes en général, et celles sur le marché du travail et dans l'emploi en particulier, continuent à persister. Par conséquent, au tournant des années 1980-90, ce constat entraîne une réévaluation du diagnostic initial (le problème n'est plus celui de l'existence des inégalités, mais celui de leur persistance), de même qu'une redéfinition des objectifs des actions publiques (il ne s'agit plus de renforcer les politiques de l'égalité, mais de faire en sorte que toutes les autres politiques et actions publiques prennent en compte l'égalité) (Jacquot 2009, 254). Ce changement est nourri, entre autres, par le développement progressif des études de genre qui mettent en exergue non seulement les limites de l'approche substantialiste des rapports sociaux de sexe, mais aussi la complexité des inégalités et leur renforcement réciproque. C'est ainsi que, à la fin des années 1980, l'idée de *gender mainstreaming* (ou d'« approche intégrée de l'égalité ») (Jacquot 2008) commence à se diffuser sur la scène de l'action publique visant le combat des inégalités entre femmes et hommes :

C'est un instrument d'action publique par lequel la question particulière de l'égalité entre les femmes et les hommes est intégrée de façon horizontale et

systematique à l'ensemble des 'autres' politiques publiques et prise en compte à toutes les étapes du processus politique (Jacquot 2009, 258).

Selon Jacquot, le *gender mainstreaming* demeure très suggestif pour le passage de l'égalité de rémunération instaurée autour des années 1960 à l'égalité de traitement et ensuite à l'égalité des chances, et finalement à l'égalité d'impact censée intervenir à long terme lors de chaque séquence du processus politique, dans le sens d'une action anticipative *a priori* des inégalités de genre. Le *gender mainstreaming* occupe ainsi une place centrale au niveau de la politique communautaire de l'égalité dans les années 1990.

À l'époque, la Communauté n'est plus conçue comme étant « porteuse du changement », mais plutôt accompagnatrice des États membres d'où, les principes de la « complémentarité » et de la « subsidiarité » apparaissent dans le champ d'action publique européenne (Jacquot 2009, 261). En matière de politiques familiales par exemple, le principe de la subsidiarité a longtemps régi l'action des institutions européennes. Selon ce principe, les États membres bénéficient de toute liberté pour définir leurs moyens et objectifs en direction de la vie familiale, celle-ci étant indirectement visée par les recommandations et directives européennes concernant la libre circulation des travailleurs, l'égalité de genre et la promotion de la responsabilité sociale des entreprises. Néanmoins, avec tous les défis économiques, sociaux et démographiques qui accompagnent l'élargissement du marché européen, les institutions européennes présentent une intervention croissante en matière familiale, la « conciliation » étant le « maître mot européen des politiques familiales, entraînées par les politiques pour l'égalité des sexes » (Damon 2006, 85).

Si le principe du *gender mainstreaming* émerge au niveau européen à la fin des années 1980, les modalités concrètes de sa mise en œuvre ne sont clairement formulées qu'avec son insertion dans le traité d'Amsterdam en 1997. De même, au début des années 2000, *gender mainstreaming* prend tout son sens avec la Stratégie de Lisbonne. Il s'agit d'une nouvelle étape des politiques communautaires de l'égalité qui, dans un premier temps, continue à associer *gender mainstreaming* et actions positives, mais qui mène ensuite à une « dilution » du principe à force de sa transversalité :

Alors que la politique d'égalité avait réussi, depuis les années 1970, à s'émanciper du chemin utilitariste en termes de concurrence non faussée tracé par les négociations de 1957 et à s'affirmer en tant qu'enjeu autonome, la re-problématisation de la question de l'égalité et l'émergence du *gender mainstreaming* lui permettent de retrouver une place à l'agenda, mais en tant qu'objectif subordonné aux objectifs macro-économiques de l'Union. (Jacquot 2009, 269-270).

Autrement dit, dans le nouveau contexte de la montée du chômage, du vieillissement de la population et de l'importance croissante de la migration, *gender mainstreaming* et la question de l'égalité entre les femmes et les hommes deviennent surtout des « facteurs de croissance et compétitivité », complètement



subordonnés aux objectifs macro-économiques de l'Union Européenne. En suivant la logique de l'égalité pour le marché et non plus celle de l'égalité comme visée en soi, le développement de la politique sociale (Palier 2009), « l'investissement social » (Esping-Andersen 2008) et la lutte contre les discriminations sont transformés dans des moyens pour atteindre la croissance économique et pour accroître la compétitivité du marché européen. Dans les conditions de cette reconfiguration, le principe de la subsidiarité perd du terrain devant ces impératifs stipulés par la Stratégie de Lisbonne en 2000.

À leur tour, les mesures d'articulation vie familiale/ vie professionnelle (notamment les mesures favorisant la participation croissante des femmes au travail rémunéré, celles visant l'aménagement des interruptions de carrière et la flexibilisation du temps de travail, les congés parentaux et aussi les services de soin des personnes dépendantes et la garde des enfants) (Jacquot 2009, 270) deviennent une donnée centrale pour atteindre les objectifs économiques européens. Jane Lewis rappelle que, initialement, la notion de « réconciliation » a été utilisée pour désigner « l'harmonisation » du travail rémunéré et non-rémunéré des femmes. Pourtant, à partir du début des années 1990, les textes communautaires avancent l'idée du « partage » des responsabilités familiales et des obligations professionnelles, de sorte que les femmes et les hommes aussi en soient également impliqués. Par exemple, en 1994 le Livre blanc sur politiques sociales de la Commission européenne fait des références à la nécessité d'une plus grande solidarité entre les femmes et les hommes, alors qu'il rend prioritaire le rôle des politiques sociales dans la promotion du travail rémunéré des femmes (Lewis 2006, 429).

En concordance aux autres changements politiques, économiques et sociaux enregistrés au niveau européen à la fin des années 1990, les politiques de la réconciliation ont été reformulées. D'un côté, cette question devient une partie intégrante de la Stratégie Européenne de l'Emploi (1998), étant conçue comme faisant partie du processus même de modernisation des systèmes de protection sociale en Europe (Esping-Andersen 1999, 70). De l'autre côté, dans la littérature de spécialité on met en exergue les effets de cette décision qui n'ont rien à faire à la promotion de l'égalité de genre per se (Stratigaki 2004), notamment : a) la disparition de l'intérêt communautaire porté à la nécessité de changer le comportement social des hommes afin de les impliquer davantage dans les travaux domestiques et familiaux, et b) le ciblage des politiques européennes sur les services de soins et de garde des enfants qui encourage la participation des femmes au marché du travail en ignorant la nécessité de faciliter de nouvelles modalités de gestion du temps familial (Lewis 2006, 429). Autrement dit, la réconciliation travail/famille devient à l'époque intimement liée (sinon subordonnée) à la volonté européenne de rendre prioritaires sur l'agenda publique la flexibilité et la sécurité du travail, et ceci afin d'accroître les taux de l'emploi féminin comme solution pour le développement économique du marché européen.

Somme toute, à l'instar des politiques communautaires de l'égalité, les normes et actions européennes en matière de réconciliation travail/famille ont fini par être complètement subordonnées aux politiques de l'emploi et en même temps à la « nécessité » de stabiliser (sinon d'accroître) les taux de la natalité en Europe. En d'autres mots, au niveau européen, l'égalité de genre n'est plus vraiment un objectif en soi, et le « libre choix » des femmes de trouver un équilibre entre leurs carrières professionnelles et leurs vies familiales n'étant en fait qu'un moyen d'augmenter les taux d'emploi féminin, moteur de la croissance économique au niveau européen. Qu'en est la situation en Roumanie, pays membre de l'UE depuis 2007 ?

### **3. La « réconciliation » vie familiale/vie professionnelle en Roumanie : un révélateur de l'(in)égalité de genre ?**

La littérature de spécialité met en exergue que, malgré la grande diversité et mixité selon les pays, en général les politiques de l'« articulation » peuvent être définies et analysées en fonction de trois dimensions majeures : en fonction de la réglementation du *temps* de travail ; en fonction des *dépenses publiques (l'argent)* en direction des soins accordés aux enfants (« cash for carers to buy formal care, cash for care while they are on leave ») ; en fonction des *services* de garde et de soins destinés aux enfants et aux personnes âgées (que ces services soient publiques ou privées) (Lewis 2009, 82-95).

Pour savoir dans quelle mesure peut-on vraiment parler des « politiques » de la réconciliation travail/famille en Roumanie après 2007, une analyse de la dimension normative de l'articulation s'avère indispensable. Plus précisément, trois catégories de sources révélatrices pour la façon dont est régulée l'articulation (notamment en termes de temps de travail et de *care*) seront analysées au prisme de l'approche séquentielle proposée par Sophie Jacquot (voir supra) : (1) les réglementations en vigueur structurant l'imbriquement de la réconciliation, de l'égalité de genre et des politiques sociales, (2) les institutions publiques et (3) les stratégies gouvernementales de l'égalité censées mettre en œuvre le principe égalitaire par l'intermédiaire des mesures de réconciliation.

#### **3.1. L'articulation vie familiale/ vie professionnelle au prisme de la législation en vigueur**

À titre d'exemple, en France la Loi du 23 mars 2006 relative à l'égalité salariale entre les femmes et les hommes comporte un volet en entier consacré à l'articulation des temps professionnels/familiaux qui vise à accompagner les entreprises dans leur gestion des ressources humaines et à favoriser la carrière des femmes. En Espagne aussi, quelle que soient ses limites, la Loi 39/1999 régit la « conciliation de la vie familiale et professionnelle » (Torns 2008, 64-67). En Roumanie en revanche la question de l'équilibre des temps

professionnels/familiaux ne fait l'objet d'aucune réglementation spécifique, n'étant non plus insérée dans les textes normatifs sur l'égalité de genre ou bien sur l'égalité des travailleurs femmes et hommes. De plus, la législation roumaine concernant l'égalité de genre est beaucoup focalisée sur la lutte contre les discriminations (O.U.G. 137/2000), son efficacité à l'égard de la mise en œuvre du principe égalitaire étant assez réduite.

La Loi 202/ 19 avril 2002 est la réglementation principale concernant l'égalité de genre en Roumanie. Le texte de la loi a été révisé et republié trois fois depuis son entrée en vigueur (en 2005, 2007 et 2013). Son analyse est particulièrement suggestive non seulement pour la question de l'articulation travail/famille mais aussi pour la manière dont l'égalité de genre se présente au niveau normatif en Roumanie. En ce sens, trois observations méritent l'attention. Premièrement, aucun des articles de cette loi ne reprend le terme d'« égalité de genre », quoi que celui-ci soit présent partout dans la législation et les politiques communautaires de l'égalité. La loi emploie les expressions suivantes : « l'égalité des chances et de traitement entre les femmes et les hommes », « discrimination », « discrimination indirecte », « harcèlement », « harcèlement sexuel », « action positives » (selon l'art. 4 (e), « les actions positives sont des actions spéciales et temporaires pour accélérer l'accomplissement de fait de l'égalité des chances entre les femmes et les hommes, n'étant pas considérées des discriminations »). De plus, la première version de la Loi 202/2002 fait des références à des « mesures stimulatrices », sans employer le concept d'« actions positives ». Deuxièmement, le chapitre consacré à l'« approche intégrée de l'égalité »<sup>6</sup> ne lui donne aucune définition et, de plus, ne stipule aucune modalité de mise œuvre de ce principe politique. Ce chapitre décrit et énumère tout simplement la structure et les attributions des institutions censées assurer « la mise en œuvre active de la perspective de genre dans toutes les politiques et les programmes nationaux. » (Loi 202/2002 2007, art. 27 al. 2). Enfin, même si la Loi 202/2002 comprend un volet en entier destiné à l'égalité des chances et de traitement entre les femmes et les hommes sur le marché du travail, aucune référence n'est formulée par rapport à la question de l'équilibre entre les temps sociaux destinés au travail et à la vie personnelle.

À son tour, le Code du travail est très suggestif pour la question de l'articulation. Entré en vigueur en 2003 (suite à la Loi 53/2003), il remplace l'ancien Code du travail de 1972. Il est modifié par l'O.U.G. n° 65/05.07.2005 destinée à rendre plus flexible le temps du travail (Zamfir 2010, 53) et quelques années plus tard, il est republié en 2011. À partir de 2003, le Code du travail régleme « le temps partiel de travail », de même que « le travail à domicile » et assure l'égalité de rémunération des travailleurs femmes et hommes, ainsi que

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<sup>6</sup> Il s'agit du *gender mainstreaming*, traduit en roumain par « abordarea integrată de gen în politicile naționale », qui fait l'objet du V<sup>ème</sup> chapitre de la Loi 202/2002.

« le respect de la maternité », en concordance avec le principe européen de l'égalité de genre.

Dans le contexte de la promotion du principe de la *flexicurité*, stratégie visant à renforcer la flexibilité et la sécurité sur le marché du travail, notamment les besoins des employeurs en matière de flexibilité de la main-d'œuvre avec les besoins des travailleurs en matière de sécurité, la « flexibilisation » du temps du travail devient le leit motif du discours européen. Par conséquent, nombre de pays européens essaient de mettre en œuvre une plus grande flexibilité en ce qui concerne le *temps* du travail (et moins en ce qui concerne le *lieu* du travail) (Lewis 2009). Néanmoins, le travail flexible prend toute une variété de formes (travail à mi-temps ou à temps partiel, travail à la maison, travail le weekend, contrats courts à période déterminée, etc.) qui sont difficilement interprétables et comparables au niveau européen. Plus important encore, Jane Lewis montre que le travail flexible peut être une source des inégalités de genre. En ce sens elle donne l'exemple de la Grande Bretagne où, dans un contexte où l'intervention de l'État concernant les services et les congés pour les enfants en bas âge est très faible, le travail flexible permet aux pères d'augmenter le temps professionnel au détriment du temps familial, alors que les mères agissent en sens inverse. D'ailleurs, dans la littérature de spécialité on souligne qu'il est très difficile de distinguer entre des « préférences réelles » et des « préférences adaptées », c'est-à-dire entre les femmes qui choisissent de façon volontaire de travailler à mi-temps et les femmes qui n'ont pas de choix et pour pouvoir faire face à d'autres obligations, elles font recours au travail à mi-temps (European Commission 2013, 186).

Au total, la réglementation du temps flexible ne suffit pas pour prouver l'existence d'une véritable « politique » de l'articulation travail/famille en Roumanie. De plus, on peut supposer que le travail à mi temps n'est pas (encore) un « fait social » ordinaire dans le postcommunisme roumain, mais cette hypothèse dépasse largement le cadre de cette analyse.

### 3.2. Les institutions publiques responsables de la mise en œuvre de l'égalité de genre en Roumanie

À partir des années qui précèdent l'adhésion à l'Union Européenne jusqu'à présent, toute une série d'institutions publiques ont été créées afin de mettre en œuvre le principe de l'égalité des chances en général, et le principe de l'égalité de genre en particulier. D'ailleurs, les activités et la structure de ces institutions sont souvent réglementées par la Loi 202/2002.

*Le Conseil national de lutte contre la discrimination* (CNCD) est une institution unique de son genre, chargée de la lutte contre toutes les formes de discrimination au niveau global du pays. CNCD a été créé suite à la décision gouvernementale H.G. 1194/2001 concernant son organisation et son fonctionnement, la lutte contre les discriminations étant réglementée par l'O.U.G. 137/31.08.2000, documents significatifs pour l'adoption des normes

européennes concernant l'anti-discrimination. Suite à la Loi 324/14.07.2006, CNCD devient une institution « indépendante » du point de vue de sa structure et de ses attributions : le Conseil est une institution autonome sous contrôle parlementaire, il a un budget propre, son président ayant le statut d'un secrétaire d'État, élu pour un mandat de cinq ans. De même, les activités du CNCD couvrent 14 critères de discrimination. Ses attributions sont liées à l'investigation et à la sanction de tout type de discrimination. Les amendes prévues sont de 1.000 à 30.000 lei si l'objet de la discrimination est une personne, et de 2.000 à 100.000 lei si l'objet de la discrimination est un groupe de personnes. Ainsi, le sexe n'est-il qu'un critère, parmi autres, qui peut autoriser le CNCD de prévoir une sanction.

À part le cas plutôt exceptionnel du CNCD, la situation des autres institutions chargées de la mise en œuvre de l'égalité de genre laisse à penser, étant suggestive pour l'intérêt politique assez faible qui y est porté en Roumanie.

Tout d'abord, de 2005 à 2010, l'*Agence nationale pour l'égalité des chances entre les femmes et les hommes* (ANES) a fonctionné dans la subordination du Ministère du Travail, de la Solidarité Sociale et de la Famille (MMSSF), mais l'Agence disposait d'une certaine autonomie juridique et financière (ANES avait un budget propre). De même, l'ANES a été créée par l'intermédiaire de la Stratégie nationale pour l'égalité des chances entre les femmes et les hommes (2006-2009), ses objectifs étant liées à : l'élaboration des politiques et stratégies gouvernementales concernant l'égalité de genre ; l'harmonisation du cadre législatif national avec les réglementations européennes ; la mise en œuvre de l'« approche intégrée de l'égalité », etc. En 2007, suite à la modification de la Loi 202/2002, on adopte l'H.G. 484/2007, document qui prévoit une nouvelle réglementation du statut de l'ANES. Plus précisément, à partir de 2007 la *Commission nationale dans le domaine de l'égalité des chances entre les femmes et les hommes* (CONES) est conçue comme une institution qui réunit des représentants de tous les ministères, étant ainsi la structure publique principale chargée de la mise en œuvre du *gender mainstreaming*. Néanmoins, la CONES ne joue qu'un rôle consultatif, le président de la CONES étant en fait le même que le président de l'ANES.

Dans le contexte de la crise économique de la fin des années 2000 et de la nécessité de réduire le nombre des fonctionnaires publiques, en 2010 ANES est complètement restructurée, étant transformée dans une simple *Direction pour l'égalité des chances entre les femmes et les hommes* dans le cadre du Ministère du travail<sup>7</sup>. Cependant, cette nouvelle direction n'a pas d'autonomie juridique, ne dispose pas d'un budget propre et fonctionne avec un nombre très réduit de fonctionnaires publics. Autrement dit, de 2010 à 2013, la Direction pour l'égalité

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<sup>7</sup> D'ailleurs, le Ministère aussi est re-intitulé, étant nommé depuis 2010 le Ministère du Travail, de la Famille, de la Protection Sociale et des Personnes Âgées (MMFPSPV).

et le CNCD, auprès des deux commissions parlementaires<sup>8</sup> dans le domaine de l'égalité de genre, sont les seules institutions chargées de mettre en œuvre le principe égalitaire en Roumanie.

Enfin, la Loi 202/2002 republiée en 2013 stipule, dans son art. 23, alinéa 1, que le MMFPSPV est responsable pour l'élaboration et la mise en œuvre des politiques et des planifications nationales de l'action gouvernementale dans le domaine de l'égalité des chances entre les femmes et les hommes. Plus important encore, suite à la H.G. 250/2014 le *Département pour l'égalité des chances entre les femmes et les hommes* (DESF) est créé comme une structure subordonnée au Ministère du travail, mais qui dispose d'une autonomie juridique et financière. Le DESFB est coordonné par un secrétaire d'État (nommé et libéré de sa fonction par la décision du premier ministre) qui est autorisé à émettre des décisions politiques en matière des politiques de l'égalité de genre. Néanmoins, en dépit de l'adoption de la H.G. 250/2014, la création du Département est encore en train d'être achevée, aucune information qui y soit liée n'étant pas (encore) disponible sur le site officiel du Ministère du travail.

### 3.3. L'articulation vie familiale/vie professionnelle au prisme des programmes de gouvernement et des stratégies nationales concernant l'égalité des chances entre les femmes et les hommes

Le cadre législatif et institutionnel qui suit l'adhésion de la Roumanie à l'Union Européenne a été sans doute un des facteurs importants qui ont influencé la manière dont l'articulation travail/famille a été intégrée dans les documents programmatiques des gouvernements, de même que dans les stratégies nationales concernant l'égalité de chances entre les femmes et les hommes.

Les trois derniers *Programmes de gouvernement* qui se succèdent avant et après 2007 sont avant tout suggestifs pour la dynamique du principe égalitaire sur la scène politique en Roumanie. Le premier document programmatique (2005-2008) débute la même année de la création de l'ANES. Ce Programme présente plusieurs objectifs, dont la flexibilisation du temps du travail, la modification du Code du Travail et la nécessité d'aligner la législation autochtone aux normes européennes concernant la sécurité au travail. Néanmoins, il ne contient aucun objectif ou référence liés au genre, à la famille, au *gender mainstreaming* ou bien à la question de l'articulation travail/famille. Cela suggère que, le gouvernement de droite de l'époque (2004-2008) ne s'intéressait au principe politique de l'égalité des chances que dans la mesure où sa mise en œuvre représentait une pré-condition pour l'adhésion à l'UE.

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<sup>8</sup> À présent tous les membres de la Commission pour l'égalité des chances du Sénat de la Roumanie (commission permanente) sont des hommes : <http://www.senat.ro/ComponentaComisiei.aspx?Zi=&ComisieID=106D721D-55E0-4283-AD91-45926E1B1B64>.

Quelques années plus tard, le deuxième programme de gouvernement (2009-2012) est adopté toujours par un gouvernement de droite (2008-2012) pendant lequel on dispose d'ailleurs l'arrêt du fonctionnement de l'ANES. Quoi qu'il s'agisse d'un programme adopté après la rentrée de la Roumanie dans l'UE, dans son 7<sup>ème</sup> chapitre intitulé « Le marché du travail » il n'y a aucune référence à l'égalité de genre. De surcroît, le 9<sup>ème</sup> chapitre intitulé « La famille, la protection de l'enfant et l'égalité des chances » stipule que « Les politiques de la réconciliation de la vie familiale à la vie professionnelle » sont subordonnées à la « Famille » en tant que « direction d'action » du programme, mais aucun budget et aucune modalité de mise en œuvre n'en sont pas précisés. À son tour, « l'égalité des chances » comprend 11 « directions d'action », mais aucune référence au *gender mainstreaming* n'y est pas faite.

Enfin, le dernier Programme de gouvernement (2013-2016) est adopté par un gouvernement de gauche qui, au moins en théorie, devrait être plus sensible au principe politique de l'égalité des chances. Néanmoins, ce principe n'apparaît dans aucun chapitre ou sous chapitre du programme. De plus, les seules références à la question de l'articulation travail/famille sont insérées dans le chapitre « Le travail » dans lequel on invoque « les mécanismes pour assurer un équilibre entre la vie familiale et la vie professionnelle » sans en préciser le contenu effectif.

Outre les programmes de gouvernement, les trois Stratégies nationales pour l'égalité adoptées dans le postcommunisme roumain font référence, entre autres, à la question de l'articulation travail/famille. Les deux premières ont été liées au fonctionnement de l'ancienne ANES, étant suivies par un vide normatif (de 2012 à 2014) jusqu'à l'adoption de la troisième stratégie nationale pour l'égalité.

La première stratégie (2006-2009) est la seule accompagnée par un « Plan général d'actions » prévues pour sa mise en œuvre. Un des objectifs politiques présentés dans le document est celui de la « conciliation de la vie familiale avec la vie professionnelle », qui aurait dû être réalisé jusqu'en 2009 au plus tard, par l'intermédiaire de 4 types d'actions menées par l'ANES : 1. promouvoir la flexibilisation du temps du travail ; 2. encourager les pères à s'impliquer dans les activités de *care* et donc à bénéficier du congé parental et de celui de paternité ; 3. promouvoir le développement des services sociaux ; 4. informer la population à l'égard de la protection de la maternité au lieu du travail. Pourtant, la stratégie ne prévoit aucun budget nécessaire pour atteindre ses objectifs, et, de plus, ne présente pas les modalités de réalisation concrète des actions planifiées.

À son tour, la deuxième stratégie (2010-2012) maintient l'objectif de la « conciliation de la vie familiale avec la vie professionnelle », les références qui y sont liés en étant même plus développées. Par l'intermédiaire de cette stratégie l'ancienne ANES propose de réaliser une « campagne d'information et de sensibilisation » destinée aux pères, afin qu'ils s'impliquent davantage dans les travaux domestiques et dans les activités concernant les soins accordés à leurs

enfants. De plus, la stratégie prévoit comme résultat la diminution des différences salariales entre les femmes et les hommes au niveau du pays. Or, en dépit de l'intérêt plus grand accordé à la question de l'articulation, cette stratégie avance des objectifs très ambitieux mais n'en propose que des moyens plutôt modestes. Plus précisément, les campagnes de sensibilisation de la population sont loin d'être suffisantes pour diminuer les inégalités de genre en général et celles sur le marché du travail en particulier.

La dernière stratégie nationale de l'égalité (2014-2017) et le « Plan national » pour la mise en œuvre de cette stratégie reprennent l'idée de la campagne d'information et de sensibilisation de la population par rapport à la conciliation travail/famille, et en énumère plusieurs « instruments » favorables : 1. encourager les sociétés privées d'assurer des services de type *day-care* pour les enfants de leurs employés ; 2. encourager le temps de travail flexible des employés ayant dans leurs familles des personnes dépendantes ; 3. prendre en compte le travail invisible des femmes ; 4. encourager le partenariat femmes/hommes dans leur vie privée, et stimuler les hommes à s'occuper des enfants en bas âge. Analysés au prisme de l'articulation travail/famille, ces deux derniers documents demeurent éloquentes non seulement pour le caractère inefficace des « instruments » qu'ils proposent, mais aussi pour l'approche conservatrice-familialiste du législateur par rapport à la vie familiale et de couple. Plus précisément, quelques précisions s'imposent : 1. avant de les tourner vers le secteur privé, des solutions liées à des institutions publiques habilitées à s'occuper des enfants en bas âge pourraient être proposées ; 2. la flexibilisation du temps de travail pourrait être la source d'une plus grande inégalité de genre (voir supra) ; 3. on ne précise pas de modalités concrètes afin de « prendre en compte le travail invisible des femmes » ; 4. au-delà du caractère problématique et ambigu de la formule de l'« encouragement du partenariat femmes/hommes », dans une société démocratique l'équilibre vie familiale/vie professionnelle n'est pas une question qui concerne exclusivement les couples hétérosexuels.

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À l'époque d'une véritable recomposition des étapes du cycle de vie, la recherche d'un équilibre entre les responsabilités familiales et les obligations professionnelles va au-delà de l'ainsi dite « liberté » des personnes de choisir le travail ou les soins familiaux. L'analyse de la façon dont se présente la question politique et sociale de l'articulation travail/famille au niveau communautaire montre que l'articulation n'est pas un objectif *per se*, mais une modalité censée contribuer à la mise en œuvre du principe démocratique de l'égalité de genre. Ainsi, au-delà du principe de la subsidiarité, l'équilibre des temps sociaux liés au travail et à la vie personnelle représente, entre autres, la disponibilité des politiques nationales de créer une nouvelle articulation entre la marchandisation de tout un ensemble d'activités domestiques (nourriture, femmes de ménage, etc.) et les activités qui restent non marchandes (Dohotariu 2008, 418).



En Roumanie cette disponibilité est (encore) difficile à apercevoir. D'un côté, la législation en vigueur permet d'afficher des mesures en concordance avec le principe de l'égalité de genre. De l'autre côté, ce principe est loin d'être mis en œuvre, en dépit des recommandations européennes. De plus, l'analyse des documents programmatiques et des stratégies nationales de l'égalité suggère qu'en Roumanie on ne peut pas vraiment parler des « politiques » de la réconciliation travail/famille. Plus précisément : 1. les documents programmatiques existants réduisent la question de l'articulation à la nécessité de réaliser quelques « campagnes d'information et de sensibilisation » ; 2. il n'y a pas (encore) de ligne budgétaire destinée au moins à la mise en œuvre du principe de l'égalité de genre, le fonctionnement du DESFB n'ayant pas encore démarré ; 3. on ne fait aucune référence à la nécessité de réglementer des occupations qui contribuent à l'articulation travail/famille (nounous, femmes de ménage, etc.) (I. Băluță et Dohotariu 2015) mais qui restent encore en dehors de la sphère professionnelle officielle ; 4. on ignore complètement la nécessité de partager de façon équilibrée entre les parents le congé pour élever les enfants en bas âge, voire de lui diminuer la durée afin de stimuler l'insertion des femmes sur le marché du travail ; 5. enfin, on ne fait aucune référence à la nécessité de créer et de développer des services publics de *care*. Toutes ces observations confirment les résultats d'autres travaux autochtones selon lesquels le principe de l'égalité de genre occupe une place marginale sur l'agenda politique en Roumanie (I. Băluță 2014). De plus, l'articulation travail/famille et, plus généralement, l'égalité de genre demeurent révélatrices pour un paradoxe : l'action publique en Roumanie demeure orientée, avant tout, vers les intérêts économiques et financiers de l'État, mais, malgré les recommandations européennes selon lesquelles les politiques de l'égalité sont un vecteur incontournable de la croissance économique, en Roumanie le principe de l'égalité de genre en général et celui de l'articulation travail/famille en particulier continuent à occuper une place marginale.

Au total, cette analyse devrait être complétée par l'étude de toute une série d'autres sources révélatrices : les documents concernant la création et ensuite la suppression de l'Agence nationale de la protection de la famille (ANFP), ou encore, l'analyse des stratégies nationales concernant l'emploi (Dohotariu 2015), l'éducation, la santé et les « jeunes ». De surcroît, au-delà de l'étude de sa dimension normative, ce travail devrait être enrichi par une analyse portant sur les pratiques sociales concrètes, afin de déceler en profondeur la dimension culturelle incontournable de l'articulation vie familiale/vie professionnelle.

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# Value Attainment, Orientations, and Quality-Based Profile of the Local Political Elites in East-Central Europe. Evidence from Four Towns<sup>1</sup>

Roxana Marin

**Abstract:** The present paper is an attempt at examining the value configuration and the socio-demographical profiles of the local political elites in four countries of East-Central Europe: Romania, the Czech Republic, Bulgaria, and Poland. The treatment is a comparative one, predominantly descriptive and exploratory, and employs, as a research method, the case-study, being a quite circumscribed endeavor. The cases focus on the members of the Municipal/Local Council in four towns similar in terms of demography and developmental strategies (i.e. small-to-medium sized communities of around 35,000 inhabitants, with economies largely based on food industry and commercial activities): Tecuci (Galați county, Romania), Česká Lípa (Liberec region, Czech Republic), Targovishte (Targovishte province, Bulgaria), and Oleśnica (Lower Silesia province, Poland). Hypothesizing that the local elites of the former Sovietized Europe tend to differ in outlook, priorities, and value attainment, as compared to their Western counterparts, the paper considers the former's attitudes and perspectives in regard to seven values: a series of values customarily connected with the concept of 'democracy' (i.e. citizen participation, political conflict, gradual change, economic equality), state intervention in economy, decentralization and increased local autonomy, cultural-geographical self-identification. The study uses, as well, five models of value attainment in what concerns the 'ideal portrait' of the local councilor (Putnam 1976): ethical, pragmatic, technocratic, political, and gender. According to the results of a study applying a standard written questionnaire among the local councilors of the three communities in the period December 2010-February 2013, the paper distinguishes among three corresponding types of local elites: (1) 'predominantly elitistic,' (2) 'democratic elitist,' and (3) 'predominantly democratic,' following two types of explanation accounting for the differences among the four cases: the legacy of the defunct regime and the degree of administrative decentralization.

**Keywords:** local elites, East-Central Europe, values, decentralization, *ancien régime*, fivefold model

## I. Theoretical Assessments. On the Study of Local Political Elites and Their Values

An analysis of the opinions and attitudes adopted by the local political elite is instrumental and paramount in the description of this group. In reference to the

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views, perceptions, opinions and attitudes of the local political elite, and starting from the very simple, blunt and plausible assumption that the preferences, the orientations and the values of the leaders matter more than those of the masses, Robert Putnam (1976, 80) identifies four major orientations in the attitudes of this type of elite: cognitive orientations (predispositions based on which individuals interpret the existing reality; *e.g.* the attitudes regarding the social conflict); normative orientations (assessments regarding the way the society should be; *e.g.* the attitudes, ideologically motivated, towards the economical equality); interpersonal orientations (perceptions about the other segments of the political elite); stylistic orientations (“structural characteristics of the beliefs systems of the political elite” (Stoica 2003, 179)). Certain values embraced by the representatives of the local political elite can be explained by their social background: for instance, it is expected that those coming from lower class families are inclined to favor economic equality. Other values are acquired in the process of socialization (*i.e.* the type of education, the episodes of primary socialization, etc.).

The literature dedicated to the study of local political elites is impressively reduced: the bulk of this literature derives from the broad study of political elites and consequently dates from the 1970s, once with the climax reached by the elitist empirical studies. In this respect, the most frequently quoted, the renowned *oeuvre* pertains to Robert Dahl who constructed its poliarchic model on the study of the municipality of New Haven. Among the most prominent studies on the slippery and feeble soil of local political elites, the mentionable titles are the pioneering works authored by Robert Staughton and Helen Merrell Lynd, *Middletown* (1929) and *Middletown in Transition* (1937), undertaken in Muncie (Indiana). Despite the anthropological overload of their volumes, it is important to bear in mind that the two American scholars were among the first to endeavor in such an inductively-driven urban inquiry, and the first to consider the impact of economic changes and development strategies on various segments of the town’s population, including the leading *strata* of the community, on these segments’ values and behaviors. Lynds’ work is equally significant for it paves the way for Dahl’s future observations, stressing on the relevance of power – even in the very confined, narrow space of a small town – and on the place of economic notables in Muncie, the ‘businessmen,’ on their conspicuous influence upon the political leadership of the town and on the entire activity and life of the urban community. From the prism of these conclusions, when discussing the “Middletown Studies,” Nelson Polsby (1963, 14) labels them as ‘Marxist’ (for they contend that property among the means of production provides for absolute power within a municipality) and the representatives of the ‘stratification theory’ in elitist studies, for they ultimately reach the conclusion that the local elite is the one that possess political power – usually springing from other form of power exerted at the local level, *e.g.* economical –, as an instrument for governing the community in accordance to its own



vernacular interests. Illustrative for the cases selected here (particularly for the Romanian case), although they stress on the 'net separation' between the economical institutions and the political ones, even at the local level, the Lynds do acknowledge the immanent interdependence between the two institutions and leadership, since

those who dominate from an economic standpoint the community exert their control on the political problems, as well, only to avoid the too accentuated increase in taxation or a too strong involvement in their own affairs [by the political leadership]. Otherwise, they are totally disinterested in the political life. (Lynds 1937, 129)

This assessment might appear yet too hazardous, taking into consideration the frequency and the intensity of interactions and network formation between the political and the economic elites; a series of tentative evaluations somehow antagonizing with Lynds' conclusion are drawn from the present study, but, while the American study is focused on Muncie in the 1920s and 1930s, the present study is extremely contingent on four towns in East-Central Europe in 2010-2013, making hence opposite views and results virtually irreconcilable for the simple fact that the two studies are circumscribed to particular instances, settings and time frames, with no pretence to exhaustive generalizations. As a matter of fact, the Lynds' studies on 'Middletown' and their feeble conclusions in respect to the connections between economic and political elite at the local level (dominantly in urban areas) opened the way for similar, more mature and more meaningful empirical endeavors oriented towards the analysis of the said connections and of their impact on the developmental strategies and the general profile of the urban communities; notable in this sense is William Lloyd Warner's study on 'Yankee City' (Newburyport, Massachusetts) (Warner & Lunt 1941; Warner & Lunt 1942; Warner & Strole 1945; Warner & Low 1947; Warner 1959; Warner 1963), the hypothetical urban center dominated by entrepreneurs, businessmen, freelancers and liberal professionals, who managed to forge a sort of 'class consciousness' and who virtually ousted any trace of autonomy from the political institutions. Surely, such a stance is too vehement and radical, since it implies the blunt reality that, at the local level, the economic elite is the one that ultimately governs in town. Notwithstanding his categorical positions, Warner and his work on 'Yankee City' are to be kept in mind when endeavoring in the thin and narrow field of local political leadership at least from two perspectives: firstly, his observations are heavily utilized and partly confirmed – albeit in a nuanced form – by the present research, which point to the pertinence and contemporaneity thereof; secondly, he employs a singular method, that of an 'index of evaluated participation' (*i.e.* the construction of a scale comprising the expertise's evaluation of the 'prestige' enjoyed by key-individuals within the community, and their placing on the social hierarchy), quite similar to Hunter's method (presented below and further utilized, as well, in this study), which

stresses and manages somehow to operationalize the concept of elite 'prestige.'<sup>2</sup> Soon after Warner's 'Yankee City' studies had known scholarly recognition, Floyd Hunter advanced a resembling work, conducted in 'Regional City' (different researches in Atlanta, Georgia) among the members of the local upper class (Hunter, Schaffer & Sheps 1956). Hunter's findings are strikingly similar to Warner's: as in 'Yankee City,' in 'Regional City,'

the businessmen are the leaders of the community [...], as they actually are in any town. The wealth, the social prestige and the political machinery are functional to the wielding of power by these leaders. (Hunter 1953, 81)

In confronting dilemmas of 'prestige' and 'reputation' of local notables, Hunter contends that "their visual influence [and virtual recognition] is transformed into power" (Hunter 1953, 81). Yet again, the study is diverged towards the economic portions of the ruling class, while the local political elite is completely overshadowed by the magnitude of the reputation the businessmen possess. The emphasis on the predominance and preeminence of the economic elite on local decision-making and on its 'caste' behavior are furthered in Delbert Miller's inquiry into 'Pacific City,' although this time the scholar minds about the political decision-makers, as well, mentioning their role as mere 'counterbalance' for the interests of local big business (Miller 1985, 9-15, esp. 13-15). If C. Wright Mills is central for the 'positional method,' Warner and Hunter are exemplary for the 'reputational method,' Robert Dahl's *Poliarchy* and *Who Governs?* (1961) are the referential works for the 'decisional method:' the research in New Haven (Connecticut) revealed that those who hold the political power are essentially that quite exclusive group of individuals who take a decision, *i.e.* who initiates a proposition and who subsequently validates or opposes it. Definitely, the scope of Dahl's study is laudable, as his primary intention was to provide a rejoinder to both Marxist and elitist interpretations on local politics and to somehow 'rehabilitate' the traditional image and model of the American democracy – even at the local level – as veritably democratic and integral, hence refuting Mills's, Warner's and Hunter's 'invitations' to perceiving national and local elites as some sort of complotistic and clandestine caste. Dahl's elites are factionalist, fragmentary, placed in a continuous fight for the control over society (similar to the struggle between 'lions' and 'foxes' in Pareto's accounts); it is their meeting and their subsequent negotiations in the decision-making process that actually matters in describing elites. Surely, these factional leaders and groups do agree on the very basis of the 'rules of the democratic game' and on the accountability of the citizens, making 'poliarchy' probably the best 'approximation' of democracy. On the other hand, the observations drawn from the small town of New Haven conclude: the central position of the Mayor, who participates to decision-making in all spheres of competence; the extreme specialization of the

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<sup>2</sup> Actually, Warner's scale and Hunter's method of accounting for elite 'prestige' lie at the fundament of the 'reputational method.'

elite group; the absence of economic elites in the process of decision-making at the local level (with the partial exception of decisions taken in the sphere of urban development), etc. Notwithstanding the importance of and the central role played by these works in the general scholarly evolution of the local elite studies, quite unfortunately, few of them concentrated their attention and interest on the composition of the Municipal Council as legislative center of power at the local level, particularly within small-to-medium sized communities. The two major scholarly pieces that majorly influenced the present study are Samuel Eldersveld's *Political Elites in Modern Societies* (1989) and Virgil Stoica's *Cine conduce Iaşul?* (2004). The former constitutes a series of three lectures sprung out of the empirical inquiries conducted in the late 1970s in Ann Arbor (Michigan) among the political activists of the town. The latter is a remarkably compelling and extremely close to exhaustiveness study of the local elite in Iaşi (Romania) after 1989; the research is focused on the mayors succeeding in the leadership of the city, on the municipality's functionaries and on the members of the Local Council, without actually discriminating among these three clusters.

For the purpose of this paper, a value is defined as an image of objects, events, moods, processes, perceived as right, moral, desirable. A value is generally born at the clash between the social reality and the behavioral predispositions. In this respect, one distinction appears particularly important: the literature differentiates between (a) 'completely articulated' values (*i.e.* those of which the individual is fully aware), that are, as a consequence, manipulable, and (b) 'not completely articulated' values (*i.e.* those of which the individual is more often than not not fully aware), which are, as a result, impossible to manipulate, for they appear as trends. As such, the fundamental values embraced by the political elites are instrumental for further assessing their attitudes, behavior, priorities, preferences. Zeger van der Wal discusses the importance of values adopted by the political elites:

Government elites prioritize and balance public values on a daily basis. How and why they do so is largely concealed from us, except for when memoirs or journalistic uncoverings allow us to listen in on the monologue *intérieur* of statesmen amidst major moral dilemmas. (van der Wal 2014, 1031).

Clearly, the range of the values embraced can determine corresponding behaviors concerning strategy prioritization of the local political elites for their constituencies, the nature of their interactions with other groups or institutions, the very patterns of recruitment, etc.

## **II. Methodological remarks: the case studies, research objectives, questions, and methods**

The present research is concerned with the issue of local leadership in the countries of East-Central Europe. Concretely, the intended research started as an attempt to examine, in a comparative manner, the profile and the role of the local

political elites in four transitional democracies of East-Central Europe, Romania, the Czech Republic, Poland, and Bulgaria, and the elites' impact on the evolution of the local communities in the developing region of former Sovietized Europe. Basing the case selection on the logic of the most similar design systems, focal case studies for the study are four small towns, **Tecuci**, **Česká Lípa**, **Olešnica**, and **Targovishte**, quite similar in terms of demographics (roughly 40,000 inhabitants) and developmental strategies (an economy based on the alimentary industry and on commerce activities, etc.).<sup>3</sup> Hence, the scope of the research was initially rather descriptive, exploratory; an inductive, observatory process – an inquiry into a range of aspects worth pointing out when dealing with and discussing on the study of political elites. Surely, after the gathering of the *data* and confronted with the stark differences among the four towns (in terms of the elites' socio-demographical profile, of value-orientations), the question about the factors, the independent variables that might account for both these differences and similarities, was inevitably raised. This paper favors two such explanatory trajectories, using as independent variables the level of decentralization for each case and the 'legacy of the *ancien régime*' (*i.e.* the communist experience) for each of the communities.

Therefore, the principal research questions of interest here are:

(1) Which are the main socio-demographical features the local political elites of Tecuci, Česká Lípa, Olešnica, and Targovishte display?

and

(2) Which are the values, the perceptions, the orientations, embraced by the members of the local political elites in Tecuci, Česká Lípa, Olešnica, and Targovishte? Which are their attitudes towards key aspects concerning democracy, decentralization and autonomy, and cultural-geographical self-identification?

For pinpointing the elite groups at the level of the four communities, the paper employs the *positional method* of identifying and analyzing the local political elites, by operationalizing the phrase 'local political elites' through the following definition: The local political elite is that group comprising those individuals in legislative and executive positions within the local leading, decision-making structure. The resulting population of the empirical research was thusly represented by the members of the Local/ Municipal Councils in Tecuci (19 persons), Česká Lípa (25 persons), Olešnica (22 persons), and Targovishte (31 persons) as they were in 2011-2013. The methods of gathering

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<sup>3</sup> The manner in which the four towns were chosen corresponds to an initial selection based on the demographical and economic criteria, coupled with a convenience selection (*i.e.* those administrations that responded to the researcher's call).

*data* favored by this paper include: the administration of a standard written questionnaire, document analysis on the minutes of the meetings of the four Councils, and participatory observation during the sessions of the Councils and of their specialized Committees.

### III. Results

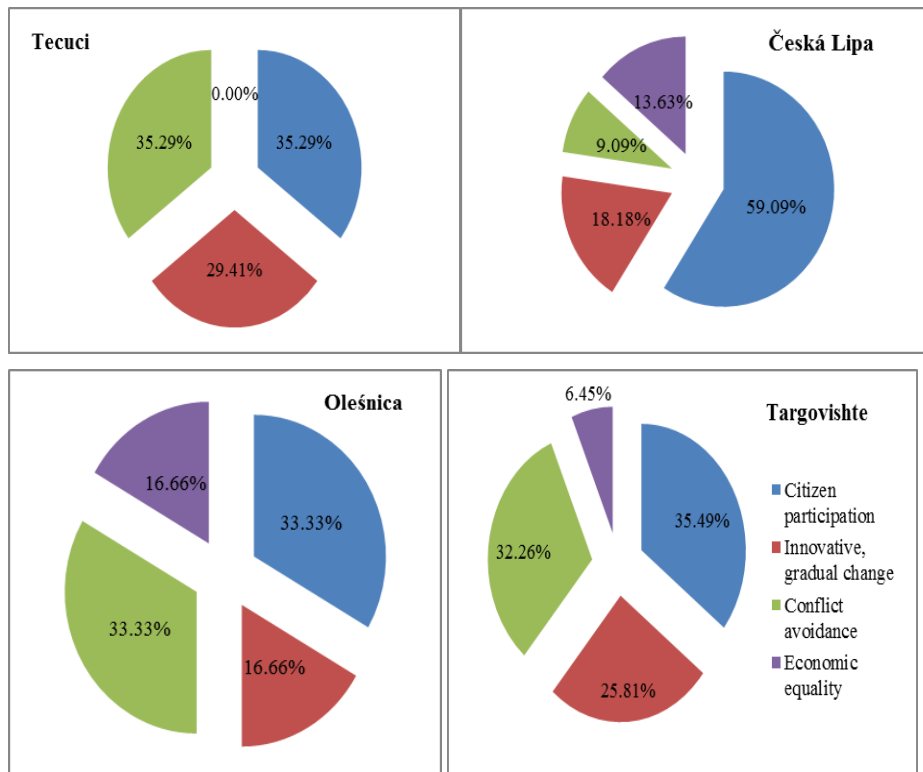
#### 1. The attitudes and orientations of the local councilors in Tecuci, Česká Lípa, Olešnica, and Targovishte concerning democracy

The present research evaluates the attitudes of the local political elite towards four values referring to the fundamentals of the democratic construct and quantified by question no. 9 in the administered questionnaire: citizen participation; gradual, innovative change; the importance of the political conflict; economic equality. The attitudes of the members of the Local Councils towards the state intervention in economy were also taken into consideration, while a sixth value referred to local autonomy and decentralization, two processes permanently on the agenda of the post-communist governments. The attitudes towards state intervention in economy and local autonomy and decentralization were quantified through attitudinal intensity scale (I strongly agree with – I agree with – I partially agree with – I disagree with – I strongly disagree with – Don't know/ don't answer).

According to the answers delivered by the local councilors, within a democracy, the most valued features are those of citizen participation (with an average level of acceptance of 40.8%), and gradual change (an average level of acceptance of 22.515%). Economic equality and conflict avoidance pose some interesting problems to the value orientations of these elites. Firstly, there is a clear rejection of economic equality among the local councilors of Tecuci and Targovishte, which can be translated by a syndrome of total detachment, expressed rhetorically, from the *ancién régime*. Secondly, for the local councilors of Tecuci, Targovishte, and Olešnica, conflict avoidance is significant, which would hint to a monolithical behavior inside the Council.

From the analysis of two values – citizen participation and conflict avoidance –, it results that the members of the Local Councils in Tecuci, Targovishte, and Olešnica could be characterized as 'populists' (accepting citizen participation as a mark of democracy, but avoiding political conflict); the members of the Municipal Council in Česká Lípa are largely 'democrats' (accepting both citizen participation and political conflict as features of democracy) (*See Table 2*).

**Graphs 1, 2, 3, 4.** Values orientation of the municipal councilors in Tecuci, Česká Lípa, Olešnica, and Targovishte (Q9: “Which of the following characteristics do you value the most in a democracy?”)



**Table 1.** The features of local leadership, according to its attitudes towards state intervention in economy and economic equality

		State intervention in economy	
		Acceptance	Rejection
Economic equality	Acceptance	Statists-egalitarianists	Anti-statists-egalitarianists
	Rejection	Statists-anti-egalitarianists	Anti-statists-anti-egalitarianists

**Table 2.** The features of local leadership, according to its attitude towards political conflict and citizen participation

		Political conflict	
		Acceptance	Avoidance
Citizen participation	Acceptance	Democrats	Populists
	Rejection	Pluralists	Authoritarianists

2. The attitudes and orientations of the local councilors in Tecuci, Česká Lípa, Olešnica, and Targovishte towards decentralization and state intervention in economy

Measuring the perceptions of the local elite towards larger local autonomy and decentralization is instrumental because it provides an insight into the acknowledgement of various levels of authority in the leadership of the community. The largest *palette* of attributions belongs to the Municipal Council which undertakes the regulation tasks in most of the spheres of the community life, including social services, public improvements, education, healthcare, cultural and recreation activities. Inversely, there is a side effect to a more comprehensive and extended decentralization: larger local autonomy and decentralization means primarily an effective say of the municipality on the local budget; as a consequence, it lies in the capacity of the local municipality to properly collect taxes and to efficiently administer the budgetary revenues thusly collected in order to actually effect changes in the various domains of competence under its direct supervision. With greater decentralization come greater authority and the ability to have a tremendous say in the conduct of the community's affairs, but, conversely, it also comes a great deal of responsibility in handling the ever-increasing problems the community confronts with. Balancing the advantages with the drawbacks of decentralization and autonomy at the local level, the members of the Municipal Council of Olešnica position themselves somewhere in between the enthusiasm of the local elite in Tecuci (100% approval of greater decentralization, with a core of 64.7% approving and another 11.76% strongly approving decentralization) and in Targovishte (93.53% general approval), and the rather cautious pragmatism of the local elite in Česká Lípa (experienced in both the good points and the disadvantages decentralization presupposes, with 77.26% approving or partially approving and another 22.72% disagreeing with larger local autonomy and decentralization). The Polish local political elite displays a sense of realism, properly understanding the mechanisms encapsulated by decentralizing a greater range of responsibilities in the local authority's sphere of competence, as 43.75% of the

municipal councilors generally agree with decentralization. The acceptance of the Polish elites towards decentralization is significantly less than the cases of Tecuci (64.70%) and Targovishte (58.06%), but slightly higher than the Czech case (40.9%). Relevant, as well, in Olešnica, the municipal councilors display the highest proportion of strong acceptance of decentralization and the perspective of autonomous entities in the Polish administrative arrangement: 25% of the respondents, as opposed to none in the case of Česká Lípa, 16.12% for Targovishte, and only 11.76% in the case of Tecuci. Decentralization worked its charms in Poland, while being partially contested in the Czech Republic and unaccomplished and highly problematic in Romania and Bulgaria. In Olešnica, decentralization produced positive effects and a more suitable management at the local level; consequently, the attitudes of the local elite towards it mirror generally the experience this elite has had with the reality of increased devolution and growing array of authority and responsibility.

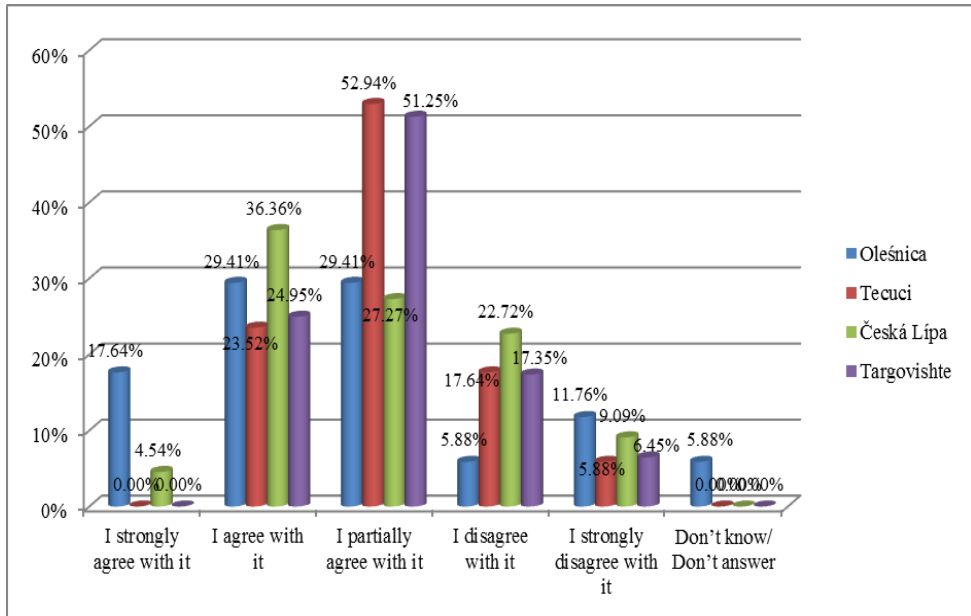
The answers provided in the questionnaire by the members of the Municipal Councils in Tecuci, Česká Lípa, Olešnica, and Targovishte, in respect to the state intervention in economy and to the prospects of further decentralization and local autonomy, sketch: (a) local leaderships in Tecuci and Targovishte who are very enthusiastic about decentralization (sometimes, without actually being aware of the whole *palette* of responsibilities that increased decentralization generates), but quite undecided to the idea of the interventionist state (partly because the political elites coincide with the economic elite, and locally, they become easier to act as private entrepreneurs, though enjoying the state subsidies); (b) a local leadership in Česká Lípa who presents a real skepticism in respect to an already significantly decentralized distribution of power, and generally favorable to the state intervention in economy, particularly in times of crisis; (c) a local leadership in Olešnica who is much in favor of both the protectionist state and of increased decentralization and local autonomy (with significant proportion of respondents being “strongly in favor” of the two); and (d) overall, a local leadership who generally holds a positive stance towards increased decentralization and its benefits, and a rather cautious stance regarding the state intervention in economy, partly because of the government’s attitude in respect to the most recent financial crisis.

From the analysis of the two value orientations – state intervention in economy and economic equality –, it results that: the members of the Local Councils in Tecuci and Targovishte could be coined ‘statists-anti-egalitarianists’ (largely accepting the state intervention in economy, particularly in times of crisis, but rejecting economic equality as a mark of a working democracy); the members of the Municipal Councils in Česká Lípa and Olešnica could be labeled as ‘statists-egalitarianists’ (accepting both the protectionist state and economic equality as a feature of democracy, hence the general idea of the ‘welfare society’) (See Table 1).

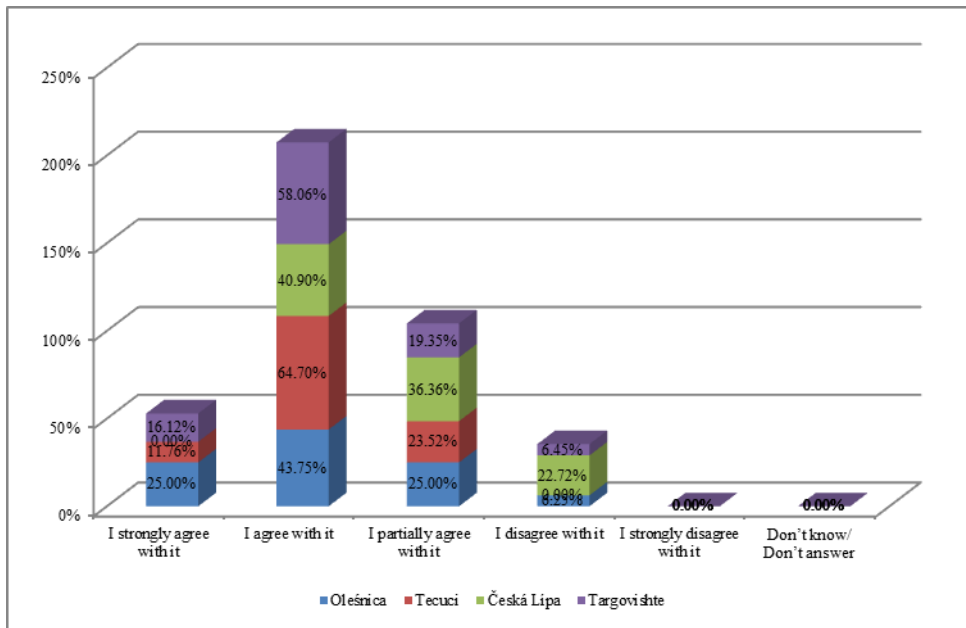


## Value Attainment, Orientations, and Quality-Based Profile of the Local Political Elites

Graph 5. The attitudes of the local councilors in respect to the state intervention in economy (Q10: "How do you perceive state intervention in economy?")



Graph 6. The attitudes of the local councilors in respect to the prospects of increased decentralization (Q11: "How do you think about greater local autonomy and decentralization, granted by the central authorities?")



A series of observations are worth pointing out:

- The local political elites in Tecuci and Targovishte are rather statist-anti-egalitarian, which appears rather as a paradox in respect to the outlook of the defunct communist regime, a 'modernizing-nationalizing' dictatorship (Petrescu 2010), a 'patrimonial' one (Kitschelt *et al.* 1999): the image of the state as prominent in socio-economical realm is preserved, while a rejection of economic equality is strongly affirmed, exactly in opposition to the aspirations of the former leadership.
- In the Czech Republic (as former Czechoslovakia) until 1989, the 'theme' of the regime was the same, but the 'variation' was a 'bureaucratic-authoritarian' (Linz & Stepan 1996), 'welfare' communist dictatorship. Conversely, in Česká Lípa, the elites tend to be more inclined to a 'welfare-state' approach in conducting local policies, somehow admitting the social benefits of the former regime, without holding a nostalgic stance: this is probably the reason why they fit into the category of 'statist-egalitarians,' since a significant proportion of them are concerned with the social problems of the community they represent (especially unemployment) and they still cherish economic equality as an indispensable value in democracy.
- The local councilors in Oleśnica display an inclination towards the protectionist state, although paradoxically the Polish variant of state socialism, 'national-accommodative' (Kitschelt *et al.* 1999) communist dictatorship, was the least restrictive in socio-economic and political terms and the most market-oriented one; the statist-egalitarian perspective among the political elite in Oleśnica is to denote a reminder of the more permissive type of communist regime Poland experienced.
- All in all, it is notorious that the four countries whose local elites are here under scrutiny suffered a regime change in their recent history, which marked a somewhat consistent process of 'elite circulation,' for the Czech and the Polish cases, and a persistent 'elite reproduction,' for the Romanian and the Bulgarian cases.

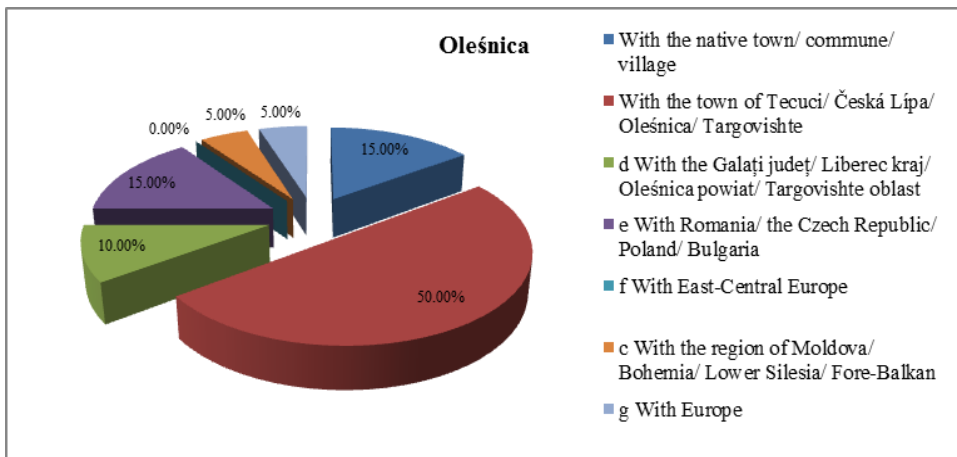
### 3. The geographical identification of the local councilors in Tecuci, Česká Lípa, Oleśnica, and Targovishte (the local political elites' degree of isolation)

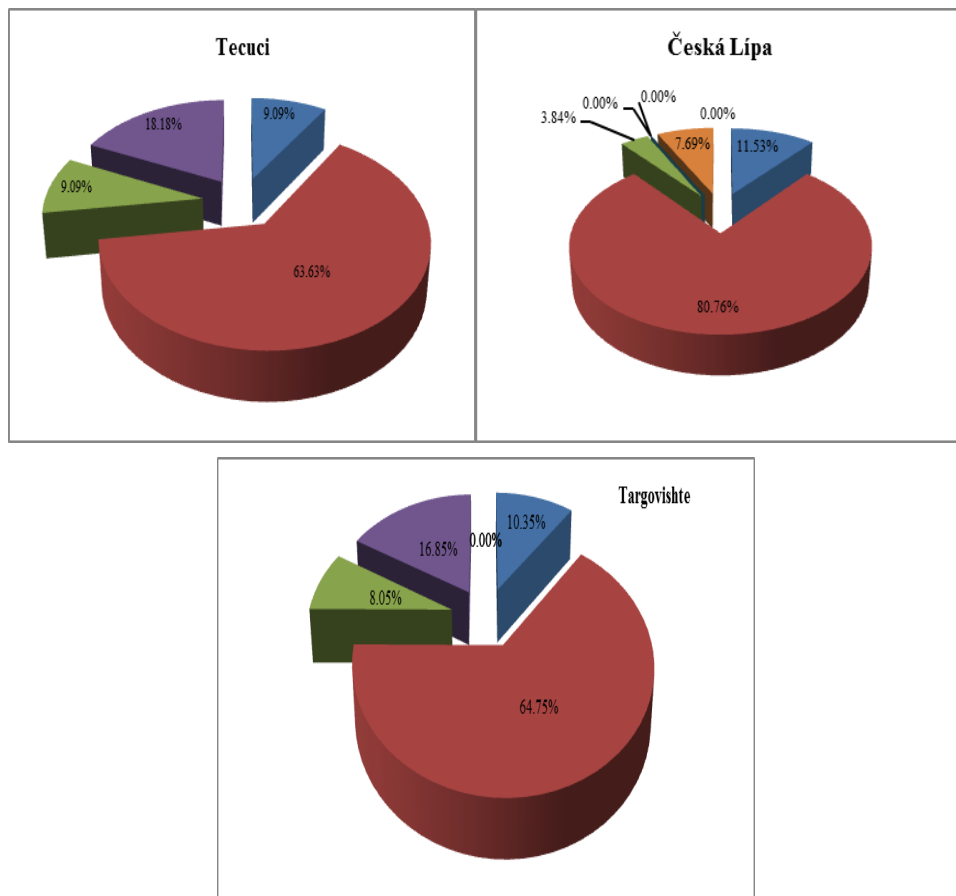
The geographical identification of the local political elite was considered in order to correlate it with the level of localism and isolation of the ruling groups of small-to-medium communities. Stronger links and power networks formed and maintained at the local level suggest localism and, subsequently, a more pronounced focus on the local priorities and, conversely, an isolation with respect to the national concerns. Similarly, it might be hypothesized that a

## Value Attainment, Orientations, and Quality-Based Profile of the Local Political Elites

geographical identification inclined towards localism (*i.e.* the cases in which the local councilors identify primarily with their native municipalities, with the town they presently represent or with the region which they inhabit) is prone to generate an emphasis on local problems, perceived as taking precedence over the 'national interests.' Considering these observations, the Municipal Council in Oleśnica expectedly exposes a high degree of localism, as 50% of the members of the Council identify first and foremost with the municipality they politically represent and govern, the town of Oleśnica; another 15% of the councilors bear a particular attachment towards the native town/ village, thus making localism in geographical identification a characteristic pertaining to 65% of the Council. Part of the discrepancies among the four cases in respect to the cultural-geographical identification springs from the very administrative arrangements of each country under scrutiny. But the differences lie also in the degree of openness each elite group inquired here actually displays. Indeed, the high level of localism is dominant for all cases, though quite dissimilar as numerical value: 65% in Oleśnica, 72.72% in Tecuci, 86.1% in Targovishte, 92.29% in Česká Lípa; it results that, as a matter of fact, the local elite in Oleśnica is the least isolated, which would, to a certain extent, stand against the isolation of the same group when considering their overwhelmingly local connections and networks of power. All in all, the average level of localism among the three cases is 76.67%, that of regionalism mounts to 11.87% of the entire population comprised in the four Municipal Councils, while that of nationalism is 11.06%.

Graphs 7, 8, 9, 10. Q13: Which of the cultural and territorial entities do you identify yourself with firstly?





#### 4. The ideal portrait of the local/ municipal councilor (quality-based profile)

Procedural openness and transparency are not necessarily functional. Of course, outcomes need to be clear as well as division of responsibilities and accountability, but a certain degree of secrecy is not an absolute necessity. At the moment, I am involved in a major governance process: I cannot tell you what kind of process because it is highly secretive. And please, no transparency at this stage because it will inevitably lead to immediate failure! It is also a matter of (...), secrecy – or perhaps exclusiveness of information is a better term – is not such a big issue as such as long as you do not lie to people. And even that is not really a crime as long as you're acting in the public interest, right? (van der Wal 2014, 1030, citing a British elected official)

Apart from the value-based profile of the local political elites in the four towns selected (constructed here on the general attitudes of the local leadership towards values of democracy, the state intervention in economy, the furthering of decentralization process, and the cultural-geographical self-identification), the value attainment and orientations could be equally scrutinized with the

assistance of the projections the local/ municipal councilors build about their public posture. Hence, the quality-based profile, regarding the (self-constructed) ideal portrait of the local/ municipal councilor, was formed after the gathering of the responses of the members of the four Municipal Councils to the question: "What are the first five most important qualities a municipal councilor should possess?" The answers received have been collected under five clusters of qualities – referred here as 'models' –, founded on Prewitt's fivefold quality model of political elites (1970). The quality-based profile is instrumental for both the value attainment of the elite and for such distant matters, such as the patterns of recruitment, degree of interaction with other groups and institutions, level of isolation towards the constituency or in respect to the central elite, the degree of accountability, responsiveness and the mechanisms of strategy prioritization, etc. As a consequence, after the collection of the answers, the following distribution was formed:

- The ethical model (22.65%, for Tecuci; 28.68%, for Česká Lípa; 18.91%, for Olešnica; 32.23%, for Targovishte);
- The political model (23.98%; 12.93%; 4.05%; 32.23%);
- The technocratic model (9.33%; 21.28%; 18.90%; 10.52%);
- The pragmatic model (21.32%; 37%; 45.9%; 25%);
- The gender model (0% for all cases).

For identifying the qualities that ideally a local councilor should possess, qualities that could constitute eligibility *criteria* for both the parties and the electorate and that could represent the degree of value attainment and would provide a hint as to the value orientations of the local leadership under scrutiny, the questionnaire included an open question addressing the issue. After comprehensively scrutinizing the ones in power, the recent scholarly generally agreed on five models (Prewitt 1970) that might account for specific 'qualities' in defining and identifying elites. The assemblage of these models pledges to the fact that a normative-descriptive reconciliation was intended, although in an overwhelmingly descriptive fashion.<sup>4</sup> The 'ethical model' of political elite refers to such qualities as: correctness, honesty, fairness, altruism, modesty, high moral standards, verticality and seriousness, courage and bravery, punctuality. The 'technocratic model' of political elite takes into consideration such attributes as: political experience, political will, expertise and training, intelligence, patience/ rapid reaction, enthusiasm and imagination. The 'pragmatic model' of political elite is respective to such features as: dedication to the constituency's (state's)

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<sup>4</sup> This is particularly the reason why this paper coins the recent (*i.e.* post-Wright-Mills) empirical drive in studying and defining political elites as 'neo-descriptive', since it admits the necessity of introducing the 'ethical model,' in spite of the fact that the inquiries are in themselves largely descriptive, exploratory.

improvement plans, devotion and respect for the community/ country, desire to change, the capacity to identify development opportunities for the community/ country, vision, perspective, initiative, persuasion skills, capacity to compromise and negotiate, dialog-oriented, intuition, social sensitivity, care for the citizen, economic independence, leadership skills. The 'political model' subscribes to the following qualities: oratorical skills, rhetoric, political loyalty, incorruptibility, interest detachment (objectivity), collegiality and team spirit. The 'gender model' refers to the gender quality. The results largely coincide to an ethical model, with features such as honesty (justness, correctness, fairness) (14.66% of the answers for Tecuci, 12.03% of the answers for Česká Lípa, 12.16% of the responses for Olešnica, and 13.81% of the responses for Targovishte), moral verticality (5.33% for Tecuci, 2.7% for Olešnica, and some impressive and telling 10.18% for Česká Lípa and 10.52% for Targovishte), altruism (1.33% of the answers for Tecuci, 4.05% for Olešnica, 3.28% for Targovishte) and modesty (1.33% of the responses for Tecuci, 1.85% of the responses for Česká Lípa, 3.94% for Targovishte), courage (3.7% for Česká Lípa, and 0.65% for Targovishte) among the most important qualities a local councilor should have. The technocratic model is equally valued by the local councilors: a significant number pointed out such characteristics as training and expertise (4% of the answers for Tecuci, 4.62% for Česká Lípa, 2.7% for Olešnica, and 2.63% for Targovishte) and political experience (5.33% for Tecuci, 6.48% for Česká Lípa, 4.6% for Targovishte), effectiveness (2.7% for Olešnica, and 1.97% for Targovishte), intelligence (6.48% of the answers for Česká Lípa, 4.05% for Olešnica, and 1.31% for Targovishte) as the hallmark of the technocratic model. Those local councilors mentioning the dedication to the town's improvement plans, desire to change and respect for the community (12% for Tecuci, 10.52% for Targovishte, a falling 8.33% for Česká Lípa, 0% for Olešnica), the capacity to identify development opportunities for the town (1.35% for Olešnica, 6.66% for Tecuci, 7.23% for Targovishte, 10.18% for Česká Lípa), the initiative (1.33% for Tecuci and some similar 1.85% for Česká Lípa and 1.97% for Targovishte), the persuasion skills, the capacity to compromise and negotiated, dialogue-orientation (1.31% for Targovishte, 1.33% for Tecuci and, more significantly, 7.4% for Česká Lípa and 8.1% for Olešnica), social sensitivity and care for the citizen (3.7% for Česká Lípa, and 9.45% for Olešnica), etc. favored the pragmatic model. Finally, the political model was constructed through the following qualities: party loyalty (7.23% of the responses for Targovishte, 2.66% of the answers for Tecuci and 1.85% of the answers for Česká Lípa), oratorical skills (1.97% for Targovishte, 1.33% for Tecuci, and 0.92% for Česká Lípa), incorruptibility and interest detachment (8% for Tecuci, and some similar 7.39% for Česká Lípa and 6.56% for Targovishte, only 2.7% for Olešnica), but, most importantly, team spirit and collegiality (16.44% of the answers in the case of Targovishte, 12% of the responses in the case of Tecuci, as opposed to 2.77% of the responses in the case of Česká Lípa). The gender model was not used by the

present study, as no local councilor perceived the gender differences as being important in sketching the ideal profile of a member of the Local Council. Quite importantly, the case of the members of the Municipal Council in Oleśnica (and, most probably, in Poland) appears as an outlier for the 'political model,' for this set of qualities is profoundly overlooked by the local leadership here. This rejection of the necessity of the 'political' qualities for a municipal councilor is explainable by the patterns of recruitment in Poland, where the municipal councilors are elected through extramural procedures and, thusly, they do not need the backing of a political party to get elected; generally, these persons bear and preserve strong ties with the civil society organizations, with the civic and reform groups, with the neighbourhood groups (including friends and supporters), and the support of a political party becomes, in this context, futile. Consequently, such virtues as political loyalty (0%), collegiality and team spirit (0%), oratorical skills (0%) are surpassed by political independence (1.35%), incorruptibility (1.35%) and interest detachment (1.35%). Overall, the political model is compatible with 4.05% of the responses in Oleśnica, three times lower than the next lowest value on the 'political model' (that of Česká Lípa) and eight times lower than the highest value on the 'political model' (the case of Targovishte). Nevertheless, the case of the local leadership of Oleśnica remains typical for the 'ethical model,' robustly present in the sketch of each of the four groups.

It is significant to mention that the distribution of the qualities along the five models in each of the four cases is determined largely of various endogenous and exogenous factors, including, but not limited to: the socio-demographical background of the respondents, the patterns of recruitment according to which they are (s)elected, the interactions and contacts they establish and entertain, the degree of political-administrative decentralization, the 'legacy of the former regime' and its nature, etc.

#### **IV. Tentative explanations**

The present study advances a threefold classification of local political leadership, constructed employing mainly two explanatory trajectories, one of them being discussed at some length here: (a) the level of administrative-fiscal decentralization specific for each of the countries under scrutiny, and (2) the 'legacy' of the former communist regime, expressed through the type of 'elite political culture' (Jowitt 1999). For the level of administrative-fiscal decentralization, although the paper acknowledges the importance of various other forms of decentralization (vertical, decision-making, appointment, electoral, fiscal, personnel – Treisman 2002; administrative v. political; territorial v. technical – Apostol Tofan 2008; vertical v. horizontal; functional v. territorial – Stoica 2003; internal v. external), it favors a rather reductionist approach on fiscal, expenditure-based decentralization. For this purpose, it employs the average indexes of decentralization currently utilized by the World

**Table no. 3.** The features of the local leadership, according to the quality-based profile constructed by the local political elites themselves (Q16: "What are the first five most important qualities a municipal councilor should possess ?")

	Tecuci	Česká Lípa	Olešnica	Targovishte
<b><i>Ethical model</i></b>				
Correctness, honesty, fairness, truthfulness	14.66%	12.03%	12.16%	13.81%
Altruism, selflessness	1.33%		4.05%	3.28%
Modesty	1.33%	1.85%		3.94%
High moral standards, verticality and seriousness, sobriety, personal discipline	5.33%	10.18%	2.7%	10.52%
Courage, bravery		3.7%		0.65%
Punctuality		0.92%		
<b><i>Technocratic model</i></b>				
Political experience, political will	5.33%	6.48%		4.60%
Expertise and training	4%	4.62%	2.7%	2.63%
Reliability			5.4%	
Effectiveness, competence			2.7%	1.97%
Intelligence, wisdom		6.48%	4.05%	1.31%
Patience or rapid reaction		1.85%		
Enthusiasm, imagination, creativity, innovation		1.85%	4.05%	
<b><i>Pragmatic model</i></b>				
Dedication to the town's improvement plans, devotion, respect for the community, desire to change	12%	8.33%		10.52%
Involvement, diligence, commitment, assertiveness, industry			9.45%	
Determent, consistency, consequence			4.05%	
Thoroughness			1.35%	
The capacity to identify development opportunities for the town (vision, perspective)	6.66%	10.18%	1.35%	7.23%
Initiative	1.33%	1.85%		1.97%
Persuasion skills, capacity to compromise, cooperate and negotiate, dialog-oriented, non-conflict	1.33%	7.4%	8.1%	1.31%
Intuition		0.92%		
Openness with others, tolerance, broadmindedness			9.45%	
Social sensitivity, social activity, care for the citizen		3.7%	9.45%	
Economic independence		1.85%		1.31%
Leadership skills		2.77%		2.63%
Accountability, responsiveness			2.7%	
<b><i>Political model</i></b>				
Oratorical skills	1.33%	0.92%		1.97%
Political loyalty	2.66%	1.85%		7.23%
Incorruptibility	5.33%	4.62%	1.35%	3.28%
Interest detachment (objectivity)	2.66%	2.77%	1.35%	3.28%
Collegiality, team spirit	12%	2.77%		16.44%
Political independence			1.35%	
<b><i>Gender model</i></b>				
	0%	0%	0%	0%



Value Attainment, Orientations, and Quality-Based Profile of the Local Political Elites

Bank and the IMF in the issuing of their annual reports,<sup>5</sup> operationalizing 'decentralization' as the subnational share of general government expenditure. In order to properly account for the differences in the level of fiscal-administrative decentralization among the four cases, this paper adds to these indexes three thresholds, thusly: (a) a significant level of administrative and fiscal decentralization describes the countries whose average subnational share of general expenditure is higher than 50%; (b) a standard level of decentralization is specific for those countries with an average local and regional share of general government expenditure higher than 30%, but lower than 50%; and (c) a low level of decentralization characterizes the countries with a subnational share of general government expenditure lower than 30%.

**Table no. 4.** The proportion of subnational share of general government expenditure (expressed as percentage from the total national budget)

	Public order & Safety	Education	Health	Social Security & Welfare	Housing & Communal Amenities	Recreation & Culture	Transportation & Communication	Average
BULGARIA	2.17	59.53	44.11	8.30	68.95	26.69	12.19	31.70%
CZECH REPUBLIC	17.20	17.22	5.98	8.03	68.47	61.89	46.53	32.18%
BULGARIA	6.86	46.99	44.83	11.99	74.10	43.97	27.64	36.62%
POLAND	34.30	72.47	87.36	17.49	86.92	76.13	65.34	62.85%
ROMANIA	4.80	9.23	0.36	2.97	83.01	34.74	17.55	21.80%
SLOVAKIA	5.69	2.40	0.26	0.49	56.74	27.00	18.78	15.90%

(Source: International Monetary Fund, *Government Finance Statistics Yearbook*, IMF, Washington, D.C., 2001. The data is selected only for the countries of East-Central Europe, former satellites of USSR.)

<sup>5</sup> Along a series of domains of considerable interest at the local level (infrastructure, education, healthcare, public security, transportation, social services (including housing and unemployment relief), cultural and recreational activities, etc.), it evaluates the extent to which they are dealt with nationally, regionally and locally. This evaluation is constructed primarily based on pieces of legislation, bylaws, internal regulations of different administrative and executive bodies, as well as on some empirical endeavors undertaken by the World Bank and the IMF expertise.

Conclusively, (a) for the significant level of fiscal-administrative decentralization, the Polish case is exponential; (b) the standard level of decentralization fits the Czech and the Bulgarian cases, whereas (c) the low level of decentralization is specific to the Romanian case. Recent studies have shown the impact of decentralization *formulae* on the outlook and the role of local political elites. Such an empirical concern has been focused primarily on Latin America, South Asia (Beard, Miraftab, & Silver 2008; Smoke, Gómez, & Peterson 2006; Burki, Perry, & Dillinger 1999; Escobar-Lemmon 2003; Bardhan 2002; Garman, Haggard, & Willis 2001; Falleti 2005 etc.), and Africa (Cottingham 1970), while the topic has been generally neglected for the developing democracies of East-Central Europe. Dora Orlansky (2000, 196) discusses the impact of decentralization upon the power-sharing between the central and the local administrative layers and upon the extent of political power and responsibility local elites are expected to exert. Discussing a series of examples from Africa and South Asia, Devarajan *et al.* (2009, 118-119) refer to the dangers of elite isolation with the increase in decentralized communities and to shifts in delivery of public services once with the process of decentralization. Quite interestingly, Merilee S. Grindle (2007, 63-105) introduces the example of decentralization in Mexico, concluding that proper fiscal and administrative decentralization can result in high levels of political competition and satisfaction with the living in the town, both at the level of the local elites and the community. It becomes apparent that local leadership modifies its outlook and prioritization strategy in the context of change of administrative organization leading to increased decentralization. Jonathan Rodden (2004) presents the impact of different forms of decentralization upon the city management, but, most importantly, upon the degree of elite isolation and passive representation. Finally, opposing two main approaches in reference to the impact of decentralization policies – the ‘liberal-individualist’ and ‘statist’ approaches –, Aylin Topal (2012) describes forms of elite isolation after the proper implementation of decentralization policies and differences of agenda setting of local elites as response to increased decentralization. The fashion in which the elites’ outlook, value orientation and strategy prioritization actually modifies is partially elaborated in the present paper, with a special focus on particular municipalities in four countries of East-Central Europe: Romania, Czech Republic, Poland, and Bulgaria.

The levels of decentralization may impact the drafting of policy agenda at the local level, the strategy prioritization, the degree of elite isolation (*i.e.* the insistence on contacts and interactions confined to the governed municipality), some of the value-orientations, etc. Hence, it is expected that a significant level of decentralization would exhibit an equally high degree of elite isolation and would induce an orientation towards the so-called ‘hard’ spheres of activities (*e.g.* public improvements, infrastructure, economic development, public order, etc.), a considerable degree of political responsibility and responsiveness, and

the identification with a rather 'pragmatic' and 'technocratic' elite profile. On the other hand, it might be easily hypothesized that low levels of decentralization can only result in a geographically open elite, in a focus on rather 'soft' spheres of activity and a policy prioritization accordingly (e.g. education, healthcare, culture, youth and recreation activities, etc.), due to a perceived impotence of implementing change locally and a resulting low level of political responsibility, and the construction of an elite profile concentrated on 'ethical' and 'political' models. The second explanatory trajectory refers to the legacy of the *ancien régime*. In order to operationalize this complex variable, this study utilizes the differentiation operated by Kitschelt *et al.* (1999) between three types of communist dictatorship in the countries of former Sovietized Europe: (1) 'national accommodative' communist dictatorship (e.g. Poland and Hungary), (2) 'bureaucratic authoritarian' or 'welfare' communist dictatorship (Jarausch 1999) (e.g. Czechoslovakia and East Germany), and (3) 'patrimonial' or 'modernizing-nationalizing' communist dictatorship (Petrescu 2010) (e.g. Romania and Bulgaria).

Depending on the type of communist dictatorship faced by each of the four societies under scrutiny here, the elite developed a certain form of 'political culture,'<sup>6</sup> remnant features of which have been traduced, reproduced or preserved outright during the transition and the period of democratic consolidation. The study favors Jowitt's collocation 'elite political culture'<sup>7</sup> (1992,

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<sup>6</sup> The definition and operationalization of 'political culture' have resulted into an overwhelming diversity in understanding. Even though, almost all the studies tackling the topic of 'political culture' revolve around the *spiritus rectores* G. Almond and S. Verba and their pioneering *opus magnum* *The Civic Culture*, for the specific study of political elites, R. Putnam famously referred to 'elite political culture,' defined as some form of attitudinal and behavioral aggregates of the elite group, generally constant, hardly changeable, stable ones; the term accounts for "patterns of beliefs and attitudes [prevalent among the members of the political elite] about the economic, political, social, cultural systems" (Putnam 1973). In applying the observations drawn from the usage of the concept 'elite political culture,' one could only wonder if the four selected groups forming the Municipal Councils of the municipalities of Tecuci, Česká Lípa, Olešnica, and Targovishte have acquired a sense of group consciousness as an elite; such an 'elite consciousness' at the local level is difficult to be operationalized and subsequently measured, but some attemptive endeavors might employ such indicators as the degree of group cohesion, the acknowledgement of some 'special' (*i.e.* specific) traits a local councilor should possess (excepting, of course, the moral, ethical dimension which is by no means one of group or *status* differentiation in the case of elites). Actually, though rhetorically catchy and discursively fashionable, the ethical image of the political elite, in the sweet Aristotelian tradition, is an obsolete one, and its obsolescence became conspicuous in the literature as early as the beginning of the 20<sup>th</sup> century, with the famous works of the Italian 'elitists,' the trio Pareto – Mosca – Michels.

<sup>7</sup> 'Elite political culture' is "a set of informal adaptative (behavioral and attitudinal) postures that emerge as response to and consequence of a given elite's identity-forming experiences." Ken Jowitt (1992) defines 'elite political culture' somehow in opposition to what he coins as 'regime political culture' (*i.e.* "a set of informal adaptative (behavioral and attitudinal) postures that emerge in response to the institutional definition of social, economic, and

51-52, and 54-56) to refer to those attitudinal and behavioral traits inherited from the *ancien régime*, conserved from the central to the local level. For instance, a former 'patrimonial' regime would result in an increased monolithism of the new political elites, whereas a 'bureaucratic-authoritarian' would produce a political elite who is technocratically-oriented. Finally, a 'national-accommodative' former regime is prone to generate in contemporaneity an elite who is rather fragmented, factionalist, allowing for opposition, contestation and certain degree of 'back-bencherism,' along with a pragmatic attitude in decision-making and profile identification. Moreover, a series of socio-demographical indicators in the elite profile construction are tempered by the nature of the former regime, as is the case, for instance, with the rate of ascendant social mobility, which is generally higher in previously 'patrimonial' communist regimes, while decreasing in the case of formerly 'bureaucratic-authoritarian' communist dictatorship, where there had existed a small group of *'petite bourgeoisie,'* rather than a large mass of peasants out of which democracy later selected its elites.

One of the most immediate elements inherited from the defunct regime in the Romanian and the Bulgarian cases and so facily transmitted at the local level, where it found a fertile soil to further develop and be perpetuated: the insistence and perseverance of the political elite to aspirate the leadership positions in other societal spheres as well, especially the economic and social ones, less the cultural facets of the community. Not only does the local political elite in Tecuci bear the monopoly on economic activities, but it also leads the social life of the town, through its position on the hierarchical scheme of the community (leading physicians, directors of schools, chiefs of administrative committees, administrators of public spots, etc.).

Transiting the Councils from Tecuci, Targovishte, Česká Lípa to Olešnica and back, one can observe two *monolithic-like elites, highly homogeneous* in terms of bio-demographical features, values, priorities and patterns of recruitment, cherishing party loyalty, political experience and collegiality (team spirit) especially, opposing *a more heterogeneous elite group*, demographically more diverse, with different values and cultural standards, with *an in-between case* (Olešnica), where a monolithic type of elite in terms of education, family background and occupational *status* is pondered and counterbalanced by a constant concern with the problems of the immediate constituency and by meaningful involvement in civic and reform groups.

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political life") and 'community political culture' (*i.e.* "a set of informal adaptative (behavioral and attitudinal) postures that emerge in response to the historical relationships between regime and community". For Jowitt, as opposed to any other scholar of 'political culture,' the said collocation is actually defined in terms of behavioral analysis of the *ancien régime*: the 'political culture' is "the set of informal, adaptative postures – behavioral and attitudinal – that emerge in response to, and interact with, the set of formal definitions – ideological, policy and institutional – that characterize a given level of society."

Monolithism and the predominance of a 'political model' might be reminiscent of the elites of the former regime, while a 'pragmatic model' and a fragmented elite group would coincide to a tradition of circulating elites and technocratic '*petite bourgeoisie*' during the period of state socialism. Instead, nowadays, it is the 'pragmatic model' of 'organizational and personal commitments,' of efficiency and effective management, that surpasses the importance of the 'political model' of party and ideological loyalty: though the influence of party affiliations and ideological affinities become crucial and even indispensable, they lose their importance in the face of the localized problems the small community confronts with; problem-solving, respect for the community, competence and the capacity to pinpoint development opportunities for the town are those features that take precedence when a group establishes itself as a local political elite. Together, all assets listed render the local councilor for political leadership more commendable than his peers who may lack them. With these differences in mind, if one is to conclude if a certain form of 'democratic elitism' and an 'elite consciousness' are at work in the four cases discussed, inductive reasoning seems to have fallen down to a certain extent. Indeed, one may reason that, largely, the members of the four Municipal Councils bear the incipient features of perceiving themselves as a quite distinct group of notables within their respective communities. However, the 'elitist exercise' is far from being a constant in the leadership outlook of the four small communities, the local elites displaying a rather 'popular' image of the leading ones.

## V. Concluding remarks and a tentative taxonomy

If we know how the participants [to the political game] got there, where they came from, by what pathways, what ideas, skills and contacts they acquired or discarded along the way, then we will have a better understanding of political events.[...] [K]nowing their abilities, sensitivities, aims and credentials, we are better able to anticipate what they say and do, and to evaluate elites, institutions and systems performance. (Marvick 1968, 273-282)

The present study advances a threefold classification of local political leadership, constructed employing mainly two explanatory trajectories, one of the being discussed at some length here: (a) the level of administrative-fiscal decentralization specific for each of the countries under scrutiny, and (2) the 'legacy' of the former communist regime, expressed through the type of 'elite political culture' (Jowitt 1999). Thusly, the study proposes and favors the differentiation among three types of elites, underpinned on the specific content of elite political culture and on the set of attributions provided by a certain degree of decentralization:

- '**Predominantly elitistic**' (e.g. Tecuci and Targovishte), corresponding to a former 'modernizing-nationalizing,' 'patrimonial' communist dictatorship, followed by 'elite reproduction,' and low

levels of administrative decentralization and local autonomy, presently; characterized by a significant degree of 'elite distinctiveness;'

- **'Democratic elitist'** (e.g. Česká Lípa), corresponding to a defunct 'national-accommodative' communist dictatorship, followed by 'elite circulation,' and high levels of decentralization and local autonomy, in the present;
- **'Predominantly democratic'** (e.g. Olešnica), corresponding to a former 'bureaucratic-authoritarian,' 'welfare' communist dictatorship, followed by 'elite circulation,' a tradition of administrative decentralization, and significant levels of local autonomy, nowadays.

'Predominantly elitistic' are those elites characterized by a significant degree of 'elite distinctiveness,' *i.e.* perceiving themselves, as a group or individually, as separate from the bulk of the town's population, as part of a special, superior caste of notables and local potentates, hence prone to favor the clear gap between the rulers and the ruled; enjoying considerable levels of prestige and reputation, this type of local elites display however a sense of reluctance in effectively dealing with the community's main problems, on the basis that power at the local level is insufficient to allow the leadership here to implement change. Therefore, it might be concluded that the 'predominately elitist' local leadership corresponds to those communities presenting low degrees of decentralization and local autonomy. Additionally, the 'predominantly elitistic' local elites are tightly linked to a 'political' model, for their recruitment is almost exclusively intramural, all those comprising the local leadership being party members and benefiting from the otherwise indispensable support of the party, whose local branches are highly dependent of the central one. Interestingly, the 'predominantly elitistic' groups are those that most closely approximate the Aristotelian *desideratum* in their construction, conception and self-perception: they tend to adhere to an 'ethical' model of the ideal local councilor, at least declaratively cherishing moral attributes that would provide them with some sort of moral superiority as prime marks of distinctiveness in respect to their constituency, to the population of their community.

'Democratic elitist' are those elites whose traits and profiles point to some form of *aurea mediocritas* between a sense of distinctiveness and the prestige they enjoy within the community, on the one hand, and the effective and meaningful dedication to their community's developmental plans, on the other hand; as such, though they form a 'caste' of notables within the town and are hardly representative to the population of the establishments they lead, in socio-demographical terms, they can act decisively for the benefit of their town due to a considerable degree of local autonomy and decentralized prerogatives, responsibilities and attributions. The local councilors of the 'democratic elitist' sort remain still largely dependent on the support of the political parties, but the local parties appear independent in respect to their central branch; occasionally,

'democratic elitist' type corresponds to intramural recruitment of locally-established parties, splinters or other quite localized political movements and organizations, responding to extremely specific needs and demands or describing relatively strong political localism and allowing for factionalism and decentralized, territorialized 'back-bencher'-ism. In addition, the 'democratic elitist' groups overlap on a rather 'pragmatic' or 'technocratic' model of the local councilor, as the most cherished attributes of the leadership come to be the professionalism of the local leadership, its capacity in decision-making, policy designing and problem-solving.

'Predominantly democratic' are those elites featuring a sense of identification with the masses, with the ordinary citizens of the community they happen to represent temporarily, a dominating 'social sensitivity' that would determine their propensity towards social security and welfare strategies in local leadership; this type of local elites are juxtaposed to a tradition of decentralization and devolution mechanisms that permit them to identify and to implement policies responding to the needs of the town. The 'predominantly democratic' type of local elites is probably the closest to the population it represents in terms of passive representation, for it may include persons of lower education, or people previously involved in directly advocating for the interests of some segments in the community (pupils, women, unemployed, workers, etc.). These local leaders are usually quite familiar with the problems their town confronts with, being especially concerned with social issues (e.g. unemployment, social benefits, housing, etc.). The methods of recruiting elites in this context are highly inclusive, but the actual specificity of these elites is the extramural fashion in which they are selected, as their political affiliation is futile if existent; the role of the party in the recruitment process, either local or central branches, is virtually insignificant. Consequently, the 'predominantly democratic' local elites correspond to rather 'pragmatic' and 'moral' profiles, while the 'political' model is virtually absent in their case.

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# Call for Papers

## Special Issue: The Sustainable Development Goals

### Guest editors:

- Stefan Cibian, Visiting Professor, Department of Political Science, Babes-Bolyai University, (stefan.cibian@gmail.com);
- Ana-Maria Lebada, Adviser on Post-2015 Agenda, Permanent Mission of Romania to the United Nations, (lebada.anamaria@gmail.com);
- Thomas Pogge, Leitner Professor of Philosophy and International Affairs, Yale University (thomas.pogge@yale.edu).

Two cross-cutting debates about development are preoccupying officials, academics and civil society groups in the middle of this decade. One concerns the evaluation of the Millennium Development Goals (MDGs), due to expire at the end of 2015. Some describe them as the most successful poverty eradication effort ever, others as a fraud or abysmal failure. The other debate is about the formulation of the MDGs' successors, the Sustainable Development Goals (SDGs), to be adopted by the UN General Assembly in September 2015 and meant to guide development efforts until 2030. What goals, targets and indicators should be included in the final document? Who should be involved in the drafting process and how?

Symposion is inviting contributions that enrich the ongoing debates on the SDGs and related concepts, theories, policies, methodologies and practice. This special issue aims to illuminate the conceptual, institutional, systemic and procedural frameworks underpinning the new goals. The number of SDGs proposed, 17, constitutes a substantial increase from the 8 MDGs and will pose a serious challenge to the international community. At the same time, the expansion of areas covered by the proposed SDGs invites critical reflection. The participation of a wide web of local, national, and international organizations, both in the implementation of the MDGs and in the preparatory process of the SDGs, reflects a rich fabric of stakeholders and of policy choices and practices. How responsive is the process through which the SDGs are shaped to the current global realities, to the local realities of developing countries and to the experience with the MDGs? What are the structural implications of adopting such goals and what are the institutional preconditions for achieving them? What would an effective monitoring and accountability mechanism for the SDGs look like? How do the SDGs differ from the MDGs, and what impact might these differences have? How do the SDGs fit into the broader UN post-2015

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