

Europe in a changing world: opportunities and challenges

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Europe in a changing world: opportunities and challenges

In Honorem Professor Ioan Horga

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Europe in a changing world: opportunities and challenges

In Honorem Professor Ioan Horga

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O carieră universitară „internațională”

Atunci când vorbești despre un coleg a cărui carieră universitară a lăsat „urme” semnificative în comunitatea academică orădeană, pe care au pășit generații de studenți, este un prilej de bucurie. Acesta este cazul colegului, prorectorului, decanului și profesorului universitar Ioan Horga. Geneza și evoluția domeniului Relații Internaționale și Studii Europene de la Universitatea din Oradea este strâns legată de numele profesorului universitar Ioan Horga.

Într-o lume în care globalizarea caracterizează majoritatea interacțiunilor economice, sociale și politice și în care crizele se succed cu o oarecare regularitate, înțelegerea naturii conexiunilor dintre actorii de pe scena internațională, a cauzelor conflictelor și a problematicii menținerii păcii devine o sarcină din ce în ce mai complexă pentru guvernanți, societatea civilă sau pentru oricare alt actor implicat în analiza sau gestionarea acestor procese. Printre aceștia, universitățile, ca sursă esențială de cunoaștere și inovare sunt chemate să furnizeze forță de muncă înalt calificată, să ofere suport formal și informal, expertiză specializată și să intermedieze accesul la cunoașterea acumulată prin rețelele globale la care universitățile au acces, dezvoltate în colaborare cu alți parteneri sociali.

Universitatea din Oradea are capacitatea de a răspunde acestui apel și de peste 200 de ani își aduce aportul la procesele de formare și dezvoltare, la diseminarea cunoașterii în rețele inovative, la atragerea, reținerea și generarea de talente. În domeniul de studiu al realităților contemporane, din multiple perspective globale și regionale, colectivul de specialiști în relații internaționale și studii europene din cadrul universității se remarcă prin dinamism și performanță. Meritul înființării acestui colectiv și a formării lui în spiritul competitiv academic îi revine profesorului Ioan Horga, cel care și-a dedicat o mare parte din cariera sa construirii unui pol de cunoaștere în domeniul relațiilor internaționale și studiilor europene la Oradea.

Această inițiativă a adus și alte avantaje Universității din Oradea. În anul 2000, odată cu înființarea și coordonarea Departamentului de Relații

Internațională și Integrare Europeană, profesorul Ioan Horga a contribuit substanțial la dezvoltarea contactelor cu alte universități și instituții din străinătate, creând oportunități pentru participarea studenților, cadrelor didactice și cercetătorilor la programe de mobilități de teaching, cercetare și formare profesională. În mandatul său, Universitatea din Oradea semnează un acord de colaborare științifică și didactică prin care intră în grupul de instituții care organizează programul de studii de masterat *The Process of Building Europe* și gestionează Secretariatul General al Carpathian Region Universities Association (ACRU).

Cu aceeași energie, profesorul Ioan Horga coordonează în perioada 2002-2005 Catedra de Studii Euroregionale, una din puținele din țară finanțate prin programul Jean Monnet al Comisiei Europene, punând astfel o amprentă interdisciplinară în pregătirea studenților orădeni. De altfel, toate programele de studii universitare de licență și masterat gestionate de Departamentul de Relații Internaționale și Studii Europene păstrează această interdisciplinaritate, studenții având posibilitatea să-și consolideze cunoștințele în diferite domenii (economie, geografie, relații internaționale, studii europene, cooperare transfrontalieră, istorie, comunicare, drept etc.) și să profeseze caracterizați fiind de un spirit deschis și de abilitatea de comunicare într-un mediu multicultural.

O direcție de cercetare importantă a profesorului Ioan Horga, cea în care analizează și evaluează cooperarea transfrontalieră, a avut ca rezultat, pe lângă numeroasele studii, articole și cărți, înființarea *Institutului de Studii Euroregionale Oradea - Debrecen* (ISER), Centru de excelență Jean - Monnet. ISER reprezintă încununarea relațiilor de colaborare academică construite cu colectivul de cadre didactice și cercetători de la Departamentul de Geografie și Dezvoltare Regională din cadrul Universității din Debrecen. Sub cupola Institutului, colectivul de cercetători coordonat de profesorul Ioan Horga, implementează numeroase proiecte finanțate din programele Uniunii Europene: Jean Monnet; PHARE CBC 2006 INTERREG III A; Programul de Cooperare Transfrontalieră Ungaria – România 2007 – 2013; Programul de Cooperare Transnațională Sud-Estul Europei; European Thematic Network for European Studies. Din numeroase surse locale au fost finanțate proiecte de cercetare al căror rezultat a contribuit la cunoașterea realităților

In Honorem Professor Ioan Horga
din regiunea Bihor – Hajdu Bihar, la valorizarea capitalului cultural și uman
local și la dezvoltarea orașului Oradea.

Experiența vastă a profesorului Ioan Horga a fost pusă în slujba Universității din Oradea, acesta îndeplinindu-și exemplar mandatele de Prorector (2007-2008) și Decan al Facultății de Istorie, Relații Internaționale, Științe Politice și Științe ale Comunicării (2008-2020). Colaborarea cu domnia sa a fost întotdeauna constructivă și îndreptată spre creșterea capacității Universității de a răspunde la cerințele referitoare la educație, formare, inovare și cercetare ale guvernanților români, ale Uniunii Europene sau ale altor organisme și organizații internaționale.

În acest moment, în care colegii săi din departament și facultate îi aniversează vârsta maturității depline ca dascăl și cercetător, ne alăturăm acestui demers și îi mulțumim profesorului Ioan Horga pentru energia și devotamentul cu care a contribuit la dezvoltarea Universității din Oradea, conectarea la mediul academic european și internațional, afirmarea în plan național și local.

Oradea, 24 mai 2021

Prof. univ. dr. habil. Constantin BUNGĂU
Rectorul Universității din Oradea

Ioan Horga – creator de școală

Profesorul universitar doctor Ioan Horga reprezintă un punct de reper incontestabil în peisajul universitar orădean. Istoric la ”bază”, Domnia Sa este unul dintre cei care s-au implicat activ în noile începuturi ale Facultății de Istorie-Geografie imediat după schimbările intervenite și în România la finalul anilor 1980. Vreme de un deceniu Ioan Horga a rămas fidel istoriei și cercetărilor istorice. Inclusiv teza de doctorat a fost cantonată în acest domeniu fundamental al cunoașterii umanității.

În condițiile așezărilor și reșezărilor permanente din societatea românească, ale racordării acesteia la noile sugestii și provocări intelectuale venite dinspre spațiul occidental, cel spre care, de altfel, tindea și România, universitarul Ioan Horga a intuit mai bine decât mulți alții noutatea și a acceptat aproape instantaneu ”provocările” viitorului. A înțeles exact drumul care trebuia urmat de România în deceniile următoare.

A intuit foarte bine faptul că acest viitor este foarte aproape și avea să fie strâns legat de multele intersecții în care trebuiau stabilite legăturile cu lumea occidentală, altminteri o doleanță mai veche a spațiului românesc. Așa se face că încă din a doua jumătate a anilor 1990 Domnia Sa a contribuit esențial la racordarea Universității din Oradea la rețelele universitare europene, fiind cel care a pus bazele, dezvoltat și, ulterior, ancorat spațiul academic orădean în peisajul universitar european.

Dincolo de ceea ce înseamnă ”internaționalizarea” Universității din Oradea, profesorul Ioan Horga a intuit și existența unor vaste teritorii nedeștelenite încă de elita universitară orădeană și națională în egală măsură, într-o vreme în care rezervele unei bune părți a intelectualității românești erau mai mult decât evidente. Este vorba despre domeniul relațiilor internaționale și studiilor europene.

Integrarea României în structurile euro-atlantice a ușurat acest demers și a creat oportunități remarcabile în această direcție. Ioan Horga a plonjat fără ezitare în studierea acestor teritorii aproape virgine pentru România la momentul respectiv. A fost un deschizător de drumuri alături de puținii ”curajoși” ai României vremii. A contribuit, în esență, la schimbarea mentalităților românești. Era o vreme în care a-ți afirma deschis opțiunile prooccidentale nu era tocmai o atitudine obișnuită și dezinvoltă în spațiul

intelectual românesc, un spațiu amprentat extrem de puternic încă de voltele ideologice antioccidentale clamate decenii întregi înainte de 1990.

Vechile metehne interpretative, potrivit cărora occidentul "imperialist și decadent" nu dorește altceva decât să atenteze la "bogățiile" țării noastre pentru a-i condamna apoi pe români la întuneric, erau departe de a-și fi epuizat influența. Ele erau încă prezente în societatea românească incipient democratică. O privire atentă asupra începutului anilor 2000 ne arată un corp social românesc încă nesigur și indecis în legătură cu propriul viitor. În ciuda unui discurs public cu nuanțe prooccidentale ale majorității clasei politice, o frână nevăzută ținea parcă pe loc societatea românească în ansamblul său. Această frână s-a numit pe de o parte teritoriul politic, incapabil să se rupă de trecut și care a ținut "captivă" societatea românească plasând-o în zodia unei confuzii aproape generalizate, iar pe de alta mentalitățile greu schimbătoare ale ansamblului corpului social românesc.

A fost nevoie de oameni curajoși și vizionari care să contribuie esențial la schimbarea lucrurilor. Ioan Horga a fost unul dintre aceștia. Încă din prima parte a anilor 2000 profesorul Ioan Horga a militat pentru conturarea și apoi consolidarea la Oradea a unei direcții de studiu consacrate relațiilor internaționale și studiilor europene. Privită la început cu rețineră, ba chiar cu oarecare circumspecție din perspectiva utilității demersului, întreaga "operațiune" s-a dovedit un succes în următoarele decenii.

Domnul profesor Ioan Horga a înțeles foarte bine că viitorul este al cooperării europene, al celei transfrontaliere în cazul aplicat al orașului Oradea, contribuind la oferirea unui model pentru ceea ce ar putea fi cooperarea și reconcilierea a două entități naționale, români și unguri în cazul nostru. El a promovat o serie de deschideri și colaborări cu specialiști din același areal intelectual situat în imediata vecinătate, numindu-i aici în primul rând pe specialiștii în relații internaționale și studii europene din Debrețin. A fost doar începutul. Anii care au urmat au marcat noi și noi deschideri îndreptate spre toate zărilor Uniunii Europene și, mai nou, și spre alte continente.

Profesorul Ioan Horga s-a îngrijit să adune în jurul său o echipă de specialiști care să-l ajute în demersul său, conștient fiind de dificultatea demersului. Redusă la început, aceasta s-a consolidat în timp atât din perspectivă instituțională, prin crearea unui departament de relații internaționale și studii europene în cadrul Facultății de Istorie-Geografie, cât mai ales științifică, validându-se în timp drept una dintre cele mai valoroase echipe din România și nu numai.

Manifestările științifice, volumele individuale și colective publicate, studiile apărute de-a lungul a aproape două decenii de activitate demonstrează cât se poate de clar faptul că profesorul Ioan Horga a creat la

Oradea un spațiu intelectual propice acestor demersuri, un spațiu fertil de discuție, adică ceea ce se numește **o școală** în relații internaționale și studii europene. Toți membri acesteia sunt discipoli ai Magistrului și suntem siguri că vor consolida și duce mai departe, alături de Profesor, aceste preocupări ancorate pe deplin în spațiul intelectual european.

Suntem convinși că anii următori vor marca noi realizări ale școlii de relații internaționale și studii europene de la Universitatea Oradea, iar universitarul Ioan Horga va fi mândru de propriul edificiu.

Acum, la acest important moment de bilanț din viața domnului profesor Ioan Horga, îi doresc să rămână mereu tânăr în spirit și aproape de echipa lui precum și de mai tinerii săi discipoli, studenți, masteranzi și doctoranzi!

Oradea, 23 martie 2021

Prof.univ.dr.habil. Gabriel MOISA
Decan al Facultății de Istorie, Relații Internaționale,
Științe Politice și Științele Comunicării

Professor Ioan Horga – Mentor For Generations of Students, Teachers, and Researchers

In their attempt to understand the world, philosophers, historians, sociologists and specialists in political science or international relations have tried to encompass its complexity in key concepts, such as world order, balance of powers, international community, global society, unipolarity, bipolarity, multipolarity or polycentrism. Their purpose has been to explain the way in which the states interact and to offer a projection of our reality. Depending on their theoretical foundation, each specialist identifies forces, actors or producers that catalyse actions or reactions on the world scene.

Among them, Professor Ioan Horga excels by his extended research in the field of international relations and security studies, which offer a complex perspective of the permanent changes in the military, geopolitical and socio-economic configurations. A historian by formation, Professor Ioan Horga has the remarkable ability to perceive the mechanisms which govern the contemporary societies, beyond the historical realities, with analyses that have theoretical, as well as empirical focus. With the same energy and determination, he approaches the theme of European studies, field in which he publishes interdisciplinary studies in the area spanning from the Atlantic Ocean to the Ural Mountains. Moreover, his niche research has been directed towards the area of border studies and regional studies, fields in which he focuses on the cross-border cooperation between the countries from Central and Eastern Europe.

His entire research activity is doubled by the quality of his professorship. He first worked at high-school level, as teacher at the “Înfrățirea” and “Emanuil Gojdu” High Schools, both from Oradea. Ever since he entered the university education system (1992) he took over the subjects of *Modern Universal History* (course held at the specialization in Sociology) and the *Century of Enlightenment in the North-West of Romania* (course and seminary held at the MA studies in History). He shared his expertise accumulated over the years of research on European issues to the students from Oradea in the course *European construction*, which he teaches to students from History, Sociology and Economics. The graduates of these programs remember the meetings with their magister in which pleaded with conviction for the values and principles that are the basis of the European project.

With clear visionary qualities, ever since the early years after the 1989 Revolution, Professor Ioan Horga was convinced of the fact that Romania had to join the European Union and that the academic world must be an active part of these endeavours with all its force and its innovation capacities, analysis and evaluation. In this sense, Ioan Horga was concerned to develop ties with prestigious European universities in order to benefit from their expertise. Moreover, with the same enthusiasm, he holds courses or conferences for the students from France, Italy, Poland, Czech Republic, Slovakia, Spain, Portugal, Slovenia, Germany, Great Britain, Hungary, Ukraine, Republic of Moldova and Georgia. On these occasions, he presented the realities of Central and Eastern Europe and contributed to the deepening of the knowledge about the programs and politics of the European Union.

As a head of the Department of International Relations and European Integration, Ioan Horga initiated an intense internationalization process for the University of Oradea and developed relations with similar institutions from across Europe, especially through the Socrates, Leonardo da Vinci and Erasmus programmes or through agreements of inter-university cooperation. As a part of these agreements and programmes, thousands of students from Oradea had the opportunity to study or to do an internship in European universities. Each time, the Professor provided constant support, trust and help to the students.

Numerous are also the students from Oradea that benefitted from the guidance of Professor Horga in understanding the international or European issues that were presented within the Bachelor's and Master's programmes. Apart from the substantial contribution he had in their creation and accreditation, the spirit of the magister was felt many times in the courses of Introduction to International Relations, Theory of International Relations, Theory of European Integration, Elements of Compared and Political Analysis, European Social History, International Relations, The History of European Construction, Culture and Society in 17th and 19th Centuries, International Organizations, Mass-media and European Integration, Regional and European Politics, Project Management, Mass-Media and Intercultural Dialogue, Media and Intercultural Dialogue in the New Europe, Evaluation Theory of European Public Policies and Programs, Policies of European Regional Development, Theoretical Approaches in the Security Studies, Regional Security, Regions-Actors in the EU, History of Modern and Contemporary Political Regimes and many others. At every meeting, the exploration of the large domain of study doubled by carefully planned seminars, personal experience and attitude to life transferred continuously to the students, along with the

advice on how to overcome difficult situations, all turned into precious help and assistance in the formation of professional identity of the graduates.

In his endeavours to offer learning opportunities to the young, Professor Ioan Horga assembled a team of accomplished teachers. Along with the colleagues Sever Dumitraşcu, Viorel Faur, Mihai Drecin, Ion Zainea, Nicolae Josan, Gheorghe Măhăra, Barbu Ştefănescu, Aurel Chiriac, Alexandru Ilieş, Sorin Şipoş, Lia Pop, Ioan Derşidan, Floare Chipea, Ada Tomescu, Ecaterina Hanţiu, Mircea Benţea, Letiţia Filimon, Florian Filip, Pop Delia, Florica Ştefănescu, Albu Ioana and Dana Pantea, he succeeded in creating one of the first Romanian Bachelor's Programmes in the field of International Relations and European Studies in the country. The rapid development of the curricula and the high number of students are arguments for increasing of the number of teachers and attracting of young researchers with studies in the same field. A collective was thus created, with which Ioan Horga successfully implements the biggest project financed from European funds at the University of Oradea.

The common experiences generated a climate of interaction in which Ioan Horga had a central role in coordinating the steps to achieve objectives. One by one, the members of the team, Mircea Brie, Adrian Popoviciu, Constantin-Vasile Țoca, Luminița Șoproni became members of the Chair, later the Department of International Relations and European Studies and began to contribute to the multidisciplinary formation of the generations of students. They were joined by Cristina Dogot, Dorin Dolghi, Alina Stoica, Mariana Buda, Florentina Chirodea, Cosmin Chiriac, Mihai Maci and our own graduates – Lia Derecichei, Istvan Polgar, Mirela Mărcuț and Edina Meszaros. Under the careful coordination of Professor Ioan Horga, each of them defined their path of research and contributed to the positioning the University of Oradea in the ranks of the greatest schools of International Relations and European Studies from the country and from Europe.

Today the Department of International Relations and European Studies is a young collective, capable of presenting itself as a solid, dynamic and well-defined structure in the national and European academic landscape. We owe to Professor Ioan Horga a large part of the determination with which we focus on our topics of scientific interest, our commitment to guide the students towards professional achievements, the openness with which we relate with one another, the feeling that we are a team and the friendships that keep us together.

We dedicate this volume to the teacher who mentored numerous generations of young people, to the researcher who reached the excellency, to the personality who worked for the construction of the school of International Relations and European Studies in Oradea and to the

colleague who was always on our side with advice and counselling any time we encountered obstacles.

At this joyous time, we wish Professor Ioan Horga remains a perpetual young spirit so that he can be close to us and among us for many years to come!

The collective of the Department of International Relations and European Studies, University of Oradea

“Generația” în viață, știință și politică

Sociologii, în general cercetători din sfera științelor umaniste, acceptă ideea potrivit căreia omenirea evoluează, în toate domeniile, prin confruntarea dintre generații. Această “confruntare” poate fi dusă, până la negarea ideilor lansate de predecesori sau chiar la lichidarea lor fizică. Este calea proprie revoluțiilor sau loviturilor de stat, care prin sânge și distrugeri materiale fac trecere de la un regim politic la altul. Aici se implică mase mari de oameni, de la lumpenproletariat la clasele sociale de jos, sărace până la limita existenței materiale zilnice, intelectuali idealști, oameni politici versatili aparținând vechiului regim pe care îl răstoarnă cu gândurile și interesele personale de a se menține în rândul privilegiaților.

Varianta opusă răzmeriței, mai calmă, este cea a reformelor de sus în jos, între care sunt acceptate și unele cerințe ale plebei din dorința de-a o ține în frâu, de ai dovedi că dorințele ei se vor îndeplini. Ea clădește o societate controlată, așezată pe muncă și conștiința valorilor. Saltul profesional și politic se realizează mai încet dar mai temeinic, înnoind societatea fără a distruge realizările materiale și intelectuale ale înaintașilor, eventual modernizându-le și completându-le în spiritul noilor vremuri.

Cine aparține unei “generații”? Pentru vremuri normale - cei care se nasc și formează în plan intelectual și profesional pe parcursul a 12-15 ani. În acest interval de timp, experiența de viață dobândită prin sfaturile și exemplele primite în familie, școală și modelul politic în care trăiesc – fac ca indivizii să se regăsească între aceleași, sau aproape aceleași, elemente de gândire și comportament indiferent de categoria socială din care se ridică și se impun ulterior. Vremurile supuse schimbării puterii politice tind, însă, să reducă mult, chiar să înjumătățească, perioada de timp în care se naște o “nouă generație”. Ea ne apare, și este până la urmă, mai grăbită, dornică de afirmare mai ales în spațiul politic, nu întotdeauna mai temeinic pregătită în plan intelectual și moral.

Astfel văzute lucrurile, sper să nu greșesc, încerc o încadrare a sărbătoritului- universitarul Ioan Horga, în limitele unei generații din care face parte și subsemnatul.

Între 1944 și 1956, anii nașterii noastre, sunt 12 ani. Școlarizarea liceală și universitară se petrece, politic vorbind, în două perioade de revenire treptată, mai întâi timidă apoi tot mai îndrăznească, la tradițiile istoriei naționale, chiar și în vremuri marcate de un liberalism intelectual, atât

cât un regim politic comunist, permanent amenințat de “tătucl” sovietic, putea să-l accepte. Chiar dacă prima fază a împlinirii noastre profesionale are loc într-o perioadă de închistare politică, faza cultului personalității ceaușiste, completată de mari greutăți materiale în viața de zi cu zi. Sentimentul național cultivat de dascălii noștri din liceu și universitate ni s-a imprimat și păstrat în suflet, fără excesele pe care regimul îl cultiva în anii '80 ai secolului trecut. Altfel spus, ne putem considera ca aparținând acelorași generații, unul la limita temporală de jos a acesteia, Horga la cea de sus.

Schimbările politice din decembrie 1989 ne-a rezervat destine profesionale diferite și, totuși, șanse de regăsire într-un mediu universitar pe care-l merităm prin prisma rezultatelor obținute ca studenți în Clujul universitar. Unul dintre noi revine în tânăra universitate orădeană, chiar pe o poziție administrativă care i-a permis să selecteze tineri colegi pentru Facultatea de Istorie-Geografie rediviva, celălalt cu șansa unui doctorat în străinătate la vârsta, așa zice, optimă, care îi va deschide un alt orizont intelectual. După doctoratul francez, Ioan Horga se încadrează cadru didactic în Facultatea de Istorie-Geografie, alături de veteranii anilor '60, dar și de tineri absolvenți ai Clujului anilor '90.

În 2003, profesorul Horga pune bazele unei specializări: *Relații Internaționale-Studii Europene* cerută de mersul și necesitățile vremurilor. Va fi una din primele specializări din țară, alăturându-se celor din marile centre universitare: București, Cluj-Napoca și Iași. Ea va fi completată cu specializarea *Științele comunicării* care pregătește specialiști în ziaristică, în general pentru structurile mai largi ale mass-mediei. În 2005, aceste două specializări se organizează într-un Departament de sine stătător.

Așa cum a fost selectat în ani '90 ca tânăr universitar de către bătrânii universitari ai anilor '60, profesorul Ioan Horga a știut să-și aleagă colaboratori tineri, de perspectivă, cunoscători ai limbilor străine, pe care-i trimite la specializare și documentare, la sesiuni științifice în vestul european. Toți vor confirma în scurtă vreme în calitate de cadre didactice de valoare, evoluând în plan didactic ca lectori, conferențieri și profesori, cu doctorate luate la timp, cu teme interesante pe model național și vest-european. Unii dintre ei au căpătat calitatea de conducători de doctorat. Urmează pasul important al constituirii la Oradea a unei echipe care să deschidă o școală doctorală în Relații Internaționale Studii Europene.

Profesorul Ioan Horga, în prag de pensionare, își vede împlinită munca de selectare a tinerilor valori cărora le predă ștafeta profesională și administrativă la nivel de facultate și departamente. Cred că alături de familie, studiile și cărțile realizate, sesiunile științifice naționale și internaționale organizate- asta rămâne după tine în conștiința viitorimii.

Sunt convins că noua generație din fruntea facultății noastre va avea nevoie de tine, Ioane, în continuare atât în plan științific cât și administrativ,

In Honorem Professor Ioan Horga

al relațiilor mai înalte pe care le-ai încheșat în țară și străinătate, atât prin știință cât și în hățișurile lumii politice.

Pentru moment, stimată coleg, prieten și fost decan îți urez “La mulți ani” cu sănătate. Să te bucuri de loialitatea colegilor și de respectul binemeritat încă cel puțin trei decenii de acum înainte, alături de familie și de colaboratori.

Oradea, 23 februarie 2021

Mihai D. DRECIN

Profesor emerit, membru corespondent al
Academiei Oamenilor de Știință din România

La mulți ani!, dragă Professore și Prieten,

Acum niște ani, pe când eram un membru activ al CNATDCU și ARACIS, am fost repartizat să merg la Universitatea din Oradea pentru a valida programele de științe politice/relații internaționale de la facultatea condusă de domnul profesor Ioan Horga. La acea vreme asupra Universității din Oradea „planau” a priori încă umbrele suspiciunii (ce venea din povestea cu diplomele false) și, recunosc, mi se părea că aveam o misiune dificilă ca să nu spun, de-a dreptul ingrată. Cu atât mai mult, cu cât părea că nimeni nu aștepta vești bune dinspre Oradea!

Odată ajuns la Oradea, temerile mele s-au risipit rapid, întâlnind acolo un colectiv de înalt nivel profesional sub conducerea unui domn ușor grizonat, dar pe deplin tânăr în spirit și năzuințe academice, profesorul Horga. Și, astfel, au început mulți ani de excelentă cooperare atât pe plan național, bi și multilateral, cât și internațional, de asemenea, în multe formule. Mai mult decât atât, am câștigat un prieten și am cunoscut o familie minunată, o Doamnă Horga și doi copii Horga, toți, niște oameni minunați. Revenind la sărbătorit, într-o decadă dl. Horga și colegii săi au reușit să „pună” pe harta țării și a Europei, Universitatea din Oradea ca centru recunoscut de excelență în relații internaționale, la un asemenea nivel încât, eu personal, când făceam aplicații pentru proiecte, spuneam colegilor, legat de teme specifice politicilor de vecinătate sau regionale, cel puțin, că, atâta vreme cât aplică Oradea, nu are rost să ne pierdem vremea!

După acea vizită, au urmat multe altele, chiar și prima acreditare instituțională de după epoca „diplomelor false”, ca și coordonări de doctorate comune, Comisii CNATDCU sau ARACIS de tot felul, dar și activități în cadrul Asociației Române de Relații Internaționale și Studii Europene sau în proiecte UE transfrontaliere cu Republica Moldova sau Ucraina, ca să nu uităm lucrările realizate împreună cu domnul profesor Horga sau echipa sa. Nu în ultimul rând, despre cooperarea noastră vorbește privilegiul pe care l-am avut de a primi titlul de Doctor Honoris Causa al Universității din Oradea.

Domnul profesor Horga este un dascăl de vocație și s-a dovedit un manager, de asemenea, talentat, fiind un descoperitor de tineri valoroși, unii dintre ei încă alături de domnia sa, alții plecați în alte direcții instituționale și/sau geografice chiar. Niciodată, însă, nu am auzit din partea sa, vorbe

grele pentru cei ce au abandonat „corabia” pusă, de către domnia sa, pe apele învolburate ale academiei, ci, dimpotrivă, am auzit vorbe frumoase, ceea ce arată, odată în plus, că avem de-a face și cu un caracter, nu doar cu un profesionist.

La această aniversare, îi doresc multa sănătate, viață lungă și creativitate maximă, căci, încă, mai are multe de oferit.

Să vă trăiască cei dragi, domnule profesor, căci știu cât de dragi vă sunt!

La mulți ani, dragă prietene și profesor!

2021, București

Iordan Gheorghe BĂRBULESCU
Prof.univ.dr., Președintele Senatului Școlii
Naționale de Științe Politice și
Administrative, București

Frendship without Borders

Italy, France, Luxembourg, Hungary, Romania ... It might sound as a simple list of countries but it is much more than that. These are the milestones in the path as the co-operation evolved between the Department of Social Geography and Regional Development Planning in Debrecen and the Department of International Relations and European Studies in Oradea during the last almost three decades. We crossed borders and travelled as far as Loreto Aprutino-Pescara (2001) in Italy or Schengen (2002) (in the tripoint where the borders of Germany, France and Luxembourg meet) and listened to each other's latest research results realising that we have common goals and ideas and we imagine the same future for cross-border co-operation in the border regions of Hungary and Romania. We sat into a boat on the Moselle River celebrating the Schengen Agreement and we have been rowing in the same boat ever since...

We have been experiencing all possible levels of cross-border co-operation together in various fields. The most precious of these is the personal co-operation based on mutual respect which have been strengthening throughout the years. Professor Ioan Horga is one of the chief motivators in this respect with his openness, never ending enthusiasm and fascinating ideas. Together with his late friend and colleague, Professor István Süli-Zakar, they organised dozens of exceptional cross-border programmes, initiated several successful cross-border projects and supported each other and their research teams in achieving their common goals. The foundation of the Institute of Euroregional Studies a European Jean Monnet Centre of Excellence, the launch of the Eurolimes journal as a forum for discussing research results or the initiation of the DebOra project, the plan of a cross-border agglomeration or eurometropolis, gained international recognition for both of them, and a couple of years ago, remembering his friend and showing his respect, he founded a library named after István Süli-Zakar.

Together with Professor Horga we learn a lot about how to live, work and most of all how to co-operate in border regions. Visiting each other and participating at conferences organised jointly in Debrecen and Oradea created a real borderless milieu, an integration of knowledge and ideas and a union of teachers and students dedicated to cross-border co-operations. We all love participating at the conferences in Oradea organised

by him and his colleagues where we always enjoy the utmost hospitality. Even the pandemic could not break his enthusiasm and he is active in the online world as well paving the way to online cross-border co-operation.

We often recall an event when in the early years of our friendship our team from Debrecen was late for the opening ceremony at a conference organised at the University of Oradea and instead of being tense or angry about it, he took it really relaxed and welcomed us warmly incorporating it in his speech which he already started and found seats for all of us in the audience even asking some of his colleagues and students to translate for us. And as the programme proceeded at one point the people sitting in the same rows where we were sitting stood up and started to sing. As we learnt by then we were sitting in the middle of the choir... at that point we really felt the familiar environment and knew that we were part of the same family. He and all other colleagues in Oradea treated us as their own team.

Pro Cooperation... it was not only an award from the Hungarian Academy of Sciences in 2003 but also a step forward in deepening and strengthening our co-operation: and from our accession to the European Union the colleagues from the University of Oradea and the University of Debrecen also integrated and dedicated their joint activities *pro cooperation...*

Happy birthday Professor Ioan Horga! It is a great honour to be your friends, colleagues and your cross-border family in a broader sense...

March, 24, 2021

CZIMRE Klára
Senior lecturer PhD, Department of Social Geography
and Regional Development Planning,
University of Debrecen, Institute of Earth Sciences

Profesorul Ioan Horga – *HOMO FABER*

Îl omagiem, astăzi, pe profesorul Ioan Horga, un om de care destinul m-a legat cu mult timp în urmă, încă din perioada de liceu, când dumnealui răspundea, la Comitetul Județean U.T.C., de performanțele științifice ale elevilor de liceele orădene și bihorene. Sub organizarea sa am participat la trei *Conferințe științifice naționale ale elevilor de liceu*, în clasele a X-a, a XI-a și a XII-a, la Baia-Mare, Brașov și Câmpulung Moldovenesc. Majoritatea elevilor din echipa selectată de domnia sa au luat premii și mențiuni naționale la diverse materii și au făcut cinste județului Bihor.

Precizez, de la bun început, că nu îmi propun, cu această ocazie, trecerea în revistă sau analiza realizărilor sale intelectuale din ultimii 29 de ani, de când și-a început cariera la Universitatea din Oradea, deoarece un asemenea demers a fost făcut într-un reprezentativ volum apărut acum cinci ani¹.

Îmi voi îndrepta - cu această ocazie - atenția asupra personalității sale, încercând să identific ceea ce eu consider că ar fi trăsătura caracteristică a personalității sale. Pentru mine este o datorie colegială și o datorie morală față de un om și profesor al cărui curs și seminar (de la specializarea de Istorie), *Istorie contemporană universală*, l-am preluat și îl predau astăzi la specializarea istorie și care mi-a acordat, cu generozitate, sprijinul și sfatul când a fost nevoie, la „început de drum” în Universitatea din Oradea.

Atunci când mă gândesc la omul Ioan Horga, la personalitatea sa, încerc să o caracterizez printr-un cuvânt, printr-o expresie, un verb sau un adjectiv definitiv. În cazul de față, despre profesorul universitar Ioan Horga, afirm că poate fi caracterizat de verbul *a face* sau de expresia latină *homo faber*, adică *omul care face*, omul născut cu vocația construcției și care-i stimulează și pe cei aflați în jurul său să se implice, cu toate forțele, în toate proiecte sale, nu puține la număr.

Cariera sa universitară, începută în urmă cu 29 de ani (în 1992), a stat și stă sub acest semn al *construcției, al voinței și al muncii tenace*, în vederea atingerii scopului propus, depășind orice obstacol, lăsând în urmă cărți, articole, programe de învățământ noi, instituții moderne, reviste de specialitate.

¹ Vezi *The European Space. Border and Issues. In Honorem Professor Ioan Horga*, (coord.: Mircea Brie, Florentina Chirodea, Alina Stoica), Oradea University Press, Debrecen University Press, Oradea, 2016, p. 15-45.

Evoluția sa a fost marcată de pasiunea constantă pentru cunoașterea realităților instituționale europene, a relațiilor internaționale. Și-a concentrat atenția, după un doctorat despre istoria Episcopiei greco-catolice de Oradea, asupra contextului european, vâzând în experiența dinamică europeană un adevărat model, de fapt unicul pentru noi, pentru modernizarea României. România este azi membră a Uniunii Europene și, de aceea, instituțiile europene și modul lor de funcționare trebuie cunoscute și la noi. Este exact ceea ce s-a străduit să realizeze prin publicații, linii de licență, de master, cursuri, conferințe internaționale, participarea la masterate și la activitatea unor instituții europene, profesorul Horga. A făcut acest lucru conștient fiind de faptul că istoria națională, realitățile interne sunt indisolubil legate de evoluția scenei politice internaționale, cu alte cuvinte de ceea ce se întâmplă în afara României.

Pe măsura constituirii și afirmării României ca subiect de drept internațional, impactul lumii exterioare asupra sa a fost uneori mai mare, alteori mai mic, uneori pozitiv alteori negativ, dar s-a manifestat întotdeauna și, așa spune că, din ce în ce mai mult, în ultimele două decenii. Ceea ce profesorul Ioan Horga a înțeles foarte repede e adevărul simplu că, pentru a-ți ajuta propria țară, este absolut necesar să cunoști experiențele țărilor care sunt în așa-zisul „pluton fruntaș” al Europei și lumii, să încerci să aplici acasă modele și proiecte europene, pentru că România nu este o insulă, nu este Anglia, sau SUA, ci este un loc aflat în calea tuturor „răutăților”, cum spunea cronicarul, într-o intersecție de interese și influențe ale occidentului și lumii orientului, o țară de frontieră a Uniunii Europene. Instituțiile, funcționarea și legislația Uniunii Europene au fost și sunt principalele teme de interes și de cercetare a domniei sale în ultimele două decenii și jumătate.

Și-a început această „misiune” creând la Universitatea din Oradea, în anul 2000, un *Departament de Relații Internaționale și Integrare Europeană*, prin care s-au derulat și se derulează eficient relațiile internaționale ale universității orădene. Este important de remarcat rolul departamentului, de a „...promova contacte cu alte universități și instituții străine, pentru a crea posibilitatea studenților, profesorilor și cercetătorilor de a participa la programe de perfecționare profesională, mobilități și cercetare”². A organizat acest departament pentru că a înțeles, primul dintre toți, că o universitate tânără, modernă, care se dorește a fi europeană, are absolută nevoie de dezvoltarea propriilor relații internaționale cu alte universități occidentale, în mod special cu cele de „gintă latină”, dar nu numai. A fost directorul acestui departament, perioadă în care a utilizat „pârghiile active

² Floretina Chirodea, „Ioan Horga – Visionary, Professor and Researcher by Vocation”, în *The European Space. Border and Issues. In Honorem Professor Ioan Horga*, Oradea University Press, Debrecen University Press, Oradea, 2016, p. 19.

pentru dezvoltarea unui pachet consistent de relații interuniversitare în perioada 2007-2008”³. A fost, pentru prea puțin timp, prorector cu relațiile internaționale și comunicarea, din 2007-2008.

S-a gândit și la noi, tinerii preparatori ai Catedrei de Istorie, de la sfârșitul anilor '90, care, cu sprijinul domniei sale, au beneficiat de burse europene în Franța, în prima jumătate a anului 1999. Sunt unul dintre nu puținii beneficiari ai acestor relații universitare, create de profesorul Horga cu Universitatea din Reims, și concretizate printr-o bursă de studii prelungită pe șase luni, la această universitate. A fost nu numai o binevenită ocazie de a-mi lărgi orizontul intelectual, prin acumularea unei bibliografiei de actualitate pentru specialitatea mea, prin participarea la unele cursuri, ci și o oportunitate de a cerceta în fondurile Arhivei Ministerului Afacerilor Externe din Paris, o experiență intelectuală care m-a ajutat în evoluția mea ca și, sunt sigur, pe ceilalți bursieri.

Profesorul Ioan Horga a depus, în continuarea experiențelor anterioare, un lăudabil efort, dovedind și în acest caz vocația construcției, pentru a crea la universitatea orădeană o utilă specializare de licență, în acord cu timpul, cea de *Relații Internaționale și Studii Europene* (din anul 2003). Prin această realizare, a dat posibilitatea generațiilor de studenți care au urmat această licență de a înțelege și de a-și apropia instituțiile, modul de funcționare și, mai ales, valorile lumii vest-europene, la care doream să aderăm și noi, românii. Și nu a fost ușor, pentru că a venit pe un teren gol, dar, cu perseverență și cu ajutorul unor colegi din catedra de istorie, de la sociologie sau drept, i-a asigurat stabilitatea și funcționarea cu bune rezultate. Mai târziu, pe lângă această specializare, care va împlini în curând 20 de ani, au apărut altele noi, o reținem pe cea de *studii de securitate*, de mare actualitate și mai multe linii de masterat.

Relațiile create de domnul profesor Horga s-au extins în mai multe țări europene, în special cu cele latine (ca Spania, Portugalia, Grecia și, mai ales, Italia). În legătură cu această colaborare se cuvine să menționăm o altă contribuție a domniei sale. În anul 2008, datorită expertizei acumulate, a fost ales să facă parte dintr-un colectiv de profesori din diverse universități europene, care au propus un master intitulat *Building of Europe*⁴. A fost profesor invitat la mai multe universități din Europa, predând curusuri despre integrarea europeană sau politici de vecinătate și coeziune, teme de interes și actualitate, mai ales pentru România, aflată la frontiera estică a Uniunii Europene.

Una dintre cele mai importante „construcții” științifice ale sale a fost *Institutul de Studii Euroregionale Oradea-Debrețin*, înființat împreună cu

³ *Ibidem*, p. 19-20.

⁴ *Ibidem*, p. 19-20

regretatul profesor Istvan Sulli-Zakar, de la Universitatea din Debrețin. Colaborarea ulterioară româno-maghiară pe plan științific s-a concretizat în mai multe conferințe *cu adevărat internaționale*, pe teme europene de cea mai mare actualitate. Prin acestea, se poate afirma că profesorul Horga a situat Universitatea din Oradea pe harta centrelor universitare de importanță națională și internațională în domeniul problematicii europene, a colaborării transfrontaliere și a securității.

Se cuvine aici să menționăm și o altă creație a sa, mai exact revista editată în cadrul Institutului de Studii Euroregionale, intitulată sugestiv *Limes*, care a avut, de la bun început, colaboratori reputați, specialiști externi, clasificându-se, foarte repede, în categoria B, fiind indexată în mai multe date de baze internaționale și care s-a impus în peisajul publicistic de specialitate.

Am putea, desigur, să mai consemnăm și alte activități benefice care au ca temei spiritul de inițiativă al profesorului și decanului Ioan Horga, dar considerăm că am identificat destule fapte memorabile ale acestuia, pentru care merită aprecierea și recunștința contemporanilor.

Homo faber, om al faptelor, care nu dă înapoi de la nicio provocare, profesorul Ioan Horga, face parte din acea categorie restrânsă de universitari care nu pot fi pensionați niciodată. Ei sunt născuți ca să construiască, împlinindu-și astfel destinul.

Îi dorim la mulți ani cu sănătate și cât mai multe împliniri în viitor !

24 martie 2021

Antonio FAUR

Prof.univ.dr.habil., Departamentul de Istorie, Universitatea din Oradea

Misiunea intelectualilor în societatea contemporană

Ludmila ROȘCA*

Abstract. *The Mission of Intellectuals in Contemporary Society.* In this article are updated the concepts: morality, perfection, problematization, fair action, responsibility from the perspective of the intended purpose: presentation of the personality of the university professor, Dr. Ioan Horga. The forms of personalization of the individual are analyzed; the role of the educational system is appreciated, the objectives of education are redefined. We find that the role of the intellectual in contemporary society is major and consists not in the discourse presented to the community, but in its dialectical unity with the social-useful activity carried out responsibly. I showed how the university professor in all European projects managed to form and expand his group, determined the change of their way of thinking. We believe that teacher's success must be sought in the vocation that is placed at the base of the attitude towards work; in love towards its land and country. As a university professor, Ioan Horga combined teaching with research, constantly reviewing and updating his own courses.

Keywords: *intellectual, problematization, morality, fair action, responsibility.*

Actualitatea și semnificația investigației

Semnificația practică a acestui studiu este justificată de ideile lui Mircea Eliade, expuse în lucrarea: „Profetism românesc”. Vorbind despre popoare, despre realizările lor culturale, civilizaționale, Mircea Eliade scria: „Forțele care mușcă din eternitate, forțele care susțin istoria unei țări și-i alimentează misiunea ei n-au nimic comun cu politicul, nici cu economicul, nici cu socialul. Ele sunt purtate și exaltate numai de către intelectualii unei țări, de avangarda, care singură, pe frontierele timpului luptă contra neantului.

Intelectualii reprezintă: lupta contra neantului, a morții; permanenta afirmare a geniului, virilității, putere de creație a unei națiuni (Mircea Eliade, 2002: 3).

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Despre astfel de oameni se scrie rar, îndeosebi sunt puși în valoare după plecarea lor în eternitate. Dar asta nu e corect, deoarece anume ei sunt pilonul schimbării vieții sociale, vieții politice, ei conturează poziția unei culturi naționale în cadrul culturii universale. Despre un astfel de Om, patriot al neamului românesc, doresc să scriu, să povestesc, deoarece nu va trebui să „chinui” cuvintele, ci doar să le aranjez în așa fel ca să nu diminuez importanța inovatoare pe care domnul profesor universitar – Ioan Horga, a edificat-o continuu, prin gândire, abordare rațională, pragmatică a vieții, a spațiului populat, a muncii.

Omul devine om prin educație. Majoritatea românilor născuți în perioada postbelică a secolului XX, au avut acces la educație, la instruire, aceasta reprezentând activitatea de disciplinare, cultivare, civilizare și moralizare a omului. Im. Kant sublinia că educația își propune: „să dezvolte în individ toată perfecțiunea de care este susceptibil”(Kant, 1992: 17). Descifrând rosturile filosofiei practice, Im. Kant sublinia că aceasta are forța și curajul de a reconstrui lumea. Sarcina unei explicații a vieții care i se pune și care se află în cea mai strânsă legătură cu reconstrucția lumii sau care propriu-zis este punctul de plecare – este ideea perfecțiunii, pe care filosoful o poartă în sine. Actualizându-l pe Im. Kant, menționăm că reflecția care își dobândește cunoașterea sistematică pornește de la două fapte: a vrea (voință) și a trebui (a avea obligația morală). Orice vreau desemnează tendința spre un scop, prin atingerea căruia voința este satisfăcută. La om, voința care tinde în mod inconștient către un scop se ridică la voința rațională conștientă (Kant, 1992: 179-212).

Profesorul universitar Ioan Horga - model al acțiunii juste

Im. Kant menționa că imperativul categoric creează condiția armonizării între „a trebui” și a vrea. Pentru a acționa bine, sublinia Kant, sunt necesare două momente: unul subiectiv, buna orientare a voinței sau scrupulozitatea celui care acționează și unul obiectiv – justetea acțiunii. Primul moment este determinat de convingerea personală a subiectului acțiunii, al doilea este ghidat de recunoașterea existenței Binelui Suprem. Corelate aceste condiții reprezintă perfecțiunea morală. A face ceva ce este drept, fără un fel bun de a gândi nu garantează acțiunea justă.

Conceptul etic definește acțiunea potrivită conținutului ei prin norme individuale sau îi prescrie obligații de conținut, cum ar fi: nu rosti neadevărul; nu determina bunuri date în păstrare, acționează pentru binele aproapelui; luptă pentru propria ta desăvârșire. Etica susține că ceea ce este ordonat de datorie într-un caz singular nu poate fi pus la îndoială de nimeni. „Scrupulozitatea” din care constă esența moralității, văzută din partea subiectivă, este obiectiv mai bună decât acțiunea inconștientă. În cadrul normal al vieții acțiunea este condusă de cele mai apropiate scopuri

determinate, aparținând fie profesiunii în genere, fie unor determinări sociale și este restrânsă de normele morale generale devenite habitus.

Problematizarea și responsabilitatea individului

Analiza activității unui cadru didactic ne determină să actualizăm tezele lui Foucault, care apreciind misiunea intelectualului în societatea contemporană menționa că aceasta este importantă doar dacă „este orientată spre schimbarea gândirii proprii și a altor oameni” (Фукo, 1996: 321). Intelectualul își asumă responsabilitatea pentru susținerea tradiției morale, care rezidă în susținerea problematizărilor morale inițiate. Foucault nu se mulțumește cu scrierile spontane ale minții, sau cu o istețime universală. El insistă asupra elaborării sinelui într-o transformare sânguincioasă, înceată, care cere eforturi pentru schimbare, prin manifestarea unei griji permanente față de sine. Foucault evidențiază în lumea morală trei straturi ale realității: formarea discursivă, care-i cuprinde pe toți și pe fiecare; grupul mic, în care subiectul se simte aproape ca la el acasă; însăși subiectul – actorul principal al activității morale. El nu este egal cu sine deoarece în problematizare devine altul, influența căruia mai târziu se răsfrânge asupra grupului mic și într-o măsură mai mică asupra întregului discursiv. Este responsabil acela care se problematizează pe sine, merge curajos în întâmpinarea pericolului.

Responsabilitatea este o noțiune, care reflectă conținutul corelatului „acțiune consecință”. În lucrarea lui Max Weber: „Politica ca vocație și profesie”, se menționa: „noi trebuie să înțelegem că orice acțiune etic orientată poate să se supună la două maxime opuse:, esențial deosebite, care pot fi orientate spre „etica convingerii” sau spre „etica responsabilității”. Max Weber conchide: când acționează în baza „eticii convingerii” omul nu-și explică consecințele. Și dimpotrivă, când omul acționează după maximele „eticii responsabilității”, el este obligat să „achite” consecințele propriilor acțiuni”(Вебер, 1990: 696-697). Max Weber definește responsabilitatea ca atitudine, care iese din limitele subiectului.

După expunerea interpretărilor teoretice ale unor fenomene complexe, asimilarea cărora este foarte importantă pentru înțelegerea și cunoașterea sinelui, apare întrebarea: Cine este Ioan Horga, din această perspectivă? Un om modest, care permanent s-a problematizat; s-a întrebat ce se poate de făcut și a elaborat discursuri, încărcate informațional. Este un om activ, creator și cunoscător al valorilor autentice. Este un intelectual adevărat, deoarece prin activitățile desfășurate tot timpul a fost urmat de grupuri mici, care erau atrași de ideile realiste ale discursului profesorului Ioan Horga. Într-un astfel de grup am fost invitată personal în anul 2016, luna mai, perioadă în care am avut ocazia să-mi modific nu doar opinia, dar și atitudinea față de proiectele europene, îndeosebi față de Proiectele Jean Monet. Asimilând parțial experiența colegilor de la Universitatea din Oradea,

am reușit să realizez un studiu comparat între ceea ce știu, ce pot și ce-mi doresc. La finele mobilității academice, generalizând rezultatele obținute, pentru mine am constatat, că etica lui Confucius și însăși sfaturile cugetătorului din China Antică, sunt mărețe și trebuie aplicate în viața cotidiană și activitatea profesională. Confucius menționa: comunică cu Omul superior, cu Omul nobil, de la el a-i ce învață. Am comunicat cu un astfel de om la Universitatea din Oradea, am admirat ce a făcut pentru orașul Oradea, pentru județul Bihor, pentru Universitatea din Oradea, pentru lăcașele sfinte din aceste localități. Toate tezele reproduse mai sus despre problematizare, despre acțiunea morală, despre responsabilitate îl au ca purtător pe domnul Ioan Horga.

Obiectivele sistemului de instruire și educație

Sistemul de instruire și educație își propune să descopere și să dezvolte potențialul cognitiv și creativ al omului. Societatea contemporană supraîncărcată de contradicții, de confruntări își poate depăși starea conflictuală doar educând oamenii capabili să se înțeleagă, să se auto-conducă, să-și lărgască propriile libertăți fără să limiteze persoanele din jur. Orice demers formativ presupune o maximizare a propriului potențial, o pregătire a individului pentru a face față solicitărilor exterioare, dar și interioare. A-l forma pe om pentru o profesie, pentru a se pune la dispoziția celorlalți, pentru a se integra în comunitate – reprezintă un prim obiectiv al educației. A-l forma în plus pentru a se cunoaște pe sine, pentru a da răspuns la propriile căutări și interogații, pentru a lua o poziție, autonom, față de ceea ce se întâmplă în jur – constituie al doilea obiectiv al sistemului educațional. Savantul Constantin Cucoș pentru România constată că „al doilea „pachet” de obiective este de multe ori neglijat, considerându-se a fi realizat, probabil, implicit (Cucoș, 2018: 7-14).

Societatea contemporană supraîncărcată de amenințări, riscuri și pericole solicită schimbarea abordării educației, trecerea de la acumularea mecanică a cunoștințelor la asimilarea acestora, la sistematizarea și apoi aplicarea lor în activitatea practică. Pentru a-și dezvolta treptat abilitățile solicitate într-un gen de activitate social-utilă tânărul trebuie să iasă permanent din zona de confort, să se problematizeze, să producă sau să se implice permanent în proiecte axate pe cercetare, cunoaștere, creație, implicare în viața socială.

În tratatele de sociologie se menționează: Actualmente, în societatea românească pot fi evidențiate diverse moduri de gândire, printre care se afirmă și cel al intelectualilor (Mihăilescu, 2003: 55-64). Modul de gândire este/trebuie corelat cu comportamentul, doar în așa fel putem construi imaginea personalității unui profesionist. Deși are un conținut eclectic, modul de gândire al intelectualilor se deosebește de celelalte prin orientarea

discursului către un mesaj concret, ce orientează publicul/auditoriul către „acțiuni juste”. Profesorul Ioan Horga a contribuit la formarea acestui mod de gândire, la promovarea valorilor cognitive și la sporirea rolului lor formativ, de orientare. Astfel abordată, educația și instruirea își pot onora ambele pachete educaționale. Pe parcursul mai multor decenii, cu atenție și corectitudine, profesorul Ioan Horga a deservit obiectivele sistemului educațional, construind un model de abordare a profesiei de pedagog, de savant, de patriot.

Analizând comportamentul, rezultatele activității intelectualilor autentici despre care au scris: Im. Kant, Mircea Eliade, M. Foucault ș. a, constatăm că ei produc modele de realizare a vocației în activitatea profesională. În primele decenii ale secolului XX, Max Weber în lucrarea: *Politica ca vocație și profesie*, descrie semnificația vocației și manifestările ei în viața socială. În DEX, la pag.1167, găsim explicația: Vocația - atitudine deosebită pentru o anumită artă sau știință; chemare, predispoziție pentru un anumit domeniu de activitate sau pentru o anumită profesiune. Este vorba despre o *atitudine deosebită*, despre care este important să vorbim dacă ne dorim performanțe în educația/formarea profesioniștilor pentru toate domeniile vieții sociale. Urmărindu-l pe profesorul Ioan Horga, în calitate de organizator, moderator a numeroase conferințe științifice internaționale, îi admirăm capacitatea de a uni în jurul său oameni frumoși, activi, înzestrați și ei cu vocație, orientați către multiplicarea perfecțiunii și performanței. Pentru faptul că m-au acceptat în echipa lor, colegilor de la Universitatea din Oradea – le mulțumesc.

Concluzii

Societatea contemporană este dinamică, iar capacitatea membrilor ei de a se adapta la noile condiții de viață este redusă. În același timp, s-au multiplicat pericolele, riscurile, provocările ce ținesc în viața omului și comunității. Din perspectiva strategiilor de supraviețuire și a formării unei atitudini responsabile față de condițiile existențiale, misiunea intelectualilor în societatea contemporană este importantă. A răspunde adecvat, la timp, la provocările timpului nostru istoric, este complicat, practic imposibil în condițiile unei atitudini pasive față de studii, față de obiectivele cunoașterii și educației sau a ignorării procesului de auto-cunoaștere și afirmare/implicare în viața socială.

Un prim pas în afirmarea persoanei în grupul social ar fi cel al cunoașterii propriului potențial cognitiv, creativ, a se identifica cu grupul social. Modul de gândire al intelectualilor (cadre didactice, artiști, scriitori, jurnaliști, preoți, autori ai programelor TV etc.) orientat către utilizarea cunoștințelor asimilate către producerea proiectelor, planuri de acțiuni, în baza cărora sunt realizate modificări esențiale în concepția despre lume, în

abordarea vieții, valorilor, intereselor etc. a altor persoane/ grupuri sociale. Este cunoscut faptul că schimbarea/redimensionarea modului de gândire este un obiectiv complex, dificil. Dar este realizabil.

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Introductory study. Europe in a changing world: opportunities and challenges

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A new world order, induced by the reality in which we live, imposes on researchers the difficult task of bringing little clarity to contemporary society, "thus contributing to balancing global conditions of play." (Harary, 2018: 9). In other words, we live in a world that is already very different from the one we had begun to understand. And certainly, until we can grasp with our minds and learn the new reality, today's reality, the world will most likely be drastically different, in a way that at the moment may seem inconceivable. „Discontinuity is the central reality of our contemporary history, and that demands an intensified debate regarding the meaning of our era” (Brzezinski, 1993:10). Our inability to perceive the broader ramifications of the present deepens society's fears for what is to come and how well we should relate. The collapse of established values over time makes its presence felt especially in the advanced parts of the world. Totalitarian doctrines have so far been discredited, which is to be applauded. But a prolongation in time of our feelings in recent months, generated by this virus, Sars Covid 19, how will it influence the global political situation today and tomorrow? How global society in general will be affected. What about the economy? What awaits us next? How is the European Union

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evolving in this time of pandemic? What will be the future of this supranational structure? And the series of questions and dilemmas could go on and on.

After the solidarity of the Member States of the European Union has been tested, I am referring here only to some of the trials it has been subjected to in the 21st century: the economic crisis of 2008-2011, the refugee crisis of 2014 onwards, which has shaken the peace again. Union, through the thousands of emigrants who came here especially through the southern gates, Greece and Italy. I cannot help but think of the effects of the latter crisis within the states that have opened their doors. We have the example of Germany, which has faced great repercussions in its domestic policy and in society. However, the most serious repercussion was the closure of the intra and extra European borders, but also the undeniable contribution regarding BREXIT. The UK has said it will never be able to control immigration unless it leaves the European Union, as freedom of movement gives other EU citizens the automatic right to live in the UK. (Orășanu). The idea was also blamed on the increase in crime in the Kingdom. On the other hand, European policies aimed at an "ever closer union" with a view to deeper economic integration (Chiriac, 2017:147) were seen as a threat to the sovereignty of the British Parliament.

In any case, the crisis triggered by BREXIT called into question the identity and values of the European Union. This issue has sparked concerns since the onset of the crisis, both in the minds of researchers in various fields of science and in the minds of politicians. As early as March 2017, at the Rome Summit, Juncker called on the 27 European leaders to show unity and leadership. The 30 pages of the White Paper set out the scenarios for the future of a united Europe. The five possible options Juncker was talking about ranged from limiting the EU to a single market to the option of a federalist Europe (Juncker, 2017).

The volume we bring to the readers' attention today, through the diversity of topics addressed, reflects beyond the quality of the analyzes assumed, the undoubted appreciation of fellow professors and researchers, from home and abroad, to the work of over 40 years of our colleague and professor Ioan Horga, at the beautiful age of 65. The works in the fields of history, law, political science, international relations, sociology, etc., are grouped into three parts, which have in common the European Union, starting from the national dimension of some Member States and continuing with interconnections in states, in various aspects, from political to economic, cultural, etc.

EU – values, identities and influences

The European Union represents today a macro-regional structure with unique characteristics in the world, which has enough power to globally promote its economic interests, but encounters problems at political level regarding the capacity to exercise leadership.

The uniqueness of the European Union's regional governing system is insured by the following characteristics (Lane, 2012: 51):

- a political system with own legislative, executive and judiciary structure;
- a lower autonomy of the Member States, as a result of the legislative harmonization determined by the adoption of the "Community *acquis*";
- the implementation of a decision-making system within which each Member State exercises a considerable influence using *soft* and *hard* coordination methods;
- the clear identification of regional competences;
- the determination of the States' influence degree at government and parliamentary level;
- the distancing from the principle of humanity, which generates very high transaction costs in the case of other regional organizations.

If initially the European Union was constituted as a response to globalization, out of the wish to profit from its advantages and to counteract the power and influence of other regional poles, through the characteristics, structures and relations it has created on the path of its evolution, this transformed in a powerful stimulus of the globalization process, representing a symbol of liberalisation, a global actor at economic, social and political level. The strategic position of the UE on the global stage is one of "power beyond power", associated to the concepts of "civil" or "normative" power, according to which it uses the forms of civil or normative influence to convince the others and to determine them to act in accordance with its purpose and actions (Dee, 2015: 33). The instruments used by the EU in order to accomplish this role at international level are persuasion and communication, and its style in the multilateral negotiations is a *soft* one oriented towards consensus.

EU's position and image in the world still is the subject of lively debates. Due to the fact that the European Union is not an ordinary state, but a complex and multidimensional organization, its structure, policies, actions and strategies can create confusion for the outside environment. In her analysis related to the measure in which the EU is perceived as leader in world politics, Sonia Lucarelli presents the strengths and weaknesses of the EU's global leadership (Lucarelli, 2014: 45-64). The author considers as positive the perceptions of the EU as model of regional integration, global

economic power and promoter of human rights, development and multilateralism (thanks to its own values), while the negative perceptions are related to the inconsistency between EU's policies and attitude in the diplomatic negotiations (being perceived as having a subordinate position to the USA). Its *soft* style of negotiation is appreciated in some cases, but at the same time it is criticised, being considered much too weak or denoting a condescending attitude. According to Lucarelli, there is an obvious discrepancy between recognizing EU's leadership potential (from the economic perspective and that of the values) and the perception of leadership that manifests itself in real life, the EU being perceived as unable to transform itself from a potential leader into a real one.

The integration into such a macro-region with unique features and history, entails the fulfillment of several categories of criteria, some imposed by European institutions; some coming from the tradition, as well as the cultural and historical evolution of Old Europe nations. Thus, economic, political, and judicial norms are intertwined with cultural and democratic values promoted along the European construction process (Şoproni, 2016: 348).

The complex system of norms and values mentioned above actually forms the European identity, which ensures regional cohesion, but at the same time determines the fragility of the connections between its members and functional imbalances (generated by incompatibilities, overlaps or even conflicting speeches and actions from regional or state actors). Even so, the entirety of European principles and policies express the idea that the frontiers of Europe, be they internal or external, "are limits of cooperation and not of separation" (Bărbulescu, 2006: 450), they are "open" frontiers with important implications on the nature of the EU as a political community (Anderson and Bort, 2001: 113).

Regional cooperation and European borders

At EU level, cross-border cooperation was discussed only in 1980, under the European Framework Convention on Cross-Border Cooperation of Territorial Communities or Authorities, signed in Madrid on 21 May 1980 (European Framework Convention on Cross-Border Cooperation). In doing so, the Council of Europe seeks to ensure the participation of Europe's local authorities or territorial authorities in cooperating with local authorities or territorial authorities on issues such as regional, urban and rural development, environmental protection, improving infrastructure and services for citizens and helping each other. Considering that experience has shown that the co-operation of Europe's local and regional powers is such as to enable them to better fulfill their mission, that it is particularly likely to contribute to the development and development of frontier regions, which

are determined to promote this cooperation as much as possible and thus contribute to the economic and social progress of border regions and to the solidarity that unites the peoples of Europe (European Framework Convention on Cross-Border Cooperation).

The magnitude of the interest in cross-border cooperation is most likely due to the establishment of the European Single Market and the developments towards democracy registered by the Central and Eastern European states.

According to researchers, cross-border cooperation involves the classic mutual relationship between two neighboring border regions. It covers all areas of daily life, the development of common programs and takes into account the convergence of priorities and actions on both sides of the border, being a response to common challenges. Its strong point is the extensive participation of social groups, various administrative levels, etc., and the principles of cross-border cooperation are: vertical and horizontal partnership with wide sphere, subsidiarity through the union and responsibility of regional and local levels, preparation of common cross-border development, but also the implementation of cross-border projects (Cross-border cooperation).

In support of these objectives, the EU institutions have set up assistance programs for cross-border, pre- and post-accession cooperation. The most complex first Community Structural Funds initiative is the INTERREG program. Extended in 2000-2006 with INTERREG III, it includes three types of cooperation: cross-border, transnational, interregional. The initiative is a key priority of the European Neighborhood Policy (ENP) and the European Union's European Neighborhood and Partnership Instrument (ENPI) and aims to strengthen relations between EU Member States. "Fifteen cross-border programs (nine at land borders, three at sea and three along sea basins) have been set up along the eastern and southern borders of the European Union with a total funding of € 1,118.434 million over a period for seven years, between 2007-2013" (Cross-border cooperation, a priority of the European Union).

Therefore, the process of cross-border cooperation constitutes an essential instrument that provides the framework and the necessary resources for the development of regions and for increasing their capacity to attract human and financial resources. Cross-border cooperation is therefore an attractive option for developing countries, as it increases the capacity of these countries to attract foreign direct investment and offers the possibility of progressive liberalization, which allows for the reduction of certain adjustment costs and political impediments associated with this process. It allows the countries concerned, to integrate more easily into the global economy, and the fact that states were those that have been willing to

participate in regional agreements, proves that these agreements are complementary to the process of globalization (Bowles, 2002: 86-87). From this perspective, cooperation provides the means that allow regional actors to enter the global economy, as it leads to the formation of structures that reproduce the conditions of global governance at regional level (Nesadurai, 2005: 158).

The regionalization processes (including of course, cross-border cooperation actions and projects) generate the transformation of the frontier from demarcation line into a connecting axis between the state and non-state actors of a region, which will act together so that their region to become globally competitive.

So, through the concept of cross-border cooperation, the European Union promotes co-operation between its Member States, both at the internal and at the external borders. Cooperation uses a range of financing tools and projects to support border regions located on the internal and external borders. This form of cooperation has been driven by the increasing permeability of the frontiers, induced by globalization, and by the need for regions to increase their attractiveness and competitiveness in order to develop and impose themselves in the global competition.

The cross-border partnerships created by the Union's regional policy led to the formation of cross-border regions that aim mainly to attract investors, tourists and residents to contribute to the growth and development of their economic and social status (Şoproni et al., 2017: 50). The cross-border regions „represent specific forms of innovation in relation to space, place, and scale. They involve the production of new types of place or space for producing, servicing, working, and consuming. They are linked with new methods of place or space production to create location-specific advantages for producing goods and services and offer new regulatory structures, infrastructures, scale economies, new labour markets” (Jessop, 2003: 188).

Romania in a European context

If we talk about regionalization, cross-border cooperation, development and integration of Central and Eastern European states, we must refer to the major role that Romania plays in this context. EU Member State since 2007, our country has gone through all the stages from marginalization to membership without difficulty. Entry was the latest and most momentous stage in the country's involvement in the process of European integration . It also signaled acceptance by the majority of its European partners of the progress Romania has made in its postcommunist transformation from authoritarian dictatorship and near economic collapse to a modern democracy with a functioning market economy (Papadimitriou

and Phinnemore, 2016: 16). In doing so, it brought an end to the process of eastern enlargement launched at the Copenhagen European Council more than a decade earlier in June 1993 (European Council in Copenhagen, 21-22 June 1993).

With the completion of this process, the EU has shown that it is capitalizing on the geopolitical role of Central and Eastern Europe. Equally, the British, Americans, Germans and Russians saw the strategic importance of this transition region (Spykman, 1944) between East and West for the balance of power (Naumescu, 2019: 15). "Whoever controls Rimland dominates Eurasia and whoever dominates Eurasia rules the world," said the same international relations professor Spykman, in the paper already quoted.

After 1989, the Americans in turn discovered the stakes of the region, becoming for the first time in history a significant presence in the region. NATO enlargement after 1999 and the EU are undoubted strategic triumphs for the West. In recent years, the involvement of China and Russia's efforts to regain its past role have been clearly seen in the context of the new world order. The stakes for power of the regional competition are increasing, and Romania has its role in this context (Marga, 2017; Kissinger, 2015).

On the other hand, Romania has a major role in consolidating the European project and at the same time in implementing the European strategic policies, as is the case of the EU Strategic Agenda for 2019-2024, of the European Global Strategy, etc. (Romania's priorities in the EU).

Our full gratitude goes to our colleagues from the country and abroad, who contributed to the realization of this volume, on the one hand making available to our readers their scientific research, and on the other hand proving appreciation for the entire teaching activity and scientific study of the university professor Ioan Horga and at the same time the consideration for the human quality of his reign.

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I. European Union – values, identities and influences

Charles - Olivier Carbonell: de l'Historiographie à l'Histoire de l'Europe

*Carol IANCU**

Abstract. *This article reviews the main four fields of expertise of French historian Charles-Olivier Carbonell (1930-2013): historiography, mythography, history didactics and European history. In the field of historiography he favoured the sociological and statistical perspective and advanced a thorough analysis of the profession of historian. In the field of political mythography he underlined the importance of the great political myths that lead to antagonistic couples (progress/decline, chosen/damned, etc.). In the field of history didactics he showed outstanding pedagogical talents in teaching as well as in the drafting of textbooks for high-school and university students. In the field of European history, he proposed a multidisciplinary and comparative approach that highlighted the feeling of belonging to a common culture, promoting a new type of history writing in the volume *Une histoire européenne de l'Europe*, which appeared under his coordination.*

Key words: *historiography, mythography, history didactics, new European history.*

Introduction

Deux raisons sont à l'origine du choix du sujet de cet article pour le volume de *Mélanges* en l'honneur du professeur Ioan Horga. La première est liée aussi bien à ses activités d'enseignement (il dirige depuis de nombreuses années le Département des Relations internationales et d'Etudes européennes à l'Université d'Oradea¹) qu'à ses recherches concernant pour

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¹ Mircea Brie, Alina Stoica Florentina Chirodea (eds), *The European Space. Borders and Issues. In honorem professor Ioan Horga*, Editura Universității Oradea, Editura Universității din Debrecin, Oradea-Debrecin, 2016. Ce volume comprend des articles des collègues qui ont voulu remercier le fondateur du Département des Relations internationales et d'Etudes européennes, et des collaborateurs du professeur Ioan Horga, appartenant à d'autres institutions scientifiques. Les contributions sont réunies en trois sections; relations historiques et politiques en

une large part le monde européen². La seconde procède de la volonté d'évoquer la figure d'un important historien français qui fut mon collègue aîné à l'Université Paul Valéry de Montpellier: Charles-Olivier Carbonell (1930-2013). Ses recherches ont embrassé quatre directions principales: l'histoire de l'histoire ou l'historiographie, la mythographie politique, la didactique de l'histoire et l'histoire de l'Europe. Nous nous proposons d'aborder ces différents domaines en accordant une place prépondérante à l'Europe, qui est aussi un territoire privilégié pour le professeur Ioan Horga.

I. La carrière universitaire: une passion pour l'histoire

Né le 20 avril 1930 à Pèzenas, non loin de Montpellier, Charles-Olivier Carbonell passe son enfance en Turquie et en Algérie, respectivement à Istanbul, à Sétif et à Philippeville où enseigne son père, professeur de philosophie. Titulaire des Baccalauréats de philosophie (1947) et de mathématiques-élémentaires (1948), il poursuit des études à la Faculté des Lettres de Toulouse, obtenant sa Licence d'Histoire en 1951 et son Diplôme d'Etudes Supérieures en 1952. Après avoir été reçu aux concours de recrutement des professeurs des collèges et lycées généraux et technologiques, au CAPES d'histoire-géographie (1953, n°15), et à l'Agrégation d'histoire (1958, n°16), il enseigne tour à tour aux collèges de Dax et de Castelnau-d'Aud, au lycée Pierre-de-Fermat à Toulouse, avant d'entamer sa carrière universitaire: assistant en Histoire contemporaine (1961-1967) et Maître-assistant (1967-1977) à la Faculté des lettres Toulouse, devenue Université de Toulouse-le-Mirail, puis Maître de Conférences (1977-1979), professeur de 2^e classe (1979-1981) et professeur de 1^{ère} classe (1981-1998) à l'Université Paul Valéry de Montpellier. Entre 1962 et 1998, il continue d'assurer des enseignements à l'Institut d'Etudes Politiques (IEP) de Toulouse, de 1993 à 1995 aussi à la Faculté de médecine de Toulouse-Rangueil (où il créa un cours de culture générale pour les étudiants en première année) et, de 1994 à 1998, il est directeur des études à l'Institut Universitaire de Formation des Maîtres (IUFM) de Montpellier. Une longue carrière qui l'amène à enseigner aussi à l'étranger comme professeur invité à l'Université de Sao Paulo (1970), à l'Université Lomonosov de Moscou (1984), à l'Université de Chengdu (Chine) (1985), à l'Université de Curitiba (Brésil) (1986), et qui s'achève à Montpellier en 1998, lorsqu'il devient professeur émérite des Universités. Après cette dernière date et jusqu'à son

Europe; processus d'intégration et problème des frontières; sécurité et coopération en Europe.

² Parmi ses nombreuses publications, nous tenons à citer ici le volume *Europe a Century after the End of the First World War (1918-2018)*, [ed] Horga Ioan & Stoica Alina, Editura Academiei Române, București, 2018.

décès survenu le 2 janvier 2013, il continue d'être actif, participant à divers séminaires, tables rondes, et colloques à l'Université Paul Valéry.

2. L'histoire de l'histoire ou l'historiographie

L'historiographie a été jusqu'à lui un territoire négligé et, par son ouvrage capital, *Histoire et historiens, une mutation idéologique des historiens français: 1865-1885*, il lui rend ses lettres de noblesse. L'auteur a su mettre en évidence la mutation intervenue dans la conception et la mise en oeuvre du travail d'historien, en mettant l'accent sur l'année 1876, date de naissance de la *Revue historique*, au coeur d'une nouvelle période *d'histoire de l'histoire*, le temps d'une large confrontation idéologique, politique et spirituelle, où émerge l'histoire «scientifique». Avec raison il affirme que l'histoire est une arme «non seulement pour l'Eglise à la reconquête des âmes et pour les gentilshommes à la recherche d'un roi, mais aussi pour ceux qui fondent la *Revue Historique*, ceux qui y collaborent et ceux qui la lisent. Contre l'école ultramontaine et légitimiste, se dresse l'école critique animée par des historiens protestants et modérément républicains». Il s'agit en fait de l'école catholique, «groupée, depuis 1866, autour de la *Revue des Questions historiques*». (Carbonell, 1976:9) En rompant avec l'histoire élitiste, faisant référence uniquement à un nombre restreint d'auteurs connus d'ouvrages historiques, en utilisant à la fois la méthode sociologique et statistique, l'étude embrasse l'ensemble de la production historique française, certes, limitée dans le temps, mais qui comprend pas moins de deux mille ouvrages et un millier d'historiens, une analyse quantitative d'exception, qui représente la grande originalité de cette recherche. Cet ouvrage présenté initialement, en 1974, comme une thèse de doctorat d'Etat, doit être mis en rapport avec un autre livre, qui fut à l'origine sa thèse de troisième cycle, soutenue en 1969, mais publiée seulement en 1984: *L'Autre Champollion...* (Carbonell, 1984) consacré au frère aîné de Jean-François, le génial découvreur du secret des hiéroglyphes de la pierre de Rosette, «le père de l'égyptologie», prénommé Jacques-Joseph Champollion-Figeac (1778-1867), qui fut un savant archéologue et professeur de paléographie. Le lien avec *Histoire et historiens...* est dû au fait que l'excellente biographie dédiée à ce Champollion longtemps oublié, est aussi l'occasion pour Carbonell de retracer déjà l'histoire de la naissance et du développement des études historiques, comprenant d'après le préfacier Jean Leclant, professeur au Collège de France et secrétaire perpétuel de l'Académie des Inscriptions et Belles-Lettres: «érudition et romantisme, les journaux scientifiques: *Revue Encyclopédique*, *Bulletin Ferussac*, les grandes institutions. C'est la naissance des Facultés des Lettres, Champollion-Figeac ayant été professeur à celle de Grenoble, la renaissance de l'Ecole des Chartes, pour laquelle il fournit un projet de statuts détaillé, la création du Département des manuscrits français de la Bibliothèque Royale,

dont il fut le premier conservateur, celle du Comité des Travaux Historiques». (Carbonell, 1984: 9) En soulignant la part qu'il prit à la naissance de la vocation de Jean-François, Carbonell met en avant, à juste titre, le rôle de l'*Autre Champollion* comme témoin de l'histoire à la fois provinciale et parisienne, mais aussi de l'histoire politique et sociale de la France du XIXe siècle complétant le tableau esquissé dans *Histoire et historiens...*

Hormis ces deux thèses, plusieurs autres publications concernent directement l'histoire de l'histoire, et, en premier lieu *L'Historiographie* parue aux Presses Universitaires de France dans la collection "Que sais-je?" en 1981, et qui a connu de nombreuses rééditions. Devenu un livre de chevet aussi bien pour les enseignants et les étudiants, que pour le vaste public, l'objectif déclaré de cette brève synthèse largement atteint «est de rendre compte d'un point de vue historique – c'est-à-dire en la plaçant constamment dans ses environnements – de la diversité des modes de représentation du passé dans l'espace et le temps». (Carbonell, 1981:3-4) C'est aussi dans la Préface que nous trouvons sa réponse à la question Qu'est-ce que l'historiographie?: «Rien d'autre que l'histoire du discours – un discours écrit et qui se dit vrai – que les hommes ont tenu sur le passé; sur leur passé». (Carbonell, 1981: 4) Dans une vaste anthologie intitulée *Les sciences historiques de l'Antiquité à nos jours* (Carbonell&Walch), (Carbonell&Walch) il réunit des textes émanant des historiens de l'Antiquité, du Moyen Age, de l'époque moderne, du XIXe siècle français («de siècle de l'histoire»), et du XXe siècle français («histoires nouvelles, nouvelle histoire»), réservant un chapitre particulier à l'histoire marxiste, tandis que ses collègues Jean Walch, Roland Marx et Roland Cesari mettent en lumière respectivement des historiens allemands («L'Allemagne, de l'historisme aux sciences sociales»), des historiens britanniques («La Grande-Bretagne, de l'histoire romantique à l'économétrie historique») et des historiens américains («Les Etats-Unis, du providentialisme aux minorités»). Tout en constituant une somme immense dans le temps et dans l'espace, Charles-Olivier Carbonell, n'oublie pas de marquer les limites de ce travail collectif pour lequel il a choisi et commenté plus de la moitié de l'ensemble des textes:

«Ce n'est donc pas par eurocentrisme naïf et désuet que cet ouvrage s'en tient à la tradition historiographique occidentale, mais parce que son objet porte sur l'histoire comme science, objet construit et concept élaboré tout au long de cette suite de civilisations qui se sont épanouies en Europe méditerranéenne, développées dans l'Europe occidentale et déployées à travers le monde». (Carbonell & Walch, 15) Il convient d'ajouter ici la publication des actes de trois colloques dont il assura la direction et l'édition. Dans *L'historiographie du catharisme* contenant quinze communications présentées à un Colloque tenu à Fanjeaux, Carbonell se montre sévère pour le rôle joué par les *mass media* dans la vulgarisation et la récupération du

catharisme en affirmant: «Quatre siècles de catharisme nous l'ont montré: le catharisme ne fut jamais autre chose, travaux érudits mis à part, que le réceptacle des phantasmes par lesquels les vivants croient exorciser les morts». (***, 1979: 380) *Au berceau des Annales* est le titre des Actes du colloque pour le cinquantième anniversaire des *Annales*, organisé à Strasbourg, les 11-13 octobre 1979, (Carbonell & Livet, 1983) tandis que *Historiographie de la Couronne d'Aragon*, rassemble les Actes du 12^e Congrès de la Couronne d'Aragon tenu à Montpellier, les 26-29 septembre 1985. (Romestan, 1989).

Rappelons enfin qu'il a été responsable des rubriques «Histoire» et «Historiens» du *Dictionnaire des oeuvres* et du *Dictionnaires des Auteurs*³, pour lesquels il a rédigé 53 notices. De même, il est l'auteur de la Section «France» du *Great Historians of the Modern Age*, (Boia, 1991) et des articles historiographiques: «Causalité historique», «Histoire et méthodes quantitatives», «Analyse de l'évolution des mentalités», «Problématisation et questionnement en histoire» et «Analyse historique textuelle» du *Dictionnaire des méthodes qualitatives en sciences humaines et sociales*. Signalons que son combat pour le rayonnement de la discipline historiographique, s'est concrétisé par la création, à son initiative, d'une «Commission d'histoire de l'historiographie» au sein du Comité international des Sciences historiques, lors du Colloque tenu à Bucarest en 1980, lorsqu'il fit la connaissance de plusieurs historiens roumains dont Alexandru Zub auquel il offrit son livre *L'historiographie*, avec cette dédicace: «A. M. Al. Zub, en souvenir d'un combat historiographique passé (Bucarest) et à venir (Montpellier). Amicalement. C. O. Carbonell». (Iancu, 2014: 89) Alexandru Zub, membre de l'Académie Roumaine, a apprécié les travaux de son collègue français, participant au volume de *Mélanges* qui lui fut consacré (Zub, 2002 : 383-387) et en écrivant un bel et émouvant article dédié à sa mémoire, paru à Iași, une année après son décès (Zub, 2014) Carbonell présida la nouvelle Commission d'Histoire de l'historiographie jusqu'en 1990 et, en 1982, il fonda à Milan la revue internationale *Storia della Storiografia*.

3. La mythographie politique

La mythographie politique, constitue un autre nouveau territoire que Charles-Olivier Carbonell a exploré en profondeur, le dotant d'un « Centre d'Etudes et de Recherches sur la mythographie politique », fondé en 1986 à l'IEP de Toulouse, avec le soutien de René Rémond. Peu de temps après, il a élargi la problématique et, en y englobant l'historiographie, il a créé à l'Université Paul Valéry un «Centre d'Historiographie et de mythographie politique» dont l'une des premières manifestations fut

³ Editions Robert Laffont, 1994.

l'organisation, le 13 avril 1991, d'une Journée d'études intitulée «L'identité entre mythe et histoire». En dehors de nombreux articles, trois ouvrages se rattachent à ce domaine de recherche très prometteur : *Le Grand Octobre russe*⁴, *Le Message politique de la Bande dessinée*⁵ et surtout *Mythes et Politique*⁶. Constatant que les grands mythes politiques «forment des couples dont les deux composantes sont antithétiques l'une l'autre», il y distingue six catégories : Progrès/ Déclin ; Civilisé / Bon sauvage ; Elu / Reprouvé ; Mythes topiques : Nationalistes / Internationalistes ; Mythes temporels : Continuités / Reptures ; L'Homme mythique : Droits de l'Homme / Droit à la différence. Parmi les différentes catégories, les suivantes concernent plus particulièrement les problèmes et les angoisses de notre monde contemporain : «Le mythe de l'élus et de son contraire, le mythe du reprouvé, sont plus que tout autre des mythes politiques car ils rencontrent et justifient d'autres mythes antagoniques, ceux de la légitimité et ceux de l'illégitimité». En les détaillant, il écrit : «La constellation est riche : race élue, peuple élu, classe élue, chef élu – l'élection ici, on s'en doute, n'évoquant pas toujours le recours au vote. En face d'autres mythes, négatifs : la race inférieure, le peuple maudit, la classe condamnée, le tyran. Sans doute est-ce dans cette rubrique qu'il conviendrait de situer le mythe "noir" du complot (ou de la conspiration) opposé au mythe "illuminateur" de l'unanimité». (Carbonnell & Rives, 1990 : 14) Nous y trouvons une référence implicite à la condition existentielle faite aux Juifs à travers l'histoire. C'est la pertinente analyse dédiée à la mythographie politique, résumée dans ces citations qui m'a profondément influencé dans la façon d'aborder *les mythes fondateurs de l'antisémitisme*, sujet d'un ouvrage qu'il m'a encouragé d'écrire et qui est paru, grâce à l'appui de mon collègue et ami Christian Amalvi, aux éditions Privat. En effet, les observations judicieuses de Charles-Olivier Carbonnell ont nourri ma réflexion sur la «plus longue haine de l'histoire» qu'est l'antisémitisme, c'est pourquoi elles sont reproduites dans l'introduction du livre *Les Mythes fondateurs de l'antisémitisme. De l'Antiquité à nos jours*, publié en 2013³, et réédité en 2017. (Iancu, 2018) Dans la Postface de cette nouvelle édition, j'explique le choix des nouveaux textes consacrés notamment à la Shoah dans les pays de l'Europe du Centre-Est, et aux événements qui ont marqué l'évolution récente de l'antisémitisme, attirant l'attention sur les dangers du racisme antijuif et sur la culture de la mort de l'islamisme terroriste jihadiste. La première édition est parue quelques mois après sa disparition, mais j'ai eu cependant l'occasion de m'entretenir souvent avec

⁴ Editions Le Centurion, 1967.

⁵ Recueil de travaux d'étudiants de l'I.E.P. de Toulouse, sous sa direction, éd. Privat, 1975.

⁶ Sous la direction de Charles-Olivier Carbonnell et Jean Rives: Actes du Colloque organisé en mai 1987 à l'IEP de Toulouse.

lui chez lui à Calvisson, chez moi à Clapiers ou à Montpellier, même pendant son hospitalisation avant l'issue fatale, sur l'ensemble des grands mythes politiques relatifs à l'aversion à l'égard des Juifs. Plus particulièrement - en me faisant toujours part, avec son humour habituel, de ses remarques judicieuses -, nos conversations abordaient la «conspiration juive mondiale», le «judéo-capitalisme» le «judéo-bolchevisme», enfin et surtout «le mythe racial à prétention scientifique», élément majeur de l'antisémitisme nazi. Enfin, il était au courant et même content du fait que j'avais placé les citations ci-dessus au début de mon livre, en évoquant le «décalque» des mythes d'une époque à l'autre, de l'Occident vers l'Orient, du monde chrétien au monde musulman, ainsi que le «recyclage» des mythes dans «le nouvel antisémitisme» contemporain.

4. La didactique de l'histoire

Le professeur Charles-Olivier Carbonell a donné d'abord la pleine mesure de ses talents pédagogiques dans ses cours et séminaires (auxquels j'ai souvent participé), il a même créé en 1992, à l'Université Paul Valéry, au niveau de la licence, et assuré depuis, un enseignement de pré-professionalisation en didactique de l'histoire. De même, dans la rédaction des manuels destinés aux élèves des lycées et aux étudiants. Il a publié trois manuels d'histoire pour les classes de Première et de Terminale, aux éditions Delagrave : *Le monde contemporain* (1962, nombreuses rééditions), *Hier le monde* (1982) et *Naissance du monde contemporain* (1988). A l'intention des étudiants, il a publié trois ouvrages très appréciés : *La Civilisation britannique* (en collaboration), aux éditions Presses Universitaires de France (PUF) (1980), *Les grandes dates du XXe siècle*, PUF, «Que sais-je?» (1987, plusieurs rééditions) et *Dictionnaire des biographies, t. 6: le XXe siècle* (en collaboration), aux éditions Armand Colin (1992). En fait, Carbonell a été un «pédagogue pour notre temps», pour reprendre sa propre expression à propos de l'historien Jules Isaac, et qui devint le titre d'un Colloque qu'il présida à Montpellier en 1983, dont je fus l'organisateur en tant que secrétaire général de l'Association des Amis de Jules Isaac⁷. Il y aborda des thèmes toujours actuels: la réforme de l'enseignement de l'histoire, le combat historiographique et surtout la question lancinante : «comment enseigner l'Histoire? ». A cette occasion, suite à mes démarches, grâce à l'appui du député-maire Georges Frêche et avec l'avis unanime de la municipalité de Montpellier, on a pu inaugurer une «Rue Jules Isaac». Carbonell participa à un deuxième colloque consacré à Jules Isaac, «*De l'Affaire Dreyfus à la Seconde*

⁷ «*Jules Isaac, un pédagogue pour notre temps ?*», colloque tenu à l'Université Paul Valéry et au Centre Régional de Documentation Pédagogique de Montpellier, le 15 janvier 1983.

Guerre mondiale (1894-1945). Les engagements de Jules Isaac», organisé à Aix-en-Provence, par l'Association des Amis de Jules Isaac. Dans sa communication consacrée aux historiens Jules Isaac et Marc Bloch, il se penche encore sur la question des manuels scolaires et les méthodes d'enseignement⁸.

5. Enseigner l'Europe et l'histoire de l'Europe

5.1. Le Centre d'Etudes Europeennes de Montpellier (ceem):
seminaires, colloques, rencontres internationales

Charles-Olivier Carbonell, l'a affirmé lui même à maintes reprises, l'Europe a représenté pour lui le lieu de convergence de l'ensemble des recherches menées en historiographie, en mythographie et en didactique. Ce n'est pas un hasard si, en janvier 1992, il a fondé à l'Université Paul Valéry, le «Centre Montpelliérain d'Etudes Européennes» (CMEE) qui organisa la même année, les 21-23 novembre, un impressionnant Congrès international «Euro Histoire 92». Ce dernier fut aussi le résultat de sa rencontre avec Jocelyne Bonnet, professeur d'Ethnologie, devenue son épouse, présidente-fondatrice d'*Eurethno*, un Réseau européen de coopération scientifique en ethnologie et historiographie, créé en 1988 à Strasbourg, et membre de la Fédération Européenne des Réseaux Européens de Coopération Scientifique et Technique du Conseil de l'Europe. La rencontre de l'histoire et de l'ethnologie, c'est un nouveau et grand acquis, un travail plein de promesses grâce aux travaux communs menés par le couple Carbonell-Bonnet. L'un des objectifs de la manifestation «Euro Histoire 92», consacrée aux «Identités en Europe, identité de l'Europe», et qui a réuni une cinquantaine d'historiens et d'ethnologues de 17 pays, fut «de forger des outils pour une éducation européenne en rédigeant des ouvrages pédagogiques»⁹. Une séance particulière concerna l'Europe balkanique, moi-même y ai présenté la communication «L'identité roumaine, débats publics et diplomatiques en 1919». En marge de ce congrès, eut lieu, le 22 novembre 1992, une Table Ronde intitulée «Les Arméniens, les Juifs et l'Europe», sous la présidence de Charles-Olivier Carbonell, organisée par le Centre de Recherches et d'Etudes Juives et Hébraïques (dont je fus le

⁸ Charles-Olivier Carbonell, «Jules Isaac et Marc Bloch: la fêlure de 1938», in «*De l'Affaire Dreyfus à la Seconde Guerre mondiale (1894-1945). Les engagements de Jules Isaac*», Actes du Colloque international d'Aix-en-Provence (27 et 28 mars 1997. Actes remaniés et enrichis, recueillis par Carol Iancu, Cahiers de l'Association des Amis de Jules Isaac, Aix-en-Provence, 1998, p. 107-112.

⁹ Une partie des Actes de ce congrès a été publiée en 1996, aux Presses de l'Université des Sciences sociales de Toulouse, sous le titre *De L'Europe: identités et identité, mémoires et mémoire*.

directeur-fondateur à l'Université Paul Valéry, en 1983), avec la participation de Hakob Hakopian, professeur à l'Université d'Erevan, de Raphael Keenan, attaché culturel d'Israël à Paris et des professeurs Constantin Angelopoulos, Gérard Dédéyan et Carol Iancu de l'Université Paul Valéry, en présence de Jean-Pierre Massue, chef de la Division de la Coopération scientifique au Conseil de l'Europe. Le Centre Montpelliérain d'Etudes Européennes, devenu en 1993, «Centre d'Etudes Européennes de Montpellier» (CEEM) a poursuivi ses activités par des conférences mensuelles («Les Jeudis du CEEM»), des Cercles de lecture (analyse des ouvrages en rapport avec les thèmes de recherche du CEEM), des Journées d'études (rappelons celle du 17 février 1994, «Europe centrale et centralité de l'Europe» à laquelle j'ai participé), des colloques internationaux organisés avec le Réseau de coopération scientifique en ethnologie et historiographie européennes (Eurethno), dont les Actes ont été publiés sous la direction de Charles-Olivier Carbonell: *Les Temps de l'Europe, t.1: Les Temps traditionnels et historiques; t. 2: Les Temps mythiques*, Strasbourg, Conseil de l'Europe, 1993-1994. Le CEEM a lancé en octobre 1994 un projet d'Action de coopération internationale intitulé «Enseigner l'Europe» Né du constat de l'absence d'ouvrages pédagogiques authentiquement européens, il a choisi comme méthode de travail de programmer des rencontres internationales entre ses membres et des universitaires européens, organisées par Charles-Olivier Carbonell, en liaison le plus souvent avec les Ateliers du réseau PACT-Eurethno, en Pologne (à Lodz, 14-15 septembre 1996), en Allemagne (à Braunschweig, les 27-29 octobre 1996 et 25-28 octobre 1997), en Bulgarie (à Blagoevgrad, les 27 février – 1er mars 1997) et en Grèce (à Athènes, 5-8 septembre 1997). Je fus présent moi-même à Braunschweig et à Athènes et je peux témoigner du haut niveau scientifique de ces manifestations qui se sont déroulées en langue française et ont renforcé les liens entre les enseignants et chercheurs de l'Europe de l'Ouest et les collègues de l'*Autre Europe*, marqués par la chute récente des régimes totalitaires communistes. Le projet «Enseigner l'Europe» visait à fonder une éducation européenne, à donner aux jeunes Européens des manuels européens de fond et d'esprit, en renonçant au découpage séculaire et en faisant ressortir les caractères originaux de l'Europe, en privilégiant le comparatisme. Il s'est concrétisé par diverses publications et surtout par un important ouvrage collectif.

5.2. La nouvelle histoire de l'Europe

Le nouveau livre dirigé par le professeur Charles-Olivier Carbonell, au titre accrocheur et judicieux, *Une histoire européenne de l'Europe* est paru aux éditions Privat, en deux volumes: *Mythes et fondements (des origines au XVI^e siècle)*, en septembre 1998, et *D'une renaissance à l'autre? (XV^e-XX^e siècles)*, en septembre 1999. (Carbonell, 1999) Sur ma suggestion, les éditions de la

Fondation pour les études européennes de Cluj, ont accepté de faire traduire et éditer le livre en roumain: seul le premier volume est paru dans une édition bilingue (français-roumain), la traduction étant effectuée par Letiția Ilea et Horia Ursu, avec un Avant-propos intitulé «Europe vécue», signé par Andrei Marga¹⁰.

Quelle est l'originalité de cette nouvelle histoire de l'Europe et quels sont les principaux aspects traités par Carbonell dans ces deux volumes publiés sous sa direction?

a) «*Les Européens forment un être historique*»

Ayant assisté aux nombreuses réunions de travail qui ont préparé la publication de cette nouvelle histoire de l'Europe, et qui se déroulaient dans son Bureau du Bâtiment B de l'Université Paul Valéry, se poursuivant et s'achevant souvent autour d'un repas convivial à la *Brasserie des Arts*, dans le voisinage immédiat de l'Université, je peux affirmer que le concept auquel il tenait le plus était celui d'une Europe «*être historique*», se définissant non pas de façon géographique, mais par l'appartenance à une culture commune, ce qu'il souligne d'emblée dans la Préface: «Elle [cette Histoire] n'est pas l'histoire d'un continent ou d'une fraction de l'espace; elle refuse donc à la géographie le soin initial de délimiter son objet trop mouvant et de faire ainsi de quelques traits de la nature la matrice d'une identité culturelle». (Carbonell, 1999:7) «Cette Histoire, poursuit-il, pour reprendre les expressions de Julien Benda dans *L'Esprit Européen*, est celle d'un “être historique”, d'une “réalité indivise”; l'histoire d'une vaste communauté de civilisation qui tire son nom du continent dans lequel elle fut approximativement inscrite non par la quête d'un espace identitaire, mais par la force d'un destin hostile». A la différence des histoires de l'Europe qui mettent l'accent sur la diversité, les antagonismes qui la déchirent, l'Histoire envisagée par Carbonell, se décline au singulier, mettant en avant les éléments d'unité, «l'histoire des hommes qui ont participé à la même aventure, connu les mêmes conditions, partagé les mêmes situations, vécu les mêmes événements; aventure, conditions, situations, événements qui constituent leur passé commun». (Carbonell, 1999: 8) Il s'agit de «dégager le tronc commun des mémoires européennes, l'élaguer des mémoires nationales – en fait étatiques –, qui lui font ombrage tant leurs branches ont poussé dru, tel est l'objet que poursuit cette *Histoire européenne de l'Europe* ».

¹⁰ Charles-Olivier Carbonell, *O istorie europeană a Europei. Mituri și fundamente (de la origini până în secolul XV)*. Cu un cuvânt introductiv de Andrei Marga. În românește de Letiția Ilea și Horia Ursu, Editura Fundației Pentru Studii Europene, Cluj-Napoca, 2008, 578 p. (partie française : p. 1-291 ; partie roumaine: p. 293-578; avec des Index des noms de lieux et des noms de personnes pour les deux versions (p.563-578).

Cette conception a été détaillée dans un entretien reproduit dans un grand quotidien français où il insiste sur une «aventure partagée» qui amène les habitants «à appartenir à une même communauté culturelle, une communauté de valeurs, de certitudes, de gestes et de mythes.... Regardez les savants européens qui ont recherché “Eve” de l’humanité en Afrique: ils ne peuvent s’empêcher de faire référence à un monogénisme biblique qui structure leur mode de pensée. Un ensemble de caractères acquis au cours des siècles ne passent pas par des gènes, pas plus que par des races. Ils proviennent d’une atmosphère culturelle qui pèse sur un consentement, une manière d’être au monde. Voilà ce qui définit l’Européen». (Le Monde, 2000: 18).

b) *Les racines judéo-chrétiennes de l’Europe*

Dans le premier volume, *Mythes et fondements*, Charles-Olivier Carbonell a rédigé, hormis la Préface, la première partie – «L’Europe a-t-elle une histoire?» constituée de trois chapitres (“L’euroscpticisme historiographique”, “Les croisés de l’historiographie européenne” et “Quelques points de méthode”) et, dans la deuxième partie - «Origines» -, les chapitres I (“Entre Mythe et histoire”) et II (“Racines”). C’est dans ce dernier chapitre que l’on trouve plusieurs développements sur la Bible et le peuple d’Israël, notamment dans le paragraphe consacré à Jérusalem, où il présente d’une manière judicieuse le concept du *judéo-christianisme* et la place des Juifs en Europe, approche nouvelle que je souhaite mettre en évidence. En soulignant, comme l’a fait autrefois Péguy, qu’hormis les civilisations grecque (Athènes) et romaine (Rome), les Européens ont été marqués par le christianisme et à travers lui par le judaïsme, il écrit: « Ville du Temple et du Saint-Sépulcre, Jérusalem est le troisième berceau de leur civilisation. Peut-on pour autant qualifier de judéo-chrétienne cette troisième source? L’expression est ambiguë; généalogiquement elle est acceptable; identitaire, elle ne l’est pas, car, appliquée à la civilisation européenne, elle confond composante et racine – composante chrétienne et racine juive. Les Européens n’ont pas reçu le judaïsme en héritage; ils l’ont au contraire ignoré, rejeté, haï même. Seuls les juifs, si présents en Europe tout au long de l’histoire, l’assument et le revendiquent avec une fidélité admirable, malgré les conditions de dispersion, d’isolement et de vexation dans lesquelles ils ont vécu dans la Chrétienté médiévale et dans la moderne Chrétienté profane – à cause, peut-être de ces conditions. Si la rupture entre la Synagogue et l’Eglise a dissimulé aux yeux du plus grand nombre les racines juives de la civilisation européenne, elle ne les a pas détruites pour autant. Et pour cause, puisqu’elles se trouvent dans le livre que l’une et l’autre partagent, la Bible. La Bible hébraïque – l’Ancien Testament, pour les chrétiens – a façonné la sensibilité, la vision du monde et le langage des

Européens, auxquels elle a fourni, outre une inépuisable source d'inspiration religieuse, littéraire et artistique, repères, valeurs, *exempla* et mythes ». (Le Monde, 2000:62)

Avec raison, il insiste sur le fait que l'empreinte juive ne s'est pas limitée à la religion et à la morale révélée, («les chrétiens, comme les juifs partagent la foi dans un Dieu unique, créateur et providentiel, qui s'est manifesté à Abraham, il y a quatre mille ans et la foi dans la transcendance de la loi reçue par Moïse »). En effet, l'influence de la Bible hébraïque, poursuit-il, s'étend à de très nombreux domaines profanes. Il mentionne l'anthropologue Junzo Kawanda pour qui le livre de la Genèse est «le paradigme et le substrat idéologique du complexe technico-culturel occidental», et cite sept mythes, - est-ce un hasard? - le chiffre sept ayant une résonance particulière dans le judaïsme: - *mythe de la création*, - *mythe symétrique de la fin du temps des temps*, - *mythe biblique de l'homme maître de la création*, - *mythe de l'homme fait à l'image de Dieu*, - *mythe de la femme tirée de l'homme, tentatrice, servante et mère*, - *mythe de la chute*, - *mythe du messie qui introduit l'avenir*.

Il conclut ce paragraphe, en faisant observer que même «la pensée scientifique, fille du rationalisme positiviste, n'occulte pas certaines certitudes bibliques. C'est ainsi que « le *Fiat lux* de la Genèse devient la théorie astrophysique du *Big Bang* et Adam semble inviter les paléontologues partis à la recherche des berceaux de l'homínisation à préférer la théorie de la monogénèse de l'espèce à celle de sa polygénèse ». (Le Monde, 2000:63)

c) *De la révolution des droits de l'homme à l'Europe des patriotes et des citoyens*
Dans le deuxième volume *D'une renaissance à l'autre (XVe – XXe siècle)*, Charles-Olivier Carbonell est l'auteur de la deuxième partie «Révolutions» composée de cinq chapitres: “L’Invention et la puissance”, “Du moins-mourir au trop-naître”, “Vers la société européenne contemporaine”, “La révolution des droits de l’homme” et “l’Europe des patriotes et des citoyens”. Les deux derniers chapitres ont un lien direct avec la problématique examinée dans le premier volume à travers les racines judéo-chrétiennes de l'Europe. Avec raison, l'auteur, en évoquant la révolution des droits de l'homme, souligne – avant d'aborder les différentes déclarations à ce sujet –, que «son principe moral peut être trouvé dans la Bible, sa première manifestation politique dans l'Athènes de Périclès et d'Aristote; son terme fuit encore vers un avenir incertain». (Carbonell, 1999: 189) Les étapes du mouvement qui a fait basculer les déclarations des droits de l'homme de la théorie à la pratique sont résumées par cette formule lapidaire, mais percutante: «Genèse européenne, inspiration anglaise, innovation américaine et impulsion française». (Carbonell, 1999: 191) Si, avec la première vague révolutionnaire, le premier article de la déclaration française de 1789 proclame «les hommes naissent et demeurent libres et

égaux en droits», la seconde vague révolutionnaire amène deux nouveaux concepts: le peuple-citoyen et le droit des peuples à disposer d'eux-mêmes. Ces principes ont mobilisé les nationalités tout au long du XIXe siècle et, à la différence de la plupart des historiens occidentaux, Carbonell, dans l'analyse de l'éveil de la conscience nationale, ne se limite pas au cadre de l'Europe occidentale et centrale, il multiplie les exemples des nations et pays de la périphérie, de l'Europe du Nord, de l'Est et du Sud-Est. Carbonell aborde aussi le cas des Juifs dispersés à travers toute l'Europe et, mentionnant le célèbre *Etat des Juifs* (1896) de Theodor Herzl et le premier congrès sioniste de Bâle (1897), il constate une «européanisation idéologique» des Juifs sionistes: «Le fait que des Juifs se posent la question de savoir si, malgré leur dispersion, ils forment une nationalité, que certains d'entre eux répondent positivement à la question et exigent d'avoir, en conséquence, leur propre territoire, prouve, outre la force d'attraction qu'exerce, à la fin du XIXe siècle, l'idée nationale en Europe, l'incontestable et paradoxale européanisation idéologique des juifs sionistes». (Carbonell, 1999: 228-229) Analysant le cas des peuples des Balkans, après les guerres balkaniques (1912-1913), Carbonell constate qu'ici le patriotisme est devenu souvent nationalisme, «phénomène commun à l'Europe du début du XXe siècle: l'Etat national est devenu ou tend à devenir l'Etat nationaliste d'une nation nationaliste», (Carbonell, 1999: 233) phénomène qui fut à l'origine de la Grande Guerre, «la grande déflagration suicidaire».

Conclusion

Charles-Olivier Carbonell a fait la preuve, dans son œuvre foisonnante, que l'histoire ne refuse pas les événements. Elle refuse seulement de s'y réduire. De l'examen des quatre principaux domaines de ses recherches présentés dans cet article, il ressort que l'apport le plus remarquable concerne l'historiographie et l'histoire de l'Europe. Dans le domaine de l'historiographie, en s'attardant sur le métier de l'historien, il privilégie l'étude d'un ensemble d'ouvrages, et non seulement ceux émanant de quelques auteurs considérés comme les plus réputés. Il l'affirme avec talent dans la conclusion de sa magistrale thèse : « Le singulier se décompose en pluriel. Il n'y a pas de moment, mais une période, de héros, mais un groupe, d'ouvrage génial, mais une production ». (Carbonell, 1976 : 588-589) En choisissant le thème de l'historiographie juive, dans ma contribution aux *Mélanges* qui lui ont été consacrés, j'ai tenu compte de ses observations méthodologiques¹¹. Dans le domaine de l'histoire de l'Europe, il se fait le promoteur d'une histoire pluridisciplinaire et comparatiste, qui fait

¹¹ Carol Iancu, «De la science du judaïsme aux nouveaux historiens : jalons pour une histoire de l'historiographie juive», in *Une Passion de l'Histoire...*, p. 255-264.

l'inventaire des problèmes communs à tous les Européens. Cette nouvelle perspective conceptuelle qui constitue l'originalité de sa démarche, a été observée aussi par le philosophe roumain Andrei Marga, très impliqué dans les études européennes¹², auteur d'un ouvrage remarqué, *La Philosophie de l'unification européenne*. (Marga, 2001) En effet, dans l'Avant-propos de la traduction roumaine de l'*Histoire européenne de l'Europe*, il écrit que celle-ci offre « une synthèse organisée conceptuellement d'une manière excellente et une interprétation profondément soutenue du point de vue factuel »¹³.

L'histoire ne peut se faire sans loyauté à l'égard de l'information, basée sur de solides sources documentaires, et sans l'exigence de la rigueur. Charles-Olivier Carbonell ne s'est pas départi de ces principes, il ne s'en est jamais écarté. Voici pourquoi, et en tenant compte de la nouveauté de son œuvre, son nom s'inscrit dans la constellation des grands historiens français du XXe siècle, aux côtés de Marc Bloch, Jules Isaac, Lucien Febvre, Fernand Braudel, Pierre Guiral, Georges Duby, Pierre Chaunu pour ne citer que ceux qui nous ont quittés.

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¹² En tant que président de l'Université Babes-Bolyai, entre 1993 et 2004, Andrei Marga a constamment soutenu la Faculté d'Etudes Européennes, dont le doyen Ladislau Gyémant a publié un livre bilingue (roumain-anglais) consacré à la préhistoire de la construction européenne : *Preistoria construcției europene / Prehistory of the European Construction*, Editura Fundației Pentru Studii Europene (EFPSE), Cluj-Napoca, 2001.

¹³ Andrei Marga, «*L'Europe vécue*», *op. cit.*, p. 14.

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Europe Between Two Great Models of Political Unity: the Nation and the Empire

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Abstract. *Europe needs political unity to exist. But this unity cannot be built on the radical, extremist, Jacobin-type model, except at the risk of seeing the richness and diversity of all the components of the “old continent” disappear, nor can it result only from simple economic supra-nationality trying to be implemented by current European policies. Europe can only be constituted according to a federal model carrying an idea, a project, a principle, that is, ultimately, according to an imperial model.*

Such a model would make it possible to solve the problem of regional cultures, minority ethnic groups and local autonomies, issues which would be very difficult to find a real solution within the nation-state; it would also make it possible to rethink, in relation to all the problems arising from uncontrolled immigration, the issue of the relationship between citizenship and nationality; it would remove the dangers, again threatening today, of ethno-linguistic irredentism, convulsive nationalism and racism. Finally, through the decisive place given to the notion of autonomy, it would give an important place to the procedures of direct democracy.

Keywords: *nation, empire, history, ideas, concepts*

When we examine European political history, we find that the "old continent" was the place where two great models of political unity were developed, developed, and confronted: the nation, preceded by the kingdom, and the Empire. Our intervention in this material aims to highlight what distinguishes them, focusing especially on the second concept.

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For starters, let's remember some concrete historical data that will help us in our scientific construction:

After the fall of the Western Roman Empire, the Roman imperial idea continued to exist for another 1000 years in the eastern area, the Byzantine Empire having in its structure the following fundamental elements: 1. *Roman state structure*; 2. *Greek culture*; 3. *The Christian religion*.

Justinian I's failed attempt to recapture the West ends with the action of a Frankish king who puts the imperial crown on his head in Rome. Starting with 795, Pope Leo III no longer dates his bubbles from the reign of the emperor of Constantinople, but from that of Carol, king of the Franks and patrician of the Romans. Five years later, in 800, Leo III placed the imperial crown on Rome at the head of Charlemagne. It is the first *renovatio* of the Empire. It gives substance to the theory of transference (*translatio imperii*), after which the reborn empire in the person of Charlemagne continues the Roman Empire, thus ending the theological speculations inspired by Daniel's prophecy (see in detail the Old Testament, the Book of Daniel, chapter 2), according to which the end of the world was predicted after the collapse of the fourth empire, ie the Roman Empire, the latter succeeding Babylon, Persia and the Empire of Alexander the Great. (Guizot, 2000:37)

There follows the period of the Middle Ages in which the empire is universal not in its territorial reality, but transcendental, expression of a combination of factors according to which one can reach the establishment of a Christian empire, in which the emperor is the defender of the city of God, based on justice, peace and order, that is, an image of heavenly order. We know that the whole investiture dispute will result from this equivocal formulation, which makes the emperor a subject in the spiritual order, but at the same time places him at the head of a temporal hierarchy, which will immediately assert its sacred character.

The Treaty of Verdun (843) enshrined the division of the Frankish empire between the three grandsons of Charlemagne, Lothar I, Louis the German and Charles the Bald, and King Henry I of Saxony was crowned emperor in 919. The empire thus became more clear German. After the dislocation of Carolingian power, it was restored in 962 by King Otto I of Germany. It remained the main political power in Europe until the middle of the 13th century, when the empire was officially transformed into the *Sacrum Romanum Imperium*. The title "German nation" will be added starting with 1442.

In the East, Constantinople falls, which gives Moscow the opportunity to prepare to become "the third Rome". (Obolensky, 2002:102)

In Central and Western Europe, the Holy Roman Empire felt the effect of the birth of the first nation-states. His resurrection took place in

the time of Charles V, but Francis II, by the Peace of Pressburg (1805), relinquished the dignity of “holy Roman emperor”, which the Napoleonic conquests had emptied of content and substance. (Ahrweiler, 2002:43) (Brezeanu, 2016:52)

From this very limited and concise historical review, it follows that an empire does not simply represent a great political and military power that exercises control over a vast territory, but it can rather be defined as a type of political entity that associates diverse ethnic groups, peoples and nations united by a spiritual principle.

Empire (spiritual power) # Nation-state (temporal power)

The concept of Empire is not easy to define, given the often contradictory uses that have been given to it. For example, general explanatory dictionaries are content with a tautological definition: an empire is “a state ruled by an emperor”. It's obviously not much. We will recall in particular that the Empire, like the ancient city or nation, is a form of political unity and not, as in the case of the monarchy or republic, a form of government.

The best way to understand the substantial reality of the notion of Empire remains undoubtedly to compare it with that of nation or nation-state, the latter representing the completion of a process of nationality formation whose exemplary form is represented by the kingdom of France.

In the current sense of the term, i.e., in the political sense, the nation appears as an essentially modern phenomenon. Personally, we do not embrace the thesis that places the birth of the nation very far in time. This, in our opinion, confuses the formation of nationality with the formation of the nation. In the context of the formation of nationality must be placed, for example, the birth of a sense of belonging that exceeds the native horizon, a feeling that is strengthened especially during the Hundred Years' War. Then, we must not forget that in the Middle Ages, the word “nation” (from *natio*, “birth”) has an exclusively ethnic meaning, not political. As for the word “homeland”, which does not appear in France at all with the humanists of the sixteenth century (Dolet, Ronsard, Du Bellay), it does not refer to the origin, but to the medieval notion of “country” (pays). “Patriotism”, when it is not just an attachment to one's homeland, falls within fidelity to the senior or obedience to the person of the king. (Jouvenel, 1976:92)

The idea of a nation was not fully established until the eighteenth century, and only under the influence of the Revolution. Originally, it refers to a conception of sovereignty professed by opponents of royal absolutism. It brings together those who think politically and philosophically the same thing, namely that the “nation”, and not the king, will have to enforce the political unity of the country. It corresponds to a specific place, where the

people can conceive and exercise their rights, where individuals become citizens. The nation is therefore first and foremost the sovereign people, in so far as it delegates to the king, at best, only the power to apply the law emanating from the general will; then populations that accept the authority of the same state, populate the same territory and recognize themselves as members of the same political unit. Article 3 of the Bill of Rights of 1789 proclaims: "The principle of any sovereignty resides essentially in the nation". Bertrand de Jouvenel will go so far as to write: "... the march of the Revolution seems to have aimed at substantiating the nation's cult". (Jouvenel, 1976:112)

What distinguishes fundamentally the Empire from the nation?

- The empire is not first and foremost a territory, but is fundamentally a principle or an idea. The political order is determined within it not by material factors or by the possession of a geographical extent, but by a spiritual or politico-legal idea. It would therefore be a mistake to imagine that the Empire differs from the nation above all in size, that it is in a way "a nation greater than others." Of course, by definition, an empire covers a large area. But that is not the point. The bottom line is that the emperor derives his power from the fact that he embodies something beyond mere possession. As a *dominus mundi*, he is the suzerain of princes as well as kings, that is, he rules over other sovereigns, not territories, that he represents a power that transcends the community he leads: "The empire must not be confused with one of the kingdoms and the nations that compose it, because it is something qualitatively different... in its principle, to each of them". Moreover, "the old Roman notion of *imperium*, before expressing a system of supranational territorial hegemony, designates the pure power of leadership, the quasi-mystical force of *autoritas*." (Evola, 1972: 121) The distinction is very common in the Middle Ages between the notion of *autoritas* (moral and spiritual superiority), and that of *potestas* (the simple public political power exercised by legal means).

Charlemagne, for example, is on the one hand emperor, on the other hand king of the Lombards and the Franks. Submission to the emperor is therefore not obedience to a particular people or country. The same in the Austro-Hungarian Empire: allegiance to the Habsburg dynasty is the fundamental link between peoples and takes the place of patriotism; it goes beyond national or denominational ties. (Maior, 2006:172)

This spiritual character of the imperial principle is evident from the famous struggle for investiture, which will oppose for many centuries the partisans of the pope and those of the emperor. (Béranger, 1972: 141)

The decline of the Empire is equivalent above all to the decline of its principle and, in the same time, to its drift towards a purely territorial

definition. The Roman-Germanic Empire no longer corresponds to its vocation when it is tried, in Italy as in Germany, to link it to a privileged territory. This idea is totally absent from Dante's thinking, for which the emperor is neither Germanic nor Italic, but "Roman" in the spiritual sense, that is, successor of Caesar and Augustus. The empire in the true sense cannot be transformed into a "great nation" without decaying, for the simple reason that, according to the principle which animates it, no nation can assume and exercise a superior function if it does not rise above its particular fidelities and interests. "The empire, in the true sense, concludes Evola, can only exist if it is animated by a spiritual fervor (...) If it is lacking, we will never have but a creation obtained from violence - imperialism - simple mechanical superstructure without soul". (Evola, 1972: 133)

- The nation, on the contrary, finds its origin in the claim of the kingdom to assign prerogatives of sovereignty by relating them, not to a principle, but to a territory. We could place the nation's starting point in the division of the Carolingian Empire with the Treaty of Verdun. This is the moment, indeed, when France and Germany, so to speak, set out for separate destinies. The second will remain in the imperial tradition, while the kingdom of the Franks (*regnum Francorum*), separating from Germans, will slowly evolve into the modern nation through the royal state.

Affirming himself as "emperor of his kingdom" (*rex imperator in regno suo*), the king opposes his territorial sovereignty to the spiritual sovereignty of the Empire, his purely temporal power to the imperial spiritual power. When Louis XIV says "I am the state", he means that there is nothing above the state he represents. In France it is the state that creates the nation, which in turn "produces" the French people, while in modern times, in countries of imperial tradition, on the contrary, the people will be the one who will create the nation, the latter endowing itself to turn with a state. The two processes of historical construction are therefore completely opposite, and this opposition finds its explanation in the difference between the nation and the Empire. (Fougeryrollas, 1987:231)

Empire (composite, organic political unit that exceeds the outline of states, encompassing different cultures) # Nation-state (strong unity between people and state; produces its own culture or relies on it to form)

The unity of the Empire is not a mechanical unity, but a unity insofar as it synthesizes this principle. The empire aims at unity only at the level of this principle. In opposition, the nation produces its own culture or relies on it to form. As a result, while the nation seeks to have a correspondence between people and state, the Empire associates different peoples. Its general law is that of autonomy and respect for diversity. The empire tends to unify at a higher level without suppressing the diversity of cultures, ethnicity and peoples. It is a whole whose parts can be all the more

autonomous the more solid what unites them. These parts remain organic and differentiated. The empire thus relies more on the peoples than on the state; he seeks to associate them with a community of destiny without making them identical. It is the classic image of the university, in opposition to the unitary and centralized society of the national kingdom. The imperial principle does not seek to abolish difference, but to integrate it. (Brezeanu, 2016:38)

Turning to the analysis of the other segment, we state that the national kingdom, on the contrary, is characterized by its irresistible tendency towards centralization and homogenization. The investment of space by the nation-state is manifested first by the delimitation of a territory on which a homogeneous political sovereignty is exercised. This homogeneity is understood, in a first phase, through law: territorial unity results from the uniformity of legal norms. It aims to integrate, in a unitary way, individuals subjected to the same law, not to gather free communities in preserving their language, culture and customary law. State power is exercised over individual subjects and therefore it will not cease to destroy or limit the prerogatives of all forms of intermediate socialization: family clans, village communities, fraternities, professions, etc. This individualistic side of the nation-state is obviously capital. The empire demands the maintenance of group diversity; the nation, by its logic, knows only individuals. (Girardet, 2003: 56)

So, in an Empire, the same citizenship associates different nationalities. In the nation, the two terms are, on the contrary, synonymous: belonging to the nation is what defines citizenship. The nation was thus, by birth and its foundations, an anti-Empire. We can summarize this situation by the following examples: at the origin of the Netherlands, there was a rupture with the Habsburg Empire; at the origin of England, the break with Rome and the establishment of a national religion. Spain crystallized only by escaping the grip of the Habsburg system, and France, slowly formed into nationality against the Roman-German Empire, became a nation only by fighting the traditional forces of the whole of Europe. (Taylor, 2016:71) (Şaîi&Simov, 2011:122) (Béranger, 1990:84)

Empire (moving and provisional borders) # Nation-state (intangible borders)

Universal in principle and in its vocation, however, the Empire is not universalist in the current sense of the term. His universality never meant that he would have a vocation to spread throughout the Earth. Rather, it approaches the idea of a just order aiming, within a given area of civilization, to federalize peoples on the basis of a concrete political organization, beyond any prospect of conversion or leveling. The empire,

from this point of view, is completely distinguished from a hypothetical world state or from the idea that there would be universally valid legal-political principles, at all times and everywhere.

Julius Evola denounced the “imperialist counterfeiting of the imperial idea” as a product of nationalist, materialist and militaristic ideology or economic interests.

These brief considerations allow us to understand that the name “empire” should be reserved only for historical constructions that actually deserve this name, such as the Roman Empire, the Byzantine Empire, the Roman-German Empire or the Ottoman Empire. They are certainly not empires, in the sense I have just indicated, the Napoleonic Empire, the Third Hitler Reich, the French and British colonial empires, nor the modern imperialism of the American or Soviet type. (Carter, 2015) (Neill, 2000:60) (Mărcușan, 2018:53)

Indeed, it was an abuse to give the name of empire to constructions or powers engaged in a simple process of expansion of their national territory. These modern “great powers” are not empires, but rather nations that seek simply to expand by military, political, economic, or other conquest, to dimensions that exceed their borders at some point.

In Napoleon's time, the “Empire” - a term already used to designate the monarchy before 1789, but only in the sense of “state” - is only a national-state entity that seeks to assert itself in Europe as a great hegemonic power. Bismarck's empire, which gives priority to the state, tries to create the German nation. As for the American “model”, which aims to convert the whole world into a homogeneous system of material consumption and technical-economic practices, it is difficult to see from what idea, from what true spiritual principle he could claim. (Guizot, 2000:89)

“Great powers” are not *ipso facto* empires. And we could even criticize current imperialism in the name of the Empire.

For what can be used today a reflection on the notion of Empire?

Is imagining or wanting the rebirth of a true empire a chimera? Possible. But is it a coincidence that the model of the Roman Empire has not ceased to inspire to this day all attempts to overcome the nation-state? And isn't this idea of Empire found, underlying, in so many debates taking place today in European construction?

Let us not forget that generous ideas have emerged in the European cultural space around the project called the “federation of European states”. We mention only a few significant stages: the ideas of the French jurist Pierre Dubois (1306), continued in concepts by Podjebrad (1461), the abbot Saint Pierre or the great philosopher I. Kant (*On perpetual peace* - 1794); then

we remember Henri de Saint Simon who conceived Europe as a federal state, as well as the positivist Auguste Comte or the writer Victor Hugo, who argued that “European nations, without losing their glorious individuality,” will found a superior unity,... and will constitute the European fraternity”. (Pinter&Tiplic, 2006:204)

Moreover, the French Minister of Economy and Finance, Bruno Le Maire, launched in the spring of 2019 his book with the suggestive title *Le nouvel empire. Twenty-first century Europe*. The author advocates a European empire to face competition from the United States (entered the era of Donald Trump’s “America First”) and China (with its new silk roads). “An empire with rules - Le Maire proposes - that respects the rule of law, with borders, with nations that each have its own identity, its own culture, its own memory that must be respected”. An empire that needs to pay more attention to the countries of Eastern Europe, with Poland as its flag bearer, countries that are becoming more and more *key states* in the future of European construction¹.

It is the nation-state indispensable?

Many support this or have supported it, both to the right and to the left of political life.

What is certain is that Europe needs political unity in order to exist. But this political unity cannot be built on the Jacobin model, except at the risk of seeing the richness and diversity of all components of Europe disappear, nor can it result only from the simple economic supra-nationality to which the current technocrats in Brussels tend. Europe can only be constituted according to a federal model carrying an idea, a project, a principle, that is, ultimately, according to an imperial model. In order for Europe not to become an appendage of the transatlantic superpower and its bridgehead for reconfiguring relations with Eurasia, it will sooner or later have to rethink the model of the imperial idea, the only model of supranational unity it has developed in its history.

Such a model would make it possible to solve the problem of regional cultures, of minority ethnic groups, problems that cannot have a viable solution within the nation-state. It would also make it possible to rethink, in relation to all the problems arising from uncontrolled immigration, the issue of the relationship between citizenship and nationality. It would remove the dangers, again threatening today, of ethnic linguistic irredentism, of convulsive nationalism born in the cabinets of politicians, and of Jacobin-type political terrorism.

¹ <https://livre.fnac.com/a13177006/Bruno-Le-Maire-Le-nouvel-empire> (accessed on October 31, 2019).

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L'Europe et ses impasses

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Abstract. *It is worth recalling three theoretical representations of Europe: first as a philosophical concept, secondly as a cultural concept, and thirdly as a political concept. In fact, as we well know, Europe is a political project. When the cosmopolitical concern is no longer supported by cultural or spiritual arguments or references to a spiritual tradition (that of Reason) or a cultural identity (that of Christianity and the Enlightenment), it is reinvented on a political level and, thus, must be analysed from that perspective. In order to understand the European project in a cosmopolitical sense, it is necessary to reflect on political Europe as a union of states and peoples, and its relation to other non-European states and extra-community peoples.*

Keywords: *Europe, European Union. philosophical, cultural, and political concepts*

Où commence le monde en Europe?

L'Europe est-elle en mesure, et sous quelles conditions, non plus de se croire *le* monde, mais de recevoir en elle les mondes dont se compose le monde commun des nations ? La mondialisation de l'Europe n'est-elle pas, comme l'affirme Dipesh Chakrabarty, indissociable de sa provincialisation reconnue et assumée (Chakrabarty, 2009)?

Quand l'Europe, l'Union Européenne, accueille les étrangers qui, même dans l'illégalité, tentent de s'y intégrer, on peut y voir comme un test à sa prétention *cosmopolitique*. Mais ce test n'intéresse pas le seul plan juridique et politique. Il faut le considérer également dans sa signification philosophique. Ce qui entraîne une autre question pour l'Europe – celle de sa capacité à se montrer universellement sensible aux autres manières d'être dans le monde. D'un côté, on soutient que l'Europe représente la culture de l'universalité, de l'autre on insiste sur sa vocation culturelle. Quand l'Europe veut se construire politiquement, elle se dote d'institutions communes et

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d'une politique communautaire supranationale. Toutefois, elle reproduit les pratiques de l'Etat-nation qui, au nom d'une préférence nationale, d'une identité nationale, d'une culture nationale, procède à l'exclusion des étrangers en recourant à des mesures policières. N'y a-t-il pas là un douloureux paradoxe ? Une certaine politique européenne à l'égard des étrangers nie, renie systématiquement aujourd'hui la culture de l'universalité et la mission spirituelle de l'Europe.

Est-il possible de concilier l'idée d'une Europe soucieuse de l'humanité universelle avec une pratique sociale qui tolère l'interdiction, l'expulsion, l'exclusion ? L'Union Européenne a-t-elle failli à sa vocation spirituelle ? L'essence culturelle de l'Europe n'a pas su se pourvoir d'une organisation politique, mettant ainsi au jour les contradictions de sa culture de l'universalité.

Il importe de rappeler trois représentations théoriques de l'Europe : la première, l'Europe comme concept philosophique, la deuxième comme concept culturel, et la troisième comme concept politique.

1.1. Europe – concept philosophique

Le concept philosophique de l'Europe, qui fut formulé par Edmund Husserl en 1935, et réélaboré ensuite par le philosophe tchèque Jan Patocka dans les années 1970, est distinct du concept culturel et du concept politique. Le concept philosophique attribue à l'Europe une origine et une vocation spirituelles, la rationalité, la vérité, l'universalité étant les trois idéaux où se fonde son attitude devant le monde.

Ce concept philosophique définit en effet l'Europe comme la patrie d'une pensée vouée à la rationalité universelle, d'une pensée gouvernée par le *telos* de la vérité. Dans la perspective d'Husserl, l'Europe se définit par un intérêt purement théorétique pour la vérité, au nom duquel elle œuvrerait au bien de l'humanité en vertu de son destin universaliste.

Rappelons que cette réflexion philosophique d'Edmund Husserl a mûri au temps des totalitarismes, autoritarismes, fascisme et nazisme. Pour Husserl et Jan Patocka, l'Esprit européen devait être dissocié des circonstances culturelles, historiques, scientifiques et politiques de la Seconde guerre mondiale. Or, pour ces deux philosophes, l'Europe ne cherchait pas à rencontrer les mondes non européens. Pourquoi ? Parce que l'Europe était *le* monde.

1.2. Europe – concept culturel

Le concept culturel de l'Europe la détermine comme le produit d'une histoire commune, héritage du droit romain, des racines gréco-latines de la chrétienté, des Lumières. A cet égard, les mots de Georges Contogeorgis sont éclairants : "La constante qui fait l'Europe est

essentiellement la culture, l'infrastructure culturelle du Continent. Pourtant, la référence culturelle générale peut alimenter la dynamique du forgeage d'une volonté politique commune, sous certaines conditions. La réunion de ces conditions, pour la mise en place d'un projet politique commun, constitue le point de rencontre de la référence culturelle ou identitaire générale avec les références culturelles ou identitaires particulières" (Contorgeorgis, 2011: 93-111).

Le concept culturel de l'Europe construit une autre téléologie qui comprend le registre impérial, le sens ecclésial de la chrétienté et le mouvement de sécularisation, sous la forme concrète d'une rationalité, prenant en compte les institutions juridiques et politiques, les progrès techniques et scientifiques, les cultures nationales qui connaissent une expansion sans précédent entre 1815 et 1914.

Ce concept culturel conjugue les vertus du droit romain, qui reconnaît et définit les droits des peuples non romains dans l'ordre juridique impérial, les vertus de la hiérarchie théologique prêchée par le christianisme, l'égalité et son universalité, et les mérites de la rationalité émancipatrice, à savoir, le principe de l'émancipation sociale, humaine et religieuse, qui libère l'humanité des principes dogmatiques. Rappelons que c'est sous la forme de la souveraineté nationale que la triade liberté, égalité et fraternité universelle se manifesta historiquement.

C'est aussi ce concept de souveraineté nationale qui conduisit à la dilacération de l'Europe dans les horreurs de la Première Guerre Mondiale.

1.3. Europe – concept politique

Le concept politique de l'Europe déjà défini dans les écrits de l'abbé de Saint-Pierre, de Jean-Jacques Rousseau et d'autres penseurs à la recherche de la paix perpétuelle, présent dans le concert des nations au Congrès de Vienne 1814-1815, mais contredit par les totalitarismes du XXe siècle, n'a pas reçu une grande adhésion sinon après la Seconde guerre mondiale.

Sous le signe de l'universalité, l'Europe a connu dans les premières décennies du XXe siècle les pratiques des totalitarismes, des autoritarismes, des fascismes, du nazisme. Pour quelques auteurs, l'émergence de l'Europe politique se situe dans le second après-guerre avec les mouvements de Résistance européenne au nazisme, qui, d'une façon plus réaliste, indiquent le mouvement où l'Europe se pensera en termes politiques et pas seulement en termes spirituels et culturels (Tassin, 2004: 129-145; Contorgeorgis, 2011: 11-23; Contorgeorgis, 2003: 157-182). Ainsi, l'Europe politique émerge au moment où s'effondre, chez beaucoup, la croyance en une Europe spirituelle ou culturelle aspirant au développement d'une humanité universelle.

La nécessité de renoncer à une orientation politique exclusivement nationale s'impose quand l'idée d'une Europe spirituelle et culturelle ne suffit plus à justifier le projet européen. Remarquons cependant qu'il y a alors deux décalages : l'un, historique – l'Europe politique émerge lorsque l'Europe philosophique et culturelle n'est plus reconnue, ou même acceptée par beaucoup, et l'autre, politique – quand les Etats européens célèbrent l'idée d'une communauté méta-nationale, animée d'une dynamique *cosmopolitique*. Ce qui se produit au moment où l'on ne pouvait plus soutenir la mission universelle européenne, soit sous la forme d'une fonction au profit de l'humanité – Europe spirituelle, soit sous la forme d'une culture par la particularité de son destin historique, au nom de l'humanité universelle – l'Europe culturelle.

La communauté politique européenne se construit ainsi politiquement sur les décombres d'une gloire spirituelle passée et de prétentions culturelles globalisantes ou universalisantes. On pourra demander : l'Europe n'a-t-elle donc pas su trouver dans sa tradition culturelle les moyens de justifier le dépassement de ses structures politiques nationales par l'invention d'une nouvelle *cosmopolitique* méta-nationale ? On pense *agir pour le bien commun* des peuples et de leurs représentants, en partant du principe qu'ils seront capables d'inventer une concitoyenneté – du pays d'origine et européenne – et de se doter d'institutions démocratiques qui rendent effective une politique commune. Que de difficultés et de résistances ce projet a suscitées et suscite encore !

Nous sommes devant ce dilemme : d'un côté, la Communauté (CEE), puis l'Union Européenne (UE), doivent être pensées politiquement ; d'un autre côté, le concept politique de l'Europe engage quelques auteurs à séparer l'organisation politique de l'Union de ses fondements culturels ou spirituels, dont l'histoire a révélé la caducité ou même le danger.

En réalité, l'Europe est un projet politique. Sa visée *cosmopolitique* ne pourra plus se soutenir, pour certains auteurs, dans la justification de l'ordre culturel ou spirituel, par l'évocation d'une tradition spirituelle (celle de la Raison) ou d'une identité culturelle (celle de la Chrétienté et des Lumières). Elle s'invente sur le plan politique, et c'est sur ce plan qu'on doit l'évaluer.

Par exemple, le traitement réservé aux étrangers immigrants, aux réfugiés, peut servir de critère pour une évaluation politique de son intention *cosmopolitique*. Cependant, il convient de dire que les pratiques politiques – plus policières, en ce qui concerne les étrangers – contredisent les principes spirituels ou culturels de l'universalité (philosophique, juridique, religieuse) invoqués encore par quelques défenseurs d'une Europe spirituelle ou d'une Europe culturelle.

On pourra envisager la question de la façon suivante : si on soutient l'argument selon lequel l'union politique européenne n'est pas l'héritière

cohérente de l'Europe spirituelle ou culturelle, l'Union Européenne ne peut aucunement se justifier par une tradition, ni prétendre incarner les principes auxquels elle serait obligée de se conformer devant les peuples du monde. Je rappellerai à ce propos les mots de René Char : « notre héritage n'est précédé d'aucun testament » (Char, 1962: 102). Toutefois, nous pourrions considérer que cette situation indique que l'Union Européenne, héritière de l'esprit et de la culture gémées, se contredit en pratiquant une politique opposée aux valeurs qu'elle revendique, dont elle prétend être l'incarnation politique et qu'elle ne cesse pas d'invoquer dans son autoreprésentation.

La relation de l'Union Européenne avec les non-Européens est révélatrice. Elle permet de mettre à l'épreuve son orientation *cosmopolitique* (Tassin, 2013: 259).

1.4. L'UE et les autres

Si l'on veut comprendre le projet européen dans son sens *cosmopolitique*, on ne peut manquer de réfléchir sur l'Europe politique comme Union d'Etats et de Peuples et sur sa relation avec d'autres Etats non européens et avec les populations extracommunautaires.

Au plan interne, à l'Union Européenne et à sa politique commune vient s'adjoindre le point de vue de la politique extérieure dans ses relations avec les autres Etats et, surtout, de sa politique relative aux « étrangers ».

La question est de savoir où se situe, en théorie, l'horizon *cosmopolitique* de l'Union Européenne. Autrement dit, de savoir comment s'articulent concrètement dans les politiques européennes, en ce qui concerne les non-Européens, la notion achevée de communauté européenne, qui limite l'Union, et la notion indéfinie de l'universalité des normes qui ouvrent à la citoyenneté du monde. Non que l'on pense à l'horizon *cosmopolitique* de l'Union Européenne en termes indéfinis, mais parce qu'il est nécessaire de considérer ce que l'Europe fait du monde en son sein. En d'autres termes, quelle est la relation que l'Union Européenne souhaite instaurer avec les peuples extra-européens qui la sollicitent, et la relation qu'elle institue non seulement entre citoyens, mais surtout entre citoyens et immigrants dits « illégaux ».

Quel sort l'Union Européenne réserve-t-elle à la main-d'œuvre qu'elle reçoit, eu égard au bénéfice du marché du travail ? Nous parlons de main-d'œuvre extra-communautaire, que son économie libérale sollicite fortement, mais, qui, en même temps, la conduit à élever des murs pour la dissuader d'entrer ou de rester, et éventuellement à prendre des mesures policières pour l'expulser.

1.5. *Europe cosmopolitique et Europe biopolitique*

Soulignons ce paradoxe, qui prend la forme d'une contradiction interne à l'Union Européenne. D'un côté, sur son versant économique, l'Union Européenne montre un énorme appétit de main-d'œuvre immigrante. C'est là une conséquence du capitalisme néolibéral dans le cadre de la globalisation. Cela signifie que l'Union Européenne produit des immigrants illégaux avec la même évidence et la même nécessité que des emplois et des biens de consommation, dont s'alimente sa croissance au sein de l'économie globale. Mais, d'un autre côté, il devient nécessaire de multiplier les dispositifs par lesquels elle tente d'entraver, ou de corriger, les effets sociaux que provoque l'afflux massif d'immigrants, et de contenir ou d'expulser des populations tenues pour indésirables.

Les Accords de Schengen engendrèrent cette contradiction. Schengen est aujourd'hui le nom de ce que Michel Foucault a désigné comme « biopolitique européenne ». Schengen confronte l'Europe *cosmopolitique* avec son envers policier et répressif (Foucault, 2008).

L'argument de la lutte contre l'immigration tend à remplacer l'Europe *cosmopolitique* de La Haye par l'Europe biopolitique de Schengen. Mais si La Haye est la ville du Congrès de La Haye, en 1948, et du Tribunal International de Justice, elle abrite aussi le siège d'Interpol. C'est pourquoi, face à cette réalité, il est impossible de dissocier les mesures policières de contrôle de l'Europe de Schengen de la dimension *cosmopolitique* de l'Europe de Maastricht – celle de la citoyenneté, qui cessa d'être seulement nationale pour construire une nouvelle figure de citoyen – celle du citoyen européen.

Le contrôle des populations est le revers de la face *cosmopolitique*, mais en est inséparable et est devenu essentiel à l'Union Européenne.

Schengen a été présenté à l'origine comme un espace de libre circulation de personnes (de biens, d'idées) correspondant à l'espace de libre circulation du marché unique et comme le nom d'une ouverture de frontières entre les pays membres. Mais de la signature de l'accord en 1985 au Traité d'Amsterdam en 1997, en passant par la convention de 1999, l'espace Schengen est devenu un espace de surveillance et de contrôle des circulations.

Ainsi que l'affirme le politologue Fabien Jobard, Schengen a transformé l'abolition des frontières douanières en une victoire du contrôle de frontières. Il n'est pas surprenant que dans la convention signée en 1999, sur les 142 articles, 100 concernent le contrôle de frontières, le déficit sécuritaire, la notion de « frontières externes », la collaboration policière et judiciaire, le droit d'asile, le système informatisé Schengen, etc.

Cet « espace de liberté » est devenu, avec le *Traité de Lisbonne*, signé en 2007, un espace de « sécurité et de justice ». On a renforcé la coopération policière et judiciaire, mis en place une politique commune de visas, la

réglementation commune du droit d'asile, le développement d'une stratégie commune de contrôle de l'immigration et de circulation des personnes et des produits. On a créé le Système d'Information Schengen, désigné SIS.

La « méthode communautaire », qui a remplacé les coopérations intergouvernementales, signifie concrètement l'instauration d'une politique de contrôle des flux de population, dans la ligne de la biopolitique coextensive à la société libérale.

En même temps, le *Traité de Lisbonne* intègre la transformation du concept de frontière. Le sens géographique des frontières externes se voit explicitement renforcé par une internationalisation. Ce qu'illustre le recours au contrôle aux guichets, dans les douanes et postes de police, qui peut s'effectuer dans le territoire Schengen, assurant la gestion des populations par la gestion de la circulation.

La notion de frontière physique, point de passage entre l'extérieur et l'intérieur, est remplacée par celle de frontière mobile, par les barrières qui se déplacent, par les points de contrôle mobile dans l'espace Schengen.

On pourra considérer, pour évaluer le sens *cosmopolitique* de l'Union Européenne, le traitement qu'elle réserve aux immigrants dits illégaux par le renforcement de ses frontières, ses politiques d'expulsion ou de rétention, ou encore sa politique de négociation avec certains pays voisins pour placer hors de leurs frontières les camps d'étrangers émigrants non européens.

On a ainsi affaire à un double test, un test *cosmopolitique* et un test démocratique – les deux étant étroitement liés.

Comme nous le savons, les circonstances dans les pays d'Afrique et du Proche-Orient ont entraîné un mouvement toujours croissant qui conduit au flux d'immigrés et de réfugiés dans l'Union Européenne. Celle-ci se trouve confrontée aux mêmes problèmes que tout Etat soucieux de protéger la population nationale, gérant les flux migratoires sur son territoire.

L'Europe, l'Union Européenne elle-même, a-t-elle vocation à reproduire ces principes organisateurs de l'Etat-nation ? L'Union Européenne, l'Europe, pourra-t-elle sans se contredire dans son orientation *cosmopolitique*, reproduire les dispositifs protecteurs de l'Etat-nation ?

Il reste encore à montrer que le problème soulève la question des droits humains. Les instruments juridiques existent et doivent assurer au niveau international la protection des étrangers quand ces derniers ne bénéficient plus de la protection des Etats dont ils sont les ressortissants. La *Convention Européenne des Droits de l'Homme*, de 1950, implique de la part des Etats contractants qu'ils reconnaissent les droits et les libertés de toute personne et non pas seulement des citoyens nationaux. De la même façon, la *Déclaration Universelle des Droits de l'Homme*, suivie d'une série de conventions – la *Convention relative au statut des réfugiés* (1951), la *Convention des*

Droits de l'Enfant (1989), celle de la protection des droits des travailleurs migrants et des membres de leur famille (1990) – , ont défini le principe de la non-répression et le principe de la non-expulsion (non-expulsion collective d'étrangers) selon la formule du Protocole additionnel à la *Convention Européenne* de 1903 (n.º 4, Art. 4), qui devraient s'appliquer à l'Europe. De ce point de vue, on pourra dire que les normes en vigueur en Europe sont les moins défavorables aux étrangers.

Toutefois le problème est bien politique et non simplement juridique.

Il importe de savoir comment concilier l'affirmation d'une communauté politique méta-nationale ou post-nationale guidée par une intention *cosmopolitique* avec une pratique gouvernementale « policière » dans l'acception visée par Michel Foucault ou Jacques Rancière, laquelle bafoue systématiquement les droits de l'homme quand il s'agit de personnes étrangères à l'Europe et à l'Union Européenne. Un tel procédé renforce l'inégalité de traitement entre nationaux et étrangers.

Il y a donc une *contradiction* interne et principielle et non pas seulement une *limitation* externe et factuelle.

L'antagonisme entre l'horizon *cosmopolitique* et le contrôle policier des flux migratoires se traduit dans une opposition entre deux discours : le discours policier (de surveillance et de sécurité) des pratiques gouvernementales requises par une biopolitique européenne sous le nom de Schengen ; et le discours *cosmopolitique* des réclamations et des revendications contre ces mesures gouvernementales qui font valoir les principes éthico-juridiques toujours maltraités, voire contrariés par ces mesures policières.

Avec cette contradiction, nous nous trouvons engagés dans une impasse évidente. Contradiction qui met en évidence deux aspects de la *cosmopolitique* européenne. L'antagonisme des deux discours reflète tout ce qui oppose les exigences de la Communauté aux postulats de l'universalité. D'un côté, la production d'une particularité concrète qui fait d'une Union à vocation *cosmopolitique*, empiriquement et historiquement, une communauté « européenne », et non mondiale, une communauté en partie fermée à l'immigration et mobilisatrice de dispositifs policiers qui surveillent les frontières externes et internes. D'un autre côté, la postulation d'une universalité de principe pour laquelle l'hospitalité est un droit et un devoir inconditionnels, au nom desquels la citoyenneté n'exige pas d'autre titre que celui de l'engagement civique et responsable de ceux qui y prétendent, quelle que soit leur nationalité.

Il sera difficile de dépasser cette contradiction à l'aide d'une « bonne gouvernance », attendu qu'elle est le lieu et la modalité spécifique d'une *cosmopolitique* élaborée contradictoirement par les exigences incompatibles de la communauté particulière et de l'universalité de principe. Cette

contradiction est essentiellement politique. Aucun argument résultant du concept philosophique ou du concept culturel de l'Europe ne pourra l'éviter ou la résoudre. Ni identité, ni mission ne peuvent autoriser le refus de l'hospitalité.

Je pense cependant qu'on peut considérer le dilemme, l'impasse, la question, sur deux plans : philosophique et politique. Les valeurs dont l'Europe spirituelle et culturelle se réclame indiquent, sous le nom de globalisation, sa limite *cosmopolitique*, en même temps que l'orientation *cosmopolitique* de l'Union Européenne traduit dans les faits les principes normatifs et éthico-juridiques qu'elle-même proclame.

Si l'Union refuse les dispositions policières d'une soi-disant « bonne gouvernance » européenne libérale vouée à une gestion biopolitique des populations, on affirme simultanément que, avec le refus de cette dite gouvernance, l'Union Européenne, l'Europe, ne fait pas de politique. La contradiction est évidente.

L'Europe et l'Union Européenne font de la politique le lieu et le mode d'une « mésentente » continue où se reflètent les prétentions à l'égalité et à la justice, mais, selon les mots de Jacques Rancière, sous la forme « toujours insatisfaisante d'un tort » (Rancière, 1995).

Nulle surprise que les non-Européens et de nombreux Européens rappellent à l'Union Européenne sa vocation *cosmopolitique*, la mettant en face de ses contradictions et de ses IMPASSES.

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Politics as Phenomenon. A Cosmosystemic Approach of Politics

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Abstract. *The debate over the place of politics as a phenomenon is currently focusing on the pursuit of its particular “objects,” and consequently on a corresponding construction of politics in terms of power or strength in its social environment. This paper tries to demonstrate the non-scientific and unhistorical foundations of this approach to the political phenomenon, which limit the science of politics to an evaluative role and quite often a legitimizing function in relation to the modern system.*

Keywords: *politics, society, power, global, cosmosystem*

The debate over the place of politics as a phenomenon is currently focusing on the pursuit of its particular “objects,” and consequently on a corresponding construction of politics in terms of power or strength in its social environment. The “object” of political science, political power, appears as a given and essentially self-evident, despite the various differentiations concerning its specific aspects, the parameters which are considered together when studied, or the methodological precepts of research. This is the reason that the definition of politics does not present any particular problem.

However, this option presents a fundamental weakness, which consists in the fact that politics is defined in terms of one of its specific structural aspects, i.e. power as a differentiated authority, and not a function of the elements that constitute its nature. The identification of politics with power actually reproduces the reality of the political phenomenon in the context of the modern state, a reality that, despite reflecting the primary anthropocentric phase which the modern world is undergoing, is invested with characteristics of universal originality and of progressiveness by definition. In this context, the past, as a comparative argument, is not recorded among the interests of political science, and, of course, its

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invocation is attributed to intellectual trends that have a conservative content as far as progress is concerned.

I shall try to demonstrate the non-scientific and, of course, unhistorical foundations of this approach to the political phenomenon, which limit the science of politics to an evaluative role and quite often a legitimizing function in relation to the modern system. At the same time, I shall suggest the direction of an alternative hypothesis on the “object” of political science, and the development that inevitably presages the need for a radical reconsideration of its gnoseological and methodological arsenal.

1. Is politics a phenomenon or is it an autonomous structure of the global social process?

The 19th century was dominated by the notion that politics is the state and, more specifically, the political power of the state and its actions. The political system is essentially non-existent as a concept, as it is absorbed into the state, to which the essence of politics and, consequently, the content of the public domain are concentrated. Political science appears as a simple complement or a maidservant of the sciences of the state, among which Law is the dominant component. The dichotomy between society and politics is a given. Society is not a part of the state and, as a consequence, of the political system. This is why it does not and should not have any other relation to politics, apart from the strictly defined legitimizing function of the possessors of power.

Since the end of the Second World War, the question posed by the totalitarian changes in the state, the development of anthropology, the acquaintance of the modern world with non-state societies, and the broadening of the political area as a consequence of the gradual encounter of modern societies with anthropocentric values, have cultivated the notion that the equating of politics with political power is rather more effective. Although this concession is not essentially different from the previous approach, it constitutes an interesting development, since it broadens the field of political research. The phenomenon and the dynamics of the political power of the state continue to define the essence of politics. But at the same time, the perimeter of the political process (groups, the political behavior of the masses, etc.), which affects its nature and logic, is being considered. Consequently, political science does not cease to remain hermetically sealed in the fundamental notion that perceives the phenomenon, i.e. politics, not in terms of its nature, but by virtue of its specific structural aspects, i.e. autonomous power. Within the pantheon of sciences, political science is unique from this point of view (*La science politique*

en Europe, 1996; *European Journal of Political Research*, 1991; Goodin, Klingemann, 1996)¹.

There are many significant weaknesses in this approach to politics. The same holds true for its implications concerning the comprehension of the political phenomenon, the constructions of its content, and the typology of political systems. In the past, the problem was linked mainly to the acknowledgement or non-acknowledgement of the autonomy of politics in the context of the social sciences, and particularly to its subordination to scientific fields such as law, economics, history, etc. Without proclaiming that the tug of war concerning the autonomy of political science has totally subsided, it is obvious that the consensus about its “object,” which is noted nowadays, raises more questions than it resolves.

The focus of interest on the “core” of the problem - which derives from the fact that political science, in contrast to all other social sciences, defines its object on the basis of one of its specific structural aspects (power) and not by virtue of its existence as a phenomenon - poses the following question: Is power ultimately the primary inherent characteristic of society or is it simply politics? Conceding the identification of politics with power, it is obvious that we come to the conclusion - which political science entirely accepts as self-evident - that we cannot conceive of a politically organized society without political power. This political power is autonomous, in terms of monopoly and sovereignty, while nowadays it basically amounts to state power. After all, social man is by nature interwoven with the experience of political power. Consequently, the question focuses on the elucidation of its content, place, and relation to society: should it be registered within the context of despotic or private ownership, of a “representative” regime that provides for an internal institutional balance, or should it be constructed in the context of a socio-political pluralism, where the intermediary forces mark the character of the system? (Contogeorgis, 1990; Stoyanovitch, 1979; Colas, 1994; Grawitz, Leca, 1985; Lowi, 1992)².

¹ Modern political science belongs totally within this context.

² This is the rationale of all approaches to politics, from Liberalism to Marxism. The question, as it is perceived, refers to the identification of the political phenomenon with the construction of politics in terms of power in the state rather than to the search for politics in the context of the political form of the state. Marxism, for its part, did not deal with the object of politics. It totally accepted the dominant concept of the 19th century, which equates politics with the state, and developed its arguments accordingly. Its speculation centered entirely on the question of autonomy or lack of autonomy of the political power of the state. It is not coincidental that nowadays Marxism, more than any other school of political thought, still does not distinguish between the state and the

On the contrary, seeing politics as a phenomenon makes possible, if not inevitable, the proposition - as a working hypothesis - of an alternative question concerning the construction of politics, which will not include power as a component. This question, though rhetorical for the moment, is of fundamental importance, since introducing it completely overturns the philosophic and realistic structure upon which the very existence of the social being is predicated. I cite just one example, liberty. The concept of liberty in political science reproduces the perceptions of the civil society being experienced, and therefore it is exclusively defined as individual. At the political level modern man simply invokes certain rights, which lend social reference or legitimization to political power, and are regarded as capable of preventing its undue autonomy, and a probable threat to individual and social liberties. But the space between a political right and political liberty is undoubtedly chaotic. Political liberty, like any liberty, covers a dimension of individual or group autonomy. Thus it presupposes the self-determined political function, and society's becoming free of power, or, put another way, the annulment of autonomous power (Contorgeorgis, 1976; Contorgeorgis, 1992; Contorgeorgis, 1996a)³.

This very formulation of the hypothesis - that politics and not power is inherent in society - opens new horizons for the scientific study of the political phenomenon. But the question is to what degree this hypothesis is actually affirmed by the articulation of the political phenomenon beyond autonomous power. On a theoretical, but also on an operational level, the answer to this question refers directly to historical precedent, without, however, ignoring the fact that it refers fundamentally to the future. But tracing it as a historical hypothesis, or as a perspective, makes it necessary to examine the object of politics in connection with its nature, regardless of any structural aspects in time and space.

From this point of view, politics as a phenomenon is defined at two levels: one focuses on the nature of politics itself, i.e. on the social dynamic framed by an assumption of universal energy, in the context of which the cohesion, legitimization or the domination, movement, or rupture, and consequently the disputation or the function of order and, subsequently, of the society as a whole will be achieved (Contorgeorgis, 1990; Contorgeorgis, 1992). The other refers to the breadth of the organic correlation of politics with the integration of social man, i.e. its global autonomy, which includes

political system, while the perspective of the abolition of political power is linked to the "abolition" of social classes, the state, and politics itself.

³ This means that at the phase of civil society, "rights" rather than liberties flourish. On the contrary, at the next phase, that of political society, liberties are dominant, indeed at the social and political level, while the concept of right proves meaningless.

freedom. This correlation may be non-existent, as in the case of a typical despotic cosmosystem. In the context of the anthropocentric cosmosystem, freedom as an individual-social autonomy is covered primarily by the “operational” or “structural” dimension of politics, in the context of the civil society. The point in question here is the indicator of the productive or “structural” effectiveness of politics in the environment of balances that ensure a minimal anthropocentric achievement, in relation to the corpus of individual and social rights. But freedom, as an overall self-determining project, although it presupposes individual and a related social autonomy, presents the social and political potential for self-determination as the main point in question. Freedom, as a measure of integration of anthropocentrism, irrespectively rejects dependence or coercion, both at the social (dependent or hired labor) and at the political level (the subordination of the individual and of the group to a power system). Thus, the political right recognizes the fundamental role of power, which it attempts to place in a context of social reference and legitimization. On the contrary, political freedom totally rejects the authority structure of politics, which it regards as absolutely revoking the overall freedom of the individual, and subsequently of the deeper anthropocentric nature of society⁴.

Apart from the integral value of the above definition, it is obvious that the disassociation of politics and power weakens the position that is held on the “relations of forces” concerning the formation and function of the political process. Indeed, the equating of politics with power is combined with a virtual equalization of power with force. This equalization, which teaches that politics reflects the relations of power at the level of social dynamics, completely ignores the other dimension of politics - the outcome of its profoundly dialectical nature - which as we know from the case of the polis mainly combines the “rhetoric” relation with the dynamic of the vote, at the level of the agora. To the degree to which the concept of

⁴ More specifically, the “operational” dimension of politics refers to its effectiveness (e.g. to its contribution to economic development, to the reduction of unemployment), while its “structural” dimension has to do with political elections that aim particularly at the composition of the entire society (e.g. the “socialistic” or “capitalistic”, or other perspective). These dimensions of politics are not linked to power by definition. But to the degree to which it is generally accepted that politics is by nature equated with power, the question of its “operational” or “structural” function is ultimately linked to its goal. Either way, the equating of politics with society, to which the approach of politics as liberty and, by extension, the political function of society, leads, is regarded as most unsuitable for dealing with its “operational” or “structural” dimension. Society remains at the same time politically unemancipated, unqualified, and ultimately incapable of dealing with its own domain.

the “political agora” is absent, its position is taken up by the “economic agora” and, by extension, the one-way reduction of economic power to political power⁵. However, the equalization of force with power is generally conceived as arbitrary and specifically is seen in the environment of power systems. Power is the institutionalized decisive potential in politics, beyond the social body. The possession of the political process by individuals or forces which are differentiated from the society as a whole constitutes the concept of political power, while the simple ease in exercising influence or force, i.e. direct or indirect coercion exerted on the political process, does not turn its holder into a holder of power. Power presupposes the absorption of the political process, its appropriation, or its seizure (authoritarianism) (Haarcher, Telo, 1997). Power may be accompanied by a sufficient force substructure, or it may be stripped of it, and so we have either a power vacuum or legitimized power.

The consequences of this approach to the political phenomenon are also reflected in its typology, and, furthermore, in the typology of the political system. The equating of politics with power reveals an extremely restricted typological horizon. If we accept that politics has just one dimension, that of power, then the typology of the political system is defined exclusively by it. All political systems have as their foundation the sovereign political power, and are classified according to its partial differentiations: absolute monarchy, constitutional monarchy, the different expressions of the representative system of government (such as the presidential, the parliamentary, the pluralistic, etc.), the authoritarian, or the totalitarian regimes, etc. On the contrary, the adoption of the hypothesis that power constitutes a structural aspect of the general political phenomenon leads to the conclusion that the sum of political systems driven by its rationale are ascribed to the same typological category, while its more particular impressions in time and space constitute simple morphological parameters (Haarscher, Telo, 1997: 8; Contorgeorgis, 1997; Contorgeorgis, 1996a). But this conclusion creates the need to indicate the

⁵ The ‘agora’ is the decisive parameter of political discourse. In the moderate or anthropocentric power system, the social body possesses, as the ultimate concession or conquest, the right of «θεωρεῖν καὶ κρίνειν». But the political praxis is formed and functions beyond the system, by virtue of the institutionalized or uninstitutionalized forces in an environment of interrelations that are articulated with power behind the scenes. It is not coincidental that “Rome” regarded Greek rhetoric as ineffective “chatter” (Petrochilos, 1994), while later the despotic “West” in transition, moving in the same climate, would discern – in its search for the nuances with which the philosophical Greek “East” was dealing, and in the system of the metropolis politeia that supported it - the equal of a time-consuming and basically unnecessary procedure, which would be called “byzantinism”.

other typological manifestations of the political phenomenon, or at least to point them out as working hypotheses.

In any case, the disassociation of the political phenomenon from its one-way link to power necessitates, beyond anything else, the search for the causal basis of this approach.

2. The foundations of the power approach to politics

A cross-reference of the conclusions included in a publication of UNESCO, in 1950 (*La science politique contemporaine*, 1950) - in which a recording of political science was attempted for the first time - with its recent evaluation, which has just been completed under the auspices of the *European Union* and the *Institute of Political Sciences* in Paris (*La science politique en Europe*, 1996), leads to the conclusion that significant progress has been made in the direction of the autonomy of the field (Bonfils-Mabilon, Etienne, 1998; Colas, 1994: 4). But it is also unquestionable that the concept of the political phenomenon remains essentially unchanged – with whatever that entails.

Political science continues to be subject to a historical partiality, since it remains basically the science of the political system that gave birth to it. I hasten to emphasize that the link of modern political science to the realities of the nation-state does not make the latter responsible for the weaknesses of the former. However, it acknowledges the reflective effect of the limited depth of its political system upon political science. Linked to this horizon, it was natural for political science to project its conclusions concerning the modern political system into a rule with claims of universal application. Thus, as the rule is projected in time, the comparative step is destined to serve the fundamental working hypothesis, compelling the historical phenomenon to bend. In this sense, the content of the rule serves as a model: our age is interpreted as the outcome of a centuries-old historical process, linearly defined. Any precedent, meaning, that is, before the start of modern history, is evaluated as a lesser historical achievement, as “traditional” (Contogeorgis, 1998a)⁶, since today’s world constitutes the most perfect thing humanity has to demonstrate. In this context, for instance, the approach of politics as a right predominates over politics as liberty, which, in fact, as a premise will indeed be equated with totalitarianism⁷. “New” liberty, although it does not surpass private life, or

⁶ It is interesting to note that this approach undertook to explain historical phenomena, such as state despotism, the polis-state, or the ecumenical cosmopoliteia, on the basis of the new gnosiological concepts of anthropology gathered in the study of the newly discovered primitive societies of Africa and Latin America.

⁷ By the time of B. Constant, the argumentation concerning this matter was already moving exclusively towards the total dissociation between liberty and autonomy

certain social and political rights, will become an anthropocentric achievement, superior to any previous one, even that of “Greek” political society (Contorgeorgis, 1975; Contorgeorgis, 1980)⁸. This same approach declares the superiority of the modern political system, which is based on sovereign power, compared to the previous political systems of humanity, including democracy. Finally, the typology of the political phenomenon, in its historical dimension, justifies the force argument, given that the historical periods are determined by the succession of Hegemonies (Kyrtatas, 1992; Bourdé, Hervé Martin, 1983; Bizière, Vayssière, 1995; Prost, 1996; Carr, 1961)⁹. The concept of the cosmosystem and its typology are, as we shall see, totally absent.

To the degree that the cognitive object of political science is focused, as we have seen, on the logic and the structure of the political phenomenon, as this is manifested by the modern political system, it is unable to function as a science of universal interpretative reference. However, on this point it is interesting that modern political science feels sufficiently adequate and secure to deny its qualification to the historical dimension of the political phenomenon. Its comparative approach covers principally the present, consumed with the manifestations of the political

and liberty was defined within the context of man’s individual life. It is obvious that the following period, although it would lead to the integration of all modern avant-garde societies into anthropocentrism, it would not contribute to the above-mentioned approach of liberty to be changed essentially. (Rouvier, 1978). The “socialistic” school, from its point of view, without differing substantially concerning the concept of liberty, focused on the context of a system of guardianship that would be undertaken by the state.

⁸ This view neglects to recognize that the “new” liberty is simply unfamiliar to the societies of Europe, which were scarcely beginning to discern the anthropocentric horizon within the gradual ebb of feudalism. However, as an anthropocentric premise this liberty is extremely old, since it can be found at the beginnings of the Greek cosmosystem, and more precisely in the early pre-classical period of the polis.

⁹ The question in this instance refers to the reigning power that inevitably leads to the enumeration of the national hegemonies throughout history. However, even the most complete attempts at establishing the historical periods (Hegel, Marx, etc), did not avoid this dilemma, since the particular parameters they introduce (e.g. the economy) refer, in principle, to the historical scale of “Power” in order to be evaluated. This, of course, does not pose any question, since it is compatible with the fundamental approach of politics as the equivalent of power (and, in fact, as strength). However, the major problem with these attempts lies elsewhere. See more below.

phenomenon in the modern world¹⁰. The past belongs to history. History, in turn, does not have any reason to differentiate from this point of view.

This fact and, of course, the questioning of the autonomy of political science acknowledge that politics as a phenomenon started to be released from the closed circle of state power and its options just after the Second World War. The study of politics belonged previously, and continues to belong, to a significant degree to the priorities of the sciences of the state (of law, etc.), since the field of politics is highly restricted, and still controlled by those who possess the mechanisms of political sovereignty. This is the basis for the ascertainment that political science, and anthropocentric political praxis before it, is undergoing nowadays - despite assurances of the opposite - an early "protogenetic" phase. This ascertainment poses, of course, the question of the criterion on the basis of which the indicator of evolution is formed and evaluated. Personally, I accept that this indicator within human societies cannot have but man as its measure, and more precisely his degree of integration with respect to liberty and prosperity.

Indeed, we discern two great typological categories of systems concerning the global constitution of the world, or in other words, two cosmosystems: the despotic one, which reflects societies of subjects, and the anthropocentric one, which regards man as the primary component and aim of social being (Contorgeorgis, 1990; Contorgeorgis, 1996). The modern world belongs to the anthropocentric sphere. But its historical depth continues to be highly restricted, and the elements that compose its anthropocentric constitution anemic. There is no need to recall, as a comparative presupposition, the global integration or autonomy of man, in order to ascertain that the liberties that modern vanguard societies enjoy are essentially insufficient and subject to any number of limitations and presuppositions (Contorgeorgis, 1990; Contorgeorgis, 1996; Contorgeorgis,

¹⁰ A simple statistical evaluation of the subjects of the articles published even today in national reviews of political science can in this instance prove to be very revealing. According to these, the view that political science cannot limit its interest only to the modern state has begun to be supported timidly, though quite discernibly (Colas, 1994: 9). But the motive of this hypothesis does not differ a bit from the basic conceptions of modern political science. It is interesting to note that even the concept of the state is delimited typologically from the viewpoint of modern reality, and its existence is inferred from the way the political phenomenon is constituted. So, in order to ascertain the existence of the state, one must confirm the reality of the sovereign state power and actually the absorption of the political system into it. From this point of view, for modern social science the ancient polis - that of the statocentric period - does not constitute a state, at least not in the strict sense of the term.

1997). Indeed, the anthropocentric homogenization of the modern world is not an achievement of the second half of the 20th century. The process of anthropocentric transition itself, though a long one, appears to be penetrating rudimentarily into the problem of the “Declaration of the Rights of the Individual” and the political emergence of the cultural globality of the “nation”. The European peoples invoked “human rights” against the feudalistic society of subjects, and the political entity of the nation, in order to construct their anthropocentric political environment as an offset of feudalistic despotism, which was based on an absolute proprietary approach to politics (power). In creating, to a large extent, the nation, the state defined, in the final analysis, the new social globality within which the transition from the despotic to the anthropocentric cosmosystem would take place. Nation, politics, political system, are all reduced to the state, are confused, and indeed somehow comprise a tautological category. The history of the nation is entirely the history of the state. The public area is recorded as a concept identified with the state, which is called upon to manage the political power of the state in a sovereign and monopolistic way. The general will is essentially the will of the nation, whose unique and authentic voice is the vehicle of the political power of the state, not society.

This catalytic gathering of all parameters of politics within the state must be attributed to the fact that, although the legitimizing reference of the agent of the political system was transferred to the field of the social body, the nature of politics, and, consequently, of the political system, has not changed (Rochard, 1981: 131; Mény, 1974; Contogeorgis, 1990; Contogeorgis, 1996). For political science, politics will continue to constitute the exclusive field of state power in opposition to the society which is regarded as a private body, politically unemancipated. To the degree to which society is placed out of the political system and the public sphere is formed beyond society by the state, which embodies the political system.

However, whether we regard the state as a class one or not, once it is defined as a public sphere, it ceases to constitute a despotic parameter. It is called upon to function in ‘representative’ terms, and to ensure the elementary “human rights,” so that, in time, they can become a positive premise of individual and social liberty. During the 20th century, political rights (mainly the legitimizing vote and the civil right of speech, which would constitute the passport of formal ‘citizenship’) would be introduced, while “mass” or indirect politicization and the interjection of intermediary interest groups between private society and political power would follow. This new balance would be denoted with the concept of the civil society, which is specified politically with the premise of pluralism, or, in other

words, by the meeting of intermediary social forces with political power (Contogeorgis, 1990; Contogeorgis, 1996; Seligman, 1992) ¹¹.

Although, as we have seen, the individual - as a shadow citizen of the state - is categorically excluded from the political system, to which his relationship is articulated at an intermediary level, state power with reference to the nation draws a supplementary advantage of differentiation against social will (Contogeorgis, 1990; David, 1996; *Revue Internationale de Politique Comparée*, 1994; *Revue Française de Sociologie*, 1995; Thiebault, 1995; Mascotoo, Soucy, 1980; Caron, 1995; Girardet, 1996)¹². The exclusion of the citizen from the political system was ascribed, on the one hand, to the limits imposed by the great political scale and, on the other hand, to the insufficiency of society's political self-consciousness. The latter needed, at the beginning, a powerful and centralized state of anthropocentric reference, which could invoke the monopoly of political power, in order to face the reactions and the centrifugal force of feudalism (Contogeorgis, 1995; Bouineau, 1994; Szramkiewicz, Bouineau, 1996; Von Thadden, 1989; Von Thadden, 1985; Anderson, 1976). The elevation of political forces, first of all of political parties (Huard, 1996; Gaxie, 1985; Meny, 1995), would be the justifying base of this system, as they would assert their political legitimacy in the name of liberal or socialistic anthropocentric integration. The premise of social liberation, the entire social question, which for more than a century would focus its interest on property and the protection of dependent labor, would not for a moment call into doubt the nature of the political system. But it would constitute, to a great extent, the causal basis of the class and ideological political parties in Europe, and one of the justifying foundations of the authoritarian or totalitarian political powers during the period between the two world wars. The political dilemma - multiparty or single-party mediation, multiparty or single-party appropriation - would be

¹¹ As we shall see below, this scheme of European evolution does not at all pertain to the Greek paradigm, since Greek societies entered the modern anthropocentric period, leaving behind the previous anthropocentric environment of their historical cosmosystem, and not a transition from a despotic cosmosystem.

¹² "Nation" as a socio-political category constituted, as we have seen, a crucial argument for the change of the legitimizing reference and the aim of the political power of the state. But with the gradual anthropocentric integration of societies it functioned towards the refutation of the social reference of politics and as support of the autonomy of power. This is true in the cases of the authoritarian or totalitarian choices as well as the representative system, to the extent that the sovereign power of the state becomes self-legitimizing as the only one qualified to define the "national interest" and to reconcile state policies with it. State policies are in any case "national" or inherent to "public interest," while the will of society or that of "groups" are basically characterized as deviating and "private."

resolved partially with the military defeat of the Axis¹³. But this does not refute the fact that also within the context of multiparty mediation the political question would scarcely preoccupy the social body in Europe until today. The political party would function simultaneously as representative, as educator, and protector of its social clientele. In exchange, it would be left alone to administrate state power in terms of political sovereignty which imposes the concept of the post-feudalistic political system.

Although since the 1980's a cosmogony of changes ultimately leading to the decline of the "ideological" political parties (Reszlier, 1990; Dahl, 1971; Dahl, 1974; Barnard, Vernon, 1975; Rawls, 1993a; Rawls, 1993b; Rawls, 1971, Contorgeorgis, 1997)¹⁴ has been underway, the questioning of political science and certainly of broader political thought is not substantially far from its original positions: either vis-à-vis the object of politics, or even more, the nature of the political system. The rivalry with the "real socialism" had already compelled the liberal school of thought and ideology to move from the classical 'representative' principle, introducing after the Second World War the concept of pluralism (Reszlier, 1990; Dahl, 1971; Dahl, 1974; Barnard,

¹³ Actually the problem of authoritarianism, and, by extension, the problem of the relative anthropocentric integration of modern societies into politics will not be solved. Even the 'representative' system constitutes a question to be reckoned with in the modern world, while in the interior of the countries of the modern vanguard, the final demand is the multi-power of groups and the "electoral" legitimization of political power. The essentially authoritarian nature of the phenomenon of power, the domination of raw strength during the formation of power relations, the diffused authoritarianism which determines the internal function of groups and of political forces constitute parameters that do not attract the interest of political science during the evaluation of the political system (see, for instance, Schmitter, 1995, who takes this reasoning to the limits, justifying obviously authoritarian systems using as a measure of statistical evaluation the formal existence of interest groups). The particular aspects of power at the interior of the groups (e.g. interest groups, institutions of public domain such as the University) constitute privileged areas of appropriation and authoritarianism which reproduce the central model, frequently with terms that are more painful for their members.

¹⁴ Actually it is about the abandonment of the premise of a major shift of the basis of the structure and the function of society and the submission of the total or partial ownership of the "means of production" to the state. The completion of the anthropocentric embodiment of the modern vanguard societies will prove this premise insubstantial, while at the same time their interest will focus on the redistribution of economic resources. This turn will coincide with the gradual ideological detachment of the social body from the political guardianship of the state and the disassociation of its redistributive premise from "economic" labor, important aspects of which will be faced with disdain.

Vernon, 1975; Rawls, 1993a; Rawls, 1993b; Rawls, 1971). In fact, however, the pluralistic principle, the concept of the civil society itself, acknowledges that the political system had long ago ceased to ensure the equilibrium at the level of power¹⁵, so that it fell to the discretion of the leading core of the political party that has the election “majority.” Before the dilemma of ‘partytocracy, which is elevated to a political system, “democracy” is henceforth evaluated in direct relation to the degree of development and expression of the intermediary groups which act within the environment of political power. I do not enter into the whole paradox of our times, which insists on defining democracy on the basis of its exact opposite, i.e. sovereign power, invoking the unhistorical argument that its political personnel are elected and indeed they are only legitimized by the social body. If nothing else, democracy - within the cosmosystemic area in which it was born- was foreseen as the very opposite of the power system, including the representative system, which had preceded it (Contorgeorgis, 1980; Contorgeorgis, 1992)¹⁶. But I note that this trend, which prefers “pluralism” to “representation” as a field of correlation between politics and society, in fact overturns it and indeed opposes it, since it revives, at the level of state power, the feudalistic principle, which entrusts management of the state to the interrelations of power, and, in another sense, to property (Contorgeorgis, 1995b; Contorgeorgis, 1998b; Contorgeorgis, 1985)¹⁷. In each case, the pluralistic period of “democracy” elevates strength as an equal partner of power, and consequently to the equivalent of politics.

¹⁵ The classical representative principle was based on the distinction of the three fundamental functions of politics at the level of state power. The fascist dictatorships of the period between the wars had already proven that this arrangement of power of the state does not ensure the moderate anthropocentric constitution of the society-politics relationship. The party system finally absorbs the institutional environment of the state, unifies it and changes it into a political system, i.e. ‘partytocracy.’ (Contorgeorgis, 1990: 91; Contorgeorgis, 1985). Pluralism, for its part, pursues the refutation of the centralizing tendency of sovereign power through a stronger intervention of the intermediary groups, without, however, the society-politics relationship being changed substantially. Thus the political system remains typically unchanged, but the field of politics is moved to an essentially extra-constitutional context, i.e. a non-institutional region, where strength and behind-the-scenes forces dominate.

¹⁶ I am referring to the anthropocentric environment of the polis-state, where the representative system traces back to the early classical period (8th-7th century BC). The political system of Aesymneteia emerges as the most characteristic example.

¹⁷ This is the case of the mass media nowadays, especially where they function as an area of politics (in Greece) and not just as information media. See also Contorgeorgis, “Means of Communication and Politics,” Athens, 1996, and “Television in the Political System”, in *For a Democratic Radio-Television*, Athens, 1986.

Political science, defining in turn the political phenomenon in relation to power and strength, is inevitably led to co-identifying them. Power and strength constitute identical concepts, precisely because they are defined by their common parameter, politics, which they reflect¹⁸.

On the other hand, although “pluralism” as a concept is placed at the center of the political process, modern schools of political thought entirely sidestep the major question about the existing chaotic differentiation between the formal and the true political system. I am referring to the fact that the institutionalized political sphere has been virtually neutralized (Contogeorgis, 1985; Contogeorgis, 1996b), while at the same time the field of politics (the theme, the agents, the media, etc.) has acquired quite a breadth diffused in the direction of society. The diffusion in this context between the social body and politics, though it is estimated that in the long-term it will have beneficial effects on the restructuring of the relationship between society and politics, at present does not seem to contribute directly to the restriction or the control of what goes on behind the scenes, where the “sensitive” decisions of power are dictated. I am not hinting so much at the action of the official pressure groups, but rather at that of the private (individual or collective) interests, which inevitably develop behind the scenes, with their strength as their guide and measure. Although the reality of what goes on behind the scenes has great historical depth, and coexists to a great extent with the nature of autonomous politics, the conditions of publicity that surround the political system nowadays, and, of course, the broadening of the political field, pose in a most compelling way the question of the re-evaluation of its position within the political system (Contogeorgis, 1985; Contogeorgis, 1996b; Contogeorgis, 1990: 91, 117; Heidenhelmer, Johnston, Levine, 1989; Bendor, 1974; Mény, 1994).

¹⁸ The distinction between power and strength is not just logically necessary, but also fundamental for the understanding of the political phenomenon. As we have already ascertained, power determines the differentiated political process, i.e. the institutionalized decisive processes in politics. On the contrary, strength (influence, etc.) conceals the possibility for direct or indirect influence of the possessor of the decisive process, specifically of society or of power. This possibility does not turn its possessor into a possessor of power. That is why his will is not translated into decision without the participation of the possessor of power. On the other hand, the possessor of the political process may have adequate strength or lack it. It might relate the effectiveness of its power with strength, or exercise it undisturbed without invoking it, if it enjoys a strong legitimacy. In any case, though, changing the possessor of power into a stooge of private power or influence centers does not make the latter possessors of power. It just elevates another aspect of the political system that would otherwise remain in the shadow of the pluralistic argument, and would indeed be re-evaluated towards its most secure classification as a democratic system.

The new political field, which is substantially created by the catalytic development of the communication system at the level of the territorial state, is translated, with a significant re-evaluation of politics, into the system of values, and, consequently, in relation to the social problem. This re-evaluation, whose dimensions in real and in ideological terms go beyond the scope of this study, re-introduces the question of a new conceptualization and methodology of politics.

The conception of politics, on which we concluded, disengages the phenomenon from the state, political power or strength, placing it in its natural domain, the political system. If politics is absorbed partially or totally into state power (and perhaps into other forms of power, such as local or regional government), or if, through being a hostage of power, politics really reverts to the social forces (pressure groups or behind-the-scenes forces), it is another question, which does not refer to the concept, but to the constitution of the social totality, and consequently to the typology of the political system. So the re-approach of the concept of politics does not deny its institutionalization in terms of power, or the strict autonomous nature of the modern political system vis-à-vis society. But it poses the question of the historicalness of the political phenomenon, both as to its typology (i.e. the transformations of the political system in terms of power or the negation of power), and as to the nature of the social phenomenon in general, and of the parameters of development. Thus, it introduces questions that refer also to the prospect, to the future of politics. It is extremely important to note that the re-evaluation of the perceptions of politics and its parameters is of great interest in the Greek case, to the extent that it has suffered more than any other the distorting effect of the restricted horizon of social science, and its attachment to the ethnocentric paradigm (Contorgeorgis, 1998c; Contorgeorgis, 1996a).

The disengagement of politics as phenomenon from political power and the state reveals the autonomy of the political system, which attains a primary position within the political process. This indicates that the state, under any conditions whatsoever, is not the dominant and autonomous component of the political totality, but the vehicle for the support of the political system. The discovery that the political power dominates the modern political system is in itself important. It reveals the nature of the political system, as a strictly hierarchical one, in which the role of the citizen is restrictively legitimizing. It has no controlling, harmonizing, revocatory, and, of course, no sovereign authority (Contorgeorgis, 1998c; Contorgeorgis, 1996a; Haarscher, Telo, 1997: 209)¹⁹. Furthermore, political power is strictly

¹⁹ It is added that the citizen is not regarded as having “legitimate interest” (!) to invoke illegal actions of the political power, or to bring them to justice. The

personalized and exclusive. Besides, as we have just seen, the same argument of socio-political pluralism admits that the system of institutionalized counter-powers, which was foreseen as a foundation for the demonarchization' of the state, belongs to the distant past inasmuch as the possessor of the electoral majority indivisibly controls the totality of political power and the mechanisms of the state. At the same time, it proposes the attachment of the institutionalized or noninstitutionalized social interrelations that go on behind the scenes to the political process of the state²⁰.

So the dilemma is whether politics should be regarded as a diffused phenomenon, inherent in the social body, which consequently is transformed into an active agent of the political process, or as a dynamic for assessment or allocation of power interrelations at the level of the political power of the state. The latter case, which reflects the concept of the civil society (Contogeorgis, 1997: 9)²¹, discerns the democratic character of the political system in the dynamic encounter of groups with political power. According to that view, it is precisely there that the representative function of politics is also expressed. The dialectical relationship between society and politics, the absorption of the political into the social - and consequently the integration of the social whole into the political process - or at least the dynamic dimension of the field of politics, do not exist even as a working hypothesis, and therefore are not registered among the interests of political science. The dichotomy between society and politics, and subsequently the marginal political role that is reserved to society by the theoretical leaders of

relative legislation is eminently indicative of the spirit that rules the society-politics relationship. More characteristic is the jurisprudence, such as that of the Council of State, since every time it is accompanied by an erudite rationale, on the basis of which the defense of the vital autonomy of the political order against the citizen is attempted. It is particularly interesting to note that in no case is the incompatibility between this "incompetence" of the citizen and the constitutional principle of the so-called "rule of the people" discerned. The case of the admittedly illegal and undue appointment (in order, among others, to make him a Professor) of the Director of *The Vema*, St. Psycharis, as Governor of the Mount Athos, is simply indicative of the contemptuous function of the political and judicial power vis-à-vis the social body, which is otherwise useful for its formal legitimization, but also of its providence in introducing all those safety valves that will ensure its vital immunity and interests against the bothersome initiatives of the citizen. About representation, not as a substantially uncontrolled, though formally legitimized, political system, but as a part of the established arsenal of democracy, see Contogeorgis, 1996b; Contogeorgis, 1975; Contogeorgis, 1982).

²⁰ G. Contogeorgis, "*Communication Media and Political System*," as above. This is exactly the reason why the distinction between power and force is indeed confused, and rather nonexistent in contemporary political science.

²¹ I am referring to the anthropocentric stage that our age is going through.

“democracy” is clearly revealed by the elevation of the “nation” to the supreme aim of the state. The political definition of the “nation” constructs, as we have seen, the basis of the primacy of the state, and legitimizes the simply supplementary position of social will in relation to political power²². On the contrary, the primacy of the political system, rather than of the state, directly connects (representative) political power to the will of society, which functions as the unique legitimizing partner and beneficiary of its choices.

Obviously it is about an essentially different approach, which, even within the environment of the power system, creates new data concerning the way of dealing with the political phenomenon and its parameters. In this context, “general interest” – which more or less concealed a relationship to “national interest” – henceforth refers to the will of a relatively integrated “civil society.” Indeed, it faintly projects the alternative perspective of “common interest,” which, however, as a democratic matter, refers to the long term, since it presupposes the detachment of the concept of “public domain” from the state and its ascription to society. But also nowadays, the concept of “public domain,” though it continues to be essentially identified with the state, becomes more flexible, while politics becomes disengaged from the strict demarcation of state power. The dynamics of the self-government of the political sphere by the state results in the concept of “public domain” being linked to “social interest,” and, further, the course of diffusion of the political into the social, coinciding with the concept of “common.” The “social contract” at the present time makes sense as a legitimizing reference or adherence to a regime of political sovereignty of state power, where the latter is exclusively qualified to define authentically the content of “general” or “national interest.” Gradually, however, it relinquishes its position to the active political balance, which is articulated, beyond the typical political system, in the concept of a dynamic field of politics and subsequently in an idea of legitimization, with an ungraded scale of continuous contestation. The prospect of the “political society” is a question of concord (“*omonoia*”), which does not, however, come to terms with the presupposition of the “civil society,” the dividing line between (private) society and politics (public domain). In any case, even within the environment of a system of political sovereignty of power, the question of whether the interest will focus on the indicator of political “consensus,” i.e.

²² The approach of E. J. Hobsbawm (*Nations and Nationalism from 1780 until Today*); and *The Age of Capital, 1848-1875*) is indicative, which he repeats in an obviously committed way in an interview in *Eleftherotypia* (27.03.1995). Cf the refutation of G. Contogeorgis in the same newspaper (06.04.1995) under the title “*Myth-making in History. The case of Eric Hobsbawm.*” See also Caron, 1995, and the special edition of the *Revue internationale de politique comparée* (5/1998) on the peripheral, national, and European identities.

the accession of the social body to the choices of the state, or whether we will accept the detachment of the state from the political process, regarding the state as the political perimeter of the whole society, the dominion, and ultimately the supporting mechanism of the political system, is not just of rhetorical significance.²³

Finally, the equating of politics with power (and furthermore with strength) leaves, as we have seen, little space for the elaboration of thought concerning development with a typological content. On the contrary, the approach of politics as a phenomenon introduces the alternative possibility of a non-power composition of politics. So, the political system is enriched with a real typological parameter, which renounces power. Thus, the criterion for the typological classification of the political system is in this instance not the morphology of power, but the relationship between society and politics, and more precisely the position of the social whole within the political process. In simple terms, the question is how politics is structured, and who possesses it.

The power structure of politics connotes that it may entirely exclude the political aspect of the social body. This is the despotic system, which is manifested more specifically as “private” or as “state” feudalism (Contogeorgis, 1992; Contogeorgis, 1978)²⁴. But it is probable that the political system which is based on power may give to the social body an arbitrating political right. In that case the modern political system of the state-nation, which emerges as the main ingredient of the civil society, is registered. The structure of politics, which is based on non-power in its absolute version, implies the total identification of society and politics. A more moderate version is the consent to the power phenomenon, the expediter or “therapeutic agent” of the political function of the social whole. In every case, we refer to a transition from the civil society to the political

²³ The point is not to deny these realities within the political system of modern societies, since it was in the environment of the latter that they were formed, matured, and exist, but to evaluate them as a phrase within the framework of the development of the anthropocentric cosmosystem. In others words, to show that they do not constitute axiomatic invariables within the span of history, and that consequently both the past and the future should be treated by political science in the context of an open and non-dogmatic horizon.

²⁴ The despotic (cosmo-)system produces, as we have seen, societies of subjects. But in contrast to its “private” version, a typical example of which is the medieval feudal society of Western Europe, the “state” despotism - with Asian despotism as its authentic model and the Papal Church and European absolutism as its Western variations - represents an important step towards culture and progress. A step, however, that can in no way be compared to the anthropocentric (cosmo-)system.

society²⁵, whose fundamental trait is the choice of political liberty instead of the simple political right. It is not necessary to indulge excessively in history to ascertain that the hypothesis of political society is affirmed by the integrated version of the polis, and coincides with democracy. It is, however, necessary to note that modern political science, while it seems to be unaware of the political category of non-power, cannot discern the political phenomenon as a dialectical procedure, other than the correlations of force and power. That is why it places a crucial phase of human history outside its field of research, and, more importantly, of the political function of society²⁶. Therefore, this fact does not constitute a simple hypothesis, as we stated from the start in order to facilitate our line of reasoning, but a major choice which is absolutely decisive for the investigation, and, of course, for the breadth of the political phenomenon.

3. The methodological dead end

The restricted, as well as distorting, horizon of modern political science becomes more apparent through its methodological choice to approach the political phenomenon synchronically and, by extension, to approach the diachrony in linear terms. This methodological approach presents at least three fundamental weaknesses:

²⁵ Political science seems to ignore the phenomenon of the “political society” as a self-inclusive typological category. As a simple historical reality, it remained in the domain of the discipline of history, while whenever political science refers to it, it does so in order to place it among the early forms of politics. This approach leaves unanswered, of course, the question that a traditional constitutional category of “anthropological” interest, i.e. the polis, provided the proper concept of the democratic principle, i.e. the political concept of the “political society,” which is regarded by the modern “more complex and developed” societies as both unfeasible and idealistic. This query has led modern thinkers to the formation of working hypotheses that attempt the unfeasible: identifying the concept of the “political society” with the state (Gramsci, etc.), they acknowledge the non-existence of the phenomenon in modern societies, and subsequently their limited political horizon, since the totality of politics (and, obviously, of political liberty) escapes them, being under the austere guardianship of the political power of the state. (Contogeorgis, 1995a: 98, 102 ; Contogeorgis, “Système de communication et système d’échange: la télévision” ; P.H. Claeys, A.P. Frogner (dir), *L’ échange politique*: 147). It is obvious that the tautological identification of the political society with the state presumes the dichotomy between society and politics, and the concentration of two typologically different and developmentally successive stages of the anthropocentric cosmosystem within the same political environment (Contogeorgis, 1997: 9).

²⁶ See the works mentioned in the previous note.

- (a) It functions in an evaluative manner, elevating the partial, in this instance the modern, to a value of general reference, capable of functioning as a measure for a spherical interpretation of the political phenomenon. Consequently, comparative politics as a methodological approach is acknowledged only within the modern cosmospace. The modern political paradigm is considered too “complex” to be compared and to draw conclusions from the historical precedent.
- (b) It regards social evolution as totally progressive, in the sense that every subsequent stage is classified at a much higher level than the previous one. From a typological point of view, we discern the pre-industrial or rural, the industrial and the technological age. But within the context of the pre-industrial age, feudalism is considered a more evolved stage in relation to the so-called slavery period of humanity, including the Greek polis system²⁷. And so forth.

²⁷ This typology and its methodological premise are basically adopted by both the Marxist and the liberal schools of thought. But it is now obvious that, for instance, the transition from relative anthropocentrism (e.g. the Greek-Roman West) to cosmosystemic despotism (the despotic Middle Ages of private feudalism) can in no way constitute an element of evaluation towards progress. More on this issue in Contogeorgis, 1990; Contogeorgis, 1996a. K. Marx himself in the prologue of his work, *Contribution to the Critique of Political Economy* (from the French edition by Editions Sociales, Paris, 1972, p. 4ff), accepting that “the manner of production of material life determines the process of social, political, and intellectual life in general...”, concludes, by virtually reiterating Kant and Hegel, that “the Asian, ancient, feudalistic, and the modern urban manner of production can be regarded as progressive periods in the economic formation of society. The bourgeois relationships of production constitute the last contradictory form in the process of the production of the social... So with this social formation the prehistory of human society is completed...”. Fr. Engels would basically confirm the Marxist concept of historical evolution by periods, specifying, on the basis of labor distribution, the following typological categories: a) the classless primitive society, b) the slave-owning society, c) the feudal society, d) the capitalistic society, e) the socialistic and communist society (see also his relevant views in the first chapter of his work, *The Origin of the Family, Private Property, and the State*). In the same direction the whole Marxist tradition, Lenin included of course (see in *State and Revolution*), is recorded. It must be said that the linear approach to evolution constitutes a universal acknowledgement, which besides Marxist seems to be simplified by the distinction between traditional or pre-industrial and industrial societies. In addition, see Tony Andréani, *De la société à l'histoire*, I-II, Paris, 1989.

- (c) Even when the formation of a spherical impression of the political phenomenon in its diachrony is attempted, the approach remains fundamentally correlative and encumbered with the ethnocentric argument. Besides, as we have seen, the historical typology of the political phenomenon is characterized in principle by the ethnic characteristics of the Power that forms the political domination within the cosmospace. The nature of the cosmospace, to which the relations of hegemony are surely also ascribed, passes unnoticed.

A different approach to diachrony, from the standpoint of political typology, introduces, in place of the default model - which is the modern world - the strict comparative analogy between the various historical paradigms. The evaluation of evolution in view of progress does not function in a self-evident way in favor of one or the other historical parameter. It presents as a principle the conceptual clarification of its criteria, with which the historical context will be cross-referenced. Indeed, the historical precedent teaches that evolution does not coincide by definition with progress. Progress as a human situation is defined in relation to the whole content of social life, i.e. to the dimensions of liberty and of prosperity in terms of justice. Although the present accumulation of prosperity cannot be compared to any historical precedent, the question of justice compels a serious cautiousness. The same goes for liberty. Nowadays liberty is highly limited, as an individual and partially social situation, while it is absolutely unknown as social and political autonomy. The modern anthropocentric reality is surely progress, compared to the feudalistic period which preceded it. But is it scientifically reliable to claim that feudalism (as a despotic cosmosystem) constitutes a higher stage than that of the polis (as an anthropocentric cosmosystem)? And, furthermore, to claim that the present anthropocentric development (as a civil society) is a higher stage than the anthropocentric development of the polis (in its integrated form as political society)? And in any case, can we ignore the fact that the modern world is just undergoing an early statocentric stage, where the principle of state sovereignty is still the main parameter?²⁸

²⁸ Indeed, "globalization" does not augur the transition from statocentrism to the following typological period, i.e. the ecumene, but an internal transformation of the statocentric structure of the cosmosystem, with the relative overstepping of the political sovereignty of the state as a reference point, especially anything concerning the communication environment and the economy. The state, from a vehicle of exclusive anthropocentric integration, and furthermore of political sovereignty, is gradually transformed into a fundamental but not single factor of the cosmosystem. In this context, the "de-nationalization" of the economy -

In order to substantiate its evaluative approach, modern political science invokes the quantitative argument. The small scale of the polis cannot be compared to the large scale of the modern territorial state. Although the territorial state does not constitute a modern discovery, one could accept the comparison to the extent that it was total, was presented in terms of analogy, and proposed as a common reference point the anthropocentric component of both paradigms. In this context, we conclude that the society of the polis had undertaken a clearly integrated evolutionary course, since within it the civil society became the political society and on its cosmosystemic level it left behind the statocentric legacy to evolve into a cosmopoliteian ecumene (Contogeorgis, 1975; Contogeorgis, 1996a)²⁹. On the contrary, I think it is generally accepted that the modern state-nation is still experiencing a simple primary form of civil society, with a strictly personalized and, of course, monarchical-type autonomy, i.e. sovereign political power. So its analogy, with which the comparison is feasible, is not, therefore, democracy, in this instance the democracy of the classical period, but the pre-democratic representative system of the polis (i.e. aesympneteia). Democracy presupposes the negation of the constitution of the political system on the basis of power, which would take place through the transition to the political society, i.e. the universal (social and political) autonomy of the citizen in the context of the polis. Thus, democracy pertains exclusively to the political society, while representative power constitutes a system of the civil society.

especially as market, as labour, and as capital - and at the same time its function on the basis of its own laws - takes place when inside the state the political questioning of its exclusive sovereignty is also taking place. But this questioning does not refute the fact that politics remains for the time being essentially "national." This explains why the state, which encapsulates the political process, has already come into a difficult position and along with it the society of the state. The defensive entrenchment of labor, even though it is influenced by the technological vicissitudes of our times, owes a lot to the growing imbalance between the economy and politics. This imbalance will seek - within the environment of statocentrism - to come to terms with the transition of politics from the state to society. But in the long run politics will follow in the footsteps of the economy, leading finally to the overstepping of the state, first with the deepening of a primary ideological or party patriotism, and then by its constitutional re-structuring at the level of the overall cosmosystem.

²⁹ The small or large scale of the fundamental social core is linked from the point of view of developmental typology to the communication system. The anthropocentric developmental course, before modern times, belonged to the small scale. The peculiarity of the modern anthropocentric period is that the communication requirements contributed to placing the large social scale on one analogous to the small scale developmental course.

These few above remarks make obvious that: first, the comparative method is not validated through its synchronic expression and the linear approach to historical evolution. It serves a particular system and at the same time it does not interpret, but cultivates the “image” of the model, as to the past, and of integration, as to the future. Second, the question of scale is not a quantitative one, as they attempt to oversimplify it, but a qualitative one. This means that, on the one hand, both the small as well as the large anthropocentric scale are subject to the evolutionary process, and, on the other hand, the comparative step between these two scales is feasible, provided that the condition of analogy is employed. The attempted reduction of the partial (i.e. the political system of the state-nation, at the present stage) to a total parameter, and its function as a model simply deflects our reasoning from the question, which is the structuring first of the total typological paradigm, and subsequently the recording of the particular cases in it.

The dynamics of the economic process constitute an indicative example, especially in relation to whatever has to do with its industrial version, which is regarded as the turning point of human history (Cochet, Henry, 1995)³⁰. Judging the economy of a country, such as the U.S.A., in quantitative terms, we conclude that there is no field of comparison with the past. Dealing, in turn, with this economy in relation to the consequences its dynamic has on the social process of this particular territorial entity, we ascertain that it hardly suffices to mobilize the basic parameters of a primary

³⁰ It is of particular importance for one to trace the reasoning of thinkers such as Karl Polanyi (Polanyi, Arensberg, Pearson, 1957; Polanyi, 1944), as they attempt to document the logic of modernity as to the distinction between the “pre-modern trade societies” and “market societies”. This distinction, correct in other respects, since the anthropocentric and the despotic societies, i.e. two different cosmosystems, are going to be compared, is based on the fundamental acknowledgement that the “market society” is inscribed to the acquisitions of modernity, which is completely distinguished from previous society. But as to whatever has to do with the Greek cosmosystem -from the statocentric to the late phase of the ecumene, during the 19th century- it faces a total inability to make a thorough interpretation of reality. This is the reason that it does not pose the question why this anthropocentric period elevated socio-economic and political categories of action and thinking that do not just presuppose an elementary “market society”, but a deep integration of its parameters, something the so-called modern societies seem to ignore totally. Indeed, the relative hesitation of Polanyi, for at least one period of the Greek world, followed the absolute certainty of modern sociologists as to the dividing line that exists between the modern and the Greek world. Moreover, since the Greek world is regarded as open to comparison only with parameters of the despotic cosmosystem, and from a specific point of view with primitive societies (See, for instance, Caillé, 1983; Caillé, 1982, Caillé, 1998; Latouche, “Le concept de marché. Sociétés marchandes et société de marché”)

civil society. It goes without saying that the ideological concepts of society (liberties, etc.) pertain to the stage of this civil society. If for a moment we go back to Athens of the 5th century BC, the question we are called upon to answer refers to the size of the economy required to produce the socio-political result of the political society. We will then ascertain that the elements of the communication system (the economy included), on the small scale of Athens, had to mobilize hypo-multiple energy, in order to produce dynamics with multiple effects, in comparison to the large scale at the social and political level³¹.

I sidestep the question concerning the communication system as a methodological category (Contorgeorgis, 1990; Contorgeorgis, 1996a), in order just to stay with the fundamental hypothesis that has led us, since 1972, to associate the proto-genetic evolution of the political system – and, by extension, the transition to democracy – with the changes that have taken place in the workplace. In the polis, democracy as a process of protogenesis concurs indeed with a series of new phenomena that lead to the integration of the political society. Among them is also that of the gradual “rejection” of dependent labor (Contorgeorgis, 1973; Contorgeorgis, 1975; Contorgeorgis, 1996b). The “rejection” of dependent labor constitutes a different conceptual component from “unemployment,” and is ideologically expressed by the concept of “scholē” (leisure). “Labor” during the classical period (Contorgeorgis, 1992; Westermann, 1945; Arendt, 1958)³² is defined in opposition not to “unemployment” but to “scholē”, i.e. it is “a-scholā.” The citizen of leisure is not the unemployed, or even the idle citizen, but the socially free citizen. To the extent, on the other hand, that the “kalos scholazein” (the ‘good living’ in terms of leisure) is also the precondition of

³¹ So judging in terms of the socio-political effect the economy of a vanguard – for the present data of the large social scale – country such as the U.S.A., we ascertain that it corresponds proportionally to the economy of the Athenian state of the 8th or possibly the 7th century BC. For example, a manufacturing enterprise of thousands of workers and with a proportionate accumulation of capital nowadays mobilizes, on the large scale, dynamics that it is doubtful whether they can be compared with a manufacturing enterprise of a hundred workers on the small scale.

³² See the previous note. Labor in the societies of the polis was treated differently throughout history. With the gradual emergence from the feudalistic society of subjects, anthropocentric liberty would be linked to land property, while free paid labor in the sectors of trade and manufacture would also be presented at the first stage as a life value. During this period, slavery holds a marginal position within the economic and social system of the polis. Afterwards, with the entrance into the early classical period, we have the gradual emergence of the “merchant slavery,” which would actually constitute the “human machine,” with which the citizen would be rejected by economic labor, and at the same time the concept of leisure would be cultivated.

political liberty or autonomy, it constitutes at the same time a condition of democracy. Thus leisure' is associated with the rejection of important aspects of economic labor - and basically aspects of dependent or paid labor, which is regarded as compulsion and slavery, regardless of its institutional immunity - and with the elevation of other forms of work,' such as politics, culture, etc (Contorgeorgis, 1975; Haarscher, Telo, 1997: 9, 209).

This transition became partially feasible, in the context of the state-centric system of the polis, thanks to the concurrence, as we have seen, of the "human machine". The transplantation of this paradigm into the system of the large anthropocentric scale leads us to the conclusion that the evolution of the present political system from the strict system of power to democracy - from the civil society to the political society - could be dealt with only under an analogous total transformation of the cosmosystem, an element of which would be the rejection of labor. The faint (re-) appearance of this phenomenon since the 1980s has already drawn the interest of social science, which, surprised, hastened to proclaim the 'end of work' (Rifkin, 1996; Handy, 1985; Méda, 1995). The characteristic feature of all these approaches to the 'end of work' is that they do not belong to a broader comparative perspective, nor do they basically issue from their economic environment (e.g. the problem continues to be treated as unemployment - i.e. on the basis of the working society - and, in any event, as if its social, ideological and political parameters, such as the new liberty, were absent) (Contorgeorgis, 1990; Contorgeorgis, 1996a; Contorgeorgis, 1997). For this reason they are linked to the argument about the "end of history" (Fukuyama, 1992; Contorgeorgis, 1997: 9, 209; Contorgeorgis, 1996b: 83)³³, and not to the transition of our time from the working society to the leisure society. But they correctly consent to the view that the modern reality in the world of labor is formed under the influence of the intelligent environment which technology has given birth to.

The delineation of the political phenomenon makes more compelling the total presentation of the world it concerns. The introduction of overall typological categories, for the approach to the universal structure and function of the world, sets the social and political parameters of the subgroups that constitute the world, and, obviously, their evolutionary

³³ Actually it is not the argument we question, but the starting point and the foundation of the premise. We are not dealing with the end of history, and in this instance that of evolution, which implies the completion of the socio-political legacy ushered in by the French Revolution, but with the beginning of the end of the power-centric phase of modern anthropocentrism. The passing of this world - of civil society - which Fukuyama and most modern intellectuals have undertaken to protect vis-à-vis evolution - causes exactly a diffused fear, if not an aversion that ultimately dictates the conservative demarcation of the historical process.

course, on a new basis. The concept of the cosmosystem precisely defines the universal and self-contained social environment, in the context of which the particular human societies are structured, function and evolve. At the same time, a cosmosystem is distinguished by a set of primary constitutional references (anthropocentric or despotic cosmosystem), a set of fundamental constant and variable parameters (economic, sociological, institutional, ideological, etc.), and finally a set of relations and dynamics that signal the course of evolution³⁴.

Modern political science brings to the focal point of its research the specific social paradigm that directly controls, in this instance, the fundamental political subsystem of the territorial state, while comparative analysis is limited to the apposition of simply similar, synchronically determined, social paradigms. The cosmosystemic whole is completely absent and along with it the broader typological categorizations. The political system of present-day France is compared to that of modern Germany, and so forth (*Revue Internationale de Politique Comparée*, 1994, 1997; Mény, 1975; Makridis, 1981). This view reflects the realities of the first anthropocentric period, in which the state is perceived as sovereign and self-sufficient, while the inter-state relationships make up the compulsory parameter of coexistence. Thus, however, the comparison is focused on certain secondary differentiations of morphological character, leaving the lines of large capacity or the successions of long duration out of the scope of research possibilities and the speculation of political science. We have already ascertained above that the study of the historical phenomenon or the reference to history is made in terms of morphological assimilation, and, in any event, within the context of a constant commitment to the pragmatological material from the linear argument.

The reduction of the social paradigm to a cosmosystemic category presents, as I have already implied, two fundamental typological dimensions of the cosmosystem. The despotic (with the typological expressions of the 'private' and 'state' feudalism or despotism)³⁵ and the anthropocentric one³⁶.

³⁴ For more, see the previous note. We must note that it is characteristic that our society tends towards the creation of a single anthropocentric cosmosystem on Earth, with a different, of course, embodiment for every country or geographical region. This also took place during the despotic period of human history. But since the birth of the Greek cosmosystem, humanity has experienced the co-existence of various types and stages of cosmosystemic organization, with despotism and anthropocentrism as the main ones.

³⁵ See also note 23.

³⁶ I call "Greek" the first historically known anthropocentric cosmosystem, because it was formed totally in the context of the Greek societies: the latter formed its typological structure and essentially constituted its primary core throughout its

The first and unique anthropocentric cosmosystem that can be traced historically is the Greek one, which was originally formed during Cretomycenaean times and crystallized in the late Mycenaean period³⁷.

historical course. However, the Greek cosmosystem expanded, especially during its ecumenical period, beyond the limits of Greek societies. During the statocentric phase of the polis, the Greek cosmosystem would include non-Greek societies (which would be developed according to the system of the polis) and indeed it would use as a “periphery” a very broad spectrum of the despotic surroundings. It is precisely this “periphery” that would later become the vital space in which the Greek or anthropocentric ecumene would be constituted in three successive periods, with the Macedonians, with the Romans, and, finally, with the Byzantines. This cosmosystemic constitution of Hellenism or, in other words, the identification of the anthropocentric cosmosystem with the Greek cultural legacy rather than with any racial reduction reflects the well-known phrase by Isokrates that Greeks are the participants in Greek education or, more precisely, in that of the Greek anthropocentric cosmosystem. (Contogeorgis, 1990; Contogeorgis, 1997; Contogeorgis, 1996a; Contogeorgis, 1995a). We must note that this approach to the Greek national identity has not been uniform throughout history. During the first statocentric stage, the nation is defined racially. Herodotus (H, 144) pinpoints its elements as being of the same blood, speaking the same language, sharing the same temples, the same sacrifices, the same mores. Isokrates, towards the end of the second statocentric period would note that “the name of the Greeks seems no longer to be significant of the race but of the way of thinking, so that a Greek is rather what we call the one that participates in our culture (paideia) rather than in our nature.” (*Panegyrikos*, Γ,50). Although this definition is more characteristic of the Greek cosmosystem of the late statocentric period, it does not seem to have been unanimous at the time. But along with the opposition between “us” and “the others,” the differentiation from the barbarians introduces fundamentally the constitutional structure of the cosmosystem (anthropocentric freedom, the “ethnic” nature of the political structure of the barbarian system, etc.) (Among them the tragic poets, Plato, Aristotle, etc.) Thucydides noted that although during the Mycenaean period the Greeks were recognized more from their racial or ‘politeian’ differentiation, as the unified identity reference had not yet become dominant, they did not find it difficult to undertake jointly tasks of major importance, such as the Trojan War. Indeed, he added that precisely because the name “Greeks” had not yet become generalized, the differentiation between “Greeks and barbarians” had not been introduced (A, 3-5). In every case, Thucydides was fully aware of the fact that the formation of the common ethnic reference of the Greeks is inherently linked to the gradual composition of the system of cities, and indeed to the development within this context of the fundamental parameters (monetary economy, social, political, and cultural individualism, etc.) that led it to the undoubted elevation of its anthropocentric nature (A, 3ff).

³⁷ See the previous note.

The cosmosystemic constitution of Hellenism regards the ethnocentric approach to Greek development as absolutely erroneous. Greek history is not at all the history of "Greece" or the history of one nation which is defined politically by the state, as the dealers of various ethnocentric "schools of thought" naively suppose, with the contradictory claim that the nation is a political creation of modern times, and indeed of the territorial state. The history of the Greek nation coincides in principle with the history of its cosmosystem. In the ethnocentric approach to Hellenism substantial links in its development are absent, while the 'periodology' of the Greek phenomenon, which is taught by history, remains purely morphological and focused on the "ethnotic" reference of central political power: the history of Hellenism until the 4th century BC is that of Greece, which is followed by the "Hellenistic," the "Roman," the "Byzantine," and the "Ottoman" period.

The reconciliation of Greek development with its cosmosystemic nature inevitably leads to a typology of Hellenism consistent with its cosmosystem. In this context we discern: (a) the statocentric period of the polis, and (b) the ecumenical or cosmopolitaeon period. Their order refers to two typologically distinct phases of the Greek anthropocentric cosmosystem. In this sense, the second period constitutes a typological section in relation to the first, as a transcendence and succession, but not as a cosmosystemic rift, as would have happened if the Greek vital space had reverted to the despotic cosmosystem.

The foundations of the Greek cosmosystem remain virtually unaltered during both of its periods: the monetary economy and the polis. The monetary economy as a system is the preeminently constant and fundamental parameter of the anthropocentric nature of Greek societies. The polis, as a constitutive political core of the statocentric type (the polis-state) initially, and of a cosmopolitaeon type (ecumene) afterwards, encapsulates the premise of the whole society. The principle of the polis, as a politically autonomous entity in the context of the ecumene, also more or less rules the central political system of the cosmopoliteia. The political system of the metropolis is projected in the whole of the political system of the cosmopolis. From this point of view, Byzantium is the most integrated expression of the ecumenical cosmopoliteia. The Ottoman Period traces the compromise between a conquering totalitarian state of an Asian type with the Greek ecumenical cosmosystem of the polis³⁸.

³⁸ The system of the autonomous polis under conditions of anthropocentrism, and consequently of the monetary economy, would not simply survive under Ottoman despotism, as it did before under the more onerous Roman one, until it had assimilated it. It would ultimately lead the Greek anthropocentric cosmosystem - and Hellenism - to a new age, which would cause, among other things, the gradual

The argument that the premise of the autonomous polis, as this was gradually formed from the Alexandrian Period, was the foundation and the political vehicle of the small-scale anthropocentric cosmosystem until the dawn of the 20th century, does not simply call upon social science to re-evaluate its views on Hellenism. It mainly presents a more general interest in the systematic approach of the socio-political evolution of the world, and more specifically in the understanding of the large-scale anthropocentric cosmosystem, which ultimately leads to the procedure of refuting cosmosystemic despotism and to the entrance of its societies - starting from Europe - into the sphere of the Greek anthropocentric cosmosystem³⁹. In this sense, the modern anthropocentric cosmosystem constitutes the third typological component of the overall anthropocentric cosmosystem, which followed the two previous typological categories of the Greek period. This third anthropocentric category, to the extent to which it is recorded as an expansion of the geographical limits of the anthropocentric environment but also as a transition from the small to the large scale, constitutes progress. But to the extent to which it begins, for reasons that are not

dissolution of the despotic aspects of Ottoman domination. These two components of the compromise that would occur after the Fall of the Byzantine Empire (Alois) would co-exist in a course of reversal that would finally lead to the Greek Revolution, which signalled an attempt at violent rejection of the despotic nature of central power, and of the restoration of the ecumenical cosmopoliteia. So the revolutionary or non-revolutionary resurgence of the 19th century did not in any way include the idea of a national state with a primary anthropocentric reference, such as the one with which the European societies of the period, which were just emerging from the despotic cosmosystem, were trying to build their new constitutional environment. The project of Regas Pheraiou is exemplary. It is worthwhile to note that the concept of "community" (koinotis) condenses the notion of the "common" (koinon), i.e. of the polis in the context of the ecumene. The cosmosystemic constitutional vehicle of the polis would totally retain its multi-systemic base until the end, and indeed the political systems of the statocentric period, in somewhat tautological terms. Indeed, the comparative similarity, for instance, between democracy during the 19th century AD and that of the Athenian regime of the 4th century BC presents an element of challenge, extremely interesting for the study of the political phenomenon and its evolution (Contogeorgis, 1995a).

³⁹ From this point of view, the inability of the European societies (newly entering the anthropocentric sphere) to face the realities of the "Greek" cosmosystem of the polis - which was dominant in the Greek vital space until the beginning of the 20th century, although they had in some way incorporated part of its legacy into their institutional arsenal, as they were coming out of the period of feudalistic despotism, and were in any case elevated through Greek literature - lends itself to a series of interesting hypotheses as to the nature, the evolutionary stage, the ideological foundations, and the perspectives of our age. (Contogeorgis, 1995a).

discussed here, from a zero socio-economic and political starting point, it constitutes regression. Regression, because the fundamental socio-political achievements of the Greek statocentric period (e.g. social liberty as “apophasis” [negation] of dependent labor, political liberty itself, and subsequently democracy) were lost, and so was its ecumenical dimension. Thus we understand why the social and political legacy of the polis could not be dealt with, and subsequently presented as a whole with a comparative reductive claim against the modern political reality of the state-nation. But also as a “local” autonomy it did not inspire the modern political project, not because it did not correlate with the new conditions, but simply because the ideological premise of modern societies was far different from the legacy of the mature Greek cosmosystem. This is why the identification of the polis with the local administration⁴⁰ was attempted.

The reference point of the new anthropocentric premise was from the beginning the constitution of the body of fundamental rights and liberties, which compose primary individuality: the elementary personal and social liberties, in which the institutionalization of the labor relations environment, the objectification of law and the conferring of justice (the “state” of law), the “social” welfare, political rights, etc., are also included (Rivero, 1980; Habermas, 1997)⁴¹. The liberties of political society, which introduce the entire refutation of dependent or paid labor, the ideology of leisure, and furthermore, political autonomy, continue to be an absolutely unknown field for modern societies. This remark has a paradigmatic meaning because, although it does not denote deterministically the direction of evolution in the field of the ethnocratic system, it does constitute an extremely interesting research challenge for self-understanding, which opens

⁴⁰ It is obvious that the system of the autonomous polis has nothing whatsoever to do with local ‘self-government.’ The latter constitutes a simple administrative aspect of the state, which wholly retains political sovereignty. Local ‘self-government’ is totally determined by the central political power of the state under a unified order throughout the state. The system of the “polis” is an inherent part of the overall political system. The polis determines in a dominant way its internal socio-political environment, holds an important part of exclusive authority, and at the same time functions in the context of the overall political system as a fundamental partner and a necessary vehicle for the integration of its policies (e.g. the fiscal system functions on the basis of the polis, and to a certain extent the same holds true for justice, production process, the market, etc.). Local ‘self-government’ is a phenomenon of a pre-democratic political system of anthropocentric reference. The system of the autonomous “polis” belongs to the politeia of political society, and subsequently to the post-statocentric ecumenical cosmopoliteia.

⁴¹ The liberties and rights that comprise the basic core of civil society.

a very broad field for comparative penetration in terms of analogy into the “sanctum” of the political phenomenon and its typology.

The acknowledgement of the different starting point from which Greek society entered the area of the large scale of the state-nation acquires special significance in this context, with broader dimensions. But it is also proved necessary in relation to whatever refers to the understanding of the Greek singularity nowadays. Ignorance of this singularity of the Greek society constituted the source of various distortions of the interpretation of the Greek paradigm, first of which is its classification in the “periphery” of the vanguard of modernity. It is precisely this that once likened it to the cases of the countries of Latin America, and sometime to those of the Mediterranean perimeter, which, in contrast to Greece, have not just recently exited from a simply authoritarian parenthesis, but entered, actually for the first time, into an anthropocentric political sphere⁴².

Moreover, these interpretative categorizations of the Greek paradigm do not explain why a society of the “periphery,” such as the Greek one, demonstrates the oldest representative/parliamentary system in terms of universal suffrage (Huard, 1996; David, 1996)⁴³, has the highest - to a multiple degree - indicator of direct political participation, really did not ever go through the phase of class, ideological or liberating political parties, did not experience at all a fascist type movement. At the same time, it did experience more intensely than anywhere else the domination of ‘party-tocracy,’ and certainly was from the beginning motivated by the (re)distributive social premise. These sample questions can be summarized in the following simple query: Can the theory of the ‘periphery’ or of ‘underdevelopment’ adequately explain the phenomenon of the political overdevelopment of the Greek society or certain aspects of the social process (e.g. the approaches to labor)? Can it answer why institutions and political practices, which the modern Greek political system has experienced from the beginning, are being introduced into the countries of the “modern” vanguard one or one and a half century later? How does it interpret the fact that precisely these institutions and practices were

⁴² The relevant bibliography follows totally in this direction. Indeed, the Marxist or “left” thought entirely undertook the theorizing of this interpretation, which, however, is a certainty for the whole of modern social science. A fact that, of course, does not omit the international bibliography (see, for instance, Schmitter, 1995).

⁴³ In 1832 Great Britain, which is regarded as the womb of the parliamentary system, just because the feudalistic order imposed a balanced structure of power on the monarch, acknowledged the right to vote only to 7% of the male population (Makridis, 1981), while none of the countries of the European vanguard introduced universal suffrage and subsequently the status of citizen until only the beginning of the 20th century.

evaluated by the scientific community - and besides this by the ruling strata of Greek society - as the chief disdaining characteristics that comprised and continue to comprise the Greek “lag”?

It is obvious that Greek social science attempted more to harmonize the modern Greek case with the modern rule than to interpret the phenomenon according to its evolution or its manifestations. This is easily explainable and to some extent understandable, to the extent to which the Greek scientific community, since the constitution of the modern Greek state, lost any autonomy of thought and was subjected to its aim - the convergence with the modern cosmosystem - the essential gnosiological and methodological condition for the interpretation of Greek society. Thus, not only will it undertake an ethnocentric adaptation of the pre-ethnocratic Greek evolution, but it will also perpetually refuse to attribute its distinctive features to the different origins, from which the European “rule” (from feudalistic despotism) and the Greek society (from small-scale universal anthropocentrism) entered the modern anthropocentric world (Contogeorgis, 1995a; Contogeorgis, 1998c). Thus, these distinctive features, apart from being regarded as the fundamental source of Greek misfortune, will not be developed as an alternative paradigm for the approach of the modern world and the formation of the scientific argument.

4. Conclusions

I leave these questions unanswered, since dealing with them goes beyond my intentions here, which focus on the search for a speculative context capable of contributing to political science, so that it will be liberated from the bondage of early anthropocentrism, and furthermore, from that of the established, dominating, and basically pre-democratic rule. However, I hold to the basic finding that modern political science, entrapped in this early anthropocentric paradigm, approaches its object in terms of aversion towards its nature. To the extent that it is self-determined in direct relation to the structural expression of politics in the environment of the system that gave birth to it, it appears simultaneously as its vindicator. This is a fundamental weakness that does not allow it to conceive the political phenomenon in its totality, to constitute overall categories and a suitably methodological arsenal, while at the same time restricts it to the service of political choices or ideological aims.

So, the problem of political science in relation to anything pertaining to the demarcation and the institutional development of its fields is fundamentally connected to a broader identity problem. Its confirmation as a science of the state-nation determined its object in relation not to the nature of the political phenomenon, but to its specific institutionalization in the context of this new political structure. Politics, as the state or, even, as

political power, regardless of the fact that it has started timidly introducing the perimeter of political dynamics into its interests - poses the question whether power or politics is inherent in society. Whether, in other words, the shaping of politics beyond or in opposition to power and the modern ethnocentric paradigm is feasible. The adoption of this hypothesis, which lies within the paradigm of the cosmosystem, means that political science can not only stand critically against the existing political system of the state-nation, but also to articulate a way to re-approach and re-demarcation of its object. In each case, the reformulation of the gnosiological and methodological arsenal of political science is of vital importance in the transition from its excusatory and restrictively legitimizing role in the context of the state-nation to the formation of another paradigm for politics, the political system and evolution.

The problem is posed with considerable pointedness in the Greek case, since the overall attachment of social science to the ethnocentric rule - which occurred with the collapse of its cosmosystemic environment - functioned prohibitively to every undertaking that would present the terms of a different approach to evolution. Here the Greek paradigm was called upon to pay the price of the default attachment of modernity to progress, and, furthermore, of treating the concept of "different" as a peripheral deviation, and of the historical past as simply traditional.

From the above it becomes obvious that the re-evaluation of the "object" of politics dramatically broadens the field of interest of political science, allows the constitution of more general interpretative categories, and places the modern period in the historical cosmospace in terms of comparative analogy. In other words, it sets the content of its gnosiological and methodological arsenal on new foundations. At the same time, political science is distanced from its direct experiential environment, becoming in time a critical advocate of political power as a sovereign and largely unique political phenomenon, and not just of its specific applications and of its policies.

In this sense, the established structure and the content of the studies of political science, the directions of political research - including the Greek paradigm - become oppressively limited, distorting, and surely inadequate in relation to anything pertaining to the development of an overall thinking about evolution, the question of the comparative placing of our era within the long historical span, and of course the perspective of the world, in view of its entrance into the third millennium. A period which according to all indicators will be marked in the long-term by the internal questioning of state sovereignty - with the transition from the civil society to the political society, from the principle of the minority to the premise of autonomy, from the political systems of power to democracy. And in

another sense, with the transformation of the statocentric structure of the world so that the principle of state sovereignty can leave in favor of a comprehensive linking of the cosmosystem with other fundamental factors, such as the economy.

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La petite musique de la construction européenne : pour une histoire culturelle des pratiques musicales communes et des festivals de musique.

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Les sciences humaines et sociales ont certes été sollicitées tardivement pour légitimer et renforcer un sentiment d'appartenance collective à l'Europe. L'Europe ne reposerait plus seulement sur la logique d'intérêts communs mais aussi, grâce à un certain volontarisme culturel, sur des références et des pratiques communes s'inscrivant progressivement dans le temps jusqu'au partage général espéré de valeurs et de modes de vie communs. On a déploré que l'Europe politique et économique n'ait pas abouti plus tôt à une Europe culturelle. Et l'on fait reposer sur l'insuffisance de la culture commune la responsabilité du non-respect des valeurs politiques démocratiques par l'ensemble des pays membres de l'Union Européenne. La culture est pensée alors selon un schéma normatif et diffusionniste, avec une irrigation de « bonnes pratiques » du centre vers la périphérie, tout en préservant une nécessaire diversité (« Unitate în diversitate » ...). Cette vision d'une Europe insuffisamment acculturée dans un système de référence commun doit être remise en cause. Avant de déplorer les limites de l'acculturation démocratique européenne, un véritable état des lieux de la réalité et des pratiques culturelles s'impose. Beaucoup de choses dépendent des marqueurs culturels que l'on choisit comme étant significatifs de réalités historiques allant dans le sens de l'unité ou de la diversité. Dès lors que l'on privilégie par exemple la langue ou la religion, on insiste sur ce qui a divisé. Si l'on choisit à l'inverse, de s'intéresser aux pratiques gastronomiques, aux danses ou à la musique, on se rend compte de la communauté effective qui dépasse les frontières (Francfort, 2011 : 215-238).

Même lorsque des compositeurs ont cherché à créer ou à recréer une culture nationale avec leur musique, ils ont œuvré, en commun, à la construction d'une culture européenne, voire plus large encore (Francfort,

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2004). Bien des œuvres musicales se caractérisent par leur genre et leur esthétique plus que par des traits « nationaux » : symphonies monumentales, rhapsodies, chœurs... Même lorsque des chants populaires paysans sont cités, une esthétique commune peut se dégager. Il y a eu, bien avant la logique du Traité de Rome, des moments où la musique réjouissait les cœurs, jusqu'à en faire oublier les questions de nations. C'est le moment qu'a fixé Stefan Zweig dans ses *Souvenirs d'un Européen*, intitulés *Le Monde d'hier*, lorsqu'il se rappelle qu'avant 1914 les Viennois, au Prater, aimaient la musique comme le bon vin. Peu importait alors que la fanfare soit autrichienne ou hongroise, pourvu qu'elle jouât de la bonne musique (Zweig, 2018 : 6898). Tentons de retrouver, alors qu'au moment où nous écrivons l'Europe et le monde sont affectés par une pandémie, dans la musique ce que nous partageons et qui peut nous aider à refonder une communauté où les valeurs démocratiques s'appuient sur des références et des émotions communes.

1. Des goûts musicaux non identitaires.

On peut être un Européen actif et convaincu, politique ou non, et aimer une musique qui ne peut pas être considérée simplement comme européenne, ni même comme l'expression identitaire d'une culture nationale intégrée à l'Europe. Ainsi Jacques Delors, avant même de commencer sa carrière professionnelle et son engagement syndical, était passionné par le sport et par le jazz. Il est resté un jazzophile fervent, avouant son admiration pour le saxophoniste ténor Sonny Rollins. Or il faut bien reconnaître que le jazz pratiqué en Europe relève en grande partie de la conjugaison des qualités musicales d'une musique à la fois populaire et savante marquant le XX^e siècle, d'une hégémonie états-unienne, si ce n'est d'un *soft power*, et d'un phénomène d'appropriation culturelle. Le concept d'appropriation culturelle pose aux historiens pas mal de problèmes. Il pouvait encore naguère désigner, avec une certaine sympathie, le désenclavement de cultures, ouvertes à d'autres influences, attentives à l'altérité, sans préjugés. Il désigne fréquemment aujourd'hui une forme de pillage post-colonial, une récupération dissymétrique de traits d'une culture dominée par une culture dominante. L'histoire du jazz a certainement connu des phases où l'apport fondamental des musiciens afro-américains n'a pas été justement reconnu. Des orchestres blancs se sont emparés de musiques noires. Le premier disque édité avec la mention de « jazz » a été enregistré en 1917 par l'Original Dixieland Jazz Band (O.D.J.B.). Il a fallu attendre les petits ensembles menés par Benny Goodman, dans les années 1930, pour que la ségrégation raciale soit abolie par les musiciens. Quand des musiciens européens ont choisi de devenir musiciens de jazz, c'est parce qu'ils ont trouvé dans cette musique à la fois des marqueurs de génération, une façon

de sortir de l'académisme et une forme de liberté à laquelle ils aspiraient. On ne peut d'ailleurs pas opposer radicalement un jazz américain qui serait le modèle et un jazz européen qui serait une copie.

Lorsque l'on demandait au violoniste de jazz Joe Venuti, s'il se sentait italien ou américain, il répondait qu'il était né sur le bateau. Une histoire du jazz européen, même sans chercher l'exhaustivité, met en évidence de nombreuses formes de construction d'identités complexes qui ne se dissolvent pas dans le « tout national ». Que ce jazz soit commercial ou « puriste », d'avant-garde ou traditionnel, peu importe, il mêle les aspirations et les inspirations des musiciens.

Le Royaume-Uni a pu apparaître comme la tête de pont de l'américanisation du continent. Les orchestres de danse mêlant jazz, tango et valse passent pour avoir élaboré une musique « douce », agréablement sautillante remise parfois au goût du jour comme signe d'une époque révolue, par exemple dans les films de Woody Allen, celle des Années folles et de la Crise. L'Orchestre de Jack Hylton reprend les standards américains et trouve un public international. On associe le jazz aux musiques haïes et interdites par les régimes dictatoriaux. Là encore, la réalité des pratiques ne correspond pas aux principes proclamés. Le cas extrême à étudier historiquement est celui du fascisme et du nazisme qui jouent sur l'affirmation étroitement identitaire et sur un rapport complexe à la tradition et à la modernité. Les régimes s'en prennent aux musiques « dégénérées » mais utilisent aussi leurs accents syncopés pour maintenir l'illusion d'une société sans contrainte. Certes, le pianiste et chanteur viennois qui a charmé les Berlinoises, Peter Igelhoff, finit par agacer les nazis qui, en 1942, l'envoient au front. Goebbels lance un orchestre de propagande jazzée en 1940 (Charlie and His Orchestra). Mais le jazz a été une forme de Résistance pour le guitariste juif allemand Coco Schumann. Le fascisme italien est, à cet égard, plus ambigu encore. Le trio Lescano, groupe vocal féminin, et l'orchestre de Pippo Barzizza, donnent au swing une telle visibilité dans l'espace sonore italien que même le fils du « Duce », Romano Mussolini, devenu pianiste, est un jazzman.

L'URSS stalinienne a laissé se développer, avant « la Grande Guerre Patriotique », une certaine forme de jazz lié aux autres musiques « dansables », avec des orchestres comme ceux de Leonid Outiossov et d'Alexandre Tsfasman, la reprise en main idéologique jdanovienne qui a suivi la Victoire de 1945 et la fin de la vie de Staline ont précarisé la situation des musiciens ouverts au jazz. Le « bandleader » tchèque Rudolf Antonín Dvorský est accusé de sympathies américaines et arrêté mais l'orchestre de Karel Vlach peut continuer à enregistrer, au début des années 1950, des réminiscences de Glenn Miller. Les musiciens de jazz qui vivent dans l'« autre » Europe de la Guerre froide, sous domination soviétique, mêlent

parfois à une très solide formation instrumentale classique, une connaissance de l'évolution du jazz américain et occidental grâce aux émissions captées sur la station Voice of America ou sur Radio Free Europe, émises à partir de Munich. Certains ont pu émigrer vers l'Ouest : le guitariste hongrois Gábor Szabó (1956), le pianiste est-allemand Joachim Kühn (1966)...

D'autres ont réussi à acclimater le jazz en exploitant les plus petits espaces de liberté compatibles avec les régimes du « socialisme réel », jusqu'à un certain point. Le pianiste et compositeur polonais Krzysztof (Trzcinski) Komeda profite de l'espace ouvert au jazz par l'inflexion prise par la Pologne en 1956 et l'ouverture de festivals (Sopot et Varsovie). Il est surtout connu grâce aux musiques qu'il compose pour les premiers films de Roman Polański. La chanteuse Vlasta Průchová, son mari musicien et cardiologue Jan Hamer Senior et leur fils Jan Hamer Junior, pianiste et claviériste, quittent la Tchécoslovaquie après l'invasion de 1968. Johnny Răducanu, musicien roumain d'origine rom, a reçu une formation classique de contrebassiste au conservatoire de Iași et de Cluj, avant de poursuivre au Conservatoire Ciprian Porumbescu de Bucarest et, orienté vers la musique de jazz, de jouer aussi du piano. Le pianiste János Kőrössi, né à Cluj dans une famille de langue hongroise, a cherché à créer un « jazz ethnique » intégrant des éléments des musiques populaires de Roumanie, y compris des thèmes repris dans les œuvres classiques de George Enescu, avec la première et fameuse *Rhapsodie roumaine*. Avant de s'exiler en Allemagne de l'Ouest puis aux Etats-Unis (1969) et de revenir en Roumanie après la chute du régime, Kőrössi a joué dans de les festivals de jazz du « bloc » des pays « socialistes » : Prague (1960), Varsovie (1961), Budapest (1962). La logique du festival international (et peut-être aussi des compétitions internationales) a été, en ce sens, pionnière dans l'émergence des sentiments européens. Il est significatif, à cet égard, que le Concours de l'Eurovision (1956) ait été créé avant le Traité de Rome (1957).

2. L'Europe musicale des festivals.

Le colloque « Pour une histoire des festivals, XIX^e - XXI^e siècle » qui s'est déroulé à Paris et Saint-Quentin-en -Yvelines les 24, 25 et 26 novembre 2011, dont les actes ont été publiés (Fléchet, Goetschel, Hidiroglou, Jacotot, Moine, Verlaine, 2013), a largement ouvert la voie à des recherches qui replacent bien l'histoire culturelle des pratiques musicales communes à l'Europe au cœur d'un phénomène historique à la fois ample et complexe. Des travaux plus spécifiques portent sur les festivals plus ou moins exclusivement musicaux (Négrier, Guérin, Bonet : 2013). Cette approche culturelle et sociale globale du phénomène des festivals permet de ne pas séparer arbitrairement ce qui relève des cultures « savantes » et ce qui

relève des cultures « populaires » ou des « cultures de masse ». En ne se limitant pas aux commémorations de la culture « labellisée », on découvre la réalité des pratiques communes et des goûts convergents. Nous l'avons vu, le premier Concours Eurovision de la Chanson (Eurovision Song Contest) eut lieu à Lugano le 27 mai 1956. Sept pays y participent et le modèle de la manifestation a été le Festival de San Remo qui est le temps fort de la chanson italienne depuis 1951. Les premiers festivals musicaux ont une indéniable dimension nationaliste. Le Festival de Bayreuth (Bayreuther Festspiele), fondé en 1876 par Richard Wagner, s'est vu affecté d'une valeur symbolique nationaliste par le régime nazi. Fernand Castelbon de Beauxhostes (1859-1934) a voulu créer un Bayreuth français dans les arènes de Béziers. De la même façon, pour le centenaire de la naissance de Verdi, en 1913, le ténor Giovanni Zenatello inaugure, dans les arènes de Vérone, un festival lyrique en plein air promis à un bel avenir. Dans les Pays baltes, les festivals de chant choral ont été des manifestations patriotiques contre la russification puis la soviétisation.

Si le festival est un cadre favorable à la construction d'une culture nationale, il peut l'être aussi pour la construction d'une certaine idée de l'Europe. L'usage des folklores et des musiques marquées comme nationales renvoie à une forme d'utopie, à ce que Georgina Boyes appelle « le village imaginé » (Boyes, 1993). Le temps du festival permet d'inventer des formes de sacralité, de sociabilité et d'enthousiasme qui peuvent être mises au service de projets politiques d'échelle différente.

L'enthousiasme patriotique exerce une puissance attractive susceptible de devenir un argument touristique, comme la série des concerts populaires des « Proms » mise en place par Henry Wood en 1895 au Royal Albert Hall de Londres. Le temps festif et patriotique attendu avec ferveur par les aficionados équipés de drapeaux et d'insignes est le moment où l'orchestre joue la première Marche en ré majeur de *Pomp and Circumstance* d'Edward Elgar. La salle entière chante alors *Land of Hope and Glory*, paroles d'Arthur Christopher Benson écrites en 1902 sur la musique d'Elgar qui avait été composée l'année précédente.

Autant que le contenu musical du festival, il faut tenir compte du phénomène social qui accompagne la manifestation et qui tend souvent vers l'internationalisation de la culture. Le festival de Bayreuth malgré l'antagonisme franco-allemand lié à la défaite de Sedan et à l'annexion de l'Alsace et de la Moselle a été un événement culturel et mondain de la Belle Époque dont la dimension internationale n'excluait pas la France. Pour les élites qui le fréquentaient, le voyage à Bayreuth se présentait selon Albert Lavignac qui a rédigé un véritable guide touristique wagnérien comme un pèlerinage : « On va à Bayreuth comme on veut, à pied, à cheval, en voiture, à bicyclette, en chemin de fer, et le vrai pèlerin devrait y aller à genoux. Mais

la voie la plus pratique, au moins pour les Français, c'est le chemin de fer ». Mais même s'il rassemble les élites européennes, le festival de Salzbourg, comme l'ont montré les travaux d'Amélie Charnay en particulier sa thèse de doctorat (Lavignac, 1897 : 1), reste un événement par lequel l'Autriche cherche à s'identifier au pays de la musique.

En fait les divisions qui s'opèrent au sein des publics reflètent des fragmentations sociales où le fait national ne tient pas toujours le rôle le plus important. Tout au long du XX^e siècle s'est constitué un public européen nomade en quête de festivals, ou plutôt plusieurs publics qui se différencient selon leur niveau de ressources, les classes d'âges mais aussi selon affinités musicales ou des questions de sensibilités politiques ou religieuses. Mais pourquoi aller ailleurs et attendre ce temps hors du temps du festival pour retrouver la musique que l'on aime ? Parce que ce qu'écrit Goethe (« Qui veut comprendre le poète doit aller dans le pays du poète »¹) et que Lavignac a repris en exergue de son livre sur Bayreuth reste au cœur de ce qui fait courir les publics festivaliers : une sorte de course à l'origine, au début de l'œuvre, aux avant-premières, aux créations, à l'origine. On n'est pas très loin, en définitive, de ce que disait Jean-Paul Sartre sur le jazz : « c'est comme les bananes, ça se consomme sur place ».

La passion du festival conduit à une recherche systématique de ce que l'ordinaire des saisons n'offre pas. Le mélomane est à l'affût de ce qui émerge, dans son domaine de prédilection. La confidentialité même d'une première édition est presque gage de succès pour les suivantes. Le festival est ainsi le lieu où se modèlent les contre-cultures. En août 1968, lors du premier festival de Wight, on a décompté 10 000 spectateurs, l'année suivante, ils étaient 200 000 puis, en août 1970, 600 000.

3. Espace d'authenticité, espace de liberté.

Dans le processus de création de festivals, les folklores ont joué une part importante. Mais la logique du festival a vite conduit à ne pas restreindre le cadre culturel de référence au local. Le folklore des festivals qui ont surgi après la Seconde Guerre mondiale n'est plus celui de musiciens comme Déodat de Séverac qui avait associé la recherche des musiques régionales à une volonté d'enracinement proche des idées de Maurice Barrès. Le plus ancien festival, en France, est depuis 1905, la manifestation annuelle de Concarneau, en Bretagne, « Les Filets Bleus » qui accompagnait le retour des pêcheurs en août. Cette manifestation est devenue un modèle. En 1957, un comité d'organisation de fêtes est créé en France, à Confolens, qui met en place un Festival du Folklore les Pays de l'Ouest. Dès 1959, le

¹ «Wer den Dichter will verstehen,/Muß in Dichters Lande gehen». Johann Wolfgang von Goethe, *West-östlicher Divan*. Stuttgart, 1819.

festival accueille des groupes de folklore d'Écosse, de Pologne ou de Suède. Avant la logique de la « world music » (Arom, Martin, 2006 : 155-178), les festivals de folklore ont contribué à internationaliser le goût musical. En 1970, a été créé un Conseil International des Organisation de Festivals de Folklore et d'Arts Traditionnels (CIOFF®) qui supervise des Folkloriades Mondiales annuelles. Dans cette logique et cette sensibilité, le festival de Confolens est devenu un Festival de « Danses et Musiques du Monde ».

L'intérêt pour une musique régionale ou locale est ainsi rattaché à une sensibilité internationale. Les régions où s'est définie une identité musicale celtique se fédèrent internationalement. Aux traditions reconnues des musiques irlandaises, galloises, écossaises ou bretonnes se sont ajoutées la Galice et les Asturies. Mais avec le Chili ou la Nouvelle Zélande, l'Europe n'est pas seule concernée. Le Festival de Lorient, né comme une compétition de *bagadoù* en 1971, s'est orienté vers une affirmation culturelle d'interceltisme, devenant Festival Interceltique de Lorient (FIL). Chaque année un pays celtique est à l'honneur : 2019 a été l'année de la Galice. Dans les Asturies, un « Festival Intercélticu » a lieu à Avilés depuis 1997. Un certain volontarisme a été nécessaire pour rappeler que le berceau de la civilisation celtique était sur le territoire tchèque. Depuis 2018, la petite ville tchèque de Nasavrky près de Pardubice devient capitale celtique avec le festival Lughnasad. Des groupes européens qui y créent ou y recréent une musique celtique mystique, dénationalisent cette tradition. Les chanteuses du groupe polonais Laboratorium Pieśni se réclament en même temps de traditions polyphoniques ukrainiennes, biélorusses, albanaises, bosniaques, polonaises géorgiennes ou scandinaves.

La fascination des esthétiques « brutes » de reconstitution n'a pas de frontières. Les festivals de musique celtique fleurissent un peu partout : Rock celtique à Nogent-sur-Seine, Celtica en Gévaudan à Saugues, Celt'in Lor en Lorraine à Frouard et Pompey, Celtic Festival en Normandie... Bref, on a beau proclamer une musique expressive d'identités locales, régionales ou nationales, la réalité des pratiques musicales renvoie à des réalités transnationales.

4. Le chant de l'exil.

Parmi les festivals musicaux de grande ampleur qui ont marqué l'histoire culturelle du XX^e siècle, certains sont liés à l'histoire des exils et des migrations et parfois de rencontres plus occasionnelles. En 1950, le violoncelliste Pau (Pablo) Casals, réfugié, crée dans la petite ville de Prades, près de la frontière espagnole, un festival de musique, invitant de prestigieux interprètes comme Isaac Stern ou Rudolf Serkin. Fuyant l'Allemagne nazie, Fritz Busch a fait, dans les années 1930, du Festival de Glyndebourne un refuge au service du maintien d'une tradition musicale menacée dans son

pays. En 1963, sans rompre avec l'URSS, le pianiste Sviatoslav Richter découvre la grange de Meslay, à quelques kilomètres au nord de Tours, et y crée un festival en 1964, les « Fêtes musicales de Touraine ». Richter a également trouvé au Festival d'Aldeburgh (Suffolk) des moments musicaux et amicaux forts en compagnie de l'instigateur de la manifestation, le compositeur Benjamin Britten.

Il serait impossible d'ignorer, dans l'histoire culturelle de l'Europe, la place des artistes réfugiés et émigrés. Ce n'est en aucun cas contradictoire avec leur rôle dans la construction de cultures nationales. Lorsque Pascal Ory m'a confié des notices biographiques sur les compositeurs classiques de musique étrangers ayant contribué à « faire la France » (Ory, 2013), j'ai été impressionné par l'ampleur du phénomène. Depuis Lully, Florentin maître de musique à la Cour de Louis XIV, à Cherubini, musicien officiel qui a servi successivement plusieurs régimes, ou à des compositeurs plus contemporains Xenakis, né à Brăila, ou Marius Constant, né à Bucarest. Face à une telle ampleur de données, j'ai pensé renoncer à évoquer des compositeurs qui ont eu une fonction iconique dans leur pays d'origine. Chopin m'apparaissait ainsi comme un compositeur polonais au moins autant que comme un compositeur « qui a fait la France ». Des collègues ont insisté pour qu'il figure dans le dictionnaire. La question pourrait tout aussi légitimement se poser pour George Enescu. La question de l'assignation d'une stricte identité nationale à un musicien empêche souvent de comprendre les mécanismes complexes d'une appropriation universelle.

Le rapport qu'entretiennent les musiciens exilés avec leur pays d'origine est d'ailleurs variable et parfois fluctuant. Le chef tchèque Rafael Kubelik qui avait juré ne pas revenir tant que durerait le régime communiste a pu célébrer la Révolution de Velours et revenir à Prague diriger le cycle *Ma Patrie* de Smetana et, en particulier la *Vltava* (« la Moldau »), en présence du président Vaclav Havel. D'autres sont morts en exil, sans espoir de rentrer dans un pays devenu démocratique. Certains sont parvenus à jouer ou à diriger lors de concerts exceptionnels ou de tournées dans leur pays d'origine, sans vouloir cautionner le régime ni exprimer une volonté de retourner définitivement dans leur pays. On peut songer aux concerts de Stravinsky à Moscou en 1962 ou à la joyeuse direction de la *Première Rhapsodie roumaine* d'Enescu par Sergiu Celibidache à Bucarest en 1978.

5. Sociabilité musicale et Guerre froide

On a tellement employé l'idée qu'un courant musical pouvait avoir ses fans que l'on a oublié que le terme désignait à l'origine un rapport fanatique, exclusif, à un certain type de musique. Les fans ne tolèrent qu'un style de musique et font de ce goût une addiction qui définit un groupe social qui a ses marqueurs, ses signes de reconnaissance, ses références

communes. L'Époque moderne a vu s'affronter les Anciens et les Modernes. En France, il y a eu la Querelle des Bouffons (opposants les admirateurs de Gluck et de Rameau), la Bataille d'Hernani (1830) où se sont affrontés classiques et romantiques. La mondialisation précoce de la musique qui date, au moins, du gramophone et du marché international du disque au début du XX^e siècle a donné à ces clivages une dimension transnationale. Les festivals de musique ont mis en évidence cette construction de clivages et de communautés mélomanes. Le conflit entre brahmsiens et wagnériens, d'abord interne à la communauté mélomane allemande, a pu s'exporter. Les communautés mélomanes transnationales se retrouvent lors des festivals. Les phénomènes sociologiques de distinction décrits par Pierre Bourdieu ne suffisent pas à rendre compte de la constitution de groupes fermés d'amateurs exclusifs d'un genre musical. La diversification en genres, sous-genres et styles dans le champ culturel du rock est infinie. Des festivals de hard rock déclinent la multiplicité des appellations : Folk Metal, Death Metal, Post-Hardcore-Metal, Symphonic Black Metal. Le festival Alpen Flair dans le Südtirol (Haut-Adige) ou celui d'Hammerfest au Royaume-Uni rassemblent les « métalleux » de tous les pays.

Les festivals de jazz ont largement contribué à construire l'Europe. Comme Jacques Delors, ils sont pionniers dans cette perspective. Ils sont devenus dans tous les pays un phénomène massif. Le Festival de Jazz d'Antibes-Juan les Pins, pour sa première édition, en 1960, adopte le nom de Festival Européen du Jazz et annonce rassembler 250 musiciens de 15 pays différents. L'Europe existe bien s'il existe un jazz européen avec des musiciens comme le tromboniste Albert Mangelsdorf. Les festivals de Montreux et de La Haye disposent de moyens suffisants pour inviter de nombreux musiciens américains dont le passage reste mémorable (Bill Evans à Montreux).

Dans le contexte de la Guerre froide, les festivals ont été des moments d'exception, échappant à la logique de l'affrontement des blocs, de façon plus ou moins explicite et durable sans échapper parfois à l'instrumentalisation par les régimes en place. Les pays neutres (la Suisse, la Finlande et l'Autriche) sont aussi des terrains de rencontres privilégiés. Le Festival de Pori en Finlande existe depuis 1966 et se singularise par la large proportion de concerts gratuits. Dans les régimes dictatoriaux d'Europe du Sud, les festivals de jazz sont une occasion de sortir de l'enfermement culturel rétrograde : le Festival de Saint-Sébastien est créé en 1966 dans l'Espagne franquiste, au Festival de Cascais, le Portugal des dernières années du régime mis en place par Salazar découvre les musiques les plus audacieuses de Miles Davis, Thelonious Monk ou Ornette Coleman.

Dans les pays de bloc soviétique, la situation n'est pas monolithique. La station balnéaire polonaise de Sopot devient un symbole de

l'infléchissement politique de 1956 en accueillant un festival de jazz (avec Krzysztof Komeda). Le Jazz Jamboree de Varsovie prend le relais en 1958.

En Turquie, ce sont des institutions de sensibilité européenne avec la Fondation d'Izmir pour la culture, les arts et d'éducation (İzmir Kültür Sanat ve Eğitim Vakfı, İKSEV), qui ont mis en place, dans cette ville, avec le soutien de quelques consulats, un festival faisant explicitement référence à l'Europe (İzmir Avrupa Caz Festivali) en 1994.

Le morcellement des pratiques musicales et des goûts est tel que se développent parallèlement des rencontres musicales de portée internationale avec peu de contacts entre elles. Mais l'internationalisation des références est bien à l'œuvre. Dans le domaine de la musique contemporaine, les journées musicales de Donaueschingen ont connu un développement à long terme significatif. Ce « festival » d'avant-garde commence en 1921 comme une manifestation essentiellement dédiée aux compositeurs allemands et autrichiens (Alban Berg, Anton Webern, Paul Hindemith, Hanns Eisler, Kurt Weil, Arnold Schoenberg) avec quelques ouvertures à l'extérieur (Alois Hába, Igor Stravinski, Darius Milhaud) et devient, après l'interruption provoquée par le nazisme, résolument internationale avec Pierre Boulez, Olivier Messiaen, John Cage, Iannis Xenakis, Luciano Berio, Luigi Nono ou Krzysztof Penderecki.

Les festivals de musique contemporaine savante mettent plus ou moins de temps à affirmer leur ouverture internationale. Le Festival d'Automne de Varsovie (Warszawska Jesień) depuis 1956 commence par chercher à faire connaître les jeunes compositeurs polonais alors que la Biennale Musicale de Zagreb (Muzički biennale Zagreb, MBZ) s'ouvre dès sa fondation en 1961 à toutes les avant-gardes musicales de Bruno Maderna à Stravinsky en passant par Mauricio Kagel ou John Cage. Dans les années 1960, ce sont les mêmes compositeurs qui se retrouvent et parfois s'opposent d'un festival à l'autre : à Royan ou à Darmstadt.

Toutes les modes, tous les courants musicaux savants ou populaires se sont ainsi structurés, particulièrement en Europe, autour de festivals internationaux, liés souvent aux grands mouvements de migrations touristiques. Les festivals se situent dans une nébuleuse des genres musicaux et tendent à légitimer des démarches musicales nouvelles, paradoxales en quête de reconnaissance. Certes, les fans de *metal*, de *dance* ou d'*electro* ne se positionnent pas socialement de façon équivalente aux wagnériens ou amateurs de musique ancienne. Mais l'histoire de la musique européenne mêle étroitement esthétique, sociabilité et politique. La création par Robert Dewitte, en 1964, du MAfestival de Bruges (festival de musique ancienne) est aussi un moment d'affirmation d'une vie culturelle spécifiquement flamande. L'Europe musicale est aussi une Europe des nations et des minorités en quête de reconnaissance. À Bruges, le célèbre gambiste Jordi

Savall représente une culture catalane ouverte aux dialogues. Dans le Tyrol autrichien, les semaines de musique ancienne qui ont lieu à Innsbruck depuis 1976 (Innsbrucker Festwochen der Alten Musik) réunissent des musiciens qui reconstituent de façon éphémère un domaine habsbourgeois « large » qui correspond à l'Empire de Charles-Quint (le Catalan Jordi Savall, l'Autrichien Nikolaus Harnoncourt). Un domaine de prédilection des musiques anciennes se dessine.

Mais il est clair que la musique et les genres musicaux ne sont pas seuls en cause : les festivaliers cherchent un cadre, des formes de sociabilité, plus ou moins paisibles et unanimes ou transgressives. Le contexte de la Guerre froide et l'effondrement du bloc soviétique ont créé des conditions historiques de perception de la musique marquées par une chronologie politique omniprésente. Ainsi le souvenir de Bach est un enjeu politique entre les deux républiques allemandes rivales séparées par la Guerre froide (Veit, 2001 : 239-257). La présence de Dimitri Chostakovitch, le 28 juillet 1950, à un concert dédié à Bach au Kongreßhalle de Leipzig contribue à faire de la ville une capitale musicale à l'échelle européenne. La compétition oppose à Leipzig (ville à laquelle le célèbre Kantor était attaché) une manifestation prestigieuse, en Franconie, les Bachwoche à Ansbach, où ont joué Yehudi Menuhin, Gidon Kremer ou Karl Richter. Le festival de musique de Prague a un nom qui suffit à évoquer l'histoire des pays tchèques : le Printemps de Prague (Pražské jaro). Il commence tous les ans, depuis 1946, le 12 mai (date anniversaire de la mort de Bedřich Smetana). Les plus prestigieux musiciens européens et américains, tels que Karel Ančerl, Leonard Bernstein, Evgeni Mravinski ou Charles Münch, y ont participé. Il commence rituellement depuis 1952 par le poème symphonique *Ma Patrie* de Bedřich Smetana et s'achève avec la *Neuvième Symphonie* de Beethoven. Il est symbolisé, dans le paysage pragois par un monumental métronome, situé exactement à l'emplacement où avait été érigée une imposante statue de Staline, une des dernières implantées en Europe. Lors de l'ouverture du Festival de 1990, Rafael Kubelik, de retour dans sa ville après des années d'exil, a joué en présence du président Havel le poème symphonique de Smetana.

La fin de la Guerre froide, la chute du mur, l'effondrement des pouvoirs communistes ont pu avoir des effets paradoxaux sur les festivals musicaux centre- et est-européens. Le festival Berlin Atonal, dédié aux musiques électroniques, a été mis en place en 1982 dans le quartier « bohème », marginal et contestataire de Berlin-Ouest de Kreuzberg. Il a cessé de fonctionner en 1990 jusqu'en 2013, date à laquelle il a été reconstitué à la fois à Kreuzberg et dans les anciennes zones de Berlin-Est du quartier de Mitte.

6. Festivals et concours

La logique de Guerre froide a donné aux concours musicaux un relief particulier, un peu comme les Jeux Olympiques, entre les Blocs mais aussi à l'intérieur des systèmes d'alliance, lorsque les jeunes gymnastes roumaines ont pu battre leurs homologues soviétiques. Mais la logique du concours dans les relations internationales a mis en évidence ses enjeux diplomatiques dès le Concours musical international Reine Elisabeth de Belgique où, en 1938, les prestigieux interprètes soviétiques alors encore peu connus David Oistrakh et Emil Gilels ont triomphé. Le Bloc soviétique a repris des concours mis en place avant la Seconde Guerre mondiale, comme le concours Frédéric-Chopin de Varsovie qui a lieu tous les cinq ans depuis 1927. Les dissensions politiques provoquent crises et perplexité. Des attitudes peu conventionnelles, des façons de jouer et de se comporter jugées peu convenables, des artistes sous-estimés par des jurys à majorité académiques et conservateurs provoquent des esclandres et les protestations de membres du jury plus ouverts. Lors de la dixième édition du Concours Chopin, en 1980, le jeune pianiste yougoslave Ivo Pogorelich privé d'une légitime victoire a été défendu par Marta Argeritch et Paul Badura-Skoda. La question a été plus directement politique lorsque dans le concours Tchaïkovski, à Moscou, le jury désarçonné demanda à Nikita Khrouchtchev l'autorisation de décerner, en 1958, un premier prix au pianiste américain Van Cliburn.

Nous l'avons vu, le Concours de Chant de l'Eurovision a précédé le Traité de Rome mais les sept premiers participants, membres de l'Union européenne de radio-télévision, l'UER, ne représentaient pas l'Europe centrale et orientale. L'URSS avait mis en place, en 1960, une organisation rivale : Intervision (Интервидение, Interwizja). Cette organisation a repris à son compte de 1977 à 1980 le Festival de chant de Sopot, qui avait été créé en 1961 par le pianiste Władysław Szpilman, pour le transformer en un équivalent du Concours de l'Eurovision. Les lauréats et les invités les plus prestigieux représentent un style de « variété internationale » qui n'exclut pas les échanges entre Est et Ouest. Karel Gott peut chanter dans les concours internationaux en allemand ou en tchèque, le chanteur azerbaïdjanais soviétique Muslim Magomayev montre des talents de crooner à l'américaine. L'ouverture culturelle aux musiques populaires occidentales s'est très tôt imposée comme un espace relativement préservé de liberté dans le catalogue du label roumain Electrecord et pendant les quelques années au Festival du Cerf d'Or (Cerbul de Aur) à Braşov lors des premières éditions de 1968 à 1971. Il a dû s'interrompre en 1971 car le régime le considérait comme dangereusement ouvert à l'étranger. Il a fallu attendre 1992 pour qu'il reprenne non sans mal et sans une interruption de plusieurs années après 2010. Lors de la première édition en 1968, les pays socialistes et les pays

occidentaux envoient des chanteurs populaires : Margarita Pasiaru et Dan Spataru représentent la Roumanie, Ursula Szypinska la Pologne, Kati Kovács la Hongrie, Guy Mardel la France. L'Allemagne fédérale avec Roy Black obtient un prix spécial du jury en 1969. L'ouverture aux musiques occidentales à la mode se traduit aussi par une série de concerts de stars anglaises et américaines à Bucarest.

L'Europe musicale, dès avant le processus d'élargissement institutionnel rendu possible par la fin de la domination soviétique, n'est pas un serpent de mer. Elle existe bien mais ne se manifeste pas nécessairement dans la mise en évidence d'un fond patrimonial commun qui comprend des chefs d'œuvres majeurs comme les symphonies de Beethoven, ni dans la somme des productions musicales reflétant la diversité culturelle ni non plus dans un panthéon musical de grandes figures de « musiciens nationaux ». Elle existe dans les pratiques, les rencontres, les échanges. Il ne s'agit pas de proclamer mais de faire un travail quotidien, souvent discret, d'écoute mutuelle, d'échanges. L'aire dans laquelle ces pratiques musicales font encore actuellement l'Europe n'est pas strictement établie et compartimentée. L'Amérique continue à jouer un rôle avec le jazz ou les musiques de films, les musiques africaines et asiatiques sont présentes dans ces allers-retours qui ne se réduisent pas à des formes d'appropriation dissymétriques qui serait la poursuite du pillage colonial. Les musiciens roms ont parfois modifié leur musique en écoutant la musique indienne qu'ils pouvaient capter avec des satellites de télévision. Les chercheurs européens ont la responsabilité de mettre en évidence ces phénomènes d'échanges et d'enrichissements permanents qui ne nient pas les cultures nationales mais ne réduisent pas la musique ou les autres formes de culture à un repli sur du « tout-national ». Rompant avec son wagnérisme, Nietzsche parlait de « méditerranéiser » la musique. Si l'on veut « européaniser » la musique et étudier, comme historiens, politistes ou sociologues, les phénomènes sociaux et politiques qui lui sont associés, nous devons cesser de privilégier les proclamations, la valorisation d'un patrimoine figé mais nous intéresser à ce qui continue à enrichir ce patrimoine et aux pratiques musicales vivantes.

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A nouveau l'Europe à travers les intellectuels espagnols au le premier tiers du vingtième siècle

*Mercedes Samaniego BONEU**

Le titre de notre contribution en hommage sincère au Prof. Horga, *À nouveau l'Europe à travers les intellectuels espagnols au le premier tiers du vingtième siècle*, nous envoie aux moments d'une importance singulière pour notre histoire.

Les coordonnées de notre étude doivent se situer dans un contexte historique séculier alors que l'Europe était le fondement d'une bonne partie de notre entité nationale.

Dans des situations comme celles que nous traversons dans les derniers jours de 2020 et soixante-dix ans après la naissance de la Communauté primitive, l'Europe, unité de 27 pays nous occupe non seulement comme notre lieu de coexistence mais nous inquiète aussi face à un avenir peu délimité et avec des attentes différentes de cet européanisme qui se nourrissait surtout de réflexions sur un futur plein d'enthousiasme. Un européanisme nuancé d'accents différents traversés par des Manifestes afin de discerner la véritable essence de l'Espagne de l'époque.

Dans un sujet comme celui qui nous concerne, l'apparition de la figure de l'intellectuel doit être envisagée, compte tenu de sa signification au début du XXe siècle, qui en Espagne a eu sa représentation maximale avec la génération du 14 jusqu'à la fin de la guerre civile. Cependant, l'année 1898 apparaît comme une date déjà consacrée en Europe comme l'initiation d'un monde dans lequel à travers tant de transformations l'image de l'intellectuel est respectée.

Par rapport à notre pays les racines de l'europhisme doivent être recherchées dans le temps comme une constante qui a montré des profils violents dans les étapes guerrières ou pacifistes des périodes de rapprochement de négociation, entretenant de la part de l'Espagne le désir d'une plus grande compréhension, une fois l'Empire perdu son prestige,

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même si nous considéraient comme le pays qui avait eu des aspirations excessives (Arroyo Ilera, 1990: 15).

C'est ainsi qu'il a été difficile de dépasser ce qu'on a appelé le stéréotype idéologique qu'ils nous attribuaient et que nous avons réussi à adoucir grâce à un développement matériel et une impulsion de croissance qui nous ont sortis du retard que nous traînions (Arroyo Ilera, 1990: 22).

Cependant à l'aube du XXe siècle, la date mythique mentionnée du 98 est un véritable choc national. Comme l'a écrit le professeur Jesús Pabón après cette défaite: «Les Espagnols vivent autour du désastre. La date de la grande faillite l'a amené à se poser un problème essentiel: l'Espagne».

Dans le premier tiers du XXe siècle, un siècle qui a été caractérisé par la dureté des grandes guerres et de leurs conséquences, une forte posture d'«introspection» a émergé qui considère l'européanisme comme un remède privilégié aux maux de la patrie tout en essayant de pour ne pas perdre l'authenticité hispanique, l'essentialité espagnole. Ainsi, les écrits des intellectuels de l'époque sont pleins d'allusions constantes à l'Europe, même lorsqu'elle est de points de vue complémentaires et personnalisés mais toujours comme référence obligatoire.

À cet égard, il faut nommer certains de ces représentants principaux de l'intelligentsia, soit en tant que chefs de leur groupe spécifique, soit en tant que partie des différentes courantes espagnoles qui suggéraient des formules pour le rétablissement national à travers les valeurs d'héritage reçu ou de nouvelles impulsions de dehors.

Tel était le moment du soi-disant mouvement de régénération. Il n'est pas surprenant que le résultat de la défaite de Cuba face aux États-Unis ait abouti à des décisions très médiatisées parmi des personnalités qualifiées de l'Espagne de l'époque. Il arriva ainsi que les régénérationnistes espagnols de la fin du XIXe et du début du XXe siècle se sont rendu compte du déclin du pays et cherchent d'effacer le pessimisme national par des formulations de développement qui placèrent l'Espagne au même niveau que les autres pays voisins.

Dolores Gómez Molleda a envisagé le centenaire de 1898 en tant que les libéraux du XIXe siècle ont créé les bases d'un réformisme social qui avaient évolués dans les dernières décennies du XIXe siècle avec des critiques politiques d'origines diverses, fusionnées avec un intérêt pour l'éducation dans un contexte idéologique qui caractérisait les régénérationnistes.

D'Aragon, Joaquín Costa a dirigé ce mouvement «factuel» qui surgit au même temps avec l'impulsion de certains des représentants les plus distingués de cette étape. Avec Costa, nombre des intellectuels très doués de l'époque - Ortega, Azaña ou Maeztu ont compris les problèmes de

l'Espagne. Ils n'ont pas hésité à poser comme objectif prioritaire bien connu la «condamnation du passé espagnol, l'identification de l'Europe comme un BAUME pour les blessures du pays et l'extrême hostilité à la Restauration et à son idéologie libérale».

D'Aragon, Joaquín Costa a mené ce mouvement «factuel» qui surgit à l'unisson avec l'impulsion de certains des hommes les plus illustres de cette étape. Avec Costa, nombre des intellectuels les plus doués de l'époque - Ortega, Azaña ou Maeztu - ont mis en lumière les problèmes de l'Espagne. Ils n'ont pas hésité à poser comme objectif prioritaire bien connu la «condamnation du passé espagnol, l'identification de l'Europe comme un baume pour les blessures du pays et l'extrême hostilité à la Restauration et à son idéologie libérale».

Bien au début, Ángel Ganivet, intellectuel tout aussi européen, admirateur des pays d'Europe du Nord dans lesquels il a vécu et connu profondément, a montré un esprit considéré comme «contradictoire, arbitraire et déconcertant». Il recherche la «l'essor de la patrie» dans un mélange d'aspirations européennes et de racines du passé hispanique au milieu de la gratitude «de tous ceux qui pariaient pour l'européanisation de l'Espagne». Ses idées espagnoles influenceront dans la transformation du pays. Son éducation intellectuelle n'était pas seulement utile à l'Espagne, mais aussi à la culture universelle, comme on le reconnaissait à l'époque.

Dans cet ordre de choses, il est obligé de souligner la présence de 'un de nos intellectuels les plus universels, Miguel de Unamuno, caractérisé par son désir «d'espagnoliser l'Europe», qui peu avant l'an 98 a écrit dans son ouvrage *En torno al casticismo*: «[...] el L'avenir de la société espagnole attant au sein de notre société historique, dans l'intra-histoire, chez le peuple inconnue et il ne sortira puissant que lorsque les coups de vent européen le secouer pour le réveiller».

Il fallait, donc, s'ouvrir à l'Européen pour «l'espagnoliser», c'est-à-dire «digérer dans notre esprit le maximum d'esprit européen» même lorsqu'il semble avouer une certaine indefinición sur l'esprit europeenn qui préciserait après 1914 peut-être en reconnaissant les postulats que l'Europe propose comme représentante de la liberté, de la raison et de la justice.

De son cote, José Ortega y Gasset a voulu parvenir à la «solution de l'Espagne en tant que prototype de la génération espagnole du 14. Il proposait également «l'européanisation» comme terme caracterisant «le problème de l'Espagne». Cette étape d'Ortega coïncide avec la guerre européenne, époque à laquelle bon nombre d'intellectuels espagnols se consacrent à la régénération du pays à travers l'engagement gouvernemental. Ce sont les intellectuels-politiciens qui favoriseront l'arrivée de la Seconde République.

Ortega, cherche à "constituer une communauté de coexistence espagnole et européenne qui prend en compte toutes les différenciations possibles, la pluralité la plus large de la réalité, toute la signification historique, culturelle, linguistique de la société espagnole et de la société européenne" (Beneyto, 1999: 14-15).

Un autre représentant de l'européanisme était Salvador de Madariaga. Il faut se rappeler comment, dans l'entre-deux-guerres, nombre de nos intellectuels ont été engagés aux tendances unitaires européennes qui recherchaient avant tout la paix après la grande guerre du 14. Parmi eux Madariaga représentant espagnol dans la Société des nations.

Salvador de Madariaga était sans doute l'Espagnol le plus pro-européen de son temps par sa formation, par son choix, par sa longue vie en Europe. Un homme de la génération du 14, il avait une relation étroite avec Ortega y Gasset et comme lui a essayé de rapprocher l'Espagne de l'Europe. Telle était sa perception de l'histoire européenne qu'il peut être placé parmi les premiers défenseurs intellectuels de notre continent.

En ce qui concerne la Société des Nations, il faut tenir compte de la présence de plusieurs intellectuels espagnols: Unamuno, Menéndez Pidal, Bartolomé Cossío, Marañón, Américo Castro, Azaña, Zulueta, Pérez de Ayala ..., auteurs de la publication de un Manifeste dans lequel ils ont invité à faire partie d'une Union Démocratique que Manuel Azaña organisa dans le cadre d'une Ligue des Nations libres à l'époque où la Première Guerre mondiale finissait. Ils se sont obligés à placer l'Espagne au même niveau que le reste des pays démocratiques du moment. Le manifeste est apparu le 7 novembre 1918 et poursuivait la démocratisation de l'Espagne afin qu'elle puisse rejoindre la Société des Nations.

Le Manifeste, tout à fait alliophilique a voulu faire de l'Espagne une nation au même niveau que les Européens, bien qu'il été trop anti-germanique à cause de son mépris envers l'Allemagne guerrière et ses partisans espagnols. La preuve en est qu'Ortega n'a pas signé ce Manifeste malgré son intérêt pour le penchant pro-européen de ses signataires.

A cette époque est visible la présence de soi-disant réformateurs de l'Espagne contemporaine, c'est-à-dire d'un groupe exceptionnel d'intellectuels appartenant à l'Institution Libre de Enseñanza, affiliés à philosophie krausiste du professeur espagnol Sanz del Río et puis de Giner de Los Ríos, le fondateur de l'ILE (Institución Libre de Enseñanza) qui ont, a maintenu des relations constantes avec l'Europe, surtout après la création en 1900 du Ministère de l'Instruction publique et de la Junta de Ampliación de Estudios d'inspiration « institutionniste » qui a favorisé le départ vers l'Europe de nombreux étudiants universitaires qui ont développé l'idée de régénération après 98 comme l'équivalent de l'européanisation.

Dans ce contexte cosmopolite, Francisco Giner de los Rios est devenu le chef du projet de modernisation de l'Espagne appuyée dans la science, la diffusion de la culture et une éducation renouvelée, ayant toujours l'Europe comme référence.

A son côté, Bartolomé Cossío collabore avec Giner depuis sa formation d'éducateur proeuropéen uni aux hommes de l'ILE. A Bologne il a commencé son voyage européen à la fin du XIXe siècle, où il a pris contact avec les courants pédagogiques de ces décennies. Il a compris que le problème en Espagne était une question d'éducation et que les modèles européens enrichiraient notre enseignement. Il a été écrit de Cossío que «son âme castillane se baignait en Europe» de façon à intégrer «l'universel et le national».

Les intellectuels et la II République espagnole

Au moment de la proclamation de la République le 14 avril 1931, l'état républicain s'est approché de l'Europe démocratique, à l'époque où la crise de 1929 avait fortement frappé l'Europe occidentale. Les pouvoirs démocratiques ont salué la République espagnole, qu'ils ont vue avec plaisir, car le changement signifiait le retour de l'Espagne o régime parlementaire.

Le premier gouvernement de la II République (1931), la République des intellectuels, des professeurs comme on l'appelait, se tournait vers l'Europe, non pas tant par rapport aux relations internationales officielles, d'un intérêt incontestable, mais parce que les républicains et les socialistes trouvaient en Europe de formules pour transformer la réalité espagnole, en tenant compte que la plupart de l'intelligentsia hispanique, les grandes personnalités qui constituent ce que l'on a appelé l'âge d'argent de la culture espagnole s'était formée en Europe ou, en tout cas, ils pourraient être mesurés par rapport à l'intelligentsia européenne. La référence de l'Europe sur la scène républicaine avait sa place dans le comportement politique et social de ces années. Lorsque la confrontation civile eut lieu en juillet 1936, l'Espagne était parvenue à atteindre «une étonnante plénitude intellectuelle» depuis le 98.

Un exemple à cette époque est la figure de María Zambrano, célèbre «femme de pensée innovatrice qui a créé une nouvelle façon de comprendre la philosophie». Critique de la situation politique en Espagne, elle a plaidé dans les années 30 pour l'instauration de la République et rejoint les intellectuels et leurs nouvelles visions de l'avenir espagnol jusqu'à ce qu'elle quitte l'Espagne au moment de la guerre civile. Dès l'exil elle a écrit en 1940 *L'agonie de l'Europe*.

De nos jours, l'absence de femmes au niveau universitaire au début du XXe siècle ne peut qu'être oublié. Cela a empêché la présence significative des éléments féminins parmi l'intelligentsia hispanique. Même si

l'on retrouve certaines personnalités féminines dans la société elles ont été reléguées à une place inférieure à celui de leurs collègues masculins.

Si chacun des intellectuels et des mouvements des années 1900-1936 avait leur vision spécifique de la réalité et comment la transformer, considérée dans leur ensemble on peut affirmer que l'Europe n'a jamais cessé d'être leur lien de liberté, de démocratie, de prospérité. Malheureusement, la confrontation entre les deux Espagne a fini les propositions d'améliorer la modernisation de notre pays sur les traces européennes.

Du passe européen au présent communautaire

Les réflexions produites par le passé d'une Espagne pleine de penseurs de grand prestige sur la scène nationale du premier tiers du XXe siècle, sont indicatives de l'importance que nous voudrions donner à la tâche de recherche et de renforcement des traits identitaires pour l'Europe du siècle. XXI, pour la grande Europe dans laquelle de nombreux Européens se croient engagés.

En ce sens, il arrive de nous enquêter sur ce que nous voulons être ou à quelle Europe nous identifier. Il est nécessaire de parcourir les sentiers historiques qui garantissent ce que nous étions. On s'impose, sans doute, un regard critique sur l'Europe avant la Seconde Guerre mondiale, qui montrait un fier «eurocentrisme», l'une des ombres de notre passé, parce qu'il semble ignorer d'autres phénomènes peu appréciés à l'époque.

Comme l'écrit Le Goff, l'Europe a souvent succombé à la tentation «de confondre la civilisation européenne avec la civilisation universelle, de vouloir faire le monde à son image». S'appuyant sur un héritage millénaire.

En fait, l'indéniable leadership européen contemporain est redevenu une référence après les années 1950, essayant de retrouver des niveaux de pouvoir sans lesquels il semblait impossible que l'Europe s'élève de ses cendres. Il est vrai que la paix ait été un élément d'importance au moment d'entre deux-guerres de la part des européenistes de l'époque exprimée dans leurs écrits ou dans leurs organisations.

L'existence d'une identité européenne laïque peut être reconnue dans la production écrite des grands intellectuels espagnols ci repérés.

La question aujourd'hui est de centrer le débat qui se pose autour de la manière de clarifier notre être en tant que société européenne, car définir notre identité communautaire européenne est une tâche complexe. Pour le moment, pour s'identifier, il est nécessaire d'avoir une «perception claire de soi-même et des autres, ce qui implique la reconnaissance d'une différence et, en fait, de l'appartenance à une communauté. [Problème qui s'aggrave] si, comme le souligne le Prf. Dumoulin, une telle identité est encadrée par cet

oubli de valeurs et de certitudes qui marque notre époque» (Dumoulin, 1996 : 7, 11).

Dans le domaine dans lequel nous évoluons, l'Europe se révèle être une réalité multidimensionnelle, et donc «comprise dans sa dimension historique, comme plurielle et soumis, au fil du temps, aux mouvements de construction / destruction qui constituent peut-être l'un des traits d'identité d'une grande force (Dumoulin, 1996 : 11).

De nombreux écrits soutiennent l'existence d'une identité européenne. À ce propos, la *Lettre* de Václav Havel sur l'identité européenne envoyée au Parlement européen en 1994 reste l'un des textes les plus pertinents. Les sujets offerts par son auteur montrent la présence d'éléments qui nous distinguent et qui nous unissent dans ce destin de formation d'une nouvelle Europe "réponse au défi historique du présent et aux pénibles expériences du passé" (Havel, 1994).

Havel précise dans la *Lettre* ci dite, comment «les valeurs, idéaux et principes européens essentiels sont fondés sur l'accueil de la tolérance, de l'humanitarisme et de la fraternité. [...] Nos meilleurs atouts sont la liberté, la paix, la dignité humaine, l'égalité et la justice sociale. [Valeurs] enracinées dans l'Antiquité et le Christianisme, qui pendant 2000 ans ont évolué vers ce qui constitue aujourd'hui les fondements de la démocratie moderne [...]. Un ensemble de valeurs qui ont leurs fondements moraux et leurs racines métaphysiques évidentes, que l'homme moderne l'admette ou non. "

Dans le renforcement des communautés, il n'y a pas manqué d'euphorie qui active une forte communautarisation, ni d'euro-pessimisme que nous avons souvent regretté.

La seule solution viable, quelles que soient les approches politiques qui composent la Grande Europe à l'avenir, est que l'Union «doit avant tout être un territoire de communication, d'échanges, de manifestations culturelles et de créations partagées, soutenues par civilisation prodigieuse qui les unit» (Bournazel, Tarride, 2002: 192) et, il faut ajouter, par celle de la connaissance mutuelle qui met fin à la désaffection que l'on peut encore exister entre certains peuples d'Europe. Peut-être parce que la formule de l'approximation n'a pas encore été trouvée, plus civique qu'institutionnelle, plus humaine que légale, plus spontanée que forcée, plus communautaire que nationaliste.

Aux derniers moments du XXe siècle on a ordonné d'agir rapidement: «Si dans les dix prochaines années - soulignait Delors au milieu des années 90 - nous ne parvenons pas à donner à l'Europe un esprit, une âme, nous aurons perdu la partie» (Delors, 1994).

À son tour le Chancelier allemand Schmidt ajoutait comment "autrefois, non seulement les Églises portaient de normes éthiques, mais aussi les philosophes, les universités, les grands pédagogues. Au XXe siècle,

les accents ont changé. [...] L'Europe a besoin d'une éthique qui ajoute aussi des droits et des devoirs. En fait, cette éthique générale, héritée des siècles passés, existe largement, dans l'inconscient collectif. Je trouve souhaitable que nos dirigeants politiques et spirituels le mettent au premier rang dans la conscience publique européenne."

Pour finir, plaidons pour que la piste laissée au début du XXe siècle par ces exceptionnels penseurs espagnols sur la virtualité de l'eupéanisme, ne s'éclipse pas avec le passage du temps et avec la détérioration de la société d'aujourd'hui ignorante des richesses immatérielles que l'Europe garde, une attitude largement expliquée par l'existence de problèmes économique-financiers, par son rejet envers les voisins frontaliers, par son attachement persévérant à un nationalisme dangereux qui gardent certains groupes déterminés à rejeter le sentiment de la communauté.

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Aspects of the Role of Religion on the International Society

*Alin STOICA**

Abstract: *The changes in recent years, in the field of international relations, determined by political turmoil and economic interests, have imposed new approaches to states at the diplomatic level as well. The new vision places the tools of hard diplomacy in the background, their place being largely taken by the soft ones. In its new form, diplomacy, as an instrument of foreign policy is directed towards the societies of other countries, adopting a more humanistic tone, based on culture and respectively on the constructive elements at the level of interstate communication. When individuals manage to understand the differences between them, they always find common ground.*

The research, which we propose for publication in this volume, includes an analysis of the role that religion has as part of the culture and identity of a state, but also as a basic pillar of cultural diplomacy, in the exercise of foreign policy elements. Extremely important in shaping European unity over the millennia, the role of religion and faith in contemporary society returns to the forefront, or perhaps given back its importance over time, set aside with the discovery of realism. Perhaps it is a rediscovery of the role of religion in an era of globalization in which politics and economics, in their limitation, seem to face the challenges and even less to ensure social security.

Keywords: *religion, cultural diplomacy, intercultural dialogue, international relations.*

Introduction

After the solidarity of the Member States of the European Union was questioned for various reasons and in response to some discrediting events in recent times, the citizens of the Union found themselves in another crisis, that of Brexit, which called them into question. this time the European identity and values, but especially the national ones. This reality brings back into discussion the cyclicity of events, situations to which history

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relates. For example, it is already demonstrated by the literature that after each major economic crisis, as was the case in 1929, authoritarian regimes followed. The situation was also repeated in the case of the economic crisis of 2008-2011, which was felt both in all EU Member States and globally and which created an opportunity for political parties in the extreme sphere to return to the political scene. Neither was the Syrian crisis, which had serious repercussions on Europe, once again shaking the peace of the Union, through the thousands of emigrants who arrived here, especially through the southern gates, Greece and Italy. Started in 2014, it has led to major internal problems, protests, protests, but especially to the closure of intra- and extra-European borders in the most exposed countries, such as Germany. And again the extremist parties came to light, trying to assert themselves and take over the national power¹ (see Poland, Hungary, Romania) or to play an important role at the level of the European institutions.

The invasion of immigrants from Europe from the Middle East or North Africa to their new Mecca, Germany, has rekindled debates about Europe's religious future. There is talk again of the Other or of a Europe of Christianity or of Others (Morin, 2002: 106-108). And all this in the context in which the European Union exists due to the principle of pragmatic functionalism, despite consistently repetitive skepticism. It is true that over the previous centuries the idea of European unity had as a unifying factor peace and Christianity (Stoica, 2015: 40-45). However, in the second half of the twentieth century, European unification took place on an economic basis, the cultural-religious side becoming secondary, losing even its historical significance, unfortunately, in our opinion.

In this context, is it impossible not to wonder what role religion plays in European society today? We notice in the specialized literature a consistency of the different visions, manifested on the various problems that are outlined around religion, seen as power. Or in these conditions, in the following pages we aim to orient our research towards issues that we consider relevant to the realities of the moment. We will try to highlight the role of religion in national and international political and security strategies. Our approaches start from the general to the special.

Religion over the time

The objective, systematic and scientific study of the religious phenomenon, like other concepts such as the case of cultural diplomacy, digital diplomacy, etc., is relatively recent in the theoretical field of

¹ Map of extreme right-wing movements in Europe, accessed on 12/19/2018, <https://www.hotnews.ro/stiri-international-22023495-harta-miscarilor-extrema-dreapta-din-europa.htm>

international relations. The active orientation for the study of the complex convergences between religion, identity and politics appeared only a few decades ago, even if until the emergence of realism, centuries, Europe was practically confused with Christianity (Ferguson, 2014: 16-19), and the role of religion was immeasurable.

The emergence of rationalism, however, changed the millennial solidarity of Christianity (Stoica, 2015: 62). In the last two centuries, however, the situation in Europe from a religious perspective has become complex. The fragmentation of Christianity through the multitude of recognized religions within this religion, the divergent views of religious leaders on the perspective on contemporary society, politics and economics, the fiercer interactivity than ever with other world religions, in turn crossed by existential crises, divide the power of religion and they make her vulnerable. And all this against the background of the mentioned crises, completed by the fact that according to the number of followers, in Europe, Islam became the second religion, after Christianity. However, European public opinion tends to consider Islam as a religion opposed to the secularism of modernity and democracy.

The mentality of Europeans categorically excludes Islam from the essence of the culture of European values, not being able to admit its integration as part of the identity of the European Union (Biro, 213: 282).

If during the 19th and 20th centuries the role of religion as an indicator of modernity and European and even global progress was considered by politicians and not only, almost non-existent, the 21st century and the changes in the international relations scene imposed a revisionist project in this regard. Religion has once again become an important factor in international policy decisions (Black, 2018), being at the same time a basic tool in diplomatic conciliation efforts, despite the tendency of some researchers to believe that if the 21st century is religious, then it will not be. There are also perspectives that argue that there is an important influence of religion in the foreign policy of states, "which asserts the promotion of religious freedom as a fundamental human right" (Biro, 213: 281). The resurgence of the role of religion as an essential phenomenon of international politics was intensified by the iconic event of September 1, 2001. It is the terrorist attack on the World Trade Center in New York.

Etymological landmarks

From an etymological perspective, the notion of religion comes from the Latin *religare*, which means to bind, fix again, provide security, answer existential questions, reduce the anguish of death, give coherence to the group and society as a whole (Dex online) .

According to Yuval Noah Harari, any human collaboration at the macro level, whether it is modern states, churches or city states of antiquity, "is rooted in common myths, which exist only in the collective imagination of people" (Harari, 2017: 33). Therefore, the Churches have their roots in common religious myths. What does this mean? For example, in the religious past of Christianity, Catholics and Orthodox could go on crusades together, and today they can raise money together to build a hospital or a school. This is possible because they believe that "God became incarnate in human flesh and sacrificed Himself on the cross to redeem our sins" (Harari, 2017: 33).

The importance of faith as a modeling and unifying factor has been demonstrated over the centuries, just as the removal from it has often led to destruction. States in turn have their roots in common national myths. That is why the communities in the diaspora of any state are more united, more aware of their common identity: flag, anthem, language, traditions, national art. But in the good running of each state, religion has its own contribution. St. Augustine, in his treatise *De civitate Dei*, demonstrated that: "worldly governments, when they subjugate peoples, are undermined by the desire to rule and collapse" (St. Augustine, 1998). There is much evidence of this in history, starting with the Roman Empire and especially after the fourteenth century, when the community of Christian states no longer actually existed and Christianity was dying (Stoica, 2015: 62), its place being taken by secularism.

What does secularization involve?

For centuries, the religious universe has been one of the fundamental elements of the structure of European society in particular, radically changed by the process of secularization, which does not involve the abandonment of religion, but the control of collectivist religious expression. In the early 1970s, secularism was seen as a state-building project in Europe and was promoted by local educated elites in the West.

The first appearances of secularization took place in the XIII-XIV centuries, and this phenomenon of the separation of the state church and the politics of religion, continues to be present today in numerous academic analyzes and in the media. The process is seen as obvious and natural, "and the institutional arrangement known today as the Westphalian model, based on a secular constitution, continues to be presented as a universal panacea for resolving international conflicts" (Biro, 2013, 282). Despite the recognition of religion as an important variable in the study of international relations, the evaluation, conceptualization and delimitation of what constitutes the religious phenomenon, continues to be the field of intense debates. However, religion continues to be a weakly theorized concept in

international relations, which can be considered, according to Diana Andersson Biro, a prejudice of secularization. (Office, 2013, 282)

As an effect of secularization, religion has become a depoliticized, intellectualized, internalized and implicitly private phenomenon, it actually representing the relationship between individual and divinity (Warner and all, 2010). The literature most often regards religion as a guarantor of peace, while emphasizing that when religion is involved in discord between states, violence takes on incomparable proportions with non-religious conflicts.

Religion is part of national culture and identity

The deepest analyzes of the new forms of diplomacy place religion as one of the basic pillars of cultural diplomacy, which in turn in the implementation of a state's foreign policy plays an increasingly relevant role, based on cultural values. , on identity elements and on intercultural dialogue.

The 21st century is one of the complex realities and imagination, and in our effort to organize and understand our world, marked by both currents and barriers, culture has a catalytic role for political and economic activities at European, national and regional levels. Recent studies have shown that the local cultural factor can significantly influence an area's ability to generate wealth for the community, while being a catalyst for a sustainable economic renaissance by developing innovative and creative sectors based on artistic activities (Sandal and Fox, 2013: 12)

Culture is also seen as a factor in democratization. Authorities that are aware of the role of culture in regional development focus on a civic culture that allows the expression of participatory democracy, the cornerstones of promoting and developing the social economy of that community and a precondition for increasing collaborative relations with other regions or countries. Investing in culture brings many benefits to all walks of life for the community (Tomlinson, 1999: 37-40).

Increasing access to culture changes the mentalities of the community, improving, among other things, the mental state of the population. This, in turn, increases the personal motivation and self-esteem of the individual, increasing through sociability the power and degree of involvement in community development and therefore the standard of living of the individual and individual and collective responsibility in the production of goods, thus service provision increases subsequently. Proper development of individuals, groups and the community can lead to independence from external aid. In addition, for democratic governance to function well in the region, individuals and groups must be driven by self-interest, high levels of solidarity, trust, and tolerance, and cooperation skills (Sandal and Fox, 2013: 16). Therefore, "religion is often the basis of individual and group identity," according to Seoul, who also argues that no

other deposit of cultural significance has historically offered so much in response to the human need to develop an identity. safe”(Seoul, 1999: 558).

Religion - an important catalyst for security

The study of religion in the field of international relations allows us to better understand the complexity of the practices of this universe, establishing the contours of the process of social construction in which it is introduced. On the other hand, in this context, the problem of international relations requires special attention to the recompositions that religious universes undergo in the face of socio-political and cultural transformations (Ferreira, 1997).

The role and influence of religion on political actors and on the activity of international and transnational cooperation is essential for the diplomacy of the 21st century. A careful look at the dilemmas of world politics draws attention to the importance that religion can manifest, as a destabilizing factor or on the contrary, as an important element in diplomatic reconciliation efforts. These realities are already accepted by academia. Therefore, there is a specialized literature “that questions the way in which certain conceptions of religion influence foreign policy or that affirm the promotion of religious freedom as a fundamental human right” (Biro, 2013, 281). The need to study the complex intersections between religion, identity, domestic and foreign policy has intensified as a result of the terrorist attacks that have taken place since 2011.

In any case, both religion and politics have a common goal, that of acquiring political power at national and / or international level and of using it to achieve the assumed objectives. What differentiates them are the methods adopted in order to achieve the proposed goals. Religion appeals to people's religious sensibilities to gain their support in order to seize power. But politics resorts to intrigue, diplomacy and tries to win public opinion either democratically, if the system allows it, or usurp power with the help of the army, if society is underdeveloped and backward. (Mubarak, 2009; Fox & Sandler, 2004)

In the struggle for power, both religion and politics are trying to undermine each other. If religion has political authority, its ambition is to exploit it to fulfill a divine mission. She argues that she derives authority from divinity and therefore her mission is holy, motivated to reform society under spiritual guidance, especially where she believes that society could not be changed by human intervention alone. On the other hand, in a pragmatic political approach, society should move forward, change and adapt to the new challenges of the time. According to this approach, man is responsible for determining his destiny. He is not under the control of the divinity to

remain submissive and inactive. On the contrary, he should initiate and plan to build a society according to his vision. (Mubarak, 2009)

There are three models in history related to religion and politics:

- the model of integration and sharing - when religion and politics unite in an attempt to monopolize political power.

- the model in which religion plays a subordinate role to politics. In this case, politics, after subduing and mastering religion, uses it for its own interests.

- the model in which the two elements, religion and politics are rivals and compete for domination. (Mubarak, 2009).

Therefore, the religious factor is considered in close connection with the ethno-cultural one and has a defining role in configuring a stable or unstable security environment in a state. In the internal dynamics of the security complex and in its relations with the international system, the religious factor models the relations of friendship / enmity, supports a certain configuration of the distribution of power and favors or not the coverage. (Marga, 2006: 272)

Therefore, the power of religion should not be underestimated. A multifaceted phenomenon, religion has cross-cutting influences on all levels of politics and society, including international relations. How can he do this? First of all, it can act through the decision makers / leaders of states worldwide, by the fact that they look at the foreign policy of the state they lead through the prism of their religious objectives. (Guner, 2012: 19) Thus religion can influence how they "identify causes of global problems, allies, enemies" as well as how they assess national interests (Guner, 2012: 219). Sometimes this influence can lead to extreme and intractable policies because "religion deals with the constitution of being as such. Hence, one cannot be pragmatic on concerns challenging this being "(Laustsen and Waever, 2000: 719).

The second influence of religion on international relations is through the constraints imposed on decision-makers by widespread religious beliefs among their constituents. This applies even to autocratic regimes. It may be unwise for decision makers to make a decision that contradicts beliefs, morals, or values that are valued by their members. Doing so could easily undermine the legitimacy of a regime and its leaders. Political theologies - defined as "the set of ideas that a religious community has about political authority and justice" - significantly influence whether a specific thread of religion will support war or peace at some point. (Sandal and Fox, 2013: 14)

Transnational and at the same time autocephalous, the Church of Rome and the faith it promotes as a link between people, can represent if it proposes, together with the state, the power that can ensure world peace

and security, thus supporting cultural diplomacy. Likewise, Judaism or Islam, which together with Christianity, all three religions of Abrahamic origin, should impose in Europe and worldwide ecumenical and interfaith dialogue, which can categorically support world peace and security.

In conclusion, unfortunately, until the attacks of 2011, the role of religion in the sphere of international relations was severely neglected. The repercussions were terrible. The vast majority of arguments lead to an accusation of the theories of secularization, which separated religion from the political and economic side of society. If before 2011 very little was written on this topic of the role of culture and religion in the international sphere, after this date there are at least 6-7 books per year. Numerous academic conferences and debates address these issues. It was concluded that human behavior is inextricably located in cultural matrices, which are in a reflective relationship with that behavior. Consequently, the roles of beliefs and values have become widely accepted as an intrinsic aspect of the field of study of international relations, through cultural diplomacy. In this context, therefore, it is fully understood that religion (either as part of an inclusive concept of culture or separately) has also been the subject of such attention. If beliefs and values in general play a major role in shaping the actions of world political actors, then it is logical to ask what role religious beliefs and values play. Religious beliefs and values, as can be seen in our article, are clearly formative elements in the actions of individuals. It is therefore to be expected that these elements will act structurally in both state and non-state organizations in world politics, given that they are necessarily composed of groups of people. Religious organizations can act directly as non-state actors in world politics and can indirectly affect the policies and behavior of other actors. In this way, religion can be part of the paradiplomacy, seen as a phenomenon of substratum structures, which brings short, medium and long-term benefits to the region or city for which it acts.

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Romania Facing Regionalization and Globalization

*Luminița ȘOPRONI**

Abstract. *This paper analyzes several dimensions of the Romanian economy, both the inner ones, as well as those resulting from its integration in the European and global social and economic context, imposed by regionalization and globalization. These elements will contribute to highlighting the stage of the Romanian economy (transition or functional market economy) and the place it occupies in the regional and global economic systems.*

Keywords: *Romanian economy, transition, convergence, EU, global*

With the drop of the Iron Curtain, the former communist countries channelized their efforts to renew their relations with the West and particularly with the European countries which were already part of the European Union. This was also due to the desire to rid themselves of Russia's influence, as prior to the fall of the communist regimes, some Central and South Eastern European countries had been economically integrated in the former Soviet Union, within the Council for Mutual Economic Assistance (CMEA or Comecom) – this is Romania, Bulgaria, Czechoslovakia, Hungary, and Poland. The commercial relations within CMEA “were guided by a colonial pact when compared to the mechanisms used in Britain in the 19th century: the center – the Soviet Union – took raw materials from its outskirts in exchange for processed goods of average quality (Guyader, 2013: 96). Most of the commercial transactions were towards URSS, and there were barely any exchanges between the other member countries. Thus, some authors (Bideleux, Taylor, 1996: 177), consider that CMEA was “a surrogate for the OEEC¹ and the Marshall

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¹ Organisation for European Economic Cooperation (OEE) – came into being on 16 April 1948, to continue work on a joint recovery programme for Europe and in particular to supervise the distribution of aid. In September 1961 the OEEC was superseded by the Organisation for Economic Cooperation and Development (OECD), a worldwide body.

Aid” offered to the Eastern countries, which did little to promote the commercial relations between member states and hasn’t truly accomplished their economic integration.

România and the Regional Integration

Romania was the first country in Central and South Eastern Europe to establish commercial relations to the European Community through the General Preference System (1974) of the Agreement regarding the creation of the mixed Commission Romania – CEE (1980) and of the Agreement regarding industrial products (1980) which facilitated the access to a larger number of Romanian goods on the European market. On January 1st 1993, Romania signed the Association Agreement to the European Union, document which entered into force in 1995. In October 1999, the European Commission recommended the beginning of adhesion negotiations, alongside other six states, which began on the 15th of February 2000 and ended on the 17th of December 2004, during the winter European summit in Brussels. Romania’s adherence Treaty was signed on the 25th of April 2005 in Luxembourg and Romania became a member state of the European Union on January 1st, 2007, along with Bulgaria.

Out of all the agreements signed by Romania with various international organizations, the accession process to the EU was by far one of the most important ones in determining certain economic structural changes, real changes, with a precise economic end – the integration in the European Single Market –, which was a huge leap taken towards reaching fundamental objectives of a functional market economy.

The next step on European integration – Romania’s accession to the Euro Zone – means low inflation, constitution of the internal market for long term capitals and the convergence of the interest rates. A relative market stability of the Romanian currency (“leu”) is also required for a complete convertibility. And all these are essential prerequisites for the existence of a functional market economy, which represents an obvious end of the transition process. At the same time, adopting the euro favors sustained economic growth by the reduction of transaction costs, stimulation of trade, investments and use of labor force.

Romania's complete European integration involves obtaining “a high degree of sustainable convergence“, as explicitly stipulated in the Maastricht Treaty. This sustainable convergence can be expressed by **four types of convergence** that must be taken into account: nominal, real, institutional and structural (Isărescu, 2019):

- the achievement of **nominal convergence** means the fulfillment of the criteria stipulated in the Treaty of Maastricht, being the

easiest to measure (price stability, exchange rate stability, convergence in long-term interest rates and sound public finances).

- **real convergence** is the best indicator for the development level of a nation, having as criteria of assessment: the opening level of the economy (represented by the percentage of imports and exports in the GDP), the amount of the bilateral trade of the EU members in the total foreign trade, the economy structure (represented by the amount of different fields in the GDP production, and the GDP per capita (Isărescu, 2007: 6).

- the essence of **institutional convergence** consists in “ensuring the compatibility of the national institutions with those in the euro area, a process where the central bank and its independence are particularly important” (Isărescu, 2019).

- **structural convergence** “focuses on adapting the structure of the Romanian economy to that of the euro area” (Isărescu, 2019).

While in July 2015 – November 2017 Romania complied with all the **nominal convergence** criteria, the indicators deviated markedly from the indicative thresholds at end-2018 and end-2019. As a consequence, in the year 2020, Romania does not fulfil four out of five of the nominal convergence criteria for the adoption of euro (*Annual Report 2019 (NBR)*: 231-232; *Convergence Report 2020*: 19). The conditions established by the Treaty of Maastricht require that the government budget deficit should be less than 3% of GDP, the government debt should be less than 60% of GDP, and the inflation should not be higher than 1.5% of the average inflation of the three EU countries with the lowest inflation.

According to the experts of the National Bank of Romania, „the evolution of the indicators in 2020 is expected to be notably influenced by the unfavourable implications of the coronavirus pandemic for economic activity, adding to the persistence of specific domestic and external factors. In this context, it is worth noting the suspension in March 2020 of the Stability and Growth Pact (setting forth the reference values for government deficit and public debt) in order for Member States to be able to take broader measures to contain the effects of the pandemic” (*Annual Report 2019 (NBR)*: 232).

Price convergence across the European Union is a relevant indicator of the economic integration of the single market. The criterion on price stability is not anymore fulfilled by Romania. The average inflation rate in Romania saw an ongoing acceleration starting with 2018, and during the 12 months to March 2020 was 3.7%, well above the reference value of 1.8%. The causes for this negative trend are: aggregate demand pressures, the dynamics of unit labour costs, the impact of several supply-side shocks (the strong hike in the electricity and natural gas prices; the rise in fuel prices

following the surge in oil prices; the prices of some agri-food items and the excise duty on cigarettes). But the forecast is optimistic, and the Commission's Spring Forecast states that the annual average rate of inflation is projected to decrease to 3% in 2021. In addition to this, the relatively low price level in Romania suggests significant potential for price level convergence in the long term (*Convergence Report 2020*: 19-20; *Annual Report 2019* (NBR): 233; *European Economic Forecast*, 2020: 132).

Concerning the convergence of long-term interest rates, the average long-term interest rate in Romania in the year to March 2020 was 4.4%, above the reference value of 2.9% (*Convergence Report 2020*: 20).

The general government deficit as a share of GDP exceeded the Maastricht Treaty limit in 2019. As a consequence of the breach of the Treaty deficit threshold, the Council opened in 2020 an excessive deficit procedure for Romania, indicating 2022 as deadline for the correction of its excessive deficit (*Annual Report 2019* (NBR): 239; *Convergence Report 2020*: 20).

Table 1. Maastricht Criteria. Nominal Convergence Indicators

Nominal Convergence Indicators	Maastricht Criteria	Romania	
		2016	2019
Inflation rate (percent, annual average)	<1.5 pp above the three best performing Member States	-1.1 (reference: 1.0)	3.9 (reference: 1.9)
Long-term interest rates (percent per annum)	<2 pp above the three best performing Member States	3.3 (reference: 3.8)	4.5 (reference: 3.5)
Exchange rate (vs. Euro) (maximum percentage change vs. 2-year average)	+/- 15%	+1.4/-1.82	+0.3/-3.12
General government deficit (percent of GDP)	below 3%	3.0	4.3
Government debt (percent of GDP)	below 60%	37.6	35.2

Source: National Bank of Romania, *Annual Report 2016*; *Annual Report 2019*

The Treaty on the Functioning of the European Union calls also for an assessment of other factors relevant to economic integration and convergence, including balance of payments developments, product, labour and financial market integration. The condition of these additional factors gives an important indication of a Member State's ability to integrate into the euro area without difficulties.

Given that the economic growth in 2018 of the euro area stood at only 1.8%, Romania continued the process of **real convergence** towards the level of development of this area (*Convergence Programme for 2019-2022*: 18). In 2019, the real GDP dynamic has been of 4.1%, one of the highest among the EU member states (at aggregate level, the real GDP has advanced by 1.4% in the EU and by 1.2% in the Euro Zone) (*Convergence Programme for 2020*: 7).

After having deteriorated in the context of the global financial crisis, the openness of the economy recovered significantly. In the last three years, the indicator neared 85%, against the backdrop of the advance in exports, and especially of the faster growth rates of imports of goods and services (*Annual Report 2019 (NBR)*: 244).

The sectoral structure of the economy tended to converge to that in the Eurozone, especially due to the advance in services as a percentage of GDP and to their larger relevance in foreign trade (*Annual Report 2019 (NBR)*: 244).

Romania has made consistent progress in terms of economic convergence, advancing from 31.3 percent per capita GDP (as a share of the euro area average) in 2005 to 60.4 percent in 2018 and to 63.4 percent in 2019. But for a sustainable economic growth (which requires high economic competitiveness and flexibility) the economy must reach a real convergence level of at least 70-75 percent of the Eurozone average (Isărescu, 2019; *Annual Report 2019 (NBR)*: 244).

After joining the EU, Romania registered one of the highest rates of convergence towards the Eurozone economy. However, the gap remaining to be recovered is significant, including against some economies that have recently adopted the single European currency. In assessing the degree of real convergence we must also take into account the development gaps between regions, a field in which Romania has a lot to recover, as it continues to report significant development imbalances. These development gaps are due to the poor quality of the infrastructure that connects the historic provinces, which leads to the concentration of the investments near the western border of the country. In fact, the analyzes carried out by the European Commission and the IMF identify the lack of infrastructure as a major obstacle to economic growth. Narrowing these gaps between regions requires investment in infrastructure: the construction of highways for connecting Romania's regions, encouraging regional trade and investment, with favourable effects on regional development and cohesion inside the country (Isărescu, 2015: 31; Isărescu, 2019).

Romania maintains its commitment to join the Euro Zone, but the Government's current efforts are focused on minimizing the negative social and economic effects of the COVID19 pandemic, and afterwards it shall

implement economic recovery measures. That involves the fact that the authorities will focus their attention on adopting the single currency immediately after the macroeconomic balances are restored. (*Convergence Programme for 2020*: 5).

Joining the Eurozone represents for Romania at the same time the opportunity and the means by which it can increase the quality of life of its citizens, reaching the level of European standards. The fact that Romania is an EU member state with a GDP per capita below the European average emphasizes the need for efficient use of its own resources and the community funds, and for a more active stimulation of foreign and domestic investments. Romania thus needs to maintain for a long period of time the fast, balanced and sustainable economic growth, strong and efficient institutions, a coherent legislative system and a healthy fiscal system.

Globalization of the Romanian Economy

Regional economic integration is regarded as a building block of global economic integration (Huh, Park, 2019: 1). For Romania, just like for the other countries in the region which have had centralized economical systems, rigid and uncompetitive, the answer to globalization needs to be a modern, open and flexible economy, adapted to the needs of sustained development.

If transition countries need globalization's instruments to develop and reach a higher degree of integration in the global economy, their transformation is a part of the globalization process: thus, the relation is interdependent. „Ongoing transition in the former centrally planned economies of Eastern Europe and the former Soviet Union is an indispensable part of globalization. Without this transition globalization would fall short of its full dimension, comprehensiveness and dynamism” (Kolodko, 2002: 1).

„Economic integration can take many forms, such as promoting trade and investment, developing infrastructure, improving people's mobility, strengthening the provision of global public goods, and providing the legal and institutional basis for international policy cooperation” (Huh, Park, 2019: 2). All these dimensions are expressed through globalization indicators, in order to determine the degree of integration of the world's economies and, at the same time, to establish the link between integration, regionalization, openness and economic growth.

In order to identify the degree of globalization of Romania's economy, we have analyzed several globalization instruments and indicators that express the level of global integration of the world's states.

The first indicator is *Bertelsmann Stiftung's Transformation Index (BTI)*, a global assessment of transition processes in which are evaluated the state of

democracy and market economy as well as the quality of political management in 137 transformation and developing countries. According to BTI 2020, Romania's degree of economic transformation is of 7.64 (advanced, on a scale from 1 to 10) (*BTI 2020 - Romania*), which puts it on the 18th place out of 137². This score confirms the fact that the transition process to a functional economy is not yet over, and the experts' arguments are the following: the structural weaknesses (regional and urban-rural disparities; the high share of the gray, nonfiscalized sectors of the economy, which keeps the total tax revenues at around 30% of the GDP, the lowest level in the European Union); increase of public expenditure; a low rate of capital investment, surging inflation; exchange rate instability (*BTI 2020 Country Report - Romania*: 17-27).

All these conditions have revealed the structural weaknesses and vulnerabilities of the Romanian economy despite the economic progress from recent years (the freedom of trade, currency convertibility, strong anti-monopoly and anti-state aid regulators, and the transposition of EU rules) and the consistent economic growth.

The *KOF Globalisation Index* is a composite index measuring globalization for every country in the world along the economic, social and political dimension. The structure of the index includes data regarding: the economic environment (trade and financial globalization), the financial environment (interpersonal, informational and cultural globalization) and the political environment (Gygli, S. et al., 2019: 3). The index is used to examine the effects of globalization on economic growth, demonstrating that countries enjoy economic growth when globalization is proceeding rapidly.

Economic, social and political globalization are positively associated with economic growth, especially in developing countries, for the following reasons: countries that reduce institutional restrictions to trade in goods and services and financial flows and that are politically integrated enjoy on average higher economic growth; citizens need to really exchange knowledge and information to promote economic growth; institutions and infrastructure that may potentially be used for exchanging knowledge, but in fact is not, do not help to increase economic growth (Gygli, S. et al., 2019: 31-32).

In 2020, Romania ranked 34th in general index (score 79.29, on a scale from 0 to 100) and 44th (score 71.71) in terms of economic globalization in the KOF Globalisation Index. Romania has a very good position, in top 35 of the ranking, as compared to the other countries (34th place out of 196 countries) and the evolution of its score is also positive (a significant increase from 1990 to 2020, followed by a moderate increase and

² The other values of BTI for Romania are: *Political Transformation* – 7.65 (rank 22 from 137 – defective democracy), and *Governance Index* – 4.85 (rank 74 from 137)

stagnation between 2010 and 2018) (*KOF Globalisation Index*). This results show that the economic growth in the last years is a consequence of the global approach and the international openness of the economic policies, as well as a successful political integration in the European Union.

The *globalization index developed by Ernst & Young* (E&Y) measures levels of trade development, investments, technology, labor market and cultural integration of a particular country compared to another country regarding their GDP and not the absolute value which would result from these trades. Due to these facts, the index reflects the amount of noticeable or felt degree of global integration within that country. The indicator measures the 60 largest countries/territories by GDP according to their degree of globalization. It uses the following indicators: movement of goods and services (including total trade of the analyzed country, trade openness, tariff and non-tariff barriers, ease of trading, current-account restrictions and share of main trading partners in total trade), movement of capital and finance (containing foreign direct investment (FDI) stocks as percentage in GDP, portfolio capital flows as percentage in GDP, government policy towards foreign investment, expropriation risk, investment protection schemes, domestic favoritism by governments, and state control/ownership), exchange of technology and ideas (including foreign trade in information and communication technology (ICT) goods as percentage of GDP, foreign trade in creative goods and services as percentage of GDP, broadband subscriptions, and internet subscribers), movement of labor (integrating the net migration rate, current transfers, and hiring of foreign nationals), and cultural integration (including tourism, international total fixed telephone traffic per capita, and openness of national culture to foreign influence) (Ernst & Young, 2012).

Romania is on the 31st place in the classification of the countries most open to globalization with a score of 4.1, with only 5 other countries in the region ranking higher (Hungary – 9th place, Slovakia – 12th place, Czech Republic – 18th place, Bulgaria – 22nd place and Poland – 27th place) and is way ahead of Russia (56th place), while the rest of the former communist countries are not included in the top 60. The highest scores reached by Romania were for movement of goods and services (5.42) and movement of labor (5.2), while the worst score was for exchange of technology and ideas (2.58). Considering the interdependency relation between globalization and technology, as well as the fact that informatization is able to transform the economic and social relations in such a manner, that the cultural and economic barriers are reduced to minimum (Kluver, 2000), Romania must set clear priorities concerning the development of modern digital networks and their connection to the global network and must reach towards the new technologies which will ensure its survival, development and success. This is

the only way for Romania to increase its connectivity and integration degree into the new global economy.

The study reveals the fact that Romania has an open economy, which has benefitted greatly from the access to the new markets, especially those in the European Union. It will continue to benefit from the gradual liberalization of global trade and increasingly tight commercial integrations with the EU. A part of the barriers to trade of goods within the EU which remain may be eliminated and the liberalization of commerce and services, which can benefit Romania, will continue, even if at a slower pace than that previously anticipated (Ernst & Young, 2012).

Romania is part of the group of emergent states with the highest need for globalization, which need investments and foreign capital to continue their development process. Therefore, its position in the middle of the classification for the most open states to globalization is beneficial for its transition to a more open and stable economy.

A good perspective for analysis is also provided by the *Intraregional, Extraregional, and Global Economic Integration Indexes (IEII/EEII/GEII)*, a composite index of globalization that analyzes, in addition to the level of global integration, the correlations between regionalization and globalization, covering 158 economies across five regions (Africa, Asia and the Pacific, the European Union, Latin America, and North America). Unlike other composite indexes, this indicator separates the contributions of intraregional and extraregional integration in the construction of the globalization index (Huh, Park, 2019: 5).

GEII/IEII/EEII are based on 25 indicators that measure various aspects of economic integration. These indicators are divided into six dimensions depending on their origin and relevance: trade and investment integration, money and finance integration, the value chain, infrastructure and connectivity, movement of people, and institutional and social integration. The index calculates the relative contributions of the intraregional and extraregional integration for a country's full economic integration.

The scores for Romania (ranked 30th out of 158), at the level of the year 2014, were: GEII = 0.391; IEII = 0.615; EEII = 0.166 (Huh, Park, 2019: 5). These data show that intraregional economic integration contributes more to the degree of global economic integration than extraregional integration. They also confirm the general conclusion of the study, that countries with high globalization scores also demonstrate deep intraregional integration.

Therefore, we can state that the high degree of globalization of the Romanian economy is a consequence of the process of economic integration in which Romania is engaged (although complete European integration is far from being achieved, according to the convergence indicators discussed

above). And this confirms the hypothesis that regionalization is a stimulus for globalization, a key component for a deeper global integration and a preparatory stage for an open international economy.

Conclusion

The Romanian Economy, Transition or Functional Market Economy?

The transition of the Romanian economy is an ongoing process, as not all objectives for a functional and stable market economy have been reached, which ensure a sustainable development: long term stability, integration in the EU and Monetary Union, a national economy interconnected with the other economies in the area and in the world which will generate beneficial effects for all parties involved.

An objective necessary to the finalization of the transition process is an economy open to globalization which will benefit from the advantages of the liberalization of trade, capitals, finances, technologies and ideas. From this stand, Romania has a good position, being one of the most globalized countries in the world, according to *The Globalization Report 2020* and the other instruments analyzed in this paper, although it still requires large investments and foreign capital in order to continue its development process.

The Globalization Report 2020, calculated for 45 industrialized countries and emerging markets, includes indicators of economic integration (data on border-crossing trade in goods and services, trade barriers, and capital controls), social globalization (international tourism, degree of distribution of information and ideas, and share of the foreign population in the total population), and indicators on the political integration of a country in the world (data on membership in international organizations, foreign embassies, and international treaties) (Petersen, Hartmann, 2020: 4-5). The Report realises a comparison of the degree of international integration measured by the BTI Globalization Index from 1990 to 2018.

The Report shows that „the strongest growth was observed in Romania”. The Globalization Index value rose from 22.7 points in 1990 to 59.9 points in 2018, exceeding the Globalization Index median. However, the BTI also regards Romania as an illustrative example that increased international integration will not necessarily increase openness or willingness to cooperate. The country’s degree of globalization certainly is much higher today than it was in the largely isolated Romania in the communist era. However, Romania’s willingness to cooperate internationally has declined significantly in the last decade. Only Hungary, Turkey, and Russia have shown an even more confrontational and unreliable behavior. The report on Romania of the “BTI 2020” shows that in particular rampant corruption, lack of prosecution of office abuse, and erosion of the separation of powers

led the government on a collision course with the European institutions, in particular the European Commission, and other foreign partners. Some of the market-economy qualities that promote globalization were also reduced in the same period, among them factors of competition law and the protection of private property (Petersen, Hartmann, 2020: 7).

The latest crises in the world, financial and pandemic, have affected Romania's ability to attract and maintain foreign direct investments, this being a significant break in Romania's road to a solid and durable development. They have also contributed to the formation of major economic imbalances in several sectors of the economy, usually recipients of foreign investments.

The present economic environment is far too fragile to ensure the rebound of foreign direct investments. Amongst the options for recovery is the larger absorption of European funds, considering their role and, at large, the role of EU's cohesion policy for economic development through the objectives set at Lisbon and Goteborg: competitive economies based on knowledge, research and technological advancement, sustainable development and employment. In this context, regionalization is an indispensable resource for the developing countries, that enhances their ability to attract foreign direct investments.

Therefore, Romania's transition process continues, until the fundamental objective of a functional market economy is reached: an economy which generates prosperity and wealth for its citizens, which ensures sustained development and the state's competitiveness in the region (European Union) and in the globalized world.

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The Language as a Geopolitical Instrument at the Western and Eastern Borders of the European Union. Case Studies: Spain and Republic of Moldova

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Abstract: *This article analyzes language as an instrument in the construction of an identity in two case studies, Republic of Moldova and Spain, two countries at the extremes of Europe. Based on a constructivist perspective, the authors argue that the use of language in identity building bears both internal and external influences. We find that official languages aim to act as binding agents, while minority languages can be destabilizing instruments, which is especially true in the case of Moldova, while Catalan is a mobilizing factor for independence in Spain.*

Key words: *linguistic identity, languages, Republic of Moldova, Spain*

In its larger sense, geopolitics is a component of human geography (Flint, 2006:18). Colin Hint, in his handbook *Introduction to Geopolitics*, says that in order to understand what geopolitics is we must understand first what human geography is. From his point of view, human geography is a place and a space with a proper politic. The space and the place create a location defined by the institutions that organize the activity, politics, and identity in that place. People operate as parts of groups: families, schools, workplaces, communities, labor unions, political parties, parent-teacher organizations, sports clubs, etc. In combination, these institutions form the social life of a particular place (Flint, 2006:23).

Geopolitics can be defined in other ways and touches multiple aspects, from understanding how politics create spaces and geographies to understanding how politics are shaped by geographic circumstances. The

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aspect that constitutes the theoretical framework for our paper is the relationship between geopolitics and identity. So, in this article we will try to put emphasis on how the identity of a space, and in particular the identity given by the language spoken, is able to create new borders in the consciousness of the people. In order to demonstrate that, we took into consideration two special cases, very relevant from our point of view: Catalonia, a particular region of Spain as part of the Western border of the European Union and Republic of Moldova, at the Eastern border of the European Union.

From the start, a discussion on geopolitics and identity will place our discussion into the wider theory of Social Constructivism of the International Relations. As a short overview, the Social Constructivism is the theory that says that people develop knowledge of the world in a social context and the majority of the things that we perceive to be a reality depend on our own assumptions. From the social constructivist perspective, many things that we take for granted and believe that are part of the objective reality, are actually socially built and, therefore, can change as the society changes. The theory of social constructivism states that any sense is created in social terms. So, the social constructions could be so entrenched that could feel natural, but actually they are not. The social constructions are an invention of a given society and therefore do not reflect the reality in an accurate way (Mişcoiu, 2007:86).

Alexander Wendt brings a major contribution to the identification of the processes that allow the identification of identities through interaction. Therefore, there are three important aspects in the socio-constructivism: the knowledge is socially constructed, the language is essential for the social construction and the construction of knowledge is politically oriented (Wendt, 1999: 140). The supporters of socio-constructivism believe that knowledge arises from human relations. Thus, what is considered to be true and objective is the result of social processes taking place in social and cultural contexts (Mişcoiu, 2007: 84). As for the language, it follows specific rules. These language rules shape the way we understand the world. As a result, the language is not neutral. It emphasizes certain things while ignoring others. Thus, language constrains what we can express, as well as our perceptions of what we experience and know. As for the knowledge created in a community, it has social, cultural and political consequences. People in a community accept and support the community's understanding of the truth, values and particular realities. When the members of a community accept the knowledge, they expand it even further. When the knowledge accepted by a community becomes politics, the ideas about power and privileges in the community become encoded. These socially-built ideas create then the social reality and, if they are not examined, they

start to appear fixed and unchangeable. This can lead to opposing relationships between communities that do not share the same understanding of social reality (Wendt, 1999: 152).

The next section provides a brief theoretical overview of linguistic identity, as a part of our constructed reality. It will provide background for the case studies that aim to pinpoint how linguistic identity becomes a geopolitical instrument.

Linguistic identity

The researcher John Agnew has three interesting perspectives on *place*. These are *location*, *locale* and *sense of a place*. Location is the role a place plays in the world, or its function. The key industries and sources of employment within a place are a good measure of location, whether it is a steel mill, coal mine, military base, or tourist resort. Locale refers to the institutions that organize the activity, the politics and the identity in a place. People operate as parts of groups: families, schools, workplaces, communities of worship, labor unions, political parties, etc. In combination, these institutions form the social life of a particular place. The sense of a place is a collective identity tied to a particular place, perhaps best through of the unique “character” of a place. People’s identity is a function of membership in a number of collective identities: gender, race, social class, profession, nationality, and, last but not least, place. People are guided in their actions by particular identities that say who they are and what they can and cannot, should and should not do. Belonging to a particular ethnic group socializes people into particular expectations and life-chances. Part of one’s sense of “belonging” is attachment to place, which can translate into visions of what a place should be “like”: notably who “belongs” and who doesn’t (Agnew, 2011).

The term *identity* has multiple common meanings. It is found in all contexts: in research in the field of humanities and social sciences, in media, in political debates, all kinds of conflicts, becoming a universal fashionable word of our times. Identity is not something innate, but it is something built throughout the entire life of an individual and it always has a set of components. Personal or individual identity implies personal differences that differentiate us from others and characterize us as unique individuals. The concept of social or cultural identity determines people in a social, cultural and historical environment (Petkova, 2005: 12). On the second level (social or cultural identity), identity becomes a powerful argument both for conflicts with different out-groups from different social contexts and for associations with different social, cultural and political groups (Petkova, 2005: 16).

In terms of linguistic identity, in addition to being a vehicle of interaction, language is also a factor of identity through which can establish

ties between persons. It is the symbol of belonging to a collective and also the symbol of estrangement from others (Amorós, 2014:19). Language has always been regarded as a sign of national cohesion and has been a weapon for defending national values. This is where the trio of language, nation and state comes from, which assumes that a nation cannot survive without their own language and their own state (Bugarski, 2012). However, there are authors for whom linguistic identity is only personal, because the factors that make up a community's identity are language and religion.

In International Relations there is extensive research on identities and the influence of culture in the construction of identities. The relationship between language, identity and political power has also been studied a lot lately and this is due to the changes brought by globalization and by media. All these changes in society condition the definition of our social or individual identity. Due to the inherent particularities that identity has in various social and political contexts and communities, case studies and comparative analyses are the proper tools to extract lessons as to how language is used as a geopolitical instrument. The next sections explore specific cases and will follow up with a comparative analysis.

Case study 1: the linguistic identity of Spanish people

Language is a social construct that can overcome political and cultural barriers. This abstract force, which is part of the social identity of the human being, has fascinated numerous academics from the most varied disciplines of the human and social sciences.

The linguistic identity of the Spanish people is and will still be a subject to debate as long as in the country will still be official several languages. It is known the fact the Spanish language, or Castilian, is the official national language. Apart from Spanish, three other languages, Catalan, Basque and Galician are regional languages, spoken in a specific area, co-official languages in the country. These languages are spoken in Catalonia, Basque Country and Galicia. Article 3 of the Spanish Constitution of 1978 (still valid today) mentions: *Spanish is the official Spanish language of the State. All Spaniards have the duty to know her and the right to use it.* Also, in the Constitution appears the fact that: *The other Spanish languages will also be official in the respective Autonomous Communities according to their statutes. These languages are: Catalan, Basque (Euskera), Galician. The richness of the different linguistic modalities of Spain is a cultural heritage that will be the subject of special respect and protection¹.*

The Spanish Constitution is the main document that mentions and reinforces linguistic diversity in Spain. It is a fact and it is protected by law. This linguistic diversity is maybe more evident in Catalonia, because this region is

¹ Translation from the Spanish Constitution made by the authors

the biggest out of the three regions with a regional language and Catalan is the most spoken regional language in Europe. The question that we ask ourselves is how identity can be built with one national language, official in the country, and with one regional language, co-official in Catalonia.

The answer to this question is that in Catalonia Catalan identity was created through language. The theory of soft borders is evident here: the internal borders of the autonomous communities influence people to feel different from the others in the Spanish territory. Having a language of its own, a flag other than the national one, but also a better economy (thanks to its geographical position in the country) increases the regional spirit.

In Catalonia we can talk about an attempt to build a national identity using internal and external tools. The internal tools used by Catalonia in order to create its own national identity are the creation of its own history, teaching in Catalan in schools and universities, administration process in Catalan, public posts for Catalan speakers, civic awareness, a developed economy and maybe others too. As for external tools that Catalonia uses in order to create its own identity, we can mention the promotion of the Catalan language abroad: internet domain (.cat), the translation of EU documents into Catalan, the linguistic conflict between Catalan and Valencian.

The most traditional vision of soft border is that of Joseph Nye from the end of the '80. Throughout the history, the hard power, that is the use of force, has been the dominant tool in the foreign policy of states. After the Cold War, Joseph Nye begins to develop his theory of soft power, understanding the new international system as a structure in which the growing interdependence between states was to determine both the power relations and tools that states would need to achieve their strategic goals. So, the soft power is the ability of states to achieve goals through attraction and not from action. Such persuasion is the product of public diplomacy, cultural diplomacy and economic assistance (Pérez de Lope, 2015:10-11).

In conclusion, the Catalan identity has been created by its language. Catalans consider themselves to be independent from Spain. The geopolitical question that we think about in this case is related to ideas and not to the domain of territories. If the EU recognizes Catalonia's independence, a precedent is created for other regions where the same ideas are conveyed: Wallonia, Tyrol, Transylvania and maybe others. Lastly, another question of geopolitics arises, very important in this case: if the EU fragments, its power decreases and Russia or USA gain more power on the international scene.

Case study 2: Republic of Moldova

As discussed in the theoretical framework, language is a marker of identity and a sign of belonging to a community. At the same time, that community is being constructed through shared ideas and discourse. In a world of geopolitical clashes and frozen conflicts, language can thus be used as a tool to advance certain interests. The case study in this section aims to highlight precisely this situation. This section will briefly detail some historical markers of Moldova, then it will move on to present the ethnic and linguistic divisions so as to provide a backdrop for the analytical part detailing the social and political consequences for the country.

Republic of Moldova - Historical perspective and ethnic diversity

Often referred to it as a country sandwiched between Romania and Ukraine, Republic of Moldova has had a tumultuous history (Miner 2020) (Euronews 2020) (Tanas 2020). It is also known as Bessarabia, the territory between the Prut and Dniester rivers, which had belonged to the Principality of Moldova for several centuries, when the Russian Empire annexed it in 1812 as a result of the Russian-Turkish war of 1806. It remained under Russian rule until 1917 when it declared its independence, also being the first territory to proclaim its unification with Romania on November 27th 1918.

Having unified all the other historical provinces, Greater Romania remained in the same territorial organization until 1940 when the Soviet Union issued an ultimatum for Bessarabia. This resulted in a Soviet occupation of Bessarabia, which ended up being a part of the USSR until 1991. The country only gained independence in 1991 and, ever since, it has been in a continuous struggle of self-identification and pendulation between the East and West.

Moldova is still ethnically diverse, as Russians, Ukrainians, Bulgarians, and Găgăuzi live in the country. This diversity has also translated into a fragmentation of the territory that desired to become a nation-state. Găgăuzia has autonomous statute, while Transnistria is the site of one of Europe's frozen conflicts (Wolff 2011). The Russian-leaning territory declared its independence unilaterally from Chişinău in 1993 without being recognized internationally and it still hosts Russian troops since then. The administration is pro-Russian and the territory is dependent on Russia, given that it is the only country that recognizes Transnistria's independence.

Languages and (geo)political influences

Against this historical backdrop, the discussion focuses on the main languages used within the country: Romanian and Russian. They reflect the political orientations that are prevalent within the public discourse. Similar to its constant characterization as being sandwiched between two countries,

Moldova is also sandwiched between two influences, the orientation towards the European Union and Romania and the one towards Russia. Robert Kaplan talks about a *cordon sanitaire* of obedient states as a component of its foreign policy and geopolitical interests (Kaplan 2013). Moldova has been a part of this system ever since independence and it is controlled using political, economic, as well as cultural tools. Language is one of these tools.

The Russian influence is manifested both internally and externally. The internal influences manifest themselves in the political spectrum. The former President, Igor Dodon, and its political party proposed a law that would grant special statute to the Russian language, as follows: *“in relation to the state authorities, the public administration, public institutions, as well as with the companies and organizations on the territory of the Republic of Moldova, the language of verbal and written communication is the state language and/or the Russian language, as a language of interethnic communication, by choice of the citizen”*² (Parlamentul Republicii Moldova 2020). While the established purpose was to promote interethnic communication, the result would be to elevate the statute of a minority language to a statute that is analogue to the state language. The special statute is not in congruence with the statistics, as the last census showed that 9.4% of the population spoke Russian as their mother tongue (Biroul Național de Statistică al Republicii Moldova 2014a). 14.5% cited Russian as the language they used in their day to day lives (Biroul Național de Statistică al Republicii Moldova 2014b). While Russia responded positively to this proposal, the Constitutional Court rejected it due to unfair discrimination against the languages of other minorities (Deutsche Welle 2021).

When looking at external influences, the case of Transnistria is revealing not only for its statute as a frozen conflict, but as a territory that promotes the usage of Russian and aims to eliminate all other minority languages. The official language of Transnistria is Russian, reflecting the dependency on Russia. The educational system mirrors the Russian one and the vast majority of children and teenagers study in Russian. However, the territory registers another linguistic anomaly, namely Romanian is studied both in a Latin alphabet and in Cyrillic one, respectively, but separately at different schools. The high schools teaching Romanian in a Latin alphabet are under the jurisdiction of the authorities in Chișinău, but they are under constant pressure from the separatist authorities to shut down or to transfer to the latter's authority. The constant pressures have resulted in a drop of registered students from 5000 in 2004 to 1600 in 2020 (Deutsche Welle).

² Translation from the Proposal of Law made by the authors

Moldovan or Romanian?

Not only does the influence of Russia funnel through the Russian-speaking community, but it is also pushed through the efforts to establish the Moldovan identity as being separate from Romanians. The independence declared by Moldova in 1991 started an effort of nation-building for the community living within its borders, after several decades of Soviet rule and just 22 years of Romanian rule in the interwar period.

The declaration of independence by the Socialist Soviet Republic of Moldova referenced that the official language of the country would be Romanian, but it does not detail the identity of the population (Președinția Republicii Moldova 1991). At the same time, the Constitution of 1994 inscribed that the official language of the state is Moldovan, a top-bottom attempt of creating a language in order to model an identity that would be different from the Romanian identity, given that the post-independence period also gave rise to a movement for the country to unify with Romania.

The public discourse has referenced the use of Moldovan in communication rather than Romanian. For instance, the Census Bureau has probed the use of Moldovan as a mother tongue in the surveys referenced above (Biroul Național de Statistică al Republicii Moldova 2014a). Still, the most notorious example of this effort has been the printing of a Romanian-Moldovan dictionary, with most of the words being identical from one language to another. Research has also pointed to the idea that the Moldovan language, as a marker of Moldovan identity, is a component of the information warfare taking place in Moldova (Larics 2017). On the other hand, the pro-Russian facet has been pushing for the use of Moldovan instead of Romanian as the name of the language. Still, the Constitutional Court ruled that Moldovan is identical to Romanian and that Declaration of Independence prevails over the Constitution (Deutsche Welle 2013). The Constitution has not been amended yet due to political turmoil.

Across history, Russia has always sought to extend its territory and have buffers that would be part of its defense system. As such, this interest has manifested itself into a linguistic debate in Moldova meant to maintain the country into the Russian sphere of influence. The ethnic diversity in the Republic is the foundation, while the languages are the tools for the maintenance of a perpetual state of division in the country.

Moldova has an alternative to the division, namely the orientation towards the European Union, which does not use these types of soft tools for influence, but rather more abstract notions of democracy, which the general public may find difficult to understand and integrate. Simply put, language is a simple tool, while democratic principles and values are quite complex.

Discussion

This section aims to provide context to the discussion whether languages are geopolitical tools by comparing two cases at the opposite sides of Europe. Spain and Moldova share the ethnic diversity, with multiple languages being spoken and accepted within their communities. Spain accepts Galician, Basque, and Catalan, as co-official languages, while Castilian acts as the main binding agent between the various ethnic communities. On the other hand, Moldova has a troubled history with the language that was supposed to act as a binding agent for various communities, namely Romanian or Moldovan, since there has been an active political effort to change it to Moldovan or to reduce its importance by elevating the statute of Russian.

This leads the comparative analysis to the issue of minority languages. In Spain, Catalan has been an active tool for the creation of the Catalan identity and the subsequent movement for independence. Minority languages in Moldova are eclipsed by Russian, which is promoted in public by pro-Russian politicians and even almost elevated to the statute of a quasi-official language, according to the proposal cited above.

Finally, both cases exhibit the motivations of a community organized around an identity and a language to control a territory and become truly sovereign. The reasoning behind is different, however. In the case of Catalonia, the motivation is intrinsic, coming within the community and from their growing perception that they speak a different language and are, hence, different than the Castilians. In the case of Moldova, the motivation is extrinsic, coming from outside the country and takes the form of political pressures from the West and East.

Conclusion

This article has used case studies and comparative analysis in order to deconstruct the use of language as a political and geopolitical tool at the borders of the European Union. Despite being at opposite sides of Europe, the case studies point to the idea that language is still a powerful instrument in shaping identity and political preferences.

The examples of Moldova and Spain as countries with significant linguistic diversity showcase both internal and external influences and motivations in the effort to use and shape language as an instrument. Both countries aim to have an official language to act as a binding agent for their ethnically diverse communities, but in the case of Moldova, that endeavour is proving to be much more difficult, since the mere existence of Romanian as the main official language has been questioned. On the other hand, the minority languages, Catalan in Spain, and Russian in Moldova, are used differently as instruments. Catalan is at the centre of identity-building in the

Catalan push for independence, while Russian is used as a destabilizing agent in Moldova.

The two cases offer a glimpse into the complicated identity and linguistic environment that exists both at the external borders of the European Union, but also within its borders.

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A Brief outlook over the Ethnical and Confessional Diversity of Transylvania and the Role of it in the European Integration Process

*POLGÁR István**

Abstract. *The situation with national minorities is a permanent subject of interstate discussions and meetings. National minorities are the object of increased attention of governments and political powers in particular who are interested in keeping its position and influence abroad. It's obvious that the foreign policy of certain states and political leaders influence a lot on national minorities' position and activity.*

The issue of national minorities is, in the process of European construction, one of the most important aspects that European countries have had to manage. Learning about and researching minorities, for then to transmit knowledge and experience to young people through education, have become an essential pillar of European values on the construction of an intercultural society based on direct and indiscriminate cooperation and collaboration between ethno-religious communities.

Throughout the article we are trying to present briefly a special, and we believe a successful model of the integration process of several ethnical and confessional minorities. This is the example of Transylvania.

Keywords: *minority, integration, ethnical, confessional, national*

The European Union and integration in the European Community developed itself on three basic ways, creation of a common market, development of common institutions and several common policies. Market integration has progressed a long way, although it stops and restarts again. The institutional integration is left behind, but the most difficult of all is represented by the common policies, especially where they have required founding.

With the reform of the Structural Funds, regions have gained a key role in the design and implementation of regional policy. Yet some of the

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weakest regions were not equipped with appropriate institutional structures and have struggled to benefit (Weber, 2001: 53).

While the reform may have given regions an entitlement to participate, we argue that some have lacked the capacity to do so effectively. In this context, enlargement raises questions over the future of the Funds, and how far a commitment to cohesion and convergence can be maintained (Marga 1997: 140).

Demography issues and Migration issues are another two key elements of modern society, bringing benefits and conflicts both to the receiving places and to the place of origin and raising issues of security, social measurements and multiculturalism in our globalised world.

One of the great challenges of contemporary Europe is related to migration and the need for European integration of minority communities, including immigrants. Evaluations conducted have shown that there is a great need for expertise and policies regarding the European integration of minorities in both their countries of origin and in the new host countries when we are dealing with migration. Migration has been amplified in the context of EU enlargement to Eastern Europe, millions of people migrating from the former communist countries to Western Europe.

The situation with national minorities is a permanent subject of interstate discussions and meetings. National minorities are the object of increased attention of governments and political powers in particular who are interested in keeping its position and influence abroad. It's obvious that the foreign policy of certain states and political leaders influence a lot on national minorities position and activity. The national minority problem is often used by some states in their foreign policy. Some states not only monitors the situation in neighbouring states but also uses this factor as a mean of political, economic and even military pressure (Nechayeva-Yurichuk, 2016: 127). There is a different perception between countries with regard to the definitions of the terms: migrant, national minority and ethnic minority.

The issue of national minorities is, in the process of European construction, one of the most important aspects that European countries have had to manage. Learning about and researching minorities, for then to transmit knowledge and experience to young people through education, have become an essential pillar of European values on the construction of an intercultural society based on direct and indiscriminate cooperation and collaboration between ethno-religious communities. It is known that European legislation and practice promote the idea of living together in the sense of social value consisting in accepting otherness, good understanding of the various ethnic groups within the same local communities and openness to communication and cooperation (Brie, 2016 – a: 13-14).

Ethnic intolerance that marked the history of Europe over the centuries has failed to find a cure even under the dome of the proletarian internationalism. Adrian Marino believes that it only froze and preserved the seeds of ethnic adversity. The results of these pseudo-politicians were seen as soon as the system collapsed, the most dramatic example being that of Yugoslavia (Marino, 1996: 280-30).

The European cultural model has a value-based framework, based on legality, freedom, equality, fraternity, solidarity and Christian sentiment of the sacred, which adds to the historical evolutions of the three major modern political revolutions. Europe is a conglomerate of national identities, whose ethnic, linguistic, mental, religious, etc. Diversity has determined a variety of cultures (Lentin, Titley, 2011: 98-121). This problematic nature of the European project is encapsulated in the motto of the European Union: "unity in diversity"¹.

The concept of European identity expresses rather the idea of unity than real identity. Europe is going through an identity crisis, especially because of the difficulties of the process of deepening the integration and reform of the community institutions. It is the crisis of legitimacy of the Community institutions, which would have its source and a crisis of communication between the European institutions and the citizens of the Member States.

If national identity confers to the individual national legitimacy, citizenship is the condition of a decent existence within a state. Nationality defines that the individual belongs to an ethnic group and it should not be confused with the meaning of citizenship (Lentin, Titley, 2011: 4-35). Citizenship refers to all members of the respective state indifferent of the ethnic origin and the state has the obligation to equally protect all and to secure their rights and the freedoms implied by this status.

During the 17th and 18th centuries the Carpathian Basin was known as one of the most troubled regions of Europe concerning ethnic and religious conflicts, insomuch that the ideological and social systems that ruled the region during the last century were not able to remove the existing tension between the different ethnic groups (Kocsis·Kocsisné Hodosi, 1998: 13-14).

A large part of the researchers focusing on this topic considers that these tensions were aggravated and due to the new rigid borders, which limited the successor states after World War I, in that they discontinued the old historical and cultural ties and traditional economic contacts pre-existing in the former Hungary in such a way that no Communist internationalism proved to be able to solve the problem. Researcher claim that since 1920,

¹ https://europa.eu/european-union/about-eu/symbols/motto_en, last accessed in 15.02.2021

there has been a rupture between the geographic area of the Hungarian nation and the Hungarian people in that the Treaty of Trianon forced the third of the former Hungarian population to adopt the new minority status living in areas of the successor states. This situation constituted a permanent source of inflammation of the revisionist and irredentist movements.

Following the same idea, researchers argues that the governments of the successor states cultivated nationalism and chauvinism among the majority populations through their policies. The Hungarian ethnic groups from their territories were treated as if they never existed, and the old Hungarian place names and hydronyms in that area were deliberately omitted from the maps and schoolbooks. These measures have led to greater ethnic segregation of the society (Kocsis-Kocsisné Hodosi, 1998: 13-14). In this context it was possible for Transylvania to become subject to arbitration in Vienna in August 1940, when a significant percentage of Romanians became again minority by incorporating to Hungary a territory of 16,792 square miles. It is not accidental that a large part of the Hungarian historiography from 1990 continues also today to appeal to older concepts conveyed in the interwar period due to causes that have generated a state of permanent tension between Hungary and the successor states.

Nowadays, nobody doubts that diverse traditions and culture have been for centuries one of the riches not only of Europe, but also of Romania, and, in the recent decades, the principle of tolerance has been the guarantee of an open society and it has respected cultural diversity.

Transylvania is an important region of Romania, where many people settled across millennia, people that influenced the history of the locals with varying intensities. Hungarians, Germans, Jews, Serbians, Slovaks are among the ethnicities that grew and contributed to the development of Transylvania.

The presence of these ethnicities has been far from uniform, both from a chronological point of view (as they arrived in different historical moments), and from a demographic point of view, some arriving in great numbers, other in a more reduced number.

Even from the Middle Ages, Transylvania had a population composed of three main ethnicities, Romanians, Hungarians and Germans and six religions: Orthodox, Roman-Catholic, Calvinist, Evangelical/Lutheran, Unitarian, and Greek Catholic. Along with these ethnicities and denominations, there have been others, which have not exceeded 2-3% of the total population (Bolovan and Bolovan, 2017: 16).

When referencing Transylvania, researchers usually refer to the space inside the Carpathians, but most refer to the part of Romania formed of several regions with an almost identical destiny for centuries.

Historical Transylvania or *Ardealul*, was an autonomous principality from the mid-1600s up to 1867 when it was annexed to Hungary, first under Turkish suzerainty and after 1699 under Habsburg rule. Up to the First World War, Transylvania was almost exclusively run at the central level, as well as at regional territorial units, by Hungarians, Saxons and Szeklers (Bolovan and Bolovan, 2017: 16).

As we can see, the ethnic structure of this region has been heavily influenced by the evolution of the various historico-geographical factors and policies. Most of this structure, however, is linked to the evolution of the denominational structure. Ethnicity in this case is closely related to religion.

Some of the ethnic groups present in the area of Transylvania are older, others have settled here more recently. What is characteristic and noteworthy is that the ethnic composition is very mosaic. The geographic position at the boundary between the two ethnic groups of the Romanians and the Hungarians offers the region a very diverse ethnic structure, where various ethnic groups live together. Beside Romanians and Hungarians there are also Gypsies, Slovaks, Germans and Jews. Other ethnic groups are numerically insignificant (Brie, 2009: 12).

Methodologically, to give the clearest picture possible, we used a more complex analysis that indicates the demographic realities in their evolution since the second half of the twentieth century. This approach is required to enter into discussion both the demographic background and the changes that occurred during the twenty first century.

Tabel nr. 1.

The Population of Romania, by ethnicity –Macrorregions, Development Regions in Transylvania, according to the results of the 2011 census

Macrorregions and development regions	Stable Population Total	ETHNICITY								
		Romanians	Hungarians	Gypsy	Ukrainian	German	Turkish	Rusi-Lipoveni	Tatars	Serbs
A	1	2	3	4	5	6	7	8	9	10
Romania	20121641	16792868	1227623	621573	50920	36042	27698	23487	20282	18076
Macrorregion	4960937	3291065	1125965	225008	32663	17524	389	365	35	135
North-west	2600132	1845796	451529	113711	32484	7967	188	137	14	75
Bihor	575398	366245	138213	34640	101	735	45	32	*	26
Bistrita-Nasaud	286225	247627	14350	11937	55	428	18	18	-	*
Cluj	691106	520885	103591	22531	173	687	89	58	10	25
Maramures	478659	374488	32618	12211	30786	1054	25	18	*	6
Satu Mare	344360	188155	112580	17388	1340	5006	9	6	-	15
Salaj	224384	148396	50177	15004	29	57	*	5	*	*
Center	2360805	1445269	674436	111297	179	9557	201	228	21	60

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Macregions and development regions	Stable Population Total	ETHNICITY								
		Romanians	Hungarians	Gypsy	Ukrainian	German	Turkish	Rusi-Lipoveni	Tatars	Serbs
A	1	2	3	4	5	6	7	8	9	10
Alba	342376	291850	14849	14292	17	728	24	15	-	*
Brasov	549217	453325	39661	18519	66	2923	81	90	12	20
Covasna	210177	45021	150468	8267	14	114	6	9	-	*
Harghita	310867	39196	257707	5326	14	70	11	5	3	5
Mures	550846	277372	200858	46947	40	1478	51	47	3	10
Sibiu	397322	338505	10893	17946	28	4244	28	62	3	22
West	1828313	1503512	90701	45747	9808	15281	227	195	21	16020
Arad	430629	340670	36568	16475	1261	2909	48	33	3	849
Caras-Severin	295579	243933	2938	7272	2483	2897	19	28	-	5036
Hunedoara	418565	368073	15900	7475	114	971	33	25	*	33
Timis	683540	550836	35295	14525	5950	8504	127	109	16	10102
* Low number of observation cases (less than 3)										
Population by ethnicity - macregions, development regions according the national institute for statistics Romania Source: http://www.recensamantromania.ro/noutati/volumul-ii-populatia-stabila-rezidenta-structura-etnica-si-confesionala/ accessed in december 2020										

The information from table no.1 offer a synthesis on the current ethnical composition of Romania, partially, and Transylvania in its entirety. In case of the latter, the data is grouped on development regions and counties (Bolovan, 2000: 14).

If, nationally, Romanians have an absolute majority in Romania, in Transylvania, the Romanian elements has an obvious preponderance, with almost three quarters of the ethnical structure of the region (Bolovan, 2000: 14).

Such an ethnical and religious diversity could shape certain specific demographic behaviours for these ethnicities and religions, as well as favour mutual interferences and influences (Mureşan, 1999: 50).

Two years ago România celebrated the 100th anniversary of the end of World War I, and the annexation of Transylvania (Brie, 2016-b).

During these 100 years on ethno-linguistic composition of the population in Transylvania changed. We can notice the dramatic decrease of Jewish and German population.

The process of romanization, especially of the urban settlements (the phenomenon began in the interwar period with the establishment of the Romanian government in cities that needed a true and Romanian-speaking elite).

A continuous magyarization of Swabians, Slovaks and Roma (the phenomenon is favoured by religious affinities, and language - mostly these communities were Magyarized before 1918). Discrimination and

stigmatization of the Roma. This phenomenon took effect as 'reducing' the community in official documents due to self-identification with other ethnic groups. The effect of this phenomenon is not just recording a smaller number of Roma in official documents, but also artificially raising the numbers of Hungarians in documents (Brie, 2014: 158-170).

The most visible phenomenon in the past 100 years is connected to the fast increasing of the Roma community both in number and as a percentage of the population. Underlying this trend: high birth rates among this community (however, the phenomenon is associated with other demographic realities: high mortality and low life expectancy in the community) and a higher percentage of those who identify themselves with their ethnic group. This latter aspect is related to strengthening communities, their identity consciousness, the formation of an own elite more present in public sphere, and not least reducing discrimination and stigma effects which are still present (Brie, Dărăbăneanu, 2014: 123-134).

From the perspective of the Hungarian community, the political factor has become essential not only to preserve the ethno-national identity and culture, but also in the development of mechanisms, including political ones, of relationship management with the Romanians and the Romanian state. In this equation the Hungarian state plays an often part, eager not only to support culturally and materially the Hungarian community of Transylvania, but also to develop their own policies (eg. the granting of dual citizenship etc.) or to lobby and pressure Bucharest to develop policies and special programs for the Hungarian community (Brie, 2016-b).

Cultural mixes are not only today's accomplishment due to an apparent melting pot or due to globalizing tendencies. Different cultures have coexisted for centuries in local communities, especially in smaller melting pots, such as Europe's greatest empires, such as the Austrian Empire, later the Austro-Hungarian Empire, or the Russian Empire. Due to their vast territories, different populations were either moved from one part of the empire to another, or they simply migrated to different locations. This enabled a meeting of cultures, civilizations and helped created new forms of cohabitation between the majority and the minorities (Mărcuț, 2016).

For instance, Transylvania, as part of the Hungarian, then Austrian and Austro-Hungarian Empires, developed as a meeting of cultures because of the movement of populations across the empires, which eventually settled in different parts of the province. No matter their reasoning for moving, be it for defence purposes or for commercial reasons, the influence of minorities on local societies is clear and it is reflected in virtually every aspect of local communities. Several big "nations", as they were called at that time, inhabited the province of Transylvania, namely Romanians, Hungarians, Szeklers, and German.

In the recent period, characterized by Romania joining the European family, Transylvania has come up in different European environments. For many people, it is something familiar, but most of them associate this region with Dracula or with a fairy-tale land, wherein the natural environment is well conserved and it has raised the interest of several European monarchs. Transylvania is much more than that, a Roman province in Antiquity, a voivodeship of the Kingdom of Hungary in the Middle Ages, an autonomous principality and a Habsburg province before becoming an integral part of the Kingdom of Romania (Pop, Bolovan, 2016: 13).

Transylvania is that region in Europe, where multiple ethnicities and multiculturalism are an integral part of life. It is the place where Roman-Catholic, Orthodox, Calvinist, Greek-Catholic, Lutheran or Unitarian churches can be seen in a short distance of each other in the same central square near a Synagogue. Transylvania is the only place in Europe with such a complex cultural and complex structure.

While integration policy remains a national competence, the Member States recognise that the failure of an individual Member State to develop and implement a successful integration policy can have in different ways adverse implications for other Member States and the European Union (Popescu, 2016: 353).

The European Union wants to build a European cultural identity but wishes to do so by preserving national and regional identities in Europe. This new European identity, which needs to be built will be based on the common cultural fund of the European states, preserving the variety and the national and regional cultural diversity. European identity is nothing but a continuation of national identity, another identity level, at the level of the continent and the European Union.

It is important to not forget, that Europe is above all a community of values, and the goal of European unification is to achieve, test, develop and preserve these values. The fundamental European values are based on tolerance, humanity and brotherhood.

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Glocal England, Little Britain

*George ANGLIȚOIU**

Abstract: *Is there a foolproof textbook for leaders to help them achieve greatness and thus “make history”? Is the British incumbent prime minister such a political visionary or proficient master of history to grant him the adequate tools to forge the comeback of his country to the world-class level of power players? Is the state, which fought from beginning to end both world wars and won, capable under such conservative/nationalistic drive to still be capable of home rule and preserve a “united kingdom”? Are the ‘Celtic subjects’ of the union, in the troublesome post-Brexit age, willing and able to go beyond devolution and achieve full statehood or historical reunification? This paper is devoid of omni- or pre-science but will try to offer a balanced vantage point over the proceedings...*

Prologue

It is hard to set in stone a date but all changed with David Cameron’s ill-fated decision to host, after the successful rejection in referendum of Scottish independence, a second one on EU membership. Bolstered also by the wide-margin victory in the general elections of 2015, Cameron decided to play another savvy game of high-politics against a double backdrop: the rise of nationalism eager by Euro-scepticism to cut into the margins of conservative electorate, and the urge to push the EU into more significant concessions under the spectrum of a potential break-up.

But the ‘pincer’-move of the former Eton and Oxford graduate backfired. Despite forecasts and EU concessions, Brexiteers won and the seemingly invincible prime minister was forced into oblivion. Fast-forwarding 5 years later, the former mayor of London and foreign secretary, Mr. Boris Johnson, is in power and eager to restore what he and his adherents call ‘Global Britain’.

Since the times of Pericles and Alcibiades, strategists have tried to

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use democratic means to achieve or in still greatness and superiority. *The Melian Dialogue* goes even further to justifying democratic hegemony by military means if need be. “Anything goes” in terms of political ambition as long as it is validated by masses and does not become a *hybris*, therefore being inexorably destined for grand failure.

But what about Brexiteers’ Britain and Johnson’s hope for a second Elizabethan golden age? Maybe a mix of readings based on Thucydides, Plutarch and Machiavelli, plus a biography of Walsingham¹, could do the trick and secure essential know-how for a spectacular re-entry of Whitehall into the grand arena?

For a second time in European history, England is strategically withdrawing from the continent, due not to a military loss like in The Hundred Years’ War, but nonetheless acknowledging political and economic failure to dominate the rest of united Europe.

My hypothesis could, of course, be denied on grounds of speculation. But the reader should understand that being part of a political union (matter in which England is so versed with its complex array of historical territorial unions of the British archipelago) is another way to say that a political actor cannot achieve its objectives without cooperation and transfer of sovereign attributes of power to a political centre not necessarily completely under its grasp. Thus, if you cannot satisfy your political high stakes of grandeur and supremacy, you have then to share power and resources in order to increase your chances to still be relevant at world-class level. In this regard, England tried both proud rejection of ESCS²/EEC³ membership and humble comeback to the accession table when its pet project of only ‘free trade’⁴ had failed to grant it renewed power.

One might argue that NATO (namely the United States) is enough of an alliance for Britain not to seek anything else meant (even indirectly) to double, decouple, or discriminate. An EU autonomous army, under partial, at least, British command could be an appealing project on paper but still not good enough to justify the overall costs of belonging to a Union. Moreover, *Le rabais* has proved British unique place in EU integration dynamics but has also highlighted the potential opt-out on anything irrelevant or stingy to London but dear to Brussels. In conclusion, one, as a

¹ For overviews on the activity of Thomas Walsingham, top bureaucrat and spy-in-chief for Queen Elizabeth I, see Budiansky, 2006 and Cooper, 2013; for the overall build-up of Elizabethan intelligence as a prerequisite for political resilience and sea conquest, see Alford, 2014

² The European Coal and Steel Community

³ The European Economic Community

⁴ In the framework of EFTA (The European Free Trade Association, founded in 1959, two years after the inception of EEC and Euratom)

visionary conservative (of British greatness), could always play the trump card of more “rabais” or less Britain in the EU, the sensitive files being whatever: unchecked social and professional migration, EU law and ECJ supremacy in legal/human rights affairs, financial recovery stimulus to Southern member states etc.

The temptation to go solo is not new to British politics. But the horizons of opportunities differ significantly from the age when privateers dotted with Elizabethan royal charters plundered the Spanish gold galleons. Demographics and economics aside, the world map is mostly complete and the other power players are more advanced in almost any field of interest.

The fleet, merchandise and colonial outposts had given England an innovative edge versus Imperial Spain. Similarly, to Athens and Carthage or Venice and Genoa, an open maritime polity could evolve better than continental driven empires. And an East India Company could be more efficient for the kin state in terms of capital investments and returns, coupled with its own agenda of competing with large states in decline like Mughal India and Qing China, including military projection of power to distant lands.

The current horizons bear some resemblances to the big power rivalries of the XVI-XIX centuries but not to the strategic point of “*let’s do it again!*”. England of those times could fight at least one offensive war on its own either at sea or land, as proven by the French and Indian War against the most important continental power of that time. Moreover, during the Napoleonic wars it stayed in the fray, against the hegemon of Europe, until the end, inflicting directly or with the help of proxies crushing defeats against one of the most innovative and charismatic conquerors in world history.

Once again sovereign, Britain is no more than a junior partner to the United States, a sort of Platea to Athens in the first Persian War.

The balance of power has shifted significantly since Britain ruled the seas, two world wars being the culprit and not only. In 2019, when confronted with the urgent need to secure its cargo shipments from Asia, Britain tried to play the card of European unified response (MacLellan and Georgy, 2019; Emmott, 2019)⁵ in flagrant contrast to Brexit rhetoric of going solo. If Iran could corner Britain at sea like this⁶, then what about

⁵ For the German negative response after the United States took over the initiative and conditioned its help to the UK on joining “maximum pressure” policy versus Iran, see Deutsche Welle, 2019

⁶ For an American assessment at official and expert level of the Royal Navy shortcomings, see Larter, 2019.

The Royal Navy has downsized its general numbers by more than half since the end of the Cold War and by two thirds in the area of frigates, one of the most versatile

China and Russia? Both had experienced downfalls from hegemony but made recent comeback by autocratic means - a stratocratic *Realpolitik* “luxury” which Britain, a proud modern democratic *founding father*, just does not have.

Roaring Lion, Fuming Dragon and Sneaky Bear

Beyond the famous Chinese idiom⁷ and its cinematic transposition, lies the challenge for London of being able to withstand pressure from Beijing. After 160 years since the capture of the Imperial capital and burning of the Summer Palaces, and 120 years since the Siege of the International Legations, Britain and China are again at odds over sovereign limits and regional supremacy.

What started with Deng Xiaoping’s invasion warning⁸ at Margaret Thatcher’s intention of keeping Hong Kong British after expiration of the 99-year lease of the New Territories evolved three decades later into the suppression of autonomy by stratocratic means. *Lato sensu* anything could fall under the clout of a security law and Beijing did just that when confronted with the perspective of losing political control over the former British colony⁹. “Collusion with foreign powers” is the most serious crime, punishable by life imprisonment, *the usual suspects* being United States and United Kingdom¹⁰.

London’s decision to grant a path to citizenship to relatives (*dependants*) of the British subjects who lived there at the time of transfer of power in 1997 has more of a moral significance than a legal and political one as long as it cannot intervene properly to the defence of their diminished

types of vessels for maritime shipping lanes protection and overall patrol missions – see Reuters Staff, 2019 and Bunkall, 2019

⁷ *Hidden Tiger, Crouching Dragon*

⁸ “At one point he said that the Chinese could walk in and take Hong Kong later today if they wanted to.”

When Thatcher went to publish her memoirs, one decade later, and she was asked at a meeting with the press and academia, why she did not apply the Falklands solution, her reply was equally memorable: “when the prime minister of Great Britain orders her armed forces into war, it needs to be a war she can win, not one she will lose. The Chinese would have creamed us!” – see Plate, 2013. For an overall analysis, based on declassified documents, of the complex transfer of sovereignty, see Griffiths, 2017

⁹ See, for instance, Hernández, June 30, 2020, updated July 13, 2020; BBC, 2021; Soo, 2021

¹⁰ *China Daily*, as leading English-language newspaper of the Chinese Communist Party, constantly gives editorial space to diplomats and experts eager to warn, retort and condemn Western powers of Cold War mentality and other negative political patterns. See, for instance *China Daily*, 2020 and Cross, 2021

rights. One can retaliate of course, diplomatically, economically or even militarily. But as emphasized by the Chinese diplomacy during the Alaska meeting of March 2021, Beijing is no longer willing to take heed of Western lessons of faulty democracy.¹¹ Banning investors into strategic technology like Huawei is a strong push but Britain's wish to strike South-Asian commercial partnerships could be vexed by Chinese opposition. Moreover, China is still a strategic investment partner for Britain and its Australian example of commercial retaliation¹² could be also used against British interests with significant financial losses, now that it no longer benefits from EU clout of securing mutual investment deals with Beijing.

As stated before, Global Britain is about renewed military prowess. Sending a carrier strike group to Indo-Pacific¹³ represents a strong display of will for "freedom of the seas" and other modern principles. But the age of *cannon diplomacy* has long been over, and with the exception of sudden start of hostilities over Taiwan, for instance, is improbable that the European *Middle Kingdom* could effectively challenge the Communist Middle Kingdom, similarly to the retaliations done during the Opium Wars of British hegemony.

On the other hand, Russia, partner of China in the Shanghai Cooperation Organization, a *sui generis* military alliance, is another stumbling block for the Conservative British to re-assert themselves globally.

Capable of orchestrating successful or failed assassination attempts on British soil¹⁴ against former agents and proxies turned rogue or critical, despite London's explicit or implicit security guarantees and overall retaliations, Kremlin is pretty much insensitive to Britain's quest for comeback at the forefront of regional and global powerplays.

Obsolete are the days when Russian aggressive foreign policy would be met with diplomatic and military coalitions led by Britain. *The Charge of the*

¹¹ See U.S Department of State, Press releases, March 18, 2021

¹² Australian wine exports to China have plummeted with a loss of \$1.3 billion to just 3% compared to a year earlier under the heavy tariffs imposed by Beijing on the basis of "anti-dumping and countervailing duty" investigations. See Evans, 2021

¹³ It is impressive to see the deployment of Britain's latest and most modern carrier, HMS Queen Elizabeth, fitted with 5th generation fighters. But sceptics cannot oversee the fact that London is unable to send for its largest mission since the Falklands War a British-only carrier strike group, with a US guided-missile destroyer and a Dutch frigate complementing the flotilla; while cooperation is welcome news in terms of inter-operability it also point out to the post-Cold War decline of the Royal Navy in terms of numbers and autonomy of action. See Lendon, 2021

¹⁴ See the results of several journalistic investigations in Carr, 2018; McTague, 2019; Blake, 2019

Light Brigade, Lord Tennyson's heroic poem, could send any Whitehall decision-maker back in time to the joint British-French-Turkish-Sardinian force attacking Russia in Crimea. *Eastern Question* or *Near Abroad*, Kremlin's expansionist regional drive remains practically the same. The recent dispatch of air and maritime power to the Black Sea¹⁵ is commendable effort in order to help riparian allies. Reasserting is never easy policy, strategy and tactics. But beyond certain capabilities sent nearby potential battlegrounds, lays the real commitment of getting engaged in a fight. The broken diplomatic and military guarantees for inter-war Romania¹⁶ bear witness to the complicated realities of effectively putting not words but boots on the ground in the wider region of Black Sea. Romania is a NATO member now, but Ukraine is not. Tony Blair's decision to join George Bush's coalition of the able and willing in Iraq was challenged both legally and, in the streets¹⁷. Going global is nice rhetoric but usually is asserted by blood. Margaret Thatcher's will to send a carrier strike group and troops to the Falklands proved to be her foreign security highlight. But the remote South-Atlantic islands were British and challenged by a junta with a bad international image. Mr. Putin is not a *killer* (Frolov, 2021) in everybody's Western views but a sort of political trendsetter¹⁸ of enlightened authoritarianism of the Digital Age. Under his leadership, Russia has lost its democratic vocation tentatively exerted in the aftermath of Soviet collapse. But has regained its militaristic drive as shown by brutal successes achieved in Chechnya, Crimea, Donbas and Syria.

The post-Cold War British military record of foreign operations is not lacklustre: Irak (twice), Former Yugoslavia, Afghanistan. But never has Britain operated alone or as a leader.

A global bridge too far

Britain is a nuclear power, has the most sizeable Western European fleet¹⁹, but still is the junior partner of Cold War's victor.

A new militaristic drive could be sensed in the strategic documents presented by the Johnson government in March 2021 with multiple goals attached (HM Government, March 2021). Ranging from bolstering the

¹⁵ See, for instance, Ripley, 2021

¹⁶ For detailed descriptions of British diplomacy towards Romania and the rest of Central-Eastern European security complex prior the outbreak of the Second World War, see, for instance, Lungu, 1985: 390-414 and Arhire, 2019: 91-106. For a general perspective on British foreign and security policy in the 1930s, see McKercher, 2008: 391-442

¹⁷ See, for instance, Farand, 2017

¹⁸ For the spill over effect analysis of his leadership vision and style, see Angheloiu, 2018: 179-190

¹⁹ For a comprehensive take on European naval capabilities, see Stöhs, 2018: 13-41

industrial security complex in various parts of Britain (in order to tackle secession by investment and employment, among other things) to upgrading the numbers in strategic hardware (including nuclear warheads), such plans should serve the overall *Global Britain* goal (*The Economist*, 2021a: 23-24).

But going global by solo means is a far-fetched political fantasy when rigorous comparisons are being made. Britain has just left the EU over ‘costs’ but has the financial proficiency to rival the expenditures borne by strategic competitors in ongoing revolutions in military affairs?

Of course, you could build one more carrier strike group, submarine class, destroyer flotilla, or air squadron with updated high-tech. But like any other arms race, you could end up, as the three rival South American powers in the pre-WWI, on the losing, financial side, if you do not use them (Lardas, 2018).

“Serve and protect” is noble motto but the technological trends have made many countries self-reliant on their own expertise and building power.

Spy wars are still at stake, more and more by cyber-espionage, but by now Russia and China make the war game changers so much more on their own and so much less by purchase. Therefore, Britain is ambitious to re-enter an arena where the Goliaths are no longer sensitive to upgraded slingshots. In the Gulf crisis of summer 2020, British navy had to rely on the yet Invincible Armada of its former rebellious North American colonies. But each help comes with *quid-pro-quo*. Trump maybe out but Biden is not going to help Britain beyond article V, no matter what, but only “as it deems necessarily”, strategically.

Thus, Britain is destined to be more local than global, meaning *glocal*.

Britain has been a loyal partner to United States in several setups, including the troublesome non-UN authorised *coalition of the able and willing* which found no (more) WMDs in Iraq. One could still create military protectorates around the world but such feasts of glory come, as was witnessed in the 2000s, with huge political and moral costs.

Several strategic theatres have already started to look similar to the turbulent age of the 1930s. So, an opportunity may lay ahead, for the bold and industrious. Britain could seize it up but with significant operational limits. Lack of support and distrust from Washington happened last time London tried to punch above its real level, during the Suez Crisis of 1956²⁰. Hong Kong, Crimea, Sudan or Malta still represents glorious stories in the British military imaginary. Britain still has military outposts around the

²⁰ See the details of bitter relations between the British prime-minister Anthony Eden and the Eisenhower Administration in Lucas, 2014

world and a Commonwealth to rely on, but not for similar offensive projections of power. So, what you have are vestiges of hegemony in a world where Beijing is creating artificial islands and ADIZs²¹ in its bid to claim most of the two *China* seas²², and Kremlin is militarizing its Arctic North in anticipation of the emergence of global warming's 'Polar' Suez²³.

In the inter-war age, a victorious but harmed Britain still had the sea supremacy and financial hegemony of the world. A century later, the City in London is still a major financial hub despite the setbacks brought forth by Brexit. But the days of any kind of supremacy are over, even in the academic field of posh, Harry Potter-like Hogwarts. Oxford and Cambridge still matter but they are an academic industry and not at the forefront of artificial intelligence research and implementation. Oxford contributed to the fight against Covid-19 but not without performance and safety controversies (Ellyatt, 2021) related to the testing and side effects of its vaccine made in partnership with British-Swedish pharmaceutical company AstraZeneca.

Is this author's view that Britain does not have a secret lever to use in order to effectively go global. It could be proficient in special operations, espionage affairs and some military high-tech innovations. But is evidently lacking that special technology or asset that game changers need, seek or possess presently.

Celtic breakaway scenarios

A major driver against Britain going global is the secessionist movement at home, a sort of Brexit in reverse²⁴. Thus, Scotland, at least at the level of its ruling Scottish National Party, wants out of Britain and back in the EU. A major paradox emerged in the aftermath of the 2014 referendum: despite defeat, the 'leave' camp demonstrated that it can mobilise enough popular support to challenge until the very last days of campaign the unbreakable, three century-old bonds of 'British Union'. A minority of 45% means defeat, of course, but also a view to next, successful referendum held during the same generation if favourable auspices are met.

²¹ Air defence identification zone

²² See the ruling of the Permanent Court of Arbitration in The Hague in favour of the Philippines and against China's unilateral actions, Case Number 2013-19. For Chinese official negative reactions, see, for instance, Phillips, Holmes, Bowcott, 2016

²³ For Russian recent developments in revolution in military affairs including "super-weapons" (the *Tsirkon* anti-ship hypersonic cruise missile and the *Poseidon* unmanned nuclear stealth torpedo) deployed in the Russian arctic territories, see Paton Walsh, 2021

²⁴ For a balanced synthesis on the post-Brexit state of the British union, see *The Economist* dossier, April 17th 2021b: 9, 16-18, 23-24

Here comes Brexit and the Scottish pro-EU vote, which to SNP and its electorate is the 'other' referendum of 'can do'.

London has the constitutional powers to block another formal referendum but the stage is set for continuous efforts by Scottish ambitious to seek beyond devolution to the grand horizon of full power. There are several issues that offer comparative advantage to maintaining the union, including the administrative and economic derailment caused by managing the secession. But the grandeur of Global Britain, if successful, will not be achieved so rapidly to keep pace with the dynamics of SNP dominance in Scotland in the context of Labour and Tory dwindling electoral support. The electoral landscape is always shifting but the political quicksand of it will constantly have a preference for failure to deliver on a promise. The longer SNP is capable of being the leader of political spectrum, the larger the chances to deliver on this dream will be. SNP has to push for it or otherwise face irrelevance and final defeat.

In an age of consumerism and individual life placed above collective restraints, patriotism still has a huge appeal on those who did not get a nation in the first place. The British premier in London could use economic levers to increase social and economic perspectives in "backward" Scotland but in the end the existence of a Scottish first minister is the very proof of *Edinburgh first* which was obvious during the biggest crisis of our time, the Corona pandemic, when the two clashed and contrasted often over roadmaps and solutions.

Reaping better rewards in Britain versus the EU is a complicated dilemma but the prospects of quick accession could serve as another trigger for Scottish independence. The more the EU-UK relations become contentious, the deeper the preference to invite Scotland in as strategic leverage could be, despite eventual opposition from Spain and other EU secession-wary member states²⁵.

Another Celtic challenge for the union and its global ambitions is the impact of Brexit on Northern Ireland peace process. Devoid of unity for over a century and of independence in one entity since Early Middle Ages, the emerald island had found a sort of togetherness within the EU. The major achievement of the Good Friday Agreement and with it the pacification of the IRA and the UVF could not have been possible any other way.

But the powder keg of Northern Ireland religious sectarian divide and violence has been once again brought to the forefront by the

²⁵ For an evaluation of Johnson's options, partition issues (including the fate of nuclear weaponry and submarine bases) and EU Scottish membership perspectives, see McGee, 2021

consequences of Brexit.

“Bring control back to Britain” was the battle cry for Brexiteers. But what about the unintended effect of re-imposing a hard frontier in Ireland or the Irish Sea as marker of regained sovereignty? Should it be the task of the EU to preserve peace when the breakaway state is careless about fallout? Or should it be allowed for this state to break the international law, marginally but intently, in order to mitigate the negative consequences of leaving the internal market?

For Mr. Johnson and his followers Brexit and Global Britain are *Realpolitik* devices aiming for grandeur. Anything goes for them as long as there are no inescapable negative constraints. Moral flexibility²⁶ is paramount, and the only criterion for policy evaluation is success.

But peace is a viable solution only when the parties care about it mutually.

The recent political resurgence of Sinn Féin²⁷ in Ireland and the outbreak of street violence in Northern Ireland²⁸ reflect both the potential comeback of *Troubles* and renewed hope for historical reunification fuelled by the post-Brexit centrifugal trends and governing crises (*The Irish Times*, 2021). For the Belfast loyalists, a hard commercial border in the Irish Sea has the meaning of betrayal by London while for the nationalists the backstop’s dysfunctionality represents a trigger to seek again a post-Britain future, encouraged implicitly by the focus shown by their Scottish Celtic kin.

The quest for Global Britain could offer several incentives to the Celtic subjects to continue seeing their future in a kingdom still led by England. *But is this author’s opinion* that only the economic carrots (envisaged by the ambitious military industrial plans) and legal sticks cannot compensate the political need for living in an important state that has not lost power and relevance.

For all its defects, the EU has nonetheless the merit of peaceful reunion of nations with vested interests. Based on historical reconciliation among warring states, the EU has also created a moderate sense of togetherness especially between younger generations of Europeans who 70+ years ago would have fought to the death over the rivalries of their elites.

But the great and united Britain was forged by war through several centuries. It still is a matter of pride to cherish events like the glorious

²⁶ For Johnson’s (broken) promise to the loyalists of no border in the Irish Sea, see McHugh, Young and Black, 2020. For EU legal action against UK Government’s alleged breach of the *Northern Ireland Protocol* in the context of negotiations for the approval of *UE-UK Trade and Cooperation Agreement*, see, for instance, Fox and Frater, 2021 and Blenkinsop, 2021

²⁷ See, for instance, McConnell, 2021

²⁸ See, for instance, Hirst, 2021

revolution of 1688 or the English-Scottish act of political union of 1707. But the same archipelago saw many independence and civil wars. Two such events come to forefront because they were deemed as almost complete surprises: the Highlands Jacobite uprising of 1745 and the Irish Easter rebellion of 1916. Without going into details, both of them represented challenges to *Pax Britannica* imposed by England on its lesser union neighbours.

The paradox of leaving the EU could spin a geostrategic wheel of coming back to roots, which does not have a full stop on Britain being EU-free, thus British again. It could also mean **Breakit**, signifying the quest for primary identity, namely Scottish, Irish, and Welsh. If East could be reunited with West Germany under the implicit aegis of the EEC, why not South could dream of a similar pattern of reunification with North inside the EU? Of course, there are differences but, in the end, it is all about a similar story of partition by the will of an outside winner. Politics, religion, warfare are just tools for hegemony, if achievable. When the goods of success dry up and cannot feed imperial political myths no more, then is the time for reconsideration. Home rule, dominion, commonwealth, devolution have been ad-hoc solutions for keeping together an empire spread around the globe. But with Britain most likely destined to play at best the smart role of a bigger maritime Switzerland, the historical lesson could very well be the break-up of united kingdom and the re-emergence of England, with global delusions²⁹ of grandeur but locally restrained powers.

Conclusions

As long as the monarchy (the paramount of historical bonds, glorious heritage and smart pressure on elected politicians to deliver good governance) endures, the kingdom has a significant chance to continue as the union between English, Scottish, Welsh and Irish constituents.

Going global could compensate the peripheral syndrome to which Britain is exposed after Brexit, but is very much dependent on the dynamics of mutual annihilation between the United States and its strategic competitors. But the risks of overstretching abroad and partition at home run high, and could overcome Britain and its prospects of restoring world power status.

²⁹ For a similar critical approach, see Shapiro and Witney, 2021. For a positive assessment, focused on the potential role as global power broker, see Niblett, 2021. But the intricate weak point of such a vision is the very assumption that the UK, promoter and founding member of two military alliances (NATO and FPDA - The Five Power Defence Arrangements), could also play the elevated role of facilitator/broker for revisionist, anti-US powers.

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II. Regional Cooperation and European Borders

Defining Borders and Border Regions with the Application of Geoinformatics

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Abstract. *The definition of borders and border regions differs depending on the approaches applied as it is shown by the great variety of literature used as references. Borders and border regions, constituting the focus of our paper, are defined in many different ways in the various researches, and there are also several types of border regions due to the multifaceted delimitation methods. In the course of the research, we tried to find answers to the questions of (1) how the border regions of certain countries were defined in the Hungarian and international literature, (2) why a given demarcation method was chosen, and (3) what kind of databases were used. Besides, we also made an attempt to organise the identical and similar delimitations into categories.*

Keywords: *border, border region, delimitation, geoinformatics, buffer zone*

Introduction

Borders and border regions, constituting the focus of our paper, are defined in many different ways in the various researches, and there are also several types of border regions due to the multifaceted delimitation methods. While the term “border” means a “line” (on the maps), border regions in fact cover more extensive areas (Dusek, 2004: 63-92). Therefore, the width of a border zone mostly depends on the research topic and the author (Pénzes, 2010). The different disciplines refer to varying border

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zone sizes, thus the demands of the various disciplines cannot be satisfied by simply drawing a border line (Erdősi, 1988: 18-30).

Borders are integral parts of our everyday lives from our birth – or even before. They can be personal, social, political, economic, mental, physical, natural or artificial, etc. It depends on us whether we see them as positive or negative, or we find them useful or useless. Some nations have more than one word for the “border phenomenon”, while others have only one. Some people feel the weight and burden of borders in their everyday lives, while on others they have no impact at all. In Europe, the issue of borders has gained special relevance as a result of the disappearance of the Iron Curtain and European Union’s goal of removing all borders that could hinder life and work in the common European space. Consequently, nowadays, there are parts of Europe where the population aged under 25 has never experienced what it is like not to be able to travel free around the continent. Nevertheless, the meaning and contents of the terms meaning “border” in the various languages of Europe are the products of history which have changed a lot especially as the integration processes accelerated on our continent. Therefore, in Europe – and slowly all over the world – more and more new border related terms are introduced which shift the original meaning of borders and add a new dimension to them. The nature of cross-border relations and co-operations is clearly produced by the will of people and powers and strengthen the connecting nature of borders as opposed to their separating role.

There are many studies focusing on borders also examining a territorial unit located along the border (e.g. a county, a district/microregion or a settlement), or a border section as part of other research topics, and deals less with the significance (or insignificance) of border regions or borders (Kovács, 2006). In the researches related to the Hungarian border regions, there are only a few authors who would use the same method to delimitate border regions, and this leads to difficulties in comparing and interpreting the results (Kovács 2006). There are even fewer researchers (both in Hungarian and international terms) who focus on the interpretation problems and delimitation methods of the areas along the borders of Hungary. Even if there are any they will concentrate on the topic as part of a more extensive border research or literature review (e.g. Pete, 2018? 3-19). Based on some theoretical models, there have already been some attempts to delimit border regions (e.g. Horváth, 2007: 159-170; Hurbánek, 2009: 115-122), but there are far less such a settlement-level and GIS-based detailed study which seeks to compare the Hungarian and international delimitation methods. In fact, it would become a rather unique work if prepared for the total length of the Hungarian state borders, for which the present study could be an important starting point.

In the course of the research, we tried to find answers to the questions of (1) how the border regions of certain countries were defined in the Hungarian and international literature, (2) why a given demarcation method was chosen, and (3) what kind of databases were used. Besides, we also made an attempt to organise the identical and similar delimitations into categories. The collected delimitations were uploaded into a GIS database, with the help of which we were looking for an answer to the question whether we can define a core border region (which would be the common intersection of the different demarcations), and a category that could be classified either as dominant border region or transitional border region.

Material and method

First of all, we looked at the various ways borders are interpreted in Europe, finding that the terms border, boundary and frontier commonly used in the literature available in English have different meanings and revealing that they should be used consequently. Secondly, as the main focus of our research, we were looking for the definition of the concept of border regions, as well as the best method(s) for the delimitation of border regions, in the various literature sources. The various studies used numerous approaches and methods, therefore the matching and similar delimitations were arranged into groups. The ArcGIS10 software and the database of the GeoX Ltd. ArcHungary were used for the comparative analysis of the delimitation methods. The complex and extensive database was further enlarged using the relevant CSO and TeIR databases available on the Internet. For further additional analyses, the Microsoft Excel spreadsheet program was used.

During the comparison, in addition to the easily and simply displayable delimitations, more complex methodological approaches were also found. One of these was the accessibility matrix calculation between the nearest road border crossing points and the settlements, which could be performed with the help of the ArcGIS Network Analyst program. The access times were given in minutes with taking into consideration the rules and regulations of the 2013 road network and TRAFFIC regulations of Hungary. No narrowing was used for the road border crossing points, so the total of 76 crossing points (2019), ensuring continuous border crossing published by the utinform.hu and police.hu were included.

Results

Borders, boundaries or frontiers

The terms border, boundary and frontier are often regarded as interchangeable in our everyday conversations. Very often the various means of media (newspapers, magazines, radio, television, internet) also use these

three terms as synonyms – which is definitely not correct. Besides the various meanings attached to the terms by the different disciplines, there are also several approaches which should be taken into consideration (Internet 1).¹

1) *Semantic approach*: In many European languages, including British English, the term frontier is a synonym for border. In the Americas, and especially in the United States, border means boundary, between countries, between the states of the United States, etc. Frontier, typically but not exclusively, refers to a historical boundary between expanding European settlements and indigenous settlements. Thus, in English usage in the United States, frontiers and borders are very different concepts and refer to quite distinct social markers.

2) *Historical approach*: Since the founding of the first states in human history in Mesopotamia some five thousand years ago, boundaries or borders have generally been vague, imprecise zones in which political – and to a lesser extent economic, social, and cultural – control fades away. That is, borders, boundaries, borderlands, and frontiers are zones or regions with some dimension, where there is a shift, more or less gradual, from control by one state to another or to an absence of state control.

3) *Time and space approach*: At different times and in different places the above concepts had different meanings, and they have been implemented in different ways. Often a word translated as border from one language to another had behind it a different meaning, a different concept of markers, and even different ethical and political implications of what that “border” entailed.

4) *Connotation approach*: The meanings of the above terms and their implementation have changed over many millennia. Throughout these changes there have often been disconnects or divergences between their social reality and what various actors (individuals or states) thought they should be.

5) *Scale-based approach*: Almost any border or boundary zone, when viewed from a sufficient distance, appears as a sharp line. When viewed up close, however, it becomes a zone having some width and often having blurry edges. So, from a central capital, a border or frontier may seem precise. Yet from the perspectives of those living on or nearby the boundary or frontier, or even from the perspectives of those charged with administering or controlling it, it can be quite vague and often contentious.

¹ The following five approaches are based on the article entitled “Borderlands Borders and Global Frontiers: Complications of a seemingly simple concept” (Source: <http://science.jrank.org/pages/8484/Borders-Borderlands-Frontiers-Global-Complications-Seemingly-Simple-Concept.html>) The *approaches* are suggested by the author of this book, while the wording of the descriptions often follows the original text found on the cited website.

Prescott and Triggs, political geographers, make a clear differentiation between the three terms: “A *boundary* is a line while a *frontier* and a *border* are different kinds of areas.” They give an explanation for the two latter: “The term frontier has two meanings. Long ago political frontiers separated tribes or kingdoms or principalities throughout the world. These frontiers were not controlled by either side. They provided refugees for outlaws. ... The second meaning of frontier refers to the settlement frontier within a large country such as the United States of America or Australia. It represents the distinction between occupied and controlled land and unoccupied and uncontrolled land.” “The terms *border* and *borderland* are synonyms. They are both zones of indeterminate width that form the outermost parts of a country, that are bounded on one side by the national boundary.” (Prescott-Triggs 2008)

David Newman and Anssi Paasi, political geographers, remark that “Boundaries, by definition, constitute lines of separation or contact. This may occur in real or virtual space, horizontally between territories, or vertically between groups and/or individuals.” (Newmann-Paasi 1998) Besides, as Newman and Paasi suggest, they also focused on the definitions “distinguishing boundaries and borders from frontiers, boundaries from borders, borders from borderlands and political frontiers from settlement frontiers.” They concluded that “Boundaries and borders were initially conceived as being no more than lines separating sovereign territories, while frontiers were assumed to constitute the area in proximity to the border whose internal development was affected by the existence of the line.” (Newmann-Paasi 1998)

In his work “Studying international borders in geography and anthropology: paradigmatic and conceptual relations” Duška Knežević Hočevar in 2000 studied the terms in the geographic and anthropologic perspective, concluding – inter alia – that “we can agree with Cohen that the term “boundary” was used by geographers mainly to denote political boundaries...”. (Hočevar 2000)

In sum, we may establish that all disciplines and many authors have made and – still make – attempts to define the phenomenon distinguishing between borders, boundaries and frontiers.

Border regions

Border region researches in the past decades mostly examined the effects of borders on the geographical territories and society from more and more aspects. During this time, many authors have attempted to review it as an expanding area (pl. Hansen 1977: 1-14; Houtum 2000: 101-107; Pete 2018: 3-18). The study of border regions is also prevailing in the literatures of

regional sciences and geography, as its proximity to the border makes it an area that can be described with distinctive characteristics (Hardi et al. 2009).

Multi-faceted possibilities of delimitation of border regions

In the course of the study of the delimitation of border regions, more than one hundred items of literature in Hungarian and English were examined. The number of sources reviewed is expected to further increase (mostly with the addition of literature in other languages), but in addition to the sources so far, a considerable number of typable delimitations have been distinguished which also reflects the diversity of the research topic. The present study highlights some of the great variety of methods supported with examples.

During the exploratory research altogether 11 methods for the delimitations of border regions were differentiated:

1) Many authors took into account which statistical territorial units (counties, regions, districts/microregions, etc.) are in contact with the boundary line (e.g. Rechnitzer 1990; and in 42 more cases);

2) The designation of a zone within some kilometres from the border in a straight line has also proved to be a frequently applied method (e.g. Houtum–Eker 2015; and in 22 more cases);

3) The range of settlements in the border region designated by the Centre for Regional Studies of the Hungarian Academy of Sciences (Has Centre for Regional Studies), based on experience, also served as the basis of delimitation – at least in the case of Hungary (e.g. Erdősi 1988; and in 6 more cases);

4) The territorial units defined by the Hungarian Border Surveillance Act (border surveillance directorates, border surveillances agencies) were also used in some cases (e.g. Sallai 2002; and in 1 more case);

5) Urban districts, catchment areas, towns and villages in contact with the boundary line also served as a basis for the delimitation of border regions in many cases (e.g. Hanson 2001; and in 25 more cases);

6) Delimitation based on the transport network was also applied by some researchers (e.g. Péntzes et al. 2008; and in 4 more cases);

7) The delimitation of border regions from the centre or border based on geographical information was also used by many researchers (e.g. Horváth 2007 and Hurbánek 2009);

8) The delimitation of the border zone can be implemented on the basis of certain indicators as well (e.g. Kocsis 1988; and in 2 more cases);

9) In some studies, areas of historical importance and/or natural borders were taken into consideration (e.g. Horváth 1988; and in 6 more cases);

10) The empirical basis for the delimitations can also be provided by questionnaire surveys (e.g. Hardi –Lampl 2008);

11) There was also an example for a border region created on the basis of a combination of specific delimitation methods (e.g. Péntzes 2010);

Categorisation of border regions: a new attempt

After the typification of the delimitations, the accumulated selected literature, i.e. the collected delimitation methods, were entered into a geographical information database and was projected on the digital geospatial overlays of Hungary, and thus they were compared. During the analyses the settlement and district levels of 2016 were used. In each case, the settlements whose residential or inland centre was located within the applied delimitation were included in the established border regions.

During the research, it seemed obvious to make a comparison between the zone delimitations used in the different literatures, yet before the categorisation, as they represented a rather wide range (10 km to 100 km) in the studies. Nevertheless, it would be pointless to use a 100 km zone for the area of Hungary (due to its size), therefore Table 1 contains a comparison of smaller buffer zones and settlements located along the border.

Table 1. Comparison of the buffer zone delimitations used in the literature through the example of Hungary

Delimitations	Settlement	Population, 2017
settlements along the border	310	961 201
0-10 km	676	1 354 711
0-15 km	964	1 809 631
0-17 km	1 069	1 991 892
0-20 km	1 222	2 392 487
0-25 km	1 479	2 858 826
0-30 km	1 692	3 524 409
0-36 km	1 895	4 148 444
0-40 km	2 018	4 623 634
0-50 km	2 317	7 194 420 (including Budapest)

Source: own calculation based on CSO databases and GeoX overlays

Table 1 shows that even in the case of a smaller country, like Hungary, even a few kilometres zone growth might considerably increase the number of settlements and population. The 20 km wide buffer zone most frequently used in the literature would include roughly 39% of the country's settlements and a population of almost 2.5 million. Though it may be regarded significant but far below the values of the 40 and 50 km wide

zones which delimitations are much more applicable in the case of countries which are larger than Hungary.

In the course of the literature review, it became apparent that the different types of delimitations indicate regions with different widths. However, some regions with similar width can be grouped, therefore an attempt was made to collect and categorise these regions (Table 2).

Table 2. Three-level categorisation of delimitations in Hungary

Delimitations	dominant border region	transitional border region	remote border region
Buffer zone delimitation	0-10 km	10-20 km	20-36 km
Border crossing access time	0-15 minute	15-30 minute	30-40 minute
Complex approach	settlements along the border	delimitation used by CSO Centre for Regional Studies	settlements of districts within 36 km

Source: own work

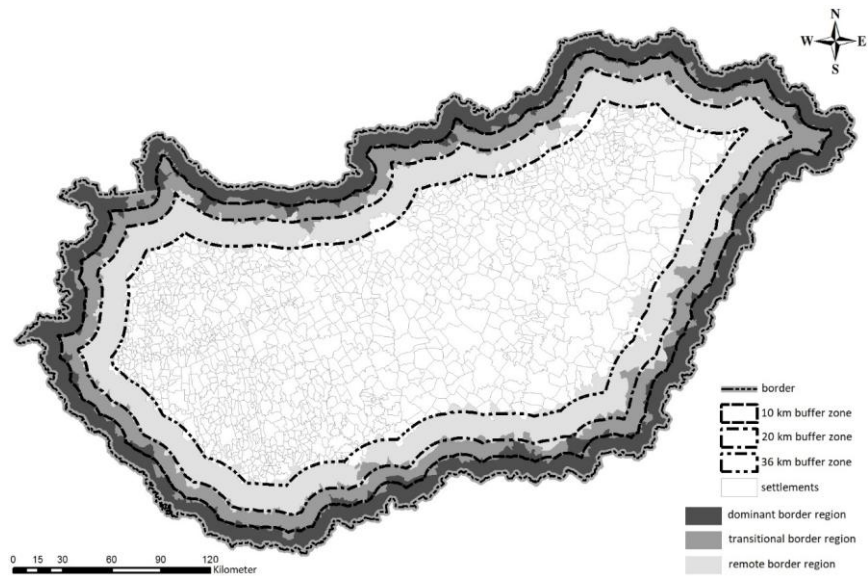


Figure 1. Buffer zone delimitation categories in Hungary (own work based on GeoX overlays)

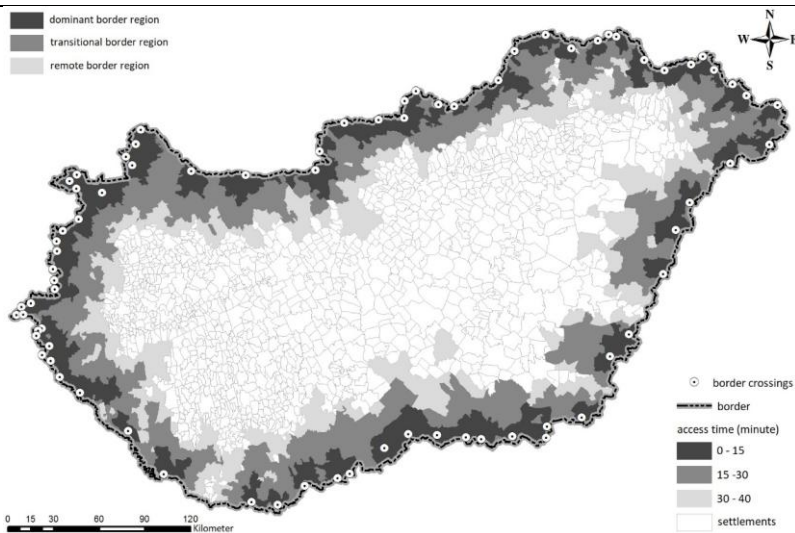


Figure 2. Border crossing accessibility-based border categories in Hungary (own work based on GeoX overlays)

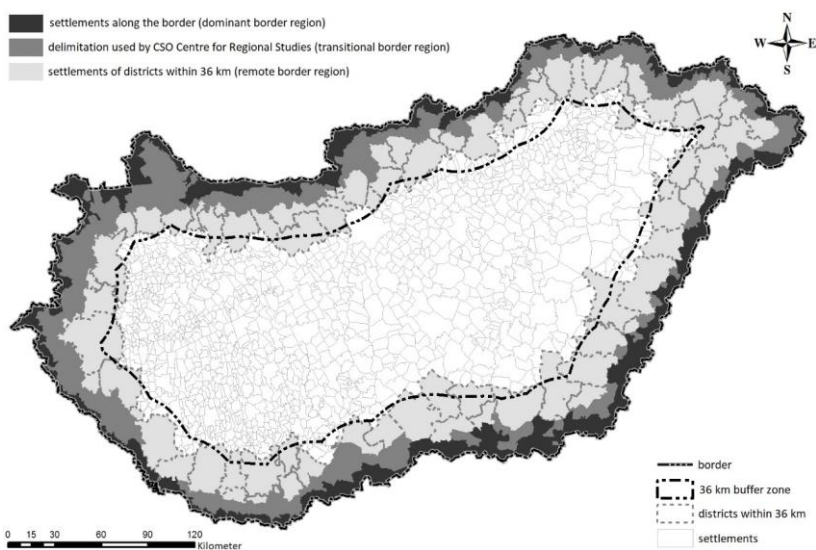


Figure 3. Categories of the complex approach in Hungary (own work based in GeoX overlays)

The categories were named dominant border region, transitional border region and remote border region taking into consideration their distance from the border.

The setting up of the categories was also related to the spatial structure of Hungary. The categories of the buffer zone delimitation with nearly the same widths appear to be rather appropriate/favourable (Figure 1). The categories based on the access times of border crossings are a bit more varied, which might indicate the interoperability and attractiveness of the border(s) (Figure 2). In developing the categories of the complex approach, an attempt was made to create a combination of the other delimitation methods (Figure 3).

There were significant differences between the three categories regarding the number of settlements and the number of population (Table 3 and Figure 4). It is interesting, however, that in the total number of settlements the three delimitation methods are almost the same which may be an important indicator for future studies.

Table 3. Number of settlements and population by categories in Hungary

Delimitations	dominant border region	transitional border region	remote border region	total number of settlements
Buffer zone delimitation	676 (1 354 711)	546 (1 037 776)	673 (1 755 957)	1895
Border crossing access time	552 (1 482 215)	846 (1 783 631)	485 (2 807 627)	1883
Complex approach	310 (961 201)	557 (874 865)	1 028 (2 323 074)	1895

Source: own calculation, based CSO databases and GeoX overlays

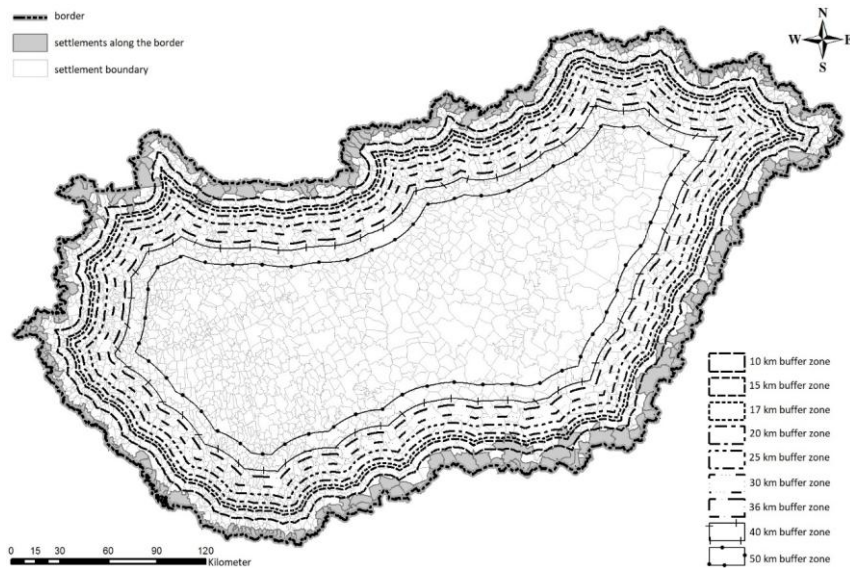


Figure 4. Buffer zones along the borders of Hungary (own work based in GeoX overlays)

Conclusions

In the future, it is planned to include more delimitation methods into the GIS database, such as the analysis of the scarcity of transport networks in border regions, or the application of various combinations. Also, using the above, the final goal is to develop a delimitation method that would correspond and adapt to the Hungarian trends and spatial structure conditions in several respects. In addition to pairing with datasets related to the economic performance of the border regions, the interpretation of cross-border activities can be also relevantly used with the delimitation methods.

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The Issue of Border Regions in the Context of Deepening the European Integration Process

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Abstract: *Borders can have a positive impact upon the economic activity of a region. The reduction of the barrier effect, as achieved in the European Union, has led to a diminution in non-homogeneities in the areas situated on different sides, as well to a decrease in discontinuity as regards the flows of goods, services and information. Among the other aspects that had a crucial impact upon the regions of Europe, one might include the achievement of the single market in 1992, the elimination of customs formalities and duties, and the harmonization and mutual recognition of technical rules in each Member State. A decisive influence in the transformation of border regions into areas of economic growth was the INTERREG program, which financed interpersonal exchange projects, infrastructure investments and institutional cooperation initiatives. Regions close to the EU's internal borders also benefit from medium- and long-term cross-border cooperation and integration mechanisms, which trigger dynamic development processes in these areas. The study aims to contribute to the understanding of the factors involved in the transformation of a border region into a space for active contact and communication between different interconnected economies. In this study, we aim to identify the role of border and cross-border cooperation in the dynamics of border regions and to highlight the main typologies and theoretical models developed for border regions.*

Key words: frontiers, border region, European integration process, cross-border region

Introduction

The industrial revolution of the second half of the nineteenth century established new ways of organization for both production and transport, based on technological innovation that promoted the large-scale production of goods. One hundred years later, another revolution manifested itself in industrial organization, starting from the need to

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interconnect the modes of production and transport, with radical consequences on logistics, information and communication processes. In the context of globalization, this has meant the relocation of goods management and of information activities, a process in which interconnection nodes play a strategic role. Thus, the differences between the industries producing goods and those providing services have been reduced; changes have emerged in the nature and forms of relationships between companies, while industrial networks have also been established. The economic organization of modern industries can evolve in three main forms - market, hierarchical structures and networks. Unlike the first two, a network structure ensures the complementarity of capabilities and actions, but also an effective combination of competition and cooperation supported by quality communications and regular interactions between independent partners (Nijkamp, 2000: 4-7).

In the early 2000s, Peter Nijkamp noted that this new paradigm has led to the emergence of various exploratory directions in the field of geography, economics and international trade, but also in regional development, where competitiveness is one of the key elements that acts towards the transformation of the region into a significant player in the global and open market economy. In a context in which industrial flows are present, competitiveness translates into actions performed not only better than those performed by others, but also together with others (Nijkamp, 2000: 6-8). The mobilization and unification of regional endogenous forces can be done through strategies and development programs aimed at improving competitive advantage (highly skilled labour force, low property prices, good governance and support for the private sector, a strong entrepreneurial spirit, accessibility, connectivity through integrated systems infrastructure etc.). In the particular case of border regions, these areas are usually defined by the state border and have been perceived for a long time as peripheral areas (Schack, 1999: 2).

The concept of peripherality has been and continues to be a subject of study for economists, geographers, sociologists and the political scientists concerned with regional development. According to Kolosov and Morachevskaya, the periphery is often perceived as an area away from the urban agglomeration, located at the edge of the impact of the centres or in areas with poor economy, located along the borders. The two researchers highlight a number of features specific to peripheral regions: a high dependence on the decisions of central authorities; low population and settlement density; low level of development; an economy dominated by primary sectors; a low per capita income and low consumption (Kolosov, Morachevskaya, 2020: 4-5). On the other hand, the location of investments in a certain area leads to geographical polarization. Therefore, any region

that has a strong economic structure, which is competitive in global markets and has a cheap and good infrastructure, can become a centre. The new model of organizing regional economies into a network structure favours the formation of centres in which new trends and images are created and disseminated, true gates through which countries come into contact with world markets. Therefore, the periphery can adapt to the new conditions of the world system and can evolve socio-economically, with or in relation to central areas (Erkut, Özgen, 2003: 5-6).

Borders can, in turn, have a positive impact upon the economic activity of a region. The reduction of the barrier effect, as achieved in the European Union, has led to a reduction of non-homogeneities and of areas placed on two sides; in addition, it resulted in a limitation of discontinuities in the flows of goods, services and information. The completion of the single market in 1992, the elimination of customs formalities and duties and the harmonization and mutual recognition of technical rules in each Member State were also crucial factors in the above-mentioned process of reducing the obstacle effect of borders. A decisive influence in the transformation of border regions into areas of economic growth was the INTERREG program, which financed interpersonal exchange projects, infrastructure investments and institutional cooperation initiatives. Regions close to the EU's internal borders also benefit from medium- and long-term cross-border cooperation and integration mechanisms, which trigger dynamic development processes in these areas. On the other hand, borders can also have negative influences, especially those located near the internal borders of Central and Eastern Europe, as well as those external to Eastern European Union (Niebuhr, 2005: 1). They are also caused by the geopolitical disorder in the area installed after the fall of the "Iron Curtain", which gave rise to territorial restructuring, followed by reordering processes as the EU border expanded towards the East (Wielgoß, Lechevalier, 2013: 10).

This study aims to contribute to the understanding of the factors involved in transforming a border region into a space for active contact and communication between different interconnected economies. Starting from the well-known theories of regional development and based on the cohesion instruments and policies promoted by the European Union, we aim to identify the role of border and cross-border cooperation in the dynamics of border regions and to highlight the main typologies and theoretical models of border regions.

The role of borders in the development of border regions within the European Union

In sociology, borders are seen as factors of inclusion / exclusion in relation to a social structure connected to a space. From the semantic

perspective, borders include and exclude, separate and unify at the same time, regardless of whether the space is geographical or social; they are seen as representations of the dynamic limitations of actions, interactions and social relations (Schack, 1999: 4-5). In the last two decades there has been a change in the consideration of borders as geographical demarcations, the new perspective attributing to them the quality of social construct. The changing meaning given by the duality of borders changes the universal significance in the societal order and the image of borders as static structures has evolved towards the concept of bordering. This perspective focuses on borders as dynamic cultural processes, which can be analysed as social practices of social differentiation, as institutions established by political decisions and regulated by legal texts, as a subject of contestation and political change (Sendhardt, 2013: 25-26).

The impact of borders on economic activity in a region varies from positive values, to negative ones, despite globalization, accelerated European integration and the process of political and territorial restructuring on the continent (European Commission, 2017: 2). Although national borders within the EU lose their relevance to the day-to-day activities of border residents and decrease the importance of borders as an obstacle to the flow of goods, people and information diminishes, they are still correlated with fiscal, institutional, cultural and language differences. It is easy to see that due to the relatively low spatial interactions, the impact of the borders in the adjacent territories is negative. Also, the high degree of competitiveness given by the reduction of the barrier effect will lead to the decline of some economic sectors in border areas, while others may find new export opportunities. For consumers, the phenomenon is the same - some products become cheaper due to competitiveness, others may become more expensive if companies located near the border consider that they obtain a higher profit by exporting them to other countries (Rietveld, 1999: 3).

In a study conducted by Cattán and Grasland, the researchers established the framework for analysing border effects, introducing two factors for the calculation of impact – the distance and the border, which correspond to two types of variables, a static one related to location in a certain space and the other one, related to flow and connected to spatial interaction. After processing the data, the two researchers concluded that closed and semi-permeable borders can generate non-homogeneities in areas situated in their vicinity, but also discontinuities in spatial flows and interactions. As the barrier effect is reduced and the border becomes more permeable, the model expects an increase in similarities in adjacent areas. Borders can become an obstacle, again and again when the intensity of spatial interaction suddenly decreases due to a weak or expensive transport and communication infrastructure, when consumer preference shift to

national goods and services, when there are government interventions of various kinds or when we lack information on goods, services and capital in the neighbouring country. This effect is expressed in a variety of types of costs that include additional financial expenses and time-related costs (Cattan, Grasland, 1992).

In the case of fully open borders, the removal of political barriers meant the freedom of movement for both the population and the labour force, as well as a common currency (the euro). According to the model presented above, keeping the borders open for a long time would result in energetic interactions between actors on either side of the border. In reality, they are more limited, and border regions become rather transit areas. Other barriers become visible this time: the legislative and institutional framework or cultural and language differences. Small differences in production costs determine the attractiveness of goods in neighbouring areas. However, the price of fuel and housing makes the difference. Moreover, the history of communities on both sides of the border can create barriers in the minds of the population, even when they no longer exist physically (Anderson, O'Dowd, 1999: 600). However, the role of the open and of the semi-permeable border may be changed. Christopher Sohn highlights four factors that can be taken into account when we characterize the border as a source of opportunities in the context of an economy organized on a network structure: the positional benefit turns the border into an asset for the business environment adjacent to it; differentiated benefits obtained by exploiting economic, social and cultural differences, which in fact become a resource; benefits derived from the construction of a hybrid space in which flows are highly generated precisely by these differences; the specific identity of the regions on either side of the borders. The essential condition is that the actors involved in development should be able to understand, reinterpret the basic functions of national borders and exploit the opportunities offered, even in the context of a relative opening of borders (Basboga, 2020: 536).

The role of cross - border cooperation in the development of EU border region

Another type of instrument for changing the role of the border, made available to the regions by the European Union since 1997, is territorial cohesion. Relatively new in the context of European regional policy, the term has often been used since 2000, and since 2013 it has become an integral part of the EU cohesion policy. Through the Green Paper on Territorial Cohesion, the European Commission promotes “an integrated approach to tackling problems at a geographically appropriate scale, which may require the cooperation of local, regional and even national

authorities” in order to achieve a balanced and sustainable development of territories (Commission of the European Communities, 2008: 11). The document highlights the territorial diversity, the unique way of disposing localities¹ and the more concentrated and unevenly distributed economic activity, as related to the population across the EU, in order to find that the border regions are the most disadvantaged. The book proposes two strategies for overcoming obstacles. One takes into account the distance factor and proposes connecting territories not only through good intermodal transport connections and integrated transport systems, but also adequate access to healthcare, education, broadband internet, sustainable energy networks, strong connections between companies and research centres. The second strategy aims to overcome the divisive factor through strong cooperation at various levels (Commission of the European Communities, 2008: 6-7).

With 40% of the European territory classified as a border region and with the differences between the old and new Member States maintained, national borders are at risk of turning again into an obstacle to the cohesion process (Demetrova, Goodwin-Hawkins, Fischer, 2020: 2288). An even greater challenge is felt by the territories near the border, where different levels of well-being are found in relatively small neighbourhoods. In this case, the development and expansion of transport infrastructure and investments are recipes for reducing disparities, but usually the business environment in the more developed border region uses the territorial potential of the neighbouring region (easy access to primary resources and highly qualified, but poorly paid labour force) to maximize profit and increase competitiveness (Ruidisch, 2013: 103-107). Theoretical models assume the existence of economic relations in the field of services, production and consumption between the two neighbouring communities, which allow the meeting of domestic and external demand. Mutual relations can be created between the two border regions, which involve complementary exchanges of goods and complementary services between regions (Wróblewski, 2020: 4). In turn, entrepreneurs in the neighbouring area have increased opportunities to develop their business and access markets other than the local or the national ones. Another advantage relates to the partnerships that can be established between different actors located on both sides of the border, which can lead to increased spatial interactions

¹ In 2008, there were 5000 cities with a population ranging from 5000 to 50 000 inhabitants and almost 1000 cities with more than 50 000 inhabitants across the entire territory of the European Union. These territorial units are centres of economic, social and cultural activity, but the urban network has only several big cities (only 5 cities that are among the biggest 100 large cities in the world), (Commission of the European Communities, 2008: 6)

and accelerate the integration process. Residents of these areas may find attractive the low cost of living on one side of the border or the high incomes that can be obtained in neighbouring regions (Erkut, Özgen, 2003: 15). Moreover, the European Association of Border Regions views and conceptualizes these territories as "integration laboratories", due to their particular geopolitical placement. The border areas are real barometers for the European integration process (European Commission, 2020: 6).

The integration of border regions is also closely linked to cross-border cooperation, which must be understood as a form of collaboration between at least two entities along the border, transposed into partnership agreements with common objectives. The European Commission has long advocated "the cooperation for development", in order to support disadvantaged border regions (Demetrova, Goodwin-Hawkins, Fischer, 2020: 2289). The European Union's INTERREG initiative, launched in 1990, aimed precisely at improving cooperation between Member States on the basis of objectives defined by the Commission and the main regional actors. The program is the main instrument for implementing EU cohesion policy in border regions and was created to stimulate cooperation between companies and communities on both sides of a border by developing cross-border social and economic centres with common development strategies - Euroregions (Wevers, Voinea, de Langen, 2020: 2; Anderson, Wever, 2003: 33). Since 2007, INTERREG has become the official EU instrument to support territorial cooperation not only in the twenty-eight Member States, but also in developing relations with neighbours (along with IPA, pre-accession programs and European Neighbourhood Instruments) (Demetrova, Goodwin-Hawkins, Fischer, 2020: 5). The sum of approximately 6 billion Euros is allocated to the INTERREG 2014-2020 cross-border programs, which aim to make progress on integration. Investments in joint actions have been planned to improve living conditions and exploit the economic and innovative potential in border regions. Another crucial element focused on smart specialization by stepping up regional and local innovation, including at the cross-border level. The third direction of financing aimed to remove obstacles to investment in order to provide a more favourable environment for cross-border investments (European Commission, 2017: 3).

Despite the progress made in most border areas, some obstacles remain, as cross-border cooperation is still hampered in some areas by existing legal and administrative frameworks at national level, which influence the lives of residents in these areas in aspects such as health, mobility, business, etc. (European Commission, 2020: 5). Numerous studies, conducted and completed over the last 30 years have shown that, despite the political opening of the EU's internal borders, the existence of the

common currency and strong support for the development of cross-border relations, geographical, historical, cultural, linguistic, informal and institutional barriers reduce spatial interaction (Anderson, Wever, 2003: 34-35). Moreover, the European Commission also recognizes, for the financial year 2021-2027, the need for measures that go beyond the financial ones, in order to remove these barriers. The new approach to regional development, based on the networking among different urban centres, along with the new trends in development, favour the complementarity and the individualization of each region. To this end, border regions, due to their geopolitical position, are placed at the centre of European strategies, and cross-border cooperation is seen as a new form of economic organization that contributes to eliminating development disparities (Erkut, Özgen, 2003: 14).

Cross-border integration models. Cross-border regions

The deep integration of border regions or cross-border integration is closely linked to the degree of cross-border cooperation between two areas on either side of the border. Wroblewski defines the concept as a process of intensification of different types of cross-border relations - functional integration, with the involvement of different types of regional actors - institutional integration (Wróblewski, 2020: 5). From this point of view, Durand and Decoville have created a synthetic index of cross-border integration, based on the aggregation of sets of indicators to measure cross-border flows, networks of actors involved in cross-border governance and the identity of communities manifested in the cross-border context. The map obtained by the two researchers shows a wide variety of degrees of integration for the border regions. The highest degree of integration is reached in the Benelux area - northern and eastern France - Germany, followed by Scandinavia. The regions that belong to the implementation area of the INTERREG A program, but are coastal areas (southern Italian territories, Sicily, Sardinia and the coast of Greece, the channel between France and England) have low scores due to the distance, which is a major impediment to flows of individuals and in creating a context of social trust and cooperation. Eastern Europe is located in the section with very low values of this ranking (Durand, Decoville, 2019: 167-175). Based on this methodology, the two researchers established 5 models of cross-border integration for the European Union (Durand, Decoville, 2019: 176):

1. Eastern European, specific to the Baltic States, Romania, northern and southern Poland, eastern Hungary, Slovakia and Greece, is characterized mainly by values below the EU average for indicators of social confidence and low interpenetration of territories adjacent to borders by the population. The involvement of regional actors in the INTERREG program

is fairly recent and coincides with the period when Central and Eastern European countries joined the EU;

2. Northern Europe has indicators of mutual social trust at very high levels of and dynamic cross-border cooperation. In contrast, low population density affects the development of cross-border relations and border crossings are reduced. Exceptions are the Norwegian border territories;

3. Maritime - a special category which is distinguished by low levels of cross-border activities, trust in neighbours across borders and the involvement of the authorities in CBC projects, the sea being a difficult barrier to overcome;

4. Western continental, defined by a strong functional integration. The flows are numerous, frequent and almost symmetrical, the social trust is quite high, but the number of actors involved in the CBC is relatively low, despite the high population density in these territories. Representative for this model are the territories on the border between Belgium, Luxembourg and France, as well as on the border between Germany and Austria;

5. South-Western, characterized by weak cross-border activity and a large divergence in the indicator of mutual trust. Portugal, Spain, southern France, western Italy and Croatia are examples that support this model.

Regarding the typology of border regions, in 1994 Martinez identified 4 types of areas adjacent to borders, based on a methodology that measures the intensity of cross-border relations between Mexico and the USA (Martinez, 1994: 6):

- alienated borderlands, characterized by a lack of cross-border cooperation, a consequence of relations between neighbouring states, characterized by open conflicts, political distances, ideological hostilities, cultural differences and impermeable borders;

- coexisting borderlands, which have emerged when open conflicts have ceased, but barriers continue to exist and cooperation is at a minimum;

- interdependent borderlands. In this case, there is a climate of symbiosis between the regions near the border resulting from the institutionalization of cross-border links, an intense movement of people, goods, services and capital, collaborative regional economies and co-dependent border areas;

- integrated borderlands, where the intensity of spatial interaction is very high, living standards are high, the movement of labour, goods, services and capital is free, neighbouring states reject nationalism and adopt cooperation and peaceful coexistence.

Applying the model to the particular case of the European construct, the last category of border regions described by Martinez would have sufficient conditions to materialize. Indeed, the internal market, the

euro area and the Schengen area offer many opportunities for cooperation for regions close to internal borders. Given that some Member States are made up only of border regions and one third of Europeans live in these territories, integrated borderlands are a defining element for the European Union to achieve its objectives and become a 'coherent integrative space', as Wróblewski states. However, one should remember that the countries have joined the EU in successive waves, and that, especially in the case of the Central and Eastern European states, the integration process is not fully completed yet. In this case, Wróblewski proposes a fifth stage of spatial interaction, characterized by the full integration of border regions, namely the cross-border region (Wróblewski, 2020: 4).

The model developed by the researcher is based on a classification methodology that relates to the degree of cohesion manifested over a large area and certain characteristics that distinguish it from other types of territories. The model focuses on 5 stages of integration: closed border regions; transitional border regions; open border regions; integrated border regions; cross-border regions. The last type of region is not limited only to an administrative unit of a national territorial system, because it is a functional area that can include two or more regions located along the border that have developed various and intense socio-economic cooperation relations with neighbours. The economy of this type of region involves factors resulting from intense relations between its constituent units (centripetal) and relations with neighbours (centrifuges), in other words endogenous (cross-border cooperation between authorities, cultural ties, social connections and cooperation between business environment, labour market interaction and cross-border mobility) and exogenous (international relations, opening up of national economies, permeability of borders) type (Wróblewski, 2020: 5-11).

Another particular type of border region, also identified by Wróblewski, is that involving developed relations between cities on both sides of the EU's internal borders. Called bridge cities, twin cities, bi-cities or cross-border cities, they are often analysed from the perspective of "barriers and various forms of cross-border cooperation between local authorities, contacts and interactions between residents, social problems and dysfunctions" (Wróblewski, 2020: 3).

The stage of socio-economic development and both functional and institutional integration reached in the model of cross-border region proposed by Wróblewski would allow the construction of a dynamic and complex environment, which would allow the emergence of a multidimensional collective identity, which is different from traditional ones, based on nationality, ethnicity or language. In such a context, stereotypes, understood as the positive or negative image of the other that persists even

after the disappearance of territorial borders, would be removed by the social trust obtained through cross-border cooperation (Wielgoths, Lechevalier, 2013: 13).

Conclusions

The phenomenon of globalization has increased the possibilities of contact and has expanded the spatial consciousness of the population communities. In some cases, nation states choose to maintain spatial borders for reasons of safety and protection, for political reasons or with a view of maintaining control and ensure their own position internationally. In border regions study, training, work, health care and conducting business across borders are daily activities that are possible regardless of the degree of permeability of an administrative boundary. Over the last two decades, European integration policy has been heavily influenced by how borders can be crossed, and the deepening of the European integration process has highlighted the importance of border territories. Their significant interconnection through integrated transport systems has increased the mobility of labour, goods, services and capital, so that once considered peripheral areas, border areas are today the main geographical areas where integration processes are part of the daily life of civil society, institutions, the business environment and public authorities. Being the first areas to benefit from the opening of borders, border regions "became places of economic and social exchange and a fertile ground for territorial cooperation and institutional innovation" as stated by Durand and Decoville (Durand, Decoville, 2019: 166).

The budget of the European Union has significantly contributed to the development of border regions, focusing mainly on resolving border difficulties through cross-border cooperation programs, but also disparities and needs in the political, transport, public services and institutional strengthening fields. For their part, Member States and border regions "must act to prevent the emergence of new obstacles and the resolution of existing ones by coordinating the transposition of EU law, increasing mutual recognition and closer alignment with the neighbouring state" (European Commission, 2017: 17). This strategy, together with the experience gained in cross-border cooperation and the decades of implementation of the INTERREG program have led to the development of cross-border integration models, but the realization of a theory is far from being achieved. The changing nature of the EU's internal borders has contributed to an abundance of interactions between regions on both sides of the border, which are analysed from various perspectives by many researchers. The political model of a borderless world, proposed by Ohmae in 1990, is now complemented by social and cultural dimensions, which transform

territories into socio-cultural constructions. Due to cross-border interactions and convergence dynamics, border regions are the spearhead of these edifices, being called by Durand and Decoville "connectivity engines or opportunities offered by the cross-border context" (Durand, Decoville, 2019: 167).

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Studentification Processes in the Largest University Cities: Satisfaction Level of the International Students with the Specific Attributes of the City

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Abstract: *The most obvious economic benefit of the presence of international students in the host countries is mostly realised in their spendings which largely depends on the quality of the available services and the satisfaction level of the students regarding these services. The aim of the research is to measure the local and systemic economic impact of three target groups of international students in Hungary. Our present paper highlights and analyses the role of international students in the studentification process in three Hungarian traditional university cities (Debrecen, Pécs and Szeged) and Budapest concentrating on the satisfaction level of the students.*

Keywords: *higher education, quality evaluation, living environment, transport, services, leisure*

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Introduction

Broadly speaking there are two types of international students in the statistical reviews distinguishing between students involved in diploma mobility (full-time students abroad) and in credit mobility (part-time courses, student exchanges such as Erasmus+, etc.). The most obvious economic benefit of their presence in the host countries is mostly realised in their spendings. As the credit mobility students spend less time (and consequently less money) in the host country than the diploma mobility students, therefore, the period of spending may also differ significantly. In addition to the length of time spent in the host country, the spendings also largely depend on the quality of the available services and the satisfaction level of the students related to these services.

The process of studentification means that if the number (and ratio) of students in a settlement increases then the local services adapt to their demands over time (Smith, 2005). The presence of international students generates an intensification of urban development. According to a research conducted in Szeged (Miklós et al., 2018), exploiting the influence and impacts of international students involves various opportunities for urban development. Students constitute a significant purchasing power, providing demand for local services, whether in the areas of food, recreation, transportation, or other areas. An important element from the aspect of housing (accommodation) is that a significant part of the students lives in sublease which has a serious impact on not only the rental prices but also on real estate prices in general, and consequently on the quality of the accommodations raising higher expectations and requirements.

In addition to the economic impacts, it is worth considering the social impacts as well which can be studied from the aspect of other dimensions (Universities UK, 2006): the increased rental and house prices can contribute to population change. Students have special needs and require special services, some of which are related to their studies (a classic example is the widespread of photocopying salons), or need them for leisure activities (for example, bars and night clubs) or meals (for example, fast food restaurants). These may call for the establishment of new businesses. The impact of student presence may also be reflected in a renewal process in the building stock to achieve higher rents, or infrastructure developments related to new services, but it may also cause deterioration of the physical environment and public spaces due to the intensification of use or increased traffic (Hubbard, 2008, Hubbard 2009). Besides, the urban spatial structure forming power of the leisure activities of students is showing an increasingly globalising character which is also indicated by the newly established services. This can be paralleled with the increasing internationalisation of higher education. (Miklós et al., 2018) Students from different cultures may

differ significantly in terms of their consumption habits, use of services, and use of urban space and this may induce differentiated service development. (M. Császár and Wusching, 2016)

The study is based on the research entitled “Measuring the economic impacts of inward higher education mobility” whose aim is to measure the local and systemic economic impact of three target groups of international students (Erasmus+, Stipendium Hungaricum and fee-paying students) in all universities of the country, as well as to analyse their role in tourism and their participation in the studentification process the university cities. Our present paper highlights and analyses the role of international students in the studentification process in three Hungarian traditional university cities (Debrecen, Pécs and Szeged) and Budapest through the three target groups concentrating on the satisfaction level (with housing stocks, quality of transportation, a great variety of services, leisure time facilities) of the students. The four cities selected for the comparison offer similar trainings, and all have high number of students thus they can be regarded as an excellent and reliable basis for the analysis of the studentification processes.

Materials and methods

The mixed methodology applied during the research uses quantitative as well as qualitative data relying on the Higher Education Information System (FIR), Central Statistical Office (KSH), National Tax and Customs Administration (NAV), OPTEN Informatics Ltd. (OPTEN), Regional Development and Regional Planning Information System (TeIR) and Tempus Public Foundation databases. The students in the Erasmus+ (former Erasmus) and other mobility programmes are available together with those arriving with the aim of obtaining a full degree, and even with the students participating in the cross-border training places of the Hungarian higher education institutions. They and those with (possibly) dual citizenship are considered foreign citizens if their place of birth is outside Hungary. (Berács, 2009)

During the analysis, (1) the complete database, and the databases of (2) the Stipendium Hungaricum scholarship holders, (3) the students participating in credit mobility, and (4) the fee-paying students (typically present in diploma mobility) were processed. In addition to the analysis of the data, we also focused on displaying the data both in terms of numbers (to facilitate the possibilities of secondary analysis) and spatial characteristics. The questionnaire survey (carried out in the first quarter of 2020 – just before the COVID-19 pandemic restrictions were introduced globally) involved the three groups of students for each city. (Table 1)

Table 1. Geographical distribution of the target groups by types of international students participating in the questionnaire survey (n=6296) (Subtotal = the four cities, Total = country)

Target group	Debrecen	Pécs	Szeged	Budapest	Subtotal	Total
Erasmus+ students	16	22	25	289	352	398
Stipendium Hungaricum students	1106	379	288	2246	4019	4713
Fee-paying students	162	276	117	555	1110	1185
Total	1284	677	430	3090	5481	6296

Regarding the size and distribution of the sample (18.84% of the total number of international students), it can be considered reliable in terms of conclusions. In all three target groups 12 training fields were included in the sample, revealing the preferences of each type of international students: more than half of the fee-paying students attend the faculties of medicine (53%), one-third of Stipendium Hungaricum students chose engineering (33%), while one-quarter of the Erasmus+/Erasmus students study economics (23%). The sample truly reflects the characteristics of the total international student population in Hungary.

The questionnaire consisted of three main parts with a large group of questions focusing on the satisfaction level of students with some particular attributes of the city where the respondent lives and attends university. They concentrated on four main features asking the students to express their level of satisfaction on a scale of one to five with “1” meaning total dissatisfaction and “5” meaning total satisfaction: (1) quality of environment (housing stock, public places); (2) quality of transport; (3) diversity of services (beautician, hairdresser, shopping opportunities, etc.); (4) entertainment, recreation and cultural opportunities. For comparison, the data of the four large cities (Budapest, Debrecen, Pécs and Szeged) were relevant and reliable due to the high number of samples.

Results

In the case of students participating in credit mobility (hereinafter Erasmus student: ES), Budapest has the highest number of cases and the average satisfaction level value is also high (3.78). Scale value “4” (satisfied) was given by 39%, and 24% of the ESs were totally satisfied (scale value “5”). Moreover, in Budapest 3% of the ESs used the assessment category of total dissatisfaction (scale value “1”) as opposed to the three rural university cities. The other three cities show different values both for the overall value and of Budapest, for instance no value of total dissatisfaction (“1”) was

given in these cities. The indicator for Debrecen is a bit weaker with a value of 3.68. However, the satisfied and totally satisfied values are similar to those of Budapest, although the sufficient ("2") values are higher (19%). Szeged and Pécs received much higher values than the overall average. The value of Szeged is 4.04 – with the ratio of scales 3 and 5 being 80%, while in the case of Pécs the overall value is even higher (4.13). All these show that foreign students highly appreciate if a city is intertwined with the university and its size or its potential problems do not degrade the usual living conditions in Europe.

In the evaluations of the fee-paying students (hereinafter FPS) Budapest has a strong leading role. Its average of 3.65 is slightly below that of the ESs but it is undoubtedly ahead of the large rural towns. The average of Szeged is 3.30, that of Pécs is 3.24 and that of Debrecen is 3.01. A particularly interesting element of the comparison is that the best average value in all dimensions is related to Budapest. Budapest seems obviously the most favourable university city in Hungary for the students. For them, the vibrant cultural life, good transport and high level of services of the large city are important.

The evaluations by the Stipendium Hungaricum students (SHS) show a similar picture to those of the FPSs. The difference is that although the students gave better overall evaluations (with the exception of Budapest higher averages were obtained – Budapest: 3.51, Szeged: 3.53, Debrecen and Pécs: 3.31), but probably the ranking of the cities was rearranged due to the cost sensitivity indicators. Here, the average rating of Szeged is the best among the larger cities, a few hundredth ahead of Budapest, and the typical lagging behind of the evaluation by the FPS students in Debrecen disappeared, and the responses given by the students in Pécs and Debrecen are the same.

Evaluation of the living environment

Question: How satisfied are you with the following attributes of the city? (quality of environments: 1 – not satisfied at all, 5- totally satisfied) (focus: housing stocks, public places)

In general, students have a good opinion about their living environment (Table 2).

Table 2. Evaluation of the living environment

Living environment	Erasmus (ES)	Fee-paying (FPS)	Stipendium Hungaricum (SHS)
Budapest	3.78	3.51	3.62
Debrecen	3.68	3.22	3.83
Pécs	4.13	3.44	3.86
Szeged	4.04	3.47	3.98

In general, students are satisfied with the living environment of large cities. In addition to the high values, it is conspicuous that the evaluation of Budapest is the best for the FPSs, and the rural cities for the SHSs. Only the ESs see a significant difference between the three rural cities. Debrecen left behind the fourth position in the ranking only in the case of the SHSs (here it managed to outperform the values of Budapest).

The similar evaluations (more than two-thirds of the total number for values 4 and 5 respectively in each group of students) show that the FPSs are more critical than the other two groups of students. In their case, the “medium” rating is the highest (35.1%) and the “very good” rating is the lowest (16.6%). While only 2% of the SHSs and ESs gave a “very bad” rating, the same value is 3.6% among the FPSs.

Evaluation of the transport facilities

Question: How satisfied are you with the following attributes of the city? (1 – not satisfied at all, 5- totally satisfied) (focus: quality of transportation)

In general, this area received the best ratings (Table 3). The transport facilities in Budapest are considered outstandingly good by the respondents. Among the rural cities, Szeged is consistently the second and the values of Debrecen is also ahead of Pécs in most cases (with the exception of the ratings given by the ESs). In the case of Pécs the evaluation given by the FPSs is the most critical, while in Debrecen the ESs were the more critical.

The discrepancy between the groups of students can be observed again. The evaluations by the ESs and SHSs are very similar. Poor rating is below 5%, medium rating is around 10% while the ratings “good” and “very good” are above 80% - in both cases having the highest values for the “very good” category (SHS: 50%, ES: 60%). In the case of the FPSs “only” one-third (33.47%) of the respondents gave “very good” rating and almost the same ratio (32%) gave “good” rating. One-quarter of them rated the transport facilities as “average”.

Table 3. Evaluation of transport

Transport	Erasmus (ES)	Fee-paying (FPS)	Stipendium Hungaricum (SHS)
Budapest	4.5	4.30	4.57
Debrecen	3.53	3.46	3.98
Pécs	3.95	3.26	3.80
Szeged	4.4	3.65	4.14

Evaluation of services

Question: How satisfied are you with the following attributes of the city? (1 – not satisfied at all, 5- totally satisfied) (focus: variety of services including cosmetics, hairdresser, shopping opportunities)

The services which are the most important for the students, such as supermarkets for everyday items (food, household, cosmetics), communication services, internet access, etc. constituted the basis for the evaluation. There are considerable differences in the territorial distribution of these services in the case of the Hungarian cities, especially between the capital and the cities in the countryside. This can be seen especially in the evaluations given by the FPSs with Debrecen visibly lagging behind.

It is interesting that (with similar average values) in the case of the ESs, Szeged was the last while in the case of SHSs Pécs was at the end of the list (Table 4).

Table 4. Evaluation of services

Services	Erasmus (ES)	Fee-paying (FPS)	Stipendium Hungaricum (SH)
Budapest	4.57	3.62	3.72
Debrecen	3.37	2.74	3.31
Pécs	3.81	3.13	3.24
Szeged	3.29	3.09	3.52

Among the groups of students, it is conspicuous that the evaluation by the students participating in credit mobility (ESs) are the most positive, two-thirds of them (values 4 and 5 together: 70%) consider the services of the settlement to be good. Their residence in the city centre or nearby the university campuses may have an important role in this. The SHSs are more critical (values 4 and 5 together: 51%), and the FPSs are even more stringent (values 4 and 5 together: 46%). The proportion of dissatisfied students follows an increasing pattern in the same order (ESs: 9%, SHSs: 16.8%, FPSs: 22.7%).

Evaluation of opportunities for leisure activities (entertainment)

How satisfied are you with the following attributes of the city? (1 – not satisfied at all, 5- totally satisfied) (focus: entertainment, free time, leisure and other cultural opportunities)

When evaluating entertainment and cultural opportunities, the culture of the sending country may be the most decisive factor. However, being a university student, young age means the same needs for the age group in many respects, but they can be modified and shaped by the social situation, religious customs/traditions and income situation. The choice of a university city is greatly influenced by the opinions and evaluations of those who return from there. Therefore, in addition to providing training and accommodation conditions, it is also worth paying attention to this area if a higher education institution intends to enrol more students. Besides, this is an area in the development of which a large proportion of actors outside universities and local governments can be involved (Table 5).

This is the other area (in addition to transport) where the advantage of the capital is very characteristic. For the most critically evaluating FPS respondents, all of the rural cities were below average. Pécs and Szeged follow the capital (with the exception of the ESs) with “medium/average” evaluations. Debrecen has consistently received the weakest ratings, especially from the FPSs.

Erasmus students (perhaps because of the shorter period) consider the situation to be very good. Half of them find the leisure opportunities “very good” and only 9% used the adjectives “bad”, or “very bad”. In the case of the SHSs the ratio of the “very good” rating fell back to 20%, and in the case of the FPSs to 17.5%, while the combined ratio for the “very good” and “good” ratings reached 23.2% and 29% respectively.

Table 5. Evaluation of leisure/entertainment opportunities

Leisure activities	Erasmus (ES)	Fee-paying (FPS)	Stipendium Hungaricum (SHS)
Budapest	4.40	3.68	3.84
Debrecen	3.50	2.22	2.88
Pécs	3.77	2.91	3.07
Szeged	3.52	2.72	3.17

Our rural cities are close to each other, but Debrecen has still consistently received the worst evaluations and (with the exception of SHSs) Pécs has received the best ratings. In general, we experience the best evaluations by ESs and the most critical by FPSs.

The respondents had the opportunity to name the shortcomings they see as important in relation to the city. A common feature is that quite a few did not express their opinion in any way (did not write anything). Those who replied the open-ended question there was a great variety of responses, therefore these were grouped after text analysis.

At the forefront of the concrete responses are the lessons learnt from the questionnaire responses about the shortcomings that could be already observed there. The majority of the students are dissatisfied with the entertainment and leisure opportunities and services. Many mentions the lack of communication in English. The issue of lack of job opportunities was definitely raised among the SHSs. In general, it can be observed that students in Budapest are less dissatisfied. (Figure 2)

Figure 1. What opportunities are you missing in the city? (Respondents: fee-paying students)



Figure 2. Word cloud with regard to what the Stipendium Hungaricum students lack in the cities

The answer to this question is either missing from the questionnaires or cannot be applied in 18% of the questionnaires, and 3% indicated that they lacked something but they did not name it. In approximately 55% of the cases the students did not lack anything, some of them even added praising opinions (*No, Everything is perfect really!; No, Budapest = dream city*). Among the shortcomings mentioned, the most common are related to the entertainment facilities, nightclubs and cinemas, and the accessibility of English-language films. Deficiencies in transportation also appear in many cases, and in this context most students miss bicycle paths, both in Budapest, as well as in the countryside. Some want free public transportation for students. Students lack free public transportation and museum admission. Many would like more parks and green areas. In this regard, garbage collectors are found to be very insufficient in the public areas. Many lack the possibility to communicate in English when using services. They also mention problems, such as the dirty city and the high number of homeless people, the dangerous dilapidated buildings and the difficult accessibility of the airport (Budapest). The quality of health services is also considered poor by some respondents.

The shortcomings mentioned by the students in Budapest include the above but there are some specific problems which are mentioned only here. In the case of Szeged, the opportunities for leisure and entertainment are considered insufficient. In the case of Debrecen, mostly the shortcomings of transport and entertainment are mentioned. The least shortcomings are named in Pécs, mainly the bicycle path, transport and entertainment opportunities appear among the answers. Not related to the four cities which constitute the focus of the study, but it is interesting what is missing for one of the international students in Nyíregyháza: „*zoo, botanic garden, thermal baths, cinema, parks*” – which actually reveals that in a short

time it is not certain that students will get enough information about their host cities. Another respondent made a similarly important but different statement: "If you come from a large city of several million people to a small town, you just simply cannot expect the same opportunities." This, of course, is not a heartfelt statement for cities but it is indeed for the international students arriving.

Conclusions

The questions focusing on the progress of the studentification process give some idea about the evaluation of a university town and their ideas about what to change. The three different groups of students (Erasmus scholarship holders, Stipendium Hungaricum scholarship holders and fee-paying students) spoke in unison in many cases, despite their different purposes, different goals (credits, diplomas) and different funding opportunities and financial backgrounds. The development of the areas they mention (and often evaluate) can be considered as important conditions for the "internationalisation" process of higher education.

It is generally true that foreign students are very satisfied with the Hungarian (public) **transport** system. In the case of Budapest, it was rated as outstandingly good, and the large rural cities were also rated far above the average. Taking into consideration their daily routines, we can formulate goals for the development of the pedestrian and bicycle transport. In almost all cities (especially in Budapest and Pécs), additional bicycle paths were missed which can be a development task for the local governments.

Issues related to the quality of **services** and **entertainment/leisure** opportunities received significantly lower evaluations than transport. A common feature is that in the case of both, the conditions of Budapest are seen as good, or even very good, by foreign students. In the case of the rural university towns, poor ratings are more typical. Young people from different cultural backgrounds have definite needs for entertainment opportunities. These (at least for the time being) cannot be met by the host (higher institutions and) settlements. It is spectacular how Budapest has advantages in this respect (also) and how strong the disadvantages of the rural university towns (even with a large population) are.

Students were asked about the **gaps** they perceived. Two issues were raised on several occasions that the respondents could not comment on or could not evaluate based on the questions of the questionnaire. The problem mentioned most often and by almost all student groups was the difficulty of communicating in English. In many areas (services, leisure opportunities) students feel the lack of that. Not listing administration among these can be treated as a result. The other (rather only group specific) problem is the lack of job opportunities articulated by the

Stipendium Hungaricum scholarship holder students. The question however remained unexplained because the answers did not specify what the problem was for them. However, legislation, the lack of working opportunities in English, a poorly organised student work system may be the reason for that.

There are differences between the three **student groups** (Erasmus, Stipendium Hungaricum and fee-paying). In terms of costs, the “cost sensitivity” of Stipendium Hungaricum students is striking. Budapest seems expensive for them. The other extreme is represented by the Erasmus students, who (coming from Europe) consider Hungary to be a good value for money. In general, it can be perceived that the highest-income fee-paying students are the most critical. They expect quality services and good leisure activities for their money. Due to the most serious spendings that are the most likely to be related to them, their evaluations should also be given due weight.

Differences by **country groups** can be also recognised. In general, the best scorers in cost estimates are from North America, North Africa, Southeast Asia, and Northern and Western Europe, the most critical are from East and West Africa and from South and West Asia.

The experience of comparing the **host settlements** receiving foreign students is that Budapest should be considered as a separate category being a lot different from the rural cities. The evaluation of the three large university centres (Pécs, Debrecen and Szeged) is less favourable based on the students’ opinions. Even with their close average values, some sort of order develops between them, in which Szeged and Pécs are perhaps a little ahead of Debrecen. There is a lot to be done to widen the scope of the studentification process in these cities, especially through the strengthening of the relationship between the city and the university, the assessment of the students’ needs, and the extension of the services based on that, adjusting transportation, and developing a more differentiated (mostly in terms of prices) accommodation supply, especially close to the universities. Evaluations can certainly be considered useful in the sense that they can identify services which are problematic, whether in terms of prices or quality.

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Spatial Characteristics of Tenders Involving Renewable Energy Sources in the Northern Great Plain Region During the 2014-2020 Budget Period

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Abstract. *In the recent period, the use of renewable energy sources has received increasing emphasis both in the European Union and in Hungary. Building on the successes of the recent decades, the European Union and Hungarian documents have set increasingly ambitious objectives. European Union subsidies play a very important role in the financing of investments, and in the spirit of this, the aim of the study is to present the spatial characteristics of projects supporting the use of renewable energy sources in one specific region of Hungary, in the Northern Great Plain region. From among the findings of the research, the two most important ones are highlighted in the present study. First, natural factors (distribution of solar radiation) played an important role in the spatial distribution of certain types of projects. Second, very significant differences can be observed between the operational programmes: the Regional and Settlement Development Operational Programme is characterised with territorial decentralisation, while the Environment and Energy Efficiency Operational Programme is more concentrated.*

Keywords: *renewable energy resources, EU grants, Northern Great Plain region, spatial characteristics, settlements*

Introduction

In the recent period, the use of renewable energy sources has received increasing emphasis both in the European Union and in Hungary. The Europe 2020 strategy, published by the European Commission in March 2010 (European Commission, 2010) and then adopted by the European

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Council, set a target of 20% share of renewable energy in final energy consumption by 2020 and based on the latest data (2019 – 18.9%) this has been achieved more or less. However, building on the successes of the decade, new proposals were made in the mid-2010s: the “Clean energy for all Europeans package”, adopted in 2018, set a target of 32% by 2030. Moreover, nowadays, even in official circles, it is increasingly emphasised that a ratio of 38-40% would be desirable.

In parallel with the above, Hungary is also striving to increase the role of renewable energy sources. In order to achieve the Europe 2020 strategy goals, the country undertook a share of 14.65% (the value in 2019 was 12.6%, so the fulfilment of the commitment is doubtful), and a similar value was included in Hungary’s “Renewable Energy Utilisation Action Plan for 2010-2020” as well in 2010. Nowadays, partly due to the expectations of the European Union, Hungary has also set more ambitious goals: both the National Energy Strategy published in 2020 and the National Energy and Climate Plan, also published in 2020, included that the share of renewable energy sources in total energy consumption should reach 21% by 2030.

Renewable energy sources play an important role in the economic and social life today in several respects. First of all, they make a significant contribution to reducing greenhouse gas emissions and thus the risk of global warming. (Granovskii&Dincer&Rosen, 2007: 927-931; Blindheim, 2015: 207-215; Mittal&Dai&Fujimori&Masui, 2016: 301-313; Panwar& Kaushik& Kothari, 2011: 1513-1524; Squalli, 2017: 479-488) Secondly, in contrast to the centralised nature of large power plants, they form a decentralised system and thus promote a secure energy supply (Gao&Xu&Liu&Wang&Xiang&Liu, 2020; Paladin&Das&Wang&Ali&Kotter&Putrus&Turri, 2021:1595-1611; Brisbois, 2019: 151-161; Lee& Younos, 2018: 32-39). Thirdly, they also make it possible to achieve landscape and rural development objectives, e.g. biomass production (Benedek & Sebestyén & Bartók, 2018: 516-535; Clausen, 2020; Afsharzade & Papzan & Ashjaee & Delangizan& Van Passel & Azadi, 2016: 743-755; Poggi & Firmino & Amado, 2018: 630-640; Krishan & Suhag, 2019: 305-319).

At the same time, a considerable part of the investments made in Hungary in the recent period has been realised with the help of European Union grants, and this is especially true in the case of significant developments with little immediate or direct benefit (including the investments related to renewable energy sources). In the spirit of the above, the aim of the study is to analyse the spatial peculiarities of the European Union subsidies supporting the use of renewable energy sources in one of the specific NUTS2 level regions of Hungary, namely in the Northern Great Plain region (Fig. 1).

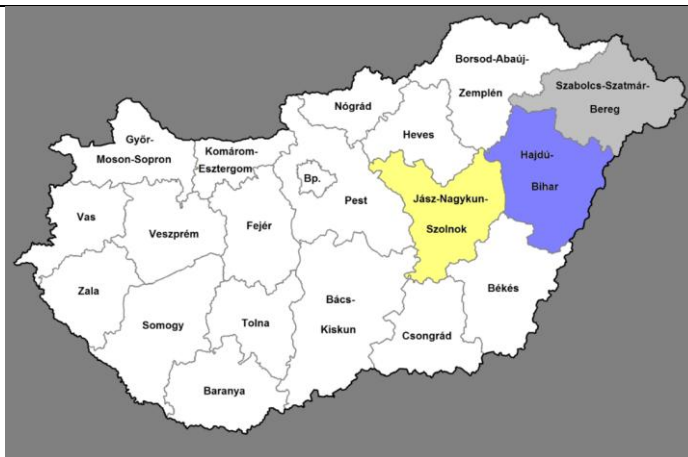


Fig. 1 Geographical location of Northern Great Plain region and its counties

Materials and methods

The research was based on information and data available on the palyazat.gov.hu website, which included the names of the individual projects and applicants, the location of the implementation, and the amount of the European Union grant for each tender construction. Information on settlements (e.g. population) was collected from the relevant databases of the Central Statistical Office (CSO) and the National Spatial Development and Spatial Planning Information System (TEIR). All data were processed using the SPSS software.

Tenders: background information

In the 2014-2020 budget period of the European Union, tenders related to renewable energy sources were basically financed from two operational programmes. First of all, the Environment and Energy Efficiency Operational Programme should be mentioned, whose Priority Axis 5 (Increasing energy efficiency, use of renewable energy sources) focused on this topic. The other source was the Regional and Settlement Development Operational Programme for which Priority Axis 3 (Transition into a low carbon economy, especially in urban areas) and Priority Axis 6 (Sustainable urban development in cities with county rights) have called for proposal schemes for this purpose (**Table 1**).

A significant difference between the application possibilities provided by the three priority axes was that the first one accepted applications from all over the country, while in the case of the second one each county (and thus the three counties examined) had its own budget, which could only be applied for from that particular territorial unit. In the third case only the local governments of the three settlements concerned

(Debrecen, Nyíregyháza és Szolnok) were eligible to submit applications. Besides, in the case of the Environmental and Energy Efficiency Operational Programme, budgetary institutions, churches and enterprises could submit applications, while in the case of Regional and Settlement Development Operational Programme the applicants were the local governments.

In the case of some of the tender constructions (these are italicised in Table 1), it was a problem that in addition to investments promoting the use of renewable sources, they also supported other energy-related developments (e.g. thermal insulation, replacement of windows and doors). However, looking at the public factsheet of the applications concerned, it was concluded that investments in renewable energy sources (mainly support for the use of solar energy) were very important components and were therefore taken into account in the analysis.

Table 1. Tender constructions taken into account in the analysis

Number of tender scheme	Name of tender scheme
KEHOP-5.1.1.	Promoting green electricity generation from renewable energy by installing electricity generation systems with an installed capacity exceeding 4 MW
KEHOP-5.1.2.	Promoting green electricity generation from renewable energy by installing electricity generation systems with an installed capacity not exceeding 0.5 MW
KEHOP-5.2.10.	<i>Tendered building energy development projects of budgetary bodies</i>
KEHOP-5.2.11.	Developing photovoltaic systems for central budgetary bodies
KEHOP-5.2.13.	<i>Tendered building energy development projects for Churches</i>
KEHOP-5.2.2.	<i>Building energy development priorities for public buildings</i>
KEHOP-5.2.3.	Building energy developments for Churches with possibility to use renewable energy
KEHOP-5.2.5.	<i>Development of nearly zero emission buildings (demonstration projects)</i>
KEHOP-5.3.2.	Covering local heat and cooling needs with renewables
TOP-3.2.1.	<i>Energy refurbishment of municipal buildings</i>
TOP-3.2.2.	<i>Implementation of energy supply based for the exploitation of renewable sources coordinated by municipalities in line with local conditions within the framework of complex development programmes</i>
TOP-6.5.1.	<i>Energy refurbishment of municipal buildings</i>

Source: palyazat.gov.hu

Results

Looking at the general features of the tenders related to renewable energy sources in the Northern Great Plain region (Table 2), it can be

established that a total of 403 projects were implemented, through which more than 70 billion HUF were granted to the region. The majority of the applications (more than 80%) were implemented within the framework of the Regional and Settlement Development Operational Programme (within this, the most important role was played by the “Energy refurbishment of municipal buildings” construction), and the larger part of the grants (61.3%) were also related to that.

In the first round of the spatial characteristics of the applications, we examined the spatial situation of the region and its constituting counties and analysed how active and effective they were from the aspect of the tender schemes opened under the Environment and Energy Efficiency Operational Programme (**Table 3**). Regarding the activity in tendering, it may be established that relatively more applications per 100,000 people were received from the region than at the national level, and this is also true for Jász-Nagykun-Szolnok and Szabolcs-Szatmár-Bereg counties, which is a somewhat surprising situation (especially the high value of Szabolcs-Szatmár-Bereg county) taking into consideration the natural conditions of solar energy (**Fig. 2**) – having the most prominent role in Hungary within the renewable energy sources – in the region. Nevertheless, if we examine only the KEHOP-5.2.11 tender scheme, which supports the construction of solar energy systems, then the role of natural conditions becomes obvious: the highest values, which exceed even the national average value, can be observed in Jász-Nagykun-Szolnok county, which is in the best position for solar radiation, while the other extreme is shown by Szabolcs-Szatmár-Bereg county which has the worst natural conditions in this respect.

Table 2. General characteristics of tenders related to renewable energy sources in the Northern Great Plain region during the 2014-2020 European Union budget period

tender scheme	number of successful applications	total grant (million HUF)	average project size (million HUF/project)
KEHOP-5.1.1.	0	0	0
KEHOP-5.1.2.	1	2 100.0	2 100.0
KEHOP-5.2.10.	14	1 752.1	125.2
KEHOP-5.2.11.	20	3 601.3	180.1
KEHOP-5.2.13.	11	2 341.6	212.9
KEHOP-5.2.2.	20	12 498.9	624.9
KEHOP-5.2.3.	20	3 650.0	182.5
KEHOP-5.2.5.	2	1 450.0	725.0
KEHOP-5.3.2.	2	468.8	234.4
KEHOP total	90	27 862.7	309.6
TOP-3.2.1.	253	25 383.7	100.3
TOP-3.2.2.	19	4 886.9	257.2

tender scheme	number of successful applications	total grant (million HUF)	average project size (million HUF/project)
TOP-6.5.1.	41	13 851.4	337.8
TOP total	313	44 122.0	141.0

Source: palyazat.gov.hu

Table 3. Situation of the Northern Great Plain region and its constituting counties within the Environment and Energy Efficiency Operational Programme during the 2014-2020 European Union budgetary period (calculated with the number of population of 1 January 2017 as a permanent value)

	Hajdú-Bihar county	Jász-Nagykun-Szolnok county	Szabolcs-Szatmár-Bereg county	Northern Great Plain region	Hungary
A (unit)	8.05	10.11	9.05	8.96	8.53
B (unit)	2.38	2.85	1.71	2.24	2.70
C (%)	61.4	53.8	79.2	66.2	61.4
D (%)	48.0	35.0	66.5	53.2	70.9
E	219.1	247.1	399.0	309.6	471.1

A – the number of submitted applications per 100,000 inhabitants in the case of the Environment and Energy Efficiency Operational Programme (KEHOP), B – the number of submitted applications per 100,000 inhabitants in the case of the KEHOP-5.2.11 tender scheme, C – effectiveness in tendering (number of successful tenders/number of submitted tenders; %) in the case of the Environment and Energy Efficiency Operational Programme (KEHOP), D – effectiveness in tendering (granted amount/grant claimed; %) in the case of the Environment and Energy Efficiency Operational Programme (KEHOP), E – average size of projects (million HUF)

Source: own calculation based on palyazat.gov.hu, ksh.hu and teir.hu

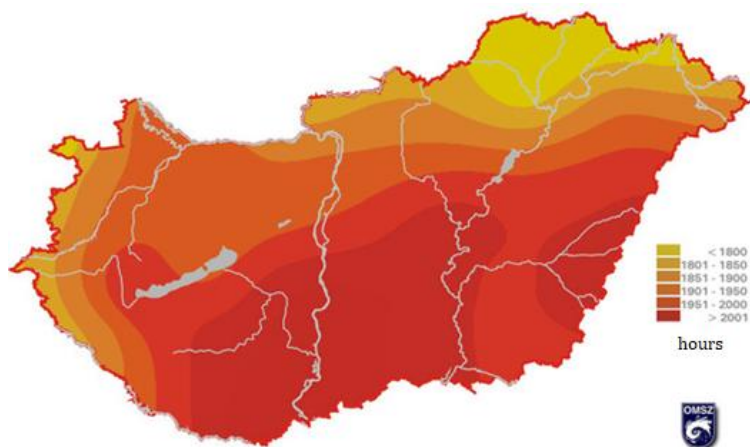


Fig. 2. The total number of sunshine hours annually in Hungary

Source: omsz.hu

With regard to the effectiveness in tendering, a double picture develops. In terms of the number of tenders, the region boasts better data than the national values, and this is also true for Szabolcs-Szatmár-Bereg county (Hajdú-Bihar county has the same value as the national one), while it is the opposite in the case of the grants awarded (and it is true for all three counties). The analysis of the data highlights two other facts: (1) Szabolcs-Szatmár-Bereg county was the best performer in terms of both indicators, and (2) the fact that the data are higher for the number of applications than the grant awarded for the implemented projects suggests that the projects implemented in the region had lower budgets than the national average (the rate of grants was 100% in most cases, so this conclusion is grounded). This is also confirmed by row “E” in Table 2: the granted amount per tender in the region (and also in the three counties belonging to it) fell short of the of the national value.

Looking at the situation within each county we focused on two topics: the influencing roles of the settlement size and the administrative role. In the case of the settlement size, very significant differences can be observed between the Regional and Settlement Development Operational Programme (**Table 4**) and the Environment and Energy Efficiency Operational Programme (**Table 5**). In the first case (Table 4 does not include data of the county seats as they received a pre-determined amount of support), two important conclusions can be drawn from the data. On the one hand, smaller settlements (mainly those with less than 2 000 inhabitants) received higher share from the subsidies than their share from the permanent population, while in the case of the larger settlements (mainly those with more than 10 000 inhabitants) it was the opposite. This is mainly due to the fact that during the “distribution” of the developments concerned within the county, they tried to involve as many settlements as possible, and the potential “target areas” of these tenders, the municipal buildings, were available in all settlements. On the other hand, in terms of the amount of subsidies per project, the size of the subsidy also increases as the size of the settlement increases, which can be attributed to the fact that the buildings in more populated settlements are larger in size and therefore they cost more to modernise. Analysing the data of the three counties, the biggest difference can be observed in the case of Szabolcs-Szatmár-Bereg county (the smallest settlements have high, while the largest settlements have low values), which can be chiefly explained by the settlement network structure of the county: more than one-third of the total number of settlements (37.1%) have less than 1 000 inhabitants.

Table 4. Characteristics of the applications financed by the Regional and Settlement Development Operational Programme in the Northern Great Plain region during the 2014-2020 budgetary period by settlements of varying population

County	Number of population	A	B	C
Hajdú-Bihar county	less than 1 000	5.3	3.5	79.3
	1 000-2 000	9.3	7.8	99.6
	2 000-5 000	26.9	20.8	134.1
	5 000-10 000	26.0	24.9	215.6
	more than 10 000	32.5	43.1	168.9
Jász-Nagykun Szolnok county	less than 1 000	9.8	2.4	60.5
	1 000-2 000	23.2	10.5	74.2
	2 000-5 000	16.1	20.7	81.9
	5 000-10 000	22.7	28.5	93.3
	more than 10 000	28.2	37.9	162.3
Szabolcs-Szatmár-Bereg county	less than 1 000	15.0	10.6	72.6
	1 000-2 000	23.4	21.5	86.3
	2 000-5 000	33.2	34.9	110.9
	5 000-10 000	19.4	17.4	209.2
	more than 10 000	9.1	15.7	213.0
Northern Great Plain region	less than 1 000	11.1	6.1	69.7
	1 000-2 000	19.8	14.2	83.1
	2 000-5 000	26.7	26.6	108.9
	5 000-10 000	21.9	22.8	153.9
	more than 10 000	20.4	30.3	180.6

A – share from the subsidies (%), B – share from permanent population (%), C – the amount of support per project (million HUF)

Source: palyazat.gov.hu, own calculation based on ksh.hu and teir.hu databases

Different processes can be observed in the case of the Environment and Energy Efficiency Operational Programme (**Table 5**). On the one hand, such developments have hardly been implemented on the smaller settlements, while in contrast, the share of settlements with a larger population, and especially the county seats, can be considered above average. This was mainly due to the fact that the KRHOP mostly supported investments related to buildings which can be found dominantly on settlements with a higher population (e.g. government offices, secondary and higher education institutions, hospitals, police stations).

As for the administrative status, the most important question was how the distribution of subsidies is affected by the district-centre role of the settlements concerned. In the case of the Regional and Settlement Development Operational Programme (**Table 6**), the pursuit of territorial decentralisation can still be observed: at the regional level, the share of district centres from the subsidies is lower than their share from the permanent population. Looking at the situation of the counties, the

difference is the highest in the case of Jász-Nagykun-Szolnok county, while in Szabolcs-Szatmár-Bereg county the prioritisation of district centres can be confirmed.

Table 5. Characteristics of the applications financed by the Environment and Energy Efficiency Operational Programme in the Northern Great Plain region during the 2014-2020 budgetary period by settlements of varying population

Number of population	Hajdú-Bihar county		Jász-Nagykun-Szolnok county		Szabolcs-Szatmár-Bereg county		Northern Great Plain region	
	A	B	A	B	A	B	A	B
less than 1 000	0.0	2.2	0.0	1.9	0.0	8.4	0.0	4.5
1 000-2 000	0.0	4.9	0.0	8.5	7.7	17.1	4.7	10.5
2 000-5 000	0.0	13.0	3.4	16.9	10.1	27.8	6.7	19.7
5 000-10 000	7.8	15.6	7.6	23.2	13.2	13.8	11.0	16.8
more than 10 000	14.9	27.0	34.6	30.9	31.5	12.5	28.6	22.4
county seat	77.3	37.3	54.4	18.6	37.5	20.5	49.1	26.1

A – share from the subsidies (%), B – share from permanent population (%)

Source: palyazat.gov.hu, own calculation based on ksh.hu and teir.hu databases

Table 6. Characteristics of the applications financed by the Regional and Settlement Development Operational Programme in the Northern Great Plain region during the 2014-2020 budgetary period by settlements of varying administrative status (the data of county seats is not included)

	Hajdú-Bihar county		Jász-Nagykun-Szolnok county		Szabolcs-Szatmár-Bereg county		Northern Great Plain region	
	A	B	A	B	A	B	A	B
district centres	35.2	43.8	28.2	38.8	27.7	23.2	29.7	33.8
other settlements	64.8	56.2	71.8	61.2	72.3	76.8	70.3	66.2

A – share from the subsidies (%), B – share from the permanent population (%)

Source: palyazat.gov.hu, own calculations based on ksh.hu and teir.hu databases

In the case of the Environment and Energy Efficiency Operational Programme (Table 7) there is an extremely strong concentration: almost 90% of the subsidies were allotted to the district centres, while the municipalities concerned accounted for just over 50% of the region's population. This is due to the above already explained fact that the buildings affected by the developments mostly provide central functions (e.g. secondary school, hospital, police station) which are concentrated in the district centres.

Table 7. Characteristics of the applications financed by the Regional and Settlement Development Operational Programme in the Northern Great Plain region during

the 2014-2020 budgetary period by settlements of varying administrative status (the data of county seats is not included)

	Hajdú-Bihar county		Jász-Nagykun-Szolnok county		Szabolcs-Szatmár-Bereg county		Northern Great Plain region	
	A	B	A	B	A	B	A	B
district centres	94.9	64.8	94.1	50.2	84.4	38.9	88.4	51.1
other settlements	5.1	35.2	5.9	49.8	15.6	61.1	11.6	48.9

A – share from the subsidies (%), B – share from the permanent population (%)

Source: palyazat.gov.hu, own calculations based on ksh.hu and teir.hu databases

Conclusions

The main findings of the study are summarised below. In the budget period of 2014-2020, similarly to the national conditions – a considerable amount of European Union subsidies was available in the Northern Great Plain region in order to generate the wide use of renewable energy sources. The territorial distribution of subsidies was influenced by several factors. First, the natural conditions should be mentioned which played an important role in the distribution of applications specifically aimed at increasing the use of solar energy. Secondly, the differences between the specific operational programmes should be highlighted. In the case of the Regional and Settlement Development Operational Programme for the modernisation of local government buildings from an energy point of view, territorial decentralisation can be observed which is especially true for the distribution of subsidies by population. There was a concentration in the Environment and Energy Efficiency Operational Programme used by a great variety of applicants (this is especially true in the case of the distribution of settlements by administrative role), which can be traced back to the distribution of the buildings affected by the given developments.

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Automotive Production Networks: an Economic Dimension of Intraregional Cooperation in East-Central Europe^x

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Abstract: *East-Central Europe has been deeply integrated into the production networks of the automotive industry during the last decades. As an important car manufacturing location with clear European orientation, it shows increasing intraregional division of labour offering additional growth potential for the neighbouring economies. In our contribution, we try to answer two questions: (1) How does the deepening automotive division of labour support the economic growth in East-Central Europe? (2) What perspectives a new automotive pole in Debrecen for the neighbouring Oradea and Bihor county can offer? For answering these questions we make a short literature review on the spatial organization of the automotive industry, analyse the automotive trade data of the East-Central European economies and evaluate the regional and city development documents of Hajdú-Bihar county and Debrecen from the last two decades.*

Keywords: *automotive production networks, intraregional division of labour, Debrecen, Oradea*

1. Introduction

The automotive industry is an important sector with serious bargaining power globally and in the European economy as well. Several countries of East-Central Europe – like Hungary and Romania – primarily due to foreign direct investments have been deeply integrated into the *automotive production networks* during the last three decades. Nowadays the sector dominated by foreign subsidiaries is a key player of reindustrialization

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and industrial restructuring in the semi-peripheral region and it is connected with serious economic modernization ambitions.

In Hungary, for example, the economic growth after the economic crisis 2008/2011 made the vehicle industry the *largest industrial sector* in terms of production and employment. In addition, because of its supplier linkages (multiplier effects) embracing a plenty of other industries (manufacture of textile and leather products, rubber and plastics, glass, fabricated metal products, electronic equipments etc.) the sector has much larger influence on the national economy than expected in the mirror of the statistical data. Enterprises integrated into the automotive production networks are present in every corner of the country while due to the giant investment of the Mercedes in Kecskemét and the planned BMW plant in Debrecen, a long-run appreciation of Eastern Hungary as an automotive location can be forecasted.

Although the competition for the new automotive investments between the East-Central European countries is emphasized, two *questions* arise: (1) How does the deepening automotive division of labour support the economic growth in East-Central Europe? (2) What perspectives a new automotive pole in Debrecen can offer for the neighbouring Oradea and Bihor county? We discuss the topic in *three parts*. The first section gives a short literature review on the spatial organization of the automotive industry. In the second part we analyse the automotive trade data of the East-Central European economies with special focus on the relations of Hungary and Romania. In the third section we approach the question through the lens of the development planning process of Debrecen and Hajdú-Bihar county: we evaluate how the question of economic development and the cross-border dimension of regional planning appear in the documents of the last two decades and what changes in this field can be observed.

2. The multi-level spatial organization of the automotive industry

The strongly internationalized, spatially fragmented automotive production networks show a *multi-level spatial organization* pattern described by Sturgeon and his co-authors (2008) as “nested structure”. While the carmakers and their leading suppliers increasingly operate on the global level, their production networks are organized regionally or within larger national economies. The different product preferences of the diverse regional markets, logistical reasons and the political pressure arising from the “sensitivity” of the sector play a role in the background of this spatial division of labour. The latter means that production of locally assembled cars from mostly locally produced parts and components is expected on the

different markets. Europe (primarily the EU) can be regarded as one of these regional production systems. The “old continent” gave about 50% of the global motor vehicle export during the last two decades, while approximately 70-80% of this European export was realized within Europe. These two indicators show not only the global importance of the European automotive market, but also the deep international division of labour within the region. The segments of regional production networks preferring cost-efficient locations settle down on the so-called “*integrated peripheries*” (Pavlínek 2018), where they target the regions that offer relatively skilled labour force and well-established infrastructure, and are located close to the core economies of the EU in geographical and cultural terms. In this way, they can exploit both the proximity to the main markets and the advantageous cost-capability ratio of production (Barta 2012, Domański et al. 2013).

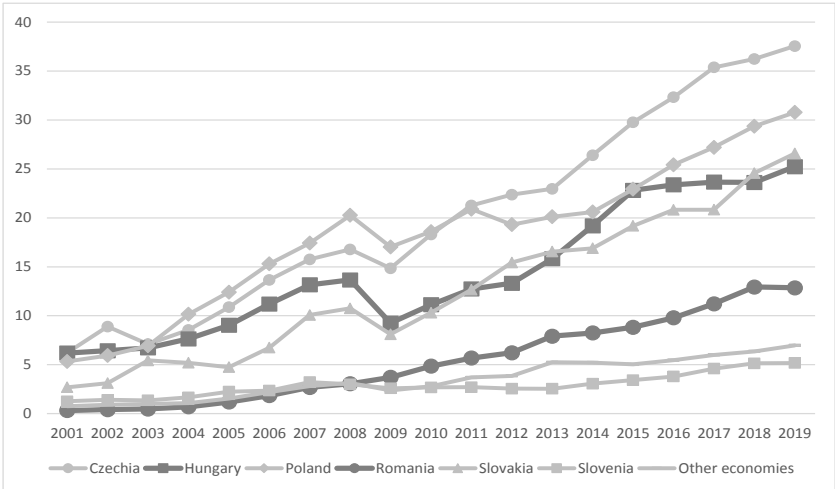
In these regional or national production networks *local clusters* can be often observed. Due to proliferation of the platform concept of car manufacturing exploiting economies of scale through the standardization of products delivered to diverse markets, the carmakers increasingly require from their suppliers to follow them to the new markets where these suppliers often settle in the neighbourhood of their main customers (Humphrey and Memedovic 2003). The *geographical proximity* is especially advantageous for the suppliers of large-scale, heavy and model-specific car parts and components: not only they can save logistic costs, but at the same time they can exploit the possibility of safer deliveries and the more flexible reaction to their customers’ demands. The spatial concentration is reinforced by the modularization of the production (Túry 2017). In this work organization method, the car is built up from separate subsystems, pre-assembled moduls which makes the location of pre-assembly plants and supplier parks close to the car plants necessary. The suppliers involved in R&D activities often settle next to car manufacturers to exploit the possibilities of face-to-face communication in the common projects (Schamp 2005, Sturgeon, Van Biesebroeck and Gereffi 2008).

The *cross-border automotive agglomeration* described in the neighbouring regions of Czechia, Poland, Slovakia and Hungary after the turn of the millennium, can be interpreted as the cumulative result of these regional and local location choice logics (Grosz 2006, Pavlínek, Domanski and Guzik 2009). In the explanation of this industrial concentration – beside the above written arguments – the historical traditions (Hardi 2012), the multi-step investments of foreign automotive enterprises as well as the deepening intraregional division of labour (Molnár, Kozma and Péntes 2015) and the generous state incentives (Pavlínek 2016, Gerőcs and Pinkasz 2019) played a role. The economic crisis of 2008/2011 had temporarily negative effect on

the East-Central European automotive industry (Kiss 2012), but after that – despite the partial relocation of the labour-intensive activities – the *position* of the region within the European automotive production networks has been *further strengthened* (Pavlínek et al. 2017). The upgrading (shift toward the higher value added) of the local automotive industry played a role in this development, however, especially the functional dimension of this process going beyond the role of a simple production site, seems to remain quite limited (Jürgens and Krzywdzinski 2011, Éltető, Magasházi and Szalavetz 2015, Pavlínek 2018).

This geographical pattern of the automotive industry arising after the change of regime is relatively stable and largely contributes to the *spatial socio-economic differentiation* of East-Central Europe. A developed and (re)industrialized northwestern part based predominantly on machinery and engineering, and a less developed and (re)industrialized southeastern part with the significant role of traditional food and light industries can be distinguished (Lux 2017).

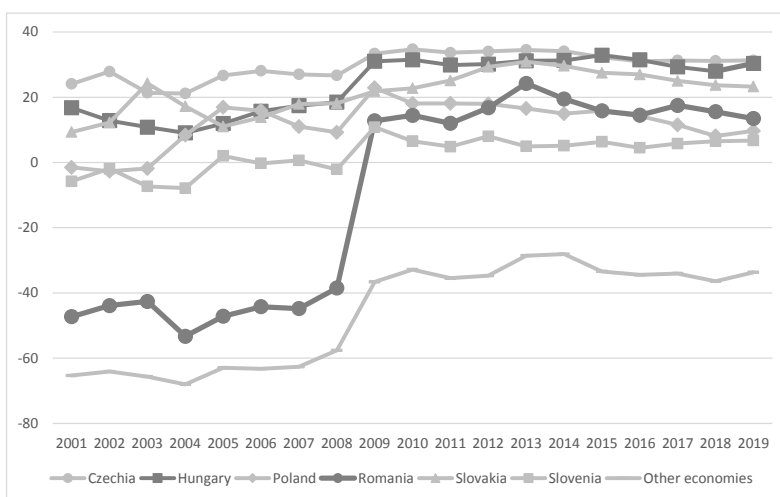
3. East Central Europe in the automotive production networks



Data of HS 87, 8407, 8408, 8409 product groups: Vehicles other than railway or tramway rolling stock, and parts and accessories thereof, Spark-ignition reciprocating or rotary internal combustion piston engine, Compression-ignition internal combustion piston engine "diesel or semi-diesel engine", Parts suitable for use solely or principally with internal combustion piston engine of heading 8407 or 8408. Other economies are Albania, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Latvia, Lithuania, Montenegro, North Macedonia and Serbia.

Figure 1. Automotive export of the ECE economies (billion euro); source: ITC

Examining the *automotive export data* of 16 East Central European economies, we can see the large differences in their importance from the aspect of automotive production. The countries of the Visegrád Group (Czechia, Poland, Slovakia and Hungary) played outstanding roles during the two decades after the turn of the millennium. Beside them, Romania and Slovenia seem to be significant participants within the sector (Figure 1). While the Czech export approximated Italy in terms of value, the performance of the other Visegrád countries can be compared to the „medium-sized” Austria, Netherlands or Sweden at the end of the 2010s.



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Figure 2. Automotive trade balance of the ECE economies
(in percentage of the total automotive export-import volume); source: ITC

The differences in absolute volumes are well-reflected in the *balances of the automotive trade*, too. While the countries of the Visegrád Group have been overwhelmingly net exporters during the whole era and Slovenia has mostly a similar role with moderate deficits after the turn of the millennium and less surpluses later, other economies are not specialized in this industry, they have significant deficits. A special development path can be observed in the case of Romania being the only economy in the region that could change its position between the net importers and exporters. The change was realized within a couple of years during the crisis (Figure 2). It is important to mention that three Visegrád economies (Czechia, Hungary and

Slovakia) with their relative trade balances are in leading positions also within Europe: only Germany, the European “superpower” of the sector can be compared to them at the end of the 2010s.

According to these specialization data, the *automotive share in the total export* is outstanding in Slovakia (more than 30%), Hungary and Czechia (20-25%). Taking into consideration, that some significant automotive supplier products (e.g. glassware, tires) are registered in other product groups, these shares seem to be underestimated and show the *large dependence* of certain ECE economies on the performance of the automotive industry. The change in the role of Romania is well-reflected also in the strongly increasing share of its automotive export.

This short analysis of the national data gives a *more sophisticated picture* about the region’s automotive industry. The economic crisis generally contributed to the appreciation of East-Central Europe offering cost-efficient production location in the “neighbourhood” of the leading European markets (and the headquarters and main production locations of the German carmakers, too). The most radical change could be experienced in the case of Romania where the specialization on – likely labour-intensive – motor vehicle parts and components has been strengthened and after the renewal of national carmaker Dacia, it started to operate as net car exporter benefiting from the state support programs during the crisis preferring new and small cars. The development of the automotive industry in Romania can challenge the traditional approach distinguishing “Northwest” and “Southeast” within the region – at least within its borders.

The *agglomeration effect* is an important driver of the regional automotive development: customers and suppliers settle in the neighbourhood of each other to reach cost and flexibility advantages. However, proximity is relative. A study of PWC (2018) showed that the end users of the products delivered by Hungarian suppliers are mostly the plants of Volkswagen (61%), Audi (56%), Daimler (51%), BMW (49%), Renault (42%), Ford (40%), PSA (37%) and Suzuki (37%). With the exception of BMW all of the abovementioned carmakers have plants in Hungary or in two neighbouring countries (Romania and Slovakia). In accordance with this result, there were few firms (19%) that delivered car parts only to Hungary, while only 7% of all respondents had their customers within 50 kilometres and hardly more than 15% within 200 kilometres.

Based on this experience, we can use the *trade data of car parts and components* for the examination of spatial division of labour within the automotive production networks as indices of the interdependence or the effects on economic growth in the neighbouring economies. The six net exporter economies in the region (Czechia, Poland, Slovakia, Hungary, Romania and Slovenia) registered a large increase in motor vehicle parts and

components' export (not covering the internal combustion engines and engine parts). The summarized export value of this product group increased from 5 billion euro (2001) to almost 45 billion euro (2019) while the import from 5 billion euro (2001) reached the 38 billion euro (2019) in the ECE-6 economies. The segment was more dynamic, than the total automotive export: its share grew from 24-25% to 32-33% in the six East-Central European economies. However, this growing share of intermediate products was primarily due to the changing structure of the Polish and the Hungarian automotive export while their proportion in the export of Romania, Slovakia and Slovenia was rather stagnating. On the other hand, during the two decades Romania had the largest share of automotive parts in its export fluctuating mostly between 40% and 65%.

Table 1. Spatial pattern of ECE-6 motor vehicle parts export and import; source: ITC

Export	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Germany	53	52	50	41	43	42	41	42	41	39
ECE-6+1	13	13	14	19	19	19	21	22	21	24
Other EU	26	27	28	28	28	26	23	25	26	25
Other Europe	2	2	2	4	3	5	6	3	3	4
Other World	6	6	6	7	7	9	8	7	9	8
Total	100	100	100	100	100	100	100	100	100	100
Import	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Germany	51	50	47	42	41	42	38	38	38	36
ECE-6+1	11	14	15	19	19	18	24	27	28	29
Other EU	30	28	29	26	27	22	21	19	18	19
Other Europe	0	1	1	2	2	2	2	3	2	3
Other World	7	7	8	11	11	15	15	14	14	14
Total	100	100	100	100	100	100	100	100	100	100

Data of HS 8708 product group: Parts and accessories for tractors, motor vehicles for the transport of ten or more persons, motor cars and other motor vehicles principally designed for the transport of persons, motor vehicles for the transport of goods and special purpose motor vehicles of heading 8701 to 8705, n.e.s.

During the two decades the *geographical distribution* of motor vehicle parts export and import have changed significantly. The primary trade partner of the ECE-6 economies, Germany, has lost in its importance: its share declined from about 50% below 40%. Similarly, the share of other EU economies has been reduced, especially on the side of the import. Furthermore, the significance of the neighbouring economies (ECE 6+1 including also Austria) has clearly increased which shows the importance of spatial proximity in the automotive production networks. There was only one more direction – on the import side – that registered a large increase in its share: the regions outside Europe. Due to the investments of Asian carmakers using suppliers from home, the import grew – especially from Korea. However, Germany is still the leading trade partner which underlines the succesful outsourcing and relocation strategies of the German car

industry exploiting cost-efficient production possibilities in East-Central Europe (Jürgens and Krzywdzinski 2011) and the role of Germany as the centre of this „Central European car manufacturing region” (Molnár, Kozma and Péntes 2015, Gerőcs and Pinkasz 2019) (Table 1).

Table 2. Spatial pattern of Hungarian motor vehicle parts export and import;
source: ITC

Export	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Germany	50	44	48	43	45	46	46	46	41	37
ECE-6+1	11	15	16	20	22	21	20	19	19	24
Other EU	23	20	19	21	22	22	21	21	25	22
Other Europe	1	1	2	2	2	2	2	2	1	1
Other World	15	19	15	13	9	10	10	12	14	15
Total	100	100	100	100	100	100	100	100	100	100
Import	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Germany	55	46	41	46	48	51	45	46	40	42
ECE-6+1	13	17	26	28	24	23	33	36	41	35
Other EU	18	24	19	13	18	15	14	11	11	12
Other Europe	1	1	1	1	0	0	0	1	1	1
Other World	13	13	14	12	10	10	8	7	7	10
Total	100	100	100	100	100	100	100	100	100	100

Data of HS 8708 product group: Parts and accessories for tractors, motor vehicles for the transport of ten or more persons, motor cars and other motor vehicles principally designed for the transport of persons, motor vehicles for the transport of goods and special purpose motor vehicles of heading 8701 to 8705, n.e.s.

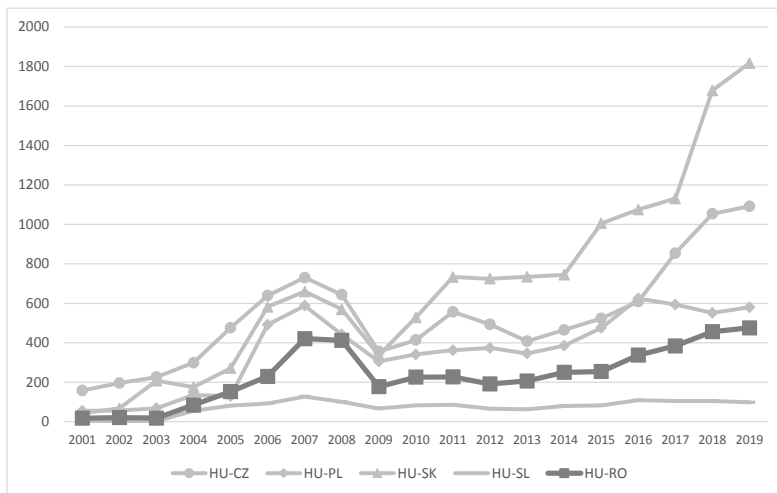
Table 3. Spatial pattern of Romanian motor vehicle parts export and import;
source: ITC

Export	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Germany	60	68	50	38	37	35	32	35	43	44
ECE-6+1	21	14	11	10	11	11	13	19	15	18
Other EU	10	14	20	19	29	24	20	23	21	19
Other Europe	1	1	6	16	6	9	14	8	6	6
Other World	9	4	13	18	17	21	21	15	16	13
Total	100	100	100	100	100	100	100	100	100	100
Import	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Germany	30	30	21	25	25	20	21	34	31	36
ECE-6+1	13	16	13	18	18	20	23	23	23	24
Other EU	30	32	44	46	47	43	39	29	30	24
Other Europe	1	0	1	0	0	0	1	0	2	3
Other World	27	22	21	11	10	17	15	13	13	13
Total	100	100	100	100	100	100	100	100	100	100

Data of HS 8708 product group: Parts and accessories for tractors, motor vehicles for the transport of ten or more persons, motor cars and other motor vehicles principally designed for the transport of persons, motor vehicles for the transport of goods and special purpose motor vehicles of heading 8701 to 8705, n.e.s.

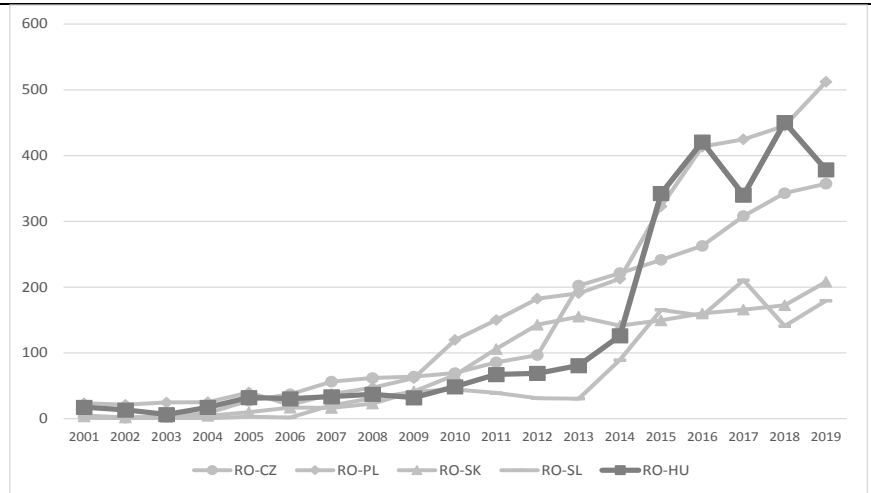
The similar *data of Hungary* and *Romania* show generally the same tendencies, but with smaller differences (Table 2-3). Both countries are parts of the European production system dominated by European (EU) relations

and a mostly growing share of ECE 6+1 economies on the export and the import side as well. The discrepancy is larger on the import side: Germany and the neighbouring countries are clearly dominating in the case of Hungary, while Romania shows a more expressed orientation towards another EU economies. Although we have very limited information about the activities of suppliers, the *origin of local carmakers* may contribute to the explanation of these differences. In Hungary, the German Audi (Győr) and Mercedes (Kecskemét) as well as the Japanese Suzuki (Esztergom) have car assembly plants. The first two have very intensive connections with their German suppliers, while the third one – as the first Asian investor in the region – was forced to built up local supplier capacities: after the EU accession it changed to a regional supplier base located also in the neighbouring economies. In Romania, the Dacia (Pitești) was purchased by the French Renault, while the Olcit (Craiova) – after an attempt with the Korean Daewoo – fell into the hands of the Ford. Both plants are likely to use more inputs from other (non-German and non-ECE) regions of Europe.



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Figure 3. The automotive export of Hungary to ECE-6 countries (million euro); source: ITC



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Figure 4. The automotive export of Romania to ECE-6 countries (million euro); source: ITC

The total *automotive export of Hungary* to the other ECE-6 economies grew from less than 300 million euro (2001) to more than 4 billion (2019). We can observe the predominantly increasing volumes to be only temporarily hit by the shock of the economic crisis of 2008/2011 and the moderate role of the Romanian relation taking the fourth place after the three other Visegrád countries (Figure 3). Behind the larger volumes we can find the big share of motor vehicle parts and components as well as internal combustion engines and their parts. Only the Hungarian-Slovenian relation was dominated by assembled cars almost during the two decades. In the dynamics and importance of the car parts and engines exported to Slovakia and Czechia the proximity effects of the East-Central European automotive agglomeration (geography) and the VW Group being present in all three economies (organization) can be recognized.

The *Romanian automotive export* to the neighbouring East-Central European economies has a much smaller volume: it grew from 50 million euro (2001) to more than 1.6 billion (2019). Poland, Hungary and Czechia are the most important markets, and the tendencies are similar to the situation of Hungary: behind the larger volumes we can find the dominating role of car parts and components, but here this product group played the dominant role also in the case of Slovenia. As opposed to Hungary, the economic crisis

could not hit Romania's automotive export relations with the neighbouring economies, because the country did not take part in the intraregional division of labour too intensively. Firstly, during the years of the recession, and secondly, especially after 2014, we can see increasing volumes (Figure 4).

The export volumes from Hungary to Romania and from Romania to Hungary had about the same values at the end of the 2010s, but the latter one showed quite large fluctuations from year to year. With the exceptions of two years (2015-2016) the *bilateral automotive trade* created surplus for Hungary and deficit for Romania. The largest differences were registered in the years before the economic crisis when the Hungarian car export to Romania boomed.

Table 4. Structure of the HU-RO and RO-HU automotive export; source: ITC

HU-RO	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Cars	7	18	56	74	56	48	30	31	39	43
Motor vehicle parts	22	26	18	9	29	25	34	33	32	33
Engines and parts	8	5	5	2	4	6	19	17	10	7
Other	64	51	21	15	11	20	16	20	19	16
Total	100	100	100	100	100	100	100	100	100	100
RO-HU	2001	2003	2005	2007	2009	2011	2013	2015	2017	2019
Cars	78	2	44	24	10	22	34	8	13	22
Motor vehicle parts	10	65	46	64	53	45	38	81	72	63
Engines and parts	2	4	2	1	2	5	2	8	11	11
Other	10	29	8	12	36	27	26	4	4	4
Total	100	100	100	100	100	100	100	100	100	100

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There are some differences also in the *structure of the automotive export* from Hungary to Romania and from Romania to Hungary. While in the case of Hungary the cars became predominant, in the Romanian export mostly the motor vehicle parts and components took the first place. With the growing volume of the bilateral trade, the other products have lost their significance, while the engines and engine parts have never been dominating (Table 4).

4. A potential new pole of automotive industry in the mirror of regional planning

Despite the relatively stable spatial structure of the Hungarian automotive industry and the predominant role of the northwestern part of the country, *new bridgeheads* of the sector have arisen in the eastern part of the country, primarily around Kecskemét and Miskolc after the crisis of 2008/2011 (Molnár et al. 2020). This trend seems to be continued with the new investments in Debrecen (Kozma and Molnár 2018) generating not only reindustrialization, but also offering possibility for the extension of

automotive production networks in the Eastern regions (Table 5). The situation seems to be serious: after designating development centres for the vehicle industry (Kecskemét, Zalaegerszeg – Szombathely – Szentgotthárd, Tatabánya – Esztergom) and a centre for economic development (Miskolc), a government decision about a commissioner responsible for the *new automotive pole* of Debrecen was passed in 2018 (1465/2018).

Table 5. New investments with at least 100 new workplaces between 2016 and 2020 in Debrecen, related to the motor vehicle industry;
source: EDC Debrecen, autopro.hu

Enterprise	New workplaces (number)	Employees 05.01.2021 (number)	Profile
BMW Manufacturing Hungary Ltd.	1000	23	Car manufacturing (planned)
FAG Magyarország Ltd.	510	1245	Bearings
Vitesco Technologies Hungary Ltd. (Continental)	450	197	Electronic components
Semcorp Hungary Ltd.	440	0	Battery components of electric cars
Thyssenkrupp Components Technology Hungary Ltd.	250	250	Production of springs and stabilizers
Inter Traction Electrics Ltd.	120	176	Bus assembly

In order to interpret the spatial economic and social processes (embracing the evolution of the automotive industry) from the point of view of regional development, the evaluation of *medium-term regional development strategies* is especially important. Accordingly, in the third section we examine how far the new potential automotive zone taking shape along the middle section of the Hungarian-Romanian border as a result of coherent planning and development activities can be regarded and what effects it can have on the eastern side of the Hungarian-Romanian border. To give answers for these questions, we examined the regional and local development documents of Hajdú-Bihar county and Debrecen city from the last 20 years (1998-2021). We make an overview of the aims and planned activities of local agents in the last four development cycles through the analysis of 4 county development concepts, 2 urban development concepts as well as 3 urban development strategies. Our main findings are the following.

- The regional and local development documents are largely influenced by the *dominating narratives and motives of cohesion policy and spatial planning* of their birth times. At the turn of the millennium – beside the cohesion goals – primarily the preparation for the EU-accession and the exploitation of the role of a “cross-border bridge” were emphasized. During the first decade of the 21st century competitiveness and environmental sustainability, while in the 2010s the conditions of a

healthy and balanced social life were in the focus of the documents, at the level of the *general objectives*. The new strategy prepared for the 2020s puts the emphasis on the creation and reinforcement of local agents and networks being able to give own responses to the contemporary challenges (climate change, global changes etc.).

- In the case of the *specific objectives* a bell-shaped development path can be observed. The earlier documents (1998/2002) concentrated on the economic capabilities, the infrastructure and other horizontal elements of the local socio-economic environment. Although the advantageous agricultural endowments and thermal water potential were emphasized, they did not have any *sectoral specification*. As opposed to these, the regional and local documents from 2006 and 2013 were strongly focused on some sectors (environmental and healthcare industry, agrobusiness and tourism). After more than one decade, the recent planning documents target the reinforcement of *general socio-economic conditions* (local ecosystem) again and the development of higher value added activities and sectors which can generate cohesion through the spillover/diffusion of innovation and development effects.
- From the point of view of our recent topic, the new direction reflected in the specific objectives can be interpreted as a cautious *learning process*. The above presented significant growth expectations related to the automotive industry (and the development of engineering in a broader sense) have never been presented by name in the earlier documents. Furthermore, the determined sectoral development objectives in these documents supported only partly the new investment wave after 2016. This is the main reason why the recent regional and local development documents concentrate more on the general socio-economic environment offering flexible, generally adequate circumstances primarily for engineering, but also for other higher value added sectors (chemical industry, IT, services etc.).
- Last point of our analysis is the question how these plans evaluate the *location* of Hajdú-Bihar county and Debrecen *along the eastern state border*. We could observe cyclical changes in this field, too. At the turn of the millennium and during the first decade of the 21st century the decreasingly separative character of state borders was interpreted as a large *potential* for local economic development. However, in the last decade more emphasis was put on the competition within the global networks beside/instead of cooperation and the documents concentrated more on the *differences* and local specialties. The new plans (2021) promote the co-operation again and expect the growth of economic power and international visibility for Debrecen. In the background of this change the recognition of the city's limitations (the

lack of *critical mass*) is a major factor: despite its extensive spatial influence within Hungary, Debrecen alone is unable to form a real node on the map of the global and European socio-economic networks. But a local base completed by Oradea and the Partium can appear as a location with significant economic potential in East-Central Europe.

5. Summary

In our contribution we showed that the spectacular growth of the automotive industry in some East-Central European economies is a result of the *location choice* logics of a sector where global players organize spatially fragmented regional production systems, and the flexible division of labour generates local but partly cross-border clusterization processes. The analysis of trade data demonstrated that the growing *automotive export* performance and specialization of East-Central Europe were combined with increasing and deepening *intraregional division of labour* fed by the spatial and organizational proximity of the automotive players. The boom of intraregional automotive trade reflecting the economic growth perspectives of the neighbouring economies was the most intensive among the Visegrad countries, but the relations between Hungary and Romania have also been developing during the last two decades.

Based on the experienced dynamics of the Hungarian-Slovakian automotive trade and the converging geography of the sector in the two neighbouring economies, a significant *growth* in the volume of the Hungarian-Romanian automotive trade can be *expected* after the realization of the investments in the new Eastern Hungarian automotive locations, especially in Debrecen. Although the earlier regional planning documents did not refer to engineering or automotive industry as key sectors of Hajdú-Bihar county and Debrecen at all, but the changing reality made it possible and necessary to integrate the sector into the local economic visions. The new plans, following a multi-sectoral approach, put the emphasis on the development of a flexible ecosystem fitted for higher value added activities and also promote cross-border (economic) co-operation. In this way, they may contribute to a *more integrated development* of Debrecen–Oradea as twin cities and their regions based even on automotive networks.

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Do We Need Computer Law as Subject in Law Faculties Curricula?

*Cristian Dumitru MIHEȘ**

Abstract. *In the last period of time, we experienced a geometric grow of the influence of new technologies in everyday life. Since Law, as a social science cannot be separated by individuals, people, society in general, we have to be constantly thoughtful as regarding the content of Law programs curricula. Universities are preordained to be an actual engine of social evolvement. As one of the oldest institutions of juridical higher education in Romania (Chirodea, 2011:29-86) we have to be aware that we have to adapt the future of the education in Law to the new, present conditions. The paper tries to underline arguments to include Computer Law not only by name, but by actual content in the curricula of the faculties of Law.*

The last decades have accelerated the interdependence of society with information technology. We cannot practically speak of a social process in which the use of information technology is not involved to a certain extent or, at least, at a certain stage. (Miheș, 2018:159-163) Our children are "hit" by increasingly aggressive forms of technology interference in social life and in family life. Often, the tablet replaces the parent, who is either absent or he/she, in turn, is "taken over" by the technology of information.

From the very beginning, we would like to define our approach and its necessity.

Within the Faculty of Law at the University of Oradea, we proposed and successfully succeeded in introducing in the curriculum of the study program "Law" the subject called "Computer Law and Legal Informatics" in 2005. This subject aimed to familiarize students with legal regulations incidents in the situations of using information technology, respectively with certain working tools, which I then called "electronic tools" - specific to the legal field.

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In fact, other faculties had (have) a similar subject in the curriculum, but it is not a universally valid rule. Analyzing these plans for legal faculties in the country, we find that there is an approach to issues related to legal informatics¹. The ARACIS standards for the field of Law include in the category of specialized disciplines whose presence is optional in the curriculum, a discipline that addresses largely the issue of the influence of information technology in Law under the name "Law of Communications and New Technologies"².

Our entire approach that appears before you want to provide factual and legal arguments in support of the idea that it is necessary to have a subject that makes the connection between Law and information technology. Moreover, in our opinion, it would be necessary for the topic to address more or less directly the connection, influence and effects of Artificial Intelligence in the legal field. From this perspective, the name that includes the Law of Communications is not appropriate and largely diverts the objectives of pursuing such a topic. Obviously, today communications are overwhelmingly digital, but they are not necessarily the dominant social field in which information technology is used.

Law as a social science is considered to be the "mathematics" of the social sciences. Those who see the Law from the outside, demand that the law to be exact, that justice be administered objectively, that there be no one who is above the law.

The law student realizes that all these things cannot be absolutized, and the law graduates are all the more aware of the fact that the epicenter of the precision of law must be the humans and the society of which he is a part. Justice is qualitatively as good as the society whose members do administer it. (Ciocan, 2011: 1-4)

¹ Apart from the Faculty of Law - "Babeş Bolyai" University of Cluj Napoca, whose curriculum included the subject "Computer Law and Legal Informatics" before 2005 and which was the "source" of inspiration for us and other faculties, but not all of them have a subject in this field (but it seems that the attention was focused on the usefulness of information technology for lawyers): Faculty of Law - University of Bucharest: "Legal Informatics"; At the Faculty of Law - "A.I. Cuza" University of Iaşi - "Web Technology for Lawyers", "IT Competences"; Faculty of Law - UVT: "Informatics and documentation methods"; with the exception of the Faculty of Law - University of Craiova which includes in the plan in addition to "Legal Informatics" and a subject of legal profile "The Law of Communications and New Technologies".

² Specific standards regarding the external evaluation of the academic quality of the curriculums in the fields of license and master affording to the specialty commission no. 3 legal sciences - http://www.aracis.ro/wp-content/uploads/2019/07/29012018_Standarde_C3_-_Stiinte_Juridice_-_Varianta_finala.pdf, p. 8;

Law graduates are often required to deal with disputes that involve a strong technical nature, whether we are talking about construction, whether we are talking about medicine, practical fields of engineering or things related to the privacy of personal life, of the family.

As such, in principle, given that in a common legal issue we are obliged to familiarize ourselves with the fundamental, intrinsic aspects of the field to which that problem belongs, we lawyers, must become familiar with the basic aspects of the use of information technology in social life. We are called to legally frame certain actual situations and circumstances. Information technology is present in the life of our society, and the use of information technology generates legal effects. By these effects we mean the birth, modification or extinction of legal relationships, that means the birth, modification or extinction of those relationships that are governed by law.

For these general-introductory reasons, we appreciate that it is necessary for the law student, and then the law graduate to add to the traditional law kit (Moțiu, p.8-9) also the notions necessary to understand the effects that the use of information technology generates in society. Things need to be viewed from two points of perspectives: from the perspective of legal relations developed through or with the help of information technology, respectively from the perspective of the legal effects of information technology.

In order to develop and concretize our arguments, we will focus on several concrete aspects and areas.

Regarding the process of administering justice, viewed *lato sensu*, we distinguish two concrete components: computer (IT) justice and telematic justice. Computer (IT) justice refers to the fact that in the process of administering justice we use information technology, and telematic justice refers to situations in which the act of justice takes place by means of distance communication, given that not all parties are present in the same place. (Stănilă, 2000:91-110) (Ursuța, 2018) The last one, practically did birth as an actual perspective during the Covid-19 Pandemic.

Thus, we use the ECRIS system to manage the claims and files pending before the courts, (Morozan, 2014) respectively to achieve the interinstitutional link between the various institutions and authorities under the coordination or subordination of the Ministry of Justice. Through this integrated computer system, you can create templates, working documents, drafts other essential documents of the justice process, also you can even transmit communications. The system is continuously developed, adding

new functionalities, such as the last one³ that allows the anonymization of the name of a single party in the case of human trafficking offenses, this functionality can be extended in the case of files that have another object. In this sense, it would be extremely useful for this function to be able to be applied to protected witnesses as well.

The question might be asked - is it up to the judge to know the functions of ECRIS, or only the clerk or the archive clerk - or is the knowledge of this computer system only the duty of the court computer scientist? From our point of view, all those involved in the administration of justice must know the functionalities of the ECRIS⁴ system and not only those who actually work in courts or prosecutor's offices or institutions of the Ministry of Justice, but also lawyers and legal advisers who interact with them. Obviously, the division that exists until now, between the public information that is available to any interested person and the information that should not be available to the public or to persons "outside" the file or of the respective institution, has to be maintained.

For example, the ECRIS system ensures the random distribution of cases and thus, one of its important missions is to prevent the parties from choosing the judge to judge the case⁵. Or, having no idea if this functionality exists or about how this functionality operates, the parties, respectively the lawyers and legal advisers who assist them will give rise to suspicions, which will be difficult to remove and which will affect the credibility of the justice act. Equally, perhaps, the detailed knowledge of the technical way in which

³ "The Ministry of Justice has developed a new function of the ECRIS application, which allows, when replicating on the portal <http://portal.just.ro/>, the anonymization of the name of a single part of the files on human trafficking (L.678 / 2001, art. 12 and art. 210 NCP) and trafficking in minors (L.678 / 2001, art. 13 and 211 NCP), in this case the names of the victims of crimes. After anonymization, the names of the victims will be replaced by a protection text. The function can be used both for new files and for already registered files, which are published on the court portal. For files that have previously been automatically checked as confidential and have not been published on the portal, the function of anonymizing the name of one of the parties can be used, but in these files you must first uncheck the confidential file check. This function, which can also be used in other cases, regardless of the subject matter, when the court considers it necessary to anonymize the name of one of the parties to a case, has already been included in the ECRIS application." - source: <http://www.just.ro/comunicat-de-presa-cu-privire-la-implementarea-in-aplicatia-ecriis-a-functiei-de-anonimizare-a-numelor-victimelor-infraciunilor-privind-traficul-de-persoane-si-traficul-de-minori/>, accesat la 01.02.2020, orele 6.30

⁴ ECRIS comes from the abbreviation Electronic Court Record Information System and is accessible at: <http://portal.just.ro/SitePages/acasa.aspx>

⁵ Unlike Roman law, where there is the possibility of choosing a judge (Aurelia Gidro, Roman Private Law, Universul Juridic Publishing House, Bucharest, 2020, pp. 98-102), in certain situations modern justice has removed this possibility;

the distribution is made gives the possibility to resort to “solutions of defeat” of the regular method of the working system, if anyone is using precisely the advanced knowledge in the field of information technology.

Another aspect that argues the connection society - Law - information technology is the fact that this anonymization of which we talked about two paragraphs above was requested in other cases, and more importantly from our argument's perspective, was requested by civil society and finally, it generated its creation and implementation⁶.

The Human Rights area is experiencing new developments in the content of these rights, especially when we think about the content of human rights and freedoms. The classical approach from the perspective of Constitutional Law (Goia, 2020:23) of the individual-state relationship must be adapted to the current needs. Mass surveillance resources are much more "available" now than they were 20-30 years ago in opposition to the requirement of civil society for transparency (Tîmofte, 2018:380-384), one might say.

In fact, transparency and understanding of how decisions are made when they are made automated, through information technology is a constant concern of the last period between of the doctrine of Law⁷.

In such an interference situation is the right to privacy, because the intrusion of information technology in private life is overwhelming. The mobile phone, the tablet, the old laptop, as well as the smart TVs are effectively part of our lives. At the same time, social networks are either a means of endorsing, a place of refuge or repression, or a source of fake news, as well media, which now is available more directly and it is shaping concepts, borders (Horga, 2007:28-46), and everyday life - all with important social consequences. (Tamas, 2018: 133-139) It is all the more essential to understand the effects that the use of information technology has and to apply specific legislation to protect children against harmful forms of communication. (Csemané Varadi, 2015:39-48)

The protection of the property right over the real estates and in close connection with it - the assurance of the right to inheritance, for example, can acquire substance only in the conditions of the existence of

⁶ <http://www.just.ro/comunicat-de-presa-referitor-la-eliminarea-din-interfata-externa-a-aplicatiei-ecriis-a-dosarelor-avand-ca-obiect-traficul-de-minori-si-cel-de-persoane/>

⁷ All the more sensitive is the automatic decision-making in criminal matters. In this regard, please see: Karsai Krisztina, *Algorithmic decision making and issues of criminal justice – a general approach* in Cristian Miheș (editor) *In Honorem Valentin Mirișan*, Universul Juridic Publishing House, București, 2020, p. 146 – 162;

electronic records of the land and real-estates, respectively of a computerization of the notarial activity⁸.

From the perspective of economic rights influenced by information technology, we also highlight the right to work in the digital age, essential for social and individual survival. Today we are talking about telework (Onica-Chipea, 2020: 246-256), the right to disconnect⁹, the use of technology in areas of the economy such as transport. (Onica-Chipea, 2019:182)

And ... to make things even more complicated, it seems that in the future we will have robots as subjects of Law. In this respect, a report presented to the EU and European Parliament talks about classifying robots as "electronic people". Thus, in 2017, the European Parliament adopted by 451 votes to 138, with 20 abstentions, a resolution containing recommendations to the EU Commission on the rules of civil law on robotics¹⁰.

The protection of intellectual property rights in the digital age must be reconsidered both from the perspective of the protection of classical works and computer programs, including through the means of Criminal Law. (Bodea, 2011) Classical works can be photographed, scanned, redrawn (recomposed) with the help of information technology and as such, can be multiplied much more easily - an operation that is easier to do through information technology. In such a context, specific rights, such as the resale right as a fair royalty for the author (Mihăilă, 2018: 146-158), or the *black box* concept vs. patent rights related to advanced software systems, such as AI, must also be understood from this perspective.

As for the tax area, it cannot "get rid" of the interaction with information technology. In fact, the computerization of the fiscal system is a

⁸ Here we refer to the succession notarial procedure - meaning in which we ask to see Mihaela Teacă, Notarial Law, Prouniversitaria Publishing House, 2018, pp. 115-125; respectively at the issuance of the European Certificate of Succession - meaning see: Carmen Popa, *Some observations on the European Certificate of Succession* in C. Miheș, D. Cîrmăciu (editors) "Current questions and european answers on the field of law and justice in Romania and Hungary", Ed. Prouniversitaria, București, 2016, p. 16 - 26

⁹ 539 / 5000. The right to disconnect has recently been enshrined as a normative concern of the European Parliament, which has called on the EU Commission to intervene on this issue: <https://www.europarl.europa.eu/news/en/press-room/20210114IPR95618/right-to-disconnect-should-be-an-eu-wide-fundamental-right-meps-say>. Thus, employees, especially those who work remotely and in almost all cases using information technology, will have the right not to respond to emails, text messages, telephone calls and to effectively interrupt work after business hours;

¹⁰ Available at: <http://www.europarl.europa.eu/oeil/popups/summary.do?id=1477231&t=d&l=en>

desideratum towards which any fiscal administration currently tends, but which generates important legal effects regarding the establishment of the general consolidated state budget, but also the observance of the taxpayer's rights. (Varga, 2018: 215-234) (Cîrmăciu, 2019: 14-19)

In the field of business, how could we imagine the development of a company without an efficient electronic records system of resources, or even the "simple" financial accounting and financial reporting, or - from another perspective the conduct of an investigation related to competition, related to compliance with competitive restrictions (Olar, 2014: 210-225) imposed without the use of information technology, given the huge amount of data to be processed and interpreted?

Another reality of our day with increasingly wide social implications is the use of driverless vehicles. In the event of an accident involving a driverless vehicle, who will we be held responsible? The manufacturer of the vehicle, the one who sold the vehicle, its user, or the one who made the vehicle guidance system on the road? The problem is all the more delicate as the technology used is more advanced and allows for example the use of the vehicle without any human intervention.

Going a little further, towards the aggravated forms of liability we reach the area of penal responsibility. It should be noted here that information technology has dual effects.

On the one hand, we have computer crimes (Bodea&Bodea, 2018: 610-619; Kadar, 202-227) that are committed with the help or through the computer, thus using new technologies. Anonymity, the power of today's data processing, the skills and dexterity in the field of information technology specific to today's persons are just as many favorable conditions for cybercrime.

On the other hand, new technologies can be used in the investigation of facts by administering evidence such as those specific to telematic justice, when witnesses or parties are heard remotely via the Internet, or when various computer applications are used to prepare forensic expertise.

At the same time, we have real *e-tools* to help investigate certain types of facts such as those specific to cases of child pornography in which an avatar has been developed that interacts with potential suspects¹¹ or those in the field of financial crime to detect and detect investigate tax fraud (Miheș, 2019: 215-220), including VAT fraud (Mirișan & Mirișan, 2019: 215-

¹¹ Cristian Miheș, *New Dares in Criminal Investigation* in *Annales Universitatis Apulensis, Series Jurisprudentia*, 21/2018, p. 207-2016; Although, the solution might be considered a simple and direct one, scholars argued that it raises certain important juridical debates. For details, please see: Schermer, B. W., Georgieva, I., Van der Hof, S., & Koops, B.-J. (2016). *Legal Aspects of Sweetie 2.0*. TILT;

220; Dacin & Domocoş, 2019: 201-214) or money laundering. (Jacsó & Udvarhelyi, 2019: 288-303) Concern in this area is also underlined by research projects started to study the phenomenon of tax fraud, corruption, money laundering in connection with the protection of the EU's financial interests, but with direct reference to the area of cybercrime¹².

Another trend present especially in Common Law countries, uses advanced systems (eg COMPAS) that decide on the risk of committing a new act (recidivism), and in some situations are even mandatory "to use". The most "famous" example is the case of LOOMIS vs. Wiscounsins in which the COMPAS system recommended a 6-year prison sentence for refusing to take biological samples and attempting to resist detention, because the perpetrator had a "high risk of recidivism", being of color and coming from a social environment where the crime rate is high - although it had no history of any kind. It is worth noting that the sentence was upheld by the Wiscounsins Supreme Court (!). (Miheş, 2018: 159-163)

Finally, we want to add that new technologies, and especially Artificial Intelligence is considered a real game changer¹³ and as such, a new legislative approach¹⁴ and preparation of future lawyers is needed for what will follow from this change.

In this respect, the presence of the discipline of Computer Law, which would make the connection between Law and new technologies, is necessary in order to be able to prepare future lawyers for the challenges of the digital revolution.

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¹² Our faculty was involved in the project "*Criminal law protection of the financial interests of the EU – Focusing on money laundering, tax fraud, corruption and on criminal compliance in the national legal systems with reference to cybercrime - HUUNIMISKOLCPFI 786253*" that was funded through the ongoing Hercule III Programme set up by Regulation No 250/2014 of the European Commission with the supervision of the European Anti-Fraud Office (OLAF). "The aim of the project was to further the protection of the financial interest of the EU, to improve the awareness of the branches of involved legal professions and to foster sensitiveness through organizing international conferences and workshops and through disseminating the study based on the results of the research carried out throughout the project's period." (<https://hercule.uni-miskolc.hu/description>)

¹³ The conclusions of The High Level Conference "Governing the Game Changer – Impacts of artificial intelligence development on human rights, democracy and the rule of law" (Helsinki, 2019);

¹⁴ Such an approach can be consulted at: <https://www.coe.int/en/web/artificial-intelligence/-/-toward-regulation-of-ai-systems->

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Content Analysis of the Presidential Elections in the Republic of Moldova

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Abstract. *The Republic of Moldova has undergone a series of transformations throughout its history, especially after 1991 when the first President of the Republic of Moldova was elected. However, from 1991 until now the country has faced a series of internal struggles, demonstrations, sometimes culminating in conflicts. Most often, the internal hostilities were the result of two antithetical beliefs, orientations: the first is in a direct connection with the nostalgia of the past, the nostalgic ones, oriented towards Russia, while the second one is the new pro-European orientation. The clash of these two directions in which the country would like to advance has provoked controversy, diametrically opposed positions and blockades most of the time, which have materialized through a stagnation of the Republic of Moldova on political, socio-economical and other levels. The current article aims to conduct a content analysis directly related to the first round of the presidential elections in the Republic of Moldova in 2020, where we will meet the same two competing directions presented above, the main actors being Maia Sandu (Pro-Europe) and Igor Dodon (Pro-Russia). In our analysis we will perform a trend analysis based on the established sample from the media. Through this inquiry we will try to unfold the trend analysis index through which we will be able to highlight the orientation, support of the examined newspapers and media outlets for one or another of the candidates registered in the presidential race of the Republic of Moldova.*

Keywords: *presidential elections, content analysis, trend analysis index, Republic of Moldova*

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Introduction

The year 2020 represents a turning point for the Republic of Moldova, because on the eve of the elections there is an extreme involvement from all political parties on the Moldovan political chessboard.

In this sense, on November 1, 2020 in the Republic of Moldova is organized the first round of the presidential elections in which eight candidates with different visions and perspectives are registered in the race. It is also the battle of orientations for the future president (between the left-wing majority and the right-wing opposition in the Parliament). Namely, on the list of candidates running for president, on the one hand, we have Igor Dodon a political figure with a pro-Russian orientation and an active promoter of the "Moldovenism" doctrine frequent in Moscow, who wants to keep the Republic of Moldova in the orbit of influence of the Russian Federation. On the other hand, we see a Pro-European orientation represented by the leader of the Action and Solidarity Party, Maia Sandu, who promotes the idea of European integration of the Republic of Moldova, in opposition to the oligarchs.

During the years of independence of the Republic of Moldova, the position of the head of state underwent several changes related to the way of election, attributions and power of the presidential institution. However, regardless of whether the head of state was elected by direct vote by the citizens or was voted by the parliament, one of his duties that remained unchanged was his quality of representing the state and outlining the country's foreign policy orientation. Respectively, starting with the establishment of the position of the head of state by Law no. 250-XII of September 3, 1990 adopted by the Parliament (Solomon, 2001: 119) we can speak of a foreign policy path outlined by a president.

The first president of the Republic of Moldova, Mircea Snegur, held the position in the 1991–1996 period. In the field of foreign policy, President Snegur sought recognition of the independence proclaimed on August 27, 1991 and opposed the union referendum on the preservation of the USSR. During his term of office, the Republic of Moldova became a member of the Commonwealth of Independent States (CIS), by signing the Alma-Ata Protocol in 1991. It obtained full United Nations (UN) member status in 1992. Following that, in June 1995, the Republic of Moldova was admitted in the Council of Europe. During the term of President Lucinschi (1996–2001) had begun the process of integration of the Republic of Moldova into the European Union and its distancing from the other CIS member states.

The leader of the Party of Communists of the Republic of Moldova comes to power by promoting accession to the Russia-Belarus Union. However, the period of President Voronin's first term (2001–2005) is

marked by the political crisis triggered by the 2004 memorandum of Dmitry Kozak, a representative of the Kremlin administration, on the settlement of the Transnistrian conflict. Even though he was enthusiastic at first, President Voronin refuses to sign the Memorandum of the Federalization of the Republic of Moldova, proposed by Kozak. The refusal led to tensions and to the cooling of political relations between Moldova and the Russian Federation (Boțan, 2013). During his second term (2005-2009), Vladimir Voronin adopted a more pro-European rhetoric, lobbying for the integration of the Republic of Moldova in the EU. The Communist Party voting together with other political factions elaborated the "Declaration on the political partnership for achieving the goals of European integration" (Cernencu, Boțan, 2009: 42-43).

There follows an impasse generated by the impossibility of voting for a new president by the Parliament and characterized by three interim presidents (Mihai Ghimpu, Vlad Filat and Marian Lupu). The mandate of interim President Ghimpu is marked by his refusal to participate in the May 9 Parade in Moscow, but also by declaring June 28th as "Soviet Occupation Day." After all, Mihai Ghimpu is the only president who has publicly assumed his Romanian identity. Following some agreements between the political elites, in March 2012, a 'formal' president (Nicolae Timofti) was voted. President Timofti has assumed a balanced foreign policy in relation to the East and the West.

In March 2016, the Constitutional Court invigorated the provisions repealed in 2000, more precisely from this moment the president is elected by direct universal suffrage by the citizens. However, the powers held until 2000 were not restored to the president. In this context, after a break of 20 years, the citizens of the Republic of Moldova elected by direct vote in autumn 2016 the president of the PSRM faction, Igor Dodon, obtaining 52.11% of the votes cast. His victory highlighted the rejection of pro-European parties by voters, parties that were otherwise involved in numerous corruption and money laundering scandals. President Dodon has an anti-European and anti-Romanian agenda, with promises such as the cancellation of the Association Agreement with the European Union, the return of the billion, the broadcasting of Russian television shows and the banning of unionism. The visits and meetings with other state leaders, ambassadors and foreign officials undertaken during his four year mandate reveal to us the imprint of President Dodon on the foreign policy of the Republic of Moldova. In this sense, although in his electoral platform from 2016, Dodon mentions "the nurturing of privileged relations with Romania and Ukraine", during this period no official visits of the state presidents of the neighbouring countries to the Republic of Moldova were undertaken, nor did the Moldovan president visit the two states. On the other hand, as part of the chapter entitled "restoring

the strategic partnership with Russia", Igor Dodon visited Moscow more than 14 times, and had other 70 meetings with various representatives of the Russian state. In addition to anti-European speeches and the cancellation of the Association Agreement with the EU, President Dodon insisted that the NATO should sign an agreement recognizing the neutrality of the Republic of Moldova, however such an agreement never saw the light of the day. At the end of his term, in 2020, the Republic of Moldova was in a state of isolation, as a result of the exclusively Russian policy promoted by President Dodon (Cârnaț, Popa, 2017: 17-21).

The theoretical dimension of the study

The state body set up to carry out the electoral policy is the Central Electoral Commission. The Electoral Code of the Republic of Moldova contains the legislation in force regarding the entire electoral process for the purpose of a good conduct of the elections.

Also, the Constitution of the Republic of Moldova in Chapter V stipulates the role of the head of state, the manner of holding elections, as well as his/her duties. Thus, in accordance with article 77, the president represents the state and he/she is the guarantor of sovereignty, national independence, territorial unity and integrity. Respectively, in order to successfully fulfil his agenda, the attributions of the president are among the most diverse. First, article 86 of the Constitution enshrines the role of the head of state in the field of foreign policy. The President personifies the state and represents it in official relations with other states with the power to negotiate, as well as to conclude international treaties which he/she subsequently presents for ratification to the Parliament and has the mission of accreditation.

In accordance with article 87, the President is the supreme commander of the armed forces. In the field of defence, he/she may declare, with the support of the Parliament, partial or general mobilization of the armed forces. The President is also free to take any measures to ensure national security in accordance with the law.

Regarding the parliamentary activity, the president has the obligation to convene the Parliament after the elections (art. 63); can take part in the sessions of the Parliament and can address messages regarding the main problems of the state (art. 84); promulgates and is entitled to send the laws for re-examination to the Parliament (art. 93); as he/she has the right to legislative initiative (art.73). Last but not least, in the event of the impossibility of forming a Government, the President, after consulting the parliamentary factions, may initiate the process of dissolving the Parliament.

In accordance with the provisions of the Constitution, the president of the country also exercises attributions in relation to the judiciary (art. 116), as well as fulfils some ceremonial duties.

Following the detailed presentation of the attributes of the president of the Republic of Moldova, as enshrined in the Constitution, in the following lines we shall carry out a brief examination of the candidates registered for the race in the first round of the presidential elections.

The first on the list is Renato Usatii. The candidate of 'Our Party' does not have a written electoral program, but he made his opinions and promises heard through the press statements and the online posts. At the forefront of promises is the fight against corruption, which according to Mr. Usatii will have positive effects in other fields, such as the economic and social ones. Like Igor Dodon, many of the statements do not fall within the remit of a president, and he is aiming for an authoritarian presidential state, with many references to Singapore. Also, the details regarding the tools and sources necessary for the achievement of these goals are missing (Lupușor, Madan, 2020: 3; Hague, Harrop, McCormick, 2019:127).

The candidate of the PP Platform Dignity and Truth, Andrei Năstase, submitted a detailed electoral program called "Moldova's country project of tomorrow", based on steps related to European integration. The first step as president will be the implementation of the *Decision on the state of captivity of the country*, which aims to eliminate oligarchs with public office in the state. Of course, he will not be able to implement his commitments without the support of a parliamentary majority. An important point is the commitment to restore Moldova's credibility in the diplomatic space and to remove the state from international isolation. Although the promises are not sustained by numbers, the program offers some idea of the ways of implementation (Lupușor, Madan, 2020: 4-6; Ursu, 2020).

The candidate of the Liberal Democratic Party of the Republic of Moldova, Tudor Deliu, is the only one who presents a program that does not exceed the constitutional attributions of a state president. The proposed objectives are outlined around democratic ideas, justice, rule of law, transparency and the implementation of the Association Agreement with the European Union. However, most promises are made rather vaguely (Lupușor, Madan, 2020: 6).

In the 2020 presidential election, Igor Dodon is running in the election campaign to get a new term as president. As a result, he has revised his foreign policy priorities. If in 2016, Igor Dodon promised to restore relations with the Russian Federation, 4 years later he assured that if he is re-elected he will transform the Republic of Moldova into a "bridge between the East and the West", where Russia remains the main strategic partner. In this campaign, Igor Dodon ignores the status and importance of

neighbouring states in ensuring territorial integrity, as well as the status of Romania and Ukraine being reduced from "primary strategic partners" to simple "good neighbourly relations and cooperation." Also the Association Agreement with the EU is neglected, in favour of substantial extensions of relations with the states of the Eurasian Economic Union, led by the Russian Federation. Regarding priorities strictly related to domestic policy, many of the electoral promises far exceed the constitutional responsibilities of a head of state. The electoral program presented by Igor Dodon abounds in promises specific to a presidential state where in absolutely all areas depend on the president. In this sense, many of the promises do not fall within the competences of a head of state, many of them falling within the competence of local public authorities (for example, the construction of playgrounds, arrangement of public areas). Moreover, the program does not present the steps and tools necessary to achieve those presented. A distinct element of the program is the growing emphasis on aspects related to spirituality and morality (Lupușor, Madan, 2020: 6-8; Hague, Harrop, McCormick, 2019:127-128).

The next candidate on the electoral list is Violeta Ivanov, supported by the Political Party "Șor", with a program in which absolutely all objectives exceed the powers of the president established in the Constitution of the Republic of Moldova. Completely neglecting foreign policy and security, Violeta Ivanov's promises are specific to a deputy or a mayor. With a populist character, Violeta Ivanov's electoral program relies entirely on the actions and results obtained by the party leader and mayor of Orhei, Ilan Șor (Lupușor, Madan, 2020: 8).

Starting with the slogan "It's time for the good people", the leader of the Action and Solidarity Party is running for president with a program structured in five national objectives aimed at implementing and expanding the Association Agreement and the Free Trade Agreement. Three of the categories refer to the socio-economic field, and many of them go beyond the possibilities offered by the Constitution and can only be achieved with a majority support from the Parliament. At the same time, Maia Sandu promises an active and dynamic foreign policy, aimed at collaborating with the European Union. Also, all objectives are explained in detail, including tools and solutions to achieve them, as well as estimating a budgetary impact (Lupușor, Madan, 2020: 9-10; Ciochină, 2020).

One of the two unionist candidates is the candidate of the National Unity Party, Octavian Țîcu. With the slogan "The president who unites", he aims to dissolve the parliament, to get the state out of international isolation and other commitments in order to bring the two banks of the Prut river closer together. The presented objectives are more or less in line with the

tasks of the head of state, the implementation generally depending on the activity of the parliament and of the government.

The leader of the Liberal Party, Dorin Chirtoacă, is supported by the "Unirea" electoral bloc. A follower of unionism and of European integration through union, his program is a reflection of the realities and living conditions in Romania. Therefore, many of them do not belong to the status or the position of the President of the Republic of Moldova and are not achievable as long as they start from a premise that does not exist at the moment (Lupușor, Madan, 2020: 11).

Reviewing the attributions and powers of the head of state, we can see that there is a discrepancy between his prerogatives and the electoral program. This is due to the ruling of the Constitutional Court from March 2016, which records that the president is elected directly by citizens through universal suffrage. However, the attributions held by the president until 2000 were not restored. Analyzing the activity of President Dodon, we can notice a series of constitutional and political conflicts between the head of state and the ruling party. The core of these tensions is determined by the discrepancy between the direct election of the president and the constitutional provisions that give him few prerogatives to carry out his electoral program (Costachi, 2019: 11). That is why during the race for the presidential seat, the candidates come more or less with promises and an agenda that goes beyond the legal framework of the attributions of a head of state. This is possible only through a close collaboration between all the central institutions of the state. But political colour often hinders this process.

Methodology and case selection

Within the current study we endeavour to use content analysis as our main research method (Chelcea, Mărginean, Cauc, 1998: 376-389; Culic, 2004: 15-21; Agabrian, 2006: 17-30; Petre Andrei, 1997: 186-205; Babbie, 2010: 333-344), the specific tool of this research method being the content analysis sheet.

Our target group or research sample (Rotariu, Iluț, 1997: 122-148), from where we will extract our research data will be 3 newspapers: Unimedia, Ziarul de Gardă and Sputnik.

The period selected for our case study, which targets the first round of presidential elections in the Republic of Moldova, was October 2, 2020 - November 1, 2020, here we tried to connect with the electoral legislation in force to capture the period allowed for electoral agitation, more exactly the period specified in the Electoral Code of the Republic of Moldova, Article 116, point (1) which provides that "the electoral campaign for the election of the President of the Republic of Moldova shall begin no earlier than 30

days before election day and shall be conducted in accordance with Chapter 7 (art. 50 – Article 52), which shall be applied accordingly.”

We have chosen the three aforementioned newspapers for our research based on several criteria, attempting to reach the entire representative range of the press in the Republic of Moldova. According to a survey conducted by imas, a considerable number of internet users access the online space to obtain information about the social, economic or political field. Specifically, 69% of users access various online news portals or newspapers (Petruți, Zaharco, Crivițchi, 2018: 7). In this regard, we have considered relevant those newspapers that have an activity and an accessible and diverse online platform in terms of published articles.

Unimedia is one of the most popular news, analysis and comment portals in the Republic of Moldova, registering traffic of approximately 40,000-50,000 visitors daily and over 300,000 per month.

Ziarul de Gardă is an investigative newspaper from the Republic of Moldova. In 2020, the news, surveys, interviews and reports published on the website www.zdg.md were read by over 5 million Internet users. According to a national mass-media audience study conducted in 2018 by the Center for Independent Journalism, Ziarul de Gardă is the best known (47%) newspaper published in Romanian language, containing mostly socio-political articles.

Sputnik is an international news agency established and owned by the Russian government through the Russian news agency *Россия сегодня*. Present in over 34 countries, Sputnik targets non-Russian audience. According to the New York Times, Sputnik is described as a Russian propaganda magazine that spreads misinformation (MacFarquhar, 2016).

Our research tool is the content analysis sheet (Chelcea, Mărginean, Cauc: 1998: 394), through which we will collect the data from the proposed sample. We will perform a trend analysis, through which we will go through an identification of frequencies, highlighting the orientation: positive, neutral or negative.

In order to highlight the trend we will apply two formulas as follows (Chelcea, Mărginean, Cauc: 1998: 395):

1. $AT = (F - D)/L$
2. $AT = (F - D)/T$

AT = trend analysis index

F = number of favorable units

D = number of unfavorable units

L = number of units related to the topic

T = total number of units

We cannot talk about a democratic state without the two fundamental elements represented by the public opinion and the media. The press is an actor whose main purpose is to bring to the public the political events and facts in the most open, objective and impartial way possible. This includes the promotion of as many points of view as possible. Last but not least, the media represents the bridge of communication between the electorate and the electoral contestants, by facilitating the exchange of ideas in order to build an identity of the electorate (Peru-Bălan, Tofan, 2017: 212).

Therefore, the place of the press as the "fourth power in the state" is fully argued by the considerable influence of the media on the masses. And the political class always seeks to attract public opinion through the preeminence of the media in this field, as the media cultivates opinion as farmers cultivate the land (Dobrescu, Bargăoanu, 2003: 226).

In this context, during the election campaign, problems related to the bias and partisanship of the media were visible. Respectively, it is not at all surprising that the media is dominated by the control of some political parties. If until 2019, about 70% of television stations were controlled by Vladimir Plahotniuc, at the moment we see an increase in media influence from the PSRM and people close to the Socialists.

In general, the press has played a key role in both promoting and denigrating electoral candidates. Through this, a media agenda is formed in order to put the electoral opponent in a negative light. Partisan news agencies were keen on promoting the program and political discourse of a candidate in order to determine the focus of the electorate, aiming at misinforming the public in the opponent's pool, in order to "confuse him, distance him, steal or corrupt him, in the end" (Peru-Bălan, Tofan, 2017: 209).

In this sense, the *agenda-setting theory* promoted by Maxwell McCombs constitutes "the ability, especially of the news, but also of televised debates, to influence the predominance of certain topics on the public agenda" (McCombs, 2004: 115). Through this field of influences, news agencies promote and insist on compromising news so that the audience perceives that important topic, as voters are informed according to the persistence with which the press brings to public attention the issues discussed in the campaign (Barbaros, 2014: 116).

Therefore, in our content analysis we shall use the following indicators:

1. Title of the article - the message sent by the title of the article.
2. Presentation of the candidate - the way in which the personal and professional information about the candidate is presented.
3. Campaign presentation - direct information about the political program and other actions to promote the candidate.

4. Addresses /statements of the candidate - articles that reflect the candidates' public outings and the messages they send to civil society.
5. Images from the article - pictures or video images attached to the article and the message we can deduce from simply viewing the placed media content.
6. Reported context/framework - Quality of the overall information presented in relation to the topic and candidate. If the subject is presented in a positive, negative or neutral light. For example, the media news that presents how the president withdraws the citizenship of a controversial person suspected of some illegal actions is positive for the president, because information about achievements, progress, improvements, successes always has a positive connotation.
7. Direct evaluation of the candidate - words or phrases that directly describe the activity and personality of the candidate.
8. Instigating speech - the controversial statements of the candidate.
9. Attack on opponents - statements that are directed against the opponent.
10. Presentation of the candidate's remarks - the editorial attitude to indicate and the reply of the candidate targeted by the attack.
11. Reflecting the image of the party - the way in which the members of the party supporting a candidate are presented.
12. Other protagonists included in the article - the position of public figures, organizations, and representatives of the civil society vis-à-vis a candidate.

Table 1. Content analysis for UNIMEDIA

Indicators	PN Renato Usatii			PPDA Andrei Năstase			PLDM Tudor Deliu			CI Igor Dodon			PP „Șor” Violeta Ivanov			PAS Maia Sandu			PUN Octavian Țicu			BE „Unirea” Dorin Chirtoacă		
	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-
Title of the article	3	2	3	28	2		2	1		14	6	1	18			7	1		4	2		5	1	
Presentation of the candidate	2			3			1			4			1			1			2			1		
Campaign presentation	1			15			2			1			15			1			3			3		
Adresses/statements	2	2	1	26			3			11	5	2	17			6			4			4		
Images from the article		6	2	22	24		1	4		7	12	1	6	8	1	7	11		1	5		1	1	
Reported context/frame	5		1	32	2	1	3			26	1	7	18	1	1	23	1	2	3		2	5		1

+ positive
0 neutral
- negative

PPDA – Partidul Platforma Demnitate și Adevăr (PPDA - Dignity and Truth Platform Party)

CI – candidat independent (Independent Candidate)

PAS – Partidul Acțiune și Solidaritate (PAS - Action and Solidarity Party)

BE „Unirea” – Blocul Electoral „Unirea” (BE "Unirea" - "Unirea"
Electoral Bloc)

The PPDA leader was the most popular, being presented in 146 articles with a positive character and in only 2 articles in a negative way. Mainly Năstase was reported in a positive context (32 articles). In general, the Unimedia news portal had as sources the press conferences of the candidate Andrei Năstase, the posts of the PPDA leader on his social networks, as well as the posts of the party. Also, the subjects of many articles were the shows in which Năstase participated. Therefore, he also registers a favourable number

of articles at the addresses /statements indicator. More precisely, Unimedia published 26 statements by the PPDA leader.

Last but not least, his image was favoured within the titles of the articles, which presented him as a good leader and a political figure who promotes the consolidation of the right-wing chessboard. And, due to the fact that this was the subject of many articles, he had the chance to promote his electoral program. Thus, the Unimedia portal became a platform through which the candidate A. Năstase could manifest his electoral marketing. Consequently, through his appearances, the PPDA candidate had the opportunity to attract the right-wing electorate (Unimedia.info).

At the other end of the political vision we find Violeta Ivanov in the spotlight. The candidate of "Șor" is also promoted by frequent appearances. In general, the articles in which Violeta Ivanov was the main character were based on the actions taken by the "Șor" Party and the mayor of Orhei, Ilan Șor. Thus, the articles on the Unimedia portal attributed the successes and achievements in Orhei to Mrs. Ivanov, who had a lot of statements with examples of projects carried out in the city of Orhei, which she intends to execute at national level. This explains the large number of articles (15 in number) in which the electoral campaign of the "Șor" candidate is presented (Unimedia.info).

Although, in most cases Ms Ivanov's proposals fell exclusively within the competence of the local authorities, the articles did not specify in the end that the objectives proposed by her exceeded the constitutional powers of a state president. Therefore, we categorized many of her appearances as positive, because the proposals were attractive to the electorate, but they were not informed that they are unachievable from the chair of the president. In the Unimedia articles, we can also draw attention to the way in which the main candidates in this election are reported. The portal places the independent candidate and the PAS candidate on a secondary level, in favour of Andrei Năstase and Violeta Ivanov. In this case, we can also notice that the right-wing candidate, Maia Sandu is presented in a strongly positive way (50 positive articles and only 2 negative ones), while the situation of the incumbent president Igor Dodon is more weighted (70 positive articles and 30 negative ones).

Related to the other candidates, we can observe the media coverage in an insignificant way. But, we can tell the difference between right-wing and left-wing candidates, as published articles tend to present left-wing candidates (except for the "Șor" candidate) in a neutral to negative way. For example, Renato Usatii is put 14 times in a positive light, but this number is counterbalanced by his appearances framed negatively (12 times). On the other hand, Unimedia keeps right-wing candidates in the shadows

(except for the PPDA candidate). Although they are rarely presented, they enjoy a favourable context.

Table 2. Content analysis for Ziarul de Gardă (Gardă newspaper)

Units of analysis	PN Renato Usatii			PPDA Andrei Năstase			PLDM Tudor Deliu			CI Igor Dodon			PP „Șor” Violeta Ivanciuc			PAS Maia Sandu			PUN Octavian Ticu			BE „Unirea” Dorin Chirtoacă		
	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-
Title of the article	6		1	6		2	2			28	2	33	7		6	20		2	5	1	1	8	1	
Presentation of the candidate			2	2		1	2					2			2	2			2		1	2		
Campaign presentation	2		1	3		1	4		1	5		3	5		2	5		1	3			3		1
Addresses/ statements	4	3		8			3			12			5	2		7	2		5			8		
Images from the article	1	7		2	8			2		9	23	7		3	2	5	8	1	3	2		5	4	
Reported context /frame	6		3	8		1	2		1	15	1	36	3		4	10		3	2		2	9		1
Direct evaluation of the candidate				5					1		9				5	1								
Instigating speech			3									5												
Attacks on opponents	5		1	2								5	1			6			3					
Presentation of the remarks of the candidate				1					1						2									
Reflecting the image of the party				2					2		10			3	6									
Other protagonists included in the article							1			8		7	4		1	3		1				1		

During the research period, Ziarul de Gardă published the most of its articles in connection with the first round of the presidential elections on November 1, 2020. Of the 286 articles analyzed, the candidate Maia Sandu stands out through the most positively highlighted articles. These 67 positive articles are from the most diverse categories. Most of them are located at the "title of the article" indicator. In this sense, we have found 20 articles in which the title favoured Maia Sandu. Headlines such as "Maia Sandu asks her supporters to avoid disputes with those from the DA Platform: This quarrel is good only for Dodon" sends the right-wing electorate messages of consolidation and a call for mutual understanding; "PAS leader, Maia Sandu: "We must set as a national goal to increase the minimum pension to 2000 lei" presents a project of the PAS leader to increase the minimum pension, it is certain that this goal cannot be implemented by a president, but the article fails to mention this small detail; and the title "Maia Sandu announces that she will sue the socialist Corneliu

Furculiță: "Help us stop the lies of thieves" sends the clear message that Maia Sandu is a brave and honest candidate, who aims to eradicate the phenomenon of corruption in state institutions. As a result, these titles also justify the number of articles with a positive connotation at the "addresses/statements" (7 articles) and "reported context/framework" indicators with 10 articles (Ziarul de Gardă, 2020).

A different fact from the other newspapers is the approach of the journalists from Ziarul de Gardă to the indicator "other protagonists included in the article". A considerable number of articles contained messages of support from European states, the European People's Party (including the PAS family) and other civil society figures. This bias occurred mainly in an indirect way, by taking over the statements of those persons who criticize the incumbent president.

Followed by Maia Sandu, Igor Dodon ranks second as the main character of the articles published on the site of ZDG, but journalists have a different approach to him. Of the total appearances, more than half of the articles are classified as negative (117 articles). As Ziarul de Gardă is an investigative newspaper, the incumbent president appears most often in investigations conducted by ZDG. This explains the 36 articles in which Igor Dodon is put in a negative light, as well as the 33 titles that damage the image of the president. An example of this is the October 21 investigation suggestively called "Igor Dodon's Promises and Achievements" at the end of which the conclusion is that a large part of the president's promises remained only on paper, and some materialized partially.

In addition, Igor Dodon loses appreciation at the "other protagonists in the article" indicator. ZDG journalists took care to publish the messages of Maia Sandu's supporters, most of whom presented the incumbent president as a villain. Also, some articles had as protagonists the political figures from Plahotniuc's entourage, who at least formally had denigrating messages addressed to Igor Dodon, although they did not have a candidate nominated for the presidency. This explains the 7 articles in which the protagonists presented Igor Dodon directly in a negative way.

Apart from the two, Ziarul de Gardă has a generally neutral attitude towards the other candidates. In most cases, the articles mainly contain information about all the candidates, thus bringing to the public attention all the electoral platforms of those registered in the presidential race.

We could still delimit the level of presence of left-wing candidates from the right-wing ones. In this sense, right-wing candidates are more favoured, being the subject of several articles. Respectively, although Renato Usatii according to the polls ranks third, he was the main character of only 35 articles. On the other hand, the unionist Dorin Chirtoacă, although not

as vocal in the campaign, focusing on private meetings with citizens, is the subject of 43 articles, of which 36 were classified as positive.

The data in Table 2 reflect the above mentioned. During the electoral agitation, the investigative newspaper, Ziarul de Gardă was the most active in publishing articles directly related to the 2020 presidential election. Thus, we have determined a superior presence and approval rate of the PAS candidate, Maia Sandu, as well as a concentration of negative articles related to the incumbent president, Igor Dodon.

Compared to other media portals, ZDG articles mainly reflect the campaigns and activity of the candidates registered in the electoral race. We can also see an attempt to favour the right-wing candidates and neutrality towards the left (apart from Igor Dodon). Also, the unionist candidate, Dorin Chirtoacă, enjoys in the articles published by ZDG a clearly superior presence compared with the other portals.

Table 3. Content analysis for articles published by Sputnik News Agency

Units of analysis	PN Renato Usatii			PPDA Andrei Năstase			PLDM Tudor Deliu			CI Igor Dodon			PP „Șor” Violeta Ivanov			PAS Maia Sandu			PUN Octavian Țicu			BE „Unirea” Dorin Chirtoacă		
	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-
Title of the article	4			3		3	2			27	2		3			5		5	2		1	1		2
Presentation of the candidate	1			1			2			11			2			1			1			1		
Campaign presentation	1			1			1			10			1			1			1			1		
Addresses/statements	3			2	1		2			27			2			4		2	3			2		1
Images from the article	2	2			3	3		2		11	13	1	1	1		2	2	1		3			1	
Reported context/frame	4		3	3		3	2			38			2			7		8	2			1		
Direct evaluation of the candidate										34			3											
Instigating speech																								
Attacks on opponents	2									8							5			1				1
Presentation of the remarks of the candidate										4							3							
Reflecting the image of the party										10			1				9							
Other protagonists included in the article										20		3												

The Sputnik news agency published a total of 1,149 articles during the election turmoil. Of these, 235 articles were directly related to the presidential election held on November 1, 2020. As a result of researching these articles, it turns out that Igor Dodon was the most favoured electoral contestant in terms of the context of his appearances and presentation. Mr. Dodon has appeared 200 times in positive light and only 4 times in negative light. In most cases, the candidate supported by the Socialist Party was placed in a favourable context. In general, these kinds of narratives were found in the articles in which the activity report of the president was indicated, his mandate being classified as a success. The articles supported the actions taken by the government in Chişinău, led by Igor Dodon, attributing to it the great projects that were undertaken in the past years.

The news agency also took over the discourses/statements of political actors affiliated to power (Socialist MP Bogdan Țirdea, Vlad Bătrîncea, etc.) or indicated official Russian sources (President Vladimir Putin, Foreign Minister Sergei Lavrov or the Russian Federation embassy in Moldova) who in overall had messages in support of the candidate Dodon (20 messages in favour of Igor Dodon) and characterized him directly (38 articles) as the only suitable candidate for president and as the only one who can maintain a state of stability and peace in the country. Of course, this is also aimed at inducing a state of fear among the population that the change at the helm of the state will bring inauspicious changes among the society in the Republic of Moldova (Sputnik Moldova, 2020).

Ultimately, Sputnik journalists did not miss the chance to outline an "Igor Dodon" actively involved in the governing process, as well as the presentation of a president close to the citizens, ready to help them. This explains the label found in some articles, in which Igor Dodon is categorized as "the candidate nominated by the assembly of citizens." By publishing parts of the weekly show called "Igor Dodon - The President Responds", Sputnik wanted to project to the readers the image of a transparent president, which helped bring the electorate closer to the president. In this way, the candidate Dodon was favoured through the titles of articles (27 times) and his statements to the citizens (27 articles). At a lower level, attention was drawn to his attacks on opponents, instigating speeches or the presentation of his current campaign. Moreover, with an emphasis on his program from the 2016 presidential campaign, all this was a catalyst for the growth of the socialist electorate.

Related to the other candidates registered in the presidential race, they were less present in the articles. Moreover, a clear delimitation is visible between the competitors with eastern visions (Usatii, Ivanov, Dodon), from those with pro-western visions (Năstase, Deliu, Sandu, Țicu, Chirtoacă). Specifically, the left-wing candidates were the subject of several articles, to

the detriment of those on the right, which were put in the background. By shadowing some competitors, Sputnik does not bring to public knowledge in a fair and uniform manner all the political perspectives represented by pro-European candidates, respectively it addresses and targets only the left-wing electorate, led by Igor Dodon.

Finally, in addition to ignoring the pro-European and unionist candidates, the discrimination against the candidate of the Action and Solidarity Party, Maia Sandu is also visible. Sputnik journalists seemingly did not take into account the results of the election polls that indicated Maia Sandu as the candidate with the biggest chances of acceding to the second round of elections. She appears 20 times in positive light and 33 times in negative light. This represents a deliberate attempt to defame Maia Sandu in the eyes of the right-wing and unionist electorate. In this regard, the PAS candidate was reported in unfavorable context in 8 articles.

Specialized research shows that the modern reader first scans the news headlines and only then, if he/she has the time and interest, reads the texts. In this sense, an attempt was also made to discredit Maia Sandu through some obscene titles (5 articles). An example in this sense is the article entitled "Dodon, about the theft of the billion: 4 steps" all voted by Maia Sandu" in which it is not explained how at that time, being in the position of Minister of Education, Maia Sandu participated in the theft of the billion. The text contains some accusatory statements from President Dodon, but these do not concretely demonstrate the involvement of Maia Sandu in the 2014 crisis.

In the light of the above mentioned we can conclude that the Sputnik news agency is affiliated with the Socialists and promotes the discourse and interests of the Russian Federation in the Republic of Moldova, thereby clearly favouring the pro-Russian candidate, Igor Dodon.

Table 4. Classification of content units by attitude

Newspaper/ Media outlet/ News agency	Total articles/ articles election	PN Renato Usatii			PPDA Andrei Năstase			PLDM Tudor Deliu			CI Igor Dodon			PP „Șor” Violeta Ivanov			PAS Maia Sandu			PUN Octavian Țicu			BE „Unirea” Dorin Chirtoacă		
		+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-	+	0	-
Unimedia	1671 / 236	14	10	12	146	29	2	13	5	0	70	26	30	88	9	3	50	13	2	17	9	3	20	2	1
Ziarul de Gardă	933 / 286	24	10	11	39	8	5	14	2	2	81	26	117	25	5	25	67	10	8	23	3	4	36	5	2
Sputnik	1149 / 235	17	2	3	10	4	12	9	2	0	200	15	4	15	1	0	20	2	33	9	3	2	6	1	4

Table 5. Trend Index

Presidential Candidates	Content units related to the topic			Total number of content units		
	Unimedia	Ziarul de Gardă	Sputnik	Unimedia	Ziarul de Gardă	Sputnik
PN / Renato Usatîi	0,008	0,04	0,05	0,007	0,01	0,012
PPDA / Andrei Năstase	0,61	0,11	-0,005	0,08	0,03	-0,0017
PLDM / Tudor Deliu	0,05	0,04	0,03	0,007	0,01	0,007
CI / Igor Dodon	0,16	-0,12	0,83	0,02	-0,03	0,17
PP „Șor” / Violeta Ivanov	0,36	0	0,06	0,05	0	0,0013
PAS / Maia Sandu	0,2	0,2	-0,05	0,02	0,06	-0,011
PUN / Octavian Țicu	0,05	0,06	0,02	0,008	0,2	0,006
BE „Unirea” / Dorin Chirtoacă	0,08	0,11	0,008	0,011	0,03	0,0017

Conclusins

The media was one of the main factors that contributed to the formation of public opinion. Analyzing table 5 we will see how the favourable environments for one or another electoral candidate contributed to the formation of the media agenda and the public agenda.

The Unimedia news portal, during the election campaign, was a platform for launching the candidate proposed by PPDA. The trend index tells us precisely how Unimedia promotes Andrei Năstase in its articles. Respectively, with a score of 0.61, the PPDA leader is the subject of the most favourable articles. By comparison with the other media sources analyzed, Năstase barely gets an index of 0.1. Thus, we can conclude the support of the portal in relation to the electoral program of the PPDA.

Also among the preferential ones, the candidate of the “Șor” Party, Violeta Ivanov, stands out. She registers an index of 0.36, which means that together with Mr. Năstase, she was the subject of over 90% of the total articles related to the electoral campaign, posted on the Unimedia website. In the same context, we can assert that the Unimedia portal in the vast majority of its articles presented two candidates who are at opposite political poles to each other, respectively, in a pronounced favourable manner was presented the PPDA leader, Andrei Năstase and in a more moderate way the candidate proposed by the “Șor” Party, Violeta Ivanov.

Moreover, Unimedia has as its protagonists the candidates, who, according to the electoral polls, have the greatest chances to access the second round of elections. In this sense, the two favourites of the election campaign are presented in a very modest way and with a relatively similar score. The right wing candidate Maia Sandu, who obtains a propitious articles index of 0.2 is followed at a short distance by the informal leader of the Socialists and the incumbent president, Igor Dodon, with an index of 0.16.

Thus, the Unimedia portal mainly offered its online space to those who did not have much chance of becoming heads of state. Somehow it seems that the journalists from Unimedia, did not take into account the first two preferences of the citizens (Maia Sandu and Igor Dodon), and offered the chance to the PPDA and PP "Șor" candidates to promote their electoral agenda. Overall, the Unimedia portal in the articles published during the electoral agitation maintained a favourable trajectory for right-wing candidates, with pro-European visions.

The articles published by Ziarul de Gardă tend to have a more equidistant and balanced attitude towards the candidates registered in the electoral race. Comparing the trend analysis index of the electoral candidates, we can see that the articles included almost all those registered in the presidential race in an equal way. This index is between 0.5 and 0.11.

Regarding the PAS candidate, Maia Sandu enjoys the award of positive classifications from Ziarul de Gardă, but we must mention that this analysis index with the value of 0.2 cannot be classified as favouritism, as it does not represent an accentuated trend. Moreover, Ziarul de Gardă kept as much equal treatment as possible for all monitored subjects.

Although in the case of the independent candidate, Igor Dodon, we register a negative index with the value of -0.12, we cannot say that the publication Ziarul de Gardă showed a purely negative attitude towards the incumbent president. This index is a quality given to the mandate of President Dodon, determined by the few projects carried out and the scandals in which he was involved throughout this period.

On the other hand, we can observe that the candidate of the "Unirea" Electoral Bloc registers an index of 0.11. It may not be a significant number, but comparable to his presence in the articles of other media sources, within the page of Ziarul de Gardă, Dorin Chirtoacă is the subject of many articles.

Analyzing the articles of Ziarul de Gardă, we can highlight the ability of journalists to present both sides of the information, as well as to treat electoral subjects similarly, in order to avoid favoritism. Also, the target audience of the investigative magazine is the right-wing and unionist electorate.

The agenda of the Moscow based Sputnik portal is different from that of other sources of information. In this sense, Sputnik journalists neglect the vast majority of electoral candidates, with the exception of the incumbent president, Igor Dodon. In this case, the candidate supported by PSRM obtains full support from the news agency. This fact is demonstrated by the index of 0.83. With a clear favouring, the journalists present a distorted reality in which only Igor Dodon exists. This massive predominance of President Dodon is achieved in the sense of influencing

the audience to perceive the candidate Igor Dodon as more important than the other candidates. The other candidates are placed in the shadow, rendering them the role of the second fiddle. Sputnik does not express any opinion towards them and prefers not even to mention them in their articles. The exception is the PAS candidate which registers a negative index of -0.05. Of course, this figure is not a significant one, but compared to the small number of articles in which Maia Sandu is the protagonist, the given articles illustrate a negative image for Igor Dodon's main opponent.

For these reasons, the Sputnik news agency is listed as a source affiliated with the Socialists, respectively the target group is the Russian-speaking electorate and the USSR nostalgics. In this sense, the published narratives are instrumentalized against pro-European candidates (especially Maia Sandu), being similar to the manipulative statements propagated by prominent Russian political figures.

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Reformarea politicilor si instrumentelor UE destinate vecinătății în perioada post 2020¹

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Abstract. *The Reform of the EU Neighbourhood Policies and Instruments in the Post-2020 Period.* *This study aims at a synthesis of European policies, programs, mechanisms and instruments directed at developing a special good neighbourly relationship at the borders of the European Union. Methodologically, we aim to identify the main reforming guidelines concerning primarily the neighbourhood policies and instruments in the post-2020 period. The new multiannual financial framework is thus taken into account. In order to capture the main changes to these policies and instruments, we purpose to diachronically capture their evolution from the launch of the European Neighbourhood Policy until the beginning of 2020.*

The reform of the European Neighbourhood Policy has been a complex process imposed by the internal realities of the EU, but, naturally, it was marked both by the position of the partners or by the global geopolitical and macroeconomic context. During the period since the launch of the ENP (2004) the context has changed. Some neighbours have since become members of the EU. Then, in 2008 and 2009, the two partnerships aimed at the southern dimension (Union for the Mediterranean) and the eastern dimension (Eastern Partnership) are launched. The instruments are updated, reformed and resized through a constantly increasing allocation for each multiannual financial framework. Moreover, these instruments with which the EU operates in relation to its partners have been diversified to respond to the context, but also to stimulate both the partner state and the society, the population as a whole. The European policy implementation framework has been shaped by the internal and external context. The multilateral dimension of cooperation has increasingly been replaced by the bilateral dimension. The more for more principle applied in this context was intended as a stimulus for partners. This incentive must be understood not only in the sense that a state that reforms more, that integrates more, gets more support, including financially. The process is more complex and includes, as has become increasingly evident after 2015, a sectoral

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dimension of integration and differentiation. Thus, within the same state, some sectors have received additional support to the detriment of others. The differentiation was made starting from the same principle (more for more).

Keywords: *Neighbourhood Policies, European Instruments, Eastern Partnership, European Union, cooperation, partnership*

Introducere

Prezentul studiu se dorește o sinteză privitoare la politicile, programele, mecanismele și instrumentele europene destinate dezvoltării unei relații speciale de bună vecinătate la frontierele Uniunii Europene. Metodologic, ne propunem să identificăm principalele direcții reformatoare ce privesc cu prioritate politicile și instrumentele destinate vecinătății în perioada post 2020. Este avut astfel în vedere noul cadru financiar multianual. În vederea surprinderii principalelor modificări aduse acestor politici și instrumente, ne dorim, de o factură diacronică, să surprindem evoluția acestora de la momentul lansării Politicii Europene de Vecinătate până la începutul anului 2020².

Politica Europeană de Vecinătate (PEV) a fost inițiată în anul 2003 și lansată oficial în mai 2004 (Comisia Europeană, 2004). Această politică reprezintă perspectiva Uniunii Europene în privința relațiilor sale cu statele din proximitatea sa. Uniunea Europeană își dorește să evite apariția unei noi linii de separație între UE și vecinii săi (Pop, 2006: 8). În acest sens, UE dorește, printr-o relație privilegiată cu vecinii săi, să armonizeze toate nivelurile cooperării, inclusiv prin implementarea unor standarde comune. Domeniile cooperării la frontierele externe sunt diverse: de la politică la economie, de la cultură la securitate (Pop, 2006: 9). Comisia Europeană (2007) și mai apoi Parlamentul și Consiliul Uniunii Europene au semnalat rezultatele Politicii Europene de Vecinătate încă din primii ani de implementare a acesteia. „PEV a întărit relațiile cu țările partenere și a adus beneficii concrete atât Uniunii, cât și partenerilor săi, inclusiv lansarea de inițiative regionale și sprijin acordat democratizării în vecinătatea europeană” (JOUE, 2014a). De altfel, aceste deziderate ale Uniunii Europene se regăsesc și în Documentul de Strategie PEV (actul care atestă nașterea noii PEV, precum și aria acesteia de acoperire). Este subliniată dorința UE de a fi înconjurată de țări prospere și consolidate din punct de vedere al păcii și securității. Astfel, UE își putea asigura propria securitate doar prin extinderea

² Menționăm faptul că la data scrierii acestui studiu procesul de negociere privitor la bugetul multianual al UE nu este finalizat, fiind posibile schimbări consistente față de variantele aflate pe masa discuțiilor și oferite publicului.

cooperării economice, politice și de securitate cu aceste state și prin transformarea acestora în unele mai prospere, mai democratice și mai capabile să își asigure propria securitate (Lynch, 2005). Principalele instrumente ale Uniunii Europene pentru implementarea PEV sunt: Rapoartele de țară, Planurile de Acțiune, Acordurile Europene de Vecinătate și foarte important instrumentele financiare adresate acestor programe desfășurate în cooperare cu partenerii din vecinătate.

După extinderea europeană din 2004 și 2007 vecinătatea europeană s-a extins și ea. Noul spațiu al vecinătății a devenit mai provocator în contextul numeroaselor crize la care Uniunea Europeană și partenerii săi din vecinătate au trebuit să le facă față. PEV s-a reformat mereu. În 2008 apare la Paris Uniunea pentru Mediterană (UfM), iar în 2009 la Praga a fost lansat Parteneriatul Estic (PaE). Era nevoie de o abordare diferențiată a spațiului de vecinătate. Mai mult, pe parcursul ultimului deceniu, a devenit tot mai clar că nici cele două proiecte destinate vecinătății sudice și estice nu puteau fi privite și gestionate strict la nivel multilateral. Dimensiunea bilaterală și sectorială a căpătat o consistență tot mai clară. Vorbim așadar de o nouă abordare diferențiată a integrării, în acord cu tot mai prezentul principiu *more for more* impus ca stimulent pentru a determina statele partenere să aleagă un parteneriat mai puternic cu UE.

În acord cu prioritățile UE, cooperarea transfrontalieră la frontierele externe ale UE a devenit tot mai consistentă la nivel de exprimare prin intermediul programelor și instrumentelor oferite³. Bugetul UE destinat vecinătății, în particular cooperării transfrontaliere a crescut constant în toată această perioadă dovedind implicare și determinare în a flexibiliza și deschide frontiera care trebuie să devină tot mai soft, mai permisivă pentru spațiul ”bunei” vecinătăți. Din această perspectivă, vecinătatea favorabilă, bună, devine un spațiu ce asigură securitatea frontierelor UE (Brie, 2017: 56; Matuszewicz, 2007: 109). Buna vecinătate dezvoltă și duce relațiile de cooperare către un nivel superior de exprimare. Uniunea Europeană este interesată de succesul acestei politici de vecinătate pe care a încercat să o reformeze atât la nivel de instrumente, cât și la nivel de programe. În noile accepțiuni, sprijinul UE este folosit în beneficiul țărilor partenere și al zonelor implicate în cooperarea transfrontalieră, printr-o abordare separată, dar și în beneficiul comun al Uniunii și al țărilor partenere (Bărbulescu *et. al.* 2016: 70). Prin implementarea instrumentelor europene destinate bunei vecinătăți sau cooperării transfrontaliere se înregistrează o tendință de a se

³ Între prioritățile PEV regăsim cooperarea transfrontalieră cu vecinii. Uniunea Europeană urmărește să promoveze, în primul rând, dezvoltarea regiunilor frontaliere comune, dar și securitatea la granițele externe ale UE, încurajând cooperarea la nivel regional și local (EUR-Lex, 2007).

muta „frontiera reală spre exterior prin construirea uneia noi, simbolice, incluzând o arie periferică privilegiată ce beneficiază de avantajele vecinătății” (Brie & Horga, 2009: 7-8; Bărbulescu et. al. 2016: 65).

Vecinătatea europeană nu s-a dovedit una a unui spațiu fără provocări pentru UE. Din nordul Africii până în Siria și Ucraina numeroasele conflicte au generat crize și presiuni considerabile ce au impus reformarea politicilor și instrumentelor UE. Numeroși analiști văd în toate aceste crize și un eșec al UE, respectiv al PaE, respectivele forme de cooperare nereușind să ofere întotdeauna răspunsuri adecvate la respectivele crize, nici să satisfacă aspirațiile în schimbare ale partenerilor din est, „acest lucru fiind (...) și în defavoarea intereselor proprii ale UE” (Comisia Europeană, 2015a: 2). Apoi, unele state din imediata vecinătate a UE au încercat să-și adapteze relațiile cu UE la nevoia de a nu „supăra” alți actori implicați la nivel regional. Ne gândim la Rusia dar și la Turcia (A se vedea suplimentar Berbec, 2010: 7; Shapovalova, 2010: 70-71; Sasse, 2019; Korosteleva, 2017: 167-176; Marciacq & Flessenkemper, 2018; Kobzar & Paul, 2017; Naumescu & Dungaciu, 2015; Nixey, 2019; Freyburg *et. al.* 2009, pp. 916-934; Kostanyan, 2017). Toate acestea au reprezentat provocări majore pentru UE, obligată să răspundă prin politici adecvate noilor nevoi și realități geopolitice de la frontierele sale.

Instrumentele financiare ale UE destinate vecinătății în perioada 2007-2020

Asistența financiară a Uniunii Europene destinată implementării Politicii Europene de Vecinătate este direcționată către finanțarea următoarelor categorii de programe (MAE România, 2020):

- bilaterale (destinate relației bilaterale între UE și fiecare stat partener și care reprezintă cea mai mare parte a fondurilor);
- ENI Inter-regional (Erasmus for All, Facilitatea de Investiții pentru Vecinătate-NIF, programele Umbrella etc.);
- ENI Regional Est și ENI Regional Sud (dedicate proiectelor regionale)
- ENI-CBC (destinat finanțării programelor de cooperare transfrontalieră).

În cazul exercițiului financiar ale UE 2007-2013, implementarea PEV în spațiul vecinătății estice, inclusiv cooperarea transfrontalieră a Uniunii Europene cu statele estice vecine, s-a înscris în cadrul oferit de ***Instrumentul European de Vecinătate și Parteneriat*** (IEVP). Importanța acordată PEV a crescut pe parcursul implementării acesteia, dar și în contextul noilor provocări și a nevoilor dovedite la nivel regional. IEVP este instrumentul financiar al politicii europene de vecinătate (PEV). Acesta

se adresează țărilor partenere din cadrul PEV și Rusiei, oferind cofinanțare pentru procesul de consolidare a guvernantei și de dezvoltare economică și socială echitabilă. IEVP susține, de asemenea, cooperarea transfrontalieră și transregională.

Conform *Regulamentului (CE) nr. 1638/2006 al Parlamentului European și al Consiliului din 24 octombrie 2006 de stabilire a dispozițiilor generale privind instituirea unui instrument european de vecinătate și de parteneriat* (Jurnalul Oficial al Uniunii Europene, 2006: 164), IEVP susține, între altele:

- reformele politice: crearea și adaptarea capacităților instituționale și administrative, buna guvernare, statul de drept, respectarea drepturilor omului, participarea societății civile, dialogul multicultural, precum și lupta împotriva fraudei, corupției, criminalității organizate și terorismului;
- reformele economice: dezvoltarea economică, economia de piață, intensificarea schimburilor și convergența cadrului normativ cu cel al UE în domeniile de interes comun, în perspectiva unei integrări economice progresive pe piața internă;
- reformele sociale: integrarea, ocuparea forței de muncă, nediscriminarea, lupta împotriva sărăciei;
- cooperarea sectorială, în special în sectoarele de interes comun: mediu, dezvoltare durabilă, energie, transporturi, telecomunicații, sănătate, siguranță alimentară, educație și formare, cercetare și inovare;
- dezvoltarea regională și locală, alături de integrarea regională (regiunile euromediteraneene și din Europa de Est) și subregională;
- participarea la programele și la agențiile comunitare.

Bugetul alocat IEVP a fost de 11,181 miliarde de euro pentru perioada 2007–2013. Dintre aceste fonduri, 95% revenind programelor naționale și multinaționale, iar 5% programelor de cooperare transfrontalieră (EU Neighbors 2020). Programele multinaționale pot să prevadă, de asemenea, cooperarea transregională între statele membre și țările partenere cu privire la chestiuni de interes comun fără restricții geografice. Astfel, a crescut considerabil alocarea destinată cooperării transfrontaliere. În perioada 2007-2013, pentru cele 15 *programe de cooperare transfrontalieră*, sudică și estică, UE a alocat în cele din urmă prin IEVP mai mult de 1,1 miliarde de euro (AEBR 2007).

Pe parcursul implementării acestei politici europene de susținere a unei bune vecinătăți au fost momente când alocările financiare au fost suplimentate. Un asemenea moment a fost cel prilejuit de lansarea Parteneriatului Estic (PaE) când au fost suplimentate substanțial fondurilor destinate cooperării cu cele șase state partenere. Astfel, Declarația Comună a conținut și un angajament „complementar asistenței macro-financiare oferită prin instrumentele internaționale relevante” (Comisia Europeană, 2009). Comisia Europeană a alocat 600 milioane euro pentru perioada 2010-

2013, inclusiv 350 milioane pentru noi fonduri (Moldova Europeană, 2019). Se poate constata, prin urmare, faptul că Parteneriatul Estic era sprijinit, atât prin sumele deja alocate specifice IEVP, cât și prin alocările suplimentare având această destinație specială. Pentru perioada 2010-2013, valoarea totală a fondurilor IEVP, inclusiv sumele suplimentare alocate prin PaE, destinate partenerilor estici s-a ridicat la valoarea de 1,9 miliarde de euro (Bocková & Lenč 2014: 162).

Această politică europeană de susținere a consolidării relațiilor politice și economice cu statele vecine a continuat să fie o prioritate, fiind cuprinsă în planurile de „cooperare, de asociere și de parteneriat” (Comisia Europeană, 2015c: 2). Aceasta era în concordanță cu textul Tratatului privind Uniunea Europeană care prevede că „Uniunea dezvoltă relații privilegiate cu țările învecinate, în vederea stabilirii unui spațiu de prosperitate și de bună vecinătate, întemeiat pe valorile Uniunii și caracterizat prin relații strânse și pașnice, bazate pe cooperare” (art. 8 alin.(1); Comisia Europeană 2015c: 2).

Cadrul financiar multianual aferent perioadei 2014-2020 surprinde o revizuire a instrumentelor și politicilor de susținere a unei bune vecinătăți. Politicile europene care vizează vecinătatea sunt reformate. Dimensiunea multilaterală a abordării este tot mai mult însoțită de o perspectivă bilaterală a cooperării în spațiul frontalier și de vecinătate în general. În acest context, alături de programele bilaterale sau regionale pentru Est și Sud, este propus un nou **Instrument European de Vecinătate** (IEV) care succede Instrumentul European de Vecinătate și Parteneriat regândit în spiritul noilor politici ale Uniunii Europene (EU Neighbors, 2014). Conform acestui nou instrument, care finanțează implementarea PEV, sprijinul Uniunii Europene pentru vecinii săi devine mai rapid și mai flexibil, permițând creșterea diferențierii și a stimulentei („mai mult pentru mai mult” – principiu care include deopotrivă diferențierea statelor și stimularea celor performante) acordate statelor care sunt cel mai puternic angajate în adoptarea reformelor și care au realizat progrese în domeniul consolidării unei democrații profunde și durabile.

În pofida crizei financiare și a reducerii bugetului global al UE, nivelul de finanțare rezervat Instrumentului european de vecinătate se ridică la 15,4 miliarde euro (EU Neighbors, 2020), ceea ce pune în evidență faptul că UE acordă prioritate vecinătății sale. Până la 5% din valoarea totală a pachetului financiar se alocă programelor de cooperare transfrontalieră. Prin intermediul Instrumentului european de vecinătate, care a înlocuit IEVP, este acordat sprijin pentru punerea în aplicare a inițiativelor politice ce vizează modelarea PEV, inclusiv a Parteneriatului Estic și Uniunii pentru Marea Mediterană. Asistența acordată vecinilor este reformată, reducând

complexitatea și durata procesului de programare, astfel încât să nu fie subminată relevanța asistenței (Moldova Europeană, 2014).

Prin intermediul Instrumentului European de Vecinătate, Uniunea Europeană și-a propus să „creeze un spațiu de prosperitate comună și de bună vecinătate între țările UE și țările partenere”. În acest sens sunt urmărite (EUR-Lex, 2014a):

- promovarea drepturilor omului, a statului de drept, a democrației durabile și a participării cetățenilor;
- creștere și dezvoltare economică, socială și teritorială durabile și favorabile incluziunii, inclusiv prin integrarea progresivă în cadrul pieței interne a UE;
- mobilitate și contacte interpersonale, inclusiv schimburi de studenți;
- integrare regională, inclusiv programe de cooperare transfrontalieră.

În ceea ce privește programele de cooperare transfrontalieră, pentru perioada 2014-2020 au fost elaborate și promovate 17 programe, incluzându-le pe cele maritime. Totalul sumelor alocate acestor programe a fost de 1.052.650.355 de euro (SEAE 2014: 18; Annex 2, Table 2: 1-2).

Uniunea Europeană a promovat și alte instrumente sau programe destinate implementării și finanțării Politicii Europene de Vecinătate. Între aceste amintim: **Facilitatea pentru societatea civilă** cu o componentă specială adresată statelor PaE (EaP-CSF 2017b). În același timp, Bruxelles oferă suport financiar prin intermediul unor subvenții acordate partenerilor, iar Banca Europeană de Investiții și Banca Europeană pentru Reconstrucție și Dezvoltare completează acest sprijin prin acordarea de împrumuturi. În paralel, au fost create alte noi instrumente în cadrul PEV pentru a promova accesul la piață, în special prin negocierea, parafarea și implementarea unor **Acorduri de Liber Schimb Aprofundate și Cuprinzătoare**. Cu scopul de a îmbunătăți mobilitatea și a gestiona migrația, Comisia Europeană a propus încheierea unor parteneriate pentru mobilitate și facilitarea/liberalizarea vizelor (semnate cu unii dintre partenerii estici), după 2016 UE a oferit un instrument financiar specific – **Instrumentul de parteneriat pentru mobilitate** (Parlamentul European 2019d). În regiunea sudică, o serie de inițiative regionale și bilaterale privind migrația și mobilitatea sunt finanțate în cadrul **Fondului fiduciar de urgență al UE pentru Africa**, componenta „Africa de Nord”.

Prin IIEV s-a dorit diferențierea nivelurilor de sprijin pentru statele partenere în funcție de nevoile și progresele fiecărei țări partenere. De asemenea, se urmărește să se „consolideze legăturile dintre cetățenii UE și cei ai țărilor partenere”, prin încurajarea acestor state să participe și la alte

programe interne ale UE, cum ar fi **Orizont 2020**, **Erasmus+** și **COSME** (EUR-Lex, 2013a; EUR-Lex, 2013; EUR-Lex, 2014a; EUR-Lex, 2014b).

Uniunea Europeană s-a dovedit a fi un important susținător financiar al vecinătății nu doar prin intermediul Instrumentului European de Vecinătate. Vecinătatea a putut fi susținută, de asemenea, prin **alte programe și instrumente** care alături de IEV însumează un buget alocat pentru perioada 2014-2020 de peste 51,41 miliarde de euro, după cum urmează: Instrumentul de Asistență pentru Preaderare – IPA (EU Neighbors, 2020) - 11,69 miliarde de euro; Instrumentul de cooperare pentru dezvoltare (ICD) - 19,66 miliarde de euro; Instrumentul european de vecinătate (IEV) - 15,43 miliarde de euro; Instrumentul de parteneriat pentru cooperarea cu țările terțe (IP) - 0,95 miliarde de euro; Instrumentul UE care contribuie la stabilitate și pace (IcSP): 2,33 miliarde de euro; Instrumentul European pentru Democrație și Drepturile Omului (IEDDO): 1,33 miliarde de euro.

O nouă abordare asupra vecinătății în perioada post-2020

O nouă reformare a politicilor și instrumentelor destinate vecinătății s-a impus tot mai mult în contextul noilor realități interne și geopolitice atât globale, cât și din spațiul de imediată vecinătate. Instabilitatea politică și de securitate care caracterizează o mare parte a spațiului sudic și estic al frontierelor Uniunii Europene i se asociază fenomene precum creșterea presiunii migratorii, dezechilibrele socio-economice majore, creșterea crimei organizate etc. Toate acestea cer un răspuns adecvat din partea UE. Dezbaterea noastră nu poate fi completă fără a prezenta cadrul general al contextului intern al Uniunii. Nevoia de reformare are argumente în primul rând de factură internă, instituțională și structurală. Brexitul este doar una dintre elementele ce impun o regândire majoră a politicilor și instrumentelor. Criza sanitară generată de răspândirea COVID-19, asociată unei profunde crize economice și sociale (posibil generatoare și de crize politice în statele mai slabe din vecinătatea europeană), cere UE măsuri și decizii adecvate care trebuie să o păstreze relevantă la nivel global, în spațiul de vecinătate în mod particular. Răspunsul UE trebuie să fie clar instrumentat inclusiv la nivel financiar, dat fiind nevoile foarte mari de asistență pe care partenerii săi le au în această perioadă.

Această perioadă complicată se suprapune și peste discuțiile purtate în interiorul UE în jurul construcției cadrului financiar multianual pentru ciclul 2021-2027. UE, prin instituțiile sale, dar și statele membre, au menirea de a redesena arhitectura și funcționalitatea instrumentelor financiare ale UE în materie de politică externă, inclusiv cele destinate Politicii Europene de Vecinătate. Ne așteptăm, așadar, la o revizuire a instrumentelor PEV, inclusiv a Instrumentului European de Vecinătate ca instrument financiar

principal. Flexibilizarea și diferențierea, însoțită de o creștere cantitativă și calitativă a suportului financiar pot fi elemente ale noilor direcții de exprimare ale politicilor și instrumentelor adresate vecinătății.

Având ca și principal obiectiv declarat revizuirea instrumentelor PEV în perioada post-2020, Parlamentul European a adoptat pe data de 18 aprilie 2018 un raport privind punerea în aplicare a instrumentelor de finanțare externă ale UE, inclusiv viitoarea arhitectură post-2020 (Parlamentul European, 2018b). În ceea ce privește IEV, textul rezoluției face apel la mai multă flexibilitate, la o mai bună utilizare a abordării „mai mult pentru mai mult” și a abordării bazate pe stimulente și o mai bună coordonare între programele regionale și cele bilaterale (Parlamentul European, 2019a). Parlamentul solicită prin acest document „finanțarea instrumentelor pentru relațiile externe pentru a reflecta acțiunile externe ambițioase și pentru ca bugetul UE în calitate de actor global” (Parlamentul European, 2018b, pct.114), însoțită de o reformă a actualei arhitecturi a instrumentelor pentru a asigura o mai mare răspundere, transparență și supraveghere publică, și pentru a spori de asemenea eficiența, coerența și capacitatea de reacție (Parlamentul European, 2018b, pct. 116). Angajamentul UE pentru aspecte precum drepturile omului, democrația, sprijinul pentru societatea civilă, precum și diversele scopuri, obiective și valoarea politică și strategică specifică a instrumentelor actuale; subliniază faptul că reforma nu ar trebui să submineze obiectivele politice ale fiecărui instrument; înțelege specificitatea privind obiectivele și punerea în aplicare în ceea ce privește IEV (Parlamentul European, 2018b, pct. 118). Parlamentul mai solicită îmbunătățirea cerințelor pentru un proces decizional mai rapid pentru a spori capacitatea UE de a răspunde la evoluția rapidă a evenimentelor (Parlamentul European, 2018b, pct. 133), dar și faptul că delegațiile UE joacă un rol-cheie în ce privește programarea locală, supravegherea acesteia, cheltuirea finală a fondurilor și identificarea beneficiarilor, în special în cazul apărătorilor drepturilor omului și al organizațiilor societății civile care activează în domenii sensibile (Parlamentul European, 2018b, pct. 135). În programarea instrumentelor trebuie să fie implicate îndeaproape societatea civilă din țara respective cu scopul de a stabili parteneriate solide și de lungă durată, pentru a răspunde nevoilor specifice ale populației și a ține seama de realitățile sociale ale populației (Parlamentul European, 2018b, pct. 136).

În textul propus de către Parlamentul european este subliniată importanța *creșterii vizibilității și a gradului de sensibilizare cu privire la acțiunea externă a UE* – inclusiv prin utilizarea Grupului operativ al UE pentru comunicarea strategică – *și a influenței sale la nivel mondial*. De altfel, este solicitat în mod expres ca acesta să fie considerat a fi ”un obiectiv de politici” (Parlamentul European, 2018b, pct. 134).

Rezoluția evidențiază faptul că ar trebui create mecanisme de condiționalitate mai puternice prin care sprijinul bugetar direct acordat autorităților de stat, organismelor guvernamentale sau actorilor nonstatali să poată fi suspendat sau, atunci când este posibil, reorientat către societatea civilă, în cazul în care aceste instituții nu îndeplinesc sau nu urmăresc îndeplinirea obiectivelor finanțării acordate, sau nu le respectă, ori încalcă statul de drept și drepturile omului (Parlamentul European 2018b, pct. 138). În vederea unei corecte implementări este necesar ”să se asigure transparența, responsabilitatea, controlul, adăitionalitatea pentru dezvoltare, precum și respectarea principiilor eficacității dezvoltării și a ajutorului și a unor standarde sociale, de mediu și privind drepturile omului ambițioase” (Parlamentul European 2018b, pct. 138).

În aceeași direcție de reformare a instrumentelor UE destinate vecinătății, Comisia Europeană pe data de 14 iunie 2018 a publicat o *Propunere de Regulament al Parlamentului European și al Consiliului de instituire a Instrumentului de vecinătate, cooperare pentru dezvoltare și cooperare internațională* (IVDCI) (Comisia Europeană, 2018b). Această propunere a Comisiei se dorește să contribuie la simplificarea mecanismelor și procedurilor de finanțare destinate vecinătății europene, a acțiunii externe în general. Astfel, în noul cadru financiar multianual, UE își propune să integreze mai multe instrumente financiare în noul format al IVDCI.

Acest instrument nou urmează să integreze următoarele instrumente din cadrul financiar multianual anterior (Comisia Europeană, 2018c):

- Fondul european de dezvoltare (FED), aflat în prezent în afara bugetului;
- Instrumentul european de vecinătate (IEV);
- Instrumentul de cooperare pentru dezvoltare (ICD);
- Instrumentul european pentru democrație și drepturile omului (IEDDO);
- Instrumentul care contribuie la stabilitate și pace (IcSP);
- Instrumentul de parteneriat pentru cooperarea cu țările terțe (IP);
- Fondul de garantare pentru acțiuni externe.

Acest instrument global va fi completat prin alte instrumente cum ar fi (Comisia Europeană, 2018c):

- Instrumentul de asistență pentru preaderare (IPA);
- Ajutorul umanitar;
- Politica externă și de securitate comună (PESC);
- Țările și teritoriile de peste mări (inclusiv Groenlanda);
- Instrumentul european pentru securitatea nucleară.

La data de 27 martie 2019, Parlamentul a adoptat o poziție în primă lectură cu privire la această propune venită dinspre Comisia Europeană.

Parlamentul a cerut suplimentarea fondurilor, dar și suspendarea asistenței în cazurile de încălcare a drepturilor omului (Comisia Europeană, 2018b).

Obiectivul general al Instrumentului de vecinătate, cooperare pentru dezvoltare și cooperare internațională este de a susține și de a promova valorile și interesele Uniunii în întreaga lume, în scopul de a urmări îndeplinirea obiectivelor și principiilor acțiunii sale externe (Comisia Europeană, 2018b). În privința statelor PaE, obiectivele specifice ale ICVDCI sunt: sprijinirea și promovarea dialogului și a cooperării cu țările partenere; consolidarea și sprijinirea democrației, a statului de drept și a drepturilor omului, susținerea organizațiilor societății civile, contribuirea la stabilitate și pace și abordarea altor provocări globale precum migrația și mobilitatea; asigurarea unui răspuns rapid în următoarele cazuri: situații de criză, de instabilitate și de conflict; probleme de reziliență și asigurarea legăturii dintre ajutorul umanitar și acțiunile pentru dezvoltare și răspunsul la nevoile și prioritățile politicii externe (Comisia Europeană, 2018b).

Cadrul financiar multianual propus pentru finanțarea acțiunii externe a UE perioada 2021-2027 (milioane euro) (angajamente în prețuri curente)

1. Neighbourhood, Development and International Cooperation Instrument	89,500
1.1 Geographic programmes	68,000
Neighbourhood	22,000
Sub-Saharan Africa	32,000
Asia and the Pacific	10,000
Americas and Caribbean	4,000
1.2 Thematic programmes	7,000
Human Rights and Democracy	1,500
Civil Society Organisations	1,500
Stability and Peace	1,000
Global Challenges	3,000
1.3 Rapid response	4,000
1.4 Emerging challenges and priorities cushion	10,200
2. Complementary European Instrument for Nuclear Safety	300
3. Instrument for Pre-accession	14,500
4. Humanitarian aid	11,000
5. Common Foreign and Security Policy (CFSP)	3,000
6. Overseas countries and territories (incl. Greenland)	500
7. Other	1,070
8. Decentralised agencies	149
9. Margin	3,283
TOTAL	123,002

Surse: Comisia Europeană, 2018c

Alocările financiare avute în vedere în cadrul discuțiilor actuale pentru acțiunile externe ale UE sunt: ICVDCI (89,2 miliarde euro) la care se adaugă un instrument european pentru securitatea nucleară (300 de milioane EUR). Este avut în vedere apoi un instrument de asistență pentru preaderare (14,5 miliarde euro), un instrument de ajutor umanitar (11 miliarde euro), un buget de 3 miliarde euro pentru politica externă și de securitate comună și cooperarea cu țările și teritoriile de peste mări, inclusiv cu Groenlanda (500 de milioane euro). În plus, Înalțul reprezentant, sprijinit de Comisie, propune instituirea, în afara bugetului UE, a Instrumentului european pentru pace, care urmează să aibă un buget de 10,5 miliarde euro.

Specific, politicile de vecinătate și cooperare internațională sunt susținut, în conformitate cu comunicarea Comisiei din 2 mai 2018, printr-o alocare pentru implementarea ICVDCI ce se ridică la aproximativ 89,2 miliarde de euro pentru perioada 2021-2027⁴ (Comisia Europeană, 2018b). Defalcăt, din această sumă, 22 miliarde de euro sunt destinate exclusiv vecinătății UE. Alte sume pot fi accesate și de către statele din vecinătatea UE. Amintim, în acest sens, alocarea de 7 miliarde de euro pentru programe tematice (1,5 miliarde de euro pentru drepturile omului și democrație; 1,5 miliarde de euro pentru organizațiile societății civile; 1 miliard de euro pentru stabilitate și pace, iar 3 miliarde de euro pentru provocările globale). Pentru acțiunile de răspuns rapid au fost alocate 4 miliarde de euro, iar 10,2 miliarde de euro constituie rezerva pentru provocările și prioritățile emergente (Comisia Europeană, 2018b).

În vederea creșterii eficienței și rapidității răspunsului suportului european la nevoile identificate la nivelul acțiunii externe, în special la nivelul susținerii bunei vecinătăți, se are în vedere simplificarea procedurilor și flexibilizarea intervenției financiare, a instrumentelor în general. În acest sens, se vor putea utiliza și reutiliza pe o bază multianuală toate sumele alocate care nu au fost utilizate, iar prin intermediul fondurilor din pilonul de reacție rapidă (4 miliarde euro) se vor avea în vedere acțiuni imediate pentru situații de criză sau de urgență. Această flexibilizare este posibilă în primul rând rezervei constituite cu acest scop (10,2 miliarde EUR) prin care UE va interveni în contextul unor situații neprevăzute. La acest fond de rezervă UE va apela pentru rezolvarea unor priorități identificate pe parcursul implementării cadrului financiar multianual care nu au beneficiat de alocare bugetară sau au bugete insuficiente.

⁴ Negocierile privitoare la cadrul financiar multianual pentru ciclul 2021-2027 nu au fost finalizate până la finalul lunii aprilie 2020, fiind complicate și de criza sanitară generată de răspândirea COVID-19. Cel mai probabil și dimensiunea financiară a suportului pentru ICVDCI va suferi ajustări.

Dimensiunea și natura suportului financiar pe care UE îl acordă programelor geografice în vecinătatea UE este diferit ca formă și sume alocate în funcție de (Comisia Europeană, 2018b):

- nevoile țării partenere, determinate pe baza unor indicatori precum populația și nivelul de dezvoltare;
- angajamentul țării partenere față de obiectivele de reformă politică, economică și socială convenite de comun acord și progresele înregistrate în punerea lor în aplicare;
- angajamentul țării partenere față de construirea unei democrații solide și durabile și progresele înregistrate în acest proces;
- parteneriatul țării respective cu Uniunea, inclusiv nivelul de ambiție al acestui parteneriat;
- capacitatea de absorbție a țării partenere și impactul potențial al sprijinului Uniunii furnizat în temeiul prezentului regulament.

În privința formatul juridic de implementare, la nivel general, dar și particular în privința susținerii vecinătății, IVCDCI va putea fi pus în aplicare în concordanță cu cadrul general al Acordurilor de Asociere, al acordurilor de parteneriat și cooperare, al acordurilor multilaterale și al altor acorduri prin care se stabilește o relație cu caracter obligatoriu din punct de vedere juridic cu țările partenere. De asemenea, din același cadru general de reglementare a instrumentelor europene fac parte concluziile Consiliului European și concluziile Consiliului, declarațiile summiturilor sau concluziile reuniunilor la nivel înalt cu țările partenere, rezoluțiile relevante ale Parlamentului European, comunicările Comisiei sau comunicările comune ale Comisiei și ale Înalțului Reprezentant al Uniunii pentru afaceri externe și politica de securitate (Comisia Europeană, 2018b).

Finanțările se vor acorda prin intermediul unor *programe indicative multianuale*. Acestea se vor fundamenta pe baza rezultatelor și obiectivelor convenite la nivel internațional, în special cele stabilite pentru obiectivele de dezvoltare durabilă. Parlamentul European și Consiliul participă, împreună cu statele membre, la procesul de adoptare a acestor programe (Comisia Europeană 2018c). Pentru țările PaE, agende de asociere, prioritățile parteneriatului și alte documente echivalente convenite de comun acord sunt elemente de referință esențiale pentru stabilirea priorităților în materie de sprijin din partea UE pentru țările învecinate (Comisia Europeană, 2018c).

Așa cum a fost menționat, IVCDCI conține un capitol consacrat vecinătății, cu dispoziții specifice aplicabile exclusiv țărilor din vecinătatea estică (dar și sudică). „Aceste specificități și principiile-cheie sunt menținute și consolidate, în special abordarea bazată pe performanță („mai mult pentru mai mult”), abordarea bazată pe diferențiere, stimulându-se astfel înfăptuirea reformelor politice și economice convenite de comun acord. Având în

vedere rezultatele foarte bune obținute până în prezent, va continua, de asemenea, cooperarea transfrontalieră între statele membre ale UE și țările partenere, atât în vecinătatea estică, cât și în vecinătatea sudică” (Comisia Europeană, 2018c).

Concluzii

Reformarea Politicii Europene de Vecinătate a fost un proces complex impus pe realitățile interne ale UE, dar după cum este firesc a fost marcată deopotrivă de poziția partenerilor sau de contextul geopolitic și macroeconomic global. Pe parcursul perioadei de la lansarea PEV (2004) contextul s-a schimbat. Unii vecini de atunci au devenit membri ai UE. Apoi, în 2008 și 2009 sunt lansate cele două parteneriate care vizează dimensiunea sudică (Uniunea pentru Mediterana) și cea estică (Parteneriatul Estic). Instrumentele sunt actualizate, reformate și redimensionate printr-o alocare constant crescută cu ocazia fiecărui cadru financiar multianual. Mai mult, aceste instrumente cu care operează UE în relația cu partenerii săi au fost diversificate pentru a răspunde contextului, dar și pentru a stimula atât statul partener, cât și societatea, populația în ansamblul său.

Cadrul de implementare a politicilor europene s-a modelat în funcție de contextul intern și extern. Tot mai mult dimensiunea multilaterală a cooperării a fost înlocuită de către dimensiunea bilaterală. Principiul *more for more* aplicat în acest context s-a dorit unul stimulator pentru parteneri. Această stimulare trebuie înțeleasă nu doar în sensul acela că un stat care se reformează mai mult, care se integrează mai mult, obține susținere inclusiv financiară mai mult. Procesul este mai complex și include așa cum s-a văzut tot mai evident după 2015 și o dimensiune sectorială a integrării și diferențierii. Astfel, unele sectoare au beneficiat de susținere suplimentară în detrimentul altora raportat la același stat. Diferențierea s-a făcut tot plecând de la același principiu (*more for more*).

Procesul de aplicare a acțiunii externe, a politicii europene destinate vecinătății în particular, a devenit mai complex prin gama de instrumente. În același timp, UE a propus mecanisme simplificate și mult mai flexibile, prin nuanțarea lor și printr-o stimulare a atingerii obiectivelor asumate.

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Libera circulație în Uniunea Europeană în contextul pandemiei de SARS COVID-19 și al BREXIT-ului

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Abstract. *Free movement in European Union in the context of the SARS COVID-19 pandemic and the BREXIT. The year 2020 came with two major challenges both politically and legally, on the one hand through the traffic restrictions imposed due to the SARS-COVID 19 pandemic and on the other hand as a result of BREXIT. Through this paper, we will try to show how the free movement of persons and goods has been a priority for all Member States of the European Union. In this sense and based on the literature used to compile this paper, both the political and social factors but also the legislative framework created led through the measures taken to fulfill this desideratum.*

Keywords: *pandemic, European Union, free movement, Brexit, COVID*

1. Introducere. Scurt istoric

Libera circulație a persoanelor și a mărfurilor a fost una dintre prioritățile tuturor statelor membre ale Uniunii Europene. În acest sens atât factorii politici, sociali dar și cadrul legislativ creat au dus prin măsurile luate la împlinirea a acestui deziderat.

Dar dreptul la libera circulație a persoanelor în spațiul Uniunii Europene nu se raportează numai la state membre ale Uniunii Europene ci și la unele state terțe. Astfel sunt vizate atât statele care urmează să adere ulterior - candidate actuale fiind Albania, Macedonia de Nord, Muntenegru, Serbia și Turcia dar și cele care participă la aplicarea normelor europene privind dreptul la libera circulație a persoanelor în baza unor acorduri bilaterale, cum este Confederația Elvețiană.

În acest context, în care evoluția imprevizibilă a răspândirii virusului a dus la efectiv la închiderea granițelor a generat în rândul cetățenilor statelor

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membre o nesiguranță marcată de un grad ridicat de incertitudine asupra condițiilor de călătorie.

Dar nu numai libera circulație a persoanelor a fost afectată ci și circulațiilor mărfurilor cele mai afectate fiind sectoarele de transport și comerț.

Efectele imediate atât ale pandemiei cât și ale BREXIT-ului se resimt atât asupra cetățenilor cât și la nivelul economiei însă cuantificarea pe termen lung este dificilă de aceea de multe ori măsurile luate la nivelul Uniunii Europene dar și la nivelul fiecărui stat membru par de multe ori ineficiente și fără efecte vizibile.

Libera circulație a persoanelor este unul dintre drepturile și libertățile fundamentale ale omului. Punctul de plecare al acestui drept îl reprezintă Convenția pentru apărarea drepturilor omului și a libertăților fundamentale (Convenția Europeană a Drepturilor Omului), semnată la Roma la 4 noiembrie 1950, și intrată în vigoare la 3 septembrie 1953, care împreună cu protocoalele adiționale, apără și protejează drepturile și libertățile omului considerate fundamentale, de neîncălcă în nici o situație, ca un instrument juridic internațional.

Protocolul nr. 4 la Convenția pentru apărarea Drepturilor Omului și a Libertăților fundamentale, semnată la Strasbourg, la 16 septembrie 1963 introduce libertatea de circulație ca dreptul de circula în mod liber, dreptul de alegere al reședinței și dreptul de a părăsi țara, singurele restrângeri putând fi justificate doar în legătură cu securitatea națională, siguranța și ordinea publică, prevenirea faptelor penale, protecția sănătății sau a moralei, ori pentru protejarea drepturilor și libertăților altora¹.

Tratatul de la Maastricht din 1992 a reunit organizațiile Comunității Europene, a pus bazele Uniunii Europene, a introdus conceptul de Piață Unică Europeană, a consacrat libera circulație a persoanelor, mărfurilor, capitalurilor și serviciilor și a menționat ca obiectiv al Uniunii Europene „consolidarea protecției drepturilor și intereselor resortisanților prin instaurarea unei cetățenii a Uniunii Europene” care se adaugă celei naționale².

Prin Tratatul de la Lisabona în vigoare din 1 decembrie 2009 este recunoscută forta juridică a Cartei Drepturilor Fundamentale. Carta

¹ Protocolul nr. 4 la Convenția pentru apărarea Drepturilor Omului și a Libertăților fundamentale, recunoscând anumite drepturi și libertăți, altele decât cele care figurează deja în Convenție și în primul Protocol adițional la Convenție, Strasbourg, 16.IX.1963, Art. 2.

² Tratatul Uniunii Europene, Tratatul de la Maastricht (TUE), OJ C 191, 29/07/1992 P. 0001 - 0110, 11992M/TXT, art. 8 (1): Este introdusă cetățenia Uniunii. Cetățean al Uniunii este orice persoană care este resortisant al unui stat membru.

reprezintă documentul prin care Uniunea își confirmă atașamentul la unul din principiile sale de bază, și anume respectarea drepturilor fundamentale. Carta reunește pentru prima dată, în cadrul unui text unitar, principalele drepturi politice, civile, economice, sociale de care beneficiază locuitorii Uniunii, conferindu-le o vizibilitate mai puternică și subliniindu-le astfel importanța.

Carta a fost semnată și proclamată de către președinții Comisiei Europene, Parlamentului European și Consiliului în cadrul Consiliului European de la Nisa, din decembrie 2000. Textul Cartei a fost preluat și proclamat din nou de cele trei instituții, la 12 decembrie 2007, în cadrul sesiunii plenare a Parlamentului European. Carta preia drepturile înscrise în texte deja consacrate precum Convenția Europeană a Drepturilor Omului sau în alte documente europene ca de exemplu Carta socială europeană, Carta comunitară a drepturilor sociale fundamentale ale muncitorilor, Convențiile Consiliului Europei privind drepturile omului și biomedicina și respectiv protejarea persoanelor față de prelucrarea automatizată a datelor cu caracter personal subliniindu-se astfel încă o dată importanța acestora.

În al doilea capitol al Cartei în cadrul secțiunii drepturilor ce decurg din calitatea de cetățean European este reglementată libertatea de circulație și de ședere pe teritoriul Uniunii Europene.

Acesta este contextul în care libera circulație a fost considerată unul dintre drepturile fundamentale ale cetățenilor europeni și care se bucură de protecție atât din partea instituțiilor Uniunii Europene cât și din partea statelor member.

2. Legislația privind libera circulație

Legislația Uniunii Europene, obligatorie pentru statele membre, este formată din Tratatul care au stat la baza instituirii Uniunii Europene, respectiv Tratatul de înființare a Comunității Economice Europene (CEE), Tratatul privind Uniunea Europeană (TUE) și Tratatul privind funcționarea Uniunii Europene (TFUE), care constituie dreptul primar al Uniunii Europene, reglementând pe de o parte organizarea și pe de altă parte drepturile fundamentale ale cetățenilor Uniunii, printre care și libera circulație a persoanelor.

Din dreptul secundar al Uniunii sunt relevante pentru libera circulație a persoanelor Directiva 2004/38/CE a Parlamentului European și a Consiliului din 29 aprilie 2004 privind dreptul la liberă circulație și ședere pe teritoriul statelor membre pentru cetățenii Uniunii și membrii familiilor acestora, care reglementează modalitatea și condițiile în care se poate exercita dreptul la libera circulație, dreptul de ședere permanentă și condițiile în care pot fi limitate aceste drepturi pentru motive de ordine, siguranță sau sănătate publică pe teritoriul statelor membre și categoriile de persoane

căroră li se aplică³, Regulamentul EU492/2011 al Parlamentului European și al Consiliului din 5 aprilie 2011 privind libera circulație a lucrătorilor în cadrul Uniunii, care vine să particularizeze reglementările în legătură dreptul de muncă pentru cetățenii statelor membre pe teritoriul altor state⁴, Directiva 2014/54/UE a Parlamentului European și a Consiliului din 16 aprilie 2014, privind măsurile de facilitare a exercitării drepturilor conferite lucrătorilor în contextul liberei circulații a lucrătorilor, care aduce noi precizări cu privire la modul de ocrotire a drepturilor care decurg din exercitarea liberei circulații și stabilește obligații pentru state în ceea ce privește procedurile judiciare, organizațiile neguvernamentale și organismele competente să înlăture restricțiile ce încalcă principiului egalității în exercitarea dreptului la libera circulație⁵.

Doctrina juridică are de asemenea un rol foarte important în adaptarea legislațiilor naționale la cerințele aquis-ului comunitar. Dreptul la libera circulație este strâns legat și de dreptul de sedere și de dreptul la muncă iar esențial în acest sens este asigurarea egalității de tratament pe piețele interne ale statelor membre.

Pe lângă legislație și doctrina un rol important în stabilirea cadrului legal actual al liberei circulații a persoanelor l-a jucat jurisprudența Curții de Justiție a Uniunii Europene care de multe ori interferează cu activitatea jurisdicțională a Curții Europene a Drepturilor Omului și ambele au ca drept scop în primul rând supremația drepturilor fundamentale atât din perspectiva Convenției Europene a Drepturilor Omului cât și din perspectiva dreptului comunitar.

În ceea ce privește dreptul național Constituția României prevede în art. 25 din Titlul II referitor la Drepturile, libertățile și îndatoririle fundamentale și libera circulație ca un drept garantat legal atât în țară cât și în străinătate, și care se exercita prin mai multe drepturi subsecvente, care sunt dreptul de alegere a domiciliului sau reședinței în țară, dreptul de a emigra și dreptul de a reveni în țară.

³ Directiva 2004/38/CE a parlamentului european și a consiliului din 29 aprilie 2004 privind dreptul la liberă circulație și ședere pe teritoriul statelor membre pentru cetățenii Uniunii și membrii familiilor acestora, de modificare a Regulamentului (CEE) nr. 1612/68 și de abrogare a Directivelor 64/221/CEE, 68/360/CEE, 72/194/CEE, 73/148/CEE, 75/34/CEE, 75/35/CEE, 90/364/CEE, 90/365/CEE și 93/96/CEE.

⁴ Regulamentul (UE) nr. 492/2011 al Parlamentului European și al Consiliului din 5 aprilie 2011 privind libera circulație a lucrătorilor în cadrul Uniunii Text cu relevanță pentru SEE, JO L 141, 27.5.2011, p. 1-12.

⁵ Directiva 2014/54/UE a Parlamentului European și a Consiliului din 16 aprilie 2014, privind măsurile de facilitare a exercitării drepturilor conferite lucrătorilor în contextul liberei circulații a lucrătorilor, JO L 128/8.

Relevante în sensul celor de mai sus sunt și dispozițiile art. 20 din Constituție care se referă la faptul că interpretarea dispozițiilor constituționale privind drepturile și libertățile cetățenilor se face în concordanță cu Declarația Universală a drepturilor Omului și cu pactele și tratatele internaționale la care România este parte, și care se aplică cu prioritate în raport cu legislația internă⁶.

Legea nr. 248/2005 privind regimul liberei circulații a cetățenilor români în străinătate reprezintă dreptul intern în materia liberei circulații a cetățenilor români pe teritoriul altor state, stabilind atât condițiile cât și limitările acestui drept⁷. Prin urmare categoria de persoane vizată de aceste norme este formată de toți cetățenii români iar drepturile conferite vizează mai mult aspectul personal adresându-se cetățenilor români, decât aspectul teritorial de exercitare a drepturilor pe un anumit teritoriu.

OUG 102/2005 privind libera circulație pe teritoriul României a cetățenilor statelor membre ale Uniunii Europene, Spațiului Economic European și a cetățenilor Confederației Elvețiene⁸ preia doar parțial din Directiva 2004/38/CE, definiția membrilor de familie, dar omite partenerii din parteneriatele înregistrate echivalente căsătoriei, pe care legislația română nu le prevede și nu le recunoaște. Precizarea cu privire la membrii de familie are relevanță pentru situația în care aceștia nu sunt cetățeni ai statelor membre ale Uniunii, ai Spațiului Economic European sau ai Confederației Elvețiene, situație în care ar avea un drept de libera circulație individual, ca resortisanți ai statelor terțe.

Dispozițiile OUG nr. 194/2002, privind regimul străinilor în România⁹ reprezintă dreptul intern în materia liberei circulații pentru cetățenii statelor terțe care nu au încheiat un acord referitor la libera circulație cu Uniunea Europeană. Categoria de persoane căreia i se aplică

⁶ Constituția României a fost aprobată prin referendumul național din 8.12.1991 și a fost revizuită prin Legea de revizuire nr. 429/2003 aprobată prin referendumul național din 18-19.10.2003, a intrat în vigoare la data de 29.10.2003, data publicării în Monitorul Oficial al României, Partea I, nr. 758 din 29 octombrie 2003.

⁷ Legea nr. 248 din 20 iulie 2005 privind regimul liberei circulații a cetățenilor români în străinătate, publicată în: Monitorul Oficial nr. 682 din 29 iulie 2005-forma la zi.

⁸ Ordonanță de Urgență nr. 102 din 14 iulie 2005 (**republicată**) privind libera circulație pe teritoriul României a cetățenilor statelor membre ale Uniunii Europene, Spațiului Economic European și a cetățenilor Confederației Elvețiene, Publicat în Monitorul Oficial nr. 774 din 2 noiembrie 2011-forma la zi.

⁹ Ordonanță de Urgență nr. 194 din 12 decembrie 2002 (**republicată**) privind regimul străinilor în România-forma la zi), Publicat în Monitorul Oficial nr. 421 din 5 iunie 2008.

aceste dispoziții sunt străinii iar spațiul de aplicare îl constituie doar teritoriul României.

3. Libera circulație și statele terțe

Unul dintre cele mai relevante acorduri în materia liberei circulație este cel încheiat între Uniunea Europeană și Confederația Elvețiană aplicabil de la data de 1 iunie 2002¹⁰.

Potrivit acestui Acord resortisanții UE și ai Elveției beneficiază de drepturi reciproce de intrare, de ședere, de acces la o activitate economică salariată, de stabilire ca lucrător care desfășoară o activitate independentă, precum și de dreptul de a rămâne pe teritoriul părților contractante după încetarea angajării. Dreptul de intrare și de ședere li se aplică tuturor persoanelor, inclusiv celor care nu desfășoară o activitate economică în țara gazdă. Țara gazdă trebuie să le acorde resortisanților străini condiții de viață, de angajare și de muncă identice cu cele acordate resortisanților proprii. Acordul prevede protecția împotriva discriminării pe motive de cetățenie.

Totodată au fost reglementate prin acest Acord și alte drepturi legate de libera circulație a persoanelor, respectiv :

- dreptul la mobilitate profesională și geografică;
- dreptul de ședere pentru membrii familiei și dreptul acestora de a desfășura o activitate economică, indiferent de cetățenia acestora;
- dreptul de a dobândi bunuri imobile, în special pentru a-și stabili o reședință principală sau secundară în țara gazdă;
- dreptul de a se întoarce în țara gazdă după încetarea unei activități economice sau a unei perioade de ședere acolo.

Acordul prevede, de asemenea, coordonarea sistemelor de securitate socială conform principiului egalității de tratament, precum și recunoașterea reciprocă a calificărilor profesionale precum și prestarea serviciilor recunoscându-se necesitatea de a obține un permis de sedere după o perioadă de 90 de zile.

Respectarea Acordului este asigurată de către un comitet mixt UE-Elveția, format din reprezentanți ai celor două părți. Comitetul ia decizii cu privire la eventualele modificări necesare ale anumitor anexe la acord. Acesta este responsabil cu soluționarea oricăror litigii legate de respectarea acordului.

Acorduri privind libera circulație s-au încheiat și cu alte state terțe având în vedere interesele comune după cum urmează:

- cu Turcia, ca și stat candidat la Uniunea Europeană,

¹⁰ Acord între Comunitatea Europeană și statele membre ale acesteia, pe de o parte, și Confederația Elvețiană, pe de altă parte, privind libera circulație a persoanelor - forma consolidată 2017 - <https://eur-lex.europa.eu/legal-content/RO>.

- Algeria, Maroc, Tunisia - statele Magreb,
- Macedonia de Nord, Muntenegru, Serbia, Albania, Bosnia Herțegovina, Kosovo - ca și state cu care s-au încheiat acorduri de asociere,
- Norvegia, Irlanda, Liechtenstein - statele Spațiului Economic European (SEE).

În vederea implementării liberei circulații cu resortisanții din alte state terte la nivelul Uniunii Europene s-au semnat Acorduri privind facilitarea eliberării vizelor cu următoarele state: Albania, Armenia, Bosnia-Herțegovina, Federația Rusă, Macedonia, Moldova, Muntenegru, Republica Serbia, Azerbaidjan, Ucraina, Republica Timorului de Est, Grenada, Saint Lucia, Saint Vincent și Grenardinele, Statul Independent Samoa, Trinidad și Tobago, Vanuatu, Columbia, Regatul Tonga, Palau, Emiratele Arabe Unite, Republica Peru, Republica Belarus¹¹.

4. Spațiul Schengen

Aflat pe teritoriul Luxemburgului, la granița dintre Luxemburg, Franța și Germania, localitatea Schengen a devenit faimoasă prin semnarea aici la data de 14 iunie 1985 a unui Acord între Belgia, Franța, Germania, Luxemburg și Olanda prin care s-a stabilit să renunțe treptat la controlul de la frontierele interne, comune astfel încât cetățenii statelor semnatare să poată să circule liber, fără controlul actelor de identitate la frontierele interne dintre aceste state¹².

Instituirea unei piețe interne fără obstacole în calea liberei circulații a persoanelor a fost marcată de încheierea celor două acorduri Schengen, respectiv Acordul Schengen propriu-zis din 14 iunie 1985 și Convenția de punere în aplicare a acordului, semnată la 19 iunie 1990 și care a intrat în vigoare la 26 martie 1995. Inițial, Convenția privind punerea în aplicare a Acordului Schengen (semnată numai de Belgia, Franța, Germania, Luxemburg și Țările de Jos) s-a bazat pe cooperarea interguvernamentală în domeniul justiției și al afacerilor interne.

La Convenția de aplicare a Acordului Schengen au aderat ulterior și alte state membre ale UE Italia (în 1990), Spania și Portugalia (în 1991), Grecia (în 1992), Austria (în 1995), Danemarca, Finlanda și Suedia (în 1996), Cehia, Estonia, Letonia, Lituania, Malta, Polonia, Slovenia, Slovacia, Ungaria (în 2007) contribuind astfel la extinderea Spațiului Schengen.

¹¹ www.mae.ro, accesat la 20.02.2021.

¹² Acordul din 14 iunie 1985 între guvernele statelor uniunii economice Benelux, al Republicii Federale Germania și al Republicii Franceze privind eliminarea graduală a controalelor la frontierele comune, încheiat la Schengen, la 14 iunie 1985, Publicat în Broșura din 14 iunie 1985, de Comunitatea Economică Europeană, <http://www.monitoruljuridic.ro>, accesat la 20.02.2021.

Concomitent au aderat la Convenția Schengen și state care nu sunt membre ale Uniunii Europene și anume Norvegia, Islanda, Elveția și Liechtenstein. Islanda și Norvegia s-au asociat Acordului Schengen la data de 19 decembrie 1996 având dreptul de a face propuneri și a exprima opinii, fără a avea drept de vot și au aplicat acquis-ului Schengen începând cu 25 martie 2001.

Un alt acord a fost încheiat pentru ca Islanda și Norvegia să-și stabilească relațiile în acest domeniu și cu Irlanda și Regatul Unit al Marii Britanii și Irlandei de Nord.

Elveția a semnat acordul cu UE privind participarea la Spațiul Schengen la data de 26 octombrie 2004 cu același statut de țară asociată ca și Norvegia și Islanda și l-a aplicat începând cu 12 decembrie 2008. La data de 28 februarie 2008 a fost semnat și de către principatul Liechtenstein un protocol de aderare la Spațiul Schengen pus în aplicare din 19 decembrie 2011.

Bulgaria, România și Croația precum și Cipru sunt în perioada de evaluare a criteriilor de aderare la Spațiului Schengen iar semnarea acordului de aderare se va face doar în momentul în care vor întruni condițiilor referitoare la controlul frontierelor, acordarea vizelor, protecția datelor și cooperarea judiciară internațională.

Domeniul de aplicare a Acordului Schengen cuprinde: eliminarea controalelor la frontierele interne pentru toate persoanele, măsuri în vederea consolidării și armonizării controalelor la frontierele externe: toți cetățenii UE pot intra în spațiul Schengen prezentând doar cartea de identitate sau pașaportul¹³; o politică comună privind vizele pentru șederi de scurtă durată: cetățenii țărilor terțe incluse pe lista comună a statelor nemembre ai căror cetățeni au nevoie de o viză de intrare, cooperarea polițienească și judiciară (forțele de poliție se ajută reciproc în detectarea și prevenirea infracțiunilor și au dreptul de a urmări infractorii fugari pe teritoriul unui stat Schengen vecin, existența unui mecanism mai rapid de extrădare și recunoaștere reciprocă a hotărârilor penale)¹⁴, instituirea și dezvoltarea Sistemului de Informații Schengen (SIS)¹⁵.

Deși spațiul Schengen este una dintre principalele realizări ale Uniunii Europene, el a fost supus în ultimii ani unor presiuni considerabile ca urmare a fluxului fără precedent de refugiați și de migranți în UE dar și a amenințărilor teroriste care sunt tot mai numeroase.

¹³ Gestionarea frontierelor externe: <https://www.europarl.europa.eu/>, accesat la 20.02.2021.

¹⁴ Cooperarea judiciară în materie penală și cooperarea polițienească: <https://www.europarl.europa.eu/>, accesat la 20.02.2021.

¹⁵ Gestionarea frontierelor externe: <https://www.europarl.europa.eu/>, accesat la 20.02.2021.

Aceste situații au mărit presiunea asupra frontierelor și au fost necesare măsuri privind atât reintroducerea controalelor interne cât și amplificarea măsurilor de protecție la granițele externe ale frontierei .

5. Libera circulație și pandemia de SARS-COV 19

Pandemia de SARS-COV 19 a fost cea mai mare provocare a anului 2020 și rămâne și în prezent principala problemă a Uniunii Europene. Măsurile privind restricțiile au fost relativ similare la nivelul tuturor statelor membre și au afectat semnificativ toate drepturile fundamentale inclusiv libera circulație.

Țările UE au convenit asupra unei abordări coordonate a restricționării liberei circulații ca răspuns la pandemia de coronavirus. Aceasta include un cod de culoare pentru clasificările regiunilor - verde, portocaliu, galben și gri - pe baza situației epidemiologice de acolo. De asemenea, aceștia au convenit asupra unor criterii comune pe care ar trebui să le aplice atunci când decid dacă să introducă restricții de călătorie, o abordare comună pentru călătorii din "zonele roșii" (testare și auto carantină), precum și furnizarea de informații mai clare și în timp util publicului.

La 15 iunie 2020, Comisia Europeană a lansat platforma Re-open EU. Aceasta a fost inițial una din măsurile anunțate de Comisie în pachetul său de măsuri privind turismul și transporturile, menit să susțină relansarea călătoriilor și a turismului în condiții de siguranță, cu respectarea măsurilor de precauție necesare¹⁶.

Platforma REOPEN-EU care are ca și obiectiv furnizare datelor epidemiologice din fiecare stat /zonă și măsurile naționale de siguranță și de călătorie în contextul pandemiei (ex. cerințele de carantină și testare)¹⁷.

Pe această platformă sunt disponibile informații despre toate țările UE, precum și despre Elveția, Islanda, Liechtenstein și Norvegia. Acestea sunt actualizate zilnic utilizând date verificate primite de la Centrul European de Prevenire și Control al Bolilor și de la statele membre. Platforma este disponibilă în cele 24 de limbi oficiale ale UE și va putea fi accesată ușor, pe calculator și pe smartphone, făcând clic pe linkul <https://reopen.europa.eu/>, iar începând cu 14 decembrie, platforma Re-open EU este disponibilă și ca aplicație gratuită pentru dispozitivele mobile care operează cu Android și iOS.

¹⁶ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: https://ec.europa.eu/info/sites/info/files/communication-commission-tourism-transport-2020-and-beyond_en, accesat la 20.02.2021.

¹⁷ <https://reopen.europa.eu/>, accesat la 19.02.2021.

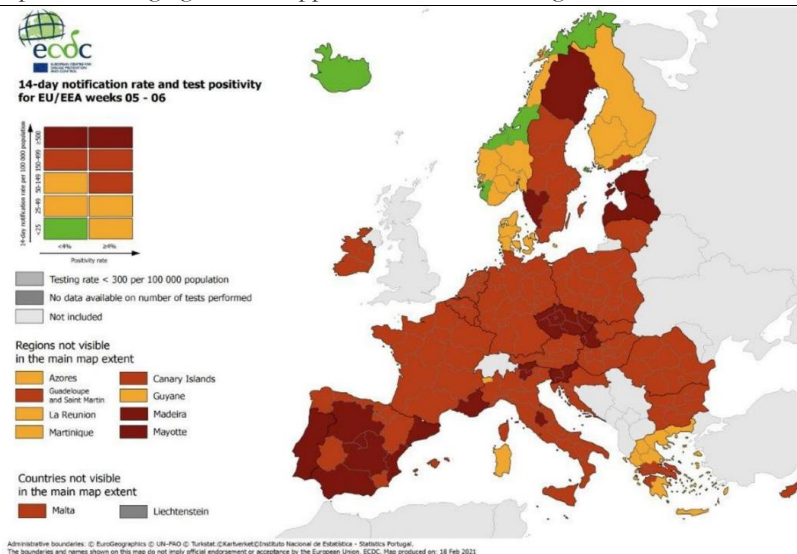


Fig. 1. (Titlu și poziționarea acesteia în textul de deasupra)

Acest instrument oferă o imagine de ansamblu a situației sănătății în țările europene și a condițiilor de călătorie fiind create în sprijinul cetățenilor statelor membre și pentru a evita blocajele și situațiile neplăcute atât pentru cetățeni cât și pentru autorități.

La data de 13 octombrie, statele membre ale UE au adoptat o Recomandare a Consiliului privind o abordare coordonată cu privire la restrângerea liberei circulații ca răspuns la pandemia de COVID-19¹⁸.

Pentru a limita propagarea pandemiei de COVID-19, cele 27 de state membre ale UE au luat diverse măsuri, unele dintre acestea având consecințe asupra dreptului cetățenilor de a circula liber în Uniunea Europeană. Printre aceste măsuri se numără obligația de a sta în carantină sau de a fi testat pentru depistarea infectării cu COVID-19.

Aceste măsuri au avut și au în continuare consecințe grave asupra economiei și a drepturilor cetățenilor. Dreptul cetățenilor europeni la liberă circulație și ședere pe teritoriul Uniunii Europene este una dintre cele mai de preț realizări ale UE iar măsurile restrictive trebuie luate într-un cadru bine coordonat, previzibil și transparent.

Recomandarea mai sus arătată stabilește patru domenii-cheie în care statele membre își vor coordona eforturile:

¹⁸ O abordare comună privind măsurile referitoare la călătoriile în Uniunea Europeană: <https://ec.europa.eu/info/live-work-travel-eu/coronavirus-response>, accesat la 19.02.2021.

Statele membre vor lua în considerare următoarele criterii-cheie atunci când analizează posibilitatea de a restricționa libera circulație ca răspuns la pandemia de COVID-19:

- **rata de notificare** (numărul total al cazurilor de COVID-19 nou notificate raportat la 100 000 de locuitori în ultimele 14 zile la nivel regional)
- **rata testelor pozitive** (procentul de teste pozitive din totalul testelor pentru depistarea infecției cu COVID-19 efectuate în ultima săptămână)
- **rata de testare** (numărul de teste pentru depistarea infecției cu COVID-19 raportat la 100 000 de locuitori care au fost efectuate în cursul ultimei săptămâni)

Pentru a asigura disponibilitatea unor date exhaustive și comparabile, statele membre vor furniza săptămânal datele necesare Centrului European de Prevenire și Control al Bolilor.

Pe baza datelor furnizate de statele membre, Centrul European de Prevenire și Control al Bolilor va publica o hartă a statelor membre ale UE care va indica nivelurile de risc din Europa pe regiuni, utilizând un sistem de tip semafor. Regiunile vor fi marcate cu „verde”, „portocaliu”, „roșu”, „roșu închis” și „gri” (gri - atunci când nu sunt disponibile informații suficiente).

Harta va include, de asemenea, date din Islanda, Liechtenstein și Norvegia.

Pe această hartă, regiunile pot figura cu următoarele culori:

- **verde**, dacă rata de notificare este mai mică de 25, iar rata testelor pozitive este mai mică de 4 %;
- **portocaliu**, dacă rata de notificare este mai mică de 50, dar rata testelor pozitive este mai mare sau egală cu 4 % sau dacă rata de notificare se situează între 25 și 150, dar rata testelor pozitive este mai mică de 4 %;
- **roșu**, dacă rata de notificare este de 50 sau mai mult, iar rata testelor pozitive este de cel puțin 4 % sau dacă rata de notificare este mai mare de 150;
- **roșu închis**, dacă rata de notificare este 500;
- **gri**, dacă nu sunt disponibile informații suficiente sau dacă rata de testare este de maximum 300.

De asemenea, harta le va oferi călătorilor informații generale cu privire la nivelul de risc al destinației lor. Consultând harta și informațiile puse la dispoziție pe platforma web „Re-open EU”, călătorii vor ști dacă au obligația să respecte anumite măsuri în cazul în care călătoresc în altă regiune a UE.

Având în vedere situația epidemiologică dificilă legată de variantele mai contagioase ale coronavirusului, statele membre ar trebui **să descurajeze ferm** toate călătoriile neesențiale dinspre și către zona „roșu

închis” și **să descurajeze** același tip de călătorie dinspre și către zonele „roșii”. Această diferență se datorează măsurilor diferite aplicate acestor călătorii, după cum se arată mai jos.

Pe baza hărții comune, statele membre vor decide dacă introduc anumite restricții, cum ar fi carantina sau testarea, în cazul călătorilor care intră pe teritoriul lor din alte zone. Statele membre au convenit că nu vor impune restricții, cum ar fi carantina sau testarea, în cazul călătorilor care vin din regiuni „verzi”.

Statele membre care consideră necesar să introducă restricții privind libera circulație, pe baza propriilor procese decizionale ar putea impune următoarele cerințe persoanelor care călătoresc dintr-o zonă clasificată altfel decât „verde”:

- **să se supună unei perioade de carantină/autocarantină; și/sau**

- **să se supună înainte sau după sosire unui test pentru depistarea infecției cu COVID-19.**

Rămâne la latitudinea statelor membre să decidă ce măsuri se aplică persoanelor care vin din zonele de risc și călătoresc pe teritoriul lor și dacă să solicite un test RT-PCR sau un test antigenic rapid. Statele membre pot, de asemenea, să le impună persoanelor care intră pe teritoriul lor obligația de a completa un **formular de localizare a pasagerilor**, care respectă cerințele de protecție a datelor.

Măsurile nu au voie să fie discriminatorii, ceea ce înseamnă că li se vor aplica și resortisanților lor care se întorc acasă.

Călătorii care au o funcție esențială sau o nevoie esențială de a se deplasa nu ar trebui să fie obligați să respecte o perioadă de carantină când sosesc dintr-o zonă „portocalie”, „roșie” sau „gri”. Această exceptare se aplică, pe durata îndeplinirii sarcinilor, pentru:

- angajații sau lucrătorii independenți care desfășoară activități critice, inclusiv lucrătorii din domeniul sănătății, lucrătorii frontaliери și cei detașați, precum și lucrătorii sezonieri, astfel cum se menționează în Orientările privind exercitarea liberei circulații a lucrătorilor pe perioada epidemiei de COVID-19;

- lucrătorii din domeniul transporturilor sau prestatorii de servicii de transport, inclusiv șoferii de vehicule care transportă mărfuri urmând a fi utilizate pe teritoriul respectiv, precum și cei care doar tranzitează țara;

- pacienții care călătoresc din motive medicale imperative;

- elevii, studenții și stagiarii care călătoresc zilnic în străinătate;

- persoanele care călătoresc din motive familiale sau profesionale imperative (inclusiv membrii familiilor transfrontaliere care călătoresc în mod regulat);

- diplomați, personalul organizațiilor internaționale și persoanele care sunt invitate de organizațiile internaționale și a căror prezență fizică este necesară pentru buna funcționare a acestor instituții, personalul militar, ofițerii de poliție, lucrătorii din domeniul umanitar și personalul de protecție civilă în exercitarea atribuțiilor lor;

- pasagerii în tranzit;
- navigatori;
- jurnaliști aflați în exercițiul funcțiunii.

Persoanele care locuiesc în zone de frontieră ar trebui să fie, de asemenea, scutite de unele restricții de călătorie. Dacă sunt nevoite să traverseze des frontiera, de exemplu din motive familiale sau profesionale, nu ar trebui să li se impună carantina, iar frecvența testelor necesare ar trebui să fie proporțională. Dacă situația epidemiologică de ambele părți ale frontierei este similară, nu ar trebui să li se impună să se testeze.

Din cauza riscului deosebit prezent în zonele „roșu închis”, toate statele membre ar trebui să solicite persoanelor care călătoresc dintr-o astfel de zonă să efectueze un test înainte de plecare și să se supună carantinei/autoizolării.

Această cerință ar trebui să li se aplice și călătorilor esențiali, cu condiția ca acest lucru să nu aibă un impact asupra exercitării funcției sau asupra nevoilor lor. Totuși, lucrătorii din sectorul transporturilor ar trebui să fie scutiți, în principiu, de cerințele privind testarea și carantina/autoizolarea.

Fiecare stat membru va furniza celorlalte state membre și Comisiei detalii cu privire la restricțiile privind libera circulație pe care urmează să le introducă sau la eliminarea unor restricții de călătorie. Aceste modificări vor fi, de asemenea, publicate pe platforma Re-open EU, care conține și harta publicată săptămânal de către Centrul European de Prevenire și Control al Bolilor.

Ca urmare a creșterii rapide a numărului de cazuri de COVID-19 în anumite părți ale Angliei, din care o mare parte sunt contaminări cu o nouă tulpină a virusului, Comisia a adoptat, pe data de 22 decembrie, o recomandare cu privire la o abordare coordonată în materie de măsuri legate de călătorii și transporturi¹⁹.

În ceea ce privește călătoriile, Comisia le-a recomandat statelor membre următoarele:

- Ca măsură de precauție, toate călătoriile neesențiale către și din Regatul Unit trebuie descurajate până la noi dispoziții.

¹⁹ Commission Recommendation of 22.12.2020 on a coordinated approach to travel and transport in response to the SARS-COV-2 variant observed in the United Kingdom: https://ec.europa.eu/info/sites/info/files/commission-recommendation-coordinated-approach-travel-transport_en, accesat la 20.02.2021.

- Totuși, cetățenii UE și cetățenii britanici care se întorc în țara lor de cetățenie sau de reședință, precum și resortisanții țărilor terțe care beneficiază de dreptul la libera circulație acordat de UE, ar trebui să fie scutiți de la alte restricții temporare, cu condiția să se testeze sau să se supună carantinei.

- Călătorilor care au o funcție esențială, de exemplu cadrelor medico-sanitare, ar trebui să li se ceară să se supună unui test (testul RT-PCR sau un test antigenic rapid, cu maxim 72 de ore înainte de plecare), dar nu și să efectueze carantină pe perioada exercitării acestei funcții esențiale.

- Tranzitul pasagerilor, în special pentru călătoriile esențiale, ar trebui facilitat, fără obligația carantinei. Li se poate solicita să se supună unui test, dar autoritățile trebuie să îi informeze în prealabil în acest sens sau să le ofere posibilitatea de a se testa în timpul călătoriei.

- Dată fiind nevoia de a asigura călătoriile esențiale și tranzitul către locul de origine după cum se arată în recomandare, orice interdicere a serviciilor de transport, cum ar fi interdicțiile de a călători cu avionul sau cu trenul, trebuie anulate.

Deși este important să se ia rapid măsuri temporare de precauție pentru a limita răspândirea noii tulpini de coronavirus și să se descurajeze toate călătoriile neesențiale către și din Regatul Unit, ar trebui facilitate călătoriile esențiale și tranzitul pasagerilor. Interdicțiile legate de cursele aeriene și feroviare ar trebui anulate, dată fiind nevoia de a asigura călătoriile esențiale și de a evita perturbarea lanțurilor de aprovizionare.

La 1 ianuarie 2021, având în vedere că Regatul Unit a devenit țară terță, Recomandarea 2020/912 a Consiliului se aplică acum ca recomandare de călătorie pentru un stat terț.

La 25 iunie, Comisia Europeană a adoptat o propunere de recomandare a Consiliului de ridicare a restricției de călătorie pentru anumite țări, așa cum au convenit statele membre. Acest lucru s-a realizat pe baza unui set de principii și criterii obiective, printre care

- situația sanitară
- capacitatea de a aplica măsuri de izolare în timpul călătoriei
- principiul reciprocității
- date din surse relevante, cum ar fi Centrul European de Prevenire și Control al Bolilor și Organizația Mondială a Sănătății.

La 30 iunie, Consiliul Uniunii Europene a adoptat o recomandare referitoare la eliminarea treptată a restricțiilor temporare privind călătoriile neesențiale către UE. Restricțiile de călătorie au fost eliminate pentru țările

menționate în această recomandare. Lista este revizuită, în principiu, o dată la două săptămâni²⁰.

Pe baza criteriilor și condițiilor stabilite în această recomandare, actualizate de Consiliu pe 28 ianuarie 2021, statele membre ar trebui să elimine treptat restricțiile de călătorie la frontierele externe pentru rezidenții din următoarele țări terțe: Australia, Noua Zeelandă, Rwanda, Singapore, Coreea de Sud, Thailanda, China (sub rezerva confirmării reciprocității). Restricțiile de călătorie ar trebui să fie eliminate și pentru Regiunile Administrative Speciale Hong Kong și Macao ale Chinei dar tot sub rezerva confirmării reciprocității.

Pe site-urile autorităților naționale relevante (de exemplu, ministerele afacerilor interne și externe) ar trebui să fie disponibile informații privind restricțiile de călătorie. Pe site-ul Eurocontrol este publicat zilnic un rezumat privind restricțiile de zbor și de transport de pasageri („Covid Notam (notice to airmen) summary”)

Pe site-ul Europa ta sunt disponibile informații utile pentru cetățenii UE și familiile lor cu privire la drepturile pasagerilor și măsurile care se aplică în cazul celor care au rezervat pachete de servicii de călătorie.

Pasagerii și călătorii pot fi siguri că drepturile lor sunt protejate. Comisia Europeană a publicat orientări interpretative cu privire la modul în care ar trebui aplicate anumite dispoziții ale legislației UE privind **drepturile pasagerilor** în contextul pandemiei de COVID-19. Acest lucru este necesar pentru a asigura claritatea și securitatea juridică în aplicarea drepturilor pasagerilor.

În același timp, orientările clarifică faptul că circumstanțele actuale sunt „extraordinare”: de exemplu, s-ar putea să nu se aplice compensații în cazul anulării unui zbor cu mai puțin de două săptămâni înainte de data plecării. Persoanele care călătoresc pe durata pandemiei de COVID-19 nu ar trebui să fie considerate în mod automat ca prezentând un risc ridicat de răspândire a infecției, decât în cazul în care au fost în contact cu o persoană confirmată pozitiv, în conformitate cu noile orientări europene privind transportul aerian. Pe baza celor mai recente date științifice, orientările publicate la 2 decembrie de Centrul European de Prevenire și Control al Bolilor și de Agenția Uniunii Europene pentru Siguranța Aviației indică faptul că numărul de infectări cu noul coronavirus în rândul călătorilor este mai mic decât în cazul populației generale. În plus, măsurile deja puse în aplicare în sectorul aviației reduc la minimum probabilitatea transmiterii virusului în timpul zborului.

²⁰ Council Recommendation on the temporary restriction on non-essential travel into the EU and the possible lifting of such restriction: <https://data.consilium.europa.eu/>, accesat la 19.02.2021.

Comisia a emis, de asemenea, o notă informativă referitoare la directiva privind pachetele de servicii de călătorie în contextul pandemiei de COVID-19²¹.

În baza normelor UE, pasagerii și călătorii au dreptul de a alege între vouchere sau rambursarea în numerar pentru biletele (de avion, tren, autobuz/autocar și feribot) sau pachetele de servicii de călătorie anulate. Comisia insistă asupra acestui drept și, totodată, recomandarea sa din 13 mai 2020 urmărește să garanteze faptul că aceste vouchere devin o alternativă viabilă și mai atractivă la opțiunea de rambursare a călătoriilor anulate în contextul actualei pandemii, care a pus presiuni financiare mari și asupra operatorilor de turism.

De asemenea în baza legislației UE, cetățenii Uniunii Europene au dreptul de a solicita ajutor din partea ambasadei/consulatului oricărui stat membru al UE dacă au nevoie de asistență în afara Uniunii și nu există o ambasadă sau un consulat al țării lor în regiune. Comisia Europeană și Serviciul European de Acțiune Externă oferă sprijin pentru repatrierea cetățenilor UE de peste tot în lume, iar statele membre publică sfaturi privind modalitățile de gestionare a restricțiilor de călătorie. Cetățenii UE care au nevoie de asistență în afara UE sunt rugați să contacteze autoritățile din țara lor²².

De asemenea, statele membre sunt încurajate să nu aplice sancțiuni administrative resortisanților țărilor terțe care nu au putut să părăsească teritoriul statelor membre din cauza restricțiilor de călătorie.

În ceea ce privește resortisanții țărilor terțe scutiți de obligația de a deține viză, care sunt constrânși să rămână în spațiul Schengen mai mult timp decât intervalul prelungit de 90 de zile într-o perioadă de 180 de zile, autoritățile naționale competente ar trebui să le extindă validitatea autorizațiilor de ședere legală sau să le elibereze o nouă viză ori să ia alte măsuri adecvate care asigură menținerea dreptului de ședere pe teritoriul țării respective.

Cetățenii UE și membrii de familie ai acestora care nu se află în posesia unui pașaport valabil și/sau a unei vize valabile ar trebui să aibă dreptul de a intra pe teritoriul UE, dacă pot dovedi prin alte mijloace că sunt cetățeni ai UE sau membri de familie ai unui cetățean al UE. În situația actuală, deținerea unui pașaport cu termen de valabilitate expirat ar trebui acceptată ca dovadă. Membrii de familie ai unui cetățean al UE ar trebui să fie întotdeauna în măsură să dovedească că dețin acest statut.

²¹ Information on the Package Travel Directive in connection with the COVID-19: https://ec.europa.eu/info/sites/info/files/coronavirus_info_ptd_19.3.2020, accesat la 19.02.2021.

²² Protecția consulară: <https://ec.europa.eu/info/policies/justice-and-fundamental-rights/eu-citizenship/consular-protection>, accesat la 19.02.2021.

6. Libera circulație în contextul BREXIT-ului

Prin Referendumul organizat de Regatul Unit la data de 23 iunie 2016 poporul britanic a votat cu 51,89 % ieșirea Regatului Unit din Uniunea Europeană – Brexit, ca urmare a nemulțumirilor create în principal de imigrația excesivă dar și de unele politici comunitare cu care Marea Britanie nu a fost de acord. Este de subliniat faptul că Marea Britanie a avut poziții contrare în ceea ce privește Spațiul Schengen, politica monetară unitară dar mai ales în ceea ce privește migrația și alocarea cotelor de migranți.

La data de 29.11.2019 a fost publicat în Jurnalul Oficial al Uniunii Europene Acordul privind retragerea Regatului Unit al Marii Britanii și Irlandei de Nord din Uniunea Europeană și din Comunitatea Europeană a Energiei Atomice care în primele 39 de articole reglementează problematica dreptului de sedere pe teritoriul Regatului, drepturile lucrătorilor, coordonarea sistemului de securitate social, eliberarea documentelor, autoritățile emitente ale acestora precum și jurisdicția în situația unor litigii. De asemenea, este reglementată perioada de tranziție până la 31 decembrie 2020.

Acordul de retragere a fost negociat pentru ai proteja pe cetățenii UE care au reședința legală în Regatul Unit, precum și pe resortisanții Regatului Unit care locuiesc legal într-unul din cele 27 de state membre ale UE la încheierea perioadei de tranziție²³.

Acest acord protejează membrii de familie care beneficiază de drepturi în temeiul legislației UE (cum ar fi soții și partenerii înregistrați, părinții, bunicii, copiii, nepoții și persoanele care se află într-o relație durabilă), permițându-le să li se alăture membrilor lor de familie în viitor. De asemenea, copiii vor fi protejați prin acordul de retragere, indiferent dacă s-au născut înainte sau după retragerea Regatului Unit din UE, în interiorul sau în afara statului-gazdă în care își are reședința cetățeanul UE sau resortisantul britanic care exercită autoritatea părintească cu excepția custodiei exclusiv în favoarea părintelui care nu intră sub incidența acordului de retragere.

Prin Acordul de retragere condițiile de fond în materie de drept de sedere sunt și vor rămâne identice cu cele prevăzute în legislația actuală a UE privind libera circulație. În esență, cetățenii UE și resortisanții Regatului Unit îndeplinesc aceste condiții dacă:

- sunt lucrători salariați sau independenți,
- au resurse suficiente și asigurare medicală,
- sunt membri de familie ai unei alte persoane care îndeplinește aceste condiții,

²³ Drepturile cetățenilor - Acord Brexit: <https://ec.europa.eu/info/relations-united-kingdom/eu>, accesat la 19.02.2021.

- au dobândit deja drept de ședere permanentă și, prin urmare, nu mai sunt supuși niciunei condiții.

Acordul de retragere nu impune prezența fizică în statul-gazdă la încheierea perioadei de tranziție – se acceptă absențele temporare care nu afectează dreptul de ședere și absențele mai lungi care nu afectează dreptul de ședere permanentă. Persoanele protejate de acordul de retragere care nu au dobândit încă drepturi de ședere permanentă – dacă nu au locuit în statul-gazdă pentru o perioadă de cel puțin cinci ani – vor fi protejate pe deplin de acest act și vor putea să locuiască în continuare în statul-gazdă și să dobândească drepturi de ședere permanentă pe teritoriul acestuia după ce acumulează 5 ani de ședere.

Însă, după data de 01 ianuarie 2021, cetățenii din UE, SEE și Elveția care au reședința în Regatul Unit vor trebui să introducă o cerere în sistemul prevăzut pentru obținerea dreptului de ședere, înainte de 30 iunie 2021.

Dacă cererea este acceptată, cetățenii UE vor primi statutul de rezident permanent sau provizoriu (cel mult 5 ani). Cei care nu fac această cerere pot fi expulzați de pe teritoriul britanic. De îndată ce cetățenii UE cu statut de rezident provizoriu împlinesc 5 ani de ședere legală în Regatul Unit, aceștia vor putea solicita statutul de rezident permanent, care conferă mai multe drepturi și o protecție mai bună.

Tot prin Acordul de retragere a fost înființată Autoritatea independentă de monitorizare a acordurilor privind drepturile cetățenilor²⁴, care are ca și obiect de activitate solutionarea plângerilor resortisanților din statele UE sau celor asimilați acestora, monitorizarea organismelor publice care au atribuții în acest domeniu și vor putea declanșa anchete și proceduri judiciare împotriva autorităților publice pentru respectarea drepturilor cetățenilor UE conform acordului de retragere.

Din păcate încă sunt multe probleme nerezolvate între Uniunea Europeană și Marea Britanie care influențează în mod direct și relațiile cu cetățenii britanici și europeni nici una dintre cele două părți nefiind pregătite pentru o astfel de situație.

7. Concluzii

Așa cum am arătat anterior Pandemia de SARS-COVID 19 s-a suprapus peste problema Brexit-ului iar pentru prima dată Uniunea Europeană s-a confruntat cu necesitatea limitării drepturilor fundamentale printre care și dreptul la liberă circulație. Însă suntem departe de a ne situa într-o abordare comună a tuturor statelor membre.

²⁴ Independent Monitoring Authority for the Citizens' Rights Agreements: <https://ima-citizensrights.org.uk>, accesat la 19.02.2021.

Mai mult, a ieșit la suprafață fragilitatea Uniunii Europene și s-a accentuat suveranitatea țărilor membre care au înțeles să își facă propriile reguli în ceea ce privește luarea măsurilor sanitare de limitarea a răspândirii virusului și de protecție.

Însă anul 2021 va aduce o problemă suplimentară în cadrul liberei circulații și anume cel al persoanelor vaccinate. Va fi sau nu vaccinul împotriva COVID pașaportul spre libera circulație în contextul în care mai multe state UE negociază acorduri bilaterale pentru accesul facil al persoanelor vaccinate (de ex. Grecia-Israel)? Vor fi instituțiile Uniunii Europene și țările membre capabile să gestioneze aceste provocări. Răspunsul îl vom avea în perioada următoare și doar putem spera să fie unul consecvent, clar, transparent și pozitiv.

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Reacții europene la violențele din 6 ianuarie 2021 de la Washington

*Florin Trandafir VASILONI**

Abstract: *European Reactions to the Violence of January 6, 2021 in Washington.* The riots of January 6, 2021, widely publicized around the world, around and inside the Washington Congress building, which stopped the procedure for validating the result of the presidential election, shocked the whole world. Spectators from all over the world watched the protesters live, motivated by a new statement by Donald Trump that he does not recognize the elections, which stormed the Capitol after passing by the building security guards and the congressmen were evacuated. Four people died in the violent incidents. After the violence, Congress confirmed Joe Biden's victory, and Trump confirmed that he will hand over power. The military and financial domination of the United States, globally, remains a reality. The paper presents a compilation of the main European reactions generated by the unprecedented events that took place in the American capital, considered to be a bastion of democracy. Starting with Great Britain, this work finds reactions from great Western democracies (France, Sweden, Holland), but also from former communist states (Czech Republic, Bulgaria).

Keywords: *violence, democracy, power, tradition, shocking.*

Tulburările din data de 6 ianuarie 2021, mediatizate foarte mult în toată lumea, din preajma și interiorul clădirii Congresului din Washington, care au oprit procedura de validare a rezultatului alegerilor prezidențiale, au șocat lumea. Spectatorii din toată lumea au urmărit în direct protestatarii, motivați de o nouă declarație a lui Donald Trump cum că nu recunoaște alegerile, care au asaltat Capitolul după ce au trecut de gardienii clădirii și kongresmenii au fost evacuați.

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Patru persoane au murit în cursul incidentelor violente. Fără a diminua sacrificiul celorlalți, amintim spre exemplificare două persoane. Un ofițer de poliție care păzea clădirea Congresului SUA a murit din cauza rănilor suferite în ciocnirile cu mulțimea de susținători ai lui Donald Trump, care a asaltat Capitoliul. Ofițerul Brian Sisk a murit în jurul orei 21:30. Acesta făcea parte din forțele de securitate ale Congresului din anul 2008. Femeia ucisă în timpul revoltei de la Washington este Ashli Babbitt, un veteran al Forțelor aeriene americane din San Diego, scrie „*New York Post*” (consultat 08.01.2021). Înainte de a invada clădirea Congresului, a scris pe Twitter: „*Nimic nu ne va opri*” și „*Furtuna este aici*”. Ashli Babbitt era căsătorită, și-a desfășurat activitatea în cadrul Forțelor aeriene americane timp de 14 ani și a fost un susținător zelos al lui Donald Trump.

După violențe, Congresul a confirmat victoria lui Joe Biden, iar Trump a confirmat că va preda puterea. Dominația militară și financiară a Statelor Unite, la nivel global, rămâne o realitate. Dar cum să restabilească America limbajul valorilor, al drepturilor omului, al justiției, când Washingtonul arată asemenea unei capitale de stat eșuat – cu trimitere la situația din 6 ianuarie 2020? Când Capitoliul este vandalizat de protestatari – imagini din care televiziunile ruse sau chineze se vor putea hrăni din belșug? Televiziunile în cauză vor vedea în imaginile menționate demonstrația unui eșec anticipat, anarhia ca ultim stadiu al democrației, consolidând astfel sistemele autoritare represive din Rusia și China.

America are nevoie de forță și, totodată, de siguranță atât de sine, cât și în ceea ce privește propria identitate și organizare, pentru a se face auzită într-o lume lipsită de reguli. În absența unor asemenea atuuri, cum să-i vorbească ea Chinei despre represiunea din Hong Kong sau Rusiei despre cazul Navalnii și operațiunile de propagandă antioccidentale? Dar Iranului, Turciei și Egiptului? Cum să promoveze ea forța universală a modelului democratic, fără riscul de a rămâne neauzită sau de a fi ignorată – ca urmare a unei mari autorități pierdute – și sfătuită a se concentra asupra propriilor probleme?

Teheranul, unul dintre cei mai importanți oponenți internaționali ai SUA, prin vocea președintelui Hassan Rohani, a afirmat că, paradoxal, democrația occidentală este "fragilă și vulnerabilă". Acesta l-a calificat totodată drept "analfabet", "bolnav" și "populist" pe Donald Trump, care a adoptat în cursul mandatului de președinte o politică de "presiuni maxime" asupra Iranului. Președintele Iranian a mai spus că nutrește speranța ca mandatul președintelui Trump să fie "o lecție pentru întreaga lume și pentru viitorii guvernanți" de la Casa Albă, îndemnându-l pe președintele ales Joe

Biden să revină "la poziția pe care ar trebui să se situeze SUA" și să respecte normele relațiilor internaționale, "rațiunea și legea".¹

În contextul tuturor provocărilor cu care se va confrunta, administrația Biden va trebui să urmeze o cură de sobrietate și înțelepciune în ceea ce privește propria exprimare și acțiune externă. Mai cu seamă în relațiile cu europenii, a căror afirmare suverană ar reprezenta un sprijin valoros în fața atacurilor „statelor carnivore” precum Turcia, Rusia sau China. Washingtonul nu va putea se se bazeze pe aura sa și să viseze la o aliniere automată la pozițiile sale. America va trebui să convingă, să asculte și îndeosebi să stimuleze compromisuri și să edifice coaliții. Scurtcircuitul american – caracterizat inclusiv de recente revolte, care, de fapt, se constituie în apogeul acestuia, prin impunerea unor cuvinte precum „insurecție” în dezbaterea publică – sfârșește prin golirea de substanță a excepționalismului de care Statele Unite s-au folosit multă vreme. Procesul amintit nu este unul nou.

Dar sfârșitul președinției Trump lovește chiar inima identității politice americane. Puterea sa de seducție, ideea că instituțiile prevalează întotdeauna – traversate de suflul „părinților fondatori” – permițând o tranziție pașnică. Această epocă a spulberat credința că dincolo de diviziunile interne – geografice, rasiale sau economice – „casa comună” rezistă. Că însăși capacitatea mereu regăsită de a depăși aceste diviziuni stă la baza măreției democrației americane. Actuala criză și prăbușirea morală pe care o provoacă pun sub semnul întrebării capacitatea SUA de a se regenera într-un viitor apropiat. Această îndoială este în sine o otrăvă. Dacă americanii nu își mai recunosc propria țară, cum se poate crede – din străinătate – în revenirea ei?

În cele ce urmează, această lucrare va prezenta o radiografie a principalelor reacții europene generate de evenimentele fără precedent petrecute în capitala americană, considerată a fi un bastion al democrației. Începând cu Marea Britanie, se regăsesc în această lucrare reacții din mari democrații occidentale (Franța, Suedia, Olanda), dar și din foste state comuniste (Cehia, Bulgaria).

Londra

Inițial, reacția primului ministru britanic, Boris Johnson, la asaltul Congresului SUA (clădirea Capitolului) dat de către manifestanți favorabili actualului președinte, a fost un scurt mesaj pe *Twitter* care afirma că SUA

¹ <https://www.agerpres.ro/politica-externa/2021/01/07/democratia-occidentala-este-fragila-si-vulnerabila-conchide-presedintele-iranului-dupa-tulburarile-de-la-washington--639070>, consultat 21.01.2021.

reprezintă un standard al democrației în lume și este vital ca transferul de putere să aibă loc în liniște și în mod ordonat.

Ulterior însă, cu prilejul conferinței de presă periodice privind gestionarea pandemiei Covid-19, premierul britanic și-a elaborat poziția privind asaltul violent al Congresului american. Oficialul britanic l-a criticat direct pe președintele Donald Trump, pentru prima oară de la preluarea conducerii Executivului de la Londra, apreciind că acesta „a greșit complet” când a pus sub semnul întrebării rezultatul alegerilor prezidențiale americane și și-a încurajat susținătorii să ia cu asalt clădirea Capitoliului. Premierul Johnson a salutat faptul că democrația a prevalat și Joe Biden a fost confirmat președintele ales al SUA.

Reacții la cele întâmplate la Washington au venit și din partea ministrului de Externe, Dominic Raab, care a afirmat că nu există nici o justificare pentru violențele manifestate și a salutat cu bucurie validarea alegerii noului președinte american Joe Biden după „evenimentele șocante” de miercuri, adăugând că Marea Britanie a condamnat „fără echivoc” violențele de la Washington.

Ministrul de interne, Priti Patel, a catalogat ca inacceptabile și nedemocratice evenimentele de la Capitoliu și a afirmat că mesajele președintelui Trump au „alimentat direct” violențele și că Trump „nu a făcut nimic pentru a detensiona situația”.

Cele mai dure critici la adresa președintelui Trump au venit din partea principalului partid de opoziție – Partidul Laburist. Liderul laburist, Sir Keir Starmer, a declarat că asaltul reprezintă un atac direct la adresa democrației, iar Donald Trump ar trebui să „își asume responsabilitatea” pentru ceea ce s-a întâmplat, adăugând că ceea ce s-a întâmplat la Washington DC a reprezentat „punctul culminant al anilor politici de ură și diviziune”. Și alți membri din conducerea Partidului Laburist l-au acuzat atât pe Donald Trump, cât și Partidul Republican, ca fiind autorii morali ai scenelor violente petrecute la Washington.

Ministrul de finanțe Rishi Sunak a afirmat că în orice democrație, transferul pașnic de putere este la fel de important ca și alegerile.

Șefa Executivului regional (descentralizat) scoțian, Nicola Sturgeon, a declarat că Donald Trump „a incitat la insurecție în propria țară” și a asociat incidentele respective unei „perioade întunecate” din istoria SUA. Ministrul scoțian al Justiției, Humza Yousaf, a plusat și a declarat că Ministrul de Interne britanic ar trebui să „ia în mod serios în considerare” varianta ca lui Donald Trump să i se refuze pe viitor intrarea în Regatul Unit.

Președintele Camerei Comunelor, Sir Lindsay Hoyle, și-a exprimat solidaritatea față de omologul său american, Nancy Pelosi, al cărei birou a fost spart de protestatari.

Fostul prim-ministru conservator Theresa May, a condamnat incidentele din capitala SUA și a afirmat că nu trebuie să existe toleranță față de „domnia gloatei” (the rule of mob”).

În mod sugestiv, chiar și Nigel Farage, fostul lider al UKIP (partid xenofob ultra-pro-Brexit) și unul dintre principalii artizani ai lanțului de evenimente care au dus la retragerea UK din UE, considerat „bun prieten” și „aliat britanic” al lui Donald Trump) a condamnat asaltul asupra clădirii Congresului american, chiar dacă a evitat să-l critice direct pe (încă) președintele american.

Mass media britanice au fost, unanim, critice sau foarte critice față de evenimentele din Washington și susținătorii/promotorii acestora. Chiar și „port drapelul” presei de dreapta, cotidianul „*The Daily Telegraph*”, apropiat de Partidul Conservator (de guvernământ) a titrat că Donald Trump, prin contestarea rezultatului alegerilor prezidențiale și încurajarea asaltului Congresului a lăsat SUA „cea mai întunecată moștenire” dintre toate al căror „autor” este.

Criticile directe ale primului ministru britanic la adresa președintelui american (încă în funcție) reprezintă primul gest public al oficialului britanic de a se distanța de Donald Trump, după ce pe tot parcursul mandatului președintelui american, cei doi oficiali s-au „întrecut” în complimente reciproce. Relația Johnson-Trump a beneficiat de „chimia” personala dintre cei doi politicieni, premierul britanic apreciind că președintele american „are foarte, foarte multe calități”, iar președintele american catalogându-l pe Johnson ca fiind „un Trump britanic”.

Comentatorii britanici analizează în ultima perioadă modul în care se va derula „relația specială UK – SUA” în timpul Administrației Biden, în contextul în care canalele directe de comunicare dintre politicienii conservatori britanici și politicienii democrației americani nu sunt la nivel optim (deși diplomația britanică lucrează deja cu „motoarele turate la maximum” pentru a stabili și dezvolta intrările la nivelul „echipei președintelui-ales Biden).

Totuși, este de remarcat că premierul britanic nu a ținut cont de „chimia personală” (indiferent cât ar fi contat aceasta în timpul Administrației Trump) ci de interesele de stat, „pregătirea terenului” pentru relaționarea guvernului conservator de la Londra cu viitoarea Administrație Biden începând imediat după alegerile prezidențiale americane din 3 noiembrie 2020, cu „marea curățenie” de la Downing Street 10 (Oficiul Primului Ministru), care a presupus eliberarea din funcție a „atotputernicului” Dominic Cummings, fostul prim-consilier politic și strateg-șef al premierului Johnson (și, de asemenea, fost director al campaniei „*Leave*” înainte de referendumul din iunie 2016 care a declanșat procesul de retragere a UK din UE). Eliminarea lui Cummings din „inima

sistemului” (împreună cu alți apropiați pe care în adusesse în aparatul de lucru al primului ministru – toți încadrați în profilul „*Ultra Brexiteer, Eurosceptics, white working class heroes*” – deși pusă (convenabil) de presa britanică pe seama „intrigilor de palat” și „can-can-urilor de Curte”, a fost un semnal clar de pregătire a relațiilor cu Administrația Biden (relații în care Cummings nu avea nici un rol de jucat, decât cu riscuri nesustenabile pentru Londra – premierul Johnson a ignorat 11 luni după câștigarea alegerilor din 12 decembrie 2019 apelurile „disperate” din propriul partid, guvern și din partea corpului funcționarilor publici și a presei de a „renunța” la Cummings, dar s-a hotărât brusc „să-l vadă în adevărata lumină” după aflarea rezultatului alegerilor prezidențiale din SUA), semnal dublat și confirmat de alegerea succesorului lui Cummings în persoana lui Dan Rosenfield, un „tehnocrat” cu profil de „finanțist” și bun organizator din Ministerul de Finanțe.

Distanțarea publică recentă a premierului Johnson de președintele Trump, pe baza evenimentelor din Washington DC, re-semnalează și reconfirmă astfel obiectivul preexistent al Londrei de a plasa relația cu SUA pe o nouă traiectorie, ajustată la valorile politice și sociale reprezentate de Administrația Biden. Linia oficială de mesaj, în orice caz, va continua să fie aceeași la orice referire la, mai mult sau mai puțin critică, la „trecutul” relațiilor cu Administrația Trump: «„relația specială Londra–Washington” este mult prea veche, mult prea testată „pe teren” și mult prea solidă pentru a fi subsumată vreunei relații personale între doi lideri», descriere reduționistă dar, în mare măsură, reală.

Paris

Asaltul violent lansat, la 6 ianuarie 2021, de susținătorii președintelui în exercițiu al SUA asupra Capitolului a stârnit reacții critice în Hexagon, atât în rândul oficialilor francezi, cât și a analiștilor politici.

Deplângând situația din capitala americană, șeful statului francez, Emmanuel Macron, într-un discurs rostit în cursul nopții din 6 spre 7 ianuarie 2021, a subliniat că, atunci când, într-una dintre cele mai vechi democrații din lume, partizanii unui președinte pe cale de a-și încheia mandatul pun sub semnul întrebării, cu forța armelor, rezultatele legitime ale unui proces electoral, este atacată însăși ideea universală de un om, un vot. A precizat că, în circumstanțele date, Franța se poziționează cu hotărâre alături de poporul american și, la modul general, alături de toate popoarele care înțeleg să-și aleagă liderii, să-și decidă destinele și viața, recurgând, în mod liber și democratic, la alegeri. Și-a exprimat încrederea în forța democrației americane și a reafirmat prietenia Franței cu SUA.

O serie de observatori ai scenei politice franceze a relevat caracterul ușor teatral al intervenției publice a liderului de la *Palatul Elysée*, explicându-l

prin analogia pe care demnitarul evocat a făcut-o probabil între evenimentele de la Washington și acțiunile din trecut ale „vestelor galbene” din Franța.

Ministrul pentru Europa și afaceri externe de la Paris, Jean-Yves Le Drian, într-un „tweet” postat la 6 ianuarie 2021, a condamnat, la rândul lui, violențele comise împotriva instituțiilor americane – violențe socotite a constitui o atingere gravă adusă democrației. A reliefat imperativul respectării voinței și a votului poporului american.

În viziunea lui Piotr Smolar (*Le Monde*, consultat 08.01.2021), tulburarea istorică ce a cuprins Capitoliul și întreaga Americă dezvăluie exact ceea ce sunt astăzi SUA: o țară divizată, distrusă, cu instituții aflate sub tensiune, o țară în care arde ura dezinhibată printre adepții extremiști ai lui Donald Trump, o țară a cărei imagine în străinătate este afectată pentru multă vreme.

Plecarea lui Donald Trump nu va reprezenta un „leac” miraculos. „Grădinarul-șef” și-a făcut treaba: semințele urii disimulate sub mantia patriotismului au încolțit datorită sprijinului unui ecosistem mediativ iresponsabil din dreapta. Intoleranța și reflexele conspirative condiționate nu sunt simple perturbații pasagere în raport cu uriașa victorie electorală ca număr de voturi a lui Joe Biden. Ele relativizează și reduc anvergura acesteia, lărgind polarizarea.

Étienne Lefebvre (*„Les Echos”*, consultat 08.01.2021) consideră că 6 ianuarie 2021 va rămâne o dată întunecată pentru America, nu doar un simplu episod din cele care au marcat patru ani de furie și gestionare haotică, corespunzător erei Trump. Dar momentul respectiv va fi asimilat poate și unui eveniment fondator. Sau cel puțin punctului de plecare al unei necesare clarificări.

Potrivit corespondentului la Washington al cotidianului „Le Monde”, Gilles Paris, Donald Trump, care a promis să-i redea Americii grandoarea, și-a orchestrat cea mai gravă umilință. Autoproclamatul campion al „legii și ordinii” a întărit o haită dispartă, până la punctul în care aceasta a întreprins un asalt răspunzător de moartea a cinci persoane în templul democrației americane. Cel care jura să nu renunțe niciodată, a trebuit, în circumstanțele date, să cedeze o zi mai târziu. Totul a fost spus. Nu mai e nimic de adăugat.

Stockholm

Urmare evenimentelor înregistrate la 6 ianuarie a.c. la Washington D.C., premierul suedez, Stefan Löfven a transmis presei suedeze o declarație în care a arătat că urmărește cu preocupare evoluția evenimentelor din capitala americană, pe care le-a calificat drept un atac la adresa democrației. Premierul suedez a subliniat responsabilitatea președintelui Trump și a

multor membri ai Congress-ului pentru situația creată și a insistat că procesul democratic de alegere a Președintelui trebuie respectat. A amintit că SUA sunt o democrație puternică și a exprimat speranța într-o restaurare pașnică a ordinii publice. Declarațiile premierului suedez au fost completate de cele ale ministrului suedez de externe, Ann Linde, care a subliniat sensibilitatea situației create și a apreciat reluarea demersurilor oficiale de confirmare a lui Joe Biden ca președinte ale SUA. Ministrul Linde a subliniat responsabilitatea președintelui Trump în aceste evoluții, provocată de faptul că acesta a refuzat să accepte înfrângerea și a insistat asupra respectării rezultatului alegerilor, a reluării dialogului politic și evitării folosirii forței.

Ulf Kristersson, liderul Partidului Moderat (principalul partid de opoziție, orientare conservatoare, familia politică PPE) a postat, de asemenea, un mesaj în care a exprimat preocuparea față de evenimentele recente din SUA, considerate drept un atac a adresa Constituției și democrației americane și în care a subliniat responsabilitatea președintelui Trump în aceste evoluții.

Ebba Busch, liderul Partidului Creștin Democrat (partid de opoziție, orientare conservatoare, familia politică PPE) a postat un mesaj în care a condamnat evenimentele înregistrate și a remarcat faptul că președintele Trump nu a făcut nimic pentru detensionarea situației.

Annie Lööf, liderul Partidului de Centru (orientare liberală, care acordă sprijin în Parlament guvernului condus de social-democrați) a postat un mesaj de condamnare a situației create în capitala americană.

Reacțiile liderilor politici confirmă pozițiile exprimate anterior de aceștia, potrivit cărora Joe Biden a câștigat alegerile, iar procesul democratic american trebuie să își continue evoluția firească.

Reacțiile mass-media și ale comentatorilor de politică externă suedezi privind evenimentele de ieri de la Washington au fost mult mai critice. Unii analiști suedezi au vorbit despre o încercare de lovitură de stat legală și au condamnat în termeni categorici faptul că președintele Trump refuză să recunoască victoria adversarului său politic. Totodată au atras atenția asupra impactului potențial al acestei situații asupra poziției SUA pe plan internațional în viitor.

Haga

La data de 7 ianuarie a.c., toate marile ziare olandeze au acordat prima pagină și au publicat mai multe articole despre pătrunderea violentă a susținătorilor președintelui D. Trump în Congresul Statelor Unite ale Americii.

Ziarul NRC titrează: *„Fanii lui Trump iau cu asalt Congresul: confirmarea alegerii lui Joe Biden este oprită de susținătorii lui Trump care încearcă să pună mâna pe clădirea parlamentului”*. Ziarul a mai publicat articolul *„Asaltul asupra*

Capitolului în fotografii” și analiza „Îl va mai sprijini Partidul Republican acum pe Trump? Haosul din jurul Capitolului și rezultatul cursei pentru Senat din Georgia au scos la iveală luptele interne din partid”.

Ziarul *Het Financieel Dagblad* titrează: „*Haos și violențe la finalul procesului pentru alegerea președintelui american*” arătând că finalul procesului electoral este în linie cu etapa turbulentă prin care a trecut țara în ultimii patru ani.

Pe prima pagină a ziarului *Trouw* apare articolul „*Asalt în inima democrației americane: Washington- susținători ai lui Trump au pătruns prin forță în interiorul Capitolului. Trump a făcut un apel la liniște prin Twitter, dar a repetat că alegerile au fost furate. Primarul orașului a cerut întărituri*”. În același ziar a fost publicat și articolul „*Susținătorii lui Trump se dezlănțuie, dar Georgia îi dă puterea lui Biden. Asaltul asupra Capitolului american*”.

Cotidianul *De Volkskrant* dedică, de asemenea, prima pagină incidentelor de la Washington: „*Susținătorii lui Trump iau cu asalt Capitolul: susținători furioși ai președintelui Donald Trump au luat cu asalt Capitolul din Washington, unde membrii Congresului se pregăteau să confirme victoria lui Joe Biden. America este în șoc profund în urma atacului violent în inima democrației*”. Cotidianul mai publică articolul: „*Bătălie la propriu pentru putere în SUA: În timp ce victoria electorală a președintelui Biden era pe punctul de a fi validată, Capitolul din Washington a fost asaltat de susținătorii furioși ai președintelui Trump*”, precum și reportajul: „*Ne-am recucerit cetatea! "Nu mai acceptăm așa ceva" a strigat Donald Trump susținătorilor săi la Washington miercuri. "Luptă pentru Trump, luptă pentru Trump!", a fost răspunsul lor. Nu după mult timp, au asaltat Capitolul. „Acum trebuie să ne asculte*”.

Ziarul *De Telegraaf* scrie pe prima pagină: „*Trump aruncă SUA în haos: Capitolul este luat cu asalt în timpul procesului de validare a victoriei lui Biden*”.

Menționăm că toate aceste ziare au continuat să publice articole pe marginea evoluțiilor din capitala americană, inclusiv analize asupra validării victoriei lui Joe Biden.

De asemenea, televiziunea națională NOS a dedicat mult spațiu incidentelor petrecute aseară printr-o serie de reportaje care au acoperit întregul curs al evenimentelor.

Totodată, a existat un val de reacții pe Twitter din partea unor politicieni sau analiști politici olandezi pe marginea evenimentelor din Washington. Subliniem reacția premierului Mark Rutte, care a luat poziție față de incidentele violente de la Washington, cerându-i printr-un *tweet* președintelui D. Trump să recunoască victoria contra-candidatului său la alegerile din noiembrie: „*Imagini oribile din Washington DC. Dragă Donald Trump, recunoaște-l astăzi pe Joe Biden ca viitor președinte*”. De asemenea, o serie de alți politicieni s-au pronunțat public pe Twitter pe marginea evenimentelor de aseară. Ministrul pentru Comerț Exterior și Cooperare

pentru Dezvoltare, Sigrid Kaag, liderul partidului Democrații66, a spus: „Îngrozător de privat. Imagini pe care nu le-am fi putut gândi vreodată în SUA. Fundamentul unei democrații este statul de drept. Ambele au fost aici atacate. Înfricoșător.” Ministrul Afacerilor Externe Stef Blok nu a avut o reacție la aceste incidente.

Ambasadorul SUA la Haga a scris pe pagina sa de Twitter: „*Timp de 18 ani, Capitolul Statelor Unite a fost locul meu de muncă. Mă doare inima să văd ce s-a întâmplat astăzi acolo. Gândurile și rugăciunile mele se îndreaptă către foștii mei colegi de pe Dealul Capitolului ... și către America.*”

Praga

Evenimentele din 6 ianuarie 2021, de la Washington, au generat reacții prompte și inechivoce din partea oficialilor cehi. Președintele Milos Zeman a criticat comportamentul președintelui Donald Trump, prin purtătorul său de cuvânt, Jiří Ovčáček, care a declarat că: „*Înfrângerea trebuie acceptată cu demnitate, nu trebuie să aibă loc nicio încercare de schimbare cu forța a rezultatului alegerilor*”.

Premierul Andrej Babiš a numit protestele „un atac fără precedent împotriva democrației, care au dus la decesul a patru oameni”. Babiš a scris pe contul său de Twitter că transferul de putere între președinți trebuie să decurgă într-un mod liniștit și calm. „*Sper cu tărie că aceste incidente nu vor continua*”, a mai adăugat premierul ceh.

Potrivit vice-premierului și ministrului de interne, Jan Hamacek, scenele din SUA sunt șocante și „*arată cât de departe au dus politica de escaladare a tensiunilor în societate, eforturile de polarizare și refuzul de a accepta rezultatul alegerilor democratice*”.

Ministrul afacerilor externe, Tomas Petricek, a scris pe contul său de Twitter că: „*Jaful și violențele din Senatul american nu sunt un bun exemplu pentru statele în care democrația se luptă să răzbească. Emoțiile din timpul celor mai recente alegeri din SUA au indicat faptul că întâlnirea de astăzi nu va fi lipsită de impedimente. Unde erau poliția și forțele de securitate ale Senatului...?*”

Liderul partidului de opoziție (ODS – Partidul Civic Democratic), Petr Fiala, a declarat că „*această (non) plecare a președintelui Trump afectează Republicanii și amenință în primul rând principiile de bază ale Constituției americane*”.

Analistul politic Petr Bohacek, din partea Asociației pentru Afaceri Internaționale, este de părere că președintele Donald Trump și o parte a societății americane au demonstrat că sunt pregătiți să se situeze la limita declanșării unui război civil. Bohacek a opinat că Trump este cel care a declanșat și tolerat violența și a stârnit cele mai nocive pasiuni în rândul oamenilor de-a lungul acestor ani. Este important de evidențiat faptul că o mare parte a Republicanilor a votat pentru respingerea rezultatului alegerilor, a adăugat Bohacek.

Analistul Petr Just, de la Universitatea Metropolitană Praga, subliniază că asaltul de la Capitoliu a fost cel puțin în mod indirect, dacă nu direct, provocat de retorica lui Trump. Acesta consideră că Trump nu doar că nu a recunoscut rezultatul alegerilor, făcând referire la o presupusă fraudă electorală, dar a sprijinit diverse teorii conspiraționiste și a criticat de nenumărate ori organisme constituționale, politicieni și mass media.

Jan Hormat, Universitatea Carolina Praga, apreciază drept benefic pentru era post-Trump din SUA faptul că forțele de securitate au permis intrarea protestatarilor în Capitoliu. Astfel, evenimentele vor declanșa catharsisul necesar la nivelul societății americane, după mandatul de patru ani al unui președinte care a pus vanitatea și ego-ul său înaintea intereselor țării.

Sofia

Bulgaria a privit cu interes maxim evenimentele din capitala Statelor Unite. Experții bulgari au comentat îndelung acest moment din istoria Americii²:

Hristofor Karadzhev, lector la Universitatea din California: *"Sper că acesta este sfârșitul Trumpismului, dar nu și sfârșitul democrației americane. Niciuna dintre obiecțiile la alegerile prezidențiale din anumite state, pe care s-au bazat unii republicani, și de care președintele Donald Trump vorbește constant, nu are șansa să treacă prin Congresul SUA, dar pata rușinoasă rămâne."*

Evgeniy Kanev, doctor în economie: *"Pentru acești oameni, Trump este un steag al rezistenței și al răzbnării, iar adevărul și democrația sunt ultima lor preocupare. Nu există fapte care să fie știri false, există doar o loialitate nemărginită față de Fuhrer. Nu își dau seama că Trump îi folosește ca ultimul său instrument înainte ca sistemul de justiție să intervină cu privire la el."*

Evgeny Daynov, politolog: *"Nu sunt sigur dacă acesta este finalul erei Trump. Încă mai există timp pentru mai multe daune - să zicem, o nouă revoltă pe 20 ianuarie, în timpul depunerii jurământului lui Joe Biden ca președinte. Evaluarea evenimentului de aseară este: așteptată și inevitabilă. Nu știu de ce au fost atât de șocați comentatorii americani. După 4 ani de incitare a oamenilor împotriva instituțiilor și a legii, mai devreme sau mai târziu se vor revolta - incitare pe care o făcea Trump în fiecare zi, cât era președinte. Ciudată a fost inacțiunea inițială a poliției. Dacă atacatorii erau de culoare, ar fi fost opriți și arestați în câteva minute."*

Alexander Kyosev, directorul Centrului Cultural al Universității din Sofia:

"Am urmărit filmările intrării în Capitoliu pe canalele bulgare, pe CNN, pe Deutsche Welle, BBC și pe Bloomberg. Din câte am văzut, judec că poliția americană le-a dat acces în mod deliberat, fie este formată din incompetenți. Dacă ar fi chemat

² https://www.dnevnik.bg/analizi/2021/01/07/4160703_trump_se_prostrelia_mnogo_losho_v_kraka/, consultat 08.01.2021

poliția lui Boyko din proteste, totul ar fi fost liniștit și pașnic. Pe de altă parte, sfârșitul oricărui populism agresiv, pseudo-carismatic este clar vizibil - se înecă în propriile sale acțiuni contraproductive, care nu duc nicăieri.

Ceea ce rămâne, însă, este furia a 70 de milioane de americani. Dacă Biden și administrația sa nu țin cont de această furie, lucrurile nu se vor îmbunătăți.”

Yavor Raichev, politolog: *„Statele Unite sunt împărțite în două și fiecare parte își citește propria mass-media, vizitează diferite spații de socializare și o urăște pe cealaltă. Acest lucru este valabil atât pentru stânga extremă, cât și pentru dreapta extremă.*

Succesul viitorului președinte, Joe Biden, va depinde în mare măsură de cât de bine unește societatea americană.”

Ognyan Minchev, politolog: *”Pe de o parte, există o dinamică continuă de dezvoltare a așa-numitei revoluții multiculturală cu numeroase minorități sexuale, în general cu un cult al minorităților. Pe de altă parte, este o America mai conservatoare, care aderă la valori culturale tradiționale, care nu poate accepta această dinamică culturală și schimbările care vin odată cu aceasta. Această diviziune culturală joacă un rol foarte important în ciocnirile din Statele Unite.”*

Simeon Dyankov din Capitoliu: sunt prezente armata și poliția

”Am încercat să merg la Capitoliu, dar există o puternică prezență militară și polițistă acolo. Nici la Casa Albă nu se poate ajunge, deoarece există disponibilitatea de a reacționa dacă acțiunile de acest fel continuă. Totul este calm acum și se mută pe scena politică. Democrații doresc înlăturarea lui Donald Trump”, a declarat fostul ministru al finanțelor, Simeon Dyankov. El a adăugat că elicopterele militare trec constant asupra zonei. Potrivit acestuia, nu există niciun motiv pentru a considera alegerile din Statele Unite ca nefiind corecte.

”De când au avut loc, au existat suspiciuni de revolte. Au fost respinse de toată lumea, dar am văzut ce s-a întâmplat. Au fost mii de oameni care au asaltat Capitolul. Unii oameni consideră că alegerile au fost nedrepte, dar eu nu cred asta”, a spus Simeon Dyankov.³

Un bulgar, care este un republican și publicist proeminent și care trăiește în Statele Unite de 20 de ani, a participat la mitingul organizat de Trump. Ulterior a avut o întâlnire de lucru la Capitoliu și a intrat. Atunci a asistat la începutul atacului. *”Revolte și vandalismul au fost o curiozitate pentru noi toți. Am reușit să mă aflu în Capitoliu timp de 10-15 minute, și apoi am plecat”, a adăugat bulgarul. El este convins că ceea ce s-a întâmplat a fost regizat de aceiași oameni din spatele protestelor din America în timpul verii.⁴*

³ <https://www.dnes.bg/usa/2021/01/08/simeon-dyankov-ot-kapitolia-ima-armia-i-policia.475770>, consultat 08.01.2021

⁴ <https://www.bgonair.bg/a/4-world/213846-za-shturma-v-kapitoliya-otvatre-razkaz-ot-parvo-litse-na-edin-balgarin>, consultat 08.01.2021

Potrivit ziaristului Ognyan Daskarev, ceea ce a văzut întreaga lume aseară este inacceptabil. *"Au fost aproximativ o jumătate de milion de oameni, plini de furie pentru că erau convinși că lui Trump i-a fost furată victoria. Cred că intrarea în Capitoliu este o lovitură foarte dură pentru gardieni. Acest lucru a fost condamnat și de liderii mondiali. Cu toate acestea, vara trecută au avut loc demonstrații uriașe de protestatari împotriva așa-numitului „rasism”, care au dat foc la zeci de clădiri, secții de poliție. Au distrus mii de obiective comerciale, au rănit aproximativ 1.000 de ofițeri de poliție și au ucis aproximativ 50. Nu am auzit o asemenea indignare, condamnare din partea presei și a liderilor mondiali. Nu justific ce s-a întâmplat ieri, dar îl definesc ca pe un dublu standard",* a adăugat Ognyan Daskarev.⁵

Prof. Rumyana Kolarova, politolog, a exprimat opinia că *"Există radicalizare de ambele părți. Când aveți o societate divizată și personalități politice importante se ciocnesc într-un asemenea mod, le oferă organizațiilor radicale libertatea de a face tot ce vor".*

"74 de milioane au votat pentru Donald Trump și 81 de milioane pentru Joe Biden. Adică 155 de milioane de oameni. Listele electorale din Statele Unite sunt de 153 de milioane. Aceasta înseamnă că prezența la vot este de peste 100%. În alegerile precedente au participat 55,7 % din alegători. Dacă presupunem că de această dată au participat 66%, iar Trump a primit 74 de milioane, lui Biden i-au mai rămas 31 de milioane. O mare parte din americani vor rămâne cu sentimentul că au fost înșelați", a explicat analistul internațional Boyan Chukov.⁶ *"Aici încearcă să pună toată responsabilitatea pe umerii lui Trump și, de fapt, el are mulți complici din toate mass-media liberale. L-aș sfătui pe Donald Trump să-l invite pe președintele ales Joe Biden la Casa Albă să se întâlnească, și astfel să facă primul pas către unitatea națiunii",* a declarat prof. Yonko Mermerski. *"Donald este foarte previzibil și acesta este punctul său slab. Mass-media l-a provocat să reziste până la ultimul moment și să-i incite pe susținătorii săi. L-au prins în capcană",* a spus profesorul. Yonko Mermerski a subliniat că trebuia asigurată mai multă securitate și un perimetru mai mare. El a adăugat că situația actuală din Statele Unite este ca cea din două țări separate.⁷

În loc de epilog

După evenimentele din 6 ianuarie, o parte din colaboratorii apropiați din cadrul administrației Trump, au făcut pași în spate. Elaine Chao, secretarul american pentru transport, și-a anunțat demisia din cauza atacului asupra Parlamentului american. Aceasta este soția actualului lider al

⁵ <https://www.dnes.bg/world/2021/01/07/dvoen-standart-pri-razmiricite-v-kapitolia-i-tezi-sreshu-rasizma.475755>, consultat 08.01.2021

⁶ <https://www.bgonair.bg/a/36-sutreshen-blok/213889-eksperti-koronavirusat-provali-tramp-demokratsiyata-v-sasht-e-komprometirana>, consultat 10.01.2021

⁷ <https://www.dnes.bg/usa/2021/01/08/prof-mermerski-mediite-vkaraha-v-kapan-trymp.475776>, consultat 08.01.2021

majorității Senatului Republican, Mitch McConnell. Ea a spus într-o declarație că atacul „*m-a deranjat profund și pur și simplu nu pot rămâne indiferentă.*”

Demisiile din cauza dezacordului cu rolul președintelui în situația fără precedent au început în cu un consilier adjunct pentru securitate națională. Stephanie Grisham, șeful de cabinet al Melaniei Trump și fostă purtătoare de cuvânt a Casei Albe, a demisionat și ea în această seară.⁸

Secretarul american pentru educație, Betsy Devos, a demisionat după revoltele din Capitoliu. În scrisoarea sa către actualul președinte Donald Trump, aceasta a declarat:

„Nu există nicio îndoială cu privire la impactul retoricii dumneavoastră asupra situației și pentru mine a fost un punct de cotitură.”

Donald Trump l-a recunoscut pe președintele ales Joe Biden și și-a condamnat susținătorii care au recurs la violență și au asaltat Capitolul, au raportat agențiile de presă mondiale.

Într-un mesaj video, Trump a spus că, după ce Congresul a aprobat rezultatele, noua administrație va prelua funcția pe 20 ianuarie, iar el însuși se va concentra pe asigurarea unui transfer lin al puterii, organizat și fără probleme. De asemenea, Trump a criticat violența, numind-o „*un atac teribil*”. „*La fel ca toți americanii, sunt revoltat de violență și de haos*”, a spus el într-un mesaj postat pe Twitter.

„*Oricine a încălcat legea va fi tras la răspundere*”, a adăugat Trump, fără să-și recunoască rolul în ceea ce s-a întâmplat, având în vedere acuzațiile sale repetate de fraudă electorală și încurajările pe care le-a făcut în sensul de a se merge la Capitoliu. Trump și-a asigurat adepții că le înțelege dezamăgirea, dar le-a promis că el nu se va opri, „*călătoria noastră incredibilă abia începe*”.

Nancy Pelosi, care a fost recent aleasă pentru un nou mandat în funcția de președinte al Camerei Reprezentanților a SUA, a cerut îndepărtarea imediată din funcție a președintelui Donald Trump. Chuck Schumer, care va conduce în curând majoritatea democraților în Senat, a declarat că președintele nu ar trebui să rămână în funcție nicio zi în plus.

Pelosi s-a adresat vicepreședintelui Mike Pence și i-a solicitat să recurgă la cel de-al 25-lea amendament al Constituției, care stabilește, printre altele, cum se procedează în cazul în care președintele nu își poate îndeplini atribuțiile.

⁸ https://www.dnevnik.bg/sviat/2021/01/07/4161012_purvi_ministur_na_trump_podade_ostavka_zaradi_shturma/?ref=home_NaiNovoto, consultat 08.01.2021

⁹ <https://news.bg/int-politics/i-ministarat-na-obrazovaniето-na-sasht-podade-ostavka.html>, consultat 08.01.2021

În acest caz, se intenționa ca el să fie declarat mental instabil și, prin urmare, incompetent și periculos pentru țară. *"Trump este foarte periculos pentru americani și pentru democrația americană"*, a spus Pelosi a doua zi după ce revolta de la Capitoliu a ucis patru persoane. Dacă vicepreședintele nu face acest pas, Congresul este gata să lanseze o procedură de impeachment.

La două luni și jumătate de la alegerile prezidențiale, Joe Biden a fost investit ca președinte al SUA, la data de 20 ianuarie 2021. Biden, în vârstă de 78 de ani, este al 46-lea președinte al SUA. "Democrația s-a impus", a conchis Biden la investire. El a făcut apel la "unitate" și a declarant toleranță zero rasismului. Trump nu a participat la investire lui Biden, fiind primul președinte american care procedea în această manieră în ultimii 152 de ani. Liderii europeni se bucură în general de investirea lui Biden, așteptând ca în timpul mandatului noului președinte, să se producă re consolidarea relațiilor transatlantice.

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III. România la frontiera estică a Europei.

Patru *imagini* ale umanului până la perioada modernă

Horia CIOCAN*

Abstract: *The thesis of this article is that man is a constant transformation. The evolution of man is seen here through four periods of history. In these four epochs of human transformation I'm showing the image of man as his was modified by each of them.*

Keywords: *Antiquity, roman period, gothic, renaissance, modern man, image*

Modul în care omul se transformă de la o epocă la alta și calea pe care spiritul său o parcurge sub influența acestor transformări, pe care el însuși le determină în parte, nu pot fi surprinse de o anume știință singulară. Încercării de a da un răspuns bazat pe un fundament pluridisciplinar îi scapă în continuare acel ceva pe care doar arta îl poate aduce la iveală. A spune că arta este expresia unei epoci n-ar însemna decât să înțelegem prin opera de artă un semn al timpului din care provine; însă ceea ce face ca arta să păstreze spiritul unei epoci nu este doar aspectul temporal, ci esența sa care este eternă.

Arta ca imagine a unei epoci vine să dea seama tocmai de ce epoca are mai intim, mai particular: spiritul ei. Dacă cuvântul dă o anumită intensitate acestui spirit, un lucru totuși este cu desăvârșire incapabil să-l realizeze: să-l facă să strige, adică să-i redea toată puterea atunci când îl scoate la iveală. Revelarea celor mai tainice trăsături ale unei epoci este apanajul artistului, fie chiar și într-un mod inconștient. Chiar dacă detaliile cotidiene pot fi reținute de psihologie sau de sociologie, evenimentele politice de istorie, cele economice de diversele statistici, bucuria, tensiunea, tristețea și sentimentele cele mai profunde care însoțesc viața omului sînt reflectate în imaginea artei, care se constituie în sîpetul păstrător a tot ce înseamnă valoare umană de-a lungul veacurilor.

Aspectul care ne interesează mai cu seamă în acest articol este *imaginea* păstrată în pictura secolelor XIX și XX a perioadei care urmează după evenimentul pe care Nietzsche îl numește „moartea lui D-zeu” și

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reflexul în artă a epocilor care conțin *imagini premonitorii* ale acestui eveniment. Ceea ce surprinde în arta, și mai ales în pictura ultimelor două secole este echilibrul distrus și înlăturarea normei care se regăsea în tot parcursul artei. Norma la care ne referim este latura umană care se regăsește în centrul întregului parcurs al artei din antichitate și care se pierde în secolele XIX și XX.

Singura unitate viabilă de considerare a artei, dincolo de amănuntele criticii de artă – pe care de alt fel le cuprinde –, rămâne omul ca principal destinatar și creator-revelator al ei. Iar legătura om-divinitate dezvăluită prin artă este măsura aprecierii omului, care odată ieșit din acest cadru va suporta o transformare radicală, aspect pe care vom încerca să-l expunem prin intermediul picturii în capitolele următoare.

Prezența sau absența acestui criteriu valoric reprezintă cea mai eficientă modalitate de a surprinde „altitudinea vitală” (Ortega y Gasset) a unei perioade istorice.

Antichitatea

Un aspect care conferă superioritate antichității în raport cu perioadele istorice care i-au urmat este dat de rolul artei. La ieșirea din preistorie arta apare ca ultimă modalitate de a face față misterelor existenței și spaimelor care se ascundeau în spatele lor. Tipul uman aparținând acelei perioade apare acum drept o structură mult mai puternică datorită modului în care înțelegea să-și ducă existența în vecinătatea a tot ceea ce înseamnă tulburător, misterios, nestăpinit, fără a încerca o dezlegare sau stăpânire a lor. Zeii erau întruparea a tot ce nu putea fi explicat și stăpinit de înțelegerea umană.

De cele mai multe ori chipurile și trupurile zeilor aveau înfățișarea a ceea ce am numi azi ființe fantastice. Chipurile sau trupurile de animal simbolizau sentimentele și trăirile străine omului. În Egipt sau în Mesopotamia zeii erau înfățișați prin intermediul artei în forma unui trup uman cu cap de animal. „*Omul este liniștitor pentru om deoarece posedă un chip, pe care se pot citi sentimentele și gândurile care devin astfel perceptibile, inteligibile. Animalul, dimpotrivă, prezintă o față pe care botul înseamnă amenințare, pe care privirea, afară de câteva animale superioare, cum sînt calul și cîinele, nu oferă nici o asemănare cu aceea a oamenilor și se refuză deci interpretării: în ea se pot citi mai ales lăcomia amenințătoare, instinctele de nepătruns pentru logică, ferocitatea.*” (Huyghe, 1971:212)

Zeii dobîndesc chip uman odată cu apariția *miracolului grec*, moment în care omul va deține un loc în societate potrivit demnității sale. Schimbarea care se produce în modul în care-și înfățișau oamenii zeii, e determinată de progresul care se produce în momentul nașterii rațiunii și a legilor dictate de ea, legi care vor domina societatea greacă. Cu toate acestea alături de zeii de acum umanizați, rămîn reprezentați în formă fantastică Sfinxul și Centaurul. O notă aparte e dată de minotaur, figură pe care grecii

o moștenesc de la o civilizație străveche. Însă și aspect e rezolvat într-un admirabil mod: minotaurul nu e preschimbat, mai mult e înfrînt de un atenian: Tezeu.

Cu apariția culturii grecești se ivesc zorii civilizației occidentale scăpată de teama necunoscutului în formă tulburător inumană. Umanizarea necunoscutului are într-un prim sens semnificația unui pas inițiat în adîncul unei imagini create de om însuși, care are rolul de a permite rațiunii să cuprindă și să încerce deslușirea unui mister ce poate fi mai bine abordat aducîndu-l într-o lumină mai familiară. Într-o a doua manieră de explicare a acestui gest se deschide în Grecia antică o legătură între divinitate și om, care în tîlmăcire artistică va fi exploatată pînă în prezent. Referitor la cea de-a doua cale, aceasta rămîne dovada de necontestat a situației omului în fiecare etapă a dezvoltării sale.

Perioada preromanică și romanică (550-1150)

În această perioadă principalul scop al artei este sacral, lumea bisericii. În întreg occidentul spectrul vieții este dominat de această sarcină, chiar și arta imperială se subordonează acestui scop. O notă aparte e dată de situația din Imperiul Bizantin, unde arta din domeniul religios are aceeași importanță cu cea dedicată împăratului. Prin noua sarcină a artei, sacral, omul și natura pătrund în domeniul supranaturalului.

„Edificiul ecleziastic se deosebește atît de cel al creștinismului timpuriu cît și de cel bizantin prin două trăsături: apariția turnurilor înalte care mai întîi iau locul cupolelor făcînd din clădirea ecleziastică o cetate divină de apărare; de asemeni prin raporturi spațiale înalte cu un caracter de turnuri. Pe de altă parte, prin eliminarea mozaicului și a mozaicului aurit, deci a elementului lumină provenit din zîd. Peretele devine tot solid – masiv ca în construcțiile unor culturi străvechi –, greoi, în timp ce în arta creștinismului timpuriu și în arta bizantină era delicat, eteric; devine stratificat, cel mai vizibil în portalul cu trepte, în culori șterse și terestre. Spațiile tind să fie întunecate. Lumina s-a retras pe suporturile de lumină, de pildă pe marile coloane de lumină de deasupra altarului. Săli de cult subterane, cripte joacă un rol important.” (Sedlmayr, 2001:204)

Figura divinității în această perioadă apare inițial în ipostaza de stăpîn al universului, iar în modalitatea de înfățișare a sa se amestecă și trăsături demonice menite a reliefa caracterul teribil al divinității. Reprezentate în mod deosebit sînt lupta Cristos cu răul, imagini ale Judecării de apoi, iar în interiorul bisericilor își fac loc figurile demonice. Imaginea divinității va evolua în această perioadă din cea de luptător, stăpîn, judecător spre una pe care credincioșii n-o vor mai privi cu teamă. Această ultimă schimbare are același sens cu transformarea în perceperea zeilor în perioada antică, adică semnifică o nouă modalitate de apropiere între om și divinitate. Un aspect care intrigă în contextul amintit este apariția figurilor demonice în lăcașurile de cult. Ceea ce rămîne ca marcă a acestei epoci este imaginea unui

dumnezeu stăpîn, dar care în finalul perioadei suferă o transformare care va face trecerea la etapa următoare a reprezentării relației om-divinitate.

Goticul (1140-1470)

Goticul stă sub semnul apropierii dintre Dumnezeu și om. Din imaginea lui Cristos dispare tot ce poate aminti de un Dumnezeu stăpîn și în locul severității apare o față mai umană. Creștinismul are rolul de a „înzestra universul cu o dimensiune încă necunoscută, extinzîndu-l dincolo de limitele rațiunii și deschizîndu-i spațiul infinit al Ființei transcendente: prin urmare el îi dădea din nou lui Dumnezeu, devenit unic de la Israel încoace, o existență fără nici o măsură comună cu aceea a omului. Departe de a-l strivi din nou pe acesta printr-o asemenea depășire, el stabilea între Dumnezeu și credincios o legătură mai profundă, mai intimă, cea mai liniștitoare dintre toate: iubirea (Huyghe, 1971:214 et urm.).” La rîndu-i biserica devine un spațiu mai luminos, încercîndu-se o transformare a bisericii într-o copie a cerului. Aici pentru prima dată din antichitate, figura omului reapare, lucru care duce la o tot mai profundă utilizare a detaliilor, a restudierii omului din punct de vedere senzorial și a redării cu tot mai multă fantezie a naturii. Cu aceste transformări arta stă în fața unei noi direcții: „*tabloul, pictura, sculptura și arhitectura la un loc devin un microcosmos.*” (Sedlmayr, 2001:207) Apare un nou spațiu menit să asigure un cadru coerent, unitar în care imaginea divinului și a unei naturi sanctificate să fie cuprinse în coordonatele prezentului. În acest sens apropierea dintre Dumnezeu și om se realizează printr-o tot mai pronunțată imagine omenească a divinității care este înfățișată împărțind aceleași suferințe, mizerii și umilințe cu omul. Patimile lui Cristos în formă umană stau drept pildă omului pentru ai dovedi că dincolo de aceste suferințe va fi capabil printr-un efort, care să-i depășească limitele, să ajungă la comunitatea cu lumea divină. „*Din ce în ce mai mult tabloul de rugăciune preia conducerea. Pe măsură însă ce subiectivizarea artei înaintează, ansamblul artei religioase se fărîmîțează. Vechea unitate se risipește în multe tablouri de rugăciune.*” (Sedlmayr, 2001: 208)

Ca o consecință a tot mai strînsei legături între imaginea omului și cea a divinității rolul artei e deturnat eșuînd de la o modalitate de realizare a comuniunii a două lumi, la cel de desfătare al ochiului. Astfel în măsura în care divinitatea dobîndește tot mai mult trăsăturile omului, în biserică cotidianul va dobîndi un spațiu tot mai mare. Încă o dată, cu această nouă perioadă a imaginii relației om-divinitate, se mai face un pas în desacralizarea rolului artei.

Renașterea și Barocul (1470-1760)

Dacă goticul stă sub semnul divinului cu trăsături umane, Renașterea aduce în prim plan omul care preia din caracteristicile divine. Apropierea dintre om și divinitate nu mai constă acum doar în faptul că omul este o creație a lui Dumnezeu, dar mai mult, creația umană devine un

reflex glorificator al acestei legături. Punerea în prim plan al omului și dezlegarea puterii sale creatoare ar putea fi marca individualizatoare a Renașterii. Natura e tot mai mult integrată în noile reprezentări ale divinului. Cristos apare de acum încolo înfățișat cu un trup de atlet amintind de statuile din Grecia antică. Natura, imaginea lui Cristos cu un trup perfect, nu sînt „*atît o păgînizare a creștinismului cît o creștinare a antichității păgîne de nivel înalt.*” (Sedlmayr, 2001: 209) Imaginea cristică care e tot mai mult prezentată triumfal, chiar în momentul crucificării, oferă omului curajul de a privi în viitor avînd certitudinea că răul a fost învins și el izbăvit.

Ca o consecință a noului status al omului, casa, palatul dobînesc o importanță sporită în raport cu biserica, cele două sfere ajungînd într-un final să se amestece, un bun exemplu constituindu-l palatul de la Versailles. În acest univers nou creat, omul capătă o tot mai accentuată importanță, aspect care are o influență hotărîtoare asupra operelor de artă care au valoare de acum ca produse ale sensibilității umane. În atmosfera Renașterii apare pentru întîia oară omul universal o dată cu Leonardo da Vinci, tip uman al cărui ultim exponent va fi Goethe. În acest univers încă religios, omul prin creația sa, datorită optimismului nemăsurat va face primii pași spre sine.

Cu toate acestea Renașterea nu este un fenomen care să cuprindă întreaga Europă, ea aparține și se dezvoltă mai ales în aria latină a continentului. Întoarcere la idealurile de frumusețe ale Antichității, promovarea rațiunii și a logicii sînt lucruri față de care Spania și țările din nordul Europei manifestă o puternică rezervă. Populațiile acestor spații apar mai tîrziu în Europa spre deosebire de popoarele care au la bază un substrat latin. Aceasta este cauza pentru care ele vor rămîne atașate esteticii medievale, iar Renașterea nu le va atinge decît superficial. „*Barocul spaniol sau cel german revendică în mod violent dreptul pe care îl are viața de a nu se supune constrîngerilor logicii inflexibile. Formelor concepute de spiritul abstract și bazate pe geometria lui rigidă, li se prefără, li se substituie acelea pe care le crează vegetația, înmulțindu-le în mod imprevizibil în elanul ei creator. Această întoarcere la viață, este în același timp, o reîntoarcere la vebemența fără constrîngere și la dezordinea ei.*” (Huyghe, 1971:216) Ca exemplu al acestei etape de reacție în fața Renașterii stau universul tragic al lui Michelangelo cu neîncrederea și teama în fața existenței, opera lui Johann Fussli, cea a lui William Blake care proclamă refuzul raționalului (opere care vor deschide calea Romantismului). „*În Renaștere se produce marele salt în evoluția omului spre individualism și spre o diferențiere a libertății: libertatea religiei, a societății, a muncii, gîndirii, a circulației. Lumea va fi zguduită din temelii de șocul descoperirii Americii, în timp ce individul se autorevelează și se glorifică...Omul e liber acum să-și dea o anumită formă și să și-o modifice, să tindă spre rău și spre bine, ori să se așeze la masă și să aștepte astfel așezat ca viața să i se sfîrșească. El a înțeles mai ales că baza existenței sale personale nu trebuie adaptată necondiționat la baza existenței universului, și că explicarea amîndurora trebuie*

să rezulte deopotrivă din ambele. Iar omul trage de aici două concluzii strălucite și valoroase: pe de-o parte, fiecare indivi își poate modela destinul propriu; iar pe de alta, fiecare este pe deplin responsabil pentru sine însuși. În Renaștere viața se transformă într-o aventură periculoasă și semnificativă, ce trebuie trăită cu pasiune, fără a o transfera altuia...De aici s-a născut singurătatea omului.” (Gala, 1997:4)

Renașterea este ultima perioadă istorică în care omul mai este parte a unui organism încheșat, lucru care-i conferă un loc din acest punct de vedere alături de Antichitate. Comună tuturor celor patru perioade amintite anterior este ideea legăturii dintre om și Dumnezeu, lucru care se va fi pierdut în modernitate și care rămîne cel mai puternic criteriu de delimitare a perioadei moderne de cele anterioare.

Perioada modernă

Semnul modernității e dat de ceea ce Nietzsche a numit moartea lui Dumnezeu. Este *noua schizmă*. Relația cu sacrul nu mai este una viabilă; legătura om-divinitate a pierut forța pe care o deținea în susținerea vieții. Noii zei ai omului devin, progresul, știința și mașina. Omul se află de acum înaintea doar față în față cu el însuși. Cel de-al doilea pol cu care el forma un univers, divinul, dispare. Această dispariție echivalează cu pierderea hotarelor care delimitau, asigurau forma și întrețineau structura unui spațiu. Singurătatea și spaima nu sînt lucruri pe care omul să nu le fi încercat pînă în modernitate, dar au stat oarecum la distanța menținută de forța degajată de micro-universul divino-uman. Aceste sentimente au ieșit la iveală în momentul în care omul fără suport divin trebuie să suplinească absența cu un ego hiper dilatat care-l va face să se dezintergreze. Noua libertate umană este cea în care el nu se va mai putea reculege pentru a se regăsi. Punctul lui de sprijin rămîne, și nu rămîne el însuși: ne mai reprezentînd un centru, nu se mai poate constitui în suport: se pierde în sine însuși, își scapă sieși.

Omul nu poate fi înțeles fără legătura cu sacrul. Noii idoli nu pot constitui un liant solid pentru întemeierea unei relații în care imaginea omului să capete contur. Omul slăbește. Forța de a-și asuma libertatea pe care omul renascentist o avea rămîne o amintire. În Renaștere ființa umană încă ființa în forma unui univers capabil să se automențină.

Nietzsche în fragmentul mai sus amintit din *Știința voioasă* dezvăluia că oamenii sînt ucigașii lui Dumnezeu. Moartea lui Dumnezeu nu este un lucru care să se fi petrecut în mod spontan; erodarea încrederii în eficiența acestei relații, oboseala omului de a fi parte la ea au dus la acest deznodămînt. *“Această ruptură se oglindește în contrastul dintre cultul rațiunii în construcția modernă și cultul iraționalului în pictura modernă.”* (Sedlmayr, 2001:155) Spaima care a apărut și în trecut stă mărturie că demonii din mintea omului au fost tot timpul prezenți. Bosch, Goya, F.C. David sînt mărturii în această privință. Pictura e cea care face vizibilă, poate chiar înconștient, dar

premonitoriu, starea de latență în care demonii l-au însoțit mereu pe om. Reușita Antichității rezidă în faptul de a fi reușit să găsească buna măsură, echilibrul, între latura divină și cea dezlănțuită a omului. Arta venea atunci să stea în ajutorul omului, să fie parte și oglindă trasfiguratoare a vieții. Încetul cu încetul, din forța purtătoare a acestui echilibru, începe să fie o formă de delectare a ochiului. Chiar în creștinism formele în care divinul apare în artă, se schimbă de la Romanic la Gotic, mai apoi la Renaștere și la Baroc. Labilitatea omului este tot mai greu stăpînită; aspectul apare reflectat în artă, prin evocarea imaginii omului despre sine și a relației lui cu Dumnezeu. Privirea Dumnezeului-om din Gotic, a Omului-divin din pictura renașcentistă, vine de nenumărate ori să vorbească cu înțeles de spaimele disimulate în adîncul sufletului uman. Prin imaginile din capitolele următoare vom ilustra acești pași în care teama, neîncrederea și decăderea omului au dus la moartea relației lui cu Dumnezeu, la moartea lui Dumnezeu și implicit a felului în care omul era perceput pînă atunci.

În lipsa divinității întreg spectrul de relații al omului se schimbă radical. Omul e singur chiar și între oameni; lipsa de comunicare determină o reformulare a relațiilor umane. *“Lucrul devine direct vizibil în acele orientări ale picturii moderne în care omul este forțat să ajungă la nivelul celorlalte obiecte vizibile al obiectelor celor mai neînsuflețite-...”* (Seldmayr, 2001: 155 et urm.) Fără suport divin omul devine un obiect neînsuflețit, se pierde într-un decor în care încearcă să-și formuleze o nouă identitate. Acum fără fundamentul divin, decorul devine tot mai rece și necunoscut omului. Dacă ar fi să urmărim raționamentul din fragmentul nietzschean, am putea considera că omul îl ucide pe Dumnezeu dintr-o prea mare încredere în sine, însoțită de o puternică dorință de a stăpîni singur, autonom. Însă tocmai aici, în încrederea nețărnută în sine, își are sursa eșecul omului: *“ Omul nu este om deplin decât ca purtător al spiritului divin”*. (Seldmayr, 2001: 158)

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Istoria comunității evreiești *status quo ante* din Oradea

Edith-Emese BODO *

Abstract. *The history of the status quo ante community of Oradea. The Congress did not solve the internal conflicts of the Jewish community of Oradea (today Oradea, Romania). On the contrary, divergences between the two parties only deepened. The debate revolved around the issue whether to accept the statutes established by the Congress. In this paper, I will outline the history of status quo ante community in Oradea, based on documents I found at the Bibor County Branch of the Romanian National Archives. I will examine the circumstances and conflicts that led to the emergence of this community, the administrative process related to its establishment, and its dissolution.*

Keywords: Oradea (Nagyvárad) Jewry; Neolog Jewish communities; Orthodox Jewish communities; *status quo ante* Jewish communities; divergences

Premisele

Deși conform Talmudului și a tradițiilor, într-o localitate ar fi trebuit să existe o singură comunitate israelită, după Congresul din anii 1868-1869 desfășurat la Pesta,¹ neținând cont de hotărârile luate cu această ocazie, în multe orașe din țară existau în paralel mai multe comunități israelite (Géza, 2012: 144).

Congresul n-a rezolvat contradicțiile nici din interiorul comunității evreiești orădene. Dimpotrivă, antagonismele dintre cele două grupări s-au

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¹ Denumirea oficială a Congresului a fost: „Congresul universal al israeliților din Ungaria și Transilvania” (A Magyar és Erdélyi Izraeliták Egyetemes Gyűlése). Despre Congres și urmările sale vezi: Katzburg, 1969: 1-33; Horel, 1994: 25-42; Patai, 1996: 312-327; Katz, 1998: 87-165; Komoróczy, 2012: 110-126.

adâncit. Discuția se purta acum în jurul întrebării: să se accepte sau nu statutele fixate de Congres?

În primăvara anului 1870, la Oradea, un grup compus din circa 200 de persoane care a fost de acord cu hotărârile Congresului, a intrat cu forța în sala de consiliu și le-a cerut funcționarilor care nu sunt de acord cu ei, să părăsească încăperea. Apoi au adoptat, în mod solemn, statutele stabilite de Congres. A doua zi a fost constituită o comisie de 19 persoane, cu o conducere proprie. Președinte a devenit dr. Pollák Hermann, iar locțiitor al său, Brüll Lipót.

Disputa a fost încheiată definitiv la 18 aprilie 1870 când, a fost convocată o ședință a conducerii comunității evreiești orădene, cu participarea tuturor membrilor săi. Întrucât majoritatea a adoptat o atitudine negativă față de gruparea „separatistă”, aflată în minoritate, aceasta a părăsit sala. Adunarea, statutar constituită, a respins în unanimitate statutul stabilit de Congres și a declarat că nu dorește să se reorganizeze, cu atât mai mult cu cât mandatul conducerii expiră abia la sfârșitul anului. S-a hotărât ca actuala comunitate să funcționeze în continuare pe baza statutelor aprobate de autorități cu nr. 1343 din 19 februarie 1865 (Mózes, 1995: 85). S-au dezis de gruparea „separatistă” care, într-o ședință separată, a acceptat punctele controversate. Împotriva hotărârii progresiștilor -au precizat- nu au nicio obiecție, dar au subliniat că: „aici este vorba despre crearea unei comunități religioase prevăzute de Congres, a alteia, noi, independente de cea de până acum, nu despre transformarea celei existente, deci aceea nu poate fi numită Comunitatea Israelită din Oradea. Sub această denumire trebuie înțeleasă comunitatea-mamă existentă”. Declarația de mai sus, apărută și în presa locală, a fost semnată de Held Hermann. Pentru rezolvarea diferendului, în cele din urmă, s-a făcut apel la Ministerul Cultelor și al Instrucțiunii Publice. Ministrul a recunoscut legitimitatea ambelor tabere: ortodocșii au dreptul la libertatea religioasă și de conștiință, dar nici față de neologi nu se poate admite utilizarea constrângerii. Cu alte cuvinte, ruptura este inevitabilă.

Declarația oficială a rupturii din interiorul vechii comunități israelite din Oradea s-a făcut la 5 august 1870 în Sala Mare a Primăriei în prezența primarului Lukács György. Prin aceasta, ruptura comunității evreiești orădene a devenit o realitate unanim acceptată. S-au constituit și conducerile celor două comunități. Din cea a ortodocșilor faceau parte, printre alții: Landesberg Áron, șef-rabin, Held Hermann, Kurländer Éliás, Kurländer Rafael, Munk Adolf, iar din cea a neologilor, Dr. Pollák Hermann, președinte, Brüll Lipót, vice-președinte, etc. (Mózes, 1995: 86; Lakos, 1912: 165-166).

În Oradea, după scindarea din 1870, s-a pus problema moștenirii averii, cine este moștenitoarea de drept a comunității-mamă. Această dispută a ținut până în 1876 când, comunitatea israelită ortodoxă, le-a plătit congresiștilor 10482 de pengő, drept despăgubire (Faragó, 1943: 4).

Totodată, neologii și-au dat seama în curând că oricum n-ar putea folosi cele două sinagogi ale comunității, locuința rabinului și spitalul, deoarece acestea erau situate în Oradea-Subcetate (Várad-Váralja) și evreimea progresistă, fără nicio excepție, locuia în Oradea-Orașul Nou și Oradea-Olosig.

Nu le-ar fi putut întrebuița nici în cazul în care le-ar fi câștigat în instanță. Ei visau la o casă de rugăciuni modernă, cu cupolă înaltă, înzestrată cu orgă și cor, cu slujba ținută în limba maghiară, iar sinagogile existente nu corespundeau acestui ideal. Problema spitalului nici nu s-a pus, întrucât acesta aparținea de Chevra Kadisha care se afla sub conducerea ambelor comunități. În primii ani după scindare, comunitatea neologă își ținea slujbele într-o casă de rugăciune ocazională (Schön, 1981: 62).

Istoria comunității *status quo ante* din Oradea

În cadrul comunității a existat și o a treia orientare, denumită *status quo ante*, adică „situația de dinainte”. Din aceasta făceau parte toți cei care, din punct de vedere organizatoric nu s-au alăturat nici neologiei, nici ortodoxiei. Toți cei care au aparținut acestei orientări au preferat menținerea situației existente de dinainte de Congres. În ceea ce privește numărul și influența sa, această grupare a fost cea mai mică, față de reforme n-a adoptat o poziție unitară, unele comunități *status quo ante* apropiindu-se de ortodoxie, altele de neologie (Lupovitch, 2003: 123-153. Se considerau pe ei înșiși, de regulă, ortodocși, dar separarea lor de ortodocși (sau invers) a creat tensiuni între ei și comunitatea ortodoxă (Komoróczy, Bányai: 2016: 41). Așa au stat lucrurile și în Oradea.

Există **trei momente importante** în scurta existență a acestei comunități. Din fericire, toate cele trei procese-verbale și alte documente s-au păstrat la Arhivele Naționale – Serviciul Județean Bihor (AN-SJBh, inv. 142, dos. 9). Știm că s-au păstrat toate, în original sau copie, grație lui Held Hermann, care mai întâi a fost președintele ortodocșilor, mai apoi a *status quo ante*, deoarece avocatul său, dr. Sonnenfeld Zsigmond, cu ocazia unui recurs împotriva ortodocșilor din 20 ianuarie 1882, a întocmit o listă a documentelor, datată 23 ianuarie 1882².

Primul moment este Adunarea Generală din data de 13 martie 1881 care este totodată și prima încercare de desprindere și autorealizare a *status quo ante*. Cu ocazia Adunării Generale a comunității israelite ortodoxe, ținută în Sala Mare a hanului Zöldfa (Arborele Verde), președintele comunității ortodoxe a dat citire cererii (Mózes, 1995: 87), apărută și sub formă tipărită și semnată de 152 de membri. De fapt au trebuit să hotărască dacă „comunitatea să-și păstreze în continuare caracterul ortodox așa cum s-

² Vezi documentul numărul din Anexa 3 (AN-SJBh, inv. 142, dos.9: f. 4-5).

a hotărât în ședința din 14 iulie 1872, respectiv să rămână în continuare parte a comunității israelite ortodoxe naționale și să respecte și de acum încolo toate statutele organice maghiare și transilvănene privitoare la comunitățile israelite ortodoxe existente și aprobate de cele mai înalte foruri sau părăsind aceasta, n-ar fi mai indicat și corespunzător să se transforme într-o așa-numită comunitate *status quo ante*” (AN-SJBh, inv. 142, dos. 9: f. 40). Potrivit mărturiei autentificate a notarului orădean, prezent și el la ședință, participanții au adoptat noile statute (Mózes, 1995: 88; AN-SJBh, inv. 142, dos. 9: f. 39-52). Dar, deoarece în cadrul comunității a apărut „o fracțiune de partid considerabilă”, o să li se respecte dorința și li se permite să iasă, chiar și acum (AN-SJBh, inv. 142, dos. 9: f. 40v) sau în viitorul apropiat, ba mai mult, nu se va aplica împotriva lor paragraful 7 al statutului național, conform căruia retrașii au obligația să suporte și ei sarcinile comunității părăsite (AN-SJBh, inv. 142, dos. 9: f. 41). Informații interesante despre desfășurarea și atmosfera din timpul adunării găsim și în ziarul „Nagyvárad” din data de 15 martie: „gălăgia a fost asurzitoare, președintele degeaba a scuturat de mai multe ori clopoțelul, tot nu s-a făcut liniște; s-au ținut discursuri deosebit de aprinse -bineînțeles că în limba germană- pro și contra” (Nagyvárad, 1881). Spre deosebire de cele relatate de Mezei Mihály, potrivit ziarului amintit, statutele au fost adoptate doar provizoriu.

Pasul următor este **ședința de constituire a comunității *status quo ante* din 18 mai 1881.**³ Încă de la început ei explică motivul separării, declarând că, hotărârile referitoare la israeliți intrate în vigoare în 1869, adică hotărârile Congresului, au avut urmări dăunătoare asupra comunității, au provocat ruptura: „am ajuns la concluzia că nu putem merge (n.a. din punct de vedere) ecleziastic împreună, nici cu acea fracțiune de partid care, sub titlul de progres, pune tot mai mult pe planul al doilea obiceiurile strămoșești și instituțiile noastre ecleziastice, nici cu acea fracțiune de partid care, excluzând consecvent orice progres, neacordând o atenție sporită educației religioase a copiilor noștri, vrând să scoată în evidență obsesiile inchiziționale ale epocii întunecate a asupririi”. Ei preferă situația de dinainte de ruptură și doresc să trăiască cu acea hotărâre a Adunării Generale din 13 martie (AN-SJBh, inv. 142, dos. 9: f. 35) conform căreia pot să iasă oricând, fără obligația de a suporta sarcinile comunității părăsite. De aceea, pe lângă declarația de separare: „aducem la cunoștință, în mod solemn și irevocabil că noi, subsemnații, aici la Oradea, pe lângă păstrarea Shulchan Aruch⁴, ținând cont de lege, ne-am constituit într-o comunitate *status quo ante* de sine

³ Vezi documentul din Anexa 1.

⁴ Principalul cod de legi al religiei iudaice (codificarea „halahică” a lui Joseph Karo) până în zilele noastre. A fost elaborat de către Joseph Karo (1488-1575) la Safed (astăzi în Israel) în 1563, apărând sub formă tipărită, doi ani mai târziu, la Veneția (Attias, Benbassa, 1997: 336-337).

stătuătoare, autonomă, independentă față de alte comunități israelite” (AN-SJBh, inv. 142, dos. 9: f. 35v). Președintele interimar, Held Hermann a fost rugat să fie președinte (AN-SJBh, inv. 142, dos. 9: f. 36) și deși cererea a considerat-o onorantă, n-a acceptat-o pe motivul că vrea să preîntâmpine „suspiciunile aruncate împotriva lui de o anumită parte” ceea ce vom vedea mai târziu că nu întârzie să apară, iar pe de altă parte a obosit să fie președinte căci înainte el a fost președintele comunității israelite ortodoxe. Au citit și au aprobat statutele comunității și au hotărât înaintarea lor la minister în vederea aprobării și alegerea unei comisii de 9 persoane dintre membri comunității a cărei sarcină va fi aceea de a organiza comunitatea⁵. Procesul-verbal a fost semnat de 100 de membri (AN-SJBh, inv. 142, dos. 9: f. 36v-37v).

După ce gruparea cu intenții de separare și de organizare a unei comunități *status quo ante* a înaintat statutele sale în vederea aprobării la Ministerul Cultelor și al Instrucțiunii Publice, Ullmann Izidor, și-a exprimat protestul în numele comunității ortodoxe și a cerut să nu se aprobe desprinderea grupului până când acesta nu își onorează obligațiile materiale pe care le are (Mózes, 1995: 88; AN-SJBh, inv. 142, dos. 9: f. 71). Deoarece comunitatea ortodoxă, în noiembrie 1877, a contractat un credit ipotecar în valoare de 20000 forinți, pe 20 de ani, din Fondul Național pentru Școli cu condiția ca 16 membri ai comunității ca plătitori, să gireze cu o poliță în valoare de 14300 forinți până la stingerea datoriei (Mózes, 1995: 88; AN-SJBh, inv. 142, dos. 9: f. 75-80). În afară de acestea, Ullmann Izidor a făcut referire și la faptul că retrașii sunt datori să achite taxa de cult a comunității și alte sarcini comunitare ce le revin, conform statutelor, nu numai pentru anul fiscal în care se retrag, ci încă pentru trei ani (Mózes, 1995: 88). Se pare că s-au răzgândit pe parcurs și nu voiau să se conformeze hotărârilor Adunării Generale din 13 martie. Probabil că și-au dat seama că ar pierde foarte mult din punct de vedere financiar și nici n-ar fi corect. În cererea înaintată și ortodocșii fac referire la vremurile de dinainte de Congres: „comunitatea noastră atât prin numărul de enoriași, cât și datorită evoluției instituțiilor timp de două secole, a fost considerată de prim rang în rândul comunităților din țară; bucurându-se de pace internă, cu o stare materială solidă”. La fel ca și *status quo ante* și comunitatea israelită ortodoxă consideră că, Congresul a provocat o criză în toate comunitățile „din care cauză și comunitatea noastră a fost zguduită din temelii, a dispărut pacea internă, comunitatea noastră s-a scindat în partide, în instituțiile noastre, în locul dezvoltării evoluției s-a instalat regresul” (AN-SJBh, inv. 142, dos. 9: f. 81).

⁵ Held Hermann, Weinberger Jakab, Robitsek József, Áron Solonom, Siegfried Mór, Izrael József, Pollák Mór, Klein Ignác és Hartmann Mór (AN-SJBh, inv. 142, dos. 9: f. 36).

Atunci au luat împrumutul ca să despăgubească comunitatea congresistă, dar peste câțiva ani, abia că și-au revenit, s-a desprins o grupare care a înființat *status quo ante*. În cerere descriu comunitatea *status quo ante*, într-un mod nu prea măgulitor și motivul pentru care, după părerea lor, s-a separat: „frântură care nu este în stare și nici nu vrea să înființeze și să susțină instituții, care și-a propus doar să distrugă comunitatea noastră, care numai de aceea se străduiește să fie o comunitate pentru ca să distrugă prin concurență venitul principal al comunității noastre, gabela” (AN-SJBh, inv. 142, dos. 9: f. 81v). O altă cauză, tot din perspectivă ortodoxă: răzbunarea unui grup de nemulțumiți pentru demiterea lui Held Hermann, fostul președinte ortodox israelit, adică din orgoliu personal (AN-SJBh, inv. 142, dos. 9: f. 31v). Dacă le permiteți desprinderea, comunitatea ortodoxă, ca să nu se facă de rușine, va fi în situația în care giranții vor trebui, fie să plătească datoria din propria avere, fie va trebui să scoată la licitație clădirile comunității în care sunt casele de rugăciuni ale comunității (AN-SJBh, inv. 142, dos. 9: f. 81v).

După toate acestea se putea observa deja că recunoașterea comunității *status quo ante* și a statutelor sale nu se va realiza fără dificultăți. Nici după trei luni n-au primit răspuns de la minister în ceea ce privește statutele. În 2 septembrie i-au cerut permisiunea lui Sal Ferenc, primarul orașului, să poată ține slujba la următoarea mare sărbătoare israelită, chiar dacă statutele încă nu sunt aprobate de către minister: „vă rugăm să ne acordați neîntârziat, din cauza scurtimii timpului, aprobarea dumneavoastră și să binevoiți să dispuneți ca noi, ca și comunitate de sine stătătoare, să ne putem ține slujba religioasă într-un loc ce va fi anunțat mai târziu, netulburați și fără niciun amestec din exterior” (AN-SJBh, inv. 142, dos. 9: f. 85). Bineînțeles că cererea este înaintată și la minister, dar cu mențiunea că el nu o aprobă din cauza statutelor neaprobate: „întrucât la înaintarea mea cu nr. 3789 din 16 iunie a.c. până acuma n-a ajuns la mine nicio hotărâre demnă de luat în considerare, respectiv statutele amintitei comunități nu sunt aprobate, nu mă consider îndreptățit să aprob cererea” (AN-SJBh, inv. 142, dos. 9: f. 87).

La 6 septembrie a și ieșit la iveală noua poziție a ministerului: a declarat nule hotărârile Adunării Generale din 13 martie deoarece acestea se află în contradicție cu statutele de organizare ortodoxe și cu ordonanța nr. 7836 din 1876 și cea care reglementează obligația plății taxei de cult de către membri care părăsesc comunitatea. La aceasta se mai adaugă contestația lui Ullmann Izidor, susținută de Kurländer Rafael și Róz Ignác, prezentată mai sus, referitoare la împrumutul din Fondul Național pentru Școli (AN-SJBh, inv. 142, dos. 9: f. 90-90v). Ceea ce este important, comunitatea *status quo ante* „aflată în constituire”, așa cum formulează ministerul „dacă și după aceasta susțin intenția de a se transforma într-o comunitate separată”, statutele lor vor fi aprobate doar atunci când în acestea va fi inclusă o clauză

prin care să dovedească faptul că, comunitatea ortodoxă și cei retrași au discutat și au rezolvat problemele legate de împrumutul de 20000 de forinți rămași.

Luând la cunoștință, patru membri ai *status quo ante*, nominal Austerlicz Jakab, Hartstein Sámuel, Michälstädter Salamon jr. și Brody József, îl însărcinează pe notarul public Mezey Mihály să stabilească o întâlnire cu Ullmann Izidor, președintele comunității israelite ortodoxe autonome din Oradea. În „Apel” i se aduce la cunoștință clauza obligatorie a statutelor și îl roagă, ca în vederea discuțiilor să numească o comisie din 5 membri care să se prezinte în data de 26 octombrie, dimineața, la orele 10, în biroul notarului public. Membri comisiei *status quo ante* sunt: Held Hermann, Austerlicz Jakab, Brody József, Hartstein Sámuel și Israel József (AN-SJBh, inv. 142, dos. 9: f. 20-20v). Dacă nu și-ar face apariția și problema nu s-ar rezolva: „vom considera că, comunitatea israelită ortodoxă autonomă nu vrea să discute cu noi în problema de mai sus” (AN-SJBh, inv. 142, dos. 9: f. 21). Trimișii comunității ortodoxe nu s-au prezentat la data stabilită (AN-SJBh, inv. 142, dos. 9: f. 22-22v).

În 30 octombrie, ministrul Trefort Ágoston emite ordinul ministerial nr. 32399 care îl modifică pe cel cu nr. 7839 din 22 aprilie 1876: „retrașii sunt datori să plătească taxa de cult, repartizată fiecăruia prin statute și precum și alte sarcini, comunității părăsite, nu numai pentru anul fiscal în care se retrag, ci încă trei ani în continuare...**dar, prezentul ordin nu se aplică retroactiv**” (AN-SJBh, inv. 142, dos. 9: f. 62-62v).

Al treilea moment important este Adunarea Generală a *status quo ante* din 9 noiembrie în care se discută despre ordinul 26414 din 6 septembrie 1881 care a declarat nule hotărârile Adunării Generale din 13 martie (AN-SJBh, inv. 142, dos. 9: f. 14-17) și hotărârile acesteia sunt înaintate ministerului (AN-SJBh, inv. 142, dos. 9: f. 23) cu atât mai mult cu cât, nu s-au putut înțelege cu ortodocșii care, cum știm, nu s-au prezentat în biroul notarului public, la data stabilită. Ei motivează de ce nu este legală declararea nulității și cer revocarea ordinului și lăsarea intactă a hotărârilor comunității israelite ortodoxe din Oradea în cadrul Adunării Generale din 13 martie 1881. Împreună cu procesul-verbal, înaintează din nou statutele spre aprobare.

În 5 decembrie, cu ocazia unei adunări, răspund la dispoziția nr. 7256/1881 a primarului și îl roagă să înainteze o părere favorabilă despre comunitatea *status quo ante* deoarece, sursele de venit semnalate, vor intra în vigoare. Răspunzând la prima parte a dispoziției, repetă că cei 20000 de forinți proveniți din Fondul Național Israelit pentru Școli, sunt asigurați corespunzător prin imobilele comunității și în afară de acestea, de 18 giranți. Doar casa comunității aduce un profit anual de 2000 de forinți și astfel, împrumutul poate fi plătit în câțiva ani „dar acceptăm și noi cu plăcere să

giram cu averile noastre dacă este numit din oficiu, pentru casa amintită, încă un administrator”. La cea de a doua parte, referitoare la faptul că dacă comunitatea va fi în stare să se autosusțină în sensul legislației și a ordinelor ministeriale, au răspuns că imediat după înființare, 100 de persoane s-au alăturat comunității printre care sunt numeroși cetățeni respectabili, cu avere: „dar stimate domn primar, noi nu vrem altceva decât să constituim o comunitate bisericească și legislația nu interzice aceasta...”. În ceea ce privește cheltuielile, vor ține: 2 șocheți cu câte 400-400 forinți/an, un inspector ecleziastic cu 600 forinți, un slujitor ecleziastic cu 400 de forinți și o persoană care să completeze registrele de stare civilă, apoi chiria unui spațiu pentru biserică 500 forinți, în total cel mult 2400-2500 de forinți. Sursa veniturilor considerate a fi sigure, sunt: din gabelă, deocamdată intră doar 1000 de forinți de la 100 de membri, dar după creșterea numărului membrilor, speră la 2000 de forinți/an, din vânzarea scaunelor (locurilor) din biserică, la început măcar 600 de forinți, după făina pentru pască, 200 de forinți, din obișnuitele donații bisericești benevole măcar 600 de forinți, iar din banii rămași pot să plătească și un profesor de religie (AN-SJBh, inv. 142, dos. 9: f. 60-60v).

Până la urmă Held Hermann și gruparea sa, a înlăturat orice piedică. După aceasta, Ministerul Cultelor și al Instrucțiunii Publice, în data de 22 decembrie 1881, cu numărul 38053, a aprobat statutele⁶. Statutele compuse din 14 capitole și 55 de paragrafe, au fost semnate de următoarele persoane: Held Hermann, președinte, Harstein Sámuel, Auszterlitz Jakab, Kálmán Izsák și Neumann Salamon. Obiectivele principale ale *status quo ante* au fost: „*status quo ante* reprezintă totalitatea acelor israeliți orădeni care, atașați de comunitatea moștenită de la strămoșii lor, sunt siliți să se despartă de comunitatea ortodoxă din motive exclusiv de conștiință. Scopul lor este, să dea posibilitatea fiecărui membru să-și exercite religia strămoșească respectând Sulchan Aruch și să-și poată educa copiii, nu numai în lumina credinței ci și, potrivit exigențelor spiritului și culturii naționale maghiare, să înființeze și să întrețină instituții de binefacere în cadrul comunității” (Mózes, 1995: 88). Totodată au stabilit și faptul că: limba comunității, în toate domeniile, este maghiara, tot așa cum și registrele de stare civilă vor fi completate în limba maghiară (AN-SJBh, inv. 142, dos. 9: f. 59v).

Deci, în 1882, în Oradea existau trei comunități israelite paralele. Președintele comunității ortodoxe era Ullmann Izidor, al comunității congresiste, Reismann Mór, iar al celei numite *status quo ante*, Held Hermann (Mózes, 1995: 89).

Însă și după aceasta au existat frecășuri între cele două comunități (*status quo ante* și israelit ortodox).

⁶ Vezi documentul din Anexa 2.

Cu toate acestea sau poate din această cauză, comunitatea *status quo ante* s-a dovedit a fi un episod trecător. După trei ani s-a împăcat cu comunitatea israelită ortodoxă și s-a autodizolvat. În 26 octombrie 1884 au anunțat primarul că „comunitatea israelită *status quo ante*, organizată și întărită în urma înaltelor hotărâri, nr. 26414 și 38053 din 1881, date de Ministerul Cultelor și al Instrucțiunii Publice, în urma uniunii cu comunitatea israelită ortodoxă din Oradea, s-a desființat” și cer să păstreze în Arhiva orașului adeverința care atestă preluarea sigiliului și a registrelor de stare civilă⁷.

Din procesul-verbal al ședinței comunității ortodoxe din 2 noiembrie 1884 știm că notarul Neuman Salamon, cel care a completat registrele de stare civilă, a predat rabinului ortodox trei registre de stare civilă: unul cu căsătoriile, în care pe 4 file sunt înregistrate 27 de cununii (1882-12, 1883-10, 1884-5 cazuri); unul cu nașterile, pe 12 file sunt 94 de nașteri (1882-31, 1883-43, 1884-20) și unul cu decesele, pe 3 file sunt 3 decese (1882-1, 1883-2 cazuri)⁸.

Șef-rabinul comunității *status quo ante*, Dr. Kunstadt Ignác a plecat la Rădăuți, unde timp de mai multe decenii a desfășurat o activitate binecuvântată (Schön, 1981: 62).

Chiar dacă comunitatea orădeană a dispărut, în alte localități comunitatea *status quo ante* a supraviețuit o perioadă mult mai îndelungată. Așa a fost cazul localităților: Beliu, Alba Iulia, Cluj-Napoca, Buteni, Târgu-Mureș, Sighet, Carei, Satu Mare, Odorheiu Secuiesc și Sântana (Frojimovics, 2008).

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⁷ Vezi documentele din Anexele 4 și 5 (AN-SJBh, inv. 142, dos. 32: f. 1).

⁸ Vezi graficul din Anexa 6 (AN-SJBh, inv. 142, dos. 32: f. 2).

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ANEXE

Anexa 1. Prima pagină a procesului-verbal întocmit cu ocazia Adunării Generale de constituire a comunității *status quo ante* (18 mai 1881), (AN-SJBh, inv. 142, dos.9: f. 35)

35

Jegzőkönyv

felvételre Nagyvárados 1881 évi Május hó 18-án
aláírtattak által tartott alakuló gyűlésről.

Először az ott, nagyváradi önálló, a főfőnök i. r. lakosok
és polgárok, — szemben azon i. r. hitesszaintek körét
a belső és egyetemes felraklato' párt mulkapiasai által
okozott vitákkal, szemben továbbá azon levő' ta,
pártalással, hogy az 1869. évben a hazai i. r. elítélte
nép életbe léptetett intézkedés hitfelekezeti körben eirő
is károsnak s következményeiben a vallásoközösséget meg-
bénítónak bizonyult szakavást idézett elő, melyből fogva
a közösség iránti érdeket bomlásnak indult és az egy-
másval szemben ^{altá} pártok ősi vallásunk s keresztények
szentesítése intézményeink ellen résztörőleg törek-
senek, — azon meggyőződésre jutottunk, hogy sem azon
párttörődéssel, mely haladás címre alatt ősi szoká-
sainkat és vallásos intézményeinket mindeinkább
háttérbe sorítja, sem azon párttörődéssel, mely követ-
kezéssel minden haladást kizárva, gyermekeink val-
lasi nevelésére kellő gondot nem fordítva, az elnyomtatás
sőt korozatiának inquisicionális rögeszméit aktarva
érvényre juttatni, — tovább egyháziilag egyáltalában
együtt nem haladhatunk, — vallási érdekeinket lelki
ismereteink sugallata által vezéreltetve meggyőződés-
ből a szakavás előtti állapotokhoz ragaszkodva és annak
szemmel tartása mellett úgy a mint anyáink és ősa,
gyáink vallási kötelekükben békében és egyetemesben
együtt éltek, mi is ősi intézményeink szerint min-
den hitfelekezeti pártsejenezemünkkel tekintet nél-
kül imé s vallásunkat gyakorolni ohajtozánk, a tör-
vény általba kedvezmények élvezetében, hivatalozással
a helybeli i. r. orthod. hitközösggel a f. évi Március 18-án
tartott gyűlésen kir. közjogú körbenjárása mellett

Kötő

Anexa 3.

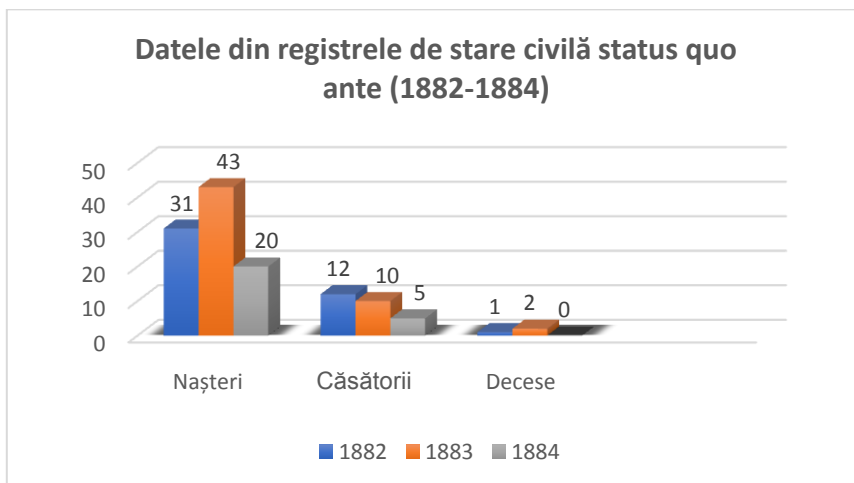
Prima pagină a listei de documente întocmite de avocatul dr. Sonnenfeld
Zsigmond (AN-SJBh, inv. 142, dos.9: f. 4)

Sor szám	Megnevezés	Darab
I	1862/182. szám alatt beiktatott felkeltésről Feld Hermann Weizlenes elnöknek a 7841. és 78. számú közgyűlési határozatok ellen, ügyvédi megbízással	2
II	1871/181. szám alatt beiktatott 38053/181. számú vallás- és közoktatás-ügyi ministeriumhoz feltevéstől iratból, az ugyan ezen ministeriumhoz az alapszabályokat jóváhagyás végett feltevéstől kérvénnyel s az 1881. november 4-én közgyűlési jegyzőkönyvvel ezen alakulóban levő hitközségnek	3
III	1872/181. fentemlített ministeriumi szám alatt 1881. június 19-én beiktatott kérvénye Rózsa Ignáznak a kereset ügyben, - 424/181. számú - Csánády Kálmán által 1877. decz. 24-én kiadott közjegyzői tanúsítvánnyal	2
IV	Dr. Feld Kálmán budapesti ügyvéd által 1881. november 18-án keltetve az orosz. és. congress. iródlához intézett megkeresvény	1
V	Ezen alakulóban levő hitközség által 1881. évi május hó 18-án megtartott alakuló közgyűlésen felvett jegyzőkönyv, a hozzá mellékelte ügyvédi meghatalmazással	2
	Oldal	10

Anexa 5. Sigiliul comunității *status quo ante* (AN-SJBh, inv. 142, dos. 32: f. 1)



Anexa 6. Prelucrarea datelor culese din registrele de stare civilă pentru comunitatea *status quo ante*. Datele au fost culese din AN-SJBh, *fond Primăria Oradea. Consiliul orașenesc*, inv. 142, dos. 32, f. 2



Teatrul și educația. repere în istoria mișcării teatrale românești din Oradea (1870-1940)

*Mihai D. DRECIN**

Abstract: Theatre and education. Reflections of the history of Romanian theatral movement from Oradea (1870-1940). In 1870, in Deva it was created "The Society for Fund of Romanian Theatre in Ardeal" which intended to establish a national theatre. Among the initial contributors we remind here Iosif Vulcan and the review "Familia" (The Family).

Until the Second World War, the initiative of Romanian intellectuals from 1870 was not achieved in reality. The government from Budapest undermined the creation of a theatre in Romanian language, seeing in this endeavour a new form of cultivation of national awareness. In consequence, the desiderata of theatre representations in Romanian language was partly satisfied by the theatre companies from Romania which will expand their representations in Transylvania. Oradea will not be left aside by these companies, here existing a Romanian group of intellectuals that loved to attend theatre spectacles.

After the Great Union, in Oradea had been developed a cultural and political local current which will militate for the creation of a "Western Theatre". This institution, with the residence in Oradea had to organize spectacles in the entire Romanian West from Caransebeș, Lugoj, Timișoara, Arad, Oradea, Carei, Satu Mare until Sighetul Marmăției. The activity of such a theatre was a part of the project of Romanian village to create a cultural boundary in Banat, Crișana, Sătmăr and Maramureș, as a counter reaction to the increasing pression of revisionist Hungary, manifested in economic, cultural, religious and politic plan.

An important role in the fulfilment of the interest for theatre by the Romanians from Oradea and Bihor had the National Theatre from Cluj. This organized periodically, at a certain moment weekly, theatre spectacles in Oradea. The theatral companies from Bucharest completes the efforts of the artists from Cluj.

Between 1921-1928 cultural and political personalities from Oradea tried to create a Romanian theatre, besides the Hungarian one existent since 1900, with the help of the Romanian state. When these efforts were not successful, the intellectual elite from Oradea

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finds the formula of the creation of the theatre through a local private association. In consequence, between 1928-1931, the Theatre "Association of Romanian West" succeeds to ensure three fluxes of spectacles. The played plays were in majority Romanian, with historical and patriotic subjects. There were not missing plays from the universal repertoires.

Among the organisers and leaders of this theatre are reminded Ștefan Mărcuș, A.P. Bănuț, Dezideriu Tibor, George Cosma.

Although having a short activity, the Romanian theatre of Oradea contributed to the rise of the degree of culture of the community, together with the consolidation of national and patriotic feelings at Romanians from this areal.

Keywords: *history, theatre, education, Oradea, 1870-1940.*

Oradea și Bihorul sunt eliberate de Armata Română de sub teroarea armatei bolșevice maghiare și a unei administrații maghiare în destrămare, cu vădite sentimente antiromânești, abia la 20 aprilie 1919. Reprezentanții vechiului regim austro-ungar: armata, poliția, jandarmeria, administrația vor urmări, între 1 decembrie 1918-20 aprilie 1919, să lichideze fizic elita minoră a satului românesc (învățători, preoți, notari, țărani mai înstăriți) și cea majoră din orașele Bihorului (profesori, avocați, preoți, funcționari de bancă, comercianți) care au reprezentat românii la Marea Adunare Națională de la Alba Iulia, unde au votat unirea Transilvaniei, Banatului, Crișanei și Maramureșului cu Patria Mamă¹.

Instaurarea administrației românești începând cu mai 1919, sub coordonarea Dr. Aurel Lazăr, prefect al județului Bihor, membru în Consiliul Dirigent al Transilvaniei, pune în fața românilor o serie de probleme și obiective economice, politice și culturale, în procesul de reșezare a vieții cotidiene.

Greutățile cu care s-au confruntat românii orădeni derivau din structura demografică a orașului. Oradea era locuită, ca și alte orașele/târguri bihorene (Marghita, Aleșd, Tileagd, Săcueni, Valea lui Mihai, Salonta), de o

¹ Vezi în acest sens o bogată literatură istorică apărută atât înainte de 1940, cât mai ales între anii 1970-2020. Amintim câteva lucrări pe care le considerăm repere în acest sens: Dr. Ștefan Pascu, *Istoria Transilvaniei*, Tip. Lumona-Miron Roșu, Blaj, 1944, p. 271-274; Idem, *Marea Adunare Națională de la Alba Iulia, încununarea ideii, a tendințelor și a luptelor de unitate a poporului român*, Cluj, 1968, p. 317-394; Constantin C. Giurescu, Dinu C. Giurescu, *Istoria Românilor din cele mai vechi timpuri până astăzi*, Ed. Albatros, București, 1971, p. 594-605; *Academia Română. Istoria Românilor*, vol. VII, tom II, Ed. Enciclopedică, București, 2003, p. 463-532; Ioan Aurel Pop, *Transilvania-starea noastră de veghe*, Ed. Școala Ardeleană, Cluj-Napoca, 2016, p. 85-96; Vasile Pușcaș, *Marea Unire. 1918. România Mare. Acte și documente*, Ed. Studia KWX Print, f. loc., 2018.

majoritate neromânească formată din maghiari și evrei maghiarizați. Legislația medievală a cunoscutei alianțe „Unio trium nationum”, ce acorda drepturi doar sașilor, ungurilor și secuilor, bloca intrarea românilor în orașele Transilvaniei. Ei puteau lucra doar ziua între zidurile orașului, noaptea trebuind să-l părăsească, locuind în suburbiile acestuia care înconjurau cetatea aproape din toate părțile. Cartierele românești se situau, de obicei, în zonele cele mai greu și periculos locuibile, respectiv inundabile în orașele de câmpie sau pe coastele muntelui, în orașele plasate în preajma Carpaților.

„Edictul de concivilitate”, dat de Iosif al II-lea în 1871 (Schäser, 2000:66-77), făcea o primă și importantă breșă în privilegiile orașenilor celor trei națiuni recepte. Decretul lărgea dreptul de așezare și practicare a îndeletnicirilor manuale și liberale, oricărui cetățean care era în stare să plătească fiscoi imperial un impozit de la o anumită sumă în sus. Hotărârea era de certă natură fiscală, statul habsburg dorind să strângă cât mai multe impozite de la oricare cetățean liber, sumele fiind tot mai necesare susținerii stufoasei birocrății administrative, armatei, altor genuri de cheltuieli ce se cereau făcute în sfera culturii, infrastructurii statului, modernizării orașelor în spiritul ideologiei iluministe a vremii. În acest context românii încep să pătrundă în orașe în număr tot mai însemnat, cu atât mai mult cu cât hinterlandul acestora era populat în majoritate de așezări românești.

Orientarea spre orașe a unui număr tot mai mare de români (intelectuali, negustori, meseriași, muncitori necalificați) se accelerează după 1848/1849, moment al desființării iobăgiei, mai ales după edictele imperiale din 1853 și 1854 care au împrăștiat parțial o parte a foștilor jeleri și iobagi pe sesiile declarate ca aflate în posesiune. Natalitatea mare în familiile de la țară, dorința capului familiei de a nu risipi proprietatea între urmași, poate chiar de a o mări prin căsătoriile acestora, determină ca unii dintre copii să ia calea orașului, îmbrățișând meserii diverse sau devenind intelectuali încadrați în birocrăția urbană și în meserii liberale. Între 1860-1914, prin muncă multă, consolidare economică, ridicarea gradului de cultură, maturizarea politică și confruntări în alegerile parlamentare, mai ales după 1903-1905, se accelerează fenomenul de românizare a orașelor din Transilvania. Procesul nu a fost ușor, departe de a fi împlinit până în 1918, nici în perioada interbelică per ansamblu, la nivelul marilor orașe ale Transilvaniei.

Recensămintele oficiale din 1880, 1900, 1910 ne prezintă o Oradea locuită în mare majoritate de neromâni, în principal maghiari și evrei maghiarizați².

² Vezi detalii pentru perioada 1880-2011 în Mihai D. Drecin, „Considerații asupra evoluției demografice a orașului Oradea, pe baza recensămintelor oficiale (1880-2011)”, în vol. *Economie și Istorie. Dialog și interdisciplinaritate. In honorem prof. univ. dr.*

Aprecierile demografice făcute pe plan local, care, totuși, ne oferă date incomplete, ne prezintă o Oradea locuită de 68.081 cetățeni în 1920, 90.000 cetățeni în 1923 și 81.123 inși în 1927. Din punct de vedere etnic orașul rămâne în majoritate maghiaro-evreiesc în întreaga perioadă interbelică, deși românii cresc numeric într-un ritm apreciabil. Astfel, de la 5734 în 1918, în decembrie 1920 românii cresc numeric la 8441 persoane (12,39%), pentru ca în 1930 să ajungă la 23.126 ceea ce reprezintă 26,26% din populația orașului. La primul recensământ realizat la standardele europene ale vremii, cel din 1930, Oradea mai înregistra 47.731 maghiari (53,71%), 14.816 evrei (16,68%), în timp ce germanii, slovaci și romii (țigani) erau, împreună, în jur de 2%.(Drecin, 2015: 518) Recensământul următor, programat pe 1940, nu se realizează în condițiile complicațiilor politice europene, respectiv izbucnirea războiului mondial și impunerea Dictatului de la Viena. Dacă între 1920-1930 numărul românilor orădeni a crescut cu 13,9%, (Drecin, 2015) considerăm că în 1939-august 1940 procentul lor putea să crească cu aproximativ încă 10%, înregistrându-se aproximativ 26.000 de români³. Cu alte cuvinte, în perioada interbelică societatea românească era tot mai bine reprezentată numeric, fiind în continuă creștere atât cantitativ cât și calitativ, prin intelectuali, elevi și studenți—deschisă spre cultură, inclusiv spre forme ale educației continue, permanente – cum am spune astăzi.

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Administrația românească în Oradea și Bihor s-a instaurat foarte rapid și temeinic între mai 1919-1920. Pe lângă reglementarea prin legi naționale și dispoziții locale aprobate de Consiliile orașenești și județean a bunului mers al administrației, un loc central va reveni educației.

Dicționarele limbii române, mai vechi și mai noi, definesc educația ca un ansamblu de metode, măsuri și căi aplicate sistematic și în cadru organizat „în scopul folosirii și dezvoltării intelectuale, morale, fizice etc. a

Ioan Lumperdean la împlinirea vârstei de 60 de ani, coordonatori: Dana Bako, Iosif Marin Balog, Rudolf Gräf, Răzvan V. Mustață, Ed. Academiei Române/Centrul de Studii Transilvane, Cluj-Napoca, 2015, p. 516-517.

³ Ca element de reper dăm date legate de numărul românilor din Oradea din recensămintele din 1948 și 1956. În 1948 erau 23.889 români (28,44%)—în condițiile în care prea puțini se reîntorseseră din refugiul impus de autoritățile horthyste în toamna lui 1940. În 1956 se înregistrează 35.344 români (35,71%). Pe fondul industrializării socialiste, abia în recensământul din 1977 românii devin majoritari (91.925=53,90%), în timp ce maghiarii cu 75.125 persoane=44,05%. Din acest moment românii cresc ca pondere, în timp ce maghiarii scad. Situația se păstrează și după 1990, pe fondul emigrării în străinătate a forței de muncă mature și tinere, bine pregătită profesional, atât dintre români cât și maghiari. Cf. *Ibidem*, p. 520-523.

copiilor, a tinerilor, a oamenilor, a colectivităților umane”⁴. Cu alte cuvinte *educația unei colectivități umane presupune*: transmiterea de elemente de cultură generală, noțiuni economice teoretice și practice, calități fizice și sportive, capacitatea de orientare în politica internă și internațională a momentului.

Revenind la *segmentul educației culturale*, în care se încadrează tema sesiunii noastre științifice, trebuie să-i precizăm formele prin care aceasta se clădește și consolidează treptat, de la vârste fragede până la senectute, în funcție de aspirațiile și posibilitățile fiecărui cetățean. Aici am încadra: școala, de la preuniversitar la învățământul superior; biserica; activitatea societăților culturale; rolul editurilor locale în tipărirea și răspândirea unor lucrări din diferite domenii; presa culturală; cinematograful; spectacolele cu piese muzicale din sfera folclorului popular și a muzicii culte, operetei și operei; muzeele; teatrul.

Oradea interbelică a beneficiat de toate formele de educație culturală amintite mai sus, de care se puteau împărtăși cetățenii ei, în funcție de înclinații sufletești și posibilități materiale. Cele trei comunități etnice ce conviețuiau în orașul de pe Crișul Repede: maghiarii, evreii și românii și-au constituit și păstrat în timp, încă dinainte de 1918, apoi în România Întregită, instituțiile specifice prin care s-au străduit să-și cultive conaționali, ridicându-se la nivelul cerințelor în continuă creștere ale societății în care trăiau, transmițându-le un mod de comportament bazat pe toleranță, maniere de tip vest-european, rafinament. Având în vedere forța economică și politică pe care o dețineau înainte de 1918, în mare măsură și în România Întregită, maghiarii și evreii au reușit să-și înființeze și păstreze școli, biserici, societăți și presă culturală, tipografii și edituri, muzee și teatru în limba maghiară. Deși oprimați de regimul austro-ungar, românii orădeni și bihoreni s-au încadrat în trendul cultural al vremii, obținând rezultate demne de apreciat, afirmându-și o elită culturală în stare să clădească instituțiile locale ale administrației de după Marea Unire⁵.

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Ne propunem să prezentăm eforturile, succesele și insuccesele comunității românești din Oradea în înființarea și menținerea unui *teatru în*

⁴ Vezi *Dicționarul limbii române*, Tom I, E, Serie Nouă, partea a VII-a, Ed. Academiei Române, București, 2009, p. 649. O definiție în esență aceeași, chiar dacă mult mai sintetică, o găsim la Lazăr Șaineanu, *Dicționar universal al limbii române*, ediția a VI-a, Ed. Scrisul Românesc, Craiova, 1929, p. 227 (Educația presupune „dezvoltarea facultăților fizice, intelectuale și morale” ale individului).

⁵ Vezi detalii în acest sens în recenta monografie *Istoria Bihorului. Civilizație, Societate, Economie, Mentalități*, coordonatori: Gabriel Moisa, Sorin Șipoș, Aurel Chiriac, Radu Românașu, Ed. Muzeului Țării Crișurilor, Oradea, 2018, p. 583-644.

limba română, ce trebuia să-și extindă activitatea pe întreaga zonă de vest a țării. Cu atât mai mult cu cât comunitatea maghiaro-evreiască avea un teatru propriu, cu stagioni anuale permanente, încă din 1900. Activitatea teatrală era favorizată și de construirea unui spațiu adecvat, în centrul orașului, ridicat în timp record (1899-1900), într-o arhitectură modernă, beneficiind de o acustică deosebită, alături de aparatura necesară pentru buna desfășurare a spectacolelor, inclusiv de operetă. (Pașca, 2015: 101)

Din epoca modernă până în zilele noastre, școala și teatrul, într-un veritabil tandem, au avut și au un rol important în procesul educativ al societății. Astfel, dacă „școala educă generația tânără, teatrul dă educație generațiilor indiferent de cunoștințele și condițiile lor de viață, cultură, limbă, moralitatea, sentimentele umanitare și naționale, virtutea, onorea, gustul pentru frumos, ideile de libertate și acuză despotismul, viciile și infatuarea”. (***, 2001:42) Programele școlare și repertoriul teatral transmiteau cultivarea binelui, istoria națională, puneau bazele și dezvoltau orientarea politică la nivelul generațiilor, de la cele tinere până la cele mature.

Eforturile pentru înființarea unui teatru cu stagioni permanente în limba română la Oradea avea rădăcini într-o mișcare teatrală cultă în limba latină și românească încă din a doua jumătate a secolului al XVIII-lea. Până la urmă, originea ei o găsim în mediul sătesc al evului mediu în ceea ce istoricii numesc „*teatrul popular*”. Acesta îmbrăca atât haina religioasă (Irozii, Mironosițele) cât și cea laică (inspirat din basmele populare, din viața haiducilor etc.). Spectacolele erau regizate, ca să folosim un termen modern, de învățători, preoți, țărani cu sensibilități deosebite. Ele se prezentau cu ocazia unor sărbători religioase sau câmpenești, fiind mult gustate de comunitatea sătească, în care aceasta se regăsea cu toate calitățile și defectele ei: respectarea preceptelor biblice, păcatele laice satirizate prin textele ad-hoc realizate de rapsozi (beția, adulterul, răutatea, omenia etc.)⁶.

O treaptă superioară în evoluția mișcării teatrale românești din Transilvania a fost „*teatrul școlar*”. În Oradea este amintit un „teatru școlar” organizat în școala iezeuită locală. După desființarea ordinului călugăresc iezeuit, școala este preluată de tânăra Episcopie greco-catolică, teatrul școlar fiind cultivat în continuare. În acest mediu se formează primii actori amatori, apoi profesioniștii. Își jucau piesele atât în limba latină, cât și maghiară și română.

⁶ Paralel cu „teatrul popular” apare *teatrul/spectacolele de curte*, dezvoltate în mediul nobiliar. Cu texte mai sofisticate, inspirate din filosofia și istoria antică, adaptate mediului elitist local, piesele sunt produsul trubadurilor ce peregrinau pe la curțile regești și nobiliare.

Prin Oradea trec și prezintă spectacole trupe itinerante de actori italieni și germani, care dădeau spectacole în hanuri și piețe, cu ocazia târgurilor⁷.

În această atmosferă se pare că la Oradea se realizează prima piesă în limba latină având ca subiect un moment din istoria românească. Este vorba de asasinarea domnului Moldovei – Grigore al III-lea Ghica (28 septembrie 1774-10 octombrie 1777) suspectat de relații cu Rusia. În plus intrase în conflict și cu marea boierime, refuzându-i cererile de sporire a cuantumului clăcii. Va fi ucis la Iași de un emisar al sultanului de la Istanbul. Deși nu se cunoaște autorul, piesa era intitulată *Occisio Gregorii in Moldavia Vodae tragedice expressa*⁸.

La sfârșitul secolului al XVIII-lea – prima jumătate a secolului al XIX-lea, sub influența ideilor iluministe, teatrul german și maghiar din Transilvania joacă piese și în limba română. Desigur, în orașele și târgurile locuite de români, fie ei în minoritate, mai ales acolo unde erau majoritari. Intervine aici nu numai influența iluminismului transilvan târziu ci și interesul material al trupelor de actori, dornici să câștige bani pentru a se întreține. Pe de altă parte, această realitate dovedită documentar, inclusiv în presa vremii, arată că în societatea transilvăneană era un segment de interesați, în continuă creștere, care savurau această formă de manifestare a culturii. Oradea nu a fost ocolită de aceste companii teatrale itinerante. (***, 2001:9-13)

Prin instaurarea dualismului austro-maghiar în Transilvania (1867), românii sunt abandonati de Viena în mrejele politicii de maghiarizare dirijată de guvernul din Budapesta. Impunerea, în etape, a limbii maghiare în școlile românești era un pericol de moarte pentru românii din provincie. Reacția liderilor culturali și politici, abia organizați în cele două partide naționale, era firească. Se concentrează toate energiile în direcția apărării și afirmării limbii românești. În primul rând prin forțe proprii, respectiv prin activitatea societăților și reuniunilor culturale, asociațiilor profesionale ale învățătorilor și profesorilor (Călușer&Ilea, 1993: 215-220), filialelor Astrei, ziarelor politice și revistelor de cultură. În Oradea și Bihor un rol important în această luptă l-a avut Societatea de lectură din Oradea (1852-1857) (Faur,

⁷ ***, *Teatrul românesc la Oradea. Perspectivă monografică*, p. 7-8. Vezi și Dr. Aurel Buteanu, *Teatrul românesc în Ardeal și Banat (1919-1944)*, volum editat de Teatrul Național din Cluj, întocmit la Timișoara în 1945, p.20,55. Aici se vorbește de prima trupă ambulantă de diletanți români în 1775 la Oradea și Beiuș.

⁸ Vezi Lucian Drimba, „Occisio Gregorii in Moldavia Vodae tragedice expressa”, în *Limbă și literatură* (București), vol. III, 1963, p. 359-393. Piesa cuprinde pasaje și în limbile germană, maghiară și țigănească. Este scrisă în mediul iluminist al Episcopiei greco-catolice de Oradea, undeva între 1778-1780. Vezi mai recent: Iuliana Păcurar, *Familia (1865-1906). Perspectivă monografică*, Ed. Muzeului Țării Crișurilor, Oradea, 2014, p. 164.

1978:41), Societatea corală „Hilaria” (1875-1918) (Faur, 1975:57-176), filialele Astrei din Oradea, Beiuș, Ceica, Marghita, Salonta și Vașcău⁹, în mod special activitatea lui Iosif Vulcan și a revistei „Familia”¹⁰.

Pe acest fond de activitate și deschidere culturală se va plia interesul pentru teatru în general, a celui românesc în special. În 1869, Iosif Vulcan publică în revista „Familia” un „Apel” pentru înființarea unui teatru național. Ideea este îmbrățișată imediat de un grup de oameni politici și de cultură în frunte cu Alexandru Mocioni, Vicențiu Babeș, Alexandru Roman, Teodor Mihali, Iosif Gal. La întrunirea de la Deva, din 4-5 octombrie 1870, se pun bazele „Societății pentru crearea unui Fond de teatru român în Ardeal”. Iosif Vulcan descifra legătura dintre școală și teatru ca factori de educație națională, când scria: „De ce voim să avem un teatru național? Teatrul național e o școală de cultură națională pe al cărei frontispiciu este scris limba și naționalitatea... Să fondăm deci un teatru național în care poeții noștri să spună generațiilor noi limba armoniei, că dânsa e unica noastră comoară... să fondăm un teatru național prin care să deșteptăm poporul nostru, care să-și poată revărsa dorurile asupra tuturor provinciilor românești”¹¹.

Producția dramatică a lui Iosif Vulcan, destul de numeroasă, cuprindea, totuși, mai mult monologuri, cântece satirice naive, cu tendințe moralizatoare, de valoare literară mai scăzută¹². Chiar dacă au menținut interesul pentru teatrul românesc în Transilvania, era doar o primă etapă în evoluția mișcării noastre teatrale în provincie. Ea a permis înființarea de grupuri de actori diletanți, formate din tineri intelectuali, dar și din țărani cu știință de carte și înclinații spre jocul pe scenă.

⁹ Vezi studiile lui Ion Bradu și Viorel Faur amintite în *Istoria Bihorului...*, Oradea, 2018, p. 610-613.

¹⁰ Din 1880 redacția acesteia se mută la Oradea, unde apare până în 1906, când își încetează existența.

¹¹ *Familia* (Oradea), an V, 1870, nr. 35-40. În toate cele șase numere apare următorul text: *Publicațiune*, „pentru făurirea și constituirea Societății cu scop de a crea un fond pentru înființarea unui teatru național român se va ține adunarea în 4-5 octombrie 1870 în Deva”, semnează Dr. Iosif Hodosiu (Hodos – n.n.). Vezi textul în nr. 35, 30 august/11 septembrie 1870, p. 409. Vezi și Lucian Drimba, *Iosif Vulcan*, Ed. Minerva, București, 1974, p. 215-248; Iuliana Păcurar, *op. cit.*, p. 124-128.

¹² Amintim piesele: *Alb sau roșu?*, *Cartea de aur*, *Ciobanul din Ardeal*, *Chiriașul fugit*, *Cui cu cui*, *Gărgăunii dragostei*, *Invitație la bal*, *Mireasa pentru mireasă*, *Măta cu clopot*, *Nunta lui Pârjol*, *Prima rochie lungă*, *Ruga de la Chiseteu*, *Renegatul*, *Sărăcie lucie* etc. Apud, ***, *Teatrul românesc la Oradea. Perspectivă monografică*, p. 43; Cf. Lucian Drimba, *op. cit.*, p. 300-306; Iuliana Păcurar, *op. cit.*, p. 152-174; Radu Românașu, *Manifestări culturale-artistice românești din Oradea și județul Bihor în perioada interbelică*, Ed. Universității din Oradea, 2009, p.13.

Se trece într-o altă etapă, încă din 1866, mai ales după 1870, datorită turneelor companiilor de teatru din România care străbat orașele și comunele transilvane locuite de români. Fany Tardini, I. D. Ionescu, Zaharia Burienescu, soții Petrescu și trupele lor le întâlnim în turnee prin Transilvania. Altele ajung până la Oradea: Matei Millo, Mihail Pascaly, V. Antonescu, A. P. Bănuț. De multe ori autoritățile administrative maghiare din Oradea pun tot felul de piedici, chiar interzic unele spectacole de teatru ale unor companii românești din Regatul României sub motivul că în textul piesei se fac vizibile aluzii la daco-românism. (***, 1999: 28-36) Cu alte cuvinte, legătura între teatru și politică era evidentă.

Doă personalități transilvănene, cu studii teatrale la București și perfecționări în artă în țări din vestul Europei, vor marca mișcarea teatrală din Oradea.

În primul rând este vorba de brașoveanul Zaharia Bârsan¹³, care absolvă Conservatorul de Artă Dramatică din București, clasa C. I. Nottara (1901), debutând ca actor la Teatrul Național din București (1902). În anii următori va beneficia de o bursă din partea „Societății pentru Fond de teatru român” din Transilvania, care îi va facilita aprofundarea studiilor la Viena, Berlin și în Italia, pe lângă celebre teatre din aceste importante centre culturale ale vestului european. Condiția sub care i s-a acordat bursa a fost ca să se implice în coordonarea mișcării teatrale de amatori din Transilvania. Pe lângă această sarcină, pe care o îndeplinește cu scrupulozitate, Zaharia Bârsan face turnee în provincie cu trupe profesioniste de teatru formate din actori din Regatul României până în 1914. După 1919, ajungând director al Teatrului Național din Cluj, va descinde des la Oradea satisfăcând setea de teatru românesc într-un oraș unde eforturile pentru înființarea unei trupe stabile se vor materializa târziu și greu.

Între 1906-1911 compania teatrală Z. Bârsan nu poate juca la Oradea, în pofida mai multor tentative. Repertoriul ei era considerat periculos pentru siguranța națională maghiară. În 1912, când, în sfârșit, reușește să primească aprobarea de a juca piesa „Jertfa” de Miclescu, supervisorul maghiar al spectacolului oprește spectacolul pe considerentul că textul incita sentimentele naționale ale auditoriului român. Numai după multe „pertractări” spectacolul se reia pe la miezul nopții, după intervenția Dr. Aurel Lazăr, membru marcant al Partidului Național Român, avocat în

¹³ Pentru biografia lui vezi: Iustin Ceuca, *Zaharia Bârsan. Monografie*, Ed. Dacia, Cluj-Napoca, 1978; *Dicționarul scriitorilor români, A-C*, coordonare și revizie științifică: Mircea Zăciu, Marian Papahagi, Aurel Sasu, Ed. Fundației Culturale Române, București, 1995, p. 251-252; *Dicționarul General al literaturii române, A-B*, coordonator general: Eugen Simion, Ed. Univers Enciclopedic, București, 2004, p. 463-465.

Oradea¹⁴. (Zainea, 2000) În România Întregită, Zaharia Bârsan va fi de multe ori oaspetele Oradiei, în fruntea trupei de profesioniști ai Teatrului Național din Cluj.

Aurel Paul Bănuț (1881-1970) a fost cealaltă personalitate transilvăneană legată, la un moment dat, de mișcarea teatrală românească din Oradea. Până la un punct, pe linie artistică, are un parcurs asemănător lui Zaharia Bârsan. Brașovean de origine, născut în comuna Cohalm (Rupea – n.n.) provine dintr-o familie de intelectuali (tatăl avocat–n.n.), cu rădăcini în lumea satului. Cu studii liceale la Blaj și juridice la Universitatea din Budapesta, unde își ia doctoratul, are înclinații spre lumea artistică, în special spre teatru. Student fiind editează revista culturală „Luceafărul” la Budapesta, fiind primul redactor șef între 1902-1903. Ulterior revista este preluată de O. Goga și Octavian Tăslăuanu. Între 1905-1907 câștigă o bursă din partea „Societății pentru Fond de teatru român” din Transilvania. Aceasta îi facilitează frecventarea Conservatorului de Artă Dramatică din București între 1905-1908, Clasa C. I. Nottara, specializarea regie. Ca student are șansa să beneficieze de o bursă la Viena și Berlin, în capitala germană frecventând celebrul Deutsches Theater unde, în plan regizoral, se remarcă Max Reinhardt. Reîntors în Transilvania va deveni, până în 1914, director al „Societății pentru Fond de teatru român” din provincie, ocupându-se de dirijarea și consolidarea mișcării teatrale a diletanților (amatori – n.n.).(Sasu, 2006: 139-1940) (**, 2001:47-48) În acest context, în mai 1914 adresează un memoriu ministerului de resort din Budapesta prin care cere aprobarea pentru a constitui o trupă ambulantă de actori din România care să prezinte spectacole în Transilvania. Inițiativa sa era sprijinită material de „Societatea pentru Fond de teatru român”. Cererea este respinsă. După 1919 se va retrage în comuna bihoreană Tinca, de unde, la un moment dat, se va implica în acțiunea de înființare a unui teatru românesc stabil la Oradea. (Patria, 1928:6)

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În România Întregită se întetesc eforturile pentru înființarea unui teatru românesc la Oradea.

La început Teatrul maghiar din Oradea, încercând să se adapteze vremurilor, pe lângă piese de teatru pune în scenă spectacole de operă. Ca urmare, pentru Tosca, Rigoletto, Carmen, Boema, Traviata, Cavaleria rustică și Paițe – pe lângă actori maghiari au fost angajați și actori români ca: Traian Grozăvescu, celebrul bariton de anvergură europeană, Silvia Tiron, Jean Athanasiu, Rita Mărcuș, Gheorghe Teodorescu. Se constituie o

¹⁴ Pentru personalitatea Dr. Aurel Lazăr vezi Ioan Zainea, *Aurel Lazăr (1872-1930)- viața și activitatea*, Ed. Presa Universitară Clujeană, Cluj-Napoca, 1999;

comisie româno-maghiară care trimite un „Memorandum” Ministerului Culturii de la București unde se solicita acceptarea la Oradea a unui teatru cu două secții: română și maghiară. Secția română, pe lângă actori autohtoni, trebuia să fie întărită cu 12-13 actori de la Teatrul Național din Cluj. (Kelemen, 1966: 51-52)

În același an, 1921, Ștefan Mărcuș, fost bursier al „Societății pentru Fond de teatru român” din Transilvania de dinainte de 1914, ia inițiativa în aceeași problemă ce târăgăna de decenii. Înaintează un „Memoriu” ministrului Cultelor și Artelor, Octavian Goga, „pentru organizarea unei trupe de dramă și comedie la Oradea”¹⁵. Neprimind răspuns, doi ani mai târziu, în 1923, va reveni într-o broșură propunând înființarea unei trupe ambulante de teatru în Transilvania. Formată din actori profesioniști de la Teatrele Naționale din București și Iași, viitoarea instituție trebuia să-și focuseze activitatea prin spectacole susținute la Timișoara, Arad, Oradea, Satu Mare și Sighet. Prin acest proiect nu se dorea să se facă o concurență Teatrului Național din Cluj. O activitate teatrală românească pe granița de vest a României făcea parte dintr-un proiect cultural mai vast care, gândit de universitari și oameni de cultură de prim rang ai țării, viza consolidarea culturală a zonei, alături de cea economică și militară, în fața revizionismului Ungariei și a adeptilor ei, cetățenii români de etnie maghiară din România. Semnificative sunt rândurile trimise, în aprilie 1920, de universitarul clujean G. Bogdan-Duică redactorului revistei orădene „Cele Trei Crișuri” – George Bacalogleu. Spunea universitarul clujean: „Noi însă refuzăm ideea zonei culturale a contelui Apponyi (ministrul Educației în guvernul Ungariei în anii 1900-1907, cunoscut pentru legile de maghiarizare a școlii românești – n.n.) care este un barbar în haine europenești, și în sarica noastră, în ițarii noștri, călcând siguri pe opinci, suntem generoși, dreپți, lăsăm loc culturilor străine. Însă! Este un însă mare. Avem datoria, pe care D-ta ai înțeles-o așa de bine, ca pe marginea (granița – n.n.) maghiaro-română să sprijinim mai energic decât oriunde cultura română. Sprijinind-o vom concura cu foștii copii răsfățați ai Ungariei cari au rămas printre noi, nu îi vom suprima, pur și simplu, ca găzii culturii maghiare. Concurența ni se va admite de toată lumea. Zona noastră va fi deci o zonă de concurență culturală! Privește pe hartă! Linia întâi a tranșelor culturale va trece prin Caransebeș, Timișoara, Arad, Oradea-Mare, Careii Mari, Satu Mare, Sighetul Marmăției. Oradea cade tocmai la mijloc, trei orașe în dreapta, trei în stânga. Pare destinată (Oradea – n.n.) să concentreze conducerea acțiunilor în zona de concurență culturală. Dacă nu v-ați dat bine seama de aceasta, Vă rog, examinați ideea

¹⁵ ***. *Teatrul românesc la Oradea. Perspectivă monografică*, p. 55. Octavian Goga a fost ministru de resort în guvernul Alexandru Averescu, între 13 iunie-17 decembrie 1921.

cu atenție. Aceste șapte centre trebuie să lucreze în același sens, ca grăniceri culturali: ele trebuie să se înțeleagă asupra faptelor de săvârșit”. (***, 1920) În acest proiect intra și teatrul românesc din Vestul țării.

În următorii trei ani se desfășoară consfătuiri la București (1923), Timișoara (1924), din nou București (1925) având ca subiect același proiect de înființare a unui teatru în limba română la Oradea. La ele participă: artiști, consilieri municipali, directori ai teatrelor naționale din țară, iar la Timișoara prefectii și primarii județelor și orașelor din vestul țării, împreună cu avocatul și dramaturgul bucureștean Jean Valjean (Ion Vasilescu - n.n.)¹⁶ – pe atunci directorul general al teatrelor din România. Se stabilește ca viitorul director al Teatrului de Vest să fie Aristide Demetriad. De asemenea, se votează fondurile necesare pentru deschiderea primei stagiuni independente. Birocrația și lipsa fondurilor de la bugetul statului blochează deschiderea stagiunii teatrale. (***, 1999:56)

În aceste condiții, satisfacerea setei de cultură teatrală Primăria Oradiei a împlinit-o asigurând spectacole săptămânale prezentate de Teatrul Național din Cluj sau diferite companii teatrale din București dependente de Teatrul Național din Capitală, în întreaga perioadă 1921-1928. Dintre companiile teatrale bucureștene amintim pe cele conduse de: Sorescu (5-6 noiembrie 1921)¹⁷, Alice și Petre Sturza (februarie 1922) (***, 1999:52), A. Demetriad (martie 1922)¹⁸, Marioara Voiculescu (7-9 martie 1923)¹⁹.

Un moment deosebit l-a constituit, în martie 1925, sărbătorirea maestrului Constantin Nottara la împlinirea a 50 de ani de activitate neîntreruptă pe scena românească. Într-o sală arhiplină populată de crema intelectualității românești orădene, consilieri locali și județeni, studenți ai Academiei de Drept, ofițeri din Garnizoana Oradea, membrii trupei de teatru maghiar din oraș, între aplauze, ovații și cuvântări, marelui artist i s-a înmănat o coroană de lauri. (Tribuna, p.54)

În ianuarie 1925, cu ocazia unei reprezentații a Teatrului Național din Cluj, directorul Zaharia Bârsan este sărbătorit pentru cei 25 de ani de activitate pe scenă. Atmosfera a fost la fel de caldă, cu atât mai mult cu cât multe spectacole ale actorilor români clujeni erau, am spune astăzi, subtitrate

¹⁶ Avocat penalist renumit în epocă, cu preocupări artistice. Vezi Ion Valjean, *Din filigrane și surâsuri. Portrete suprapuse*, ediție îngrijită de Micaela Gulea, Ed.Humanitas, București, 2014.

¹⁷ Vezi *Tribuna* (Oradea), 11 noiembrie 1921, două reprezentații.

¹⁸ Cf. *Tribuna* (Oradea), 26 martie 1922, trei spectacole. Corespondentul ziarului nota: „Aici, în acest oraș de frontieră, asemenea reprezentație atrăgătoare și înălțătoare de inimi ar fi o rodnică muncă de propagandă națională”.

¹⁹ ***, *Teatrul românesc la Oradea. Perspectivă monografică*, p. 53. A fost reprezentată piesa „Patima Roșie” de Mihail Sorbul. Cf. *Tribuna* (Oradea), 4 martie 1923, unde se anunță cele trei spectacole. Vezi și Radu Românașu, *op.cit.*, p.18-30.

și pentru publicul maghiar²⁰. Deschiderea spre o coabitare etnică sinceră venea și din partea românilor.

În octombrie 1927 are loc deschiderea festivă a primei stagiuni a Teatrului Național din Cluj la Oradea, în prezența lui Victor Eftimiu, directorul Teatrului Național și al Operei Române din Cluj. Printre discursurile înflăcărâte rostite cu acest prilej se distinge cel al Dr. Aurel Lazăr, primarul Oradiei²¹.

Din păcate, credem din motive materiale și supraaglomerarea artiștilor clujeni cu spectacole în Cluj și alte orașe ale Transilvaniei istorice, Teatrul Național din Cluj nu își poate respecta angajamentul de a prezenta săptămânal o reprezentație la Oradea.

În aceste condiții, când guvernul de la București și artiștii clujeni nu puteau finanța, respectiv respecta programul săptămânal de spectacole, autoritățile orădene se gândesc la o altă formulă organizatorică pentru a deschide Teatrul de Vest.

La 15 ianuarie 1928 în Sala festivă a Primăriei Oradea, în prezența Dr. Valeriu Traian Frențiu – Episcopul greco-catolic și profesorului Andrei Crăciun consilier al Episcopiei ortodoxe, alături de un grup de intelectuali români, are loc o consfătuire publică în „chestiunea teatrului român”. Pe lângă cele două fețe bisericești, își spun punctul de vedere primarul Dr. Gelu Egry, colonelul Negulescu din partea Garnizoanei Oradea, Mavrodin Cosma, Ștefan Mărcuș. Se hotărăște înființarea unui „Comitet de inițiativă”, condus de Ștefan Mărcuș și Andrei Crăciun, care trebuia să gândească și realizeze forma concretă de organizare a teatrului românesc local. Câteva zile mai târziu, la 29 ianuarie, dintr-o inițiativă particulară, se constituie Asociația „Vestul Românesc”. În urma unui „Memoriu” înaintat de către organizatori Ministerului Cultelor și Artelor acesta aprobă titulatura instituției sub numele „Teatrul Asociației Vestul Românesc”. Ca director artistic este numit cunoscutul om de teatru Aurel P. Bănuț²², iar ca director de scenă Dezideriu Tibor de la Cluj. După angajarea a câte 12 actori profesioniști și diletanți, se deschide prima stagiune octombrie 1928-august 1929, cu piesa „Fântâna Blanduziei” a lui Vasile Alecsandri, având în rolul principal pe Zaharia Bârsan. (Tribuna, 29 ianuarie 1928, 10 august 1928, octombrie 1928). Cu un

²⁰ *** , *Teatrul românesc la Oradea. Perspectivă monografică*, p. 53. Cu această ocazie, Gróf László, regizorul Teatrului maghiar din Oradea, declara: „Noi artiștii, avem datoria să culegem tot ce e bun și frumos, indiferent în ce limbă e concepută opera de artă. Dar mai important e schimbul dintre români și unguri, cari suntem acum fiii aceleași patrii”.

²¹ *Tribuna* (Oradea), 2 și 16 octombrie 1927. Se joacă opereta „Crai Nou” de C. Porumbescu și se recită poezia „Rapsozii” de Victor Eftimiu.

²² Membru al Societății scriitorilor români. În 1940 se pensionează în această calitate.

repertoriu majoritar românesc, trupa orădeană dă reprezentații și în Beiuș, Carei, Satu Mare și Baia Mare onorându-și titulatura de Teatru de Vest²³.

Criza economică mondială, care afectează și țara noastră în toate domeniile vieții, marchează și Teatrul de Vest. În vara anului 1929 trupa de actori se descompletează, fapt sinonim cu desființarea teatrului. La 1 septembrie „Asociația Vestul Românesc”, într-o ședință în prezența Dr. Aurel Lazăr – Primarul Oradiei, împuternicește pe directorul de scenă Dezideriu Tibor să refacă trupa de actori. Totodată, avocatul beiușan George Cosma este numit în fruntea instituției. Astfel debutează a doua stagiune, întinsă pe perioada noiembrie 1929-ianuarie 1930 (Românașu, p.62), cu un repertoriu românesc și universal²⁴.

Apogeul crizei economice în țara noastră, anii 1931-1932, determină „Asociația Vestul Românesc” să se retragă din calitatea de patron al teatrului, din motive financiare. Cu mari greutate debutează următoarea stagiune: septembrie-noiembrie 1931, după ce în primăvara aceluiași an Ștefan Mărcuș reușește să formeze un grup de actori din rândul „diletanților”. Tot el dă teatrului numele lui Iosif Vulcan – primul dramaturg român al Oradiei, personalitate implicată în lupta pentru un teatru românesc în Transilvania. Stagiunea, după cum se vede foarte scurtă ca întindere în timp, debutează la 14 noiembrie cu piesele „Nevestele vesele din Windsor” de Otto Nicolai, „Păpușa din Nürnberg” de Adolph Adam și opera „Cavalleria rusticana” de Mascagni. (Românașu, p.63) Deși noua stagiune debutează cu speranțe, se încheie repede sub povara greutăților economice prin care trecea țara.

După depășirea crizei economice în 1933, teatrul românesc la Oradea nu se mai poate revigora, chiar dacă din punct de vedere economic țara cunoaște o apreciabilă dezvoltare economică, cu un vârf în 1938. Abia în 1945 reappare teatrul românesc la Oradea, sub direcția lui Ștefan Iordănescu – secretar literar al Teatrului Național din Craiova, alături de teatrul maghiar care și-a asigurat o existență permanentă din 1900, inclusiv în anii 1940-1944, când Oradea a fost înghițită de Ungaria, în urma Dictatului de la Viena.

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²³ Amintim câteva piese de teatru jucate între octombrie 1928-februarie 1929: „Patima roșie” de Mihail Sorbul, „Din zile mari”, „O scrisoare pierdută” de I. L. Caragiale, „Înșiră-te mărgăritar” de Victor Eftimiu, „Năpasta” de I. L. Caragiale ș.a. Vezi și *Teatrul românesc la Oradea. Perspectivă monografică*, p. 58-61; Radu Românașu, *op.cit.*, p.37-64.

²⁴ Vezi întreg repertoriul pentru cele trei stagiuni în *Ibidem*, p. 65.

Istoria mișcării teatrale în limba română la Oradea a fost una zbuciumată, marcată de sincopă. Totuși, treptat s-a format un public avizat la spectacolele de acest gen. El se va lărgi de la intelectuali, elevi și studenți, la muncitorii și meseriașii epocii postbelice.

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Considerații privind județul Bihor în perioada interbelică. Aspecte teritoriale și legislativ-administrative

*Gabriel MOISA**

Abstract. *Considerations regarding Bihor county in the interwar period. Territorial and legislative-administrative aspects. Once the Romanian administration was installed in Bihor after the Great Union of 1918, it was necessary to move to a new administrative organization, according to the realities in Romania. Thus, Bihor county became Bihor county, one of the 76 counties of Greater Romania. The organization by counties dates back to 1864 in Romania when several laws were adopted in this regard. According to this legislation, the territory of Romania was divided into counties, nets and communes. The counties and communes had legal personality, and the nets were only subdivisions of the counties.*

Keywords: *Marea Unire din 1918, Bihor, legislație, administration*

Odată instalată administrația românească în Bihor după Marea Unire din 1918, a fost nevoie de trecerea la o nouă organizare administrativă, conform realităților din România. Astfel, comitatul Bihor a devenit județul Bihor, unul dintre cele 76 de județe ale României Mari. Organizarea pe județe data în România din 1864 când au fost adoptate două legi: *Legea nr. 394 din 31 martie 1864 pentru comunele urbane și rurale și Legea nr. 396 din 31 martie 1864 pentru consiliile județene* (Vasilescu, 2013: 3).

Conform acestei legislații, teritoriul României era împărțit în județe, plase și comune. Județele și comunele aveau personalitate juridică, iar plășile erau doar subdiviziuni ale județelor (Vasilescu, 2013: 3).

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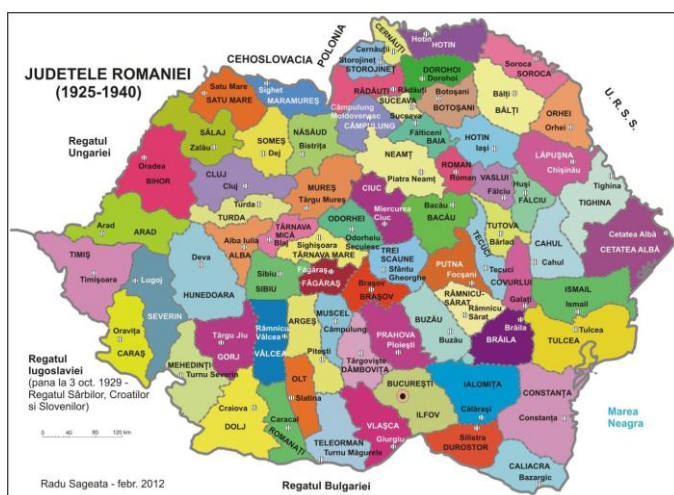


Figura 1 – sursa: Radu Săgeată, *Organizarea teritorial-administrativă a României. Evoluție. Propuneri de optimizare*, București, 2013, p. 3

Capul administrației județene era prefectul. Comunele județului erau clasificate în urbane (aici intra doar Salonta) și rurale, iar acestea erau conduse de un primar și de un consiliu local. În fruntea plășilor se afla un prim-pretor numit de prefect. Județul Bihor avea drept reședință orașul Oradea. În perioada interbelică în Bihor a mai existat un singur oraș, Beiușul. Era unul dintre cele mai mari județe din România având o populație care a oscilat în jurul cifrei de 500.000 de locuitori.

Unificarea teritorial-administrativă a României s-a produs cu adevărat în 1925. Până atunci pe teritoriul țării funcționau patru sisteme specifice fiecărei mari regiuni istorice în parte: Vechiul Regat, Transilvania, Basarabia și Bucovina (Săgeată, 2013: 3). La 14 iunie 1925 a fost votată de Parlamentul de la București *Legea pentru unificarea administrativ-teritorială* a României, prin care formula organizatorică din Vechiul Regat era transpusă tuturor provinciilor istorice românești.

Legea nu aducea schimbări majore. Aceasta stabilea, precum precedentele legi administrative, că teritoriul României era organizat în județe și comune cu personalitate juridică. Șeful administrației județene era prefectul, iar al comunelor și orașelor primarul (Bențe, 2009: 14). Existau apoi plasele ca structuri teritoriale care înglobau mai multe comune. Totuși, cu acest prilej au fost reduse numărul județelor de la 76 la 71. Bihorul rămânea în aceeași formulă teritorială. Cu așezări din toate categoriile asemeni celorlalte județe ale țării. Astfel, localitățile erau clasificate în comune rurale, comune urbane (acestea erau așezările rurale aflate în stare urbanizantă), și orașe. Din cele

două orașe existente în Bihor, Oradea și Beiușul, primul era reședința de județ, iar cel de-al doilea era oraș cu statut simplu.

Cu acest prilej Oradea a fost declarat municipiu. Era unul dintre cele 17 municipii existente în România în anul 1925, iar numărul plaselor era de 12 (Aleșd, Beiuș, Beliu, Ceica, Centrală, Marghita, Săcuieni, Salonta, Sălard, Tileagd, Tinca, Vașcău). Legea prevedea ca în fruntea plaselor să se afle un prim-pretor. Acesta era numit prin decizie ministerială, iar prefectul îl repartiza în fruntea unei asemenea circumscripții (Bente, 2009: 14).

În noiembrie 1928 a venit la putere guvernul național-țărănist condus de Iuliu Maniu. Acesta a încercat să reformeze sistemul administrativ-teritorial și a promulgat la 3 august 1929 *Legea pentru organizarea administrațiunii locale*. Interesant este faptul că aceasta nu modifică la numărul și granițele județelor ci organiza la nivelul întregii țări 7 *Directorate ministeriale* denumite după orașele alese centre administrative: București, Cernăuți, Chișinău, Cluj, Craiova, Iași și Timișoara (Săgeată, 2013: 7). În fruntea acestora se afla un director ministerial local (Rusu, 2007: 226). Bihorul se afla în Directoratul ministerial care avea sediul la Timișoara. În interiorul județului Bihor au avut loc unele reorganizări ale plășilor, astfel că numărul lor a scăzut la 12. De altfel, cele 71 de județe au rămas constante ca număr până în vara anului 1940.

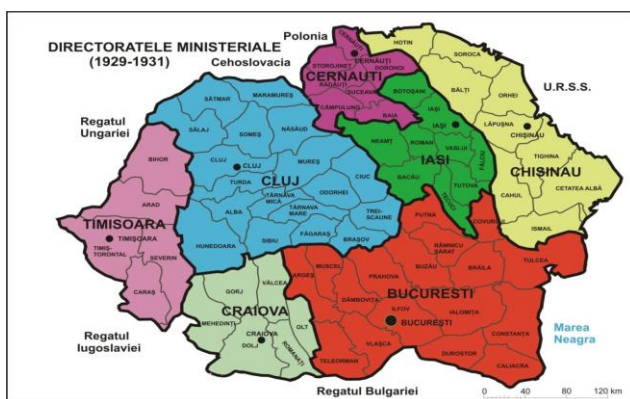


Figura 2 – sursa: Radu Săgeată, *Organizarea teritorial-administrativă a României. Evoluție. Propuneri de optimizare*, București, 2013, p. 7

Aceste structuri administrative au fost efemere întrucât odată cu pierderea puterii de către Partidul Național-Țărănesc în 1931 în favoarea unui guvern condus de Nicolae Iorga, ele au fost desființate (Mamina, Scurtu, 1996: 85-90). S-a revenit astfel la realitatea teritorial-administrativă de dinainte de apariția legii din 3 august 1929.

Ultima reorganizare a României din perioada interbelică a avut loc prin *Legea administrativă din 14 august 1938*¹. Era vorba de o nouă realitate politică în România în care regele Carol al II-lea impusese un regim autoritar. Prin această lege cele 71 de județe rămăneau mai departe ca entități administrative, formate din următoarele circumscripții teritoriale: comuna și plasa.

În plus, legea stabilea o structură teritorială numită ținut, care cuprindea mai multe județe. Conform acesteia luau ființă 10 ținuturi în frunte cu un rezident regal (Vasilescu, 2013: 8). Județul Bihor făcea parte din Ținutul Someș cu sediul la Cluj. Județul Bihor nu a fost afectat din nici un punct de vedere sub aspect administrativ numărul plășilor rămânând în continuare 12.



Figura 3 – sursa: Radu Săgeată, *Organizarea teritorial-administrativă a României. Evoluție. Propuneri de optimizare*, București, 2013, p. 8

Vara anului 1940 a adus cu sine noi reorganizări teritorial-administrative ca urmare a contextului internațional generat de declanșarea celui de-al doilea război mondial și de acțiunile revizioniste ale Ungariei. Bihorul a fost printre primele vizate din acest punct de vedere (Manoilescu, 1991: 421). Partea de nord, inclusiv municipiul Oradea, cădea sub controlul Ungariei horthiste, iar sudul, cu noua reședință județeană la Beiuș, rămânea în cadrul României.

Pentru a preîntâmpina eventuale probleme legate de retragerea armatei române și a administrației din teritoriul cedat, autoritățile centrale române au îndemnat comandanții militari și cei civili ai Bihorului la calm,

¹ Legea a fost publicată în *Monitorul Oficial*, partea I, nr. 187, din 14 august 1938

astfel încât cedarea să se facă în cele mai bune condiții și fără incidente (Zainea, 2007: 302). Dacă administrația și armata a făcut un pas înapoi, populația era invitată să rămână pe loc și să nu-și părăsească proprietățile. Noua graniță dintre România și Ungaria pornea de la sud-vest de Salonta spre nord-est, trecea cam la 10 km. de Oradea și urma apoi linia ferată Oradea-Cluj.

În partea cedată Ungariei din județul Bihor au rămas 305.548 locuitori, dintre care români 136.316, unguri 130.127, germani 2101, ruși 440, ruteni-ucrainieni 485, sârbi-croați-sloveni 116, bulgari 198, cehoslovaci 11.062, polonezi 108, huțani 4, evrei 20.420, greci 3, albanezi 3, armeni 6, turci-tătari 13, găgăuzi 1, țigani 3881, alții nedeclarați 264 (Bran, 1944: 76).

Așadar, odată intrat în structura administrativă firească a României Mari începând cu 1919, Bihorul s-a integrat în noile formule administrative naționale. În fruntea administrației județului s-a situat prefectul. Alături de acesta, în structura de conducere a unității administrative se mai aflau directorul Prefecturii împreună cu alți șapte șefi de servicii (Tripon, 1936: 213).

De-a lungul perioadei interbelice în fruntea instituției au fost următorii prefecți: Aloisie Nistor, delegat cu preluarea prefecturii imediat după 20 aprilie 1919, Coriolan Pop, Nicolae Zigre, George Bacaloglu, Nicolae Popoviciu, în două rânduri, Câmpian Hodor, Sever Andru, Iulian Peter, în două rânduri, Nicolae Regman, Emil Lobonțiu, Bogdan Ionescu, Dezideriu Tempelean, Augustin Ciurdariu, Gheorghe Ghica, Ioan Picu Băncilă (Tripon, 1936: 213-2014), Vasile Todoruț, Vasile Florescu.

Cele șapte servicii administrative ale județului Bihor aflate în subordinea prefectului erau: serviciul administrativ, serviciul financiar și contabilității, serviciul economic, serviciul învățământului, serviciul sanitar, serviciul veterinar, serviciul tehnic. Exceptând perioada 1918-1925, când Bihorul a fost organizat în 14 plăși, în restul perioadei interbelice Bihorul a avut 12 asemenea circumscripții administrative. Acestea cuprindeau 418 comune rurale și 2 comune urbane, 141 notariate (Tripon, 1936: 214). Acestea trimiteau în Parlament un mare număr de parlamentari deoarece județul constituia cea mai mare circumscripție electorală din România interbelică. Spre exemplu, în urma primului scrutin desfășurat pe baza votului universal în Bihor, 2-8 noiembrie 1919, Bihorul a trimis în Parlament 19 deputați (17 din județ și 2 din Oradea) și 8 senatori (7 din județ și 1 din Oradea) (Moisa, 2009: 79-104).

Administrația județului era, conform *Legii pentru unificarea administrativ-teritorială* a României din 1925, în grija unui Consiliu județean ca organ deliberativ. Acesta se alătura prefectului în bunul mers al lucrurilor. Consiliul județean era compus din membrii aleși și membrii de drept. Numărul celor aleși varia de la un județ la altul, în funcție de numărul locuitorilor județului. În general, Consiliul județean avea cinci comisii,

fiecare cu câte un raportor. Cei cinci raportori formau Delegația permanentă a județului. Orașul Oradea, comunele urbane și cele rurale aveau în fruntea lor primari, după caz comisii interimare, și consilii comunale care asigurau administrarea acestora.

Prefectul, ca reprezentant al guvernului în teritoriu, era subordonat consiliului județean, executând hotărârile acestuia. Salariile acestuia, ca și ale subprefectului erau asigurate de guvern, ceea ce făcea ca statutul acestora să fie unul aparte de cel al restului funcționarilor județeni. Plasele, formate din mai multe comune, erau conduse de pretori, agenți ai puterii centrale în plăși. Aceștia erau subordonați direct prefectului (Zoltán, 2010: 86).

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Eugeniu Sperantia - scurte considerații asupra principiilor fundamentale de filosofie juridică

*Mihaela Ioana TEACĂ**

Abstract. *The legal order constitutes a kind of spiritual organism distinct from other organisms, and together, all these "organisms" constitute a "spiritual organism of society", in Sperantia's opinion. Evolution, continuity, filiation of the elements and component forms, correlation and interdependence can be observed in the case of Law, especially in the case of Universal Law, in its entirety Law being treated as a spiritual function in the whole social life of a society.*

Key words: *professor, intellectual spirit, social entity*

Spiritul multidisciplinar al lui Eugeniu Sperantia s-a manifestat pe paliere largi ale cercetării științifice¹, de la filosofie juridică, sociologie, drept până la literatură, estetică, psihologie, biologie, pedagogie, critică muzicală, publicistică, sociologie, gnoseologie, epistemologie, istoria filosofiei, axiologie.

Dublu licențiat în drept și filosofie, s-a aplecat cu multă rigoare științifică asupra unui domeniu de pionierat la începutul secolului al XX-lea filosofia dreptului.

Considera profesorul Sperantia că analiza filosofiei ca domeniu de cercetare reprezenta capacitatea de "a te ridica deasupra amănuntelor variate și fortuite ale obiectului său și a-l privi în raporturile sale cu unele principii eterne și universale." (Speranția, 1936:3)

Continuând analiza termenilor de cercetare științifică și cercetare filosofică pe domeniul filosofiei dreptului, apreciază că cercetarea științifică presupune o cercetare a cauzei, originii și istoriei dreptului în general, iar cercetarea filosofică presupune studiul principiilor și scopul general.

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¹ Pentru dezvoltări a se vedea Diana Cirmaciu, *Universitarul Gheorghe N. Leon*, Editura Pro Universitaria, București, 2015, pag 54,58

Deși dreptul creează impresia că pătrunde în cele mai amănunțite repere ale vieții sociale, autorul consideră că viața socială nu e drept în totalitate, deoarece sociologia constată fenomenele, analizează cauza și regularitatea raporturilor, pe când dreptul caută justificarea logică.

O caracteristică a dreptului este sancțiunea- ca obligație juridică. Se apreciază că sancțiunea nu mai este caracteristică doar normelor dreptului, ci se exercită în toate domeniile vieții sociale. (Del Vecchio, 1936: 334) Coerciția este o consecință sau o variantă a oroarei de contradicție, o negație a neconformității. Organizarea sancțiunii este funcția legiuitorului. Nevoia de normativitate și de necontradicție se traduce în viața socială prin organizarea dreptului, a normei și a sancțiunii.

Se consideră că dreptul este un concept ce nu lipsește nici unui om și nici unui popor, oricât de simplă i-ar fi mintea și oricât de arbitrară organizarea vieții, indiferent de varietățile de realizare, de diferența de timp, de loc, de rasă și viață colectivă.

Se poate concluziona că printre caracterele dreptului sunt: obligativitatea, socialitatea și raționalitatea. Obligativitatea ca și trăsătură urmărește scopuri precise, deoarece dreptul există numai acolo unde întâlnește gândire și voință activă. Socialitatea se materializează în scopul dreptului, se precizează în idealuri, iar raționalitatea urmărește introducerea legilor rațiunii în activitatea omenească.

Filosofia dreptului, ca domeniu de cercetare filosofică asupra temeiurilor care acordă dreptului obligativitate și valoare în fața rațiunii noastre, urmărește studiul idealităților care animează realitatea juridică, e mai mult un domeniu al valorilor și în tot cazul nu e un domeniu de realități exclusiv istorice și concrete.²

Un concept mult analizat în literatura de specialitate a fost cel al ordinii juridice³. Au fost autori care în studiilor lor au comparat reperele și influența ordinii juridice în aspectele vieții economico-sociale. S-a pornit de la ideea că ordinea juridică are, în bazele ei ideologice, o componentă de autoritate.

Noțiunea de autoritatea are atât elementul psihologic, cât și cel sociologic. Înțelesul profund al termenului de autoritate este acela de influență. (Descamps, 1928: 92) Raportul de autoritate este un raport pur

² A se vedea pentru dezvoltări Eugeniu Sperantia, *op.cit.* p.9.

³ Pentru dezvoltări a se vedea -Carmen Oana Mihăilă, *The Right to "Good Death" - a New Right Alongside the Right to Life?*, International Conference "The efficiency of legal norms", 8th edition " Globalization and law" may 23-25 2019, Cluj-Napoca, Universitatea Dimitrie Cantemir, Facultatea de Drept, <http://dimitriecantemir.ro/wp-content/uploads/program.pdf>, Revista Fiat Justitia nr. 1/2019, indexată BDI EBSCO, RePEc, OAJI și CEEOL, pp. 156-167, <http://fiatjustitia.ro/ojs/index.php/fi/issue/view/27>

spiritual. Între două individualități, ori de câte ori există o influență, ea implică și o anume autoritate a uneia asupra celeilalte.

Se consideră că realitatea socială ia naștere prin conexiunea conștiințelor, prin exercitarea autorității în sens spiritual. Lumea socială sau realitatea socială se formează printr-o proiectarea obiectivă, prin exteriorizare și o împletire a valorilor circulante.

Ideile circulante exercită o influență hotărâtoare asupra generării altor idei și valori, asupra unor noi relații și contexte, astfel că realitatea socială este o sumă a influenței pe care ideile le exercită unele asupra altora, deci este o manifestarea autorității. (Speranția, 1936: 174)

Pornind de la conceptul de exercitare a autorității sau ”prestațiunea autorității” (Speranția, 1936) autorul consideră că se impune a fi analizată noțiunea de factor social. Se consideră că factorul social este elementul care acordă puterii legiuitoare posibilitatea realizării ordinii juridice. Oricare ar fi factorul social, el nu poate crea ordinea juridică decât dacă deține o anumită capacitate de influență, deci deține într-o anumită natură autoritatea.

Stabilirea valorilor depinde de opinia publicului (de opinia grupului), care decretează și ideologia, ierarhia intereselor și ordinea de preferință în alegerea mijloacelor de constrângere. S-a arătat că grupul este considerat sursa și ultima instanță în aprecierea valorilor, dar impune și cea mai înaltă apreciere. Atitudinile care sunt prezumate a purta adeviziunea sau confirmarea deplină din partea grupului, influențează conștiințele, iar ceea ce contrazice opinia publică, e obiect al disprețului ori a ostilității, opinie separată neputând exista sau dacă există nimeni nu o remarcă. Mergând pe analiza anterioară, autoritatea întreagă revine opiniei publice colective, care poate fi considerat unicul organ legiuitor.

În situația grupurilor sociale inferioare, se arată că tradiția este norma de bază, legiferarea presupunând în fapt o activitate de interpretare a unor norme fundamentale și foarte generale, exemple elocvente fiind derivarea dreptului roman din Legea celor XII Table sau derivația legislației religioase ebraice. În dreptul Evului Mediu se întâlnește împletirea interpretării a trei surse: dreptul roman, dreptul canonic și dreptul barbar. (Speranția, 1936: 175) Apar schimbări prin variația sensului unor termeni, prin modificarea noțiunilor - fie prin îmbogățirea lor, fie prin restrângerea noțiunilor, schimbări care se adaugă nucleului de bază. (Del Vecchio, 1936: 336) Aceste modificări exterioare intervin în gândirea logică colectivă. Ordinea juridică a societății primitive este o exercitare a autorității opiniei colective. (Koskenniemi, 2004: 6) Speranția consideră că organul care creează ordinea juridică e, în grupul primitiv, identic cu cel care îi controlează observarea și cu cel care hotărăște aplicarea mijloacelor de constrângere –opinia colectivă. (Speranția, 1936: 177)

Autorul lansează și ideea că opinia colectivă este sursa supremă a aprecierilor, care se pot îndrepta asupra faptelor și situațiilor trecute și prezente, asupra finalităților de urmat în viitor, asupra ideilor, concepțiilor, sentimentelor care-și fac apariția în grup, iar în mod analog opinia colectivă poate stabili aprecieri și cu privire la indivizii din grup sau din afara lui.

Astfel, când opinia colectivă-ca suprem arbitru al tuturor valorilor și stabilind aprecieri fără urmă de îndoială- ordonă acceptarea absolută a aprecierilor și intențiilor unei persoane sau anumite clase, atunci această opinie colectivă abdică de la vechea sa calitate de legiuitoare , iar ordinea juridică devine un atribut al autorității de clasa(oligarhie și aristocrație) sau de persoană (despotism sau tiranie. (Speranția, 1936)

Cauzele care generează concentrarea autorității pot fi: o ideologie (de cele mai multe ori religioasă) sau războiul. Norma impusă violent poate deveni obicei, obiceiul poate deveni ”instituție”, favorizându-se apariția cutumei. Întrebarea care s-a pus este de ce ar părea ea justă, iar răspunsul- ”pentru că numai ce face toată lumea este bine și permis și implicit pentru că s-a făcut dintotdeauna, care devine o noțiune cu caracter universal. (Offer, 2004:612)

Concentrarea autorității se poate realiza în centrul de interes al unei elite sau al aristocrației. Autorul consideră că elita este rezultatul unei selecții de persoane luate individual, după anumite criterii, de cele mai multe ori de ordin intelectual. Sub acțiunea elitei, ordinea socială și juridică redevine opera colectivă ca o rezultată a colaborării unora și adeziunii sau consimțământul altora. Speranția apreciază că aristocrația este o clasă bine delimitată, aproape o castă. Calitatea și prestigiul ei se datorează unei categorii bine conturate, un grup de familii de exemplu și nu se datorează unei persoane sau unor persoane. Consideră că ordinea juridică este o realizare a autorității ideologiilor curente, iar în aceste circumstanțe apare regimul parlamentar. Astfel prezintă autorul fazele care au dus la apariția organismului parlamentar. (Speranția, 1936: 181)

Ordinea juridică alcătuiește un fel de organism spiritual distinct de alte organisme, iar împreună, toate aceste „organisme” alcătuiesc un „organism spiritual al societății”, în gândirea sperantiană. Evoluția, continuitatea, filiația elementelor și formelor componente, corelația și interdependența pot fi observate în cazul Dreptului, mai ales în cazul Dreptului universal, în întregimea sa Dreptul fiind tratat drept o funcție spirituală în ansamblul vieții sociale dintr-o societate (Teacă, 2015: 115) Făcând o analogie cu alte domenii, Eugeniu Speranția arată că legea

diferențierii funcțiilor vitale a fost descoperită și susținută de multă vreme de către naturaliști, fiind citat⁴.

Sorginta Dreptului poate fi găsită în natura omenească, dar nu în natura omenirii de pretutindeni și dintotdeauna, ci în natura unui anumit grup distinct al omenirii, care grație trecutului comun și aspirațiilor comune prezintă particularități distincte și moduri caracteristice de reacție. Un punct slab al acestei teorii îl poate reprezenta denaturarea spiritului național și a misticii naționale într-un scop propagandistic. (Speranția, 1936: 95)

Eugeniu Speranția nu este de acord cu ideea conform căreia „puterile statului emană dela națiune”, aici putând fi inclusă și puterea legiuitoare. Această teorie creează în conștiința mentală colectivă convingerea că legile care reglementează normele juridice și îi guvernează pe indivizi nu sunt altceva decât o emanație a voinței colective, într-o „democrație”. Situația morală a cetățenilor supuși ideologiei politice este diferită de cea a indivizilor umili și fataliști, supuși ideologiei strict religioase și accepției religioase a justificării juridice. (Speranția, 1936)

Sentimentul și simțul răspunderii, al libertății și al puterii exercitată de colectivitate deschide noi orizonturi și perspective vieții sociale, gândirii și activității umane. Între teoreticienii acestei accepții democratice, autorul îi enumeră pe Marsilius de Padova⁵, pe iezuiți⁶, pe Locke⁷, Montesquieu⁸ și pe

⁴ Speranția citează din lucrarea monumentală *System of Synthetic Philosophy*, apărută în zece volume, la Londra, între 1862 și 1892. Citatul este luat din vol. I: *Principles of Biology*, apărut în anul 1864.

⁵ Hwa-Yong Lee, *Political Representation in the Later Middle Ages: Marsilius in Context*, Ed. Lang, New York, 2008, p. 6. Marsiglio da Padova a trăit între anii 1275 și 1342, în Italia. A fost un învățat italian, doctor, om politic și gânditor vizionar. Opera sa principală, unde vorbește despre sistemul politic și democrație, este *Defensor pacis*, considerat cel mai revoluționar tratat politic scris în perioada Evului Mediu târziu.

⁶ Societas Iesu, Societatea lui Iisus, este un ordin catolic monastic, întemeiat de Ignacio de Loyola, în anul 1534. Călugării iezuiți au fost renumiți pentru implicarea lor în societate, în educație și în diplomatie.

⁷ Richard Ashcraft, *Revolutionary Politics & Locke's Two Treatises of Government*, Ed. Princeton University Press, Princeton, 1986, p. 17. John Locke a trăit între anii 1632 și 1704, în Anglia. A fost filosof, fiind numit părinte al liberalismului. Teoria sa cea mai cunoscută este cea a contractului social. Scrierea la care Speranția face referire este *Two Treatises of Government*, publicată în 1689.

⁸ *Enciclopedia Universală Britanică*, Editura Litera, București, 2010, vol.10, p. 316. Charles-Louis de Secondat, baron de La Brède et de Montesquieu, cunoscut sub numele de Montesquieu, a trăit între anii 1689 și 1755, în Franța. A fost un om politic și gânditor iluminist, partizan al separării puterilor în statul de tip modern. Scrierea amintită de Speranția este *De l'esprit des lois*, publicată în anul 1748.

enciclopediști⁹, cel mai cunoscut fiind Jean Jacques Rousseau. (Speranția, 1936 :92) Speranția observă că accepția democratică denaturată poate conduce spre anarhie și dezagregare socială, datorită unei nuanțe arbitrare prezentă încă din rădăcinile acestei concepții, iar masele sunt ușor supuse anumitor sugestii, ele nu își creează singure ideologii. Prin inițierea, răspândirea unor concepții și finalități în rândul maselor, autorii și propagatorii teoriilor sunt adevărații lideri din umbră ai unor societăți, voința maselor este voința lor, triumful maselor este propriul lor triumf, posibil doar datorită guvernării poporului. (Speranția, 1936 : 93)

Concluzia pe care o enunță Speranția este următoarea: chiar dacă dreptul este suma unor număr variabil de aspirații, idealuri, imixtiuni externe, chiar dacă natura umană e baza variabilă a Dreptului, nu putem vorbi despre un drept invariabil. (Teacă, 2015 : 131)

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⁹ Frank A. Kafker and Serena Kafker, *The Encyclopedists as Individuals: A Biographical Dictionary of the Authors of the Encyclopédie*, Ed. Voltaire Foundation, Oxford, 1988, p. 8. Enciclopediștii au fost un grup de autori francezi, mai mult de 100 de persoane, care au activat în secolul al XVIII-lea, în Franța, majoritatea filosofi, fiind inițiatorii și autorii celebrei lucrări Encyclopedie, editată de Denis Diderot și Jean le Rond d'Alembert.

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Considerații referitoare la biografia și implicarea locotenent-colonelului Ioan Perhaița (1896-1983) în acțiunile de salvare a evreilor (1944)

*Antonio FAUR**

Abstract. *Considerations regarding the biography and involvement of lieutenant-colonel Ioan Perhaita (1896-1983) in the actions to rescue the jews (1944).* On October 18, 2019, the research programme, not surprisingly entitled "Memory and Gratitude, 75 years after the Holocaust", was launched during an international conference held at the University of Oradea, in collaboration with other universities (in France), as well as with the Federation of Jewish Communities in Romania. It represented not only a necessary and fully justified initiative, but also a real incentive for further investigations in order to discover unpublished documentary sources (archival and memorialistic) on the issue of rescue from certain death of the Jews during the most atrocious period of application of the so-called "final solution" by the Nazis and their acolytes (1944). From this perspective, we identified a Romanian officer who was involved in such rescue actions, more precisely Lt. Col. Ioan Perhaița, whom we removed from anonymity through this article, based on indisputable documents, i.e. on documents from the internal archives and on some information from his family members. Following the research, it turned out that there were also Romanian soldiers who were in solidarity with the Jews from Hungary and Northern Transylvania, who crossed the Hungarian border into Romania, especially in 1944, in order to survive, as it happened in hundreds of cases. Therefore, the gratitude of contemporaries should be expressed towards their rescuers - as it is understood from the aforementioned program.

Key-words: *Memory and gratitude, Oradea, saving the Jews, spring 1944, lieutenant-colonel Ioan Perhaița.*

Problematica solidarizării cu evreii, sau inclusiv cea a salvării de la moarte sigură a lor, în timpul Holocaustului este, credem noi, una mai puțin frecventată, cel puțin în istoriografia română. Motivele sunt multiple, dificultatea constând, mai ales, în cantitatea relativ mică și inegalitatea

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valorică a surselor, fapt ușor explicabil, dacă ținem seama de context. În special, se resimte lipsa documentelor de arhivă, care să conțină date despre evrei în timpul războiului.

În timpul regimului comunist, în România acest subiect a fost cvasi-inexistent (aproape tabu), ca și cunoașterea Shoah-ului (*Holocaust*, în terminologia americană), de altfel. Destinul tragic al evreilor în timpul războiului a început să fie mai bine cunoscut doar după căderea regimului comunist, când au ieșit la iveală multe din atrocitățile comise împotriva lor iar, uneori, și actele de umanitate din partea unor creștini. Din păcate, acestea din urmă au fost mai puține, situație care ne dorim să se schimbe prin noi cercetări.

Anul trecut, în 2019, cu prilejul împlinirii a 75 de ani de la *Shoah* în Transilvania de Nord, am organizat, în cadrul Universității din Oradea, sub coordonarea Centrului pentru Cercetarea Istoriei Evreilor „Eva Heyman”, o conferință științifică internațională intitulată *Evreii din Europa în timpul celui de-al doilea război mondial: noi documente, mărturii și abordări* / *Jews in Europe During the Second World War: New Documents, Testimonials and Approaches* (Universitatea din Oradea, 18/19 octombrie 2019), cu o participare națională și internațională. Conferința a beneficiat de sprijinul științific al profesorului emerit Carol Iancu, de la Universitatea „Paul Valéry” Montpellier III. Cu această ocazie, a fost lansat un program de cercetare intitulat *Memorie și recunoștință*, împreună cu domnul dr. Aurel Vainer, președintele Federației Comunităților Evreiești din România.

Programul de cercetare științifică ar urma să se întindă pe trei ani (2020-2022) și să recupereze acțiunile de salvare a evreilor în timpul celui de-al Doilea Război Mondial pe teritoriul României. În încheierea cuvântului de salut afirmam că sensul unei astfel de inițiative este de a „...de a stimula cunoașterea într-un domeniu ce vizează recursul la istorie, pentru a nu uita faptele tragice ale trecutului și a extrage învățăminte utile pentru contemporaneitate”.

Între timp, anul acesta (2020) am reușit să publicăm lucrările conferinței, într-un volum cu același titlu. (Faur, 2020) Profesorul Carol Iancu a explicat în *Proiectul de cercetare* propus și publicat în volum care a fost motivația inițierii acestuia:

„În ce privește perioada celui de-al Doilea Război Mondial, proclamând necesitatea cunoașterii ororilor Șoahului (Holocaustului), care nu a ocolit România, Dr. Aurel Vainer insistă asupra datoriei de a menține vie memoria martirilor evrei și, în același timp, de a exprima recunoștința față de persoanele–ne-evrei–care în anii de „noapte și ceață” au salvat evrei. Iată de ce el a inițiat deja, în urmă cu zece ani, publicarea unei culegeri de articole consacrate acestui subiect, apărută sub titlul *Demnitate în vremuri de restriște*, (***, 2008: 242) pe care a putut-o distribui colegilor săi din

Parlamentul României și nu numai. Fiind total de acord cu ideile Dr. Aurel Vainer, și dat fiind experiența pe care am acumulat-o în acest domeniu, am decis să propun, odată cu numirea mea ca președinte al Consiliului științific al Centrului pentru Studiul Istoriei Evreilor din România (CSIER), un ambițios proiect de cercetare intitulat „*Memorie și Recunoștință*”. (Faur, 2020: 23-24) În continuare, C. Iancu precizează care sunt obiectivele sale: „Proiectul de cercetare își propune să reunească o vastă documentație al cărei scop este de a scoate la lumină numele tuturor acelor, ne-evrei, care au ajutat evreii persecutați, exprimându-și, astfel, solidaritatea față de populația evreiască supusă la un regim de teroare și de anihilare în anii Șoahului (Holocaustului), și care s-au dovedit a fi „oameni de omenie”. (Faur, 2020: 24)

Desigur, noi nu puteam decât să subscriem inițiativei sus-menționate, pentru că această tematică de cercetare coincidea cu una din direcțiile de cercetare pe care le-am dezvoltat în timp, de mai mult de o decadă, în care am investigat acest aspect istoric din timpul Shoah-ului, mai exact cel care se referă la acțiunile de salvare a evreilor. Am reușit să publicăm câteva studii și două volume cu referire la acest fenomen. (Faur, 2010) Mai întâi, în anul 2010, am publicat un valoros volum de documente inedite, create de instituțiile de ordine și apărare ale statului român, mai exact de Legiunea de jandarmi Bihor și de Inspectoratul de Jandarmi Oradea, cu privire la cheștiunea salvării evreilor în primăvara și vara anului 1944, prin trecerea lor peste frontieră din Ungaria în România. (Faur, 2010) Se impune, fără îndoială, continuarea acestor eforturi pentru a descoperi noi fapte și date, despre realitatea în discuție.

Ne propunem, în cele ce urmează, reconstituirea - pe baza unor surse de arhivă – a celor mai importante momente din biografia ofițerului Ioan Perhaița, consumate în timpul celui de-al doilea război mondial, în sudul Bihorului, la Beiuș, și în orașul Arad. Este vorba de un om care a acționat cu curaj (conform documentelor oficiale și a celor din arhiva personală), pentru salvarea unor evrei la sfârșitul primăverii anului 1944. Lt.-col. Ioan Perhaița era, în primăvara anului 1944, comandantul Batalionului 1/4 grăniceri din orașelul bihorean Beiuș. Deși a avut o carieră militară onorabilă, având chiar merite recunoscute în timpul războiului, slujitorii regimului comunist l-au etichetat ca dușman, astfel că a fost închis, pentru un an (din mai 1950 până în mai 1951), la Canalul Dunăre-Marea Neagră.

Cercetarea a făcut să aflăm de existența acestui ofițer român, mai întâi din documentele care se găsesc în *fondul Legiunii de Jandarmi Bihor*, atunci când căutam informații despre acțiunile de salvare a evreilor și, în mod special, despre trecerile clandestine peste frontiera maghiaro-română, adică din Ungaria vremii, în România anului 1944. A fost atunci o primăvară a disperării, datorită organizării ghetourilor în estul Ungariei și, în același timp,

una a speranței și a salvării pentru unii dintre evrei. Trecerile evreilor de-a lungul întregii frontiere a dictatului dela Viena (aici trebuie menționate, cu deosebire, și cele din zona Clujului), au luat amploare după ocupația Ungariei de către Wehrmacht, în 19 martie 1944. Noua conjunctură i-a determinat pe unii evrei să încerce să-și salveze viața, trecând clandestin frontiera în România, cu sprijinul unor călăuze locale sau chiar pe cont propriu.

Legat de acest aspect nu putem să nu menționăm implicarea în acțiunile de salvare din această perioadă a primarului comunei Vârciorog, aflată în apropierea frontierei, Teodor Popoviciu, despre care am publicat o carte de mărturie scrise și orale, în care sunt menționate și numele călăuzelor, țărani localnici din același sat și din satul Subpiatră¹.

Tregerile peste frontieră nu au fost întotdeauna încununate de succes. Unii dintre aceștia au fost prinși de instituții ale statului român, cum a fost jandarmeria, după ce au ajuns, în mod clandestin, pe teritoriul românesc al Bihorului de sud. În acest fel, s-a ajuns la *interogarea și înregistrarea lor oficială*, cu numele, vârsta, locul de naștere, ce bunuri aveau asupra lor. După aceasta, conform unei înțelegeri între comandantul Legiunii de Jandarmi Bihor, lt.-col. Ștefan Rusu și lt.-col. de grăniceri Ioan Perhaita, evreii erau predați Batalionului ¼ Grăniceri Beiuș, pentru a-i trece peste frontieră, în Ungaria. Acest lucru se făcea clandestin, în apropierea punctului de frontieră Hidișelul de Jos, cel mai apropiat de Oradea, la aproximativ 8 km. Deși guvernul Antonescu a dat o lege conform căreia toți evreii prinși trebuiau să fie executați, cum se știe, aceasta nu s-a aplicat niciodată, fiind mai mult o reacție la criticile germanilor, care erau informați cu privire la trecherile evreilor, tot mai numeroase, în România, începând cu primăvara anului 1944.

La Beiuș au funcționat toate instituțiile românești mutate de la Oradea în septembrie 1944: Prefectura Județului Bihor, Legiunea de Jandarmi Bihor, Batalionul ¼ de Grăniceri, comandat de locotenent-colonelul Ioan Perhaița. În documentele de arhivă cercetate de noi numele său este menționat pe adresele prin care evreii prinși de jandarmi, după ce treceau frontiera maghiaro-română, erau înaintați batalionului de grăniceri. Perhaița semna pentru primirea grupurilor de evrei, angajându-se, astfel, să-i treacă înapoi, în Ungaria.

Se pare că procedura nu a fost respectată, deoarece, la un moment dat, jandarmii bihoreni au observat, cu surprindere, că anumiți evrei reușeau să scape și erau prinși de mai multe ori, ceea ce le-a trezit suspiciuni firești („bănuieli”) și au vrut să afle ce se întâmplă cu evreii care erau predați grănicerilor beiușeni.

¹ Antonio Faur, *Teodor Popoviciu – salvatorul, passim*

Pentru aceasta, au fost trimiși, într-o „acțiune informativă”, adică de urmărire discretă, doi agenți. Aceștia aveau misiunea de a observa ce se petrece după ce ei îi predau pe evrei grănicerilor din Beiuș (plutonierului-major Popescu, secretarul Batalionului ¼ grăniceri), care avea obligația să-i escorteze (cu trenul) până în apropierea frontierei (pe traseul Beiuș-Holod-Hidișelul de Sus), unde urmau să fie trecuți în Ungaria. Ei nu au mai ajuns în Hidișelul de Sus, ci și-au continuat drumul cu trenul de la Holod, prin Ciumeghiu, spre orașul salvării lor, Aradul, aflat sub administrație românească.

Urmare a unei astfel de „misiuni” de urmărire, ei au descoperit ce se petrecea în realitate cu evreii predați grănicerilor. În fapt, odată ce ajungeau în gara orașului Arad, evreii escortați de grăniceri erau eliberați, de către plutonierul-major Popescu, omul de încredere al lt.-col. Perhaița.

În volumul despre salvarea evreilor peste frontieră am publicat raportul agentului care a descoperit aceste fapte, cu nume de cod *Agent 245* (pe care l-am identificat ca fiind jandarmul Ioan Cătănoiu). Din raport am aflat numele lt.-colonelului de grăniceri care coordona această acțiune de salvare (Ioan Perhaița, menționat greșit în raport sub numele Perhaitzer. i în alte documente numele său apare sub diverse forme, ca și Perhaitzer sau Perhaiță), împreună cu subordonatul său, plutonierul-major Popescu.

Atunci când plutonierul de jandarmi Vasile Mureșan, colegul agentului 245, a vrut să-i aresteze, în Arad, pe evreii eliberați, plutonierul-major Popescu și lt.-col. Perhaița (sub numele greșit de Perhaitzer), observând acest lucru au intervenit în favoarea lor, motiv pentru care au fost eliberați de către Poliția gării din Arad, care-i capturase la intervenția plut. Mureșan. Iată, mai jos, raportul special al *Agentului 245* (din data de 29 mai 1944), redactat în urma misiunii de urmărire, pe care îl reproducem în întregime din volumul amintit, și în care ni se oferă explicația chiar de către *Agentul 245*:

DARE DE SEAMĂ

din 29 Mai 1944

asupra activității informative desfășurate conform ordinului de căutare din 27 Mai a.c., privitor la filarea unui grup de evrei până la trecerea lor peste frontieră de către grăniceri

CONSTATĂRI:

În ziua de 27 Mai 1944, un grup de evrei, compus din 15 persoane, au fost predați Batalionului ¼ grăniceri din Beiuș, pentru a fi trecuți peste frontieră în Ungaria. Cum însă existau bănueli că o parte din evreii intrați în țară în mod fraudulos, în loc să fie trecuți peste frontieră, înapoi de unde au venit, sunt conduși la Arad de anumite persoane, unde li se procură acte de

către comunitatea evreiască din Arad, pentru a putea rămâne în țară sau emigra în alte țări.

Împreună cu Plot. Mureșan Vasile, am filat acest grup de evrei, care au plecat din Beiuș în seara zilei de 27 Mai a.c., fiind escortați de către D-l Plot. Maj. Popescu, secretarul Bat[alionului] de grăniceri, cu destinația de a fi trecuți peste frontieră în Ungaria, după cum se vorbea și ne-a afirmat-o chiar și un grănicer care mergea în serviciul de curier, spre Deva, de la Beiuș. În gara Holod însă, acești evrei nu au fost dați jos din tren, pentru a schimba direcția spre frontieră, spre Hidișelul de Sus, pe unde se obișnuia să se treacă evreii în Ungaria și s-a continuat drumul spre Ciumeghiu, și pe unde, dealtfel, ne precizase și grănicerul, că vor fi trecuți peste frontieră, în Ungaria. Nici în gara Ciumeghiu nu s-a făcut debarcarea acestor evrei, continuându-se drumul cu aceștia până la Arad. Au ajuns în gara Arad în dimineața zilei de 28 Mai a.c., unde au fost lăsați liberi din tren și, trecând prin gară foarte ușor, deoarece nu era nici-un control, deși în Arad, în acea zi urma să se facă razii generale. Eșind din gara Arad, parte din acești evrei au început să fugă prin oraș, iar o parte s-au urcat în două trăsură. Menționez că, în acest timp, evreii erau priviți de la distanță de d-l. plot. maj. Popescu, care îi escortase până în gara Arad.

Subsemnatul, am luat numărul acelor două trăsură și am continuat imediat filarea grupului de evrei ce se compunea din 3 bărbați, care au mers numai pe străzi lăturalnice până ce au intrat în sinagoga evreiască din Piața Luptei (fostă Cercetașilor), Nr. 14, din Arad.

Plot. Mureșan, care mersese ca să solicite concursul poliției și gărzi militare din gara Arad, a voit să[-i] aresteze pe cei care se urcaseră în trăsură, cu concursul poliției și gărzii militare, însă a intervenit domnul Colonel Perhaitzer, comandantul Bat. ¼ grăniceri, și d-l plot. maj. Popescu, care escortase, dealtfel, pe evrei până în gară, sub pretext că evreii se află sub paza D-lor, pe care trebuie să-i conducă la delegatul St. M. din Arad, pentru cercetări. Nu au fost însă nici aceștia, care mai rămăseseră, conduși la delegatul M. St. M., ci au fost lăsați liberi, care au fost filați de către plot. Mureșan, până ce și aceștia au intrat în aceeași sinagogă, de la adresa de mai sus, unde, dealtfel, ne-am întâlnit după despărțirea de la gară. Menționez că subsemnatul nu am fost de față la cele petrecute cu grupul de evrei ce se urcaseră în cele două trăsură în gara Arad.

Imediat după cele arătate mai sus, împreună cu plot. Mureșan, am mers și am anunțat Chestura Poliției Arad, la aceasta fiind, la orele 6 dim[ineata], de serviciu comisarul Safta și agentul Stanca, precum și comisarul Albu. Poliția numai pe la orele 7 ½ a luat măsuri de urmărirea evreilor semnalati, de față fiind și plot. Sărmășan, de la reședința Legiunei [de] Jand[armii] Arad.

Nu știu ce s-a mai petrecut cu acești evrei, deoarece am primit ordin dela domnul comandant al Legiunei Jandarmi Bihor, ca, după ce îi vom semnala poliției Arad, să ne înapoiem la Beiuș, misiunea noastră terminându-se din acel moment².

Agent Nr. 245”.

[Însemnare pe document:] „Raport special”

Ca urmare a raportului din 29 mai 1944, al agentului 245, două zile mai târziu, lt.col. Ștefan Rusu, comandantul de atunci al Legiunii de Jandarmi Bihor, și-a întocmit propria dare de seamă, către Inspectoratul de Jandarmi Timișoara.

Din acest document aflăm, printre altele, numele agentului 245, colegul lui Mureșan. Este vorba de un anume Ioan Cătănoiu. În darea de seamă a lt.col. Rusu este reprodus aproape identic textul *Raportului agentului 245*, dar este menționat faptul că a intervenit pentru eliberarea evreilor în gara din Arad numai plutonierul-major de grăniceri Popescu, care-i și escortase din Beiuș³. Iată pasajul despre intervenția plutonierului-major Popescu: „Agentul Mureșan i-a denunțat poliției gării Arad și comandantului militar al gării, pentru a-i reține pe acești evrei; poliția gării și comandantul militar, în urma intervenției plot. major Popescu, care i-a escortat până la Arad, i-a lăsat liberi”⁴.

Comandantul Legiunii de Jandarmi, lt.col. Ștefan Rusu a aflat, astfel, care era realitatea cu privire la evreii pe care subordonații săi îi capturau pe teritoriul românesc. El a menționat, în *darea sa de seamă*, adresată Inspectoratului de Jandarmi Timișoara, și atitudinea poliției arădene, care i-a eliberat: „Agenții au continuat urmărirea lor prin orașul Arad și, văzând că toți acești evrei s-au adunat la sinagoga evreiască, i-au denunțat comisarului de serviciu, al Chesturii Arad, care s-a dus să-i rețină.

Legiunea, luând informațiuni ce s-a făcut cu acești evrei, că, *în urma unui ordin al Inspect. Reg. de Poliție Timișoara, au fost puși în libertate*, cazul s-a raportat la I.G.J. și Inspectoratului Timișoara cu Nr. 1707 din 2 iunie 1944”⁵.

Cum s-au petrecut lucrurile mai exact, aflăm dintr-o altă dare de seamă, a aceluiași lt.col., către Inspectoratul de Jandarmi Timișoara, din data de 2 iunie. „Pe baza informațiilor de mai sus, în ziua de 27 Mai a.c., am

² *Ibidem*, p. 108-109. [Însemnare pe document:] „Raport special”.

³ *Ibidem*, p. 110-111

⁴ *Ibidem*

⁵ *Ibidem*

pus agenții informatori ai acestei legiuni de a urmări destinația ce va lua un grup de 15 evrei ce au fost predați în această zi Batalionului Grăniceri Beiuș. În seara zilei de 27 Mai 1944, acest grup de evrei a fost dus în gara Beiuș și urcați în trenul de Arad, însoțiți de către plot. maj. Popescu, secretarul Bat. de Grăniceri Beiuș. Agenții noștri informatori, Mureșan Vasile și Cătănoiu Ioan, au urmărit acest grup până au ajuns în gara Arad, unde, la oprirea trenului, evreii s-au despărțit în două grupuri. Primul grup apucând pe o stradă lăturalnică, au fost urmăriți de către agentul Cătănoiu până ce au fost băgați de un curier al evreilor în sinagoga evreiască din Piața Luptei, fostă a Cercetașilor, Nr. 14 Arad. Al doilea grup a ășit în fața gării, urmăriți de către agentul Mureșan Vasile, iar în timp ce intenționau să ia trăsuri până la destinație, agentul Legiunei a anunțat pe comisarul de serviciu, anume Meșter, de la comisariatul gării Arad și pe locotenentul Dascălu, comandantul poliției militare din gară și care se afla la comisariat. Acești funcționari, intenționând să-i rețină pe evreii care erau fără escortă, plut. maj. Popescu, secretarul Bat. Gr. Beiuș, care urmărea de la distanță acțiunea, a intervenit, spunând că duce pe acești evrei la delegatul M[arelui] St[at] M[ajor] Arad, pentru cercetări, în urma cărei intervenții evreii au fost lăsați liberi.

Plut. maj. Popescu s-a făcut nevăzut, iar agentul Legiunei Mureșan Vasile a urmărit acest grup de evrei, intrat în sinagoga evreiască amintită mai sus, unde s-au întâlnit amândoi agenții. Văzând pe toți evreii adunați în sinagogă, agenții Legiunei au anunțat pe comisarul de siguranță, anume Safta, de la Chestura Poliției, pentru a lua măsuri de arestare a evreilor; agenții, considerându-și misiunea terminată, s-au înapoiat la Legiune”.

Lt. col. Ștefan Rusu nu a formulat nici un punct de vedere cu privire la aceste întâmplări, care nu au fost conforme cu poziția jandarmerilor bihoreni. Rămâne, totuși, întrebarea de ce Lt.col. Ioan Perhaița și Inspectoratul de Poliție Timișoara, ca și polițiștii din Arad au acționat de așa manieră, încât au zădărnicit eforturile jandarmilor ? A fost, probabil, vorba de un consens tacit - de care numai poliția și grănicerii știa - ca să li se dea drumul evreilor trecuți clandestin frontiera în România pentru a putea ajunge la București ? Ținând cont de faptul că acești refugiați nu au pășit nimic, și nici cei trimiși în judecată la Tribunalul Militar din Timișoara (care, dacă i-a condamnat, i-a trimis în Lagărul de la Târgu Jiu, de unde au fost puși în libertate după 23 august 1944, deci au rămas în viață), credem că aceasta este varianta cea mai credibilă. Foarte îndoială că Lt.col. de jandarmi Ștefan Rusu nu știa de această opțiune diferită, nu și-a dat seama că, pentru unii militari, una erau ordinele oficiale, și cu totul altceva respectarea lor.

Alții, însă, care știau de aceste „ordine nescrise”, ori au înțeles că s-a schimbat cursul războiului sau aveau alte convingeri, cum a fost cazul lui Perhaița, au reacționat, așa cum am văzut, în mod diferit. Presupunem că el a

decis să salveze evrei, în primul rând, pentru că i-a cunoscut în mod direct și a avut ocazia să interacționeze cu ei de când era copil, la Borcut și Târgu Lăpuș. El a copilărit și a crescut în acea realitate cotidiană multietnică din unele comune și orașe ale Transilvaniei. Așa cum declara în autobiografie, știa limba maghiară foarte bine, precum și germană și franceză. A urmat școala la Târgu-Lăpuș (4 clase, din 1904-1908), iar liceul la Năsăud (1909-1916), unde trăiau mulți evrei la începutul secolului al XX-lea, fiind nevoit să învețe maghiara și poate și germană sau idiș. Deci, putem presupune că, provenind dintr-un mediu multietnic, în care s-a format până în 1918 (când a împlinit 20 de ani), dar în care a trăit și după aceea, a avut o experiență de viață mai bogată și un orizont mai larg. Și cariera sa ulterioară s-a desfășurat în orașe ca Oradea, Timișoara, Cluj, Sfântu-Gheorghe și Arad. Cunoscând și noi această realitate, ca locuitori ai Oradiei, avem convingerea că tocmai conviețuirea cu alții, diferiți etnic și lingvistic, l-a determinat să-i privească altfel, fiind un cunoscător de maghiară și germană. Aceste aptitudini l-au recomandat pentru arma grănicerilor pe frontiera cu Ungaria, acolo unde se putea folosi de aceste cunoștințe, și nu pe altă frontieră. El a recunoscut că a ajutat evrei în autobiografia scrisă în 2 august 1951. Este vorba de mărturia sa cu privire la faptele sale, dată în 2 august 1951:

„În timpul de la 25 II. '944 până la 31 mai '944, am ținut locul de cdt. de *Bat. de frontieră Beiuș*. Chiar în acest timp s-au produs arestările în masă ale evreilor din Ungaria. *Sute de evrei care au trecut frontiera în Rom. [ânia] în loc să-i dau înapoi peste frontieră i-am trimis în grupuri la Arad, salvându-i de la moarte sigură* (subl.ns.-A.F.). Pentru acest fapt am fost *tradus* în fața *Trib[unului] Militar de la Timișoara*. Datorită, însă, zilei de 23 aug. '944, am scăpat de închisoare”⁶.

Așadar, ulterior înaintării către Inspectoratul de Jandarmi din Timișoara a *Dării de seamă* (rapoartele de mai sus, ale plutonierului Cătănoiu și ale lt.col. Rusu), lt.col. Perhaita a fost trimis („tradus”) în fața Tribunalului Militar din Timișoara, spre judecare. Actul de la 23 august a dus la anularea trimeriei în instanță și la repunerea sa în drepturi. Nu știm încă exact ce s-a întâmplat cu el în perioada de la începutul lunii iunie și până la 23 august 1944. Este de presupus că i s-a întocmit un dosar de trimitere în judecată, cu care nu știm ce s-a întâmplat după căderea regimului antonescian. Există, așadar, un gol în cunoașterea destinului său, pe care, probabil, cercetările în fondul Tribunalului Militar din Timișoara o vor putea umple. Deocamdată, nu am avut acces la aceste informații, desigur, dacă ele s-au mai păstrat în arhivele militare. După 23 august 1944 a fost repus în drepturi și a luptat eroic pentru apărarea aeroportului din Gai, de lângă Arad.

⁶ *Autobiografia* din 1951. Vezi anexa documentară.

Numele și acțiunile acestea nu mi-au spus mare lucru atunci. Un ofițer de grăniceri și un subordonat de-al lui, plutonierul-major Ioan Popescu, secretarul batalionului 1/4 grăniceri din Beiuș, au fost implicați în acțiuni de salvare a evreilor, din motive pe care puteam doar să le bănuiesc și asupra cărora nu doream să fac speculații. Ei au devenit suspecți și, ca urmare, au fost urmăriți de agenți de jandarmi sub acoperire, din ordinul comandantului Legiunii de Jandarmi Bihor. După încheierea misiunii de urmărire din 27/28 mai, *Agentul 245* și colegul său, agentul Vasile Mureșan, au redactat raportul de mai sus, din care rezultă, cu claritate, faptul că unii militari români nu aplicau politica represivă a guvernului față de evreii care se refugiau în România.

„Chestiunea Perhaița” s-a schimbat atunci când am primit un mesaj, pe site-ul academia.edu, în care o persoană necunoscută mi-a cerut să o contactez la un număr de telefon, ceea ce am și făcut. Astfel, am contactat-o pe dna Rodica Balint, din Baia-Mare. Cine era aceasta ? Lt.col. Ioan Perhaița a avut un frate, care s-a căsătorit și a avut trei fiice. Dna Balint este una dintre acestea.

Rodica Balint a fost cea care a manifestat un interes constant pentru unchiul mamei sale, căutând informații pe internet despre acesta, unde a parcurs textele mele postate pe internet, în care apare menționat și numele lt.-col. Perhaita. Mi-a comunicat că are acasă o serie de documente personale și fotografii ale lt.-col I. Perhaita, unchiul mamei sale, din care o parte mi le-a trimis prin e-mail, scanate, între care și o *autobiografie* din 1951.

Văzând informațiile, mai exact o parte din arhiva personală a lt.-col. (pentru că o altă parte se află la Arad, la urmașul soției lt.-col. Perhaița), creată în timpul vieții de unchiul său, am înțeles că e vorba de un ofițer român de excepție, participant la două războaie mondiale (și în războiul cu Ungaria bolșevică din 1919), fiind decorat.

Am remarcat, de la început, că lt.col. Ioan Perhaița era un ofițer riguros, căruia-i plăcea să noteze, cu mare exactitate, în autobiografia sa, evenimentele importante la care a luat parte și pe care, unele, mai importante, le-a relatat și în presă. A scris, printre altele, după război, un articol – publicat în săptămânalul arădean *Flacăra Roșie* – cu ocazia împlinirii a 30 de ani de la evenimentele din 23 august 1944, când a luptat, cu succes, dar cu mari pierderi în vieți omenești, pentru apărare aeroportului din comuna Gai (Perhaița, 1944).

În concluzie, considerăm că vor trebui continuate cercetările în arhive, în condițiile în care martorii oculari sunt greu de găsit, dacă nu imposibil de găsit, pentru a identifica informații noi, care să completeze portretul acestui ofițer român demn și curajos, care și-a făcut datoria față de țara sa și umanitate.

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Anexă documentară

***AUTOBIOGRAFIE A LT.-COL. IOAN PERHAIȚA, DUPĂ
ELIBERAREA SA DE LA CERNAVODĂ, UNDE A EFECTUAT
UN AN DE ÎNCHISOARE (20 MAI 1950-27 MAI 1951)***

Autobiografie

2 august 1951

Lt. Col. (rez.) Perhaița (P.) Ioan, domiciliat în Arad, bulevardul Dragalina, nr. 12, (la dr. Costa Romulus), pensionar militar de la 1 septembrie 1947, cu Dec. 162901/1947 și cu 42 435/951 – Rel.[igie] ort.[doxă].

Declar următoarele:

Nu mi-am schimbat numele. Sunt născut la 27 august/'896, în comuna Borcut [R. Someș] R. Baia-Mare, de naționalitate și cetățenie român. Avere personală 8 iugăre, din care 3 iugăre pământ arabil, iar restul pășune, primit de la bunica mea, după mamă, Man Ileana. Nu le-am folosit niciodată, fiind în folosința [actuală] a fratelui meu, Perhaița Pavel, de meserie plugar, din com. Borcut și [...]sfatul popular al com. Borcut.

Căsătorit cu văd. Lucreția D. Ile/sora dr. Costa R[omulus] din Arad/de naționalitate și cetățenie română.

Tata: Perhaița Petru decedat în 1933, în vârstă de 78 de ani, de meserie plugar mijlocăș și cantor la bis[erica] din Borcut, de naț. și cet. român. Avere personală circa 27 j., din care 10 arabil, iar restul fânață. Nu pot preciza cât pământ este, fiindcă niciodată nu m-am interesat în scripte de această avere, eu fiind plecat de acasă – de la vârsta de 9 ani - la școli și mai târziu, în cariera militară, în diferite orașe din țară. Acest pământ a fost folosit de fratele meu Perhaița Pavel, de meserie plugar.

Mama: Perhaița Nastasia, născută Man, decedată în anul 1944, la vârsta de 66 de ani, fiică de țăran, analfabetă, de naț. și cet. Român[ă].

După cum povestea mama, au fost 12 băieți și o fată, din care am rămas numai doi frați în viață, ceilalți au murit, după naștere imediat, probabil din lipsă de asistență medicală și mizeria din acele vremuri. Din această cauză, mama mea era plâpândă și slăbită până la moarte. Nu-mi aduc aminte de ceilalți frați. Fratele meu, Perhaița Pavel, doomiciliat în com. Borcut,raionul Baia Mare, mai mic decât mine cu 8 ani, deci are 47 de ani, plugar mijlocăș, de naț. și cet. rom[ână].

Avere personală: tot ceea ce a rămas de la tata și mama, ceea ce am arătat mai sus, adică 27 j. plus 8 ale mele, pe cari le lucrează cu familia lui.

Este născut cu Perhaița Maria, născută Leșe – analfabetă – fiica de plugar. Nu știu ce avere are. Fratele meu are 3 fete, Perhaița Victoria de 16 ani, măritată în anul 1950, născută în satul Trestia regiunea Baia-Mare. 2) Perhaița Viorica în vârstă de 12 ani. 3) Perhaița Maria în vârstă de 11 ani, ambele urmează școala primară. Dintre cele 3 fetițe ale fratelui meu, nu cunosc decât pe cea mare, fiindcă n-am fost acasă la fratele meu din vara anului 1938.

Studii

De la '904-'908 am urmat 4 cl. Primare în Tg. Lăpuș, iar de la 909-916 [am urmat] liceul din Năsăud, adică 8 clase.....

Stagiu militar

De la '916-1918 încorporat ca elev în R. 63 I. [...] arm[ata]. a.u. primul război mondial.

În '917, luna Febr., am fost dus în campanie de marș pe frontul de rășărit, unde am stat la o unitate de instr., în spatele frontului – la Nicolaev – *până în luna martie sau Aprilie* (nu știu precis), când am *fost dus pe frontul italian* unde în of. în luna Iulie 1917, am fost rănit ușor și transportat într-un spital din Zagreb. În martie '918 *trimis pe frontul din Apus*, în Reg. *Metz*, unde am stat *până la 11 Noiembrie*, când armatele s-au destrămat și am plecat acasă. N-am luat parte la lupte.

După eliberarea Ardealului de către Armata Rom[ână], în Ian. 1919 am fost *încorporat la R. 81 I. Dej, fiind totodată înaintat la gradul de Sublt.* Cu acest Reg[iment], am luat parte în luptele de eliberare *a Ardealului, până la Tisa 1919*. Am fost *decorat* cu Bărb. și Credință și Cr. Rom[âniei] cu panglică de Virt. Mil. I. 8 8932.

Tot în acest Reg. mi-am înaintat actele pentru activare fiindcă pierdusem câțiva ani pentru a urma facultatea, și nu aveam mijloace mat[eriale] *în acest scop*.

În Reg. 81 I. am stat ca sublt. Rez. până în 1923, când am fost avansat locot[enent] și mutat în *liceul militar Tg. Mureș*, unde am stat până în 1928.

De la 1928-1933, locot. și căpitan în R. 86 I. *Oradea*;

II 1934-1936, căpit. la compania 6 *Cluj*;

II '936, luna mai, la 31 oct. 936, în R. 87 I. *Satu-Mare*;

II '936, 1 iulie, la 30 sept. '936, am urmat cursul de maior la *Turnu Severin* și Sf. *Gheorghe* (căpitan).

II '936 - 1 Nov. '1939 în Min. de Răzb. ca șef al In. Ofițerilor de rezervă din ținuturile alipite (cpt. și maior).

II 1 nov. 1939 – 1 Nov. 1940 la *Timișoara* în gradul de maior, cdt. de batalion de Grăn. de frontieră/ R.4 [...?]

II 1 Nov. 1939 – 1 nov. 1940 la *Timișoara* în gradul de maior, cdt. de Batalion de Grăn. de frontieră

II 1 Nov. 1940 până la Nov. '944 la *Arad*, cdt. de batalion de Grăn. de instruct., în cazărmile de la Gai [Arad], ca maior și lt.-col.

Nu am fost pe frontul de răsărit. După 23 august 944, în ziua de 26 aug., orele 11, trupe germane, venind din Ungaria, au trecut frontiera la punctul Turnu și s-au îndreptat în circa 80 de camioane spre Arad-Gai, unde eu eram instalat cu Bat. de grăniceri pe poziție, la marginea satului Gai, gata de luptă. Nemții aveau intenția de a ocupa Aradul și de a face joncțiunea cu trupele germane care dețineau ocupat aeroportul Ceala, având 22-30 de avioane de bombardament și avioane vânat. de război. Concomitent cu acest atac am fost atacat și din aer de avioane de la aeroport, fiind într-o situație f. dificilă. Lupta a fost dărză și a durat toată ziua, fără ca nemții să poată pătrunde în oraș. (...în ziua de 26 august peste 70 de morți și 2 răniți).

În ziua de 27 august, primind întăriri, am reușit să alung trupele germane peste frontieră și am eliberat aeroportul Ceala, unde au rămas pe sol avioane și materiale de război de la nemți.

În continuare, am luptat contra *nemților* cu trupele din garnizoana Arad, fiind subordonat diviziei 203 *aliată* – sovietice, de sub comanda tov. General pe direcția Lipova ... Pâncota – Chișineu-Criș - Zerind, până în ziua 28 [...] 1944, când am fost trimis, cu resturile Bat. meu, la Arad, cu misiunea de a curăța pădurea Ceala de resturile fasciste germane, rămase ascunse, totodată a face siguranța trupelor aliate sovietice ce se scurgeau zi și noapte spre front prin Arad. Pentru faptele de arme de mai sus am fost decorat cu ord. C[oroana]r. Rom[âniei]. cl. IV, în grad de of. cu pang. de virtute militară I.D. 964 M[on]. Of. din iulie '945.

Ord[inul]. Steaua Rom[âniei] cu spade în gradul de of. cu pangl. de virtute militară I.D. Nr. 1144/4 VI '947.

De la 15 Nov. 1944, până la 8 Aprilie 1945 am fost ajutor la Reg. 4 Gr. [...].

De la 8 IV 1945, până la 9 Mai 1945, la terminarea luptelor și până la 9 iunie 1945, pe frontul de vest Cehoslovacia, în Reg. 2 Dorobanți.

În noaptea de 8/9 Mai '945 am fost numit parlamentar în sectorul Div. 11 să primesc capturarea nemților.

După terminarea luptelor cu acest Regiment, am venit pe jos în țară, până la Făgăraș, unde am înființat Centrul de Instr[ucție] al Inf[anteriei]. funcționând până în aug '946, ca ajutor de cdt., când subsemnatul am fost trecut în cadrul disponibil, conf. Decretului 2498 din 9 aug. 1946.

În timpul legionarilor eram în Arad, cdt. Bat.[alionului] Grăn[iceri] la Gai. N-am fost simpatizant cu ei. În timpul *rebeliunii* am fost încazarmat

timp de 48 de ore cu Batalionul la Gai, gata de a mă apăra în caz de atac din partea legionarilor. Ei dezbrăcau ofițerii și subofițerii care îi găseau pe stradă.

În timpul de la 25 II. '944 până la 31 mai '944, am ținut locul de cdt. de *Bat. de frontieră Beiuș*. Chiar în acest timp s-au produs arestările în masă ale evreilor din Ungaria. Sute de evrei care au trecut frontiera în Rom.[ânia], în loc să-i dau înapoi peste frontieră, i-am trimis în grupuri la Arad, salvându-i de la moarte *sigură*. Pentru acest fapt am fost *tradus* în fața *Trib[unalului]*. *Militar de la Timișoara*. Datorită, însă, zilei de 23 aug. '944, am scăpat de închisoare. De la '946 până în prezent stau în Arad ca pensionar militar (de la 1 sept. 1947).

În timpul carierei mele de ofițer activ n-am făcut nici un fel de politică.

De la 15 mai 1950 la 27 mai 1951 am fost la unitatea de muncă nr. 3 Canal Cerna Vodă, unde tot timpul am fost evidențiat în muncă, educație politică și disciplină. Datorită acestui fapt am fost numit șef de șantier timp de 5 luni. Dosarul meu se găsește la autoritățile respective, unde se poate vedea cum am muncit. Cunosc limbile română și maghiară, cu germană și franceză.

Călătorii în străinătate n-am făcut.

Rude în străinătate nu am.

Perhaița Ioan,
Bdul Dragalina, nr. 12
Arad

(Arhiva personală a d-nei Rodica Balint, din Baia-Mare, județul Maramureș)

Data of Oral History Collected by the Questionnaires at the Jewish Community from Oradea

*Anca OLTEAN**

Abstract. *This is a paper based on my PhD thesis "The history of the Jews from Romania and Hungary (1945-1953) in the Romanian and Hungarian Historical Writings". Written by Romanian and Hungarian historians, some of Jewish origins, the edited bibliography reveals us a series of particularities of the evolution of Jewish community during communist period in Central Europe.*

The sources of oral history allow us to give new insights on a community on fighting for the coming out from the tragedy of Holocaust, the adaptation to the newly political economical realities of the area, but also for the preservation of identity. Thus were questioned 8 members of the Jewish Community of Oradea, who either them or members of their family members were returned from deportation with the view of the early postwar years in Oradea and their welcoming back in the community near the Crisul Repede River.

Keywords: *Jews, Holocaust, deportation, oral history, questionnaire, Romania, Hungary.*

The chief rabbi of Romania, Moses Rosen, confirms the existence of community life and religion during the whole communist years. (Rosen, 1990: 16-340) Although the activity of the synagogues and of the Jewish community was not as intensive as before the war, these institutions continued to exist, inclusively there were people involved in the assertion of the Judaic cult, which, at a certain moment, the rabbi stops them to emigrate because it was necessary that them to remain in the country. There many adherents of the Judaic cult which continued to go to the Synagogue, although the Security sent also here its sources of information because the "Jewish streets" must have been submitted to the communist regime.

It was very much accredited the idea that the Jews brought the communism and this system was implemented with the massive participation of Jewish community members. Radu Ioanid shows that it is wrong to consider that the number of Jewish communists in Romania was big, showing that in 1933, from a total of 1655 of communist members,

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only 364 were Jews which represented 22,6%. Also, Ioanid shows that in February 1946, the Jews represented only 5,3% from the party members. (Ioanid, 2005: 76)

As in Hungary, the Jews had particular reasons to adhere to communism. In 1945 the option for communism, meant a strong attitude against the fascism, of which they were fear the most. More of them could not feel animosity towards the Soviet army or towards the Russians because these were the factors which liberated them from the Antonescian regime. Several Jews, traumatized by the horrors of Holocaust, became important personalities of the communist party, or, much more, they involved in the Romanian Security, terrorizing themselves the political opponents of the communism.

In 1949, the Romanian communists started a brutal campaign against the Zionist leaders. What was interesting was the fact that although in the period that we study a number of Jews emigrated in Israel, the Zionist leaders tried to convince the Jewish population in the view of emigration and to accelerate the rythm of emigration, were imprisoned, enquetted and tortured starting with the year 1949. (Wexler, 2000: 380) From 1949 to 1959 they were enquetted and sentenced and judged around 250 of persons. The campaign was restarted in 1954, although Stalin died in 1953.

The faith of the Jews from Romania was far from good. With the exception of a minority, they were rather victims of the communism rather than beneficiaries. The Jews from Romania emigrated to a greater extent than the Jews of Hungary, while in Hungary assimilated more of them. We can conclude that, in Romania, the communist regime was more permissive with the Jews.

Regarding the situation of the Jews from Oradea after their return from Holocaust, I succeeded to question on the issue of Jewish postwar life in Romania a few Jews, survivors of the Holocaust, who were deported or who escaped from arrest being hidden by generous persons.

The questionnaire that I have achieved took into account a few classical works written by consacrated historians on the basis of questionnaires. Gidó Attila and Sólyom Zsuzsa, in the study *The surviving Jewish inhabitants of Cluj, Carei and Oradea. The survey of World Jewish Congress in 1946* (Gido, Solyom, 2010) draws by the intermediation of questionnaires analysis a painting of Jewish community during the war and in the months which followed to the liberation. The authors describes the situation existent in Romania in interwar period by mentionning the fact that most Romanian Jews were deprived by citizenship both in 1924, but also during the governance of Octavian Goga in 1938 making a comparison with Hungary were the second anti-Jewish law brought restrictions in the sense that the Jews could not obtain the citizenship in any way. On the basis of

questionnaires, the authors fill in this picture with a painting of the situation existent in Cluj, Carei and Oradea in the period of Hungarian administration. Thus, in the first months of occupation of Transilvania was organised a military administration, replaced later on with a civil one. They were taken measures against the Jewry by the interdiction of the Jewish publications, of sportive clubs and non-religious associations. Starting with 1940 the insults, the evacuations, arrestments and expulsions of the Jews became frequent. The authors allocates a separate chapter to the anti-Jewish existent legislation in Northern Transylvania found under the occupation of Hungary. Thus the first anti-Jewish law (The Law XV -1938) reduced the number of Jewish intellectuals or free profesionists at 20% from the total number of Jewish citizens. The second anti-Jewish law from May 5, 1939, during the governance of the count of Teleki Pál, considered as Jews the ones that were members of Jewish religious community and if one of the parents or two grandparents were Jews. The proportion of 20% of Jewish intellectuals or free profesionists was limited to 6%. The law introduced several anti-Jewish measures among whom the law numerus clausus who limited the number of Jewish students to 6%. The limit of 6% of Jews was introduced also in the house of lawyers, doctors and engineers for the Press Chamber and Chamber of actors. The law was limited the right to the Jews to buy agricultural and forestry properties and made possible the expropriation of Jewish properties. Several Jews lost their jobs and several Jewish shops were closed. In practice the number of their closed shops and stores confiscated was more numerous than the one acknowledged by the law.

The third anti-Jewish law was the law no. XV/1941 and its prezervations were applied also on Northern Transylvania. The Law forbidden the marriage between Jews and non-Jews and imposed penalties for the Jews who had sexual relations with non-Jewish women.

Another anti-Jewish law was the Law XV/ 1942 by which the Jews lost the right to buy more properties.

On the basis of the questionnaires made up by World Jewish Congress in 1946, the authors are offering informations also about forced labour. Established by several decrees, the forced labour entered into vigour at July 1, 1939 and stay valid until April 1941. The Jews who made forced labour were not required to make military service. The ones who made forced labour could not wear weapons. The Jews had to make in turn a hard physical work, to endure cruel punishments and and inhuman treatment, including insufficient portions of food.

The questionnaires offered also informations on the deportation that started after March 19, 1944. At the end of March, 1944, the Germans arrived in Northern Transylvania, and from April 5, the Jews were obligated

to wear a yellow star as a distinctive sign of their origin. The goods of the Jews were blocked. First of all the authorities sequestrated the children and older population but also the young ones who were not recruited for forced labour. It existed ghettos in the cities of Cluj, Gherla, Dej, Șimleul Silvaniei, Satu Mare, Baia Mare, Bistrița-Năsăud, Oradea, Târgu Mureș, Reghin, Sfântu Gheorghe. The most deportees were sent into the concentration camps from Bergen-Belsen, Buchenwald, Dachau, Grossrosen, Günskirchen, Mathausen, Neungamme or Ravensbrück.

In 1946, 7 200 of the Jews were still living in Northern Transylvania, among whom 200 of Jews from Bihor, 1500 of Jews from Cluj, 800 of Jews in Maramureș, 700 of Jews in Satu Mare, 650 of Jews in the Someș county, 500 Jews from Sălaj and Năsăud.

The authors present the themes and the problems to which have referred the questionnaires.

Thus the respondents were asked about the legal and financial status and about the atrocities they had suffered. They were required to write about the consequences of the assignments and ammendaments connected with the issue of marriage. The questionnaires were made out of questions concerning the evets that hapenned under Hungarian administration. The respondents could make details with regard to any prejudice, to report the material losses they had to suffer such as the expropriation of private investments, the restrictions imposed in the business world, the confiscated objects, the conditions of living, the incomes. Besides these datas, the questionnaires put questions about deportations with the mentionning of the date of deportation, of the place of deportation and concentration camps through they passed through.

Robert Eaglestone in his book *The Holocaust and the Postmodern* (Eaglestone, 2004) tells an assertion of Maurice Blanchot (Eaglestone, 2004:15) who wrote that the survivors of the Holocaust are not read as other usual books. Elie Wiesel (Eaglestone, 2004: 15) consider that a new type of literature was invented together with the Holocaust, namely the one of oral testimony which refers to personal experiences. The experience of the Holocaust implies subjective relations coming from the survivors.

At a much more smaller case, we questionned a few persons from the Jewish Community from Oradea who were survivors of the Holocaust, no matter that their relatives completet the questionnaires in the name of the parents already dissapeared from life. The questionnaires asked datas connected of:

1. Name and surname
2. Date of birth
3. Place of birth
4. The locality of residence

5. Occupation
6. Nationality
7. Were you deported during the Holocaust?
8. How were the Jews received after their return from deportation?
But you personally?
9. When you returned you succeeded to recuperate your old properties (mobiles and imobiles)? If yes, to what extent?
10. Did you participate to the life of Jewish community during the years 1945-1953 and to what extent?
11. Did you received aids especially for the Jews during the years 1945-1953?
12. You were members of some Jewish organisations after the war?
Can you mention in which organisations?
13. You never thought to emigrate in Israel or in other states of the free world?
14. Were you member in Romanian Communist Party (PCR)?
Which was the motif for which you entered in the party? Did you believed indeed in the ideals of egalitarianism?
15. Did you had relatives abroad? To what extent you succeeded to maintain connections?
16. It was possible to talk openly about emigration during 1945-1953?
17. Did you have ties with the Zionist movement? Did you know of the existance of Zionist organisations?
18. Which were the reasons for which some Jews emigrated in Israel (political persecutions, etc.)?
19. How do you motivate the fact that you did not emigrate?

Thus, **Hommonai Maria**, born in November 30, 1947, in Oradea, is Jew and pensionner. She filled in the questionnaire in the name of her parents Schwartz Iosif and Schwartz Ileana (born Krausz) who were deported, father at forced labour in Russia and mother in the concentration camps from Auschwitz Birkenau. At the question how were received the Jews after their return from deportation? What about her parents personally? the daughter Hommonai Maria answered: „I have no knowledge about their welcoming back from the side of the official authorities, only from the neighbors or relatives who returned sooner or, in different circumstances, they escaped from deportation. They were received back with friendship and feelings of sorry.” Their property had a lot to suffer while they were deported.” Father found his house, where I actually live with the family which was terrible ravaged and was fonctionnning as a warehouse for Soviet troops who were the masters of the city, the house of my father

was a household for the horses. Mother, at her return from Sweden, where she arrived after her liberation by the Danish Red Cross, found her personal things at a family of friends who gave notice that they succeeded to enter in the possession of their goods, after she was brought in the ghetto from Oradea". In the period 1945-1953, Schwartz Iosif and Schwartz Ileana did not participate to the life of Jewish Community, did not received aids designed especially to the Jews, were not members of Zionist organisations after the war, did not emigrate, them being at the second marriage and being exhausted physically and emotionally after the deportation. They were not members of Romanian Communist Party and did not have relatives abroad. Schwartz Iosif and Schwartz Ileana did not have ties with the Zionist movement. Hommonai Maria, their daughter, thinks that the Jews who emigrated in Israel wished that the history not be repeated again. Her parents did not emigrate because „They did not have the power and the necessary strenght to start a new way in life, they were concerned with the re-making of their normal lives in the conditions known before their deportation”.

Braun Vioara was born at 30.09.1926 at Marghita. She is actually retired. Survivor of the Holocaust, she was deported together with her parents and two brothers who died at Auschwitz. At the question how were the Jews received after their return from Holocaust and particularly herself, Braun Vioara answered: „Differently. Some with curiosity, with hidden enmity, with distrust, with simpathy, etc. I arrived home in September 1945 when it was formed a community of Jews from the survivors who returned sooner at home and from whom she received help”. She did not succeed to recuperate her property, mentions that she found the empty house, she participated to the life of Jewish community during 1945-1953 by spectacles, in front of the youth. She was member of the Democratic Group of the Jews from Marghita, and did not think to emigrate. She believed in the ideals of the communism because of her wish that the things she has passed through will not be repeated again. She had an older brother who emigrated in the USA, returned later to see her and whom she had visited too. She did not have ties with the Zionist movement. Among the reasons that the Jews had to emigrate in Israel she remembers the distrust, uncertainty and „the hope that they will be treated as equal citizens in their country”. She did not emigrate because of the fact that she had born two kids and she was ill very often.

B. ZS. was born in Oradea, at 20.04.1944. She was pensioneer and of Hungarian ethnicity. She speaks on behalf of the Jewish acquaintances who were deported. In what she is concerned she mentions: „I've been refugiated to Arad (Romania). My acquaintances enjoyed the coming of the escaped prizoners from deportations. Our former housemade offered accomodation, clothes, desinfected, fed the ones in need”. She heard about the loose of goods, of Jewish immobles. She did not participated to the life

of Jewish community during 1945-1953, did not receive special aids designed for the Jews, was not member of the Jewish organizations after the war, had a brother who emigrated, but for her it was too late. She was not member of Romanian Communist Party (PCR), had ties in Israel with whom she keep in touch. In her opinion it can not be talked openly about emigration, she did have ties with the Zionist movement. The reasons for which some Jews emigrated in Israel were concerned by the fact that „They believed in a country of their own where they could be Jews without persecutions”. She motivates the fact that she did not emigrate by the fact that she was loyal to the state who offered a peaceful living for her and her child.

Steier Elisabeta was born at October 24, 1917 at Boiu (Bihor), after which she lived in Oradea. She is retired, of Jewish origines. She mentions only that after August 23, 1944 she was liberated. Partially she succeeded to recuperate the properties. In the period 1945-1953, she did activities of volunteer work in the favor of Jewish community, received aids designed to the Jews (cloths), was not member of some Jewish organisations after the war, did not think to emigrate in Israel or in other states of the free world. She was member of Romanian Communist Party (PCR) and, as other sympathizers believed in the ideals of egalitarism. She had relatives abroad with whom she maintained connection by posts and visits. Her husband had ties with the Zionist movement. The motivation of the fact that some Jews emigrated in Israel were the political persecutions. She did not emigrate from medical reasons.

Bone Gabriela was born in March 28, 1928 in Târgu Mureş and lived in Oradea. She was deported during the Holocaust, is pensionneer and Jew. At the question how were received back the Jews after their return from Holocaust, especially herself, Gabriela Bone says: “From the deportation-from the concentration camp Bergen Belsen I arrived home in Târgu Mureş, str. Octavian Goga 18-we were welcomed by the Jewish Community with a lot of joy, we installed in a former hospital, we received clothes, a chamber having all necessary things”. The properties were nationalized and by processes were recuperated to a great extent. During the years 1945-1953, she was member of Jewish Community in Târgu Mureş and Reghin, received material aids designed particularly to the Jews. She was a member of an Jewish organization after the war, the organisation (Ha)şomer Haţair. She did not think to emigrate because she got married. She was member of Romanian Communist Party (PCR) and thought that the things will improve after the installation of communism. She did not have relatives abroad and remembers that it was possible to openly discuss the issue of emigration in the years 1945-1953. She had not ties with the Zionist movement. The emigration in Israel she sees as an ideal appeared

after the Holocaust in order that the Jews to have a country which to defend them and not to exist an Auschwitz anymore. She did not emigrate because she got married.

Kincses Ecaterina was born in May 11, 1940 in the locality of Cluj Napoca and then lived in Oradea. She is pensioner and of Jewish nationality. She filled in this questionnaire in the name of her grandmother who was deported. The name of deported grandmother was Diamantstein Yolanda. Ecaterina and her mother escaped from deportations because her mother was married with a German ethnic. However in the period of Holocaust, they stayed more hidden. The brother of her mother was deported too, Diamantstein Ivan. Him and their grandmother were deported to Auschwitz. Besides uncle Ivan, nobody from the family returned from deportation. They had only mobile goods, not imobiles. After the liberation, they recuperated some of them. She does not remember that her parents to be involved in the life of Jewish community, immediately after the war. They were helped, but very less. During the years 1945-1953 they received helps designed especially to the Jews as clothes and boxes of ailments. It was not member of certain Jewish organization after the war. She did not think to emigrate in Israel, mother was against the fact that also other Jews think to emigrate. Mrs. Kincses believed in the communist ideals. She motivates that mother, father and step father believed in the communist ideals. "Mother cried at the Stalin's death and did not know it will be further on". During 1945-1953 they did not have relatives abroad. In 1978 emigrated an aunt with whom they succeeded to keep in touch by telephone and packages. How the packages arrived was something terrifying, opened, thrown up. The parents, mother and step father did not want to emigrate. Her family had nothing to do with the Zionist movement. The reasons for which certain Jews choose to emigrate were the political persecutions, considers Mrs Kincses. She motivates the fact that she did not emigrate by the explanation that "I can not imagine life in another way. In Israel, there are problems with Arabians".

Varadi Iudith was born at 09.01. 1926 in Cluj-Napoca, then she lived in Oradea. She is pensioner of Jewish ethnic. She was deported during the Holocaust, mentioning the places through which she passed through: "Between 1944, May 3, in ghetto in Dej, Auschwitz, the concentration camps C, B,... Buchenwald Commando "Tauscha", the march of death until May, 5-6 1945, at the return to hospitals sanatoriums-repatriation 1946 march". At the question how were the Jews received after their return from deportation, what about herself personally, Varadi Iudith answers: "Left alone alive, me personally I did not return to the locality from which I was deported, but in Timișoara, to an uncle from the side of my mother, who perished in Holocaust, together with my brother. Shortly, I

got hired and I started a qualification". The house in which she had lived before the Holocaust was demolished. She participated to the life of Jewish Community after her return to Oradea in 1948 and was a contributor member of Jewish community together with the husband. She did not received helps designed especially to the Jews, she was not member of some Zionist organizations, she did not think to emigrate in Israel or in other part. She was a member of Romanian Communist Party (PCR) and believed in the ideals of egalitarianism. She had relatives abroad with whom she corresponded and kept in touch. During communist period it was possible to emigrate only with difficulty, considers Varadi Iudith: "There was campaigns in order to renounce to emigration then for a while it was impossible to emigrate, after several years of solicitation, the majority did not receive favourable recommendation, it was open a new possibility after 1970". She did not have ties with the Zionist movement. In her opinion, the Jews emigrated because they were not promoted to their working place and because they were hearing the call of Israel.

She did not emigrate because she returned ill from Holocaust and because she did not succeed physical and psychical resources to start a new life in another country.

Somogyi Livia completed the questionnaire in the name of the deceased father, Somogyi Laszlo, born in 1892 at Beiuș, of profession pharmacist, who lived later on in Oradea. At the question how they were the Jews received after their return from deportation, Somogyi Livia relates that she came back with the hope that she will find her family and she will receive the immobles that she previously had. Unfortunately, she did not receive back neither the mobile goods, neither immobles. Somogyi László participated to the religious celebrations at the synagogue and led the chorus of the community. She did not receive the help designed especially to the Jews, she was not member of some Jewish organizations after the war, she did not think to emigrate in Israel, motivating that it was too old to start everything from 0. They had relatives abroad, exchanging letters. She was member of Romanian Communist Party, believing in the ideals propagated by the communists. In the opinia of Somogyi Livia it was impossible to speak openly about the emigration only with the risk to loose your job. They did not have ties with the Zionist movement. Some Jews emigrated in Israel in order to "be Jews in their country and for an easier lifetime".

We see thus the difficult life conditions the Jewish community had to bear even after their return to their places of origin. The interviewed Jews were Jews that still reside in Romania and this fact explains why the majority of them were not Zionists in the aftermath of the war, why they did not emigrate in Israel. Some of them said that Romanians and Hungarians from Transylvania had compassion for them after their return from deportation,

other say that they confronted with the hostility of the local ethnics after their return from deportation. Almost all are discontented with the way in which they received back their goods, as the communism was advancing in Romania and Eastern Europe, and also the Jewish community had to obbey to the new master. The ones who kepted ties with Israel and relatives from Israel, did this under the surveillance of the Security, in difficult and risky conditions. One deported Jew says that the packages from Israel arrived ravaged at his destination. It is impossible that after these months of deportation, not to have been created a breach between the local population and the returned Jews. The communism spoke about equality but these fissures could not be overcame allways and this expains in part, why the majority of Jews emigrated in Israel during the communist years and did not identify with the newly created communist order.

From the consultation of the edite bibliography that we put at the basis of the present study it results that we have studied of an appreciable literature dedicated to the study of Jewish phenomena after the Second World War, published in Romania and Hungary. Written by Romanian and Hungarian historians, some of Jewish origins, the edite bibliography reveals us a series of particularities of the evolution of Jewish community during communist period in Central Europe.

The sources of oral history allow us to give new insights on a community on fighting for the coming out from the tragedy of Holocaust, the adaptation to the newly political economical realities of the area, but also for the prezervation of identity.

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Aspecte privind legislația bancară între anii 1990-2000

*Claudia Simona TIMOFTE**

Abstract. *Aspects concerning the banking law issues between 1990-2000. An analysis of the national legislation of the banking system in the period of transition we find that it has some things in common with the banking systems of other countries.*

This paper attempts to present legislative developments synthetic banking system between 1990-2000 when the organization appears on the banking system National Bank of Romania and the level of commercial banks.

Thus, the National Bank of Romania is presented as the central bank responsible for issuing, monitoring and surveillance, namely price stability and commercial banks operate as universal banks or specialized business.

This legal framework legislation have brought substantial change, moving from a centralized economy to a market economy, restructuring the banking system in Romania which started after 1 December 1990.

Keywords: *bank, system, law, organization, administration*

Introducere

Cadrul legislativ care reglementează sistemul bancar român după 1990 a început să-și urmeze cursul abia după data de 3 aprilie 1991 când a intrat în vigoare Legea nr 33 din 29 martie 1991 privind activitatea bancară în România.

Înainte de 1990, România făcând parte dintr-o societate centralizată nu numai economic, ci și financiar, putem spune faptul că, sistemul său bancar a prezentat câteva aspecte comune cu celelalte sisteme bancare ale statelor din Europa de Est. Astfel încât, după 1990 sistemul monobancă format din Banca Națională a României și patru bănci (Banca Română de Comerț Exterior, Banca pentru Agricultură și Industrie Alimentară, Banca de Investiții și Casa de Economii și Consemnațiuni) a fost înlocuit cu un sistem bancar pe două nivele: Banca Națională a României, ca bancă centrală și băncile comerciale, constituite ca societăți pe acțiuni cu drept de a

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desfășura o gamă largă de operațiuni, în condițiile respectării unor cerințe stabilite de BNR cu privire la domeniul reglementării și supravegherii.

Într-o asemenea atmosferă, legislația adoptată în anul 1991, într-o primă etapă a stimulat apariția unui sistem bancar novator, favorabil tranziției la economia de piață.

Prezentare și analiză

LEGEA nr. 33 din 29 martie 1991 privind activitatea bancară a apărut în MONITORUL OFICIAL nr. 70 din 3 aprilie 1991 și este structurată pe 10 capitole ce conțin 60 de articole. Prin dispoziția articolul 60 se stipulează faptul că, „Pe data intrării în vigoare a prezentei legi se abrogă Decretul nr.61 din 27 februarie 1974 privind autorizarea Băncii Naționale a Republicii Socialiste România și Băncii Romane de Comerț Exterior de a acorda dobânzi la disponibilitățile din conturile în valută, publicat în Buletinul Oficial nr. 25 din 1 martie 1974, Decretul nr.160 din 7 mai 1986 privind înființarea, organizarea și funcționarea Consiliului Financiar-Bancar, publicat în Buletinul Oficial nr. 27 din 9 mai 1986, precum și orice alte dispoziții contrare.”

La o analiză atentă a textului capitolului II al legii vom constata faptul că activitatea bancară este reglementată foarte clar prin „supunerea” societăților bancare în totalitate reglementarilor emise de Banca Națională a României pentru aplicarea politicii monetare, de credit, valutare, de plăți, de asigurare a prudenței bancare și de supraveghere a societăților bancare. Cu alte cuvinte, principii precum prudența și calitatea au stat la baza politicilor de autorizare din partea BNR pentru ca alte bănci să funcționeze pe piața bancară românească. Dacă vom studia îndeaproape acest subiect, vom constata faptul că în perioada supusă analizei România s-a caracterizat printr-un grad scăzut de bancarizare, comparativ cu alte state din Europa de Est. De exemplu, unei banci comerciale îi revenea 524 de mii de locuitori în anul 1997 comparativ cu Bulgaria careia îi reveneau 200 mii de locuitori în anul 1995 (Alexandru&Berea, 2003:58)

În acest sens, reglementările BNR au fost categorice și în 1992 s-a decis ca nivelul minim al capitalului social necesar autorizării unei bănci comerciale să nu fie inferior celui prevăzut de standardele europene – 5 milioane ECU/euro, iar mai târziu în anul 1995 s-au introdus restricții referitoare la posibilitatea participării companiilor cu capital de stat în calitate de acționar la constituirea unor societăți bancare.

Totodată în capitolul III care prevede Reglementarea și supravegherea activității bancare, la articolul 30 se stipulează faptul că, „societățile bancare sunt obligate să comunice Băncii Naționale a României creditele acordate clienților lor, care depășesc suma minimă pentru raportare stabilită de Banca Națională a României.” Totodată, au fost emise

reglementări ce făceau referire la închiderea exercițiilor financiare anuale și la întocmirea și verificarea financiar-contabilă anuală și trimestrială. Astfel că, în anul 1997 s-a elaborat planul unic de conturi, un model de bilanț contabil pentru bănci, precum și norme metodologice care și-au început aplicabilitatea de la începutul anului 1998. Supravegherea de către BNR a băncilor comerciale a fost concepută prin diferite inspecții la sediul băncilor, prin raportări de prudență bancară transmise, respectiv printr-un set de indicatori de apreciere a solidității financiare a băncilor comerciale.

Capitolul 8 se referă exclusiv la *secretul profesional în activitatea bancară*, astfel încât la articolul 46 se stipulează că, "Personalul unei societăți bancare supuse prevederilor prezentei legi nu are dreptul de a folosi sau dezvălui, nici în timpul activității, nici după încetarea acesteia, fapte sau date care, devenite publice, ar dauna intereselor ori prestigiului vreunei societăți bancare sau vreunui client al acesteia. Prevederile de mai sus se aplică și persoanelor care obțin informații, de natura celor arătate, din rapoarte ori alte lucrări oficiale." Chiar dacă suntem la nivelul anilor 1990, această prevedere, face referire la „*secretul profesional*”, urmând ca la articolul următor să accentueze că orice persoană care participă la activitatea societăților bancare este obligată să păstreze acest secret profesional.

Sistemul bancar românesc a prezentat până la începerea procesului de privatizare bancară, un caracter preponderent etatist, *deși numărul băncilor private l-a depășit pe cel al băncilor de stat*. Între anii 1990 și 1993, sistemul bancar a constituit o sursă de subvenționare a economiei naționale. Rata dobânzii a fost real negativă, ceea ce a contribuit la decapitalizarea băncilor. Calitatea portofoliilor bancare a fost afectată de slaba performanță a creditului, generate la rândul său de lipsa restructurării și a privatizării. După anul 1994, deși rata dobânzii a început să fie real pozitivă, insuficienta susținere a politicii monetare, simultan cu reformele structurale a condus la agravarea problemelor sistemului bancar.

Mai mult, existența sectorului bancar cu capital majoritar de stat a condus la folosirea acestuia pentru acoperirea pierderilor din economie. Necorelarea activității de creditare cu reformele structurale și creșterea indisciplinei financiare au condus la creșterea volumului creditelor neperformante. Din acest punct de vedere, sistemul bancar s-a confruntat cu serioase probleme, în sensul că ponderea creditelor neperformante s-a situat la nivelul de două treimi din totalul acestora în perioada 1996-1998.

După o analiză a evoluției sistemului bancar românesc se poate constata faptul că, acesta a înregistrat între anii 1991 și 2001 o puternică dezvoltare, deoarece numărul entităților bancare a crescut de la 12 (1991) la 41 (2001), dintre care 33 dintre acestea erau persoane juridice române, iar 8 reprezentau sucursale ale băncilor străine. Începând cu anul 1991 se observă

o creștere constantă a numărului de instituții bancare, acestea ajungând la un maxim de 45 în anul 1998 (Isărescu, 2006: 97)

Odată cu apariția unei noi legislații bancare, precum Legea privind activitatea bancară și Legea privind Statutul Băncii Naționale, legi ce au intrat în vigoare la 3.05.1991 (modificate ulterior prin Legea nr. 58/1998 privind activitatea bancară și Legea nr. 1/1998 privind Statutul Băncii Naționale a României) s-a creat un sistem bancar pe două nivele, un sistem de tip occidental, bazat pe principiul universalității băncilor.

Prin lege, Banca Națională a României a dobândit o autonomie față de puterea executivă, astfel că:

- are personalitate juridică;
- este unicul organ de emisiune, elaborează, aplica și răspunde de politica monetară, valutară, de credit, de plată, precum și de autorizarea și supravegherea prudențială a societății bancare;
- este un organ consultativ în procesul de elaborare a actelor normative ale autorităților publice, care privesc politica monetară, activitatea bancară, regimul valutar și datoria publică;
- conducerea Băncii Naționale a României este asigurată de un Consiliu de administrare numit de Parlament, membrii Consiliului de Administrație nu pot fi parlamentari sau membrii unui partid politic.

Potrivit amintitei legislații, Băncile Comerciale se pot constitui ca raport parțial sau total de capital autohton privat sau străin. Băncile Comerciale sunt dependente, având dreptul să se implice în diverse operațiuni bancare cu condiția respectării reglementărilor bancare emise de Banca Națională a României.

Procesul de privatizare a băncilor comerciale cu capital de stat s-a dovedit a fi un proces dificil, abia în anul 1997 a fost adoptată Legea privind privatizarea Băncilor Comerciale cu capital de stat.

Până în anul 1995 la nivel bancar s-a conturat un cadru de reglementare prudențial, care ulterior s-a extins și îmbunătățit în conformitate cu cerințele specifice impuse de desfășurarea unei supravegheri eficiente a activității bancare și corelarea cu aspectele apărute la nivel internațional și european. În aceste condiții BNR a adoptat reglementări privind adecvarea capitalului, expunerile mari, expunerea valutară, participarea unei societăți bancare la capitalul altei bănci sau al unei societăți nebankare, clasificarea portofoliului de credite, rezerva generală pentru riscul de credit și previzionale specifice de risc. (Isărescu, 2006: 96) Totodată au fost adoptate la nivelul anului 1997 un plan unic de conturi a modelului de bilanț contabil pentru bănci, precum și anumite norme metodologice care au fost aplicate începând cu data de 1 ianuarie 1998.

Măsurile privind reglementarea și supravegherea prudențială au constituit un factor decisiv pentru asigurarea unui sistem bancar adecvat,

însă în strânsă corelare cu acesta trebuie să funcționeze și economia în general.

Concluzii

Cele două legi au consfintit crearea unui nou sistem bancar orientat spre economia de piață. Noul cadru juridic a încurajat dezvoltarea băncilor cu capital privat și a permis intrarea liberă pe piața bancară autohtonă a instituțiilor financiare străine. Băncile au fost autorizate să opereze în calitate de bănci comerciale de tip universal, putând efectua o gamă largă de operațiuni bancare pe întreg teritoriul țării, nu oricum, ci în condițiile respectării normelor de prudență emise de banca centrală, în postura de instituție care supraveghează activitatea bancară.

Totuși situația confuză să nu-i spunem probleme existente a fost generată de un mediu macroeconomic instabil, norme de reglementare și prudenta insuficiente, insuficienta definire a drepturilor de proprietate, constrângeri bugetare slabe în sectorul bancar și în cel al întreprinderilor, competența scăzută a managementului din bănci, interferențe politice în luarea deciziilor de finanțare etc. Din păcate pentru România, în absența liberalizării vieții economice, „presiunea asupra bancii centrale și a sistemului bancar în general devine o caracteristică constantă a modului în care sistemul funcționează, care, de asemenea, se manifestă printr-o larg răspândită cerere de credite ieftine”. (Anghelache, 2007:30)

O serie de practici neprudentiale au ieșit la iveală odată cu adoptarea de către BNR a unei atitudini mai hotărâte în privința supravegherii bancare, prin impunerea unor cerințe stricte și o abordare mai restrictivă a politicii monetare la sfârșitul anilor 1990. În prima parte a anului 1998, legislația bancară a fost substanțial modernizată prin adoptarea unei noi legislații bancare: Legea bancară nr. 58/1998, Legea nr. 101/1998 privind Statutul Bancii Naționale a României și Legea falimentului bancar (Legea nr. 83/1998). În anii ce au urmat, cadrul legislativ care reglementează activitatea bancară a fost perfecționat, pentru a se obține un grad cât mai ridicat de compatibilitate cu reglementările similare europene și practicile internaționale.

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Legea nr. 33/1991 privind activitatea bancară

Legea nr. 34/1991 privind statutul Bancii Naționale a României

Calitatea aerului. Probleme la nivel național legate de nerespectarea reglementărilor europene în domeniu

*Mihaela PĂTRĂUȘ**

Abstract: *Air quality. Problems at national level related to non-compliance with European regulations in the field. The issue of air pollution arises from non-compliance with environmental protection measures imposed by several Union regulations, including Directive (EU) 2016/2284 of the European Parliament and of the Council of 14.12.2016 on the reduction of national emissions of certain air pollutants, amending Directive 2003/35 / EC and repealing Directive 2001/81/EC.*

This paper aims to analyze the current situation in Romania, the risk of completion of the infringement procedure by the European Commission, but also the legal elements from the perspective of the jurisprudence of the EU Court of Justice.

Keywords: *environmental policy, infringement procedure, air quality, operational programs, pollutant emissions*

1. Scurt itinerar introductiv

În contextul actual al mondializării și globalizării asistăm tot mai pregnant la o deteriorare substanțială a calității aerului, cu efect negativ asupra tuturor componentelor mediului, dar și asupra sănătății umane.

Poluarea atmosferică, ca de altfel majoritatea surselor de poluare, au impact transfrontalier internațional ce reclamă soluții de amploare și presupune conjugarea eforturilor tuturor statelor, prin participarea la o cooperare regională, dar și una internațională.

La nivel european, în conformitate cu dispozițiile art.2 alin.2 din Tratatul privind funcționarea UE (TFUE), Uniunea dar și statele membre pot legisla și adopta acte obligatorii din punct de vedere juridic în

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domeniile de competențe partajate¹. Unul dintre domeniile acestea este și cel al mediului², unde UE intervine prin politica de mediu adoptată în conformitate cu dispozițiile art.191-193 TFUE.

Pe segmentul mediu, competenței partajate a UE îi este aplicabil principiul preemțiunii³, definit în art.2 alin.2 teza II TFUE⁴.

Politica de mediu la nivel unional are caracter unitar, iar la baza acesteia stă ideea că, cu excepția obiectivelor de sănătate publică și protecție ridicată, măsurile pe care le pot adopta statele membre pot reprezenta bariere netarifare în calea liberei circulații a bunurilor și serviciilor. Prin urmare, instituțiile UE cu atribuții legislative au rolul de a adopta acte normative de armonizare a legislației statelor membre în domeniul mediului. Totodată, la nivel unional politica unitară în materie de mediu presupune și măsuri care implică un transfer semnificativ de competențe din partea statelor membre, precum cele de natură fiscală, dar și cele referitoare la resursele de apă, sursele de energie, exploatarea solurilor, amenajarea teritoriului etc (Art.192 alin.2 TFUE).

Politica Uniunii în domeniul mediului urmărește un nivel ridicat de protecție și se bazează pe principiile fundamentale de dreptul mediului, respectiv pe principiul precauției și acțiunile preventive, cel al stopării poluantului la sursă, pe principiul remedierii daunelor provocate mediului și pe principiul ”poluatorul plătește” (Art.191 alin.2 TFUE).

În ceea ce privește principiul ”poluatorul plătește”⁵, implementarea acestuia s-a realizat prin Directiva 2004/35/CE a Parlamentului European și a Consiliului din 21 aprilie 2004, privind răspunderea pentru mediul înconjurător în legătură cu prevenirea și repararea daunelor aduse mediului⁶.

¹ Pt. detalii a se vedea P.Craing, G. De Burca, *Dreptul Uniunii Europene. Comentarii, jurisprudență și doctrină*, Ed. a VI-a, Ed. Hamangiu, București, 2017, p.91-93.

² Art.4 alin.2 lit.e TFUE.

³ Pt detalii a se vedea I.Gâlea, *Tratatul Uniunii Europene. Comentarii și explicații*, Ed.C.H.Beck, București, 2012, p.152.

⁴ ”Statele membre își exercită competența în măsura în care Uniunea nu și-a exercitat competența”.

⁵ Despre apariția și aplicarea principiului a se vedea N.De Sadeleer, *Principiul „Poluatorul plătește în dreptul UE - Jurisprudență îndrăznească și armonizare slabă*, Ed. Pro Natura: Festschrift Til H. C. Bugge, Oslo, Universitetsforlaget, 2012, p. 405-419.

⁶ Publ. în J.O.U.E seria L 143/56 din 30.04.2004, modificată prin Regulamentul (UE) al Parlamentului și Consiliului din 5.06.2019 privind alinierea obligațiilor de raportare în domeniul legislației legate de mediu și de modificare a Regulamentelor (CE) nr. 166/2006 și (UE) nr. 995/2010 ale Parlamentului European și ale Consiliului, a Directivelor 2002/49/CE, 2004/35/CE, 2007/2/CE, 2009/147/CE și 2010/63/UE ale Parlamentului European și ale Consiliului, a Regulamentelor (CE) nr. 338/97 și (CE) nr. 2173/2005 ale

Promovarea pe plan internațional a unor măsuri destinate să contracareze problemele de mediu la scară regional sau mondială și, în special, lupta împotriva schimbărilor climatice au impus încheierea de către Uniune a unor acorduri internaționale în domeniu, dar și adoptarea în procedură legislativă ordinară, după consultarea Comitetului Economic și Social și a Comitetului Regiunilor, de programe de acțiune cu caracter general, de instrumente de armonizare, respectiv de cooperare și apropiere a legislației statelor membre.

În acest sens, în vederea asigurării calității aerului înconjurător, a unui aer mai curat pentru Europa, a fost adoptată Directiva 2016/2284 a Parlamentului European și a Consiliului din 14 decembrie 2016 privind reducerea emisiilor naționale de anumiți poluanți atmosferici, de modificare a Directivei 2003/35/CE și de abrogare a Directivei 2001/81/CE⁷.

2. Aspecte referitoare la norma de drept european privind reducerea emisiilor de poluanți atmosferici

Directiva 2016/2284, astfel cum rezultă din considerentele acesteia⁸ a fost adoptată întrucât deși *”în ultimii 20 de ani s-au înregistrat progrese semnificative în cadrul Uniunii în domeniul emisiilor atmosferice antropice și a calității aerului”*, totuși mai există un impact negativ și riscuri semnificative asupra sănătății umane și a mediului⁹.

Statele membre prin transpunerea în legislația internă a acestei directive pot să contribuie *la îndeplinirea într-un mod eficient, din punct de vedere al costurilor, a obiectivelor privind calitatea aerului stabilite în legislația secundară a UE și la atenuarea efectelor schimbărilor climatice, precum și la îmbunătățirea calității aerului la nivel mondial și la sinergii mai bune cu politicile Uniunii în materie de climă și energie, și totodată, la reducerea costurilor aferente sănătății generate de poluarea atmosferică și la favorizarea tranziției către economia verde*¹⁰.

În vederea atingerii obiectivelor inserate în conținutul actului normativ unional, statele membre sunt obligate să adopte și să pună în aplicare programe naționale de control al poluării atmosferice.

Consiliului și a Directivei 86/278/CEE a Consiliului, publ. în J.O.U.E seria L 170/115 din 25.06.2019. Pt. detalii privind nevoia adoptării legislației secundare unionale pe acest segment, a se vedea M.Duțu, *Răspunderea pentru daune aduse mediului*, în Rev. de Studii și cercetări juridice nr.3/2014, București, p.257-287, <http://www.rscj.ro/SCJ-3-2014.pdf>.

⁷ Publ. în J.O.U.E seria L 344/1 din 17.12.2016.

⁸ Considerentele 1, 3, 5, 9, 10, 14, 18 și 19.

⁹ Comunicarea Comisiei din 18.12.2013 intitulată *”Aer curat pentru Europa”* denumită STPA revizuită, publ. în J.O UE COM(2013)918 final.

¹⁰ Ibidem.

Potrivit dispozițiilor art.4 din Directiva 2016/2284, statele membre trebuie să își limiteze emisiile antropice anuale de dioxid de sulf, oxizi de azot, compuși organici volatili nemetanici, amoniac și particule fine în suspensie până în 2029.

Directiva a fost atacată la data de 10 martie 2017 la CJUE, cu acțiunea în anulare, fondată pe dispozițiile art.263 TFUE, de către Republica Polonă, iar la data de 30 august 2017 s-au admis cererile de intervenție ale Ungariei și României în susținerea concluziilor Poloniei, respectiv a Comisiei, în susținerea concluziilor Parlamentului European și Consiliului¹¹.

În speță, Republica Polonă a susținut că, Parlamentul European și Consiliul au încălcat obligația de a efectua o evaluare de impact corespunzătoare a directivei atacate înainte de adoptarea acesteia, respectiv a nesocotit punctul 13 din Acordul interinstituțional privind o mai bună legislație din 13 aprilie 2016¹², întrucât Comisia nu a efectuat o evaluare a impactului, o analiza sectorială, având în vedere că actul juridic produce consecințe importante. Totodată, s-a relevat faptul că nu s-a ținut cont de situația specifică a fiecărui stat membru, iar Parlamentul și Consiliul ar fi modificat elemente esențiale ale propunerii de directivă, în special în ceea ce privește cota de reducere a particulelor fine în suspensie în Polonia. De asemenea, s-a invocat că actul adoptat este ilegal din cauza lacunelor în evaluarea impactului cât privește consecințele măsurilor preconizate asupra economiei statelor membre, acesta încălcând principiile cooperării loiale, al transparenței, precum și obligația de motivare a actelor juridice.

CJUE a respins acțiunea în anulare statuând că *propunerea de directivă a făcut obiectul unor discuții în cadrul mai multor reuniuni la nivel de grup de lucru, dar și în cadrul Coreper și a unor reuniuni de miniștri, iar Republica Polonă a avut acces la toate documentele, s-a realizat schimbul de informații între instituții și statele membre, iar opoziția unor state nu poate constitui o încălcare a obligației de cooperare loială*¹³. Susținerea României, deși reală, în sensul că s-a încălcat Regulamentul de procedură al Consiliului prin comunicări tardive a unor informații și a unor documente a fost respinsă de către Curte cu motivarea că intervenientul nu poate să modifice obiectul litigiului¹⁴. De asemenea, CJUE a statuat că în cauză nu a fost încălcat principiul proporționalității, prevăzut de art.5 alin.4 TFUE, deoarece legiuitorul unional nu a săvârșit o eroare vădită, iar angajamentele naționale de reducere a emisiilor pentru perioada 2020-2029

¹¹ Hotărârea CJUE din 13.03.2019, Polonia/Consiliu și Parlamentul European, C-128/17, ECLI:2019:194.

¹² Publ. în J.O UE 2016 seria L 123, p.1.

¹³ A se vedea în acest sens și hotărârea CJUE din 13.10.1992, Portugalia și Spania/Consiliu, C-63/90, EU:C:1992:381.

¹⁴ A se vedea în acest sens hotărârea CJUE din 7.10.2014, Germania/Consiliu, C-399/12, EU:2014:2258.

pot fi îndeplinite numai dacă legislația Uniunii în domeniul calității aerului ar fi pe deplin puse în aplicare. Mai mult, s-a subliniat faptul că *evaluarea de impact a prezentat costurile și beneficiile pentru cinci opțiuni strategice, iar directiva atacată deși prevede obligația de reducere treptată de emisii de substanțe toxice în atmosferă, lasă la latitudinea statelor membre alegerea mijloacelor pentru îndeplinirea acestei obligații*. Referitor la încălcarea principiului egalității statelor membre în raport cu tratatele și dezvoltarea echilibrată a regiunilor, invocat de recurentă, Curtea a relevat că *art.37 din Carta drepturilor fundamentale a UE (CDFUE)¹⁵ prevede că politicile Uniunii trebuie să asigure un nivel de protecție ridicat a mediului și îmbunătățirea calității acestuia, care să fie asigurat în conformitate cu principiul dezvoltării durabile, iar art.52 alin.2 prevede că drepturile recunoscute de Cartă se exercită în condițiile și cu respectarea limitelor stabilite de tratate¹⁶ și, în consecință, în raport și cu dispozițiile art.191 TFUE, legiuitorul unional, pe baza datelor științifice și tehnice disponibile, a ținut cont în mod efectiv de dezvoltarea echilibrată a Uniunii și a regiunilor sale, respectând întocmai principiul proporționalității și egalității de tratament între statele membre*.

În consecință, actul atacat nefiind afectat de vreo cauză de nelegalitate, statele membre au avut obligația de a transpune în legislația națională conținutul directivei, în termenul stabilit de art.20.

3. Situația din România și procedura de infringement

Dreptul la un mediu sănătos a fost introdus în România prin Legea de revizuire a Constituției nr.429/2003¹⁷, în capitolul II, consacrat drepturilor și libertăților fundamentale.

Ținând seama de dispozițiile constituționale, la nivel național au fost adoptate o serie de acte normative în domeniul mediului, parte însemnată din legislație fiind potențată de ratificarea documentelor internaționale, pregătirea aderării la spațiul european, iar post-aderare de necesitatea respectării și garantării dreptului la mediu sănătos, preluării acquis-ului comunitar, cerințe impuse de jurisprudența Curții de la Strasbourg, precum și a Curții de la Luxemburg.

În domeniul protecției mediului, cadru legislativ este unul foarte complex și într-o continuă dinamică, datorită exigențelor stabilite prin reglementările europene.

O.U.G nr.195/2005 privind protecția mediului¹⁸ creează cadrul unitar și general în materie de mediu, statuează principiile care guvernează

¹⁵ Publ. în JO C 303 din 14.12.2007.

¹⁶ Hotărârea CJUE din 21.12.2016, Associazione Italia Onlus, C-444/15, EU:C:2016:978.

¹⁷ Publ. în M.Of.nr.767 din 31.10.2003. Pt detalii a se vedea S.I.Goia, *Drept constituțional și instituții politice- curs universitar*, Ed. Univ. Agora, 2019, p.258.

întreaga activitate de protecție a mediului, cuprinzând dispoziții și în ceea ce privește poluarea aerului¹⁹.

Actualul cadru legislativ intern general este complinit de Legea nr.104/2011 privind calitatea aerului înconjurător²⁰, precum și de legislația secundară adoptată în vederea aplicării legii -cadru. Astfel, Prin Hotărâre de Guvern nr.283 din 27 aprilie 2017²¹ privind plafoanele naționale de emisie pentru anumiți poluanți atmosferici s-a transpus în legislația națională art.2 alin.1, art.10 alin.2 și art.8 alin.1-3 din Directiva 2016/2284, nefiind transpuse în reglementarea internă dispozițiile art.8 alin.4 din directivă, referitoare la utilizarea mecanismelor de flexibilitate prevăzute de art.5 din directivă, inclusiv a inventarelor naționale de emisii ajustate.

De asemenea, prin Hotărârea Guvernului nr.425 din 20 iunie 2019 s-a modificat Hotărârea Guvernului nr.564/2006 privind cadrul de realizare a participării publicului la elaborarea anumitor planuri și programe în legătură cu mediul, pentru a se transpune în legislația națională dispozițiile art.14 alin.2 din Directiva 2016/2284 și Anexa I a Directivei nr.2003/35, pentru ca elaborarea Programului Național de Control al Poluării Atmosferice să fie realizat cu parcurgerea procedurii de participare a publicului.

Directiva 2016/2284 a avut ca termen transpunere în legislația internă a statelor membre data de 1 iulie 2018, iar pentru implementarea programelor și trimiterea acestora către Comisie s-a stabilit termenul de 1 aprilie 2019.

Pe probleme legate de calitatea aerului și poluarea atmosferică România are mari întârzieri.

Cetățenii români care locuiesc în zonele supraaglomerate, cu precădere în București, Brașov, Iași, Timișoara și Cluj Napoca, au fost expuși încă din anul 2007, în mod sistematic unor niveluri nesănătoase de PM10²², valorile- limită zilnice fiind depășite în mod persistent, iar în anul

¹⁸ Publ. în M.Of. Partea I nr.1196/30.12.2005, modificată și completată prin Legea nr.140/2020, publ. în M.Of., Partea I, nr.647/22.07. 2020.

¹⁹ A se vedea Capitolul X, art.59 lit k și art.64/5.

²⁰ Publ. în M.Of. nr.452/28.06.2011

²¹ Publ. în M.Of. 328 din 5.05.2017.

²² Sunt particule în suspensie rezultate din surse naturale sau activități umane care conțin praf, săruri marine, bioaerosoli, sulfati, nitrati, amoniu, carbon, plumb și materii organice. Poluarea cu aceste particule afectează calitatea aerului, dar și sănătatea umană, respectiv organe precum plămânii și/ sau inima. Pt. detalii a se vedea art. 2 lit. r, s din Legea nr.104/2011, precum și I.Oroianu, L.Paulette, C.Iederan, P.Burduhos, I.Brașovean, Cl.Balint, *Modalități de cuantificare a PM10 și PM2,5 din aerul ambiant utilizând metoda standardizată*, în Rev. ProEnvironment nr.2/2009, p.1-5 www.proenvironment.ro.

2016 au fost depășite pentru o perioadă de 38 zile²³, contrar cerințelor impuse de Directiva 2008/50/CE²⁴.

Comisia a solicitat României să respecte și exigențele impuse prin Directiva 2016/2284 și să adopte programe naționale de control al poluării atmosferice, în vederea atingerii unor niveluri de calitate a aerului care să nu genereze impact negativ semnificativ sau riscuri pentru sănătatea umană, vegetală și animală.

Emisiile generate de particule PM_{2,5}, precum și impactul acestora trebuie monitorizate și raportate de fiecare stat membru.

În vederea înlăturării efectelor adverse ale schimbărilor climatice și degradării mediului, prin stoparea emiterii gazelor cu efect de seră și utilizarea rațională a resurselor naturale la nivelul UE a fost semnată o foaie de parcurs²⁵.

Pactul verde european semnat cu scopul orientării UE către o strategie de reducerea poluării la zero, menite să aducă beneficii sănătății publice, mediului și neutralității climatice trebuie respectat de statele membre.

Întrucât România nu a elaborat, adoptat și pus în aplicare primele programe naționale de control al poluării atmosferice astfel cum se impunea în conformitate cu prevederile art.5 din directivă și nu a stabilit mecanisme de flexibilitate, potrivit dispozițiilor art.5 din directivă, în februarie 2020 a primit o scrisoare de punere în întârziere din partea Comisiei, iar la data de 30 octombrie 2020 aceasta a înaintat un aviz motivat, în procedura prevăzută de art.258-260 TFUE.

4. Concluzii

Având în vedere că viitorul Europei depinde de o planetă sănătoasă, iar provocările actuale legate de climă și mediu necesită un răspuns prompt și ambițios, la nivelul UE s-au făcut și se fac eforturi susținute pentru combaterea poluării.

²³ https://ec.europa.eu/commission/presscorner/detail/ro/IP_18_3450

²⁴ Publ. în JO UE seria L nr.152 din 11.06.2008. Prin hotărârea CJUE din 30.04.2020, Comisia / România, C-638/18, ECLI:EU:C:2020:334, s-a constatat nedeplinirea obligației de către România de respectare a Directivei 2008/50/CE, prin neadoptarea în timp util a măsurilor potrivite care să permită asigurarea unui termen de depășire a valorilor limită în cauză care să fie cât mai scurt cu putință în zona București.

²⁵ Pactul ecologic european, COM(2019)640 final a Comisiei din 11.12.2019. Consiliul European, în cadrul reuniunii din 10-11.12.2020 a aprobat un nou obiectivul obligatoriu al UE de reducere internă netă a emisiilor de gaze cu efect de seră cu cel puțin 55 % până în anul 2030 https://ec.europa.eu/info/strategy/priorities-2019-2024/european-green-deal_ro

Legislație europeană adoptată pe segmentul calitatea aerului are ca scop înfăptuirea politicii Uniunii în domeniul mediului, în vederea asigurării unui nivel ridicat de protecție a regiunilor din spațiul european, dar și a cetățenilor.

Reglementările unionale privind reducerea emisiilor de poluanți în atmosferă au la bază necesitatea protecției mediului de către statele membre, care își împart teritoriile în mai multe zone de gestionare. Toate statele din UE sunt obligate să evalueze calitatea aerului potrivit acordurilor internaționale semnate în domeniu, actelor legislative adoptate de către instituțiile UE, dar și potrivit programelor în domeniul mediului, adoptate în procedură legislativă ordinară de către Parlamentul European și Consiliu.

Obiectivele de mediu înscrise în cadrul politicii de mediu a UE le apreciem pertinente și absolut necesare pentru un aer mai curat în Europa, pentru creșterea calității vieții și sănătății cetățenilor europeni.

Implementarea corectă și în termenele prevăzute a directivelor de mediu constituie o responsabilitate pe care statul trebuie să și-o asume, precum și o garanție a atingerii obiectivelor înscrise în conținutul tratatelor.

Directiva 2016/2284, ca orice alt instrument și juridic european, reprezintă una din trăsăturile specifice ale ordinii juridice unionale, dat fiind flexibilitatea pe care o conferă, precum și faptul că e necesară punerea ei în aplicare prin norme de drept intern.

Având în vedere situația în care se află România, cu o hotărâre de constatare a neîndeplinirii obligațiilor referitor la adoptarea măsurilor necesare în vederea respectării Directivei 2008/50, cu o procedură de infringement declanșată tot pe probleme legate de poluarea aerului *a fortiori* se impune întreprinderea demersurilor care să asigure ameliorarea calității aerului prin reducerea emisiilor poluante, prin elaborarea, adoptarea și punerea în aplicare de programe naționale de control al poluării atmosferice, dar și prin instituirea unei mecanisme de flexibilitate.

Prin urmare, autoritățile din România cu competențe pe acest segment nu mai trebuie să se situeze pe o poziție divergentă în raport cu reglementările europene, pe care trebuie să le aplice, cu tratatele, pe care s-a angajat să le respecte o dată ce a aderat la ordinea juridică comunitară, ci se impune să-și conjuge eforturile pentru a stabili corect și complet, în regim de urgență, programele operaționale impuse de directivă, încercând evitarea trimiterii cauzei la Curtea de la Luxemburg, în procedura prevăzută de art.258-260 TFUE.

În consecință, așa cum la nivel regional statele membre trebuie să coopereze în mod loial, în baza dispozițiilor art. 4 alin.3 din Tratatul privind Uniunea Europeană (TUE), și autoritățile statul român trebuie să-și asume o cooperare loială și un efort conjugat pentru că sănătatea umană este indispensabil legată de calitatea aerului pe care îl respirăm.

Comunicarea Comisiei din 18.12.2013 intitulată ”Aer curat pentru Europa” denumită STPA revizuită, publ. în J.O UE COM(2013)918 final.

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Țara moșilor. Meșteșuguri și ocupații tradiționale Particularități etnografice și folclorice Pledoarie pentru locuri și oameni aparte

Maria Mirela MOCAN*

Abstract. Land of the „moși” people. Traditional crafts and occupations. *The Land of the „Moți” people represents one of the most interesting ethnographic areas in our country. The ethnographic richness, as well as the people, attracted ethnographers, folklorists and philologists.*

The traditional occupations, the regional folk costume, the customs, the folkloric manifestations are emblematic for the ethnographic characteristics of the beautiful region known as the Land of the „Moți” people.

Keywords: Land of the „Moți” people, ethnographic region, folklore, traditions, inhabitants, customs

*„Nu-i nimeni fericit și mai ferit de patimi,
ca cel ce rămâne statornic lângă datini.”*

SENECA

Se remarcă cu precădere în aceste vremuri pe care le trăim, în întreaga lume, o mișcare de căutare a rădăcinilor, poate și din cauza excesului de mondializare, resimțită ca un soi de tăvălug cultural.

Oamenii vor să se identifice să-și caute acel element care îi face unici, deosebiți printre ceilalți, și atunci se întorc spre tradiții, spre religie, chiar spre credințele vechi, spre superstiții, natură.

Stâna, brânza, casa, opinca, cântecul și jocul toate pot deveni îndeletniciri aducătoare de aur, pentru o lume industrializată, care și-au pierdut demult trecutul.

Trebuie amintit faptul că nu ne-am propus un studiu etnografic asupra acestei minunate zone, această atribuțiune rămânând în seama celor avizați, documentați, respectiv a specialiștilor etnografi. Însă în virtutea

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justificării alegerii titlului acestui demers, nu am fi putut omite ceea ce conferă trăinicie elementului românesc: particularitățile etnografice și folclorice ale Țării de Piatră.

Scopul urmărit este de a semnaliza imaginea ce reprezintă din punct de vedere istoriografic forma cea mai sugestivă și mai bogată în sensuri a trecutului și prezentului acestei regiuni adică imaginea (Netea, 1977: 17) unui „vast muzeu românesc în încăperile căruia delimitate de stânci, de râuri și de păduri seculare se întâlnesc cu aceeași gravitate și măreție atât geologia cât și mitologia, istoria și etnografia, arta naturii și arta omului, aurul și sângele [...] un muzeu care înglobează munți uriași, mine de aur și argint, sate și orașe de-a valma, mii de case de lemn acoperite cu paie și cu șindrilă, biserici cu turle semețe, monumente de lemn, de piatră, de bronz și marmură și copaci investiți cu sigiliul istoriei”. (Apolzan, 1944:5)

„Fără tăgadă Țara Moșilor constituie una dintre cele mai interesante zone etnografice de la noi din țară, iar moșii din Apuseni sunt oameni ce smulg naturii bogățiile ei: aurul din pântecul munților sau din râuri și lemnul pădurilor ce încep din vatra satului și se urcă până pe cele mai semețe povârnișuri ale munților, dar ei nu se limitează numai la acestea. Pentru a câștiga cele necesare traiului au înfruntat natura, scoțând bani și cele trebuincioase, <din piatra seacă>, făcând varul pe care-l duceau prin toate zonele țării – acest meșteșug și cel de miner al autohtonilor fiind unul dintre cele mai vechi din Apuseni”. (Apolzan, 1944:5)

Era deci natural ca această imensă bogăție etnografică, cât și elementul uman – moșii, să atragă pe etnografi, folcloriști și filologi.

Cea dintâi lucrare asupra Munților Apuseni este monografia lui Teofil Frâncu și George Candrea: *Românii din Munții Apuseni. Moșii*. În prefața acestei monografii, care poartă subtitlul de „Scriere etnografică cu zece ilustrațiuni în fotografie”, autorul principal, Teofil Frâncu, precizează că și-a propus, „să descrie cât se poate mai exact și mai lămurit traiul, portul, graiul și obiceiurile românilor munteni”. (Frâncu, 1888: 1)

Lucrarea îmbrățișează pe toți locuitorii Munților Apuseni, iar materialul adunat se referă la sate, case, ocupații, caracter, folclor și limbă. Referitor la materialul folcloric (colinde, balade, descântece etc.) autorul spune că n-a schimbat „absolut nimic, le-am publicat întocmai cum au fost adunate din gura poporului”. (Frâncu, 1888: 2)

Despre această superbă carte și cei doi autori ai ei a scris eruditul Nicolae Iorga în iunie 1903 în *Sămănătorul*: „cartea e una dintre cele mai bune lucrări de etnografie ce avem până astăzi cu privire la poporul nostru, cu care ne fălim, neam de care ne batem joc, fără să-l cunoaștem cât e de plin de interes în manifestațiile lui felurite. Cei doi Moși au scris cu pricepere și cu drag despre Moșii lor, așa cum nu și-a mai amintit la noi nimeni despre

ai lui, din satul, din ținutul său, după ce pașii li s-au pierdut pe drumul de înstrăinare al vieții.” (Popa, 1980: 405)

Îndeletniciri tradiționale

Din cele mai vechi timpuri populația Țării Moșilor, trăind într-o permanentă comuniune cu natura, a știut să valorifice, să prețuiască bunurile pe care aceasta i le-a oferit, chiar dacă pentru a le obține săpau cu dalta și cu ciocanul crâncena și nemiloasa stâncă sau meșteșugeau lemnul dând la iveală adevărate splendori artizanale. (Mocan, 2012: 129-139)

Elementul etnografic în această regiune este prezent prin marea varietate a ocupațiilor concentrate în perimetre geografice distincte determinate de materia primă exploatată – pădurea, aurul, fierul, pășunile, fânețele și uneori mici loturi agricole totuși neputând vorbi de practicarea unei agriculturi pe scară largă, ci mai degrabă o agricultură de subzistență, ce a asigurat de-a lungul timpului cele necesare traiului zilnic.

Se cultivau: grâul, secara, orzul, ovăzul, meiul, cartoful (picică sau boabă), cânepa (atât pentru fibra textilă cât și pentru ulei), inul, bostanul, leguminoasele. Uneltele folosite pentru lucrarea propriu-zisă a pământului fiind uneori rudimentare: săpăliga, târșița, plugul de lemn, grebla, grapa, îmblăciul dar evoluând pe măsura modernizării societății. Astăzi asemenea unelte mai pot fi văzute doar la Muzeul Etnografic *Pamfil Albu* din Lupșa sau la Muzeul *Avram Iancu* din localitatea cu același nume. Principalele munci agricole ale anului, prilej de evidențiere a celor mai buni gospodari „care să scoală cu noaptea-n cap și dacă Dumnezeu n-ar fi lăsat noaptea, apă ar hi tăt lucrat într-una”¹, sunt: aratul și semănatul, seceratul și cositul fânului, îmblătitul sau treieratul, scosul cartofilor și culesul celorlalte plante de cultură (toamna), transportul gunoiului de grajd².

Creșterea animalelor s-a dezvoltat în strânsă interdependență cu agricultura deoarece pe lângă produsele pe care le-au furnizat oamenilor, animalele le-au ușurat acestora munca și transporturile. Calul a fost și este și în prezent animalul de care moțul s-a folosit cel mai mult. Cu calul erau aduse doagele din pădure, se ara câmpul, se mergea în târg și în Țară ca să-și vândă produsele meșteșugărești, sugestive în acest sens sunt următoarele versuri:

„A plecat moțul în țară
Cu doniți și cu ciubară
Și cu tocuri de rășină
Să le deie pe fărână.”

¹ Informator, Plic Nicolae, (Vila), 81 ani, sat Peleş, comuna Sohodol, județul Alba.

² Informator, Sicoe Ioan, (Loboda), 79 ani, sat Bradeana, comuna Sohodol, județul Alba.

Moșul căuta cu tot dinadinsul ca din gospodărie să nu lipsească vaca cu lapte, deși e știut faptul că numărul acestor animale era mic, așa cum reiese din studiul Luciei Apolzan, (Apolzan, 1987: 52) două oi/gospodărie și două vaci la trei gospodării. Alături de aceste animale cei mai înstăriți dețineau și boi folosiți la *țugărit* (trasul lemnului de la pădure). Și astăzi se constată aproape aceeași stare de lucruri în Țara Moșilor, creșterea animalelor reprezentând și acum o îndeletnicire de bază. Necesitățile unui trai mai bun, i-au determinat pe moși să caute alte posibilități de câștig în vederea îmbunătățirii condițiilor de viață. Pădurea și priceperea au fost cele două atu-uri prin îmbinarea cărora s-a ajuns ca Țara Moșilor să reprezinte una dintre cele mai complexe zone din țară în privința diversității ocupațiilor legate de prelucrarea lemnului.

Acestea sunt specifice bărbaților care, în unele cazuri, erau ajutați de copii și chiar de către femei. În trecut principalele meserii legate de prelucrarea lemnului se prezentau astfel: scândurarii, dulgherii și bărdașii (Câmpeni); lucrătorii la pădure și dulgherii (Bistra); scândurarii și șindrilarii (Certege); ciubărarii (Arieșeni, Gârda, Scărișoara); șindrilarii și ciubărarii (Horea); ciubărarii, rotarii, șindrilarii (Poiana Vadului); ciubărarii, holoangării și curcurarii (Vidra); bărdașii și dulgherii (Sohodol). (Maier, 1968: 561)

De cele mai multe ori rezultatul priceperii, fanteziei și talentului acestor „copii ai codrului” cum îi numea O. Goga pe moși, este impresionant, din mâna lor ieșind adevărate produse de artizanat. Preocuparea pentru împodobirea și înfrumusețarea obiectelor confecționate era esențială, pornind uneori de la forma simplă de zimțuire între dinții greblei și până la adevărate compoziții ornamentale. (Dunăre, 1981: 36)

Arta decorării lemnului prin pirogravare, creștere și sculptare se regăsește pe jugurile de boi, toporăștiile de coasă, furcile de tors, mânere de baston (cioacă), tulnice, fluier, ciubare etc. După munca depusă la confecționarea acestor produse din lemn, moșul trebuia să plece în *Țară* pentru a le vinde și a-și aduce acasă produse agroalimentare. Acest periplu, considerat și un mijloc de cunoaștere, de îmbogățire spirituală a omului de la munte, căruia îi este imposibil să nu acorde acestui dor de cutreierare și anumite impulsuri sufletești de explorări spirituale „un fel de neastâmpăr etnic de la care nimic nu l-a putut abate nici chiar bătăile cu patul armei de către salb jandarmii unguri, care țineau să-și arate ura lor tradițională față de Moși numai pentru faptul că lăsau, în popasurile lor, să le pască caii pe șanțurile de la marginea drumurilor”. (Abrudeanu, 1928: 128)

Evident nu trebuie absolutizat, moșii erau mânâți pe acest „traseu de inițiere” în primul rând de condițiile materiale precare, de lipsuri și de nevoi, fiind întâlniți peste tot: Banat, Muntenia și chiar Dobrogea. Înainte de primul război mondial văsarii moși ajungeau cu marfa chiar la Budapesta, Viena sau Belgrad. (***, 1978:20) Comercializarea produselor obținute din

prelucrarea „aurului verde” se făcea și în târgurile locale de la Câmpeni, Abrud, Avram Iancu, Beiuș sau în cadrul renumitului Târg de la Găina, unde se comercializa tot ce se putea vinde pe piață, de la grinzi, leături și scânduri până la obiecte de uz casnic și gospodăresc sau obiecte de artizanat frumos ornamentate.

Exploatarea zăcămintelor aurifere în Munții Apuseni datează din timpuri străvechi. Aurăritul în consecință a constituit una dintre ocupațiile de bază a locuitorilor, în special a celor din apropierea *Țării Abrudului*. Maximul de exploatare în antichitate a fost atins în timpul Daciei Romane, iar tehnica folosită de romani a continuat neîntrerupt până în secolele XVI-XVII. Minereul era prelucrat în mojară de piatră și fier cu râșnița și șteampurile din lemn. Spălarea și alegerea aurului se făcea cu șaitrocul, trocuța, vălul și hurca. Aluviunile aurifere se spălau pe hârloste. Șteampurile erau puse în mișcare la început prin forța umană sau animală. Munca în mină și celelalte activități de suprafață erau manuale. Progrese importante în tehnica minieră s-au produs odată cu descoperirea pulberii negre (praful de pușcă) în secolul XVI. (Sântimbreanu & Bedelea, 2002: 24) Aur mult de la Roșia Montană și de la celelalte mine din Apuseni a luat drumul unor mari capitale europene (Roma, Budapesta, Viena), localnicii beneficiind prea puțin de pe urma lui³. (Sântimbreanu & Bedelea, 2002: 26)

În timp ce bărbații erau încadrați în aceste ocupații, consoartele lor (moașele) nu erau mai prejos. Ele se ocupau de alimentația familiei (pâinea și mămăliga erau alimentele de bază) în cadrul căreia putem remarca drept principale ocupații casnice: prepararea produselor lactate (cașul, brânza, untul, jînțița, balmoșul), a produselor din carne (untura, cârnațul, cartaboșul, cașul de port), conservarea și prelucrarea fructelor (uscarea fructelor, majunul, țăderul, compotul, țuica). Ca mâncăruri tradiționale moțești trebuie amintite: mămăliga cu brânză care se *topănea*, buticul (apă fierbinte turnată peste pâinea sfărâmată în farfurie), balmoșul, bicioci fleciuite (picioci, bicioci-cartofi) și moare (moare de varză-n.n) cu bicioci⁴.

Prelucrarea materiilor prime textile a fost una din activitățile de bază ale femeilor, lăna și cânepa furnizând fibrele din care s-au confecționat variate produse textile începând de la țesături de interior: țolul, lipedeul, cerga, mășărița, preșurile și până la îmbrăcăminte: saci, straițe, desagi, tindee, merindețe, zadii, șurțe și pănură. Obținerea materialului finit necesita procedee complexe: semănatul, culesul, topitul, melițatul și pieptănatul cânepii, tunsul, spălatul, scărmanatul și pieptănatul lânii. Ca și operațiuni

³ *Ibidem*, p. 26.

⁴ Informator, Morcan Ileana, 72 ani, comuna Poiana Vadului, județul Alba.

comune lânii și cânepii erau: torsul, rășchiatul, părľuitul (spălatur jurebiilor), depănatul, vopsitul, urzitul, învălitul, neveditul, țesutul⁵.

În șirul meșteșugurilor țărănești se înscriu și: vărăritul: arderea pietrei de var acesta practicându-se și în prezent în comuna Ciuruleasa precum și în Bucium, Horea, Scărișoara, Sălciua, cărămidăritul: obținerea printr-un procedeu complex a materialului de construcție, cărămida (Ciuruleasa, Abrud, Sălciua și Râmetea), cojocăritul: în trecut în zona Buciumului și zona Arieșului Mijlociu, cizmăritul: în prezent se practică în ateliere meșteșugărești; cioplitul pietrei (meșteri vestiți sunt astăzi în Sohodol) și mai rar olăritul: în trecut la Buninginea, Abrud Sat și Bucium Muntari. (Furdui, 1999)

Portul popular

Îmbinarea organică a utilului cu frumosul, bogăție de exprimare artistică, gust și măiestrie în execuție, simplitate până la eleganță, varietate în unitate, sunt numai câteva dintre principalele trăsături caracteristice ale costumului popular românesc. (Vlăduțiu, 1973: 354)

Portul popular din zona moșilor se caracterizează printr-o notă de originalitate și expresivitate. Costumul popular pentru femei este compus din cămașă pe care sunt cusute cheițe sau pene, „pene buciumanne sau țopești”, poalele peste care se pun zădiile (șurțul), cromatica acestora diferind: fond roșu cu 4-5 dungi în Mocănime, fond negru cu motive florale multicolore în Buciumănime, fond roșu cu nuanțe de cărămiziu și vișiniu în Țara Moșilor. La brâu femeile purtau cingătoare sau tricolor, iar peste cămașă venea pieptarul, peste acesta cojocul, pe cap o năframă, în picioare opinci cu învârtituri, cizmele fiind specifice Buciumănimii, la fel ca podoabele (mărgele, cercei, inele). Portul popular din această zonă fiind realizat aproape în totalitate după model buciumanesc, femeile buciumanne fiind cele mai elegante: „femeia română din Bucium este o adevărată podoabă a munților. Bine, curat și chiar luxos îmbrăcată, cu cămașă albă și bufantă la mâneci cu câtrînță de mătase cusută cu fir în față, purtând la piept un cojoc artistic lucrat în fir, iar în cap o maramă de mătase scumpă cu flori și în urechi cercei grei de aur, buciumanca, înaltă cu ochii negri ca mura, cu părul castaniu [...] întruchipează chipul celei mai desăvârșite și clasice frumuseți naturale”. (Rusu Abrudeanu, 1928: 172)

Portul popular bărbătesc păstrează culorile alb și negru. Cămașă e realizată din pânză de casă, bumbac, în și este ornamentată. Peste cămașă poartă un pieptar din piele de miel ornat în față cu motive florale de diferite culori: negru, albastru și galben. Iarna poartă ținută din pânură de culoare albă sau neagră ori cojoc cu mâneci iar în cap cușma de miel, (Apolzan, 194-

⁵ Informator, Sicoe Maria, 78 ani, sat Brădeana, comuna Sohodol, județul Alba.

195) buciumanii purtau pălărie cu *boritaș* (șiret din aur înfășurat de mai multe ori în jurul calotei pălăriei (Dunăre, 1981:77). În trecut bărbații purtau părul împletit în două cozi numite *chici*. Din nefericire astăzi datorită abandonării de către tinerele generații, elemente ale portului popular mai pot fi văzute doar cu ocazia unor serbări populare și spectacole sau ca exponate în cadrul muzeelor cu profil etnografic, foarte rar mai pot fi întâlnite în casele unor oameni mai în vârstă.

Obiceiurile

Reprezintă un ansamblu de practici sociale specifice fiecărei etape din viața omului. Și unde dacă nu în arhaica lume a satului românesc au fost mai bine conservate aceste ritualuri. Faptul că unele dintre ele au reușit să se păstreze până astăzi, denotă atașamentul generațiilor față de cultura românească tradițională. Cei doi moți, Teofil Frâncu și George Candrea, în lucrarea sus amintită, au descris cum nu se poate mai relevant obiceiurile și datinile legate de anumite ritualuri de trecere cum ar fi nașterea, nunta, priveghiul și înmormântarea.

Pentru a vorbi despre obiceiurile și datinile moților ar fi nevoie, pe lângă o pregătire avizată în domeniu, și de o cercetare amănunțită, ceea ce ar putea reprezenta elaborarea unei vaste lucrări referitoare la această problematică.

Noi ne propunem radiografierea într-o formă sintetizată a obiceiurilor care se mai păstrează astăzi în această „vatră de cultură și spiritualitate românească”. (Goia, 2000) În trecut, cu ocazia venirii pe lume a unui nou născut existau numeroase descânțece și obiceiuri⁶, astăzi acestea se rezumă doar la botezul în Biserică și la masa organizată în cinstea evenimentului.

Nunta – o etapă deosebit de importantă în viața omului, este și astăzi prilej de ilustrare a vechilor obiceiuri: prezența vornicului (guda ospățului) care întreține cu snoave, bancuri și glume buna dispoziție, domnișoarele de onoare (misorlenele), mireasa mică, aruncatul grâului și apei peste miri și nuntași (sănătate și belșug), jocul miresei, furatul pantofului miresei și chiar al miresei, ducerea găinii la naș și calea întoarsă (astăzi doar la moșii crișeni). Deși actualmente mai există reminiscențe ale obiceiurilor străbune legate de nuntă în satele Apusenilor, totuși acestea intră, din nefericire, pe un făgaș al ignorării, preferându-se mondenitățile. (Frâncu&Candrea, 1988:149-173)

Înmormântarea – ca obiceiuri păstrate amintim spovedirea și cuminecarea bolnavului, spălatul mortului, priveghiul ce durează trei zile, pusul banilor pe icoană (pentru ca mortul să plătească vămile), aruncatul

⁶ Vezi în acest sens Teofil, Frâncu, George, Candrea, *op. cit.*, p. 147-149.

pământului și a banilor în groapă, paosul (parastas) la 6 săptămâni, 6 luni, un an. (Frâncu & Candrea, 1888:173-179)

Din șirul obiceiurilor calendaristice, cele care beneficiază de o atenție specială sunt **Obiceiurile de iarnă**, care debutează cu venirea lui Moș Nicolae—copii curăță ghetuțele și le așează în pridvor așteptând darurile bunului Moș.

Pițărutul – în dimineața de ajun, cetele de pițărâi (copii până la 6 ani) pleacă pe la casele oamenilor colindând și primind în schimb dulciuri și bani.

Colindatul cu steaua – se merge în grup de 3-4 băieți în ajunul Crăciunului, seara și se continuă toată noaptea.

Craii sau irozii – 4-8 persoane ce prezintă o scenetă cu tematică religioasă cu următoarele personaje: Irod, Valtezar, Melfior, Îngerul, Gașpar, Popa, Ciobanul și Cătana.

Colindătorii – grupuri de persoane care încep colindatul în Ajun, pot fi însoțiți și de muzicanți. Sunt ospătați pe la casele gazdelor cu colaci, friptură, prăjituri și țiucă fiartă.

În cadrul obiceiurilor de Anul Nou se remarcă **Plugușorul, Sorcova și mersul cu Capra (Țurca)**.

Boboteaza – obicei cu semnificație religioasă în care se merge cu Crucea pe la fiecare gospodărie, cântându-se Iordanul. Ca un obicei distinct, care se mai păstrează doar în Avram Iancu și Vidra amintim **Kiralesa** (lauda pomului).

În șirul obiceiurilor de primăvară întâlnite astăzi în Țara Moșilor evidențiem: **Bobătaia** (9 martie – 40 de Sfinți), **Pușcăturile cu carbid de Paște**, **Păzitul Toacii**, **Prăcșorul** întâlnit la Bistra, Sohodol—prilej de bucurie a tineretului.

Astăzi unele obiceiuri au dispărut, ele sălășluind doar în amintirea generațiilor vârstnice: șezătoarele, clăcile, jocurile, torcăriile.

Manifestări folclorice

Manifestările folclorice constituie în forma loc cea mai amplă un mijloc de păstrare, conservare și perpetuare a spiritualității și autenticității românești în cadrul contextului de globalizare. Drept piloni de susținere ai acestei afirmații enumerăm manifestările de acest gen care au loc în fiecare an în mijlocul acestui templu al Apusenilor.

Cele două festivaluri concurs de muzică populară care se desfășoară: **Festivalul „Sus, sus, sus la moși în munte”** de la Câmpeni, cu o săptămână înainte de Târgul de la Găina și **Festivalul „Inimi fierbinți în țara de piatră”** de la Abrud în luna august a fiecărui an. La aceste festivaluri participă alături de interpreți și rapsozi populari din zona Munților Apuseni și soliști din alte zone etnofolclorice ale României, care trebuie să țină cont

de una dintre cerințele primordiale ale festivalului: autenticitatea repertoriului.

Semnificația acestor manifestări o reprezintă perpetuarea tradițiilor populare autentice atât din zona Apusenilor cât și din celelalte zone folclorice.

Specifice Țării Moșilor sunt dansurile numite *Țarini* (Țarina Abrudului, Țarina de la Găina, Țarina Buciumănească, Țarina de la Sohodol) sau cântecele locului. Din nefericire, acestea se mai păstrează doar în cadrul grupurilor folclorice de dansatori și foarte rar se mai aude câte o „țarină” la horele țărănești, care sunt și ele pe cale de dispariție (astăzi în Sohodol, Bistra se mai organizează hore țărănești la începutul celor două mari Posturi ale anului la Căminele Culturale avânt mai mult caracteristicile unei discotecii)⁷.

Un loc aparte îl reprezintă binecunoscuta Formație de Tulnicărese din Avram Iancu laureata mai multor festivaluri interne și internaționale. De dată mai recentă, dar de o importanță deosebită beneficiază și *Ziua Iemnarului* organizată în fiecare an, la mijlocul lunii august în comuna Horea, prilej de etalare a meșteșugurilor tradiționale și de exaltare a spiritului la auzul vechilor cântece românești, a tarafurilor și a tulnicelor.

Nu putem vorbi de manifestările folclorice din Țara Moșilor fără a aminti tradiționalul *Târg de fete de pe muntele Găina* ce se organizează în fiecare an în jurul datei de 20 Iulie (Sf. Ilie) și a cărui amploare și renume au depășit demult granițele țării noastre. Originea acestui târg se pierde în negura timpului și este încărcată de misticism și ipoteze⁸ ceea ce nu face decât să ne fascineze „creând și acum în juru-i acel indefinit mister în care legenda și realul se întreta la modul necesar și firesc”. (Crăciun, 1996:40) Istoricii evului mediu românesc consideră că aceste târguri de fete, nedei în Carpații Meridionali, târguri de peste munte în Carpații Răsăriteni, organizate din vremuri imemorabile, aveau rosturi economice și demografice. Pe lângă schimbul de produse, se întâlneau oamenii care facilitau tinerilor să se cunoască și să se căsătorească, asigurând un schimb de populație și primenirea „sângelui”, spargerea căsătoriei între rude apropiate la nivel de „crâng” sau „sat”- cu urmări dezastruoase, în ultimul caz, în plan genetic. Aceste târguri-nedei consolidau conștiința unității de neam, apoi a unității naționale în epoca modernă.

Este o manifestare deosebită, o adevărată sărbătoare câmpenească, cu focuri de artificii, soliști și formații de muzică populară care

⁷ Informator, prof. Mureșan, Ion, 59 ani, comuna Bistra, județul Alba.

⁸ Pentru originea, ipotezele și legendele cu referire la Târgul de fete vezi Teofil, Francu, George, Candrea, *op. cit.*, p. 67-72, Ion, Rusu, Abrudeanu, *op. cit.*, p. 133-139, Parasca, Crăciun, *Muntele Găina – legendă și adevăr*, Edit. Iosif Vulcan, Oradea, 1996, p. 19-24.

standardizează bogăția și varietatea cântecului și jocului popular, cât și frumusețea portului tradițional al fiecărei zone. Un loc aparte îl reprezintă obiectele de artizanat confecționate special pentru cei care vor dori să păstreze o amintire de la acest târg „al fetelor”.

Din ceea ce am prezentat, „din felul de a trăi, de a se îmbrăca, din obiceiurile lor străvechi, din arta, literatura și graiul lor arhaic, cercetătorul atent și cu pricepere va putea descifra o importantă fărâmbă din trecutul îndepărtat al poporului nostru, păstrată ca un horst cultural sau mai degrabă o comoară ascunsă la neamul răsfirat, în văile și pe coamele Munților Apuseni”. (Apolzan, 6)

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Elemente ale democrației constituționale moderne

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Abstract. *Elements of modern constitutional democracy.* If, in the past, democracy meant that all citizens can directly be part of the ruling power, in modern times, democracy is seen, on one hand, as a way for citizens to be part of the exercise of the ruling power which serves the purpose of protecting and assuring their fundamental rights, and, on the other hand, as a genuine political freedom due to the fact that public authority is based on the will of those who it binds.

Keywords: *Democracy, constitutional principle, separation of state powers.*

Fostul președinte american Abraham Lincol, într-un citat celebru, transpune succinct bazele democrației, în sensul ca aceasta înseamnă „guvernarea oamenilor, de către oameni, pentru oameni”. Cele trei fragmente ale definiției, au fost și încă pot fi înțelese după cum urmează:

- „guvernarea oamenilor”, puterea provine de la oameni—oamenii reprezintă puterea suverană care exercită direct puterea sau acordă mandat pentru exercitarea puterii și oricine face parte din autoritate poate fi considerat răspunzător;
- „de către oameni”, puterea este exercitată fie prin reprezentanți aleși fie prin conducere directă de către cetățeni;
- „pentru oameni”: puterea este exercitată pentru a servi intereselor oamenilor, adică binele comun.

Pornind de la această definiție care devine un deziderat al umanității moderne, s-au conturat mai multe forme de guvernare democratic, acestea fiind puse în practică de-a lungul evoluției etatice. Principiul guvernării democratice, în stransă corelație cu aspirația materializării suveranității populare, a cunoscut, în decursul evoluției statului modern, anumite nuanțări de natură teoretică dar și de aplicare concretă.¹ Astfel, în spiritul lui Rousseau, gânditorii politici insistă asupra conducerii directe de către

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¹ Pentru detalii, a se vedea F. Niculae, *Drept Constituțional și instituții politice, caiet de seminar*, vol. I, ed. Universul juridic, București, 2020, p.176

cetățeni, poporul va decide totul, la nivel de guvernare centrală și locală. În spiritul lui Locke, gânditorii politici pun accentul pe competiția dintre diferitele interese dintr-o societate pluralistă, iar, într-un cadru constituțional, aceștia trebuie să fie de acord cu o decizie care servește binelui comun.

Dacă în trecut, democrația însemna că toți cetățenii să participe direct la putere, în epoca modernă, democrația este privită, pe de o parte, ca o modalitate de participare a cetățenilor la exercitarea puterii, în scopul apărării și garantării drepturilor lor fundamentale, iar pe de altă parte ca fiind o veritabilă libertatea politică, deoarece autoritatea publică este fondată pe voința celor pe care ea îi obligă. (Goia & Manolescu, 2019: 245)

Înțelegerea principiilor moderne ale democrației constituționale, dar și aplicarea concretată a acestora în cadrul regimurilor politice actuale ale statelor lumii, a devenit un obiectiv important al Uniunii europene. Astfel, un spațiul european de libertate, securitate și justiție, obiectiv al UE, inserat în Titlul V al Părții a III-a din Tratatul privind funcționarea Uniunii Europene², presupune mecanismele legale adecvate și un cadru instituțional apt să susțină dezvoltarea cooperării judiciare între statele membre ale Uniunii. (Pătrăuș, 2019) Acest deziderat nu poate fi realizat decât printr-o înțelegere a libertății, a securității și a justiției de către statele membre care este identică în Ibidem elementele sale esențiale și care se bazează pe principiile libertății, democrației, respectării drepturilor omului și a libertăților fundamentale, precum și ale statului de drept. (Pătrăuș, 2019) De asemenea, rezultatul poate fi atins printr-o corectă transpunere în sistemul juridic al fiecărui stat european a reglementărilor Uniunii Europene. (Pătrăuș, 2019)

La baza funcționării unei societăți democratice stă Legea fundamentală, iar, în contextul la care facem referire, adoptarea unei Constituții care să cuprindă: principiile constituționale de organizare și funcționare a statului, separația puterilor, mecanismele statului de drept, pluralismul politic, reglementarea drepturilor, libertăților și îndatoririlor fundamentale, autoritățile publice- a fost și este imperios necesară.

Principiile democrației moderne au fost incorporate în mai multe articole constituționale. Astăzi, România este stat de drept, democratic și social în care: demnitatea omului, drepturile și libertățile cetățenești, libertatea de dezvoltare a personalității umane, dreptatea și pluralismul politic - reprezintă valori supreme, în spiritual tradițiilor democratice ale poporului roman și sunt garantate (art. 1 alin 3 Constituția României revizuită). Suveranitatea națională aparține poporului român, care o exercită prin organele sale reprezentative, constituite prin alegeri libere, periodice și corecte, precum și prin referendum; nici un grup și nici o persoană nu pot

² *Tratatul de la Lisabona*, 13.12.2007, în vigoare din 01.12.2009.

exercita suveranitatea în nume propriu (art 2 Constituția României revizuită). Pluralismul în societatea românească este o condiție și o garanție a democrației constituționale (art. 8 alin 1 Constituția României revizuită).

În contextul actual, principalele elemente ale democrațiilor constituționale moderne includ:

- o constituție, în formă scrisă sau cutumiară, care stabilește cadrul instituțional pentru democrație, protejată în unele țări de o Curte constituțională independentă;

- drepturile omului sunt menționate în constituție și apoi tratate ca drepturi civile, fiind garantate constituțional; Guvernele care au semnat convenții privind drepturile omului sunt obligate să susțină și să granteze drepturile pe care le parlamentele le-au ratificat, indiferent dacă acestea sunt menționate sau nu în constituție;

- statutul egalității tuturor cetățenilor în fața legii: toți cetățenii sunt protejați, în mod egal, de lege pe baza principiului nediscriminării și trebuie să își îndeplinească îndatoririle conform legii;

- universalitatea participării cetățenilor la treburile publice, care se materializează prin sufragiului universal (dreptul la vot este acordat tuturor cetățenilor majori, fără restricții referitoare la unele categorii de cetățeni); acest principiu este strâns legat de principiul reprezentativității, atât la nivel național dar și la nivelul Uniunii Europene; (Pătrău, 2018: 94-96)

- consacrarea și garantarea drepturilor și libertăților publice sau private; drepturile cetățenilor trebuie să fie prevăzute în acte legislative dar, totodată, se impune să existe și mijloace de garantare a exercitării acestora; dintre instituțiile puse în slujba garantării drepturilor, menționăm următoarele: instituția Avocatului Poporului, instituția Curții Constituționale și instituțiile judecătorești;

- pluralismul ideologic, care permite exprimarea liberă a diferitelor opinii în legătură cu orientarea treburilor publice; opiniile se pot confrunta, iar populația le poate adopta pe cele care le consideră necesare; posibilitatea de a alege între diversele opinii trebuie să fie prevăzută în legea fundamentală a statului respectiv;

- aplicarea principiului majorității care să permită stabilirea voinței comune; decizia majorității nu trebuie să ducă la violență față de minoritate (punctul de vedere majoritar trebuie să se impună prin convingere și nu prin forță sau teamă); nu trebuie neglijată opoziția care, într-o reală democrație, are rolul de a controla majoritatea;

- pluralismul instituțional, presupune existența simultană a mai multor organisme de exercitare a puterii (pluralismul instituțional, nu este altceva decât materializarea principiului separației puterilor);

Ultimul dintre menționatele principii ale democrației constituționale, inerent oricărui stat modern, va fi dezvoltat în prezentul articol.

Teoria separării puterilor în stat a revoluționat gândirea și practica politică a statelor lumii de la sfârșitul secolului al XVIII-lea, când principiul separației puterilor în stat a dobândit o consacrare instituțională. Un avantaj cert al separației puterilor constă în faptul că indică, în mod exact, modul de organizare al instituțiilor care vor exercita una dintre cele trei puteri, modul lor de funcționare și mecanismul de interferență al acestora. (Ionescu, 1995) În decursul evoluției etatice, teoriei separației puterilor în stat i-au fost aduse critici, dar și argumentate susțineri³. În concret, fiind vorba de puterea legislativă, puterea executivă și puterea judecătorească (fiecare cu nuanțările ei).

Principiul separației puterilor în stat ne indică faptul că niciuna dintre cele trei puteri nu prevalează asupra celeilalte, nu și-o subordonează pe cealaltă și nu poate să-și asume prerogative care revin celeilalte puteri. Înșă, fiecare putere are posibilitatea legală și materială de a supraveghea cealaltă putere și, dacă constată încercări ale acesteia de a-și asuma puteri suplimentare față de o altă putere, să sancționeze această încercare. (Ionescu, 2008: 274) Consecințele aplicării acestui principiu se reflectă asupra regimurilor politice constituționale contemporane. Prin regim politic constituțional se înțelege ansamblul instituțiilor și al mecanismelor de guvernare consacrate în Constituția unui stat. (Selejan-Gușan, 2008: 264-265)

Constituția României din 1991, deși nu a consacrat expres principiul separației puterilor în stat, a instituit mecanisme care să nu permit confuzia dintre puterile statului. Astfel, art. 80 alin 2 din această Constituție, care menționează că Președintele țării exercită funcția de mediere între puterile statului, nu poate fi considerat decât o consacrare indirectă a principiului separației puterilor în statul român.

Astfel, dificultățile constatate în funcționarea unui model pur, al separației rigide a puterilor, au orientat atenția și au deplasat centrul de greutate al teoriei clasice către ideea de echilibru și de colaborare între puterile statului, colaborare care trebuie să fie guvernată de respect reciproc și loialitate constituțională. (Safta, 2018: 238)

Acesta este, de altfel, unul dintre sensurile interpretării pe care Curtea Constituțională a României a dat-o, în jurisprudența sa, principiului separației puterilor în stat, în special după anul 2003, când Constituția a fost revizuită, cu consecința consacrării unei atribuții noi a Curții Constituționale, de soluționare a conflictelor juridice de natură constituțională dintre autoritățile publice. Potrivit art. 146 lit. e) din Constituția României, Curtea Constituțională „soluționează conflictele juridice de natură constituțională

³ Pentru detalii, T. Drăganu, *Drept constituțional și instituții politice. Tratat elementar*, vol I, ed Lumina Lex, București, 1998.

dintre autoritățile publice, la cererea Președintelui României, a unuia dintre președinții celor două Camere, a primului-ministru sau a președintelui Consiliului Superior al Magistraturii”. Cu precădere pe calea sesizărilor de soluționare a unor astfel de conflicte, Curtea Constituțională a constatat conduite ale reprezentanților celor trei puteri care, deși se încadrau formal în litera Constituției, erau totuși de natură să determine un dezechilibru sub aspectul regimului de separație a puterilor în stat sau să creeze blocaje instituționale, ceea ce a impus identificarea unor remedii. În unele cazuri, aceste blocaje au fost determinate de lipsa unor reglementări constituționale exprese care să prevadă conduita de urmat în diverse situații apărute în practică. (Vida, 2004: 202) Este de altfel evident că nicio Constituție nu poate să prevadă toate aceste situații. Alteori, formularea generală a prevederilor constituționale a făcut posibil abuzul unei puteri în detrimentul alteia, situație care ar fi fost evitată printr-o interpretare a Constituției în spiritul acesteia și în sensul obligației de loialitate constituțională al autorităților publice. Jurisprudența Curții a evoluat de la o simplă enunțare a conceptelor de „loialitate” și „comportament loial”, la circumstanțierea unor „norme de loialitate constituțională” derivând dintr-un principiu expres consacrat de Constituție—cel al separației și echilibrului puterilor în stat. Acest principiu derivat a fost consacrat prima dată în jurisprudența Curții Constituționale Federale a Germaniei, dar a fost adoptat repede și în jurisprudențele altor Curții europene⁴.

În cadrul societății moderne, un element important al garantării democrației rămâne constituția. Acest document, votat de către popor prin referendum organizat în mod liber, reglementează drepturile și libertățile individului într-un stat și definește limitele puterii conducătorilor aflați în diferite funcții din stat și din guvern, definește politicile fundamentale și stabilește structura, datoria și puterea guvernului.

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⁴ Pentru detalii, www.ccr.ro—extras din Raportul național pentru cel de-al XV-lea Congres al Conferinței Curților Constituționale Europene, prezentat de Curtea Constituțională Federală din Germania, raportori: Prof. Dr. Gertrude Lübke-Wolff, prof. dr. h.c. Rudolf Mellinghoff, prof. Dr. Reinhard Gaier, judecători la Curtea Constituțională Federală

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Implementarea acquis-ului comunitar în domeniul transportului rutier în legislația românească

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Abstract: *Lucrarea de față își propune transpunerea aquis-ului comunitar din punctul de vedere al turismului rutier, care în fapt se operaționalizează prin intermediul unor serii de reglementări, directive și decizii specifice legislației europene din domeniu, care să fie aplicate la nivelul legislației naționale din România. Pe parcursul demersului nostru științific vom face apel la Evaluarea impactului asupra României a adoptării elementelor aquis-ului comunitar referitor la transportul rutier de mărfuri, Politica din domeniul transporturilor, Directiva 96/53/CE, Directiva 99/62/CE, precum și alte documente legislative relevante din acest punct de vedere.*

Dimensiunea instituțională este una cât se poate de relevantă deoarece aici vom identifica acele instituții reprezentative care activează în domeniul nostru de studiu.

Făcând trecerea de la dimensiunea legislativă europeană la cea românească, vom puncta seriile de documente legislative de la nivelul României care vor ajuta la o implementare cât mai eficientă a aquis-ului comunitar în domeniul transportului rutier în legislația românească.

Cuvinte cheie: *aquis-ului comunitar, transport rutier, România, Politica în domeniul transporturilor*

Transpunerea aquis-ului comunitar în domeniul transportului rutier înseamnă mai mult decât armonizare legislativă, reprezintă de fapt adoptarea legislației europene conținând câteva sute de reglementări, directive, decizii și crearea unei infrastructuri instituționale capabile să pună în aplicare aceste decizii. În domeniul transportului rutier se impun anumite cerințe de natură tehnică, socială și fiscală, iar deschiderea pieței naționale către piețele din țările membre UE este o precondiție pentru liberalizarea transportului rutier (Caraiani G, 2006 :319).

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Raportul final intitulat **Evaluarea impactului asupra României a adoptării elementelor acquis-ului comunitar referitor la transportul rutier de mărfuri** din septembrie 2002 arată faptul că negocierile dintre România și Uniunea Europeană privind Capitolul 9, **Politica în domeniul transporturilor** au început în iunie 2000, țara noastră angajându-se să transpună dispozițiile acquis-ului relevant în legislația autohtonă până la finalul anului 2003 și să o aplice treptat până la data intrării în UE, 1 ianuarie 2007. Pentru implementarea a două directive, și anume **Directiva 96/53/CE de stabilire, pentru anumite vehicule rutiere care circulă în interiorul Comunității, a dimensiunilor maxime autorizate în traficul național și internațional și a greutății maxime autorizate în traficul internațional**) și pentru **Directiva 99/62/CE de aplicare a taxelor la vehiculele grele de marfă pentru utilizarea anumitor infrastructuri** s-a cerut o perioadă de tranziție (Vladu, Uta, Pârvulescu, 2002: 6). Țara noastră a obținut următoarele perioade de tranziție: până la data de 31 decembrie 2010 pentru aplicarea prevederilor în ceea ce privește vehiculele românești care își desfășoară activitatea exclusiv în mediul autohton, a impozitelor minime stabilite de Directiva 99/62/CE; până la data de 31 decembrie 2013, pentru aplicarea integrală a prevederilor referitoare la greutățile maxime stabilite de Directiva 96/53/CE. În același timp Uniunea Europeană a cerut o perioadă de tranziție pentru aplicarea Regulamentului CE 3118/1993 privind cabotajul rutier¹.

Din evaluarea Comisiei din 2001 privind gradul de transpunere și de implementare a *acquis*-ului comunitar în domeniul transporturilor reiese că țara noastră a înregistrat un progres semnificativ (Pascal, 2002: 23-34).

Privind procesul de implementare trebuie luate în calcul trei aspecte (Pascal, 2002: 23-34):

- **Transpunerea în legislația națională** necesita o analiză amănunțită a directivelor și regulamentelor UE și compararea acestora cu legislația și reglementările românești (legi, ordonanțe, hotărâri, ordine, norme) pentru a vedea dacă toate aceste prevederi au fost sau nu preluate. De asemenea era nevoie de o clarificare a perioadelor de implementare și evidențierea diferențelor dintre legislația comunitară și cea autohtonă.
- **Implicații asupra operatorilor de transport:** implementarea noii legislații semnifica și creșterea costurilor pentru operatorii

¹ Consiliul Legislativ al României, "Avis referitor la proiectul de Ordonanță de urgență privind transporturile rutiere", Analizând proiectul de Ordonanță de urgență privind transporturile rutiere, transmis de Secretariatul General al Guvernului cu adresa nr. 140 din 12.07.2005, p. 3.

de transport, aici se includ taxele, costuri pentru echipare (instalarea tahografelor si limitatoarelor de viteză), administrarea costurilor (reorganizarea timpului de lucru pentru conducătorii auto, controale interne, cereri pentru licențe, formare profesională, cooperare cu instituțiile implicate).

- **Implicarea instituțiilor:** implementarea noii legislații cerea și o refacere a infrastructurii instituționale din România, care să fie dotată cu birouri și cu instrumente necesare și personal bine pregătit pentru îndeplinirea sarcinilor prevăzute.

În România următoarele instituții/organe au rol primordial în ceea ce privește reglementarea și aplicarea regulilor de transport și asigurarea securității rutiere (Pascal, 2002: 23-34):

- *Ministerul Afacerilor Interne*
- *Ministerul Transporturilor*
- *Inspectoratul General al Poliției Române (POLIȚIA ROMÂNĂ)*
- *Direcția Rutieră din Inspectoratul General al Poliției Române*
- *Consiliul Interministerial pentru Siguranță Rutieră – C.I.S.R*
- *Compania Națională de Autostrăzi și Drumuri Naționale din România (CNADNR)*
- *Inspectoratul de Stat pentru Controlul în Transportul Rutier -I.S.C.T.R*
- *Autoritatea Rutieră Română – A.R.R*
- *Regia Autonomă Registrul Auto Român -R.A.R*
- *Ministerul Educației Naționale*
- *Ministerul Sănătății*
- *Ministerul Apărării*
- *Direcția Generală a Vămilelor*

Țara noastră a parafat „Acordul între România și Comunitatea Europeană instituind anumite condiții pentru transportul rutier de mărfuri și promovarea transportului combinat”, care este în vigoare de la data de 1 iunie 2002, fiind ratificat prin Legea nr. 110/2002. S-a semnat și „Acordul între România și Comunitatea Europeană privind transporturile ocazionale internaționale de călători derulate cu autobuze și autocare”(Pascal, 2002: 24). Pachetul legislativ adoptat permite aplicarea celor mai importante acte europene din domeniul siguranței rutiere și a legislației sociale, printre acestea amintim (Pascal, 2002: 24-24; Caraiani, 2016: 320):

- **Ordonanța Guvernului nr. 17/2002** privind stabilirea perioadelor de odihnă ale conducătorilor vehiculelor care efectuează transporturi rutiere naționale care transpune Regulamentul nr. 3820/85/CEE privind armonizarea anumitor prevederi legislative referitoare la transportul rutier. Regulamentul din urmă argumentează

prevederile legislației existente cu privire la aplicarea în transporturile internaționale a prevederilor acordului AETR (Acordului european privind activitatea echipajelor vehiculelor care efectuează transporturi rutiere internaționale), înlocuită de **Ordonanța Guvernului nr. 37/2007**.

- **Ordinul Ministerului Lucrărilor Publice, Transporturilor și Locuinței (OMLPTL) nr. 1842/2001** pentru aprobarea Normelor metodologice de autorizare și efectuare a transporturilor rutiere și a activităților conexe acestora transpune condiția de prag financiar pentru accesul la ocupația de transportator rutier, legislația fiind implementată de către Autoritatea Rutiera Română (ARR) prin controale periodice la sediul întreprinderilor, la eliberarea licențelor sau, anual, la reînnoirea licenței de transport.

- **Ordinul Ministerului Lucrărilor Publice, Transporturilor și Locuinței nr. 29/11.01.2002 și Ordinul ministrului de interne nr. 206/16.01.2002** au fost emise pentru a răspunde prevederilor Directivei nr. 6/92/CEE, Regulamentului nr. 3820/85/CEE, Regulamentului nr. 3821/85/CEE, Directivei nr. 459/89/CEE, Directivei nr. 671/91/CEE, Directivei nr. 95/50/CE, Directivei nr. 55/94/CE, Directivei nr. 53/96/CE și Directivei nr. 599/88/CEE privind sistemul de efectuare a controalelor rutiere. Aceste ordonanțe au dat undă verde pentru înființarea echipajelor mobile mixte de control al traficului rutier, formate din reprezentanți și organe de control ai A.N.D. (Autoritatea Națională a Drumurilor), R.A.R. (Registrul Auto Român), A.R.R. (Autoritatea Rutieră Română), I.S.C.T.R. (Inspectoratul de Stat pentru Controlul Traficului Rutier) Inspectoratului General al Poliției și Inspectoratului General al Poliției de Frontieră. Sarcina reprezentanților acestor instituții constă în efectuarea de controale în trafic vizând greutatea și dimensiunile vehiculelor, licențele, inspecțiile tehnice periodice, limitele de poluare, respectarea timpilor de conducere și de odihnă, dotarea vehiculelor cu centuri de siguranță, utilizarea corectă a tahografelor (Caraiani, 2016: 320-321)².

- Implementarea legislației comunitare privind dimensiunile și greutatea (Directiva nr. 96/53) s-a produs prin emiterea **Ordonanței Guvernului nr. 79/2001**.

- Armonizarea legislației naționale cu prevederile stipulate în Regulamentul nr. 4058/89/CEE privind stabilirea tarifelor pentru transportul rutier de mărfuri între statele membre s-a realizat prin **Ordinul Ministrului Lucrărilor Publice, Transporturilor și Locuinței nr.**

² Programul Național de Aderare la Uniunea Europeană, Volumul I, Iunie 2002, p. 194, http://www.mdpl.ro/_documente/dialog_Ro_UE/PNAR%202002%20vol%20I%20rom.pdf, consultat la 16 Iulie, 2014.

1806/30.11.2001 privind instituirea tarifelor la transportul rutier public de mărfuri.

- Pentru a-și onora angajamentul cu privire la consolidarea capacității administrative pentru transporturile rutiere, continuarea armonizării legislative și implementarea **Planului de acțiune pentru echiparea vehiculelor transportatorilor români cu echipament de înregistrare și limitare a vitezei**, România a emis **OMTCT nr. 288/12.09.2003** pentru aprobarea Reglementărilor privind autorizarea agenților economici care execută lucrări de montaj, reparație, etalonare și/sau verificare a tahografelor și/sau a limitatoarelor de viteză pentru autovehicule. Ordonanța conținea prevederi referitoare la verificarea tahografelor și autorizarea agenților economici care montează, repară sau verifică tahografe, transpunând prevederile Regulamentului comunitar nr. 3821/1985 cu privire la aparatul de control în transportul rutier, modificat prin Regulamentul nr. 1266/2009 (Caraiani, 2016: 322).

- Armonizarea Regulamentului (CEE) nr. 3820/85 din 20 decembrie 1985 abrogat prin Regulamentul (CE) nr. 561/2006 din 15 martie 2006 privind stabilirea perioadelor de conducere și odihnă ale conducătorilor de vehicule care efectuează transporturi rutiere naționale s-a materializat prin **Legea nr. 466/2003** la sfârșitul anului 2006.

Trebuie evidențiat faptul că Autoritatea Rutieră Română (A.R.R.) înființată în anul 1998 și reorganizată în 2001 asigură capacitatea administrativă în domeniul transportului rutier. Inspectoratul de Stat pentru Controlul Traficului Rutier a luat ființă prin **Ordonanța Guvernului nr. 23/2011** și își desfășoară activitatea sub egida A.R.R., fiind responsabil de efectuarea unor activități de inspecție și control, atât în trafic, cât și la sediul operatorilor.

La finalul acestui capitol putem afirma că România a reușit să transpună și să implementeze cu succes legislația comunitară în domeniul transportului rutier și să-și armonizeze actele normative în ceea ce privește securitatea traficului rutier. Înainte de a trece la studiul de caz care și-a propus investigarea cooperării polițienești transfrontaliere în domeniul rutier între România și Ungaria prin prisma operațiunilor în oglindă, în următorul capitol am prezentat operațiuni ale agenților TISPOL și Ruta Eurocontrol pe care le considerăm exemple de bune practici de cooperare polițienească transfrontalieră.

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